

RESOLUTION NUMBER R- 315960

DATE OF FINAL PASSAGE DEC 19 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN  
GERTRUDIS QUINTO AND THE CITY OF SAN DIEGO

RECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. On December 21, 2022, Gertrudis Quinto filed suit against the City of San Diego alleging personal injuries from a trip and fall incident that occurred on June 5, 2022, on a sidewalk adjacent to 10825 Chinon Circle. On May 15, 2023, Ms. Quinto added the adjacent homeowner, Yi Zeng, as a defendant. The City and Ms. Zeng filed cross-complaints against each other. The lawsuit is entitled *Gertrudis Quinto v. City of San Diego*, San Diego Superior Court Case No. 37-2022-00051197-CU-PO-CTL (Litigation).

B. In Closed Session, on October 28, 2024, the City Council, by the following votes: Yeas, Districts 1, 3, 4, 5, 6, 7, 8, and 9; Nays, None; and Absent, District 2; approved the settlement of the Litigation for an amount consistent with the amount set forth below.


ACTION ITEMS

Be it resolved by the Council of the City of San Diego, that the Council:

1. Authorizes the Mayor or his designee to pay the sum of \$275,000.00 from Public Liability Fund No. 720045 in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against the City, its agents, and employees, arising from the Litigation.

2. Authorizes the Chief Financial Officer to appropriate and expend an amount not to exceed \$275,000.00 from the Public Liability Fund No. 720045, for the purpose of settling this Litigation.

APPROVED: HEATHER FERBERT, City Attorney

By   
Laura K. Gantney  
Deputy City Attorney

LKG: mcg  
November 20, 2024  
Or. Dept: Civil Division  
CC No. 3000017349  
Doc. No. 3859415

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on DEC 17 2024.

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 12/15/24  
(date)

  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

**The City of San Diego  
COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

CC 3000017349  
DEPT. NO.: 1211

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \$275,000.00

Purpose: Settlement of Gertrudis Quinto v. City of San Diego, et al.  
San Diego Superior Court No. 37-2022-00051197-CU-PO-CTL, Claim No. 29819

Date: December 5 2024 Lauren Rehkopf *Lauren Rehkopf*

| ACCOUNTING DATA |        |                |                |                  |             |               |             |     |                 |
|-----------------|--------|----------------|----------------|------------------|-------------|---------------|-------------|-----|-----------------|
| Doc. Item       | Fund   | Funded Program | Internal Order | Functional Area  | G/L Account | Business Area | Cost Center | WBS | Original Amount |
| 1               | 720045 | NON-PROGRAM    |                | OTHR-00000000-GG | 512006      | 1515          | 1515000011  |     | \$275,000.00    |
|                 |        |                |                |                  |             |               |             |     |                 |
|                 |        |                |                |                  |             |               |             |     |                 |
|                 |        |                |                |                  |             |               |             |     |                 |
| TOTAL AMOUNT    |        |                |                |                  |             |               |             |     | \$275,000.00    |

FUND OVERRIDE

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \_\_\_\_\_

Vendor: \_\_\_\_\_

Purpose: \_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_

COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA |      |                |                |                 |             |               |             |     |                 |
|-----------------|------|----------------|----------------|-----------------|-------------|---------------|-------------|-----|-----------------|
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|                 |      |                |                |                 |             |               |             |     |                 |
|                 |      |                |                |                 |             |               |             |     |                 |
|                 |      |                |                |                 |             |               |             |     |                 |
|                 |      |                |                |                 |             |               |             |     |                 |
| TOTAL AMOUNT    |      |                |                |                 |             |               |             |     |                 |

FUND OVERRIDE

CC 3000017349

Passed by the Council of The City of San Diego on DEC 17 2024, by the following vote:

| Councilmembers    | Yeas                                | Nays                                | Not Present              | Recused                  |
|-------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| Joe LaCava        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Jennifer Campbell | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Stephen Whitburn  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Henry Foster, III | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Marni von Wilpert | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Kent Lee          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Raul A. Campillo  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Vivian Moreno     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| Sean Elo-Rivera   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |

Date of final passage DEC 19 2024.

**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

AUTHENTICATED BY:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Kristell Medina, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 315960