

#109  
9/10/13

RESOLUTION NUMBER R- 308421

DATE OF FINAL PASSAGE SEP 25 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT  
BETWEEN AHMED OMAR AND THE CITY OF SAN DIEGO

WHEREAS, on April 22, 2013, AHMED OMAR filed suit against the City of San Diego (City) for personal injuries suffered as the result of his arrest on June 25, 2012. Plaintiff brought suit in the United States District Court for the Southern District of California. The suit is entitled Ahmed Omar v. City of San Diego, United States District Court for the Southern District of California Case No. 13cv0952-MMA-MDD (Litigation); and

WHEREAS, in Closed Session on July 29, 2013, the City Council, by the following votes:

Yeas, District(s) 1,2, 3, 4, 5, 6, 7, 8 and 9, approved the Settlement Agreement; and

WHEREAS, the City Council in closed session on July 29, 2013 authorized settlement of the Litigation for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth in the Settlement Agreement; NOW, THEREFORE,

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


1. The sum of \$235,000.00 to be paid from the Public Liability Fund No. 720045 in settlement of each and every claim for damages, interest, costs and fees of any type, including attorney fees, against the City, its agents and employees, arising from the Litigation.

2. The Chief Financial Officer to appropriate and expend \$235,000.00 from the Public Liability Fund, Fund 720045, contingent upon the Chief Financial Officer first furnishing

one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

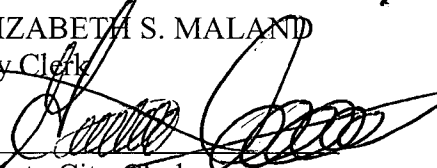
3. The Comptroller to issue a check in the amount of \$235,000.00 payable to the Keith H. Rutman Client Trust Account.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Catherine L. Turner  
Deputy City Attorney

CLBT:nmm  
9/6/13 COR. COPY 2  
8/2/2013  
Or.Dept: City Atty  
CC No. 00006304  
Doc. No.: 609334

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 10 2013.

ELIZABETH S. MALAND  
City Clerk  
By   
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
Mayor

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

\_\_\_\_\_  
Mayor

Approved pursuant to Charter Section 265(i).

Passed by the Council of The City of San Diego on SEP 10 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 25 2013.

(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT  
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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