

(R-99-299)


RESOLUTION NUMBER R- 290673

ADOPTED ON SEP 08 1998

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 \$2,586,473, in the settlement of each and every claim against The City of San Diego, its agents and employees, in San Diego Superior Court Case No. 712102, *Claudia Martinez v. City of San Diego, et al*, resulting from personal injuries.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue two checks: 1) one in the amount of \$900,000, made payable to Claudia G. Martinez and the Law Offices of Contreras and Gomez, her attorneys of record; and, 2) one in the amount of \$1,686,473, made payable to CNA, in full settlement of all claims.

APPROVED: CASEY GWINN, City Attorney

By 

Sim von Kalinowski
Deputy City Attorney

SVK:db:Civ.
9/4/98
Aud.Cert:9900226
Or.Dept:Risk.Mgmt
R-99-299
Form=claim2r.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 9900226
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
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 \$ 2,586,473

Vendor Claudia G. Martinez and the Law Offices of Contreras and Gomez (\$900,000); CNA Structured Settlements, Inc (\$1,686,473)

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

City File #LX97-0110-2541

Date September 2, 1998 By: *Lillian 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		4823	081141				\$900,000.00
02	0	81140	81140		4823	081141				1,686,473.00
TOTAL AMOUNT										\$2,586,473.00

FUND OVERRIDE

R-290673