

RA 1124  
10/12/10  
EATZ

RESOLUTION NUMBER R- 04574

DATE OF FINAL PASSAGE OCT 18 2010

A RESOLUTION OF THE BOARD OF THE  
REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO  
AUTHORIZING THE ALLOCATION OF SETTLEMENT  
FUNDS IN THE CASE OF  
*Redevelopment Agency of the City of San Diego v. Douglas H.  
McColl and Gloria D. McColl et.al.*  
SAN DIEGO SUPERIOR COURT CASE  
NO. GIC 848756-1

WHEREAS on September 28, 2010, the Board of the Redevelopment Agency of the City of San Diego (RDA) authorized the settlement of all remaining claims in the eminent domain action initiated by the RDA for the City Heights Square Redevelopment Project (Project), entitled *Redevelopment Agency of the City of San Diego v. Douglas H. McColl and Gloria D. McColl*, San Diego Superior Court Case No. GIC 848756 (the Action); and

WHEREAS, the Board of the RDA by a vote of 6-0-2, District 2 and 4 absent, authorized final settlement of all claims in the Action in the amount of \$1, 230,000 therein;

NOW THEREFORE,

BE IT RESOLVED by the Board of the Redevelopment Agency of the City of San Diego that the Board authorizes:

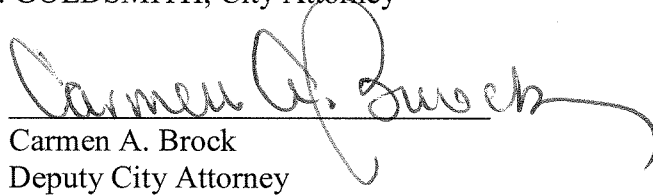
1. The Executive Director or designee to execute the Settlement Agreement and Release with Jack in the Box; and

2. The City Chief Financial Officer or designee to appropriate and expend up to a sum of \$1,230,000 from the City Heights Redevelopment Project Area in full and final settlement of the Action;

APPROVED AS TO FORM:

JAN I. GOLDSMITH, City Attorney

By

  
Carmen A. Brock  
Deputy City Attorney

CAB:mc  
RA-2011-28

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at this meeting of OCT 12 2010.

REDEVOPMENT AGENCY

By Jeanette Santos  
Jeanette Santos, Deputy Secretary

Jerry Sanders  
JERRY SANDERS, Executive Director

Approved: 10.18.10  
(date)

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

\_\_\_\_\_  
JERRY SANDERS, Executive Director

**The City of San Diego  
COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING DEPT. 3000003619  
NO. \_\_\_\_\_

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \_\_\_\_\_ Fund: \_\_\_\_\_

Purpose: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \_\_\_\_\_ \$1,230,000.00

Vendor: Jack in the Box (DBA)

Purpose: Settlement agreement pertaining to litigation with (the owner of) Jack in the Box in the City Heights Redevelopment Project Area.

Date: September 22, 2010

By: Francisco J Lopez  
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
001	400695	925500105000	925500105101	OTHR-08-NS	512182	2225	2225500011		\$1,230,000.00
TOTAL AMOUNT									\$1,230,000.00

FUND OVERRIDE

Passed by the Redevelopment Agency of The City of San Diego on OCT 12 2010, by the following vote:

Agency Members	Yeas	Nays	Not Present	Recused
Sherrri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carl DeMaio	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

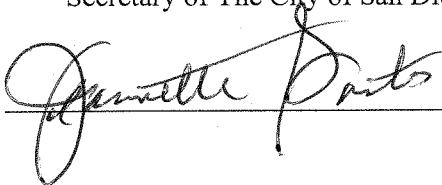
Date of final passage OCT 18 2010

AUTHENTICATED BY:

JERRY SANDERS  
Executive Director of The City of San Diego, California.

ELIZABETH S. MALAND  
Secretary of The City of San Diego, California.

(Seal)

By , Deputy

Office of the Redevelopment Agency, San Diego, California

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