

# 331  
5/2/06

RESOLUTION NUMBER R- 301414  
DATE OF FINAL PASSAGE MAY 10 2006

A RESOLUTION REPEALING COUNCIL RESOLUTION  
R-297335 REGARDING INDEMNITY FOR FUTURE ACTS  
AND OMISSIONS BY MEMBERS OF THE SAN DIEGO CITY  
EMPLOYEES' RETIREMENT BOARD

WHEREAS, on November 18, 2002, the City Council passed Resolution R-297335 providing for the defense and indemnity of all past, present, and future board members of the San Diego City Employees' Retirement Board [SDCERS]; and

WHEREAS, on April 18, 2006, the City Council declined to completely rescind the resolution and instead directed the City Attorney to prepare a resolution that would repeal Resolution R-297335 on a going forward basis;

WHEREAS, for acts and omissions by SDCERS board members after April 18, 2006, any determination of whether to provide a defense and indemnification would be governed by the provisions of Government Code 825 and 995; and

WHEREAS, on April 20, 2006, the City provided notice to current SDCERS board members of its intention to repeal the above resolution for any acts or omissions by board members occurring after April 18, 2006; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that Resolution R-297335, passed on November 18, 2002, is hereby repealed effective April 18, 2006.

BE IT FURTHER RESOLVED, that Resolution R-297335 is inapplicable to any act taken or omission made by any SDCERS board member in the scope of the performance of his or her duties after April 18, 2006.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Catherine M. Bradley  
Catherine M. Bradley  
Chief Deputy City Attorney

MJA:jab  
04/27/2006  
05/02/2006REV.  
Or.Dept: Atty.  
R-2006-921

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 02 2006.

ELIZABETH S. MALAND  
City Clerk

By Ermer Ramos  
Deputy City Clerk

Approved: 5/10/06  
(date)

JSL  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

R 301414

Passed by the Council of The City of San Diego on MAY 02 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 10 2006

AUTHENTICATED BY:

JERRY SANDERS  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R-301414