

RESOLUTION NUMBER R- 303580

DATE OF FINAL PASSAGE APR 23 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
DIEGO AUTHORIZING THE SETTLEMENT OF CLAIM OF
JAMES CHRISTIAN COOPER

WHEREAS on May 21, 2007, James Christian Cooper filed suit against the City of San Diego [City] alleging he sustained injuries on October 1, 2006 when the vehicle he was driving collided with a San Diego Police Department vehicle. Plaintiff brought suit in the San Diego County Superior Court of the State of California. The suit is styled *James Christian Cooper v. City of San Diego, et al.*, Case No. 37-2007-00067110-CU-PA-CTL [the Litigation]; and


WHEREAS, in the Closed Session Meeting of February 26, 2008, in the matter of James Christian Cooper v. City of San Diego (San Diego Superior Court Case No. 37-2007-00067110-CU-PA-CTL), the City Council voted 8 to 0 to approve the settlement. The motion was made by Councilmember Atkins with a second by Councilmember Faulconer.

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

1. The sum of \$57,500.00 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 \$57,500.00 payable to Robert Schroth and James Cooper.

(R-2008-760)


APPROVED AS TO FORM: MICHAEL J. AGUIRRE, City Attorney

By 
Jane M. Boardman
Deputy City Attorney

JMB/hm
03/10/08
A/C 2800668
Or.Dept:Risk Management
R-2008-760

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 15 2008.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4-23-08
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

(R-2008-760)

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 2800668

ORIGINATING

DEPT. NO. 084

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: _____

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: \$57,500.00

Vendor: Robert E. Schroth & James Cooper

Purpose: Authorize the Mayor to pay from the Public Liability Fund the sum of \$57,500 in settlement of each and every claim against the City, its agent and employees, resulting from the Personal Injury Claim to Chris J. Cooper. Authorize the City Auditor & Comptroller to issue one check payable to above vendor.

Date: March 21, 2008 By: Christopher Purcell *Christopher Purcell 3/21/08*

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				57,500.00
TOTAL										\$57,500.00

FUND OVERRIDE

AC-361 (REV 2-92)

R- 303580

APR 15 2008 AC 2800668