

(R-2002-265)

RESOLUTION NUMBER R- 295258

ADOPTED ON JULY 31, 2001

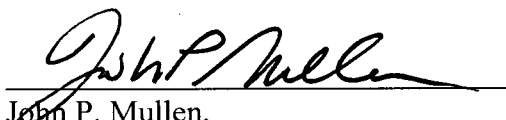
BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the sum of \$25,000 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. 743672 and GIC 760826, Barratt American Inc. v. City of San Diego, et al., resulting from the City's imposition of regulatory fees in connection with residential development projects pursued by Barratt American Inc. within the City of San Diego.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$25,000.00, made payable to Barratt American Incorporated in full settlement of all claims.

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute a settlement agreement which commits the Development Services Department to conduct a fee study regarding building permit and plan check fees to be completed by June 30, 2002.

APPROVED: CASEY GWINN, City Attorney

By


John P. Mullen,
Deputy City Attorney

JPM:kat:civ
July 25, 2001
Aud.Cert: AC2200126
Or.Dept: 1300
R-2002-265
Form=claim2r.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2200126
ORIGINATING DEPT. NO.: 1300

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 \$ 25,000.00

Vendor Barratt American, Inc.

Purpose Final settlement of claims by Barratt American, Inc.

City File #: LP00-0065-2262

Date July 30, 2001 By: *Tiffany Hernandez*

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	41300	1300	1261	4141	001479				\$25,000.00
TOTAL AMOUNT										\$25,000.00

FUND OVERRIDE