RESOLUTION NO. Resolu

(R-84-1810)

WHEREAS, in Closed Session on April 10, 1984, the City Council by the following vote: Yeas: Districts 1, 2, 3, 5, 6, 7, 8 and Mayor Hedgecock; Not Present: District 4, approved the following; NOW, THEREFORE,

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

That the City Manager be and he is authorized and empowered to pay the total sum of \$110,000.00 in settlement of Superior Court Case No. 498431, Am-Sod, Inc., et al. v. The City of San Diego, et al., and of each and every claim against the City, its agents and employees, resulting from property damage to the property of Am-Sod, Inc. and Floyd Wirthlin.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$100,000.00 made payable to Am-Sod, Inc. and Floyd Wirthlin, and one check in the amount of \$10,000.00 made payable to the Law Firm of Klitgaard & Jones, in full settlement of the lawsuit and of all claims.

APPROVED: JOHN W. WITT, City Attorney

RLJ/AS/jkp:Lit.

4/17/84

Aud.Cert. #84772 & 84773

Or.Dept.: Risk Mgmt.

Senior Chief Deputy

## The City of San Diego

## CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATION OF UNALLOTTED BALANCE

۸C	84772	
'N I	04//2	

Ame	ount	s			Warner and the second s		Fund			- 2 May 1/4 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	
Purp	ose										
•	-										
							Auditor and Comptroller				
Date	Date, 19						By				
ACCTG	CY	1	ı	1	T	UNTING					
LINE	PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT	
		<del> </del>	<del> </del>			-					
	<u> </u>	<u> </u>									
	I	<b>.</b>	l	1	L			TOTAL AM	OUNT	······································	
										FUND OVERRIDE	
provisio	ns of	the Char	rter of th	e City o	tached resc f San Dieg	olution, o	ean be incu do hereby	irred witho z further c	ut the viertify, in	I by the contract of the conformity with the conformity with the conformity of the c	
provision requirent the purp in the T the same	ns of nents pose reasu e are	the Char of the C of said c ry, or ard to be dra	rter of th Charter of contract, e anticipa awn, and	e City of the Ci that suf ated to e that the Treasury	tached resc f San Dieg ty of San ficient more come into t e said mone t, to the c	olution, oo; and I Diego, t neys to he Treas eys now redit of	can be incu do hereby hat suffici meet the c sury, to the actually in	rred withor further elent money obligations eredit of the Treasu opriation,	ut the viertify, in s have be of said the appropriate other	iolation of any of the conformity with the cent appropriated for contract are actually opriation from which ther with the money wise unencumbered.	
provision requirent the purp in the T the same anticipa	ns of nents pose reasu e are ted to	the Char of the Coof said cory, or are to be dresso come i	rter of th Charter of contract, e anticipa awn, and	e City of the Ci that suf ated to c that the Treasury	tached resc f San Dieg ty of San ficient more come into t e said mone t, to the c	olution, oo; and I Diego, t neys to he Treas eys now redit of	can be incu do hereby hat suffici- meet the c sury, to the actually in said appro-	rred withor further elent money obligations electronic treasuration, and the Treasuration and the Trea	ut the viertify, in s have be of said the appropriate other	iolation of any of the conformity with the cent appropriated for contract are actually opriation from which ther with the money rwise unencumbered.	
provision requirent the purp in the T the same anticipa Not to c	ns of nents pose reasu e are ted to	the Char of the Coof said cory, or are to be dra to come i	rter of the Charter of contract, e anticipa awn, and into the	e City of the Ci that suf ated to e that the Treasury	tached resc f San Dieg ty of San ficient more come into t e said mone , to the c	olution, oo; and I Diego, t neys to he Treas eys now redit of	can be incu do hereby hat suffici- meet the c sury, to the actually in said appro-	rred withor further elent money obligations elected to the Treasurpriation, and Anditor	ut the viertify, in s have b of said the appropriate other and Co	iolation of any of the conformity with the cent appropriated for contract are actually opriation from which ther with the money wise unencumbered.	
provisions required the purpoint the Table the same anticipated Dated	ns of nents pose reasu e are ted to exceed	the Char of the C of said c ry, or are to be dra o come i	rter of the Charter of contract, e anticipa awn, and into the 0,000,00 cril 17	e City of the Cithat sufated to ethat the Treasury	tached resc f San Dieg ty of San ficient more come into t e said mone , to the c	olution, oo; and I Diego, t neys to he Treas eys now redit of	can be incu- do hereby hat suffici- meet the c sury, to the actually in said appro-	rred withor further elent money obligations elected to full the Treasurpriation, and the Anditor	ertify, in s have b of said the appropriate other and Co.	iolation of any of the conformity with the cen appropriated for contract are actually opriation from which ther with the money rwise unencumbered motroller	
provision requirent the purp in the T the same anticipa Not to con Dated	ns of nents pose reasure are ted to xecee	the Char of the C of said c ry, or are to be dra o come i  1 \$ 100 App	rter of the Charter of contract, se anticipa awn, and into the contract of 1	e City of the Cithat suffated to ethat the Treasury  Treasury  Treasury	tached resc f San Dieg ty of San ficient more come into t e said mone , to the c	o: and I Diego, t neys to he Treas ys now redit of	can be incu- do hereby hat suffici- meet the c sury, to the actually in said appro-	rred withor further elent money obligations elected to full the Treasurpriation, and the Anditor	ertify, in s have b of said the appropriate other and Co.	conformity with the conformity with the cen appropriated for contract are actual opriation from which ther with the money wise unencumbered appropriation from the conformation of the con	
