

116
9/4

RESOLUTION NUMBER R- 302955

DATE OF FINAL PASSAGE SEP 17 2007

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO
AUTHORIZING THE SETTLEMENT AGREEMENT BETWEEN
PAUL LOPEZ, ET AL. AND THE CITY OF SAN DIEGO IN THE
AMOUNT OF EIGHTY-FIVE THOUSAND DOLLARS

WHEREAS, in Closed Session on March 27, 2007, by motion of Councilmember Atkins and second by Councilmember Faulkner; the City Council, by the following Vote: Yeas, 5; Nays, None; Not Present, Councilmember Madaffer, Young and Hueso, approved the following motion:

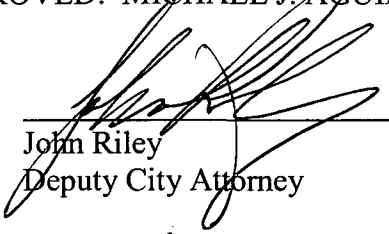
To approve the mediated settlement agreement of each and every claim against the City of San Diego, its agents and employees, resulting from the personal injury and property damage claim of *Paul Lopez, et al. v. City of San Diego, et al.*

BE IT RESOLVED, that the City Auditor and Comptroller be and is hereby authorized to issue five checks in the sum total of \$85,000, in full settlement of this lawsuit and of all claims to be paid by issuing five checks as follows:

1. \$1,940.00 to Accent noted as "agent for Sante Health and Blue Shield for David Lopez"
2. \$2,560.00 to Paul and Estela Lopez for minor David Lopez
3. \$1,075.00 to Accent noted as "agent for Sante Health and Blue Shield for Alex Lopez"
4. \$2,425.00 to Paul and Estela Lopez for minor Alex Lopez
5. \$77,000.00 to Paul and Estela Lopez and attorney Francisco Sanchez, Jr.

BE IT FURTHER RESOLVED, that the City Council is hereby authorized to appropriately transfer funds of \$85,000 from the General Fund unallocated reserves to the Public Liability Fund 81140.

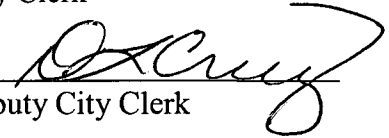
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
John Riley
Deputy City Attorney

JR:my
4/16/07
Or.Dept:Risk
R-2007-996
Aud. Cert: _____

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG - 4 2007.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 9.17.07
(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 2800068

ORIGINATING

DEPT. NO.: 45

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: \$85,000.00

Vendor: N/A

Purpose: Authorizing the Mayor to pay from the Public Liability Fund (81140) the sum of \$85,000 in the settlement of each and every claim against the City resulting from the personal injury claim of Paul Anthony Lopez. Authorize the City Auditor to issue five checks to various parties in relation to the settlement.

Date: July 30, 2007

By: *Ram Vallert* 7/30/07
 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	3111	4821	81141					\$85,000.00
TOTAL AMOUNT											\$85,000.00

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2800068

R 302955

SEP 04 2007