CS-1 Orig

(R-2001-1313)

RESOLUTION NUMBER R- 294857

ADOPTED ON MAY 1 2001

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 \$59,177.09 in the settlement of each and every claim against the City of San Diego, its agents and employees, resulting from property damage to Jeff Chals, et al., as a result of an incident which occurred on May 16, 2000.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue four checks, one in the amount of \$33,546.77; one in the amount of \$13,964.24; one in the amount of \$8,462.28; and one in the amount of \$3,203.80, made payable to Luth & Truley, Inc., in full settlement of all claims.

APPROVED: CASEY GWINN, City Attorney

By

Leslie J. Girard

Assistant City Attorney

LJG:vtc:Civ. 03/27/01

Aud.Cert: AC2101029 Or.Dept: Risk Mgmt

R-2001-1313

Form=claim2r.frm

The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

2101029

IGINATING 7

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 DEPARTMEN ACCOUNTING DATA ACCTG. CY JOB **OPERATION** BENF/ LINE PY ORG. ORDER ACCOUNT **FACILITY** 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 \$ 59.177.09 Vendor Luth and Turley, Inc. Purpose Authorizing the expenditures of funds for the settlement of the property damage claim due to sewer main backed up at the 6200 block of Caminito Araya. Date March 26, 2001 By: **ACCOUNTING DATA** ACCTG CY IOB **OPERATION** BENF/ LINE **FUND** DEPT ORG. ACCOUNT ORDER ACCOUNT **EOUIP FACILITY** AMOUNT 01 41506 773 220 4824 002213 \$59,177,09

AC-361 (REV 2-92)

R-294857

TOTAL AMOUNT

AC

1 2001

\$59,177.09

2101029

FUND OVERRIDE

REQUEST FOR COUNCIL ACTION CITY OF SAN DIEGO 1. CERTIFICATE NUMBER: AC 2101029										
CITY ATTORNEY		2. FROM: (ORIGINATING DEPARTMENT) Risk Management					3. DATE March 9, 2001			
4. SUBJECT: Settlement of the Property Damage Claim of Jeff Chals et al. City File #: LP00-7773-3339										
5. FOR INFORMATION, CONTACT: (NAME & MAIL STA.) Stan Forsythe M.S 51B				6. TELEPHONE NO. 533-6555			CHECK HERE IF BOX 1472A, "DOCKET SUPPORTING INFORMATION," HAS BEEN COMPLETED ON PAGE 2:			
8. COMPLETE FOR ACCOUNTING PURPOSES										
FUND	41506						ITIONAL INF	ORMATION / ESTIMATED O	OST:	
DEPT.	773					Cost	of settleme	ent \$76,030.43	'n	
ORGANIZATION	220						or sectionic	AII. \$70,030.43		
OBJECT ACCOUNT	4824			}		}				
JOB ORDER	002213 /							·		
C.I.P. NO.].						
AMOUNT	59,177.09									
10. ROUTING AND APPROVALS										
ROUTE APPROVIN		ROVAL SIGNATURE	DATE SIGNED	ROUTE (#)		PROVING THORITY		APPROVAL SIGNATURE	DATE SIGNED	
1 DEPARTMENT DIRECTOR		Des Oliva	3/09/01	3	CITY MANAGER			Z41	2-25-0	
2 M.W.W.D. 70%		L	3/21/01	4	AUDITOR	1 1		eath of	3/26/0	
	1 9	,		5	CITY	Y	X		5/22/0	
				 6	ORIGINAT DEPARTM		E V.		3 09 (01	
,					MCD DOG					
				1	RULES COMMITT	CKET COORD.	CONSENT	COUNCIL REP. ADOPTION		
							Refer to	Date		
11. PREPARATION OF: X RESOLUTION(S) ORDINANCE(S) AGREEMENT(S) DEED(S)										
1. Authorizing the City Manager to pay the sum of \$59,177.09 in settlement of each and every claim against the City, its agents and employees, resulting from the property damage to Jeff Chals, et al.										
2. Authorizing the City Auditor and Comptroller to issue four checks, each made payable to Luth and Turley, Inc., one in the amount of \$33,546.77; one in the amount of \$13,964.24; one in the amount of \$8,462.28; and one in the amount of \$3,203.80.										
118. MANAGER'S RECOMMENDATIONS: Approve the resolution.										
12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.) This settlement and payment will be reviewed by the City Council in closed session.										

 $\mathcal{R}^{-}294857$

2001

MAY 1

DOCKET SUPPORTING INFORMATION

This constitutes the complete and final settlement of the property damage claim of Jeff Chals, et al., against the City of San Diego, its agents and employees, as a result of an incident which occurred on May 16, 2000.

SUBJECT: Settlement of the Property Damage Claim of Jeff Chals et al.

City File #: LP00-7773-3339

BY LINE: (CITY MANAGER / DEPT. HEAD / AUTHOR INITIALS)

Herring/Oliva/sf

OBIGINATING DEPT. HEAD

SIGNATURES:

(FOR MANAGERIAL DEPARTMENTS ONLY)

R-294857

2001