

(R-2002-767)

295829

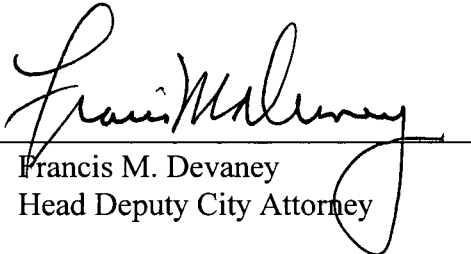
RESOLUTION NUMBER R-_____

ADOPTED ON DEC 4 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 \$75,385.45 in complete settlement of each and every claim against the City of San Diego, its agents and employees resulting from the property damage claim of Michael Thornton, et al., as a result of an incident which occurred on November 28, 2000.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$35,831.15 made payable to Luth & Turley, Inc., in settlement of all claims.

APPROVED: CASEY GWINN, City Attorney

By 
Francis M. Devaney
Head Deputy City Attorney

FMD:km:Civ.
11/27/01
Aud.Cert:2200499
Or.Dept: Risk Mgmt
R-2002-767
Form=claim2r.frm

Office of
The City Attorney
City of San Diego

MEMORANDUM
MS 59

533-5800

DATE: December 6, 2001
TO: City Clerk
FROM: City Attorney
SUBJECT: Settlement of Property Damage Claim of Michael Thornton, et al.
Claim File No. LP01-7773-1571

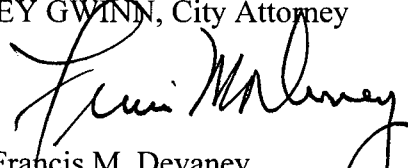
[Resolution No. R-295829]

Attached please find a resolution (R-2002-767) which was adopted by the City Council in Closed Session on December 4, 2001 with the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, and Mayor; Nays, None; and Not Present, District 8. The Auditor's Certificate was available to the Council in Closed Session.

Pursuant to the requirements, it will be necessary for this resolution to be placed on a Council Docket under PUBLIC NOTICE so that the official and public record will reflect the adoption of this resolution.

It is therefore requested that it be calendared for the next available docket.

CASEY GWINN, City Attorney

By 
Francis M. Devaney
Head Deputy City Attorney

FMD:km:Civ.

Attachment/Enclosure

cc: Peter Yee, Liability Claims Supervisor
Michael Gomez, Claims Representative

274 DIFCO' CIVIL
01 DEC - 1 11 01
RECEIVED
CITY OF SAN DIEGO

R-295829

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2200499
ORIGINATING DEPT. NO.: 113

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 \$ 75,385.45

Vendor Luth & Turley, Inc.

Purpose Authorizing the expenditure of funds for the settlement of property damage claims as a result of sewer main stoppage at the residence of 13106 Avenida Del General.

Date October 31, 2001 By: Diana Smodelo

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0	41506	773	220	4824	002213				\$75,385.45
TOTAL AMOUNT										\$75,385.45

FUND OVERRIDE