

RESOLUTION NUMBER R-298005

ADOPTED ON MAY 13 2003

WHEREAS, in Closed Session on May 13, 2003, the City Council, by the following vote:
Yeas, 8 Districts 1 through 7 and Mayor Dick Murphy; Nays, 0; with District 8 absent, 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 sum of \$54,000 in the settlement of each
and every claim against the City of San Diego, its agents and employees, in Superior Court Case
No. GIC 786504, Court of Appeal Case No. D040680, *American Contractors Indemnity
Company v. City of San Diego, et al.* arising from the property damage claim of American
Contractors Indemnity Company.

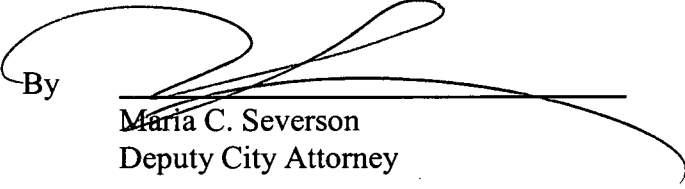
BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is
hereby authorized to issue one check in the sum of \$54,000 made payable to AMERICAN
CONTRACTORS INDEMNITY COMPANY and its attorneys, LANAK AND HANNA, in full
settlement of the lawsuit and of all claims.

BE IT FURTHER RESOLVED, that said funds are to be payable from Fund No. 81140.

APPROVED:

CASEY GWINN, City Attorney

By



Maria C. Severson
Deputy City Attorney

MCS:dmt
5/14/03
Aud.Cert: 2301144
Or.Dept: 81140
R-2003-1135
Form=claimr.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2301144

ORIGINATING

DEPT. NO.:

81140

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: \$54,000.00

Vendor: American Contractors Indemnity Company and their attorneys Lanak and Hanna

Purpose: Authorizing the expenditure for the settlement of each and every claim against the City, its agents and employees, resulting from the property damage to American Contractors Indemnity Company.

Date: May 7, 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
001	0	81140	81140	3312	4824	81141				\$54,000.00
TOTAL AMOUNT										\$54,000.00

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2301144

R-298005

MAY 13 2003