REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO

TO: CITY COUNCIL
FROM (ORIGINATING DEPARTMENT): City Attorney
DATE: 11/08/2013

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
SECONARY CONTACT (NAME, PHONE): 

COMPLETE FOR ACCOUNTING PURPOSES

<table>
<thead>
<tr>
<th>FUND</th>
<th>720045</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEPT / FUNCTIONAL AREA</td>
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<td>ORG / COST CENTER</td>
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<td>OBJECT / GENERAL LEDGER ACCT</td>
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<td>JOB / WBS OR INTERNAL ORDER</td>
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<td>C.I.P./CAPITAL PROJECT No.</td>
<td></td>
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<tr>
<td>AMOUNT</td>
<td>$450,000.00</td>
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COST SUMMARY (IF APPLICABLE): Settlement in the amount of $450,000.00 will be paid from the Public Liability Fund 720045.

ROUTING AND APPROVALS

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