RESOLUTION NUMBER R-__**307087**__

DATE OF FINAL PASSAGE ___**NOV 0 9 2011**___

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT OF A CLAIM
BETWEEN JANET CHERIF AND THE CITY OF SAN DIEGO
AS SET OUT IN CLAIM NUMBER 3546

WHEREAS, on December 21, 2010, as a result of a sewer backup, Janet Cherif,

sustained damages to her real and personal property known as The Children's Creative and

Performing Arts Academy located at 3051 El Cajon Blvd., San Diego, 92104 and

WHEREAS, in Closed Session on September 27, 2011, the City Council, by the

following votes: Yeas, Districts 1, 2, 3, 5, 6, 7, 8; Nays, Districts None; and Absent, District 4,

and approved settlement of the Litigation for an amount consistent with the amounts set forth
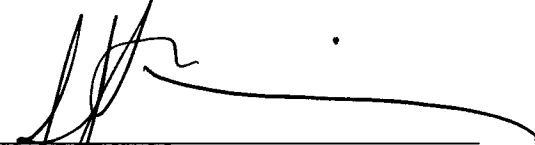
below; NOW, THEREFORE,

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

1.   The Mayor or his designee to pay the sum of $88,698 from the Waste Water

Utility Operating Fund, Fund Number 700000, in settlement of each and every claim for

damages, interest, costs and fees of any type, including but not limited to attorney fees, against

the City of San Diego, its agents and employees resulting from the property damage claim of

Janet Cherif, as outlined in Claim Number 3546.

2.   Authorize the Chief Financial Officer to expend $88,698 from the Waste Water

Utility Operating Fund, Fund Number 700000, for the above agreement, contingent upon the

Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for

expenditure are, or will be, on deposit with the City Treasurer

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3.   Authorize the Comptroller to issue a check in the amount of $88,698.00 made payable to Janet Cherif.
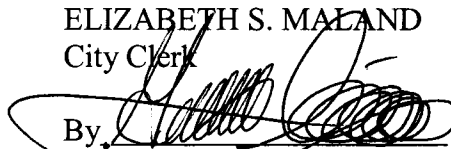
APPROVED: JAN I. GOLDSMITH, City Attorney

By _____
Stacy J. Plotkin-Wolff
Deputy City Attorney

SJP:aml
10/13/2011
Or.Dept: Risk

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of **NOV 01 2011** .

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: __11-9-11__
              (date)

_____
JERRY SANDERS, Mayor

Vetoed: _____
              (date)

_____
JERRY SANDERS, Mayor