

105

RESOLUTION NUMBER R- 302844

DATE OF FINAL PASSAGE JUL 26 2007

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
DIEGO AUTHORIZING THE SETTLEMENT OF CLAIMS.

WHEREAS on April 5, 2006, Dr. Shamsii Liaghat filed suit against City of San Diego [City] alleging inverse condemnation flood damage arising from a heavy rain fall and blocked storm drain. Plaintiff brought suit in the San Diego Superior Court. The suit is styled Dr. Shamsii Liaghat v. *City of San Diego*, Case No GIC 863896 [The Litigation]; and

WHERE AS the City in closed session on June 5, 2007 authorized settlement of the Litigation for an amount consistent with the amounts set forth below, NOW THEREFORE,

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

1. The sum of \$182,500 to be paid from the Public Liability Fund (81140) in settlement of each and every claim against the City, its agents and employees, arising from the Litigation.
2. The City Auditor and Comptroller to issue a check in the amount of \$182,500.00 payable to Shamsii Liaghat and attorney of record, Donald T. Whitson

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Joe B. Cordileone
Joe B. Cordileone
Deputy City Attorney

JBC:mc
07/03/07
07/05/07 COR. COPY

07/06/07 COR. COPY
Or Dept: Risk Management
R-2008-13

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 17 2007.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 7-16-07
(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 2700871

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: \$182,500.00

Vendor: Shamsii Liaghat & his attorney of record, Donald T. Whitson

Purpose: Authorizing the Mayor to pay from the Public Liability Fund the sum of \$182,500 in settlement of each & every claim against the City resulting from the Property Damage Claim of Shamsii Liaghat.

Date: July 2, 2007

By: *Pam Halbert* 7/2/07
 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	81140	81140	3302	4824	81141				\$182,500.00
TOTAL AMOUNT										\$182,500.00

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2700871

R 302844

JUL 17 2007