

RESOLUTION NUMBER R- 316893DATE OF FINAL PASSAGE JUL 20 2026A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN
MAGDALENA GRACIA AND THE CITY OF SAN DIEGO.RECITALS

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

A. Magdalena Gracia filed a lawsuit in San Diego Superior Court against the City of San Diego alleging she was injured after she tripped and fell on uneven sidewalk panels in front of 1727 Grand Avenue in Pacific Beach. The lawsuit is entitled *Magdalena Gracia vs City of San Diego, et al.*, San Diego County Superior Court No. 24CU029640C (the Litigation).

B. In Closed Session on May 18, 2026, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 6, 7, 8, and 9; Nays, none; and Absent, District 5, authorized settlement of the Litigation for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth in the Settlement and Release Agreement.

C. The Office of the City Attorney prepared this Resolution based on the information provided by City staff with the understanding that this information is complete and accurate.

ACTION ITEMS

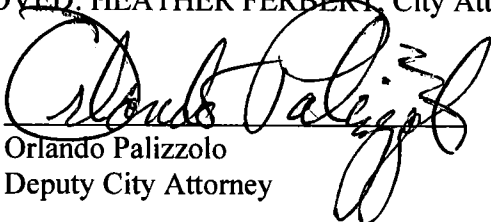
Be it resolved by the Council of the City of San Diego, that the Council:

1. Authorizes the Mayor or his designee to pay the sum of \$100,000.00 from the 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 of San Diego, its agents and employees, arising from the Litigation; and

2. Authorizes the Chief Financial Officer to expend an amount not to exceed \$100,000.00 from the Public Liability Fund No. 720045 for the purpose of settling the Litigation.

APPROVED: HEATHER FERBERT, City Attorney

By


Orlando Palizzolo
Deputy City Attorney

OP

June 4, 2026

Or.Dept: City Attorney

CC No.: 3000018669

Doc. No. 4452926

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

JUL 14 2026

DIANA J.S. FUENTES
City Clerk

By


Deputy City Clerk

Approved:

7/17/26

(date)


TODD GLORIA, Mayor

Vetoed:

(date)

TODD GLORIA, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000018669
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: \$100,000.00

Purpose: Settlement of Magdalena Gracia v. City of San Diego, San Diego Superior Court No. 24CU029640C, Claim No. 38392

Date: June 23, 2026 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		\$100,000.00
TOTAL AMOUNT									\$100,000.00

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

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE ☐

CC 3000018669

Passed by the Council of The City of San Diego on July 14, 2026, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	☒	☐	☐	☐
Jennifer Campbell	☒	☐	☐	☐
Stephen Whitburn	☒	☐	☐	☐
Henry L. Foster III	☒	☐	☐	☐
Marni von Wilpert	☒	☐	☐	☐
Kent Lee	☒	☐	☐	☐
Raul A. Campillo	☐	☐	☒	☐
Vivian Moreno	☒	☐	☐	☐
Sean Elo-Rivera	☒	☐	☐	☐

Date of final passage JUL 20 2026.

(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:

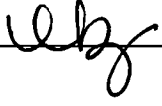
TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number **R-316893**