

(R-96-675)

RESOLUTION NUMBER R-286691

ADOPTED ON DECEMBER 4, 1995

WHEREAS, in Closed Session on November 21, 1995, the City Council, by the following unanimous vote: Yeas, Districts 2, 3, 4, 5, 6, 7, 8, and Mayor Susan Golding. Harry Mathis, Councilmember for District 1, was not present. Districts 2, 3, 4, 5, 6, 7, 8, and Mayor Susan Golding, 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 up to \$225,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court Case No. 665731, Kim Construction Company v. City of San Diego, et al., resulting from the claim of Kim Construction Company.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of up to \$225,000.00, made payable to Kim Construction Company in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By 
JOHN F. KIRK
Deputy City Attorney

JFK:cyg:Lit.
11/22/95
Aud.Cert: 9600555
Or.Dept:Risk Management
R-96-675
Form=r.claim1

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

CERTIFICATE OF UNALLOTTED BALANCE AC 9600555

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 \$ 225,000.00 Fund 41506

Purpose Settlement of Property Damage Claim of Kim Construction; File LP93-0705-2117.

Date November 22, 1995 By: 

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	4209		41506		\$225,000.00
TOTAL AMOUNT										\$225,000.00

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

R- 286691

DEC 04 1995

AC 9600555