provision requirent the purp in the T the same anticipa Not to continue Dated	ns of nents pose reasure are ted to exceed	the Char of the C of said c ry, or are to be dra o come i  1 \$ 100 App	rter of the Charter of contract, se anticipa awn, and into the contract of 1	e City of the Cithat suffated to ethat the Treasury  Treasury  Treasury	tached resc f San Dieg ty of San ficient more come into t e said mone , to the c	o: and I Diego, t neys to he Treas ys now redit of	can be incudo hereby hat sufficience the cury, to the actually in said appropriately a	rred withor further elent money obligations elected to full the Treasurpriation, and the Anditor	ertify, in s have b of said the appropriate other and Co.	conformity with the conformity with the conformity with the contract are actually opriation from which ther with the money wise unencumbered appropriation from the conformation of the co	
provision requirements the purping the Table 1 the Table 1 the Same anticipa Not to contact of the PURPOS VENDO	ns of nents pose reasure are ted to xecee	the Char of the C of said c ry, or are to be dra o come i  1 \$ 100 App	charter of the Charter of contract, e anticipa awn, and into the D,000.00 cril 17 ent of I	e City of the Cithat suffated to enter that the Treasury  Treasury  Treasury  Treasury  Treasury  Treasury	tached resc f San Dieg ty of San ficient more come into t e said mone , to the ci	Olution, oo; and I Diego, to neys to he Treaseys now redit of	can be incudo hereby hat sufficience the caury, to the actually in said appropriately	rred withor further elent money obligations elected to full the Treasurpriation, and the Anditor	ertify, in s have b of said the appropriate other and Co.	conformity with the conformity with the conformity with the contract are actually opriation from which ther with the money rwise unencumbered approach to the conformation of the conforma	
provision requirements the purping the Table 1 the Same anticipa Not to e Dated PURPOS VENDO	ns of nents pose reasure are ted to xccec	the Char of the Co of said c ry, or ar to be dra o come i  I \$ 100 App Settlement	charter of the Charter of contract, e anticipe awn, and into the D,000.00 cril 17 ent of I	e City of the Cithat suffacted to enthat the Treasury  Treasury  Treasury  Treasury	tached resc f San Dieg ty of San ficient more come into t e said mone , to the come by Damage D WIRTHLI	o: and I Diego, t neys to he Treas ys now redit of	do hereby hat sufficience the coury, to the actually in said appropriately of Am-So	rred withor further elent money obligations elected to of the Treasu opriation, and the Anditor	ut the viertify, in s have be of said the appropriate other and Co.	conformity with the conformity with the conformity with the contract are actually opriation from which ther with the money wise unencumbered appropriation from the conformation of the co	
provision requirements the purping the Table 1 the Table 1 the Same anticipa Not to contact of the PURPOS VENDO	ns of nents pose reasure are ted to xccec	the Char of the Co of said c ry, or ar to be dra o come i  I \$ 100 App Settlement	charter of the Charter of contract, e anticipa awn, and into the D,000.00 cril 17 ent of I	e City of the Cithat suffated to enter that the Treasury  Treasury  Treasury  Treasury  Treasury  Treasury	tached resc f San Dieg ty of San ficient more come into t e said mone , to the ci	Olution, oo; and I Diego, to neys to he Treaseys now redit of	do hereby hat sufficience the coury, to the actually in said appropriately of Am-So	rred withor further elent money obligations elected to of the Treasu opriation, and the Anditor	ut the viertify, in s have be of said the appropriate other and Co.	conformity with the conformity with the conformity with the contract are actually opriation from which ther with the money rwise unencumbered approach to the conformation of the conforma	
provision requirements the purping the Table 1 the Table 1 the Same anticipa Not to contact Dated PURPOS VENDO	ns of nents pose reasure are ted to xccec	the Char of the Co of said c ry, or ar to be dra o come i  I \$ 100 App Settlement	charter of the Charter of contract, e anticipa awn, and into the D,000.00 cril 17 ent of I	e City of the Cithat suffated to enter that the Treasury  Treasury  Treasury  Treasury  Treasury  Treasury	tached resc f San Dieg ty of San ficient more come into t e said mone , to the ci	Olution, oo; and I Diego, to neys to he Treaseys now redit of	do hereby hat sufficience the coury, to the actually in said appropriately of Am-So	rred withor further elent money obligations elected to of the Treasu opriation, and the Anditor	ut the viertify, in s have be of said the appropriate other and Co.	conformity with the conformity with the conformity with the contract are actually opriation from which ther with the money rwise unencumbered approach to the conformation of the conforma	
provision requirements the purping the Table 1 the Table 1 the Same anticipa Not to contact of the PURPOS VENDO	ns of nents pose reasure are ted to xccec	the Char of the Co of said c ry, or ar to be dra o come i  I \$ 100 App Settlement	charter of the Charter of contract, e anticipa awn, and into the D,000.00 cril 17 ent of I	e City of the Cithat suffated to enter that the Treasury  Treasury  Treasury  Treasury  Treasury  Treasury	tached resc f San Dieg ty of San ficient more come into t e said mone , to the ci	Olution, oo; and I Diego, to neys to he Treaseys now redit of	do hereby hat sufficience the coury, to the actually in said appropriately of Am-So	rred withor further elent money obligations elected to of the Treasu opriation, and the Anditor	ertify, in s have be of said the appropriate other and Co.	conformity with the conformity with the conformity with the contract are actually opriation from which ther with the money rwise unencumbered approach to the conformation of the conforma	

