(19) 88.00

(R-2007-105)

RESOLUTION NUMBER R- 301847

DATE OF FINAL PASSAGE AUG 1 5 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.

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

Water Fund.

APPROVED. MICHAEL & AGUIRRE, By Andrew Jones Deputy City Attorney	City Attorney
AJ:slc 07/26/06 Aud.Cert: 2700052 Or.Dept :Risk Management R-2007-105	
I hereby certify that the foregoing Resolut Diego, at this meeting of	tion was passed by the Council of the City of San
	ELIZABETH S. MALAND City Clerk By Mary January 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

DEPT. NO.:_

760

Purpose:	_						Fund:			
i dipoco.										
	_									
	_									
	_									
Date:	_					Ву:		AUDITOR AN	COMPTROLLE	R'S DEPARTMENT
	1				AC I	COUNTING DATA		1		
ACCTG. LINE C	Y PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQU	FACILITY	AMOUNT
								TOTA	L AMOUNT	FUND OVERRIDE
attached re urther cert	esolu tify, it	tion, can be n conformit	e incurred way with the re	ithout the veguirement	violation of an s of the Chart	y of the proviser of the City	sions of the of San Dieg	Charter of t go, that suffi	ne City of S cient money	authorized by the herel an Diego; and I do herel s have been appropriate
attached refurther cert for the puranticipated now actual otherwise u	esolu tify, it rpose d to c illy in unene	tion, can be n conformit e of said c ome into the	e incurred way with the recontract, that he Treasury	vithout the vequirement t sufficient to the crear with the	violation of an s of the Chart moneys to nedit of the app	y of the provis er of the City neet the oblig propriation fror	sions of the of San Dieg pations of s n which the	Charter of t go, that suffi aid contract same are	ne City of S cient money are actual o be drawn	an Diego; and I do hereb
attached refurther cert for the puranticipated now actual otherwise u	esolu tify, in rpose d to c illy in unen eed:	tion, can be n conformit e of said come into the the Treas cumbered.	e incurred way with the recontract, that he Treasury	vithout the viequirement t sufficient to the creer with the	violation of an s of the Chart moneys to n edit of the app moneys antic	y of the provis er of the City neet the oblig propriation fror	sions of the of San Dieg pations of s n which the	Charter of t go, that suffi aid contract same are	ne City of S cient money are actual o be drawn	an Diego; and I do herebys have been appropriate ly in the Treasury, or and , and that the said mone
attached re further cert for the pur anticipated now actual	esolu tify, ir rpose d to c illy in unen eed:	tion, can be conformite of said come into the the Treas cumbered.	e incurred way with the recontract, that he Treasury ury, together baugh, et a	vithout the viequirement t sufficient to the creer with the	violation of an s of the Chart moneys to n edit of the app moneys antic	y of the proviser of the City neet the oblig propriation from sipated to con	sions of the of San Dieg pations of s n which the	Charter of t go, that suffi aid contract same are	ne City of S cient money are actual o be drawn	an Diego; and I do herebys have been appropriate ly in the Treasury, or and , and that the said mone
attached refurther cert for the pur anticipated now actual otherwise unto the Exception of	esolu tify, ir rpose d to c illy in unen eed:	tion, can be conformite of said come into the the Treas cumbered.	e incurred way with the recontract, that he Treasury ury, together baugh, et a	vithout the viequirement t sufficient to the creer with the	violation of an s of the Chart moneys to n edit of the app moneys antic	y of the proviser of the City neet the oblig propriation from sipated to con	sions of the of San Dieg pations of s n which the	Charter of t go, that suffi aid contract same are	ne City of S cient money are actual o be drawn	an Diego; and I do herebys have been appropriate ly in the Treasury, or and , and that the said mone
attached refurther cert for the pur anticipated now actual otherwise unto the Exception of	esolu tify, ir rpose d to c illy in unen eed:	tion, can be conformite of said come into the the Treas cumbered.	e incurred way with the recontract, that he Treasury ury, together the settlement	vithout the viequirement t sufficient to the crear with the	violation of an s of the Chart moneys to n edit of the app moneys antic	y of the proviser of the City neet the oblig propriation from sipated to con	sions of the of San Dieg pations of s m which the ne into the	Charter of t go, that suffi aid contrac same are Treasury, to	ne City of Scient money are actual to be drawn the credit	an Diego; and I do herebys have been appropriately in the Treasury, or and that the said mone of said appropriation, and
