

RESOLUTION NUMBER R- **316233**

DATE OF FINAL PASSAGE **JUN 05 2025**

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT OF  
RAKEWON EMMANUEL COOK AND THE CITY OF  
SAN DIEGO

RECITALS

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

A. On December 12, 2023, Rakewon Emmanuel Cook filed suit against the City of San Diego alleging personal injuries arising from an incident that occurred on December 25, 2022, involving a water meter box, while he was walking northbound on the east side of Euclid Avenue approaching Hilltop Drive. The lawsuit is entitled *Rakewon Emmanuel Cook v. City of San Diego*, San Diego Superior Court Case No. 37-2023-00053851 CU-PO-CTL (Litigation).

B. In closed session on April 21, 2025, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, and 9; Nays, None; and Absent, District 8, approved the settlement of the Litigation for an amount consistent with the amounts set forth below.

ACTION ITEMS

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

1. The Mayor or his designee is authorized to pay the sum of \$75,000.00 from the Water Utility Operating Fund No. 700011 in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorneys' fees, against the City, its agents, and employees, arising from the Litigation.

2. The Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$75,000.00 from the Water Utility Operating Fund No. 700011, for the purpose of settling this Litigation.

APPROVED: HEATHER FERBERT, City Attorney

By

  
Aaron B. Markowitz  
Deputy City Attorney

ABM:nmm

April 30, 2025

Or. Dept: City Attorney

CC No. 3000017739

Doc. No. 4041777


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

JUN 03 2025

DIANA J.S. FUENTES

City Clerk

By

  
Deputy City Clerk

Approved:

6/5/25  
(date)

  
TODD GLORIA, Mayor

Vetoed:

                      
(date)

                      
TODD GLORIA, Mayor

The City of San Diego  
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000017739  
DEPT. NO.: 2000

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: \_\_\_\_\_

Purpose: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center or Cost Center	Internal Order or WBS Element	Original Amount
TOTAL AMOUNT									

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: \$75,000.00

Vendor: Rakewon Emmanuel Cook

Purpose: Settlement of Rakewon Emmanuel Cook v. City of San Diego  
San Diego Superior Court No. 37-2023-00053851-CU-PO-CTL, Claim No. 33789

Date: May 13 2025 By: Jessica Tran

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center	IO or WBS Element	Original Amount
I	Non-Program	700011		512006	OTHR-00000000-WU	2000	2000211101		\$75,000.00
TOTAL AMOUNT									\$75,000.00

Passed by the Council of The City of San Diego on JUN 03 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 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"/>
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 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 05 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.

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

(Seal)

By Linda Irwin Deputy

Office of the City Clerk, San Diego, California

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