

(R-99-1046)

RESOLUTION NUMBER R- 291400

ADOPTED ON MAR 23 1999

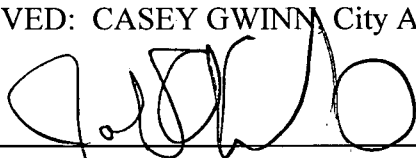
BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the sum of \$133,750.00 in the settlement of each and every claim against The City of San Diego, its agents and employees resulting from property damage claim of Del Mar Design.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check to Del Mar Plaza, Ltd., and its attorney of record, Timothy D. Principe, in the amount of \$82,645.88, made payable to Del Mar Plaza, Ltd., and its attorney of record, Timothy D. Principe, in full settlement of all claims.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check to Bart Poirier and Richard Poirier, and their attorney of record, Anthony J. Passante, in the amount of \$51,104.12, made payable to Bart Poirier and Richard Poirier, and its attorney of record, Anthony J. Passante, in full settlement of all claims.

APPROVED: CASEY GWINN City Attorney

By



John F. Kirk
Deputy City Attorney

JFK:mr:Civ.
3/22/99
Aud.Cert:9901001
Or.Dept:RiskMgmt
R-99-1046
Form=claim2r.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 9901001

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 \$ 133,750.00

Vendor Del Mar Design

Purpose Authorizing the expenditure of funds in settlement of the property damage claim, city

file #LP97-0705-3434

Date March 19, 1999

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	41500	760	641	4824	006383				\$133,750.00
TOTAL AMOUNT										\$133,750.00

FUND OVERRIDE

R-291400

MAR 23 1999

AC 9901001