#//3 12/14/2021 (R-2022-117)

RESOLUTION NUMBER R- 313837

DATE OF FINAL PASSAGE DEC 17 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT BETWEEN UBICOUIA LLC AND THE CITY OF SAN DIEGO

WHEREAS, on October 14, 2020, UBICQUIA LLC filed a claim against the City of San Diego alleging that the City had not paid for services the City received in fiscal year 2020 related to the streetlight sensor program; and

WHEREAS, to resolve this dispute and avoid litigation, the parties have agreed the City would pay \$448,500 instead of the \$1,055,520 sought by UBICQUIA LLC; and

WHEREAS, in Closed Session on October 5, 2021, the City Council approved by the following votes: Yeas, District(s) 1, 2, 3, 5, 6, 7, 9; Nays, 4, 8; and absent, None, approved the settlement for the amounts consistent with the amounts below; NOW, THEREFORE,

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 \$448,500 from Community Parking District Administrative Fund No. 200488, 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 claim by UBICQUIA LLC for unpaid services.

2.	Authorize the Chief Financial Offic	er to expend an amount not to exceed
\$448,500 fro	om Community Parking District Admi	nistrative Fund No. 200488, for the purpose of
settling this	claim.	
APPROVEI	D: MARA W. ELLIOTT, City Attorne	у
Aliso	lison P. Adema on P. Adema uty City Attorney	
APA:jp October 6, 2 Or.Dept:City CC No. 300 Doc. No.: 23	y Attorney 0014434	
I certify that meeting of _		by the Council of the City of San Diego, at this
		ELIZABETH S. MALAND City Clerk
		By Connie Patterson Deputy City Clerk
Approved: _	12 (16/2) (date)	TODD GLORIA Mayor
Vetoed:	(date)	TODD GLORIA, Mayor

## The City of San Diego COMPTROLLER'S CERTIFICATE

									3000014434
								ORIGINATING DEPT NO.	: 1622
	HEREBY	CERTIFY that	the money rea	uired for the allotm	ent of funds	for the pu	urpose set forth in	the foregoing resolu	ition is available i
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CC-361 (REV 7-09)

FUND OVERRIDE

Passed by the Council of The City	y of San Diego	o on <u>D</u> [	EC 1 4 2021	_, by the following vote				
Councilmembers Joe LaCava Jennifer Campbell Stephen Whitburn Monica Montgomery Step Marni von Wilpert Chris Cate Raul A. Campillo Vivian Moreno Sean Elo-Rivera	Yeas  Ope	Nays	Not Present	Recused				
Date of final passage DEC 17 2021  (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:		Mayo	TODD GL or of The City of Sa	ORIA an Diego, California.				
(Seal)		·		MALAND San Diego, California.  Can Diego, California.				
	Resolu	Office of the	City Clerk, San D					