

Item 106
10-7-14
(R-2015-135)

RESOLUTION NUMBER 309263

DATE OF FINAL PASSAGE OCT 08 2014

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT
BETWEEN JAMES HEATH, an individual AND THE CITY OF
SAN DIEGO

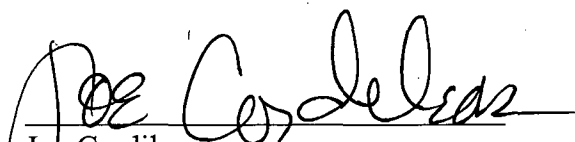
WHEREAS, on December 3, 2012, JAMES HEATH, an individual filed suit against the City of San Diego [City] and City employee John Romero alleging negligence in the operation of a motor vehicle causing injury arising from the collision occurring on June 28, 2012. Plaintiff brought suit in the San Diego Superior Court. The suit is entitled Heath, James v. John Romero, et al.: SDSC 37-2012-00086680-CU-PA-CTL, Case No 37-2012-00086680-CU-PA-CTL; and

WHEREAS, the City Council in closed session on June 17, 2014 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 \$950,000 to be paid from the Water Utility Operating Fund, Fund No. 700011 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 Comptroller to issue checks totaling \$950,000 payable to various parties in various sums as detailed in the settlement agreement.


APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Joe Cordileone
Chief Deputy City Attorney

JBC:ctm
9/22/2014
Or. Dept: City Attorney's Office
CC No. 3000007230
Doc. No.: R 2015-135

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 10/07/14.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 10/8/14
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 07 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 08 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 , Deputy

Office of the City Clerk, San Diego, California

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