

(R-2003-1092)

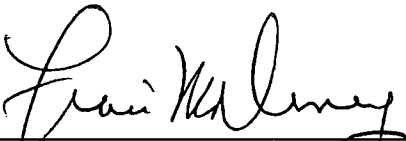
RESOLUTION NUMBER 297773

ADOPTED ON MAR 18 2003

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 \$300,097.50 in complete settlement of each and every claim against the City of San Diego, its agents and employees, resulting from property damage claim of Old Town Plaza, et al. v. City of San Diego on September 20, 2002.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue various checks in the amount of up to but not exceeding \$300,000.00 made payable to Luth and Turley, Inc., in full settlement of all claims.

APPROVED: CASEY GWINN, City Attorney

By 
Francis M. Devaney
Head Deputy City Attorney

FMD:vtc:Civ.
03/06/03
Aud.Cert:2300952
Or.Dept: Risk Mgmt
R-2003-1092
Form=claim2r.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2300952

DEPT. NO. 760

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: \$300,000.00 Fund: 41500

Purpose: Authorizing the settlement of each and every claim against the City, its agents and employees, resulting from the Property Damage Claim of Old Town Plaza et al.

Date: March 5, 2003

By: 
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	41500	760	503	4824	50301				\$300,000.00
TOTAL AMOUNT										\$300,000.00

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: _____

Vendor: _____

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										

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2300952

R-297773

MAR 18 2003