

(R-89-132)

RESOLUTION NUMBER R- 271524

ADOPTED ON JUL 26 1988

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the sum of \$160,000.00 as to plaintiff Frontier Service Corporation in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court No. 539984, Frontier Service Corporation v. City of San Diego, et al., for damages due to soils movement of its property on Nautilus Street, San Diego.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$160,000.00, made payable to Frontier Service Corporation and its attorney of record, Richard J. Elliott, in full settlement of the lawsuit and all claims.

APPROVED: John W. Witt, City Attorney

By C. Alan Sumption
C. Alan Sumption
Deputy City Attorney

NOTE: Settlement and Release Agreement
on file in the office of the
City Clerk as Document Number
RR- 271524 .

CAS:dk:Lit.
07/14/88
Aud.Cert: 8900137
Or.Dept:Risk.Mgmt.
R-89-132
Form=r.claim2

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 8900137

ORIGINATING DEPT. NO.: 084

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 _____, 19____ By: _____
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	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 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 \$ 160,000.00

Vendor FRONTIER SERVICE CORPORATION AND THEIR ATTORNEY RICHARD ELLIOT

Purpose Authorizing expenditure of funds for the settlement of property damage claim of FRONTIER SERVICE CORP., City File:LP85-0540-3587

Date July 25, _____, 19 88 By: *Nancy Murray*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			601	106	4824	060106				\$160,000.00
TOTAL AMOUNT										\$160,000.00

FUND OVERRIDE

AC-361 (REV 3-86)

NOTE: Contingent upon adoption of FY'89 Appropriation Ordinance.

AC 8900137

R-271524

JUL 26 1988

211

Passed and adopted by the Council of The City of San Diego on July 26, 1988,
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksm	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR,
Mayor of The City of San Diego, California.

cas

(Seal)

CHARLES G. ABDELNOUR,
City Clerk of The City of San Diego, California.

By *June A. Blackell*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-271524</u>	Adopted <u>JUL 26 1988</u>