

(R-92-911)

RESOLUTION NUMBER R- 279157  
ADOPTED ON DEC 09 1991


WHEREAS, in Closed Session on December 3, 1991, the City Council, by the following vote: Yeas, Districts 1, 2, 4, 5, 6, 7, and 8; Nays, Districts -0-; Not Present, District 3, 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 \$67,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, in Superior Court Case No. 637151, Kilgallon v. City of San Diego.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and is hereby authorized to issue one check in the amount of \$67,000.00, made payable to Kilgallon Construction Co. and its attorney, William L. Miltner, Esq., 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.  
12/05/91  
Aud.Cert:9200444  
Or.Dept:084  
R-92-911  
Form=r.claim1

RECEIVED

91 DEC -6 AM 8:21

CITY CLERKS OFFICE  
SAN DIEGO, CA

700 1000  
5000 1000

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

CERTIFICATE OF UNALLOTTED BALANCE AC 9200444

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 \$ 67,000.00

Vendor Kilgallon Construction Company

Purpose Authorizing the expenditure of funds for the settlement of claim against the City.

Date December 4, 1991 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	0	30244	30244	106	4905	374170				\$67,000.00
TOTAL AMOUNT										\$67,000.00

FUND OVERRIDE

Passed and adopted by the Council of The City of San Diego on .....  
by the following vote:

DEC 09 1991

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"/>
George Stevens	<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"/>
Valerie Stallings	<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.

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

(Seal)

By *Linda Legano*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **279157** Adopted **DEC 09 1991**