

RESOLUTION NUMBER R- 308964

DATE OF FINAL PASSAGE JUN 05 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO AUTHORIZING THE ALLOCATION OF  
SETTLEMENT FUNDS IN THE CASE OF GOLDEN HILL  
NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO.

WHEREAS in 2007, Golden Hill Neighborhood Association (GHNA) filed *Golden Hill Neighborhood Association v. City of San Diego*, San Diego Superior Court Case Nos. 37-2007-00074201-CU-WM-CTL (First Action) against the City of San Diego (City) contesting the legality of the City's Greater Golden Hill Maintenance Assessment District (GGHMAD); and

WHEREAS in 2008, GHNA filed a section lawsuit entitled *Golden Hill Neighborhood Association v. City of San Diego* San Diego Superior Court Case Nos. 37-2008-00088429 against the City (Second Action) related to the GGHMAD assessment levy; and

WHEREAS the City and GHNA have entered into an agreement to settle all remaining issues related to the First Action and the Second Action for the amount of \$300,000; NOW, THEREFORE,

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

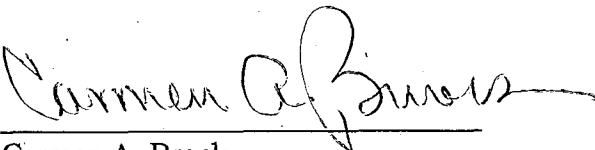
1. The Mayor, or his designee, to pay the sum of \$300,000 from the Public Liability Fund 720045 in settlement of each and every claim for damages, interest, costs, and fees of any type, including but not limited to attorneys fees, against the City, its agents and employees, resulting from the following cases: *Golden Hill Neighborhood Association v. City of San Diego*, San Diego Superior Court Case number 37-2007-00074201-CU-WM-CTL and *Golden Hill*

*Neighborhood Association v. City of San Diego* San Diego Superior Court Case No. 2008-00088429-CU-MC-CTL.

2. The Chief Financial Officer to appropriate and expend \$300,000 from the Public Liability 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 one check in the amount of \$157,389 to Charles R. Khoury, Jr., Attorney at Law; and one check in the amount of \$142,611 to Haskins & Associates, APC.

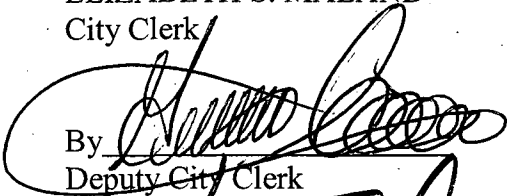
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Carmen A. Brock  
Deputy City Attorney

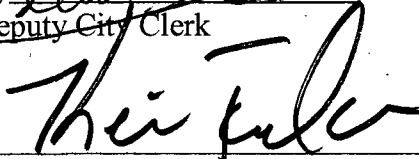
CAB:mc  
4/21/2014  
05/09/14 Cor. Copy  
Or. Dept: City Attorney  
Doc. No.: 770547

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAY 20 2014.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 6/5/14  
(date)

  
KEVIN L. FAULCONER, Mayor

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on MAY 20 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"/>
Ed Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 JUN 05 2014.

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

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

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

(Seal)

By Karin Covel, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 308964