

RESOLUTION NUMBER R- 299601

ADOPTED ON SEP 07 2004

WHEREAS, in Closed Session on August 2, 2004, the City Council, by the following vote: 7-0 with Districts 2 and 5 absent, approved the following; NOW, THEREFORE,

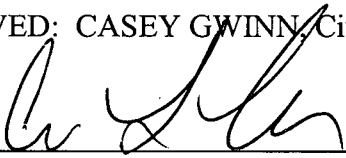
BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager be and is hereby authorized and empowered to pay the total sum of \$140,000 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. GIC816432, *Jeremy Aue v. City of San Diego*, resulting from the personal injury to Plaintiff, Jeremy Aue.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and is hereby authorized to issue one check in the amount of \$140,000, made payable to Jeremy Aue and his attorneys of record, WEST SEEGMILLER ATTORNEYS, 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, Public Liability Reserve Fund.

APPROVED: CASEY GWINN, City Attorney

By



Carra L. Lassman
Deputy City Attorney

CLL:ms:
08/26/04
AC No. 2500199
Or.Dept: Risk Management
R-2005-218

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2500199

ORIGINATING

DEPT. NO.: 773

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: \$140,000.00

Vendor: Jeremy Aue

Purpose: To authorize the expenditure of funds to settle a personal property damage claim.

Date: August 25, 2004 By: 

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT	
1	0	41506	773	630	4151	6303					\$140,000.00
TOTAL AMOUNT											\$140,000.00

FUND OVERRIDE

AC 2500199