

(R-97-1087)

RESOLUTION NUMBER R- 288607

ADOPTED ON APRIL 29, 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 \$90,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees resulting from the personal injury claim of Emiliano Valencia as a result of an incident which occurred on September 20, 1996.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue two checks in the following amounts: (a) One check in the amount of \$27,093.99 made payable to Emiliano Valencia and his attorney of record, Kevin Turner, and his medical provider, Scripps Health; (b) One check in the amount of \$62,906.01 made payable to Emiliano Valencia and his attorney of record, Kevin Turner, in full settlement of all claims.

APPROVED: CASEY GWINN, City Attorney

By Eugene P. Gordon  
Eugene P. Gordon  
Deputy City Attorney

EPG:dk:Civ.  
4/21/97  
Aud.Cert:9701034  
Or.Dept:Risk Mgmt.  
R-97-1087  
Form=r.claim2  
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**The City of San Diego  
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 9701034  
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 \$ 90,000.00

Vendor Emiliano Valencia, his attorney Kevin Turner and Scripps Health (\$27,093.99);  
Emiliano Valencia and his attorney Kevin Turner (\$62,906.01)

Purpose Authorizing expenditure of funds for settlement of personal injury claim.

City file #AX97-0444-1307

Date April 17, 1997 By: *William D. Duse*

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		4821	081141				\$27,093.99
02	0	81140	81140		4821	081141				62,906.01
TOTAL AMOUNT										\$90,000.00

AC-361 (REV 2-92)

*R* - 288607

APR 29 1997

FUND OVERRIDE

AC 9701034