

REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO	CERTIFICATE NUMBER (FOR COMPTROLLER'S USE ONLY) 3000008354
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TO: CITY COUNCIL	FROM (ORIGINATING DEPARTMENT): City Attorney	DATE: 11/12/2015
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SUBJECT: Settlement of the personal injury case of Denise Edwards resulting from an alleged dangerous condition of public property.

PRIMARY CONTACT (NAME, PHONE): Christina Milligan, 533-5895/ MS 59	SECONDARY CONTACT (NAME, PHONE): Ginger Botha, 533-6372/ MS 59
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COMPLETE FOR ACCOUNTING PURPOSES

FUND	720045				
FUNCTIONAL AREA	OTHR-00000000-GG				
COST CENTER	1515000011				
GENERAL LEDGER ACCT	512006				
WBS OR INTERNAL ORDER					
CAPITAL PROJECT No.					
AMOUNT	\$180,000.00	0.00	0.00	0.00	0.00

FUND					
FUNCTIONAL AREA					
COST CENTER					
GENERAL LEDGER ACCT					
WBS OR INTERNAL ORDER					
CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00

COST SUMMARY (IF APPLICABLE): Settlement of the personal injury case of Denise Edwards resulting from an alleged dangerous condition of public property. Total settlement of \$180,000 will be paid from the Public Liability Fund 720045.

Risk Management File No. iVOS 9164.

ROUTING AND APPROVALS

CONTRIBUTORS/REVIEWERS:	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
Risk Management	ORIG DEPT.	Bamberg, Daniel	11/12/2015
Financial Management	CFO		
Comptroller	DEPUTY CHIEF	Bamberg, Daniel	11/23/2015
Liaison Office	COO		
	CITY ATTORNEY	Milligan, Christina	11/13/2015
	COUNCIL PRESIDENTS OFFICE	Jurado-Sainz, Diana	12/02/2015

PREPARATION OF: RESOLUTIONS ORDINANCE(S) AGREEMENT(S) DEED(S)

1. Authorizing the Mayor or his designee to pay the sum of \$180,000 from the 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 City of San Diego, its agents and employees, arising from the October 23, 2013 incident that is the subject of Denise Edwards' lawsuit, San Diego Superior Court Case No. 37-2014-00019139-CU-PO-CTL.

2. Authorizing the Chief Financial Officer to appropriate and expend \$180,000 from the Public Liability Fund, Fund 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

3. Authorizing the Comptroller to issue a check for one hundred eighty thousand dollars (\$180,000) made payable to Suppa, Trucchi and Henein LLP Attorney Client Trust account.

STAFF RECOMMENDATIONS:

Approve the resolution.

SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION)

COUNCIL DISTRICT(S):	2
COMMUNITY AREA(S):	
ENVIRONMENTAL IMPACT:	This activity is not a project and therefore is not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(3).
CITY CLERK INSTRUCTIONS:	

**COUNCIL ACTION
EXECUTIVE SUMMARY SHEET
CITY OF SAN DIEGO**

DATE: 11/12/2015

ORIGINATING DEPARTMENT: City Attorney

SUBJECT: Settlement of the personal injury case of Denise Edwards resulting from an alleged dangerous condition of public property.

COUNCIL DISTRICT(S): 2

CONTACT/PHONE NUMBER: Christina Milligan/533-5895/ MS 59

DESCRIPTIVE SUMMARY OF ITEM:

This a claim for damages suffered by Denise Edwards after she tripped and fell on an allegedly defective sidewalk on October 23, 2013. The proposed settlement would resolve all claims brought by Denise Edwards.

STAFF RECOMMENDATION:

Approve the resolution.

EXECUTIVE SUMMARY OF ITEM BACKGROUND:

This a lawsuit brought by Denise Edwards for personal injury damages following an incident on a City sidewalk. The proposed settlement would resolve all claims brought by Denise Edwards, including costs, fees, attorneys' fees and liens.

FISCAL CONSIDERATIONS:

Settlement in the total of \$180,000 will be paid from the Public Liability Fund 720045.

EQUAL OPPORTUNITY CONTRACTING INFORMATION (IF APPLICABLE):

N/A

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

The item was approved in Closed Session on October 27, 2015.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

N/A

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

N/A

Bamberg, Daniel

Originating Department

Bamberg, Daniel

Deputy Chief/Chief Operating Officer