

(R-2009-387)

RESOLUTION NUMBER R- 304186
DATE OF FINAL PASSAGE OCT 09 2008

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE SETTLEMENT
AGREEMENT BETWEEN JEFFERY TAICH AND THE CITY
OF SAN DIEGO, JIM NEEDHAM, BRYAN HEWIT, SCOTT
HENDERSON, FRANK HERMAN, CARLOS NAVARRO AND
WILLIAM OLSEN, THEIR AGENTS AND EMPLOYEES, IN
THE SUM OF ONE HUNDRED FIFTY THOUSAND DOLLARS

WHEREAS, in Closed Session on July 21, 2008, by motion of Councilmember Jim
Madaffer and seconded by Council President Scott Peters, the City Council, by the following
vote: Yeas, Districts 2 through 8; Nays, None and absent, District 1 (Council President Scott
Peters), approved the following motion:

To approve the settlement agreement of each and every claim against the City of San
Diego, its agents and employees, resulting from the personal injury claim of Jeffery Taich,
United States District Court Case No. 07cv0383 JAH (JMA).

BE IT RESOLVED, that the City Comptroller be and is hereby authorized to issue a
check in the amount of but not exceeding, \$150,000 made payable to Gilliland & Gilliland,
APLC Trust Account, for the benefit of Jeffrey Taich, in full and final settlement of the lawsuit
and of all claims.

(R-2009-387)

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 Walter C. Chung
Walter C. Chung
Deputy City Attorney

WC:slc
09-24-08
Aud:Cert: AC2900209
Or.Dept.: City Attorney
R-2009-387

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 7 2008.

ELIZABETH S. MALAND
City Clerk

By Elizabeth S. Maland
Deputy City Clerk

Approved: 10.9.08
(date)

Jerry Sanders
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

08
OCT 11 2008
ED

R. 304186

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

CERTIFICATE OF UNALLOTTED BALANCE
ORIGINATING

AC 2900209
DEPT. NO. 045

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: Gilliland & Gilliland, APLC Client Trust Account

Purpose: Authorize the Mayor to pay the above sum in settlement of each and every claim against the City, its agents and employees, resulting from the Personal Injury Claim to Jeffery Michael Taich. Authorize the City Comptroller to issue one check in the amount of \$150,000 to Gilliland & Gilliland, APLC Client Trust Account from the Public Liability Fund (81140).

Date: September 10, 2008 By: *Paul DeBret* 9/10/08

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	4823	081141					\$150,000.00
TOTAL AMOUNT											\$150,000.00

FUND OVERRIDE

AC-361 (REV 2-92)

R-304186

OCT 07 2008 AC 2900209