

(R-95-220)

RESOLUTION NUMBER R- 284448

ADOPTED ON AUG 08 1994

WHEREAS, in Closed Session on July 26, 1994, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, 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 \$297,500.00 and complete construction of wall, in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court Case No. 669955, Veta Mercer, et al. v. City of San Diego, et al. resulting from the property damage claim of Veta L. Mercer and John J. Woodruff.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$297,500.00, made payable to Veta Mercer, John Woodruff, and David R. Markham, their attorney of record, in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By 
Keri G. Katz
Deputy City Attorney

KGK:hbq:Lit.
07/28/94
Aud.Cert:9500165
Or.Dept:Risk.Mgmt.
R-95-220
Form=r.claim1

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 9500165

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 \$ 297,500.00

Vendor Veta L. Mercer and John J. Woodruff

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

Date July 28, 1994 By: *Kim Sang Zee*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0	81140	81140		4824	081141				\$297,500.00
TOTAL AMOUNT										\$297,500.00

FUND OVERRIDE

R- 284448

AUG 08 1994