

RESOLUTION NUMBER R- 305386

DATE OF FINAL PASSAGE NOV 24 2009

WHEREAS, in Closed Session on September 15, 2009, the City Council passed the following motion with a vote of 6-0, council President Hueso and councilmember Frye absent: To offer in settlement of each and every claim against Justin Garlow and the City of San Diego, resulting from the injury claim of Johnnie Acosta, in San Diego Superior Court Case No. 37-2008-00095590-CU-PA-CTL, the sum of \$175,000.00.

WHEREAS, this offer was conveyed pursuant to Code of Civil Procedure § 998 and accepted by Johnnie Acosta, by and through his attorney, in full and final settlement of all claims against the City of San Diego.

BE IT RESOLVED,

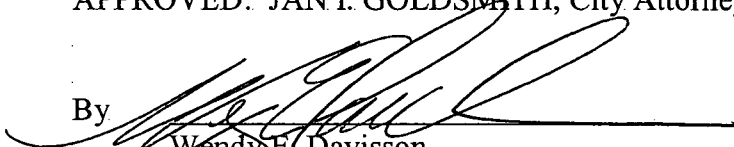
1. Authorizing the Mayor to pay the sum of \$175,000.00 in settlement of each and every claim against the City of San Diego and Justin Garlow, their agents and employees resulting from the personal injury claim of Johnnie Acosta, San Diego Superior Court Case No. 37-2008-00095590-CU-PA-CTL.

2. Authorizing the Chief Financial Officer to issue one check in the sum of \$175,000 made payable to Johnnie Acosta and Merker & McDonald, his attorneys of record.

3. Authorizing the expenditure of \$175,000 from the Public Liability Fund, Fund Number 720045 that the City Comptroller be and is hereby authorized to issue a check in the amount of, but not exceeding, \$175,000.00 made payable to Johnnie Acosta and Merker & McDonald, his attorneys of record, as full and final settlement of all claims.

APPROVED: JAN I. GOLDSMITH, City Attorney

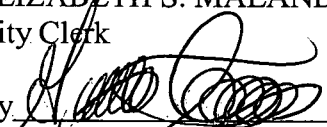
By


Wendy E. Davisson,
Deputy City Attorney

WED:kat
10/19/09
Or.Dept:City Attorney
R-2010-291

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 10 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11-24-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor