

(R-92-2091)

RESOLUTION NUMBER R- 280337

ADOPTED ON JUL 13 1992

WHEREAS, in Closed Session on May 5, 1992, the City Council, by the following vote: Yeas, Districts 1, 3, 4, 6 and 7; Nays, none; Not Present, Districts 2, 5, 8 and the Mayor, approved the following; NOW, THEREFORE,

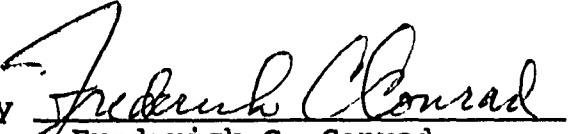
BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the total sum of \$31,000 in the settlement of any and all claims of Donald H. Hawthorne and James Siler against The City of San Diego, its agents and employees, for damages arising from processing the application for Coastal Development/Conditional Use Permit No. 91-0469.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$31,000, made payable to Donald H. Hawthorne and James Siler in full settlement of any and all claims.

BE IT FURTHER RESOLVED, that the claimants shall not be obligated to pay any additional permit fees or costs associated with any permits required to be obtained from The City of San Diego relating to the project modifications required by The City of San Diego.

BE IT FURTHER RESOLVED, that the claimants shall not be obligated to reimburse the Planning Department for the deficit in the project account.

APPROVED: John W. Witt, City Attorney

By 
Frederick C. Conrad
Chief Deputy City Attorney

FCC:lc
06/19/92
Aud.Cert: 9201050
Or.Dept:Risk.Mgmt.
R-92-2091
Form=r.claim1

-280337

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9201050

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 _____ 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 money 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 \$ 35,000.00

Vendor Donald H. Hawthorne and James Siler

Purpose Authorizing the expenditure of funds for the settlement of a damage claim against the City of San Diego Coastal Development/Conditional Use Permit.

Date July 6, 1992 By: *Amy Kolbeck*

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		81140		4824	081141				\$35,000.00
TOTAL AMOUNT										\$35,000.00

AC-361 (REV 2-92)

FUND OVERRIDE

AC 9201050

R-280337

JUL 13 1992

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

JUL 13 1992

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

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

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

By *Mary Cepeda* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-280337* Adopted JUL 13 1992

92 JUL -7 AM 3:26
CITY OF SAN DIEGO
SAN DIEGO, CA