

RESOLUTION NUMBER R- 300434

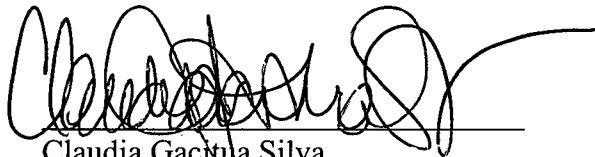
ADOPTED ON MAY 17, 2005

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 not exceeding \$650,000 in settlement of each and every claim against the City of San Diego, its agents and employees, resulting from the property damage claims of Kedar & Mary Pyatt, and Lori Nettleton.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue check, not to exceed a total of \$650,000 made payable to the claimants named herein.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Claudia Gacitua Silva  
Deputy City Attorney

CGS:ms  
05/05/05  
Aud.Cert: 2500958  
Or.Dept: Risk Mgmt  
R-2005-1165

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2500958

ORIGINATING

DEPT. NO.:

045

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: \$650,000.00

Vendor: N/A

Purpose: Authorizing a Settlement of Property Damage Claims of PYATT and NETTLETON. City File #'s: LP05-0534-2006 and LP05-0534-2049. Amount not to exceed \$650,000.

Date: May 3, 2005

By: Andrea Kobi  
 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 | 3302 | 4824    | 081141    |                   |             |          | \$650,000.00 |
|                 |       |       |       |      |         |           |                   |             |          |              |
|                 |       |       |       |      |         |           |                   |             |          |              |
|                 |       |       |       |      |         |           |                   |             |          |              |
|                 |       |       |       |      |         |           |                   |             |          |              |
| TOTAL AMOUNT    |       |       |       |      |         |           |                   |             |          | \$650,000.00 |

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2500958

*R-300434*

**MAY 17 2005**