00604

R-260538

APR 23 1984 AC 84772

## The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATION OF UNALLOTTED BALANCE ΑC

Amo	unt :	\$					Fund			
Purp	ose _				······································					
									·	
								Auditor	and Cor	mptroller
) ate			, 19			Ву				
		···			ACCO	UNTING	ΠΔΤΔ			
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	1 7	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
			 	1	 !	· 				
<del></del>						 				
·					<del></del>			TOTAL AM	TNUO	FUND OVERRIDE
ovision quiren e purp	nt au ns of nents oose	thorized the Char of the C of said e	by the hater of the Charter of contract,	ereto at le City o of the Ci that suf	tached reso f San Dieg ty of San ficient mod	lution, c o; and I Diego, t neys to	an be incu do hereby hat suffici meet the o	irred witho further co ent money obligations	out the viertify, in s have b	olation of any of the conformity with the cention appropriated for the contract are actual contract.
rovision equirement purpose the The Same ne same nticipal ot to e	nt au ns of nents pose ( reasu e are ted to xceec	thorized the Char of the C of said e ry, or ar to be dra o come i	by the heter of the Charter of contract, e anticipa awn, and nto the 000.00	ereto ato e City of the City of that sufated to contact the Treasury	tached reso f San Dieg ty of San ficient more come into t e said mone t, to the co	olution, co; and I Diego, to neys to he Treas ys now a redit of	can be incudo hereby hat sufficience the cury, to the actually in said appropriately.	rred without further event money obligations excedit of the Treasurpriation, and the Anditor	out the viertify, in s have b of said the appropriate other and Contact of the land Co	giptroller
rovision equirent the The same of to e ated _	nt au ns of nents pose ( reasu e are ted to xceec	thorized the Char of the Co of said e ry, or are to be dra o come i  \$\frac{10}{4}\$  Apr	by the heter of the Charter of ontract, e anticipal awn, and nto the 000.00	ereto at the City of the City of the City of that suffated to Cithat the Treasury	tached resof San Dieg ty of San ficient more come into the esaid mone ty, to the come and the come	o; and I Diego, t neys to he Treas ys now a redit of	can be incudo hereby hat sufficience the cury, to the actually in said appropriately.	rred without further event money obligations excedit of the Treasurpriation, and the Anditor	out the viertify, in s have b of said the appropriate other and Contact of the land Co	olation of any of the conformity with the conformity with the contract are actual opriation from which her with the moneywise unencumbered
rovision equirente purpose the Tote same of to e ated _	nt au ns of nents pose ( reasu e are ted to xceec	thorized the Char of the Co of said e ry, or are to be dra o come i  \$\frac{10}{4}\$  Apr	by the heter of the Charter of ontract, e anticipal awn, and nto the 000.00	ereto at the City of the City of the City of that suffated to Cithat the Treasury	tached resof San Dieg ty of San ficient more into the said mone to the control of the control of the said mone to	o; and I Diego, t neys to he Treas ys now a redit of	can be incudo hereby hat sufficience the cury, to the actually in said appropriately a	rred without further event money obligations excedit of the Treasurpriation, and the Anditor	out the viertify, in s have b of said the appropriate other and Contact of the land Co	olation of any of the conformity with the contract are actual operation from which her with the moneywise unencumbered particular appropriation from the contract are actually as a second particular appropriation of the contract and the contract are actually as a second particular actually as a second particular actual actu
rovision equirement purpose the Tale same of to eated	nt au ns of nents pose ( reasu e are ted to xcccc	thorized the Char of the Co of said e ry, or are to be dre o come i  Settlem LAW FIR	by the heter of the Charter of ontract, e anticipal awn, and nto the 000.00  il 17  ment of MOF KI	ereto at lee City of the City of the City of that sufated to Cithat the Treasury	tached resof San Dieg ty of San ficient more into the said mone to the control of the said mone to	o; and I Diego, t neys to he Treas ys now a redit of	can be incudo hereby hat sufficience the cury, to the actually in said appropriately of Am-Scattallo DATA	orred without further continuous poligations in the Treasuration, and the Treasuration policy	out the viertify, in s have b of said the appropriate other and Contact and Co	olation of any of the conformity with the conformity with the contract are actual opriation from which her with the mone wise unencumbered from the commencumber of the conformation of th
