

RESOLUTION NUMBER R- 304610

DATE OF FINAL PASSAGE FEB 05 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO
AUTHORIZING THE SETTLEMENT AGREEMENT BETWEEN
LUZ ANGELICA SOTO AND KELSEY N. SOTO AND THE CITY
OF SAN DIEGO; DAVID F. HIGHSMITH IN THE AMOUNT OF
ONE HUNDRED TEN THOUSAND DOLLARS

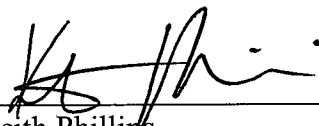
WHEREAS, in Closed Session on September 16, 2008, by motion of Councilmember Ben Hueso and second by Councilmember Kevin Faulconer, the City Council, by the following Vote: Yeas, 8; Nays, None, approved the following motion:

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 *John E. Soto, Luz Angelica Soto and Kelsey N. Soto, v. City of San Diego; David F. Highsmith.*

BE IT RESOLVED, that the City Auditor and Comptroller be and is hereby authorized to issue a check in the sum of \$110,000 made payable to Luz Angelica Soto and Kelsey N. Soto, a minor child, by and through her guardian ad litem, Yesenia Bernal, Law Offices of Aubrey D. Boyd, 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 \$110,000 from the Public Liability Fund 81140.


APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Keith Phillips
Deputy City Attorney

KP:my
09/15/2008
Or.Dept: Risk
R-2009-313
Aud. Cert: 2900433

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 27 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 2.5.09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE
ORIGINATING

AC 2900433
 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: \$110,000.00

Vendor: Luz Angelica Soto & Aubrey D. Boyd Attorney at Law (\$55,000); Yesenia Bernal (see attached for complete vendor name)(\$55,000)

Purpose: Authorize the Mayor to pay the sum of \$110,000 in settlement of each and every claim against the City, resulting from the Bodily Injury Claims of Luz Soto & Kelsey Soto (A Minor). Authorize the City Comptroller to issue two checks for \$55,000 each made payable to the attached named vendors. Authorize the expenditure from the Public Liability Fund.

Date: December 3, 2008 By: *Sam Nallur* 12/3/08
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	4821	081141				\$110,000.00
TOTAL AMOUNT										\$110,000.00

FUND OVERRIDE

R 304610

JAN 27 2009