

RESOLUTION NUMBER R- 309515

DATE OF FINAL PASSAGE MAR 11 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT
AGREEMENT BETWEEN KIM L. PRECIADO AND THE CITY
OF SAN DIEGO.

WHEREAS, on November 20, 2013, Plaintiffs Roderica Huffman and Kathleen Gonzalez filed suit against the City of San Diego alleging personal injuries arising from a motor vehicle collision. Plaintiffs brought suit in the Superior Court of the State of California. The suit is entitled *Roderica Huffman, et al. v. City of San Diego*, Case No. 37-2013-00076520-CU-PA-CTL; and

WHEREAS, on November 26, 2013, Kim L. Preciado filed suit against the City of San Diego [City] alleging personal injury arising from the same motor vehicle collision. Plaintiff brought suit in the Superior Court of the State of California. The suit is entitled *Kim L. Preciado v. City of San Diego*, Case No. 37-2013-00077591-CU-PA-CTL; and

WHEREAS, on January 27, 2014, Case Nos. 37-2013-00077591-CU-PA-CTL and 37-2013-00076520-CU-PA-CTL were consolidated. *Roderica Huffman, et al. v. City of San Diego*, Case No. 37-2013-00076520-CU-PA-CTL is designated the lead case; and

WHEREAS, in Closed Session on January 20, 2015, the City Council, by the following votes:

Yeas, District(s) 1, 3, 4, 6, 7, 8, 9; Nays, District(s) None; and absent, (District(s) 2, and 5, approved the Settlement Agreement on file in the Office of the City Clerk as document as document No. **RR-309515**

WHEREAS, the City Council in closed session on January 20, 2015 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 Agreement; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Council authorizes:

1. The sum of \$55,000 to be paid from the Public Liability Fund 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. The Comptroller to issue a check in the amount of \$55,000 payable to Pacific Trial Lawyers and Kim Preciado.

APPROVED: Jan I. Goldsmith, City Attorney

By Christine Leone
Christine M. Leone
Deputy City Attorney

CML:msr
1/9/2015
Or.Dept: Risk Management Dept.
CC No.
Doc. No.: 932797

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 24 2015

ELIZABETH S. MALAND
City Clerk

By Steph Brady
Deputy City Clerk

Approved: 3/10/15
(date)



KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on FEB 24 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherrri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 11 2015

(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:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By Aty Brady, Deputy

Office of the City Clerk, San Diego, California
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