

105
4/24

RESOLUTION NUMBER R- 302554

DATE OF FINAL PASSAGE APR 27 2007

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE SETTLEMENT BETWEEN HOWARD DEYOUNG, ET AL. AND THE CITY OF SAN DIEGO IN THE AMOUNT OF SIXTY-FIVE THOUSAND DOLLARS

WHEREAS, in Closed Session on February 6, 2007, by motion of Councilmember Madaffer and second by Councilmember Hueso, the City Council, by the following vote: Yeas, 8; Nays, None; all Councilmembers present, approved the following motion:

Authorizing the City of San Diego to enter into a global settlement related to the lawsuit of San Diego Superior Court case *Howard DeYoung, et al. v. City of San Diego*, Case No. GIC 849647.

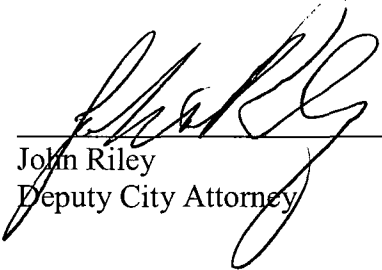
BE IT RESOLVED, by the Council of the City of San Diego, in accordance with the settlement agreement related to preferential tee times at Torrey Pines Golf Course negotiated between Plaintiffs, the Hilton Hotel which adjoins the Torrey Pines Golf Course and the City of San Diego, that the Mayor or his designee is hereby authorized and empowered to pay the total sum of Sixty-Five Thousand Dollars (\$65,000.00) as part of the settlement of each and every claim against the City of San Diego, its agents and employees, in San Diego Superior Court Case No. GIC 849647, entitled *Howard DeYoung, et al. v. City of San Diego*.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to issue one check in the amount of Sixty-Five Thousand Dollars (\$65,000.00) made payable to Torrey Pines Mens Golf Club as part of the settlement of the lawsuit and of all claims.

BE IT FURTHER RESOLVED, that said funds are to be payable from the Public

Liability Fund 81140.

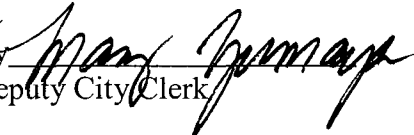
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
John Riley
Deputy City Attorney

JR:my
3/26/2007
Or.Dept:Risk
R-2007-922
Aud. Cert: AC2700642

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 24 2007.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4-27-07
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2700642

ORIGINATING

DEPT. NO.: 84

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: _____ Fund: _____

Purpose: _____

Date: _____ By: _____
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	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: \$65,000.00

Vendor: Howard De Young et al.

Purpose: Authorizing the appropriation and transfer of funds from the General Fund to the Public Laibility Fund for the settlement of claims against the City, its agents and employees, resulting from the Property Damage Claim of Howard De Young et al.

Date: March 23, 2007 By: 
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	100			9544					\$65,000.00
TOTAL AMOUNT										\$65,000.00

FUND OVERRIDE

AC 2700642

R 302554

APR 24 2007