

RESOLUTION NUMBER R- 299742

ADOPTED ON OCT 11 2004

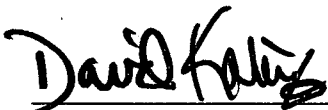
WHEREAS, in Closed Session on September 14, 2004, the City Council, by the following vote: Yeas, 6 Districts 1, 2, 5 through 7 and Mayor Dick Murphy; Nays, 0; with Districts 3 and 8 absent and District 4 vacant, approved the following; NOW, THEREFORE,

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 \$95,000 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. GIC 824038, *Sandra Niesen v. City of San Diego, et al.* arising from the personal injury damage claim of Sandra Niesen.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue a checks in the sum of \$95,000 made payable to **SANDRA NIESEN and her attorney NANCY SUSSMAN** 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   
\_\_\_\_\_  
David J. Karlin  
Deputy City Attorney

DJK:dmt  
09/28/2005  
10/5/04 COR. COPY  
Aud.Cert: 2500309  
Or.Dept: 81140  
R-2005-325

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2500309

ORIGINATING

DEPT. NO.: 084

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: \$95,000.00 Fund: 81140

Purpose: Settlement of bodily injury claim for Sandra Niesen, City File # : LX-04-0442-0530.

Date: September 28, 2004

By: Leonard J. Alvarado  
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	3401	4823	081141				\$95,000.00
TOTAL AMOUNT										\$95,000.00

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										

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2500309

R-299742

OCT 11 2004