

117

914

1. CERTIFICATE NUMBER (FOR AUDITOR'S USE) **AC 2800051**

001837

**REQUEST FOR COUNCIL ACTION**  
CITY OF SAN DIEGO

TO: City Attorney

2. FROM (ORIGINATING DEPARTMENT): Risk Management Department

June 28, 2007

4. SUBJECT: Partial settlement of the Property Damage claim of John Trunkey, Risk Management file No. LP07-0705-1147.

5. PRIMARY CONTACT (NAME, PHONE & MAIL STA.)  
James Coldren (619) 236-5598 MS 51-B

6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.)  
Christine Fitzgerald (619) 533-6392 MS 59

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

**8. COMPLETE FOR ACCOUNTING PURPOSES**

FUND	41500		
DEPT.	760		
ORGANIZATION	503		
OBJECT ACCOUNT	4824		
JOB ORDER	050301		
C.I.P. NUMBER			
AMOUNT	\$50,000.00		

9. ADDITIONAL INFORMATION / ESTIMATED COST:

\$ 43,739.11 Previously Paid  
 \$ 50,000.00 Outstanding  
 \$ 93,739.11 Total Authority

**10. ROUTING AND APPROVALS**

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIGINATING DEPARTMENT	<i>[Signature]</i>	6-29-07	8	DEPUTY CHIEF		
2	WATER	<i>[Signature]</i>	6-29-07	9	COO / CFO	<i>[Signature]</i>	7/13/07
3	AUDITOR	<i>[Signature]</i>	7/25/07	10	CITY ATTORNEY	<i>[Signature]</i>	7-20-07
4	LIAISON OFFICE	<i>[Signature]</i>	7/5/07	11	ORIGINATING DEPARTMENT	<i>[Signature]</i>	6-29-07
5	FINANCIAL MANAGEMENT	<i>[Signature]</i>	7/25/07	DOCKET COORD: <i>[Signature]</i> COUNCIL LIAISON: <i>[Signature]</i>			
6				<input checked="" type="checkbox"/> COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <input type="checkbox"/> REFER TO: _____		COUNCIL DATE: 9/4/07	
7							

11. PREPARATION OF:  RESOLUTION(S)  ORDINANCE(S)  AGREEMENT(S)  DEED(S)

1. Authorizing the Mayor to pay from the Water Utility Fund up to, but not exceeding \$50,000.00, as partial settlement of expenses related to the Property Damage claim of John Trunkey arising from a water main break.
2. Authorizing the City Auditor and Comptroller to issue checks in various amounts up to, but not exceeding \$50,000.00 to various payees.

11A. STAFF RECOMMENDATIONS: Approve the resolution

12. SPECIAL CONDITIONS:

**COUNCIL DISTRICT(S):** 1, Scott Peters

**COMMUNITY AREA(S):** La Jolla

**ENVIRONMENTAL IMPACT:** NONE

**HOUSING IMPACT:** This activity is not a "project" and is therefore not subject to CEQA pursuant to State CEQA Guidelines Section §15060(c)(3).

**OTHER ISSUES:** NONE

001839

EXECUTIVE SUMMARY SHEET  
CITY OF SAN DIEGO

DATE ISSUED: June 28, 2007 REPORT NO:  
ATTENTION: Council President and City Council  
ORIGINATING DEPARTMENT: Risk Management  
SUBJECT: Partial settlement of the Property Damage Claim of John  
Trunkey, File #LP06-0705-1147  
COUNCIL DISTRICT(S): 1, Scott Peters  
CONTACT/PHONE NUMBER: James Coldren (619) 236-5598

REQUESTED ACTION: Authorizing the Mayor to pay up to, but not exceeding \$50,000.00 as partial settlement related to the Property Damage Claim of John Trunkey, arising from a Water main break.

STAFF RECOMMENDATION: Approve the resolution.

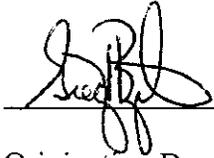
EXECUTIVE SUMMARY: The proposed partial settlement would allow the payment of accruing costs while the claim is being investigated and settled.

FISCAL CONSIDERATIONS: The partial settlement will be paid from the Water Utility fund.

PREVIOUS COUNCIL and/or COMMITTEE ACTION: This item will be heard in Closed Session. In the Closed Session of July 17, 2007, the City Council voted 6 to 0 with Councilmembers Maienschein and Hueso absent. The motion was made by Council President Peters and the second by Councilmember Madaffer.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A

KEY STAKEHOLDERS AND PROJECTED IMPACTS: N/A



Originating Department



Deputy Chief/Chief Operating Officer



001843

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

RESOLUTION TO AUTHORIZE PARTIAL SETTLEMENT  
OF THE PROPERTY DAMAGE CLAIM OF JOHN TRUNKEY

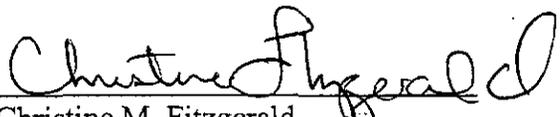
WHEREAS, on February 3, 2007, the residence of John Trunkey, located at  
7595 Hillside Drive, La Jolla, was damaged by flooding which occurred as the result of a water  
main break.

WHEREAS, the City in closed session on July 17, 2007, authorized partial settlement of  
the claims for an amount consistent with the amounts set forth below, NOW THEREFORE,

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

1. That the Mayor is authorized to pay from the Water Utility Fund up to, but not  
exceeding \$50,000 as partial settlement of expenses related to the Property  
Damage claim of John Trunkey arising from a water main break.
2. That the City Auditor and Comptroller is authorized to issue checks in various  
amounts up to, but not exceeding \$50,000 to various payees.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Christine M. Fitzgerald  
Deputy City Attorney

CMF:ms  
August 3, 2007  
Audit. Cert.: AC2800051  
Or.Dept: Risk Management  
R-2008-107

001844

(R-2008-107)

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

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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

\_\_\_\_\_  
JERRY SANDERS, Mayor