

RESOLUTION NUMBER R- 307749

DATE OF FINAL PASSAGE OCT 25 2012

WHEREAS, in Closed Session on February 28, 2012, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 7 and 8; Districts 5 and 6 being absent, approved the following;

NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor or his designee is hereby authorized to pay the sum of \$600,000.00 from the Public Utilities Municipal Sewer Fund 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 arising from the case entitled *Park Place on Harbor Drive Owners Association v. Bosa Development California, Inc., et al.*, San Diego Superior Court Case No. 37-2009-00099056-CU-CD-CTL (Consolidated with: 37-2010-00094666-CU-CD-CTL and 37-2010-00099534-CU-PO-CTL).

BE IT RESOLVED, by the Chief Financial Officer, is hereby authorized to appropriate and expend the amount of \$600,000.00 from the Public Utilities Municipal Sewer Fund 700000, contingent upon the Chief Financial officer first furnishing one or more certificates certifying that the funds necessary for expenditures are, or will be on deposit with the City Treasurer.

BE IT RESOLVED, by the Chief Financial Officer, is hereby authorized to issue a check in the amount of \$600,000.00, payable to Fenton, Grant, Mayfield, Kaneda, Litt, LLP Client Trust Account, in full settlement of the lawsuit and of all claims.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Christine Leone  
Christine M. Leone  
Chief Deputy City Attorney

CML:ms  
06/22/2012  
Or.Dept: Risk Management  
Pro Law No. 2010-02859

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 16 2012

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 10-25-12  
(date)

[Signature]  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor