

(R-97-724)

RESOLUTION NUMBER R- 288302

ADOPTED ON JAN 27 1997

WHEREAS, in Closed Session on December 10, 1996, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, and the Mayor, Nays, None, Not Present, District 8, approved the following; NOW, THEREFORE,

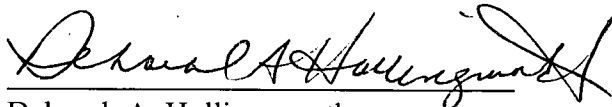
BE IT RESOLVED, by the Council of The City of San Diego that the City Manager be and he is hereby authorized and empowered to pay the total sum of \$72,500.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court Case No. 697799, Todd Zweig v. City of San Diego, et al. resulting from property damage.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$72,500.00, made payable to Todd Zweig and his attorney, Gerald M. Dawson, in full settlement of the lawsuit and of all claims.

BE IT FURTHER RESOLVED, that said funds are to be payable from Fund No. 81140.

APPROVED: CASEY GWINN, City Attorney

By



Deborah A. Hollingsworth
Deputy City Attorney

DAH:eh:Civ.
January 16, 1997
Aud.Cert: 9700666
Or.Dept: Risk.Mgmt.
R-97-724
Form=claim1.res

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 9700666
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 \$ 72,500.00

Vendor TODD ZWEIG AND HIS ATTORNEY OF RECORD GERALD DAWSON

Purpose AUTHORIZING EXPENDITURE OF FUNDS FOR SETTLEMENT OF PROPERTY DAMAGE

CLAIM. CITY FILE #LP96-0110-3848

Date JANUARY 10, 1997 By: *William Perone*

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 | | | | \$72,500.00 |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| TOTAL AMOUNT | | | | | | | | | | \$72,500.00 |

FUND OVERRIDE

R 288302

JAN 27 1997

AC 9700666