

(R-95-1073)


RESOLUTION NUMBER R- 285223

ADOPTED ON JAN 17 1995

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 \$50,000.00 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. 674109, Harper Construction Co., Inc. v. City of San Diego, et al., resulting from property damage of Harper Construction Co., Inc..

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$50,000.00, made payable to Harper Construction Co., Inc. and M. Richardson Lynn, Jr., their attorney of record, in full settlement of all claims.

APPROVED: John W. Witt, City Attorney

By   
\_\_\_\_\_  
Marc B. Rosen  
Deputy City Attorney

MJR:vtc:Lit.  
01/17/95  
Aud.Cert: 9500745  
Or.Dept:Risk Mgmt  
R-95-1073  
Form=r.claim2

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

**CERTIFICATE OF UNALLOTTED BALANCE** AC 9500745

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 \$ 50,000.00

Vendor HARPER CONSTRUCTION & M. RICHARDSON LYNN, JR., THEIR ATTORNEY OF RECORD

Purpose AUTHORIZING EXPENDITURE OF FUNDS FOR SETTLEMENT OF PROPERTY DAMAGE CLAIM

CITY FILE: LP93-5407-2122

Date JANUARY 12, 1995 By: *Lillian Pease*

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		4824	081141				\$50,000.00
TOTAL AMOUNT										\$50,000.00

FUND OVERRIDE

AC 9500745

*R* 285223

JAN 17 1995