(R-2003-782)

RESOLUTION NUMBER R-

297497

ADOPTED ON

DEC 0 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 \$66,500 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. GIC 779247, Stanley L. Levine and LeSandra DeMarco v. City of San Diego, et al., resulting from personal injury/property damage to Stanley L. Levine and LeSandra DeMarco.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue three checks, one in the amount of \$57,000, made payable to Stanley L. Levine and his attorney James M. Stern; one in the amount of \$8,000 made payable to LeSandra DeMarco and her attorney James M. Stern; and, one in the amount of \$1,500 made payable to State Farm Insurance Company in full settlement of all claims.

APPROVED: CASEY GWINN, City Attorney

Armando S. Mendez. Deputy City Attorney

ASM: kat: Civ

12/04/02

Aud.Cert:2300597

Or.Dept:Risk Mgt.

R-2003-782

Form=claim2r.frm

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

| Purpose:    By:   AUDITOR AND COMPTROLLER'S DEPARTMENT  |  |   |  |   | CERT  | IFICATE C   | F UNALLO   | OTTED BA   |   | AC_  | 2300597   |
|---|--|---|--|---|---|---|--|--|---|--|---|
| Date:  By:  AUDITOR AND COMPTROLLER'S DEPARTMENT  ACCTOR OF PY FUND DEPT ORG. ACCOUNT JOS ORDER ACCOUNT SO INCURRENCE OF TREASURY, and is otherwise unencumbered.  AUDITOR AND COMPTROLLER'S DEPARTMENT  ACCTOR OF LINE BY:  AUDITOR AND COMPTROLLER'S DEPARTMENT  ACCTOR OF LINE BY:  AUDITOR AND COMPTROLLER'S DEPARTMENT  ACCTOR OF LINE BY:  AUDITOR AND COMPTROLLER'S DEPARTMENT  ACCOUNT JOS ORDER ACCOUNT SO ORDER ACCOUNT EQUIP FACILITY AMOUNT  FUND OVERRIDE [  CERTIFICATION OF UNENCUMBERED BALANCE  I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreemer 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 Arabert of the City of San Diego, and I do hereby further certify, in conformity with the requirements of the Arabert of the City of San Diego, that sufficient moneys have been appropriated for the purpose of sai contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or an indicipated 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: \$66,500.00  Vendor: Stanley L. LEVINE and LeSandra DEMARCO  Date: November 20, 2002  By:  AUDITOR AND COMPTROLLER'S DEPARTMENT  ACCOUNTING DATA  ACCOUNT |  |   |  |   |   |   |  |  | · c   |  | 84  |
| Date:  By:  AUDITOR AND COMPTROLLER'S DEPARTMENT  ACCOUNTING DATA  CERTIFICATION OF UNENCUMBERED BALANCE  I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement unthorized 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 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 accusally in the Treasury, or annoticipated 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:  \$66,500.00  Vendor: Stanley L. LEVINE and LeSandra DEMARCO  Date:  November 20, 2002  By:  AUDITOR AND COMPTROLLER'S DEPARTMENT  ACCOUNTING DATA  A | 1  | HEF                                     | REBY CE  | RTIFY tha   | at the mo   | ney require   | ed for the a   | allotment o  | of funds fo   | or the pur                                       | pose set forth in the   |
| Purpose:    Date:   By:   AUDITOR AND COMPTROLLER'S DEPARTMENT  | _  | -                                       | esolution  | is availab  | le in the   | Treasury,   | or is anticip  | ated to co   | ome into th   | he Treası  | ury, and is otherwise   |
