/02 1-1624 (R-2024-638)

RESOLUTION NUMBER R- 315680

DATE OF FINAL PASSAGE JUL 2 2 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT BETWEEN PLAINTIFFS MARIA PALAFOX, ET AL. AND CITY OF SAN DIEGO.

WHEREAS, on April 6, 2022, Plaintiffs Maria Palafox, Christopher Mamahua, Eli Mamahua, Francisco Mamahua, Noe Mamahua, Pascual Mamahua, and Sheila Romero filed suit against the City of San Diego, seeking wrongful death damages arising from a motor vehicle accident which occurred on October 15, 2021. The suit is entitled *Maria Palafox, et al. v. City of San Diego, et al.*, San Diego Superior Court Case No. 37-2024-00018242-CU-PO-CTL (Litigation); and

WHEREAS, in closed session on June 10, 2024, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, and 9; Nays, none; Absent, District 8, approved the settlement of the Litigation for an amount consistent with the amounts set forth below and under such other terms more fully set forth in the Settlement Agreement; and 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 \$250,000.00 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, employees, and contractors arising from the Litigation.

TODD GLORIA, Mayor

2.	Authorizes the Chief Financia	d Officer to expend an amount not to exceed
\$250,000.00	from Public Liability Fund No.	720045, for the purpose of settling this claim.
APPROVED	D: MARA W. ELLIOTT, City At	torney
By John	P. Pearson aty City Attorney	
JPP:jmh June 10, 202 Or. Dept: Ci CC No. 3000 Doc. No. 36	ty Attorney 0016864	
I certify that meeting of _	the foregoing Resolution was pa	assed by the Council of the City of San Diego, at this
		DIANA J.S. FUENTES City Clerk  By Cannie Patterson Deputy City Clerk
Approved: _	7/19/24 (date)	TODD GLORIA, Mayor
Vetoed:		

(date)

## The City of San Diego COMPTROLLER'S CERTIFICATE

HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the forequaliable in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.   Amount: \$250,000.00	NO.: 1211		CE	BALANO	ALLOTTE	ERTIFICATE OF UN	C			
vailable in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.  Amount:  \$250,000.00  Settlement of Maria Palafox et al. v. City of San Diego. San Diego Superior Court No. 37-2024-00018242-CU-Pi 28581.  Claim No. 21367  Date:  June 18, 2024  Lauren Rehkopf  Account Area  Account Area  Account Area  Account Area  OTHR-00000000-GG 512006 15115 1515000011  TOTAL AMOUNT  CERTIFICATION OF UNENCUMBERED BALANCE  I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized it ached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego unther certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have by or the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the own actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation from which the same are to be drawn, and that the contract of the City of San Diego that sufficient moneys anticipated to come into the Treasury, to the credit of said appropriation from which the same are to be drawn, and that the contract of the City of San Diego that sufficient moneys anticipated to come into the Treasury, to the credit of said appropriation from which the same are to be drawn, and that the contract of the City of San Diego that sufficient moneys anticipated to come into the Treasury, to the credit of said appropriation from which the same are to be drawn, and that the contract of the City of San Diego that sufficient moneys anticipated to come into the Treasury, to the credit of said appropriation from which the same are to be drawn, and that the contract of the Charter of the City of San Diego that sufficient moneys anticipated to come into the Treasury, to the credi		ORIGINATING								
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CC-361 (REV 7-09)

FUND OVERRIDE CC 3000016864

Passed by the Council of The Cit	y of San Dieg	o on <b>JU</b> L	16 2024	, by the following vote:
Councilmembers	Yeas	Nays	Not Present	Recused
. Joe LaCava .	<b>7</b> .			. [] .
Jennifer Campbell	<mark>Д</mark>			·· [ - · · · · · · · · · · · · · · · · ·
Stephen Whitburn	Ž	П	П	
Henry Foster, III	Ā			
Marni von Wilpert	Ź			
Kent Lee	$\mathbb{Z}$			
Raul A. Campillo				
Vivian Moreno	Z,			
Sean Elo-Rivera	Z			
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(Please note: When a resoluti date the approved resolution		-		
			TODD GL	
AUTHENTICATED BY:		Mayor	of The City of Sa	an Diego, California.
			DIANA J.S. FU	· · · · · · · · · · · · · · · · · · ·
(Seal)		City Cler	k of The City of S	San Diego, California.
		ву <u>Сол</u>	mi Pa	TEXT Deputy
		Office of the	City Clerk, San D	iego, California
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