

RESOLUTION NUMBER R- 316917

DATE OF FINAL PASSAGE SEP 02 2026

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN
PLAINTIFFS, LA JOLLA TERRACE HOMEOWNERS
ASSOCIATION AND CELESTE FOLEY, AND THE CITY OF
SAN DIEGO.

RECITALS

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

A. Plaintiff La Jolla Terrace Homeowners Association filed suit against the City of San Diego, alleging inverse condemnation stemming from a failed storm drainpipe in the common area of their community, located near 8803 Gilman Drive, San Diego, California. Owners of condominiums located at 8803 and 8807 Gilman Drive, also filed lawsuits against the City of San Diego. These lawsuits were consolidated under the case entitled *La Jolla Terrace Homeowners Association v. City of San Diego, et al.*, Superior Court Lead Case Number 37-2024-00008244-CU-EI-CTL (Litigation).

B. In closed session on June 15, 2026, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 6, 7, 8 and 9; Nays, District 5; and Absent, District 4; approved the settlement of the Litigation as to Plaintiff La Jolla Terrace Homeowner Association and Plaintiff Celeste Foley for an amount consistent with the amounts set forth below.

ACTION ITEMS

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

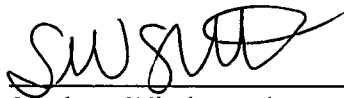
1. The Mayor or his designee is authorized to pay the sum of \$9,450,000.00 to La Jolla Terrace Homeowners Association and \$550,000.00 to Celeste Foley from Public Liability Fund No. 720045 in settlement of each and every claim for damages, interest, costs, and fees of

any type, including attorneys' fees, against the City, its agents, and employees, arising from the Litigation as to the La Jolla Terrace Homeowners Association and Celeste Foley only.

2. The Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$10,000,000.00 from Public Liability Fund No. 720045, for the purpose of settling the Litigation as to the La Jolla Terrace Homeowners Association and Celeste Foley only.

APPROVED: HEATHER FERBERT, City Attorney

By



Sarah A. Wigdor-Roberts
Chief Deputy City Attorney

SAW:mgm
July 28, 2026
Or. Dept: City Attorney
CC No. 3000018733
Doc. No. 4488623

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on
AUG 25 2026.

DIANA J.S. FUENTES
City Clerk

By



Deputy City Clerk

Approved: _____

9/2/26
(date)



TODD GLORIA, Mayor

Vetoed: _____

(date)

TODD GLORIA, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000018733
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: \$10,000,000.00

Purpose: Settlement of La Jolla Terrace Homeowners Association v. City of San Diego, et al. San Diego Superior Court No. 37-2024-00008244-CU-EI-CTL, Claim No. 34436

Date: July 31, 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	512007	1515	1515000011		\$10,000,000.00
TOTAL AMOUNT									\$10,000,000.00

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 3000018733

Passed by the Council of The City of San Diego on **August 25, 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 SEP 02 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-316917**