

RESOLUTION NUMBER R- 310197

DATE OF FINAL PASSAGE JAN 28 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING PAYMENT OF SUPPLEMENTAL SETTLEMENT FUNDS DUE UPON OCCURRENCE OF CONTINGENT EVENTS DESCRIBED IN THE SETTLEMENT OF THE CASE OF PAUL VANDEVELD V CITY OF SAN DIEGO.

WHEREAS, on December 3, 2008, complainant Paul Vandeveld filed suit, *Paul Vandeveld v. City of San Diego*, San Diego Superior Court Case No. 37-2008-00097255-CU-OE-CTL, against the City of San Diego alleging retaliation in employment, Risk Management Reference No. LX08-0120-1842

WHEREAS, in Closed Session on May 9, 2011, the City Council by the following votes: Yeas, Districts 1,2,4,6,7 and 8; Nays, none; and Absent, Districts 3 and 5, approved and authorized settlement of each and every claim against the City of San Diego for an amount consistent as set forth below; and,

WHEREAS, in addition to sums to be paid at the time of settlement, the terms of the agreement provided for additional sums to be paid in the future, the amount to be paid and the date to be paid being dependent upon certain contingencies; and,

WHEREAS, those contingencies have arisen; and,

NOW, THEREFORE,

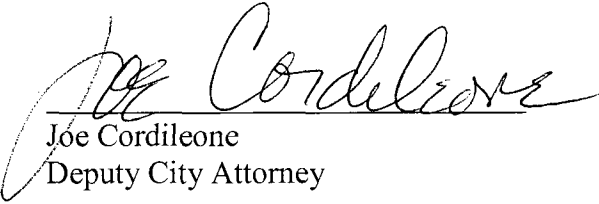
BE IT RESOLVED, that the Council of the City of authorizes:

1. The sum of two hundred thirty-three thousand, seven hundred eighty two dollars and three cents (\$233,782.03), plus interest from August 1, 2015, to be paid from the

Public Liability Fund, Fund No. 720045, in settlement of each and every claim arising from the above-referenced lawsuit of Paul Vandeveld, including interest, costs and fees of any type, including attorney fees, against the City of San Diego, its agents and employees, arising from the Litigation;

2. The Comptroller to issue a check in the amount of two hundred thirty-three thousand, seven hundred eighty two dollars and three cents (\$233,782.03), plus interest from August 1, 2015, payable to Shewry and Van Dyke LLP Client Trust Account.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Joe Cordileone
Deputy City Attorney

JC:ctm
December 11, 2015
Or.Dept: City Attorney
CC No. 3000008398
Doc. No.: R-2016-333

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 12 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 1/26/16
(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 3000008398
 DEPT. NO.: 1515

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: \$233,782.03

Vendor: Paul Vandeveld

Purpose: Settlement of the case of Paul Vandeveld v the City of San Diego.

Date: December, 2 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	512007	1515	1515000011		\$233,782.03
TOTAL AMOUNT									\$233,782.03

FUND OVERRIDE

CC 3000008398

Passed by the Council of The City of San Diego on JAN 12 2016, 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 JAN 28 2016.

(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 Aty Brady, Deputy

Office of the City Clerk, San Diego, California

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