

120
12/4

RESOLUTION NUMBER R- 303251

DATE OF FINAL PASSAGE DEC 18 2007

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO
AUTHORIZING THE SETTLEMENT AGREEMENT BETWEEN
ADAM C. LEWIS AND THE CITY OF SAN DIEGO IN THE
AMOUNT OF ONE HUNDRED FIFTY THOUSAND DOLLARS

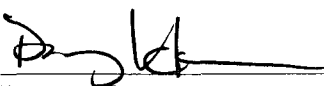
WHEREAS, in Closed Session on September 11, 2007, by motion of Councilmember Atkins and second by Councilmember Madaffer, the City Council, by the following Vote: Yeas, 6; Nays, None; Not Present, Council President Peters and Councilmember Maienschein, approved the following motion:

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 claim in *Adam C. Lewis v. City of San Diego*.

BE IT RESOLVED, that the City Auditor and Comptroller be and is hereby authorized to issue a check in the sum of \$150,000 made payable to Adam Lewis and Casey Gerry Schenk Francavilla Blatt & Penfield, LLP in full settlement of the lawsuit and of all claims.

BE IT FURTHER RESOLVED, that the City Council is hereby authorized to pay the sum of \$150,000 from the Public Liability Fund 81140.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By  _____
Bonny Hsu
Deputy City Attorney

HS:my
10/3/07
Or.Dept:Risk
R-2008-73
Aud. Cert:

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 04 2007.

ELIZABETH S. MALAND
City Clerk

By *Mary Zarrago*
Deputy City Clerk

Approved: 12.18.07
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2800383

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: \$150,000.00

Vendor: Adam Charles Lewis & Casey, Gerry, Schenk, Francavilla, Blatt & Penfield, LLP

Purpose: Authorizes the Mayor to pay \$150,000 in settlement of each and every claim against the City, its agents and employees, resulting from thr Personal Injury Claim of Adam Charles Lewis. Also authorizes the City Auditor & Comptroller to issue one check in the amount of \$150,000 to the above stated vendor.

Date: November 9, 2007 By: *Pam Walbrut* 11/9/07

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	3501	4821	081141				\$150,000.00
TOTAL AMOUNT										\$150,000.00

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2800383

R-303251

DEC 04 2007