

RESOLUTION NUMBER R- 315554

DATE OF FINAL PASSAGE MAY 29 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN
NUNZIO GUADAGNI AND THE CITY OF SAN DIEGO

WHEREAS, on November 20, 2020, Nunzio Guadagni filed a lawsuit against the City of San Diego (City), alleging personal injuries from a vehicle collision involving a City employee. The lawsuit is entitled *Nunzio Guadagni v. City of San Diego, et al.*, San Diego Superior Court Case No. 37-2021-00042516-CU-PA-CTL (Litigation); and

WHEREAS, in Closed Session on March 11, 2024, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 5, 6, 7, 8, and 9; Nays, none; and Vacant, District 4, approved the settlement of the Litigation for an amount consistent with the amounts set forth; NOW,

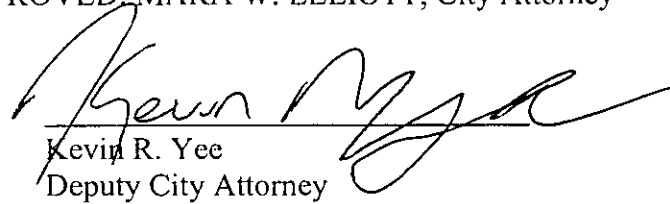
THEREFORE,

BE IT RESOLVED by the Council of the City of San Diego that the Council authorizes:

1. The sum of \$195,000.00 to be paid from Sewer Fund No. 700000 in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against the City, its agents, and employees arising from the Litigation.

2. Authorizes the Chief Financial Officer to expend an amount not to exceed \$195,000.00 from Sewer Fund No. 700000 for the purpose of settling this Litigation.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Kevin R. Yee
Deputy City Attorney

KRY:asm
January 17, 2024
Or.Dept: City Attorney
CC No. 3000016730
Doc. No. 3530644

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 21 2024.

DIANA J.S. FUENTES
City Clerk

By 
Kristell Medina
Deputy City Clerk

Approved: 5/20/24
(date)


TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000016730
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: \$195,000.00

Vendor: Nunzio Guadagni

Purpose: To authorize the expenditure of funds, not to exceed \$195,000.00, for the Settlement of Nunzio Guadagni v. City of San Diego, et al., San Diego Superior Court No. 37-2020-00042516 CU-PA-CTL, Claim No. 22169.

Date: May 1, 2024 By: Elizabeth Warnock *Elizabeth Warnock*

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
001	Non-Program	700000	N/A	512004	OTHR-00000000-SU	2000	2000180001	N/A	\$195,000.00
TOTAL AMOUNT									\$195,000.00

FUND OVERRIDE

MAY 21 2024

Passed by the Council of The City of San Diego on _____, 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"/>
District 4 - vacant	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 **MAY 29 2024**

(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 *Judythell Medina*, Deputy

<p>Office of the City Clerk, San Diego, California</p> <p>315554</p> <p>Resolution Number R-_____</p>
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