

(R-92-604)

RESOLUTION NUMBER R- 278877

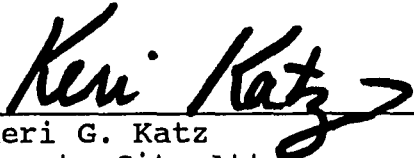
ADOPTED ON OCT 21 1991

WHEREAS, in Closed Session on September 24, 1991, the City Council, by the following vote: Yeas, Districts 2, 3, 4, 5, 6, 7; Nays, Districts -0-; Not Present, Districts 1, 8, and Mayor, approved the following: NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and is hereby authorized and empowered to pay the total sum of \$225,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, in Superior Court Case No. 578788, Trudell v. City of San Diego, et al. resulting from the personal injury and property damage caused by sewer backups on the Trudell property known as 4039-4045 Estrella Avenue, San Diego, California, 92105.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and is hereby authorized to issue one check in the amount of \$225,000.00, made payable to the Trudell Family 1986 Trust in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By 
Keri G. Katz
Deputy City Attorney

KGK:cj:Lit.
10/14/91
Aud.Cert:9200274
Or.Dept:700
R-92-604
Form=r.claim1

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9200274

ORIGINATING DEPT. NO.: 700

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 \$ 225,000.00

Vendor John Trudell, et al., City File #LX88-0705-2987

Purpose Authorizing the expenditure of funds in settlement of a personal injury and property damage claim.

Date October 9, 19 91

By: *Diane Sheehan*
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1	0	40012	700	209	4824	4209	41506			\$225,000.00
TOTAL AMOUNT										\$225,000.00

FUND OVERRIDE

R-278877

OCT 21 1991

AC 9200274

#401

OCT 21 1991

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Tom Behr	<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 *Blondel Barnes*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-278877 Adopted OCT 21 1991