

(R-93-1915)

RESOLUTION NUMBER R- 282006

ADOPTED ON MAY 18, 1993

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 sum of \$140,000.00 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. 652836, Culbertson v. City of San Diego, et al., resulting from damage to an apartment building caused by a storm drain overflowing due to heavy rains.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$140,000.00, made payable to Robert C. Culbertson and Jacquelyn Culbertson, in full settlement of all claims.

APPROVED: John W. Witt, City Attorney

By Peggy J. McCarberg
Peggy J. McCarberg
Deputy City Attorney

PJM:kjk:Lit.
05/19/93
Aud.Cert:9301064
Or.Dept:Risk Mgmt.
R-931915
Form=r.claim2

RECEIVED
CITY CLERK'S OFFICE 93
93 MAY 24 AM 11:52
SAN DIEGO, CALIF.

100-100000

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9301064
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 |
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| | | | | | | | | | | |
| 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 \$ 150,000.00

Vendor Scott Culbertson, et. al.

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

Date May 14, 1993

By: *Jenny Rodenbeck*
 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 | 81140 | | 4824 | 081141 | | | | \$150,000.00 |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| TOTAL AMOUNT | | | | | | | | | | \$150,000.00 |

AC-361 (REV 2-92)

FUND OVERRIDE

AC 9301064

P-282006

MAY 18 1993

In Closed Session

Passed and adopted by the Council of The City of San Diego on May 18, 1993
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 type="checkbox"/> | <input checked="" 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"/> |
| Juan Vargas | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mayor Susan Golding | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING
Mayor of The City of San Diego, California.

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

By *Linda Sugano*, Deputy.

I HEREBY CERTIFY that the above and foregoing is a full, true and correct

copy of RESOLUTION NO. R-282006
of The City of San Diego, California
passed and adopted by the Council of

said City MAY 18 1993

CHARLES G. ABDELNOUR, City Clerk

By *Linda Sugano*
Deputy

Office of the City Clerk, San Diego, California

Resolution R-282006 Adopted MAY 18 1993
Number.....