113 11-10-26

(R-2027-106)

RESOLUTION NUMBER R- 317028

DATE OF FINAL PASSAGE NOV 13 2026

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT BETWEEN HERMAN FLORENCE AND CITY OF SAN DIEGO.

RECITALS

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

A. On June 6, 2024, Plaintiff Herman Florence filed suit against the City of San Diego, alleging personal injuries arising from a pedestrian accident involving a City vehicle that occurred on June 30, 2023. The suit is entitled *Herman Florence v. City of San Diego,* San Diego Superior Court Case No. 37-2024-00026997-CU-PA-CTL (Litigation).

B. In closed session on September 28, 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; approved the settlement of the Litigation 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 $125,000.00 from Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorneys' fees, against the City of San Diego, its agents, employees and contractors arising from the Litigation.

2. The Chief Financial Officer is authorized to appropriate and expend an amount not to exceed $125,000.00 from Public Liability Fund No. 720045, for the purpose of settling this Litigation.

APPROVED: HEATHER FERBERT, City Attorney

By _____
John P. Pearson
Deputy City Attorney

JPP:jmh
October 15, 2026
Dept: City Attorney
CC No. 3000018892
Doc. No. 4558053

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on NOV 10 2026.

DIANA J.S. FUENTES
City Clerk

By _____
Deputy City Clerk

Approved: 11/13/26 _____
(date) TODD GLORIA, Mayor

Vetoed: _____ _____
(date) TODD GLORIA, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC DEPT. NO.: 3000018892 / 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: $125,000.00

Purpose: Settlement of Herman Florence v. City of San Diego, San Diego Superior Court No. 37-2024-00026997-CU-PA-CTL, Claim No. 34761

Date: October 19, 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	512004	1515	1515000011		$125,000.00
								TOTAL AMOUNT	$125,000.00

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	

CC-361 (REV 7-09)

FUND OVERRIDE ☐

CC 3000018892

41113

Passed by the Council of The City of San Diego on November 10, 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 NOV 13 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-317028**