

#102
9/19/17

(R-2018-49)

RESOLUTION NUMBER R- 311323
DATE OF FINAL PASSAGE SEP 21 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING SETTLEMENT OF GINEVRA
RYMAN-AAVANG, ET AL. V. CITY OF SAN DIEGO, ET AL.

WHEREAS, on October 8, 2015, Plaintiffs Ginevra Ryman-Aavang, John Aavang, and Juniper Aavang, by and through her Successor in Interest Ginevra Ryman-Aavang filed suit against the City of San Diego [City] alleging personal injuries arising from an automobile accident that occurred on March 2, 2015. The suit is entitled *Ginevra Ryman-Aavang, et al. v. City of San Diego, et al.*, Case No. 37-2015-00034135-CU-PA-CTL; and

WHEREAS, in closed session on April 25, 2017, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, and 9; Nays, none; Absent, 7 and 8, approved the settlement of Plaintiffs' claims for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth in a settlement agreement; NOW,

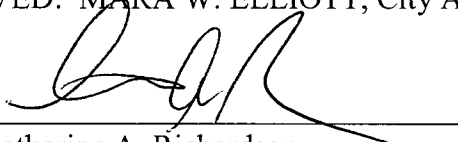
THEREFORE,

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

1. Authorizing the Mayor or his designee to pay the sum of \$12,500,000.00 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 City of San Diego, its agents and employees, arising from the personal injury claim of *Ginevra Ryman-Aavang, et al. v. David Allen Hoban, City of San Diego et al.*, San Diego Superior Court, Case No. 37-2015-00034135-CU-PA-CTL

2. Authorizing the Chief Financial Officer to appropriate and expend \$12,500,000.00 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.

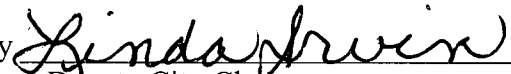
APPROVED: MARA W. ELLIOTT, City Attorney

By 
Catherine A. Richardson
Chief Deputy City Attorney

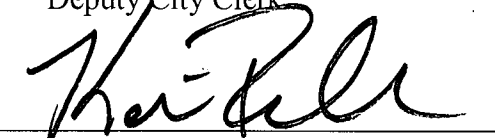
CAR:slc
August 23, 2017
Or.Dept: City Attorney
CC No. 3000010307
Doc. No.: 1565278

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 19 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 9/21/17
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

**The City of San Diego
COMPTROLLER'S CERTIFICATE**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000010307
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: _____ Fund: _____

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

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: _____ \$12,500,000.00

Vendor: (Various)

Purpose: Authorizing the expenditure of funds for the settlement of personal injury claims filed by Plaintiffs John Aavang and Ginevra Ryman Aavang Risk Mgmt File No. 10880.

Date: September 1, 2017 By: Lina Chlm 

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
01	720045			OTHR-00000000-GG	512006	1515	1515000011		\$12,500,000.00
TOTAL AMOUNT									\$12,500,000.00

FUND OVERRIDE

CC 3000010307

Passed by the Council of The City of San Diego on SEP 19 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SEP 21 2017

Date of final passage _____

(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.)

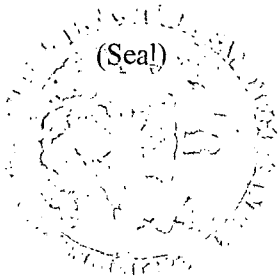
AUTHENTICATED BY:

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 Ginda Irwin, Deputy

Office of the City Clerk, San Diego, California

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