rovision equirement purpose the Tale same of to e ated _ URPOS	nt au ns of nents pose reasu e are ted to xcccc	thorized the Char of the Co of said e ry, or are to be dra o come i  \$\frac{10}{4}\$  Apr	by the heter of the Charter of ontract, e anticipal awn, and nto the 000.00	ereto at the City of the City of the City of that suffated to Cithat the Treasury	tached resof San Dieg ty of San ficient more into the said mone to the control of the control of the said mone to	o; and I Diego, t neys to he Treas ys now a redit of	can be incudo hereby hat sufficience the cury, to the actually in said appropriately a	rred without further event money obligations excedit of the Treasurpriation, and the Anditor	out the viertify, in s have b of said the appropriate other and Contact and Co	olation of any of the conformity with the contract are actual operation from which her with the moneywise unencumbered particular appropriation from the contract are actually as a second particular appropriation of the contract and the contract are actually as a second particular actually as a second particular actual actu
rovision equirement purpose the Tale same of to eated _ URPOSE ENDO	nt au ns of nents pose ( reasu e are ted to xcccc	thorized the Char of the Co of said e ry, or are to be dre o come i  Settlem LAW FIR	by the heter of the charter of ontract, a anticipal awn, and nto the cool. Oo	ereto at lee City of the City of the City of that suffated to Cithat the Treasury	tached resort San Diegram I San Diegram I San Diegram I San	o; and I Diego, to neys to he Treas ys now a redit of  Claim  UNTING	can be incudo hereby hat sufficience the cury, to the actually in said appropriately of Am-Scattallo DATA	orred without further continuous poligations in the Treasuration, and the Treasuration policy	out the viertify, in s have b of said the appropriate other and Contact and Co	olation of any of the conformity with the conformity with the contract are actual opriation from which the with the mone wise unencumbered problem.  The problem of the conformation of the conformity with the money with the money with the money with the conformity of the conformity with the
rovision equirem the purpose to enticipate of to entice the entice the entice to entice the entice the entire the e	nt au ns of nents pose ( reasu e are ted to xcccc	thorized the Char of the Co of said e ry, or are to be dre o come i  Settlem LAW FIR	by the heter of the charter of ontract, a anticipal awn, and nto the cool. Oo	ereto at lee City of the City of the City of that suffated to Cithat the Treasury	tached resort San Diegram I San Diegram I San Diegram I San	o; and I Diego, to neys to he Treas ys now a redit of  Claim  UNTING	can be incudo hereby hat sufficience the cury, to the actually in said appropriately of Am-Scattallo DATA	orred without further continuous poligations in the Treasuration, and the Treasuration policy	out the viertify, in s have b of said the appropriate other and Contact and Co	olation of any of the conformity with the conformity with the contract are actual opriation from which the with the mone wise unencumbered problem.  The problem of the conformation of the conformity with the money with the money with the money with the conformity of the conformity with the

RR - 260538 APR 23 1984 AC 84773

Passed and adopted by the Council of The C by the following vote:	ity of San Di	ego on	APR	2 3 1984
Councilmen  Bill Mitchell  Bill Cleator  Gloria McColl  William Jones  Ed Struiksma  Mike Gotch  Dick Murphy  Uvaldo Martinez  Mayor Roger Hedgecock	Yeas Yeas Yeas Yeas	Nays	Not Present	Ineligible
AUTHENTICATED	BY:			
	*******		GER HEDGEC	***************************************
(Seal)			RLES G. ABDE	
	Ву	City Clerk of	The City of San I	olego, California .
	Office o	f the City C	erk, San Diego, Ca	alifornia
Resol Numbe	ution er K – 20	505 <b>3</b> 8	Adopted	APR 2 3 1984

CC-1276 (REV. 6-83)