

RESOLUTION NUMBER R-

284529

ADOPTED ON

AUG 09 1994

WHEREAS, in Closed Session on August 9, 1994, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, 8 and the Mayor; Nays, None; Not Present, None; 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 sum of \$258,036.23 in the settlement of each and every claim against the City of San Diego, its agents and employees, resulting from the property damage to the Julie McKellar and Margaret Mahoney residences.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$258,036.23, made payable to Luth & Turley, Inc., in full settlement of all claims.

APPROVED: John W. Witt, City Attorney

By


C. Alan Sumption
Senior Chief Deputy City Attorney

CAS:ds:Lit.
08/02/4
Aud.Cert:9500127
Or.Dept:Risk.Mgmt.
R-95-269
Form=r.claim2

Office of
The City Attorney
City of San Diego

MEMORANDUM

533-5800

DATE: August 10, 1994
TO: City Clerk
FROM: City Attorney
SUBJECT: Julie McKellar, et al. v. City of San Diego

[Resolution No. 284529]

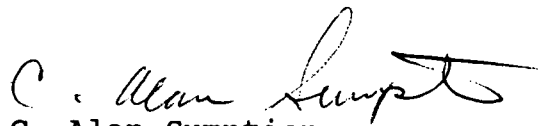
Attached please find a resolution (R-95-269) which was adopted by the City Council in Closed Session on August 9, 1994, with a unanimous vote. The Auditor's Certificate was available to the Council in Closed Session.

Pursuant to the requirements, it will be necessary for this resolution to be placed on a Council Docket under PUBLIC NOTICE so that the official and public record will reflect the adoption of this resolution.

It is therefore requested that it be calendared for the next available docket.


JOHN W. WITT, City Attorney

By


C. Alan Sumption

Senior Chief Deputy City Attorney

CAS:ds:Lit.
Attachment/Enclosure
cc: Julian Johnson
Peter Yee

 284529

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

CERTIFICATE OF UNALLOTTED BALANCE

AC AC9500127

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 \$ \$258,036.23

Vendor Luth & Turley

Purpose Settlement of the Property Damage Claim of Julie McKellar, et al.

Date August 2, 1994

By: 
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	40012	700	209	4824	005409		41500		\$258,036.23
TOTAL AMOUNT										\$258,036.23

FUND OVERRIDE

AUG 09 1994

AC AC9500127

R-284529