attached refurther cert for the pur anticipated now actual otherwise u Not to Exce Vendor:	esolu tify, ir rpose d to c illy in unen eed:	tion, can be conformite of said come into the the Treas cumbered.	e incurred way with the recontract, that he Treasury ury, together the settlement	vithout the sequirement t sufficient t, to the creer with the standard stan	violation of an s of the Chart moneys to nedit of the app moneys antice 161,272.93	y of the proviser of the City neet the obligation from the constitution of the constit	sions of the of San Dieg pations of s m which the ne into the	Charter of t go, that suffi aid contrac same are Treasury, to	ne City of Scient money are actual to be drawn the credit	an Diego; and I do herebys have been appropriate ly in the Treasury, or and , and that the said mone
attached refurther cert for the pur anticipated now actual otherwise under the Exception of	esolu tify, ir rpose d to c illy in unen eed:	tion, can be conformite of said come into the the Treas cumbered. Anthony Pu	e incurred way with the recontract, that he Treasury ury, together rbaugh, et at the settlement of the	equirement t sufficient t, to the creer with the street with the street with the street of the p	violation of an s of the Chart moneys to n edit of the app moneys anticon 161,272.93	y of the proviser of the City neet the obligonopriation from sipated to conge the conge of the c	sions of the of San Dieg pations of s m which the ne into the	Charter of to go, that sufficient contracts as ame are a Treasury, to AUDITOR AN	ne City of Scient money are actual to be drawn the credit	an Diego; and I do herebys have been appropriately in the Treasury, or and that the said mone of said appropriation, and the said appropriation appropriation and the said appropriation and the said appropriation and the said appropriation and the said appropriation appropriation appropriation appropriation and the said appropriation appropriat
attached refurther certifor the puranticipated now actual otherwise under the certification of the certification o	esolu tify, ir rpose d to c illy in unen eed:	tion, can be conformite of said come into the the Treas cumbered.	e incurred way with the recontract, that he Treasury ury, together the settlement	vithout the sequirement t sufficient t, to the creer with the standard stan	violation of an s of the Chart moneys to nedit of the app moneys antice 161,272.93	y of the proviser of the City neet the obligation from the constitution of the constit	sions of the of San Dieg pations of s m which the ne into the	Charter of t go, that suffi aid contrac same are Treasury, to	ne City of Scient money are actual to be drawn the credit	an Diego; and I do herebys have been appropriately in the Treasury, or and that the said mone of said appropriation, and
attached refurther cert for the pur anticipated now actual otherwise under the total actual other the total	esolutify, ir rposed to collly in unended:	tion, can be conformite of said come into the the Treas cumbered. Anthony Putauthorizing	e incurred way with the recontract, that he Treasury ury, together rbaugh, et at the settlement of the	without the requirement t sufficient, to the creer with the stall	violation of an s of the Chart moneys to n edit of the app moneys anticon 161,272.93 property dama	y of the proviser of the City neet the obligation from the consideration from the constant of	sions of the of San Dieg pations of s m which the ne into the	Charter of to go, that sufficient contracts as ame are a Treasury, to AUDITOR AN	ne City of Scient money are actual to be drawn the credit	an Diego; and I do herebys have been appropriately in the Treasury, or any, and that the said mone of said appropriation, and the said appropriation, and the said appropriation appropriation and the said appropriation appropriation and the said appropriation and t
attached refurther cert for the pur anticipated now actual otherwise under the total actual other the total	esolutify, ir rposed to collly in unended:	tion, can be conformite of said come into the the Treas cumbered. Anthony Putauthorizing	e incurred way with the recontract, that he Treasury ury, together rbaugh, et at the settlement of the	without the requirement t sufficient, to the creer with the stall	violation of an s of the Chart moneys to n edit of the app moneys anticon 161,272.93 property dama	y of the proviser of the City neet the obligation from the consideration from the constant of	sions of the of San Dieg pations of s m which the ne into the	Charter of to go, that sufficient contracts as ame are a Treasury, to AUDITOR AN	ne City of Scient money are actual to be drawn the credit	an Diego; and I do herebys have been appropriately in the Treasury, or any, and that the said mone of said appropriation, and the said appropriation, and the said appropriation appropriation and the said appropriation appropriation and the said appropriation and t

Scott Peters Kevin Faulconer	<u>U</u>			
Kevin Faulconer	F	. —	_	
			LJ .	
Toni Atkins				
Anthony Young				
Brian Maienschein				
Donna Frye				
Jim Madaffer	0			
Ben Hueso				

AUTHENTICATED BY:

JERRY SANDERS

Mayor of The City of San Diego, California.

(Seal)

City Clerk of The City of San Diego, California.

By Deblie Levenson Cruz, Deputy

Office of the City Clerk, San Diego, California

Resolution Number

301847