

119
8-8-06

(R-2007-105)

RESOLUTION NUMBER R- 301847

DATE OF FINAL PASSAGE AUG 15 2006

A RESOLUTION OF THE CITY OF SAN DIEGO
AUTHORIZING SETTLEMENT OF THE PROPERTY
DAMAGE MATTER CLAIM OF ANTHONY
PURBAUGH, ET AL. V. CITY OF SAN DIEGO IN THE
SUM OF \$209,453.18

WHEREAS, in Closed Session on July 25, 2006, the City Council, by the following vote:

Yeas, Districts 1, 2, 3, 4, 6, 7, 8, Nays, None, Not Present, District 5, approved the following;

NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is authorized and empowered to pay the sum of \$209,453.18 in the settlement of each and every claim against the City of San Diego, its agents and employees, resulting from the property damage claims of Anthony Purbaugh, et al.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$158,772.93 to Luth & Turley, Inc.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue additional checks up to but not exceeding an additional \$2,500 for payment to various claimants.

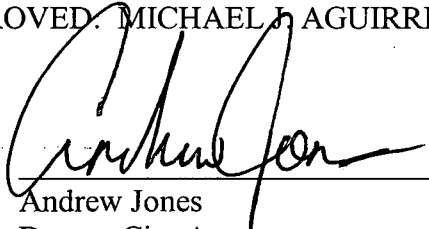
(R-2007-105)

BE IT FURTHER RESOLVED, that said funds are to be payable from Fund No. 41500,

Water Fund.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Andrew Jones
Deputy City Attorney

AJ:slc
07/26/06
Aud.Cert: 2700052
Or.Dept :Risk Management
R-2007-105

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of AUG 08 2006.

ELIZABETH S. MALAND
City Clerk

By 

Deputy City Clerk

Approved: 8-15-06

(date)



JERRY SANDERS, Mayor

Vetoed: _____

(date)

JERRY SANDERS, Mayor

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2700052

ORIGINATING

DEPT. NO.:

760

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: \$161,272.93

Vendor: Anthony Purbaugh, et al..

Purpose: Authorizing the settlement of the property damage claim.

Date: July 26, 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 | 41500 | 760 | 503 | 4824 | 050301 | | | | \$161,272.93 |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| TOTAL AMOUNT | | | | | | | | | | \$161,272.93 |

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2700052

AUG - 8 2006

R 301847

Passed by the Council of The City of San Diego on AUG - 8 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Date of final passage AUG 15 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 Debbie Swenson Cruz, Deputy

Office of the City Clerk, San Diego, California
Resolution Number 301847