

(R-2001-1053)

RESOLUTION NUMBER R- 294505

ADOPTED ON FEB 5 2001

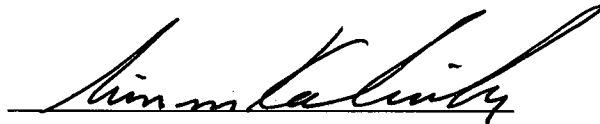
WHEREAS, a Resolution approved by the City Council in Closed Session on Tuesday, January 16, 2001, by the following vote: Peters-yea; Wear-yea; Atkins-yea; Stevens-not present; Maienschein-yea; Stallings-yea; Madaffer-yea; District 8-vacant; Mayor-yea, NOW THEREFORE,

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 sum of \$400,000, in the settlement of each and every claim against The City of San Diego, its agents and employees, in Superior Court Case No. GIC740401, *Debra Montisano, et al. v. City of San Diego, et al.*, resulting from personal injuries to Dominic Montisano, 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 \$400,000, made payable to Plaintiffs Dominic Montisano, Debra Montisano, Cara Montisano, William Stevens, Darryl Stevens and their attorney of record, Carla Nasoff, in full settlement of all claims.

APPROVED: CASEY GWINN, City Attorney

By



Sim von Kalinowski
Senior Deputy City Attorney

SvK:db:Civ.
01/25/01
Aud.Cert:AC2100773
Or.Dept:Risk.Mgmt.
R-2001-1053
Form=claim2r.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 2100773
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 \$ 400,000

Vendor Various (see list on 1472)

Purpose To authorize expenditure for personal injury claim.

Date 1/11/01 By: Albert Arevas

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				\$400,000.00
TOTAL AMOUNT										\$400,000.00

FUND OVERRIDE