

1/24/2023 #101

(R-2023-268)
COR.COPY

RESOLUTION NUMBER R- 314572

DATE OF FINAL PASSAGE FEB 01 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT
BETWEEN KYLE LONG AND THE CITY OF SAN DIEGO.

WHEREAS, on December 15, 2020, Kyle Long filed suit against the City of San Diego alleging dangerous condition arising from a motorcycle accident on Charles Street in the City of San Diego on January 5, 2020. Plaintiff alleges he incurred medical expenses and loss of earnings due to injuries sustained as a result of a dangerous condition. The suit is captioned *Kyle Long v. City of San Diego*, San Diego Superior Court Case No. 37-2020-00046052-CU-PO-CTL.

WHEREAS, in Closed Session on October 11, 2022, the San Diego City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, and 9, District 8 absent, and no Nays approved the Settlement for an amount consistent with the amounts set forth above; NOW,
THEREFORE,

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

1) Authorizes the Mayor or his designee to pay the sum of \$250,000 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 the City of San Diego, its agents and employees, arising from the personal injury complaint filed by Plaintiff Kyle Long.

2) Authorizes the Chief Financial Officer to expend an amount not to exceed \$250,000 from Public Liability Fund No. 720045, for the purpose of settling this claim.

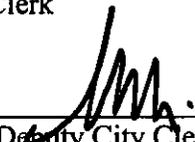
APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Robert J. Rice
Robert J. Rice
Deputy City Attorney

RJR:sb
November 7, 2022
January 19, 2023 COR.COPY
Or.Dept: City Attorney
CC No. 3000015293
Doc. No. 3137130

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 24 2023.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 2/1/23
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000015293
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: \$250,000.00

Purpose: Settlement of Kyle Long v. City of San Diego, San Diego Superior Court Case No. 37-2020-00046052-CU-PO-CTL, Risk Claim No. 25047

Date: November 28, 2022 By: Christopher Purcell *Christopher Purcell*
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	512006	1515	1515000011		\$250,000.00
TOTAL AMOUNT									\$250,000.00

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									

FUND OVERRIDE

Passed by the Council of The City of San Diego on JAN 24 2023, 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Kent Lee	<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 FEB 01 2023.

(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.)

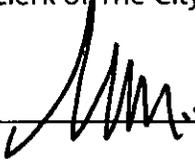
AUTHENTICATED BY:



(Seal)

TODD GLORIA
Mayor of The City of San Diego, California.

DIANA I.S. FUENTES
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 314572