

RESOLUTION NUMBER R- 309936

DATE OF FINAL PASSAGE AUG 7 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN
CHAD FARMER, JAMI GLASSMAN AND THE CITY OF SAN
DIEGO

WHEREAS, on or about October 11, 2013 and November 2, 2013, Chad Farmer and Jami Glassman filed Risk Management Claim numbers 8638 and 8738, respectively, against the City of San Diego. Those claims sought damages arising from two flooding incidents that occurred at 7124 Country Club Drive in La Jolla when the City's water main broke on October 11, 2013 and November 2, 2013, respectively.

WHEREAS, in Closed Session on June 9, 2015, the City Council, by the following votes: Yeas, District(s) 1, 2, 3, 4, 5, 6, 7, and 9; Nays 8; and Absent - None, approved the Settlement.

WHEREAS, the City Council in Closed Session on June 9, 2015, authorized settlement of the Claims for an amount consistent with the amount set forth below;

NOW, THEREFORE,

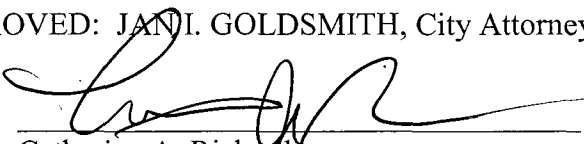
BE IT RESOLVED, by the Council of the City of San Diego that the Council:

1. Authorizing the Mayor or his designee to pay the sum of \$800,000.00 from the Water Utility Operating Fund 700011, in settlement of each and every claim for damages, interest, costs and fees of any type, including but not limited to attorney fees, against the City of San Diego, its agents and employees resulting from the damage claims of Chad Farmer and Jami Glassman.

2. Authorizing the Chief Financial Officer to expend the amount of \$800,000.00 from the Water Utility Operating Fund 700011, 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. Authorizing the Comptroller to issue one check in the amount of \$800,000.00 made payable to Chad Farmer and Jami Glassman.


APPROVED: JANI. GOLDSMITH, City Attorney

By 
Catherine A. Richardson
Deputy City Attorney

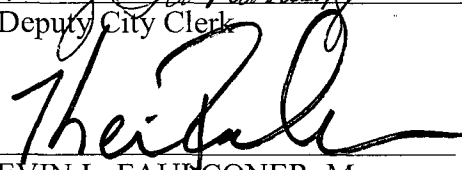
CAR: tsc
July 16, 2015
CC. 3000008004
Doc. No.: 1064356

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 04 2015

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 8/6/15
(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 3000008004
 DEPT. Risk Management - 1515
 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: \$800,000.00

Vendor: Payment to Chad Farmer and Jami Glassman

Purpose: Settlement of property damage claim of Chad Farmer and Jami Glassman, Risk Management Claim numbers 8638 and 8738

Date: July 16, 2015

By: Livia Valles 

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	700011				512007	2013	2013130001		\$800,000.00
TOTAL AMOUNT									\$800,000.00

CC-361 (REV 7-09)

FUND OVERRIDE

CC 3000008004

R 309936

Passed by the Council of The City of San Diego on AUG 04 2015, by the following vote:

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

Date of final passage AUG 7 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- **309936**