

(R-2002-1223)

RESOLUTION NUMBER R- 296230

ADOPTED ON APR 02 2002

WHEREAS, in Closed Session on February 5, 2002, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, 8, and the Mayor, Nays, none, Not Present, District 7, 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 \$40,000.00 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. GIC758680, *Frederick Davis v. City of San Diego, et al.* resulting from the personal injury claim to Frederick Davis.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$40,000.00, made payable to Frederick Davis and his attorneys of record Trachtman, Trachtman & Reilly LLP, 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 Mark Stiffler  
Mark Stiffler  
Deputy City Attorney

MS:rd:Civ.  
03/14/02  
Aud.Cert:2200911  
Or.Dept:Risk Mgmt.  
R-2002-1223  
Form=claimr.frm

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2200911  
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: \$40,000.00

Vendor: Frederick A. Davis

Purpose: Authorizing the expenditure for settlement of personal injury claim to Frederick A. Davis

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	3423	4823	081141				\$4,000.00
002	0	41509	777	445	4823	005018				36,000.00
TOTAL AMOUNT										\$40,000.00

AC-361 (REV 2-92)

FUND OVERRIDE

*R* - 296230

APR 02 2002

AC 2200911