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(R-2006-899)

RESOLUTION NUMBER R- 301508
DATE OF FINAL PASSAGE MAY 31 2006

A RESOLUTION OF THE CITY OF SAN DIEGO AUTHORIZING SETTLEMENT OF THE MATTER ENTITLED *DANIEL GARCIA V. CITY OF SAN DIEGO*, SAN DIEGO SUPERIOR COURT CASE NO. GIC 844402 IN THE SUM OF \$175,000

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is authorized to pay up to the total sum of \$175,000 in settlement of each and every claim against the City, its agents and employees, in the Superior Court Case No. GIC 844402, entitled *Daniel Garcia v. City of San Diego*, resulting from the Damages Claim of Daniel Garcia.

BE IT FURTHER RESOLVED that the City Auditor and Comptroller are authorized to issue one check in the amount of \$175,000 payable to Daniel Garcia, and his attorney of record, Catherine Richardson.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Eugene Gordon
Eugene Gordon
Assistant City Attorney

EG:slc
05/05/06
Aud.Cert: 2600805
Or.Dept: Risk Management
R-2006-899

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego,
at this meeting of MAY 30 2006.

ELIZABETH S. MALAND, City Clerk

By *Ethel Rams*
Deputy City Clerk

Approved: 5-31-06
(date)

JSL
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

R-301508

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2600805

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: _____

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

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: \$175,000.00

Vendor: Daniel Raymond Garcia and the Law Offices of Catherine A. Richardson

Purpose: To authorize the payment of \$175,000 for the settlement of each and every claim against the City, its agents and employees, resulting from the Personal Injury Claim of Daniel Raymond Garcia.

Date: May 9, 2006

By:  _____
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	81140	81140	3401	4823	081141				\$175,000.00
TOTAL AMOUNT										\$175,000.00

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2600805

R-301508

MAY 30 2006

Passed by the Council of The City of San Diego on MAY 30 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 31 2006

AUTHENTICATED BY:

(Seal)

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By *Mary Cepeda*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number

R-301508