## RESOLUTION NUMBER R- 300289 ADOPTED ON APR 0 4 2005

WHEREAS, in Closed Session on March 7, 2005, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 5, 6, 8 and Mayor, Nay, District 7, Not Present, District 4, approved the following; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the total sum of \$975,000, in the settlement of each and every claim against the City of San Diego, its agents and employees, in United States District Court Case No. 03cv0094 DMS (WMc), *Maria Jimenez, etc., et al. v. City of San Diego, et al.*, resulting from the injury to plaintiffs, which occurred on March 22, 2002.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and is hereby authorized to issue two checks as follows: \$225,000 made payable to Travelers Life and Annuity Company; and \$750,000 made payable to Alvin M. Gomez Trust Account, in full settlement of the lawsuit and of all claims.

BE IT FURTHER RESOLVED, that said funds are to be payable from Fund No. 81140, Public Liability Reserve Fund.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Eugene G

Eugene Gordon

Assistant City Attorney

EG:sc 03/30/05 AC No. 2500875

Or.Dept: Risk Management

R-2005-949

## The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

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R- 300289

APR 0 4 2005