| Date:  By:  AUDITOR AND COMPTROLLER'S DEPARTMENT  ACCOUNT ING DATA  ACCOUNT ING DATA  ACCOUNT ING DATA  ACCOUNT ING DATA  TOTAL AMOUNT  FUND OVERRIDE  CERTIFICATION OF UNENCUMBERED BALANCE  I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract ôr agreemer 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 hearter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of hearter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of hearter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of hearter of the City of San Diego; that sufficient moneys have been appropriated for the purpose of sai contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or an inticipated 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 reasury, to the credit of said appropriation, are otherwise unencumbered.  Not to Exceed: \$66,500.00  Vendor:  Stanley L. LEVINE and LeSandra DEMARCO  Authorizing the expenditure for the settlement of the personal injury claim of Stanley L. LEVINE and LeSandra DEMARCO  Authorizing the expenditure for the settlement of the personal injury claim of Stanley L. LEVINE and LeSandra DEMARCO  ACCOUNT JOB ORDER ACCOUNT AMOUNT SE6,500.00  FUND OVERRIDE  TOTAL AMOUNT SE6,500.00  FUND OVERRIDE  | Amount:  |   |  |   |   |   |  | Fund:  |   |  |   |
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| ACCTIG. BY FUND DEPT ORG. ACCOUNT JOB ORDER OFERATION EQUIP FACILITY AMOUNT  TOTAL 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, that sufficient moneys have been appropriated for the purpose of sai contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or 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:  \$66,500.00  Vendor:  Stanley L. LEVINE and LeSandra DEMARCO  Purpose:  Authorizing the expenditure for the settlement of the personal injury claim of Stanley L. LEVINE and LeSandra DEMARCO  Date:  November 20, 2002  By:  AUDITOR AND COMPTROLLER'S DEPARTMENT  ACCOUNTING DATA  ACCTIG. BY FUND DEPT ORG. ACCOUNT JOB ORDER OFERATION BENEF FACILITY AMOUNT  ACCOUNTING DATA  ACCTIG. BY FUND DEPT ORG. ACCOUNT JOB ORDER ACCOUNT EQUIP FACILITY AMOUNT  ACCTIG. BY FUND DEPT ORG. ACCOUNT JOB ORDER ACCOUNT EQUIP FACILITY AMOUNT  ACCOUNTING DATA  ACCTIG. BY FUND DEPT ORG. ACCOUNT JOB ORDER ACCOUNT EQUIP FACILITY AMOUNT  ACCOUNTING DATA  ACCTIG. BY FUND DEPT ORG. ACCOUNT JOB ORDER ACCOUNT EQUIP FACILITY AMOUNT  ACCTIG. BY FUND DEPT ORG. ACCOUNT JOB ORDER ACCOUNT EQUIP FACILITY AMOUNT  ACCTIG. BY FUND DEPT ORG. ACCOUNT JOB ORDER ACCOUNT EQUIP FACILITY AMOUNT  ACCTIG. BY FUND DEPT ORG. ACCOUNT JOB ORDER ACCOUNT EQUIP FACILITY AMOUNT  ACCTIG. BY FUND DEPT ORG. ACCOUNT JOB ORDER ACCOUNT EQUIP FACILITY AMOUNT  ACCTIG. BY FUND DEPT ORG. ACCOUNT JOB ORDER ACCOUNT EQUIP FACILITY AMOUNT  ACCTIG. BY FUND DEPT ORG. ACCOUNT JOB ORDER ACCOUNT EQUIP FACILITY AMOUN |  |   |  |   |   |   |  |  | JDITOR AND C  | OMPTROLLE  | R'S DEPARTMENT  |
| TOTAL AMOUNT    FUND OPERATION   DEPT   ORG.   ACCOUNT   JOB ORDER   ACCOUNT   EQUIP   FACILITY   AMOUNT  | ACCTG.   | CY                                      | I  | · ·   | ı   | ACC<br>T  | OUNTING DATA   |  | BENF/   | Т  |   |
| 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 sai contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or 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: \$66,500.00  Vendor: Stanley L. LEVINE and LeSandra DEMARCO  Purpose: Authorizing the expenditure for the settlement of the personal injury claim of Stanley L. LEVINE and LeSandra DEMARCO  Date: November 20, 2002  By: AUDITOR AND COMPTROLLER'S DEPARTMENT  ACCOUNTING DATA  ACCOUNT ING DATA |  |   | FUND   | DEPT  | ORG.  | ACCOUNT   | JOB ORDER  |  |   | FACILITY   | AMOUNT  |
