

(R-2002-1224)

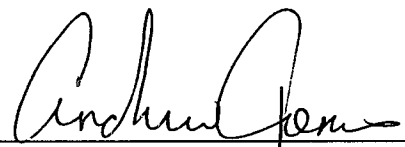
RESOLUTION NUMBER R- 296215

ADOPTED ON MAR 19 2002

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 \$68,892.50 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. GIC 770617, *Sylvia Tivadar v. City of San Diego*, and Superior Court Case No. IC 776596, *Mercury Casualty Co. v. James A. Canale, et al.*, resulting from the personal injury claim of Ms. Tivadar and the property damage claim of Mercury Casualty Company.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue two checks: the first check should be in the amount of \$60,000, made payable to Sylvia Tivadar and her attorney, G. Mark Tarpin, 1020 Prospect Street, Suite 306 La Jolla, California, 92037; and the second check should be in the amount of \$8,892.50, made payable to Mercury Casualty Company and their attorney, Karen G. Wood, Esq., P.O. Box 8060, Laguna Hills, California, 92654, both in full settlement of all claims in the above-entitled litigation.

APPROVED: CASEY GWINN, City Attorney

By   
ANDREW JONES  
Deputy City Attorney

AJ:ccm  
3/14/02  
Aud.Cert:2200912  
Or.Dept:RiskMgmt.  
R-2002-1224  
Form=claim2r.frm

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2200912  
ORIGINATING DEPT. NO.: 84

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

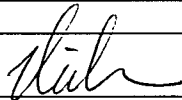
**CERTIFICATION OF UNENCUMBERED BALANCE**

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: \$68,892.50

Vendor: Mercury Casualty Company and Sylvia Tivadar

Purpose: Authorizing the Expenditure for Settlement of Personal Injury Claim to Sylvia Tivadar and Property Damage Claim to Mercury Casualty Company.

Date: March 13, 2002 By:   
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	3122	4821	081141				\$68,892.50
TOTAL AMOUNT										\$68,892.50

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2200912

R-296215

MAR 19 2002