

RESOLUTION NUMBER 308772

DATE OF FINAL PASSAGE MAR 13 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO TO APPROVE THE SETTLEMENT OF THE MATTER OF IRENE MCCORMACK JACKSON V. CITY OF SAN DIEGO, ET AL.

WHEREAS, on July 22, 2013, Irene McCormack Jackson filed suit titled *Irene McCormack Jackson v. City of San Diego and Robert Filner*, San Diego Superior Court Case No. 37-2013-0058613-CU-OE-CTL and on August 1, 2013, the City Attorney's office filed an answer thereto on behalf of the City of San Diego and on September 3, 2013, the City Attorney's office filed an answer thereto on behalf of Robert Filner;

WHEREAS, in closed session on February 10, 2014, the City Council, by unanimous vote, approved settlement of the Litigation pursuant to such terms more fully set forth in the Settlement Agreement;

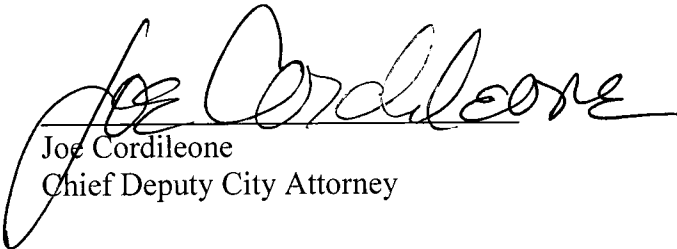
WHEREAS, pursuant to the settlement the City agreed to pay the sum of Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00) to McCormack Jackson in exchange for McCormack Jackson's dismissal of all claims against the City and Filner;

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

1. The sum of Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00) to be paid from the Public Liability Fund in settlement of each and every claim for damages, interest, costs and fees of any type, including attorney fees, against the City, Filner, their agents and their employees, arising from the Litigation;

2. The Comptroller shall issue a check in the amount of Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00) which shall be made payable to the Trust Account of Allred, Maroko & Goldberg for the benefit of Irene McCormack Jackson.

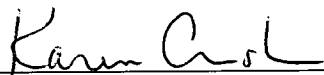
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Joe Cordileone
Chief Deputy City Attorney

JBC:ctm
2/19/2014
Or.Dept: City Attorney
CC No. C3000006713
Doc. No. R-2014-510

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 25 2014.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved pursuant to Charter Section 265(i):

(date)

TODD GLORIA, Council President

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATION: CC 3000006713
 DEPT. NO. _____

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: _____
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original 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: \$250,000.00

Vendor: Trust Account of Alfred, Maroko and Goldberg

Purpose: Authorizing the sum of \$250,000 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, Robert Filner, their agents and employees arising from the claims of Irene McCormack Jackson as outlined in San Diego County Superior Court Case no.: 37-2013-00058613-CU-OE-CTL.

Date: February 21, 2014 By: Jaylia Vang
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
	720045				512006	1515	1515000011		\$250,000.00
TOTAL AMOUNT									\$250,000.00

CC-001 (REV 7/09)

FUND OVERRIDE

CC 3000006713

Passed by the Council of The City of San Diego on FEB 25 2014, 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 MAR 13 2014.

(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.

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

(Seal)

By Karen Cook, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 308772