

RESOLUTION NUMBER R-299538

ADOPTED ON AUGUST 2, 2004

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 \$525,000 to Bobbie Jo Ayala and her attorney, in the settlement of each and every claim by Bobbie Jo Ayala against the City of San Diego, its agents and employees, resulting from injuries received in a road traffic accident on January 18, 2002.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue two checks, one made payable to Bobbie Jo Ayala and her attorney of record Thomas Gniatkowski in the amount of \$525,000; and one made payable to Alvord Unified School District in the amount of \$25,000. This constitutes the complete and final settlement of the personal injury claim of Bobbie Jo Ayala et al. against the City of San Diego, its agents and employees, as a result of an incident which occurred on January 18, 2002.

APPROVED: CASEY GWINN, City Attorney

By



David R. Sherman  
Deputy City Attorney

DRS:aml  
08/03/04  
Or.Dept: 045  
2005-129  
A/C # 2500069 and 2500070

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

AC 2500069  
DEPT. \_\_\_\_\_  
NO. 755

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: \$525,000.00

Vendor: Bobbie Jo Ayala et al.

Purpose: Authorizing the expenditure of funds for the settlement of the personal injury claim City file # AX02-0512-3053

Date: July 23, 2004 By: *Victoria De Losa*  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	1	41210	755	2310	4821	007301				\$233,000.00
2	1	41210	755	2320	4821	007301				292,000.00
TOTAL AMOUNT										\$525,000.00

FUND OVERRIDE

AC 2500069

**R-299538**

**AUG 02 2004**