

**RESOLUTION No. 212856**

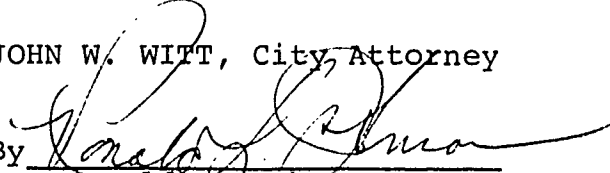
Adopted on MAR 21 1975

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That the City Manager be and he is hereby authorized and empowered to pay the sum of \$11,667.00 in settlement of each and every claim against the City of San Diego, the Engineering and Development Department, its agents and employees, resulting from property damage and the inverse condemnation of real property resulting from alleged faulty runoff water drainage design, or alleged lack of design, commencing on October 1, 1969, to the present time.

BE IT FURTHER RESOLVED, that the Auditor and Comptroller be and he is hereby authorized to issue a warrant check in the amount of \$11,667.00 to Zumstein and Sons, Inc., a corporation, Marguerite Zumstein and Walter Zumstein and their attorneys, Klitgaard and Jones, in full settlement of all claims.

APPROVED: JOHN W. WITT, City Attorney

By   
Ronald L. Johnson  
Chief Deputy

RLJ:clh  
3/13/75  
Aud.Cert.#6441  
043.1/Litigation  
Or. Dept.: Emp. Serv.

**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATION OF UNALLOTTED BALANCE**

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 \_\_\_\_\_

\_\_\_\_\_  
Auditor and Comptroller of  
The City of San Diego, Calif.

Date \_\_\_\_\_, 19 \_\_\_\_\_

By \_\_\_\_\_

**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 moneys 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 \$ 11,667.00

Dated Feb 26, \_\_\_\_\_, 1975

[Signature]  
Auditor and Comptroller of  
The City of San Diego, Calif.

BY [Signature]

Job Order \_\_\_\_\_  
Resolution No. \_\_\_\_\_  
Project No. \_\_\_\_\_

Fund 100 Dept./Activity 4406 Object 3435

Purpose Settlement of each and every claim resulting from property damage.

Vendor Marguerite Zumstien and Walter Zumstien And their Attorney.

CERTIFICATE NO. 6441

**MAR 21 1975**

MAR 21 1975

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_, by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
Mayor of The City of San Diego, California.

EDWARD NIELSEN  
City Clerk of The City of San Diego, California.

By *Kathleen Martinez*, Deputy.

(Seal)

RECEIVED  
CITY CLERK'S OFFICE  
1975 MAR 13 PM 3:13  
SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California

Resolution Number **212856** Adopted **MAR 21 1975**