

RESOLUTION NUMBER R- 294364

ADOPTED ON DEC 11 2000

WHEREAS, in Closed Session on November 14, 2000, the City Council, by the following vote: Yeas, Districts 1, 2, 5, 6, 7 and Not Present, Districts 3, 4, 8 and the Mayor, approved the following; NOW, THEREFORE,

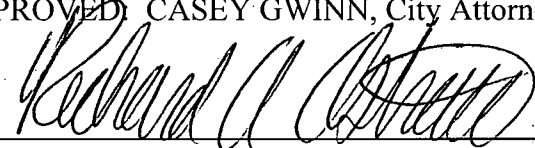
BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the total sum of \$ 150,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, in Superior Court Case No. 735589, Keith Davis v. San Diego Police Department, 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 \$150,000.00, made payable to Keith O. Davis and Douglas S. Gilliland, his attorney of record 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, Public Liability Reserve Fund.

APPROVED: CASEY GWINN, City Attorney

By

  
Richard A. Ostrow, Deputy City Attorney

RAO:vtc:Civ.  
11/20/00  
Aud.Cert:  
Or.Dept: Risk Mgmt  
R-2001-912  
Form=claimr.frm

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING AC 2100647  
DEPT. NO.: 81140

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 \$ \_\_\_\_\_ 150,000

Vendor Keith O. Davis

Purpose To authorize settlement of personal injury claim.

Date 12/1/00 By: Albert Cuevas

AUDITOR AND COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA |       |       |       |      |         |           |                   |             |          |              |
|-----------------|-------|-------|-------|------|---------|-----------|-------------------|-------------|----------|--------------|
| ACCTG. LINE     | CY PY | FUND  | DEPT  | ORG. | ACCOUNT | JOB ORDER | OPERATION ACCOUNT | BENF/ EQUIP | FACILITY | AMOUNT       |
| 001             | 0     | 81140 | 81140 |      | 4823    | 081141    |                   |             |          | \$150,000.00 |
|                 |       |       |       |      |         |           |                   |             |          |              |
|                 |       |       |       |      |         |           |                   |             |          |              |
|                 |       |       |       |      |         |           |                   |             |          |              |
| TOTAL AMOUNT    |       |       |       |      |         |           |                   |             |          | \$150,000.00 |

FUND OVERRIDE

*R* - 294364

DEC 11 2000

AC 2100647