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RESOLUTION NUMBER R- 304621  
DATE OF FINAL PASSAGE FEB 05 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING THE SETTLEMENT  
AGREEMENT BETWEEN BUN BUN TRAN AND THE CITY  
OF SAN DIEGO, THEIR AGENTS AND EMPLOYEES, IN THE  
SUM OF ONE MILLION DOLLARS

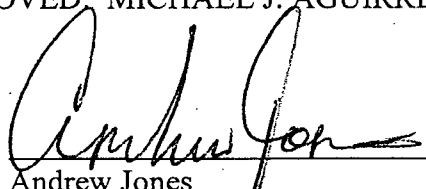
WHEREAS, in Closed Session on October 7, 2008, by motion of Councilmember Brian Maienschein and seconded by Council President Scott Peters, the City Council voting 6 to 1, with Councilmember Jim Madaffer voting no and Councilmember Tony Young absent, approved the following motion:

To approve the settlement of each and every claim against the City of San Diego, their agents and employees resulting from the personal injury claim of Bun Bun Tran, San Diego Superior Court Case No. 37-2007-00065432-CU-PA-CTL.

BE IT RESOLVED, that the City Comptroller be and is hereby authorized to issue a check in the amount of, but not exceeding, \$1,000,000 made payable to Bun Bun Tran, by and through his Guardian ad Litem, Le Thi Nguyen and his attorney of record, Angelo & DiMonda, in full and final settlement of all claims.

BE IT FURTHER RESOLVED, that the City Council is hereby authorized to pay the sum of \$1,000,000 from the Public Liability Fund 81140.


APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Andrew Jones  
Assistant Deputy City Attorney

AJ:slc  
1/8/2009  
Or.Dept: City Attorney  
AC 2900502  
R-2009-770

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 2900502  
 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: \$1,000,000.00

Vendor: Bun Bun Tran, by and through his Guardian ad Litem, Le Thi Nguyen and his Attorney of Record, Angelo & DiMonda

Purpose: Authorize the Mayor to pay the sum of \$1,000,000.00 in settlement of each and every claim against the City, its agents and employees, resulting from the personal injury claim of Bun Bun Tran, an individual by and through Guardian ad Litem, Le Thi Nguyen. Authorize the City Comptroller to issue one check to the above stated vendor from the Public Liability Fund (81140).

Date: January 7, 2009 By: *Pam Halbur* 1/7/09  
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				\$1,000,000.00
TOTAL AMOUNT										\$1,000,000.00

FUND OVERRIDE

*R* 304621

JAN 27 2009