

<b>REQUEST FOR COUNCIL ACTION</b> CITY OF SAN DIEGO	CERTIFICATE NUMBER (FOR COMPTROLLER'S USE ONLY) 3000006549
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TO: CITY COUNCIL	FROM (ORIGINATING DEPARTMENT): City Attorney	DATE: 11/08/2013
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SUBJECT: Settlement of a claim for personal injuries of Shannon Robinson and Dante Harrell, Risk Management File No. 3172.

PRIMARY CONTACT (NAME, PHONE): Jennifer Gilman,619-533-5800	SECONDARY CONTACT (NAME, PHONE): ,
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**COMPLETE FOR ACCOUNTING PURPOSES**

FUND	720045				
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER	1515000011				
OBJECT / GENERAL LEDGER ACCT	512006				
JOB / WBS OR INTERNAL ORDER					
C.I.P./CAPITAL PROJECT No.					
AMOUNT	\$450,000.00	0.00	0.00	0.00	0.00

FUND					
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER					
OBJECT / GENERAL LEDGER ACCT					
JOB / WBS OR INTERNAL ORDER					
C.I.P./CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00

**COST SUMMARY (IF APPLICABLE):** Settlement in the amount of \$450,000.00 will be paid from the Public Liability Fund 720045.

**ROUTING AND APPROVALS**

CONTRIBUTORS/REVIEWERS:	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
Liaison Office	ORIG DEPT.	Jones, Andrew	11/14/2013
Financial Management	CFO		
Risk Management	DEPUTY CHIEF	Jones, Andrew	12/2/2013
Comptroller	COO		
	CITY ATTORNEY	Plotkin-Wolff, Stacy	11/21/2013
	COUNCIL PRESIDENTS OFFICE	Jurado-Sainz, Diana	12/5/2013

PREPARATION OF:     RESOLUTIONS     ORDINANCE(S)     AGREEMENT(S)     DEED(S)

1. Authorizing the Mayor or his designee to pay the sum of \$450,000.00 from the Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against the City of San Diego, its agents and employees, arising from the personal injury claims of Shannon

Robinson and Dante Harrell, United States District Court Case No. 11cv0876 AJB (WVG).

2. Authorizing the Chief Financial Officer to appropriate and expend \$450,000.00 from the Public Liability Fund 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.

3. Authorizing the Comptroller to issue three checks as follows:

a) Two hundred seventy-one thousand dollars (\$271,000.00) made payable to Shannon Robinson, Dante Harrell, and Iredale & Yoo.

b) Eighty-nine thousand five hundred dollars (\$89,500.00), made payable to Pacific Life and Annuity Services, Inc.

c) Eighty-nine thousand five hundred dollars (\$89,500.00), made payable to BARCO Assignments, Ltd.

**STAFF RECOMMENDATIONS:**

Approve the Resolution.

**SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION)**

COUNCIL DISTRICT(S): 3

COMMUNITY AREA(S): N/A

ENVIRONMENTAL IMPACT: This activity is not a project and therefore is not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(3).

CITY CLERK INSTRUCTIONS: Send a completed copy of the Resolution to Janice Ellis at MS51(B).

**COUNCIL ACTION  
EXECUTIVE SUMMARY SHEET  
CITY OF SAN DIEGO**

DATE: 11/08/2013

ORIGINATING DEPARTMENT: City Attorney

SUBJECT: Settlement of a claim for personal injuries of Shannon Robinson and Dante Harrell, Risk Management File No. 3172.

COUNCIL DISTRICT(S): 3

CONTACT/PHONE NUMBER: Jennifer Gilman/619-533-5800

**DESCRIPTIVE SUMMARY OF ITEM:**

On April 25, 2011, Plaintiffs Shannon Robinson and Dante Harrell filed a complaint alleging personal injury and excessive force. The proposed settlement would resolve all claims brought by the Plaintiffs against the City of San Diego, its agents, and its employees.

**STAFF RECOMMENDATION:**

Approve the Resolution.

**EXECUTIVE SUMMARY OF ITEM BACKGROUND:**

This case stemmed from the detention and arrest of Plaintiffs Shannon Robinson and Dante Harrell on March 30, 2010. Plaintiffs alleged that, in the course of the detention and arrest, their rights were violated and that they suffered personal injuries. In exchange for this settlement, Plaintiffs will dismiss the Complaint against all defendants with prejudice. The settlement figure constitutes a global payment to the plaintiffs and their attorneys, Iredale and Yoo, and includes attorneys' fees.

**FISCAL CONSIDERATIONS:**

Settlement in the amount of \$450,000.00 will be paid from the Public Liability Fund 720045.

**EQUAL OPPORTUNITY CONTRACTING INFORMATION (IF APPLICABLE):**

N/A.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

The item was considered in closed session on October 29, 2013.

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

N/A.

**KEY STAKEHOLDERS AND PROJECTED IMPACTS:**

N/A.

Jones, Andrew  
Originating Department

Jones, Andrew  
Deputy Chief/Chief Operating Officer