

(R-92-680)

RESOLUTION NUMBER R-280912

ADOPTED ON OCTOBER 20, 1992

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized to pay the sum of TWO HUNDRED SEVENTY THOUSAND DOLLARS (\$270,000) in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. 652812, Marc and Monica Johnson v. City of San Diego, et al.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of TWO HUNDRED SEVENTY THOUSAND DOLLARS (\$270,000), 85% to be taken from Fund 81140 (\$229,500.00) and 15% to be taken from Fund 700 (\$40,500.00), payable to Marc and Monica Johnson and Daniel Perwich, their attorney of record, as full settlement of any and all claims arising from the damage suffered by Marc and Monica Johnson as a result of the movement of soil at or near 5629 Desert View Drive, San Diego, California.

APPROVED: John W. Witt, City Attorney

By Anita M. Noone
Anita M. Noone
Deputy City Attorney

AMN:skh:Lit.
10/19/92
Aud.Cert:9300401
Or.Dept:Risk.Mgmt.
R-92-680
Form=r.claim2

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 9300401
 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 \$ 270,000.00

Vendor Marc & Monica Johnson

Purpose Authorizing the expenditure of funds for settlement of property damage claim

City File: LP92-0540-2390.

Date October 20, 1992 By: *Urbano San Pedro*

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		700	209	4824	4209				\$40,500.00
2	0		81140		4824	081141				229,500.00
TOTAL AMOUNT										\$270,000.00

AC-361 (REV 2-92)

FUND OVERRIDE

AC 9300401

R-280912

OCT 20 1992

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at Closed-Session

Passed and adopted by the Council of The City of San Diego on October 20, 1992,
 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"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

mm

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 *Blonda R. Barnes* Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number.....	OCT 20 1992
R-280912	Adopted.....