

RESOLUTION NUMBER 314997

DATE OF FINAL PASSAGE JUN 27 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT
BETWEEN KENNETH WEBSTER AND THE CITY OF SAN
DIEGO

WHEREAS, on February 1, 2022, Kenneth Webster filed a lawsuit against the City of San Diego alleging personal injuries arising from a July 4, 2021, bicycle fall on the Class II bikeway on the 9700 block of Camino Del Sur, in the City of San Diego. The suit is captioned *Kenneth Webster v. City of San Diego*, San Diego Superior Court Case No. 37-2022-00004131-CU-PO-CT; and


WHEREAS, in Closed Session on May 15, 2023, the San Diego City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, 8 and 9; Nay, None; and Absent, None; approved the settlement for an amount consistent with the amounts set forth;

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 \$99,000.00 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 complaint filed by Plaintiff Kenneth Webster.

2. Authorizes the Chief Financial Officer to expend an amount not to exceed \$99,000.00 from Public Liability Fund No. 720045, for the purpose of settling this claim.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Norma A. Morales
Deputy City Attorney

NAM:mfc
May 16, 2023
Or.Dept: City Attorney
CC No. 3000015864
Doc. No. 3307038

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 20 2023.

DIANA J.S. FUENTES
City Clerk

By 
Deputy City Clerk

Approved: 6/27/23
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000015864
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: \$99,000.00

Purpose: Item Subject: Settlement of Kenneth Webster v. City of San Diego, San Diego Superior Court No. 37-2022-00004131-CU-PO-CTL,
Claim No.
28291.

Date: June 2nd 2023

Lauren Rehkopf *Lauren Rehkopf*

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	720045	NON-PROGRAM		OTHR-00000000-GG	512006	1515	1515000011		\$99,000.00
TOTAL AMOUNT									\$99,000.00

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 ☐

CC 3000015864

Passed by the Council of The City of San Diego on JUN 20 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 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 JUN 27 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:

TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES

Interim City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- **314997**