

104
2/3/15

(R-2015-387)

RESOLUTION NUMBER R- 309497

DATE OF FINAL PASSAGE FEB 06 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT OF ALISON
TERRY'S CLAIMS FOR ATTORNEY FEES AGAINST THE
CITY OF SAN DIEGO

WHEREAS, in Closed Session on December 16, 2014, the City Council voted unanimously (District 9 was absent) to approve the settlement of Alison Terry's claims for attorney fees against the City of San Diego in United States District Court Case No. 06-cv-1459 MMA (KSC);

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 \$875,000.00 from the Public Liability Fund No. 720045, in settlement of each and every claim for attorney fees against the City of San Diego, its agents and employees, arising from the employment discrimination lawsuit *Alison N. Terry v. City of San Diego*, United States District Court Case No. 06-cv-1459 MMA (KSC).

BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to appropriate and expend \$875,000.00 from the Public Liability Fund No. 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.

BE IT FURTHER RESOLVED, that the City Comptroller is hereby authorized to issue a check in the amount of \$875,000.00, made payable to the Law Office of Michael A. Conger, in

full and final settlement of all of Alison Terry's claims for attorney fees against the City of San Diego, its agents and employees.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Kristin M. J. Zlotnik
Deputy City Attorney

KMJZ:my
1/16/2015
Or.Dept: City Attorney
CC No.: 3000007519

Doc. # 937479

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 03 2015.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 2/5/15
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

**The City of San Diego
COMPTROLLER'S CERTIFICATE**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000007519
DEPT. 1615
NO. 1615

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: _____

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: \$875,000.00

Vendor: Alison N. Terry

Purpose: Settlement for Court Case No. 06-vv-1459 MMA (KSC)

Date: January 12, 2015 By: Holly Hernandez

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
01	720045			OTHR-00000000-GG	512006	1515	1515000011		\$875,000.00
TOTAL AMOUNT									\$875,000.00

CC-381 (REV 7-09)

FUND OVERRIDE

CC 3000007519

R-309497

Passed by the Council of The City of San Diego on FEB 03 2015, 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"/>
Lorie Zapf	<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"/>
Chris Cate	<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 FEB 06 2015

(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 Mary Hernandez, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 309497