

001027

REQUEST FOR COUNCIL ACTION  
CITY OF SAN DIEGO

1. CERTIFICATE NUMBER (FOR AUDITOR'S USE ONLY) 117  
28006609 04/15

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT): RISK MANAGEMENT

February 11, 2008

4. SUBJECT: SETTLEMENT OF PERSONAL INJURY CLAIM TO CHRIS J. COOPER

RISK MANAGEMENT FILE #: AX07-0110-0828

5. PRIMARY CONTACT (NAME, PHONE & MAIL STA.)  
Mike Gomez (619)236-7096

6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.)  
Jane Boardman (619) 533-5800

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	81140		
DEPT.	81140		
ORGANIZATION	3501		
OBJECT ACCOUNT	4821		
JOB ORDER	081141		
C.I.P. NUMBER			
AMOUNT	\$57,500.00		

9. ADDITIONAL INFORMATION / ESTIMATED COST:  
\$57,500.00 - Total Settlement

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIGINATING DEPARTMENT	<i>[Signature]</i>		8			
2	POLICE DEPARTMENT	<i>[Signature]</i>	02/29/08	9	CFO	<i>[Signature]</i>	3/2/08
3	AUDITOR	<i>[Signature]</i>	3/2/08	10	CITY ATTORNEY	<i>[Signature]</i>	
4	FINANCIAL MGMT	<i>[Signature]</i>	3/18/08	11	ORIGINATING DEPARTMENT	<i>[Signature]</i>	
5	LIAISON OFFICE	<i>[Signature]</i>	3/7	DOCKET COORD: <i>[Signature]</i> COUNCIL LIAISON: <i>[Signature]</i>			3/28/08
6	RISK MANAGEMENT	<i>[Signature]</i>	2-27-08	COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> CONSENT <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/>			
7				COUNCIL DATE: 4/15/08			

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

1. Authorizing the Mayor to pay the sum of \$57,500.00 in settlement of each and every claim against the City, its agents and employees, resulting from the Personal Injury Claim to Chris J. Cooper.
2. Authorizing the City Auditor and Comptroller to issue one check in the amount of \$57,500.00 made payable to Robert E. Schroth & James Cooper.

11A. STAFF RECOMMENDATIONS:  
Approve the resolution

12. SPECIAL CONDITIONS:

COUNCIL DISTRICT(S): 6

COMMUNITY AREA(S): NONE

ENVIRONMENTAL IMPACT: NONE

HOUSING IMPACT: This activity is not a project and therefore exempt from CEQA pursuant to the State Guidelines Section 15060(c) (3).

OTHER ISSUES: NONE

001029

**EXECUTIVE SUMMARY SHEET**  
CITY OF SAN DIEGO

DATE ISSUED: February 11, 2008 REPORT NO:  
ATTENTION: Council President and City Council  
ORIGINATING DEPARTMENT: Risk Management  
SUBJECT: Settlement of Personal Injury Claim to Chris J. Cooper  
City File #: AX07-0110-0828  
COUNCIL DISTRICT(S): 6  
CONTACT/PHONE NUMBER: Mike Gomez (619) 236-7096

REQUESTED ACTION: Authorizing the Mayor and City Council to pay the total sum of \$57,500.00 in settlement of each and every claim against the City, its agents and employees, resulting from personal injury claim to Chris J. Cooper.

STAFF RECOMMENDATION: Approve the resolution

EXECUTIVE SUMMARY: The proposed settlement would resolve all claims brought by Chris J. Cooper.

FISCAL CONSIDERATIONS: Settlement will be paid from the Public Liability Fund.

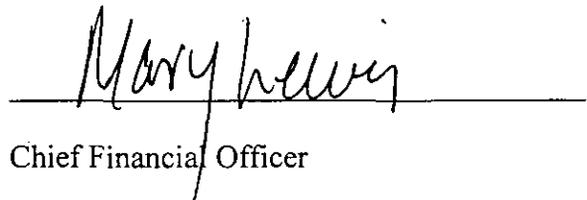
PREVIOUS COUNCIL and/or COMMITTEE ACTION: This settlement was heard in closed session on February 26, 2008 the City Council approved the settlement amount of \$57,500.00. The motion passed 8-0. The motion was made by Councilmember Atkins with a second by Councilmember Faulconer.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A

KEY STAKEHOLDERS AND PROJECTED IMPACTS: N/A



Originating Department



Chief Financial Officer



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

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN  
DIEGO AUTHORIZING THE SETTLEMENT OF CLAIM OF  
JAMES CHRISTIAN COOPER

WHEREAS on May 21, 2007, James Christian Cooper filed suit against the City of San Diego [City] alleging he sustained injuries on October 1, 2006 when the vehicle he was driving collided with a San Diego Police Department vehicle. Plaintiff brought suit in the San Diego County Superior Court of the State of California. The suit is styled *James Christian Cooper v. City of San Diego, et al.*, Case No. 37-2007-00067110-CU-PA-CTL [the Litigation]; and

WHEREAS, in the Closed Session Meeting of February 26, 2008, in the matter of James Christian Cooper v. City of San Diego (San Diego Superior Court Case No. 37-2007-00067110-CU-PA-CTL), the City Council voted 8 to 0 to approve the settlement. The motion was made by Councilmember Atkins with a second by Councilmember Faulconer.

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

1. The sum of \$57,500.00 to be paid from the Public Liability Fund (81140) in settlement of each and every claim against the City, its agents and employees, arising from the Litigation.
2. The City Auditor and Comptroller to issue a check in the amount of \$57,500.00 payable to Robert Schroth and James Cooper.

APPROVED AS TO FORM: MICHAEL J. AGUIRRE, City Attorney

By   
Jane M. Boardman  
Deputy City Attorney

JMB/hm  
03/10/08  
A/C 2800668  
Or.Dept:Risk Management  
R-2008-760

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

(R-2008-760)