(R-2003-584) (COR. COPY)

RESOLUTION NUMBER R- 297256

ADOPTED ON OCT 2 9 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 \$276,713.78 in complete settlement of each and every claim against the City of San Diego, its agents and employees resulting from the property claim of William Anders and Richard Harrison, as a result of a sewer main stoppage which occurred on August 16, 2001. The City of San Diego previously paid a sum of \$50,000.00 from damages arising from this incident.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue two checks, one in the amount of \$27,431.75 made payable to Major General Anders, and one in the amount of \$199,282.03 made payable to Luth & Turley, Inc., in settlement of all claims.

APPROVED: CASEY GWINN, City Attorney

rancis M. Devaney

Head Deputy City Attorney

FMD:km:Civ.

10/22/02

11/13/02 COR. COPY

Aud.Cert:2300438 and 2300444

Or.Dept: Risk Mgmt

R-2003-584

US MONTH OF BUILDING

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

## CERTIFICATE OF UNALLOTTED BALANCE

|                               |            |  | CERTIFICATE OF UNALLOTTED BALANCE |                                   |  |                        |                              |                                       |  | 2300438  |  |
|-------------------------------|------------|--|-----------------------------------|-----------------------------------|--|------------------------|------------------------------|---------------------------------------|--|--|--|
|                               | the        |  | ng resol                          |                                   |  |                        |                              | llotment o                            |  | the purpose set  |  |
| Amo                           | unt \$     | 5  |                                   |                                   |  |                        | Fund                         |                                       |  |  |  |
| Purpose                       |            |  | •                                 |                                   |  |                        |                              | <del></del>                           |  |  |  |
|                               |            |  |                                   |                                   |  |                        |                              |                                       |  |  |  |
| Date                          |            | By:AUDITOR AND COMPTROLLER'S DEPARTMENT                                |                                   |                                   |  |                        |                              |                                       |  |  |  |
|                               | ·····      |  |                                   | γ                                 | AC                                       | CCOUNTING DA           | ATA                          |                                       |  |  |  |
| ACCTG.<br>LINE                | CY<br>PY   | FUND   | DEPT                              | ORG.                              | ACCOUNT                                  | JOB<br>ORDER           | OPERATION ACCOUNT            | BENF/<br>EQUIP                        | FACILITY   | AMOUNT   |  |
|                               |            |  |                                   |                                   |  |                        |                              |                                       | <del>                                     </del> |  |  |
|                               |            |  |                                   |                                   |  |                        |                              |                                       |  |  |  |
|                               |            |  |                                   |                                   |  | •                      |                              |                                       |  |  |  |
|                               |            |  |                                   |                                   |  |                        |                              |                                       |  |  |  |
|                               |            |  | TOTAL AMOUNT FUND OVERRIDE        |                                   |  |                        |                              |                                       |  |  |  |
| Treasur<br>same a<br>anticipa | y, oure to | r are an<br>be dra<br>to come i  | ticipated<br>wn, and<br>into the  | d to con<br>d that th<br>Treasury | ne into the ine said mon-<br>to the cred | Treasury,<br>ey now ad | to the cred<br>ctually in th | dit of the a                          | appropriatior                                    | re actually in the from which the with the moneys umbered. |  |
| ואטניני                       | U EX       | ceed \$  | <del></del>                       | 18                                | 9,282.03                                 |                        |                              |                                       |  |  |  |
| Vend                          | or         | Luth & T   | urley, Ir                         | IC.                               |  |                        |                              | •                                     |  | ·····  |  |
| Purp                          | ose        | Authoriz   | ing the                           | expendit                          | ure of funds                             | for settlem            | ent of pers                  | onal injury                           | claim of Will                                    | liam Anders/   |  |
|                               |            | Richard  | Harrisor                          | n, City Fi                        | le #LP02-77                              | 73-0515.               | 200                          |                                       |  |  |  |
| Date                          |            | 10/18/02  By: July and themandow  AUDITOR AND COMPTROLLER'S DEPARTMENT |                                   |                                   |  |                        |                              |                                       |  |  |  |
|                               |            |  |                                   |                                   | AC                                       | CCOUNTING DA           |                              | J. J. J. J. C.                        | - TROELER 5                                      |  |  |
| ACCTG.<br>LINE                | CY<br>PY   | FUND 41506   | DEPT <b>773</b>                   | org.<br><b>220</b>                | ACCOUNT 4824                             | JOB<br>ORDER<br>002213 | OPERATION<br>ACCOUNT         | BENF/<br>EQUIP                        | FACILITY   | AMOUNT<br>\$199,282.03                                     |  |
|                               |            | 71000  | 110                               |                                   | -7UZ <b>-7</b>                           | 002210                 |                              | · · · · · · · · · · · · · · · · · · · |  | ψ199,202.03  |  |
|                               |            |  |                                   |                                   |  |                        |                              |                                       |  |  |  |
|                               |            |  |                                   |                                   |  |                        |                              |                                       |  | -  |  |
|                               |            |  |                                   |                                   |  |                        |                              | TOTAL A                               | MOLINIT  | . \$199,282.03   |  |
| AC-361 (RE                    | V 2-92     | )  |                                   |                                   |  |                        |                              | IOIALA                                |  | FUND OVERRIDE  |  |

R-297256

AC

OCT 2 9 2002

2300438

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

## CERTIFICATE OF UNALLOTTED BALANCE

AC 2300444 UKIGINATING 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. **OPERATION** JOB BENF/ **FUND** LINE DEPT ORG. ACCOUNT ORDER ACCOUNT **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 \$ 27,431,75 Vendor Major General William Anders Purpose Authorizing the expenditure of funds for settlement of personal injury claim, City File # LP02-7773-0515 ternanda 10/18/02 Date SUDITOR AND COMPTROLLER'S DEPARTMENT ACCOUNTING DATA ACCTG. JOB **OPERATION** BENF/ **FUND** ACCOUNT LINE DEPT ORG. ORDER ACCOUNT **EQUIP FACILITY** AMOUNT 1 41506 773 220 4824 002213 \$27,431,75 \$27,431.75 TOTAL AMOUNT FUND OVERRIDE AC-361 (REV 2-92)

> R = 297256OCT 2 9 2002

AC 2300444