

(R-89-2263)

RESOLUTION NUMBER R- 273853

ADOPTED ON JUN 05 1989

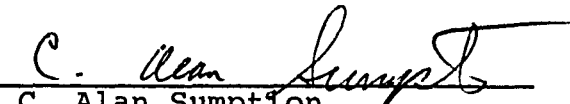
WHEREAS, in Closed Session on May 2, 1989, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5; Not Present, Mayor, Districts 6, 7, and 8, approved the settlement of Superior Court Case No. 539845, F. Kenneth Gott, et al. v. City of San Diego, et al. in the amount of \$500,000.00 as to all parties,

NOW, THEREFORE,

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 total sum of \$500,000.00 as to plaintiffs F. Kenneth and Jerilee Gott, Allied Insurance Co., Fire Insurance Exchange and Residential Mutual Insurance Co. in the settlement of their claims against The City of San Diego, its agents and employees, in Gott et al. v. City of San Diego, et al., Superior Court Case No. 539845 for damages due to land subsidence to the real property at 1544 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 \$500,000.00, made payable to F. Kenneth and Jerilee Gott and their attorney of record Richard Elliott of McInnis, Fitzgerald, Rees, Sharkey & McIntyre in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By 
C. Alan Sumption
Deputy City Attorney

CAS:dk:Lit.

05/15/89

Aud.Cert: 8901005

Or.Dept:Risk Mgmt

R-89-2299

Form=r.claim

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 8901005

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 \$ 500,000.00

Vendor F. Kenneth Gott and Jerilee Gott and their Attorney Richard Elliot

Purpose Authorizing the expenditure of funds for settlement of property damage claim
LP84-0540-5284.

Date May 24, 1989

By: Angie Sanchez

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			81140		4824	081141				\$500,000.00
TOTAL AMOUNT										\$500,000.00

AC-361 (REV 3-86)

FUND OVERRIDE ☐

JUN 05 1989

R-273653

AC 8901005

89 MAY 25 PM 1:56
CITY CLERK'S OFFICE

7:25 PM 1:0
CITY CLERKS OFFICE
SAN DIEGO, CA

1953

#120

Passed and adopted by the Council of The City of San Diego on JUN 05 1989,
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 Struiksma	<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.

(Seal)

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

By Jana Martin, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 273653 Adopted JUN 05 1989