

(R-97-727)


RESOLUTION NUMBER R- 288311

ADOPTED ON JAN 28 1997

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 \$33,348.70 in the settlement of each and every claim against The City of San Diego, its agents and employees resulting from property damage to Albert's College Apartments, et al.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$33,348.70, made payable to Luth & Turley, Inc., in full settlement of all claims.

APPROVED: CASEY GWINN, City Attorney

By   
James M. Chapin  
Head Deputy City Attorney

JMC:vtc:Civ.  
01/06/97  
Aud.Cert:AC9700595  
Or.Dept:Risk Mgmt  
R-97-727  
Form=r.claim2  
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**The City of San Diego  
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 9700595  
ORIGINATING DEPT. NO.: 773

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 \$ 33,348.70

Vendor Luth & Turley, Inc.


Purpose Authorizing the expenditure of funds for the payment to Luth & Turley, Inc. for the settlement of the property damage claim of College Apartments et. al.; City File #: LP96-0705-5606.

Date December 16, 1996 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     | 41506 | 773  | 220  | 4824    | 2213      |                   |            |          | \$33,348.70 |
|                 |       |       |      |      |         |           |                   |            |          |             |
|                 |       |       |      |      |         |           |                   |            |          |             |
|                 |       |       |      |      |         |           |                   |            |          |             |
|                 |       |       |      |      |         |           |                   |            |          |             |
| TOTAL AMOUNT    |       |       |      |      |         |           |                   |            |          | \$33,348.70 |

FUND OVERRIDE

 288311

JAN 28 1997

AC 9700595