

RESOLUTION NUMBER R- 288237 (R-97-628)

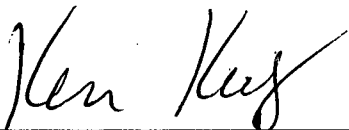
ADOPTED ON JAN 13 1997

WHEREAS, in Closed Session on November 26, 1996, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, 7 and 8; Nays, None; Not Present, 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 \$75,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, resulting from the property damage claims of John and Doreen Townley and Bernard and Lotte Garber.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue two checks, one in the amount of \$35,000.00 made payable to John and Doreen Townley and their attorney James Stevens; and one in the amount of \$40,000.00 made payable to Bernard and Lotte Garber and their attorney James Stevens.

APPROVED: CASEY GWINN, City Attorney

By 
Keri G. Katz
Deputy City Attorney

KGK:kjk:Civ.
11/26/96
Aud.Cert:9700558
Or.Dept:Risk Mgmt.
R-97-628
Form=claim1.res

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 9700558
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
01										
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 \$ 75,000.00

Vendor JOHN & DOREEN TOWNLEY AND THEIR ATTORNEY JIM STEVENS;
BERNARD & LOTTE GARBER AND THEIR ATTORNEY JIM STEVENS

Purpose AUTHORIZING EXPENDITURE OF FUNDS FOR SETTLEMENT OF PROPERTY DAMAGE

CLAIM. CITY FILE #LP96-0534-3861 AND LP96-0534-3866.

Date DECEMBER 3, 1996 By: *Jillie Rose*

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	81140	81140		4824	081141		TOWNLEY		\$35,000.00
02	0	81140	81140		4824	081141		GARBER		40,000.00
TOTAL AMOUNT										\$75,000.00

FUND OVERRIDE

R-288237