

RESOLUTION NUMBER R- 312576

DATE OF FINAL PASSAGE JUL 29 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING SETTLEMENT OF
JOSE ANTUNES.

WHEREAS, on June 6, 2017, JOSE ANTUNES filed suit against the City of San Diego [City] alleging personal injuries resulting from a bicycle accident that occurred on June 22, 2016. Jose Antunes brought suit in the Superior Court for the County of San Diego. The suit is entitled *Jose Antunes v. City of San Diego*, San Diego Superior Court Case No. 37-2017-00020380-CU-PO-CTL [Litigation]; and

WHEREAS, in Closed Session on June 25, 2019, the City Council, by the following votes: Yeas, District(s) 1, 2, 3, 4, 5, 6, 7, 8, and 9; Nays, None; and Absent, None; approved the settlement; and

WHEREAS, the City Council in Closed Session on June 25, 2019, 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 City Council of the City of San Diego, that the Council:

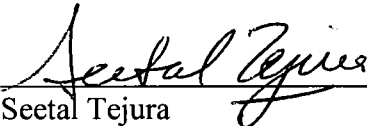
1. Authorizes the Mayor or his designee to pay the sum of \$75,000 from Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and employees, arising from the personal injury complaint filed by Jose Antunes.

2. Authorizes the Chief Financial Officer to expend \$75,000 from Public Liability Fund No. 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. Authorizes the Comptroller to issue a check in the amount of \$75,000.00, made payable to Jose Antunes and Jurewitz Law Group.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Seetal Tejura
Chief Deputy City Attorney

ST:my
June 26, 2019
Or.Dept:1400
CC No. 3000012369
Doc. No.: 2038440

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 23 2019.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7/29/19
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. NO.: 3000012369
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: \$75,000.00

Vendor: Jose Antunes and Jurewitz Law Group

Purpose: Authorizing the expenditure of funds for the settlement of a claim filed by Jose Antunes. Risk Management Claim No. 13870.

Date: July 2, 2019 By: Sonny Bautista
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		\$75,000.00
TOTAL AMOUNT									\$75,000.00

Passed by the Council of The City of San Diego on JUL 23 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<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"/>
Monica Montgomery	<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"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 29 2019.

(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.

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

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 312576