

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 1
FOR THE REGULAR MEETING OF
TUESDAY, MAY 13, 2014
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ADOPTION AGENDA, CONSENT ITEMS
RESOLUTIONS:

NOTE: This item may be taken in the morning session if time permits.

* ITEM-S500: Settlement of a claim for attorney’s fees and costs of Save Our Heritage Organisation (SOHO) for Claim No. 5015.

ITEM DESCRIPTION:

The trial court’s Judgment for issuance of a Writ of Mandate to set aside a Memorandum of Understanding (MOU) between the City of San Diego and the Plaza de Panama Committee, concerning a proposed development in Balboa Park, has become final. The proposed settlement would resolve all claims for attorney’s fees and costs brought in a motion by Save Our Heritage Organisation (SOHO) and its counsel, Susan Brandt-Hawley of the Brandt-Hawley Law Group.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-685 Cor. Copy)

Authorizing the Mayor, or his designee, to pay the sum of \$355,000 from the Public Liability Fund No. 720045, in settlement of each and every claim for interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and employees, arising from the Judgment in *Save Our Heritage Organisation (SOHO) v. City of San Diego*, San Diego Superior Court Case No. 37-2011-00095579-CU-WM-CTL;

Authorizing the Chief Financial Officer to appropriate and expend \$355,000 from the Public Liability Fund, Fund No. 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;

Authorizing the City Comptroller to issue a check in the amount of \$355,000, made payable to Petitioner SOHO's attorney, Brandt-Hawley Law Group.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Settlement amount of \$355,000 will be paid from the Public Liability Fund No. 720045.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The item was approved in Closed Session on April 29, 2014.

Bamberg

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