

(R-95-976)

RESOLUTION NUMBER R- 285175

ADOPTED ON JAN 09 1995

WHEREAS, in Closed Session on December 6, 1994, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4 and 5, Nays, None, Not Present, Districts 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 \$90,000.00, in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court Case No. 668404, Bryan Joel-Nicholas Pyant v. City of San Diego, et al., resulting from the personal injuries to Bryan Joel-Nicholas Pyant.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$90, 000.00, made payable to Bryan Joel-Nicholas Pyant and his attorney of record, The Law Offices of Richard M. Lester, in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By Cheryl A. Mannie  
Cheryl A. Mannie  
Deputy City Attorney

CAM:vtc:Lit.  
12/19/94  
Aud.Cert:9500667  
Or.Dept:Risk Mgmt  
R-95-976  
Form=r.claim1

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

**CERTIFICATE OF UNALLOTTED BALANCE**      AC 9500667

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 \$ 90,000.00

Vendor Bryan Joell - Nicholas Pyant and his atty of record The Law Offices of Richard M. Lester

Purpose Authorizing the expenditure of funds for settlement of personal injury claim.

City File #: LX93-0512-1310

Date December 15, 1994 By: *Lillian Rose*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
001	0	81140	81140		4823	081141				\$90,000.00
TOTAL AMOUNT										\$90,000.00

FUND OVERRIDE

AC 9500667

*R-285175*

**JAN 09 1995**