

(R-2001-1274)

RESOLUTION NUMBER R- 294760

ADOPTED ON APR 16 2001


WHEREAS, in Closed Session on March 6, 2001, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 7, 8, and the Honorable Mayor Dick Murphy, Nays, none, Vacant, District 6, 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. GIC731723, *Simon Yarwood, et al v City of San Diego*, resulting from injuries sustained from the accident involving Simon Yarwood on June 16, 1998, on Lusk Boulevard

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 Simon Yarwood, Aviril Yarwood, and their attorney, Steven M. Boudreau, Esq., 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  _____
William S. Donnell
Deputy City Attorney

WSD:rd
3/20/01
Aud Cert
Or Dept: Risk Mgmt
R-2001-1274
Form=claimr.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2101012
ORIGINATING DEPT NO 760

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 00

Vendor Simon and Avril Yarwood

Purpose Authorizing the City Manager to pay the sum of \$150,000 00 in settlement of each and every claim against the City for personal injury claims to Simon and Avril Yarwood


Date March 20, 2001 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	503	4823	050301				\$150,000 00
TOTAL AMOUNT										\$150,000 00

FUND OVERRIDE

AC-361 (REV 2-92)

 294760

APR 16 2001

AC 2101012