

(R-91-844)

RESOLUTION NUMBER R- 276980

ADOPTED ON DEC 10 1990

WHEREAS, in Closed Session on November 13, 1990, the City Council, by the following vote: Yeas, Districts One, Two, Three, Four, Five, Six, Seven and Eight, Nays, none, Not Present, Mayor Maureen O'Conner, approved the following; 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 \$93,500 in the settlement of each and every claim of Defendant Baja-Mex against the City of San Diego, its agents and employees, Superior Court Case No. 575407, City of San Diego v. Fritz Neumann, et al., resulting from the claims for loss of goodwill in the above eminent domain action.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$93,500, made payable to Baja-Mex Insurance Services, Inc. in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By *Susan Hinz Bowmaster*
Susan Hinz Bowmaster
Deputy City Attorney

SHB:dr:Lit.
11/14/90
Aud.Cert:9100⁴30
Or.Dept:Prop
R-91-844
Form=r.claim1

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9100430

ORIGINATING
DEPT. NO.: 070

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 \$ 93,500.00 Fund Various

Purpose Authorizing the expenditure of funds for San Ysidro Boulevard - Condemnation Settlement

Date November 29, 1990

By: 
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1		18519	5713	1302	4279	000001				\$51,530.95
2		18521	5833	3307	4279	000001				38,672.26
3		18522	5863	6311	4279	000001				249.36
4		18523	5633	3304	4279	000001				3,047.43
TOTAL AMOUNT										\$93,500.00

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 \$ _____

Vendor _____

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

DEC 10 1990

Passed and adopted by the Council of The City of San Diego on....., 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"/>
John Hartley	<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"/>
Linda Bernhardt	<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 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.

Charles G. Abdelnour
Deputy.

Office of the City Clerk, San Diego, California

Resolution *R* - **276980** **DEC 10 1990**
 Number Adopted.....

RECEIVED
90 NOV 29 PM 12:14
CITY CLERK'S OFFICE
SAN DIEGO, CA

11/29/90