

RESOLUTION NUMBER R- 316030DATE OF FINAL PASSAGE FEB 18 2025A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN
KELLY ZOMBRO AND THE CITY OF SAN DIEGORECITALS

The Council of the City of San Diego (Council) adopts this Resolution based on the following:

A. On December 20, 2022, Kelly Zombro filed a lawsuit in San Diego Superior Court against the City of San Diego in which he alleged age discrimination and wrongful constructive discharge during his employment at the San Diego Fire-Rescue Department. The suit is entitled *Kelly Zombro v. City of San Diego, et al.*, San Diego Superior Court No. 37-2022-00050970-CU-OE-CTL (Litigation); and

B. In closed session on December 16, 2024, the City Council, by the following votes: Yeas, 1, 2, 3, 4, 5, 6, 7, 8, and 9; Nays, None; and Absent, None, authorized settlement of the Litigation consistent with the amount set forth below.

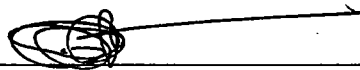
ACTION ITEMS

Be it resolved by the Council of the City of San Diego:

1. Authorizes the Mayor or his designee to pay the sum of \$190,000.00 from the Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorneys' fees, against City of San Diego, its agents and employees, arising from the Litigation;

2. Authorize the Chief Financial Officer to appropriate and expend an amount not to exceed \$190,000.00 from the Public Liability Fund No. 720045 for the purpose of settling the Litigation.

APPROVED: HEATHER FERBERT, City Attorney

By: 
George F. Schaefer
Senior Deputy City Attorney


GFS:hhk
January 8, 2025
Or. Dept: City Attorney
CC No. 3000017438
Doc. No. 3906266

I certify that the Council of the City of San Diego adopted this Resolution at a meeting held on FEB 11 2025.

DIANA J.S. FUENTES
City Clerk

By: 
Deputy City Clerk

Approved: 2/18/25
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. NO.: 3000017438
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: \$190,000.00

Purpose: Settlement of Kelly Zombro v. City of San Diego, San Diego Superior Court Case No. 37-2022-00050970-CU-OE-CTL, Claim No. 31280

Date: January 17, 2025 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		\$190,000.00
TOTAL AMOUNT									\$190,000.00

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 FEB 11 2025, 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"/>
Henry L. Foster III	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 18 2025.

(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 Dinda Irwin, Deputy
For Connie Patterson

Office of the City Clerk, San Diego, California
Resolution Number R- 316030