

(R-96-334)

RESOLUTION NUMBER R- 286388

ADOPTED ON OCT 03 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 \$276,794.51 in the settlement of each and every claim against the City of San Diego, its agents and employees, for the property damage claim of Kathleen Boyd-Wells as a result of an incident which occurred on September 25, 1994.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue three checks, one made payable to Darren Debree and Robert Rice, his attorney in the amount of \$16,500.00, one made payable to Kathleen Boyd-Wells in the amount of \$69,000.00, and one made payable to Luth & Turley, Inc. in the amount of \$191,294.51, in full settlement of all claims.

APPROVED: John W. Witt, City Attorney

By C. Alan Sumption
C. Alan Sumption
Senior Chief Deputy City Attorney

CAS:dk:Lit.
09/28/95
Aud.Cert:9600358
Or.Dept:Rick Mgmt.
R-96-334
Form=r.claim2

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

CERTIFICATE OF UNALLOTTED BALANCE AC 9600358

ORIGINATING DEPT. NO.: 700

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 \$ 276,794.51 Fund 41506

Purpose Settlement of Property Damage Claim of Kathryn Boyd-Wells; File LP95-0705-1367

Date September 27, 1995 By: *[Signature]*

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	40012	700	209	4824	004209				\$276,794.51
TOTAL AMOUNT										\$276,794.51

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 \$ _____

Vendor _____

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

AC 9600358

R-286388

OCT 03 1995