RESOLUTION NUMBER R- 315117

DATE OF FINAL PASSAGE __SEP 1 8 2023__

### A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVIING THE SETTLEMENT BETWEEN KEKOA YOUNG AND THE CITY OF SAN DIEGO, ET AL.

WHEREAS, on May 26, 2020, Kekoa Young filed suit against the City of San Diego, et al., alleging personal injuries arising from a motor vehicle accident that occurred on July 11, 2019, on Myrtle Avenue at the intersection with Utah Street, San Diego. The suit is entitled *Kekoa Young v. City of San Diego, et al.*, San Diego Superior Court Case No. 37-2020-00017371-CU-PA-CTL (Litigation); and

WHEREAS, in Closed Session on July 31, 2023, 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 of the Litigation for an amount consistent with the amounts set forth below;
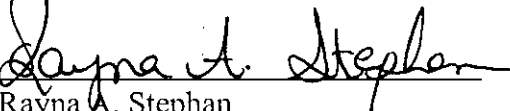
BE IT RESOLVED, by the City Council of the City of San Diego, that the Council:

1) Authorizes the Mayor or his designee to pay the sum of $2,300,000.00 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 the City of San Diego, its agents and employees, arising from this Litigation; and

-PAGE 1 OF 2-

2)    Authorizes the Chief Financial Officer to expend an amount not to exceed

$2,300,000.00 from Public Liability Fund No. 720045, for the purpose of settling these

claims.

APPROVED: MARA W. ELLIOTT, City Attorney

By    _____
      Rayna A. Stephan
      Senior Chief Deputy City Attorney

RAS:aml
August 29, 2023
Or.Dept: Environmental Services
CC No. 3000016076
Doc. No. 3378940

I certify that the foregoing Resolution was passed by the Council of the City of San Diego,
at this meeting of _____ **SEP 1 2 2023** _____ .

DIANA J.S. FUENTES
City Clerk

By _____
   (Deputy City Clerk)

Approved: ___9/15/23___          _____
              (date)                TODD GLORIA, Mayor

Vetoed: _____      _____
              (date)                TODD GLORIA, Mayor

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

### CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC  3000016076

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:  $2,300,000.00

Purpose:  Settlement of Kekoa Young v. City of San Diego, et al.: SDSC 37-2020-00017371-CU-PA-CTL, Claim No. 23099

Date:  August 30, 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 | 512004 | 1515 | 1515000011 | | $2,300,000.00 | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | TOTAL AMOUNT | $2,300,000.00 | |

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 | |
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| | | | | | | | | | | |
| | | | | | | | | TOTAL AMOUNT | | |

CC-361 (REV 7-09)

FUND OVERRIDE ☐

CC  3000016076

Passed by the Council of The City of San Diego on **SEP 1 2 2023** , by the following vote:

| Councilmembers | Yeas | Nays | Not Present | Recused |
|---|---|---|---|---|
| Joe LaCava | ☑ | ☐ | ☐ | ☐ |
| Jennifer Campbell | ☑ | ☐ | ☐ | ☐ |
| Stephen Whitburn | ☑ | ☐ | ☐ | ☐ |
| Monica Montgomery Steppe | ☑ | ☐ | ☐ | ☐ |
| Marni von Wilpert | ☑ | ☐ | ☐ | ☐ |
| Kent Lee | ☑ | ☐ | ☐ | ☐ |
| Raul A. Campillo | ☑ | ☐ | ☐ | ☐ |
| Vivian Moreno | ☑ | ☐ | ☐ | ☐ |
| Sean Elo-Rivera | ☐ | ☐ | ☑ | ☐ |

Date of final passage **SEP 1 8 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_____
City Clerk of The City of San Diego, California.

By _*Krystlee Medina*_, Deputy

Office of the City Clerk, San Diego, California

**315117**

Resolution Number R-_____