RESOLUTION NUMBER R-298349

ADOPTED ON <u>SEP 0.2 2003</u>

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 \$93,059.97 in complete settlement of each and every claim against the City of San Diego, its agents and employees, resulting from property damage claim of *Gilbert and Patricia Rios* on September 23, 2002.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue two settlement checks in the amount of \$3,250.00 made payable to Gilbert and Patricia Rios and \$69,327.07 made payable to Luth & Turley, Inc.

APPROVED: CASEY GWINN, City Attorney

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rancis M. Devaney

Head Deputy City Attorney

FMD:vtc:Civ.

08/20/03

Aud.Cert: 2400204

Or.Dept: Risk Mgmt

R-2004-237

Form=claim2r.frm

The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

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The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

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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.

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To authorize the expenditure of funds to settle property damage claim to Gilbert and Patricia Rios.

AC-361 (REV 2-92)

Not to Exceed:

Vendor:

Purpose:

Gilbert and Patricia Rios

K- 298349

\$3,250.00

SEP 0 2 2003

FUND OVERRIDE 2400203