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| 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 sai contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are intricipated 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:  \$66,500.00    Stanley L. LEVINE and LeSandra DEMARCO   |  |   |  | · · · · · · · · · · · · · · · · · · ·                                       |   |   |  |  |   |  | FUND OVERRIDE   |
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| Purpose: Authorizing the expenditure for the settlement of the personal injury claim of Stanley L. LEVINE and LeSandra DEMARCO  Date: November 20, 2002 By:  AUDITOR AND COMPTROLLER'S DEPARTMENT  ACCOUNTING DATA  ACCTG. CY FUND DEPT ORG. ACCOUNT JOB ORDER ACCOUNT EQUIP FACILITY AMOUNT  001 0 81140 81140 3111 4821 81141 \$66,500.00  TOTAL AMOUNT \$66,500.00  FUND OVERRIDE  | he Charte<br>Charte<br>contract<br>anticipand that<br>Treasu | arter r of ct, the ated at the cry, the | of the City the City to come e said moothe credited: | ty of San<br>of San D<br>ent money<br>into the T<br>oney now<br>lit of said | Diego; a biego, that ys to me reasury, actually appropria | nd I do here<br>at sufficient<br>et the oblig<br>to the cred<br>in the Trea<br>ation, are of<br>66,500.00 | eby further<br>moneys h<br>gations of s<br>it of the app<br>sury, toget<br>therwise un | certify, in nave beer said contrapropriation the contrapropriation | conformity appropriact are act from white me moneys | y with the<br>ated for<br>tually in<br>ch the sa | requirements of the<br>the purpose of said<br>the Treasury, or are<br>me are to be drawn, |
| ACCTG   |  |   |  |   |   |   |  |  |   |  |   |
| Date: November 20, 2002 By:    AUDITOR AND COMPTROLLER'S DEPARTMENT   | urpos  | e:                                      |  |   |   | for the set   | tiement of t   | ne persor  | nai injury c  | laim of Si                                       | aniey L. LEVINE   |
| ACCOUNTING DATA  ACCTG. CY FUND DEPT ORG. ACCOUNT JOB ORDER ACCOUNT EQUIP FACILITY AMOUNT  001 0 81140 81140 3111 4821 81141 \$66,500.00  TOTAL AMOUNT \$66,500.00  C-361 (REV 2-92)  |  |   | and Legandra Delvianco                               |   |   |   |  |  |   |  |   |
| ACCOUNTING DATA  ACCTG. CY FUND DEPT ORG. ACCOUNT JOB ORDER ACCOUNT EQUIP FACILITY AMOUNT  001 0 81140 81140 3111 4821 81141 \$66,500.00  TOTAL AMOUNT \$66,500.00  C-361 (REV 2-92)  | Date:  |   | November 20, 2002 By:                                |   |   |   |  |  |   |  |   |
| ACCTG. CY FUND DEPT ORG. ACCOUNT JOB ORDER ACCOUNT EQUIP FACILITY AMOUNT \$66,500.00  ON 81140 81140 3111 4821 81141 TOTAL AMOUNT \$66,500.00  C-361 (REV 2-92)   |  |   |  |   |   |   |  | AUDITOR AND COMPTROLLER'S DEPARTMENT   |   |  |   |
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| C-361 (REV 2-92) FUND OVERRIDE  |  |   |  |   |   |   |  |  |   |  |   |
| C-361 (REV 2-92) FUND OVERRIDE  |  |   |  |   |   |   |  |  |   | NACH TIE   | <b>POR FOR CO</b>   |
| 7/ BPA A A  | C 264 /D   | EVA                                     | 2)/  |   |   |   |  |  | TOTALA  | MOUNI  |   |
|   | (C-301 (R  | .EV Z-                                  | 7/   | 9749  | 7   | DEC 0 9   | 2002   |  |   | AC_  | L.  |