

RESOLUTION NUMBER R- 313702DATE OF FINAL PASSAGE SEP 22 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT
BETWEEN GIOVANNA DOMINGUEZ, SAMANTHA
MUNOZ, CARMEN FELIX, ALEXANDER DOMINGUEZ,
TAIDE DOMINGUEZ, THE ESTATE OF JESUS DAVID
DOMINGUEZ, THE ESTATE OF ISAAC FELIX, AND THE
CITY OF SAN DIEGO

WHEREAS, on September 13, 2018, Giovanna Dominguez, Samantha Munoz, Carmen Felix, Alexander Dominguez, Taide Dominguez, the Estate of Jesus David Dominguez, and the Estate of Isaac Felix filed suit against the City of San Diego and its employee related to injuries and deaths that resulted from two motor vehicle collisions on northbound Interstate 15 in the City of San Diego on January 2, 2018. The suit is entitled *Giovanna Dominguez, et al. v. City of San Diego, et al.*, San Diego Superior Court Case No. 37-2018-00046441-CU-PA-CTL; and

WHEREAS, in Closed Session on July 13, 2021, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, 8, and 9; Nays, None; and Absent, None; approved the Settlement for an amount consistent with the amounts set forth below;

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 \$9,700,000.00 from Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and employees, arising from the personal injury complaint filed by Giovanna Dominguez, the Estate of Jesus David Dominguez, Samantha Muñoz, Taide Dominguez, Alexander Dominguez, the Estate of Isaac Felix, and Carmen Felix.

2) Authorizes the Chief Financial Officer to expend an amount not to exceed \$9,700,000.00 from Public Liability Fund No. 720045, for the purpose of settling this claim..

APPROVED: MARA W. ELLIOTT, City Attorney

By s/Stacy J. Plotkin-Wolff
Stacy J. Plotkin-Wolff
Acting Chief Deputy City Attorney

SJP/tjb
July 13, 2021
Or. Dept: City Attorney
CC No. 300014207
Doc. No.: 2710476

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 14 2021

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 9/24/21
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

3000014207
DEPT. NO.: 1515

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: \$9,700,000 Fund: 720045

Purpose: Settlement of *Giovanna Dominguez, et al. v. City of San Diego, et al.* San Diego Superior Court Case No. 37-2018-00046441-CU-PA-CTL, Risk Claim No. 18374.

Date: July 30, 2021 By: Nicholas O'Donnell *Nicholas O'Donnell*
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	720045			OTHR-00000000-GG	512004	1515	1515000011		\$9,700,000
TOTAL AMOUNT									\$9,700,000

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									

Passed by the Council of The City of San Diego on SEP 14 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<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"/>
Raul A. Campillo	<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"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 22 2021

(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)

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

By , Deputy

Office of the City Clerk, San Diego, California

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