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4/14

RESOLUTION NUMBER R- 304786

DATE OF FINAL PASSAGE APR 22 2009

A RESOLUTION APPROVING AND FUNDING THE SETTLEMENT
OF GRACE CHURCH AGAINST CITY OF SAN DIEGO,
RANCHO BERNARDO COMMUNITY PLANNING BOARD,
AND SAN DIEGO PLANNING COMMISSION

WHEREAS, the City in closed session on February 23, 2009, authorized settlement of the claims for an amount consistent with the amounts set forth below, NOW THEREFORE,

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

1. The Mayor to pay the sum of \$950,000 in settlement of each and every claim against the City of San Diego, the Rancho Bernardo Community Planning Board, and the Planning Commission of the City of San Diego, their agents and employees arising from or related to the *Grace Church of North County v. City of San Diego, et al.*, United States District Court, Case No. 07cv0419H.
2. That the expenditure of an amount not to exceed \$950,000 from the Public Liability Fund, Fund No. 81140, is hereby authorized, and The City Auditor and Comptroller are to issue one check in the sum of \$950,000 made payable to Grace Church of North County.

APPROVED: JAN I. GOLDSMITH

By Christine Leone
Christine M. Leone
Chief Deputy City Attorney

CML:ms
March 27, 2009
Audit. Cert.: 29900692
Or.Dept: Risk Management
R-2009-995

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 14 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4-22-09
(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 AC2900692
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: _____

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: \$950,000.00

Vendor: Grace Church of North County

Purpose: Authorize the Mayor to pay \$950,000.00 in settlement of claims against the City of San Diego, the Rancho Bernardo Planning Board & the Planning Commission-City of San Diego related to the case of Grace Church of North County v. City of SD. Authorize the Comptroller to issue one check for the above from the Public Liability Fund (81140).

Date: March 25, 2009 By: *Pam Hallcut* 3/25/09

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
001	0	81140	81140	3501	4824	081141					950,000.00
TOTAL											\$950,000.00

FUND OVERRIDE

R-304786

(-101)
(4/14)

R- 304787

DATE OF FINAL PASSAGE APR 22 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE SETTLEMENT
AGREEMENT BETWEEN CHRISTINE LEIENDECKER AND
THE CITY OF SAN DIEGO, IN THE SUM OF TWO
HUNDRED AND SEVENTY FIVE THOUSAND DOLLARS

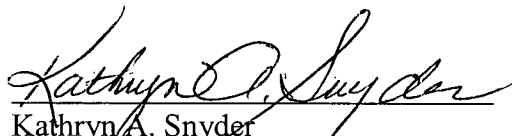
WHEREAS, in Closed Session on February 3, 2009, by motion of Council President Pro
Tem Faulconer and seconded by Councilmember Young, the City Council voted 8 to 0, and
approved the following motion:

To approve the settlement agreement of each and every claim against the City of San
Diego, resulting from the injury claim of Christine Leiendecker, San Diego Superior Court Case
No. Case No. 37-2007-00083066-CU-PO-CTL

BE IT RESOLVED, that the City Comptroller be and is hereby authorized to issue a
check in the amount of, but not exceeding, \$275,000 made payable to Christine Leiendecker and
her attorney of record, Michael R. McCabe, in full and final settlement of all claims.

BE IT FURTHER RESOLVED, that the City Council is hereby authorized to pay the
sum of \$275,000 from the Public Liability Fund 41500.

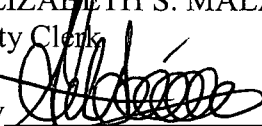
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Kathryn A. Snyder
Deputy City Attorney

KAS:aml
04/07/2009
Or.Dept: City Attorney
AC #2900697
R-2009-988

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 14 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4-22-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2900697
 DEPT. _____
 NO.: 760

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: \$ 275,000.00

Vendor: Christine Leiendecker-Personal Injury Claim Risk Management File No. LX07-0705-1897

Purpose: Authorize the settlement of personal injury claim of Christine Leiendecker Risk Management File No. LX07-0705-1897.

Date: March 26, 2009 By: Norman Reyes 

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT	
001	0	41500	760	503	4824	050301					275,000.00
TOTAL											\$275,000.00

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2900697

APR 14 2009

R-304787