

RESOLUTION NUMBER R- 302366

2/20/07

DATE OF FINAL PASSAGE FEB 26 2007

RESOLUTION AUTHORIZING PAYMENT FOR
SETTLEMENT OF CLAIM OF CITY HEIGHTS
SQUARE, L.P.


WHEREAS, in Closed Session on November 21, 2006, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 6, 7, 8: Nays, None; District 5, Not Present, authorized the payment in full and final settlement of each and every claim by City Heights Square, L.P., Claim No. LP06-0705-2384, in the amount of \$180,264.00; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is hereby authorized and empowered to pay the total sum of \$180,264.00 in full and final settlement of each and every claim against the City of San Diego, its agents and employees, resulting from Claim No. LP06-0705-2384 by City Heights Square, L.P., for damages which occurred on or about June 11, 2006.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to issue one check in the amount of \$180,264.00, made payable to CITY HEIGHTS SQUARE, L.P., in settlement of said claims, with said funds to be payable from the Water Utility Fund.

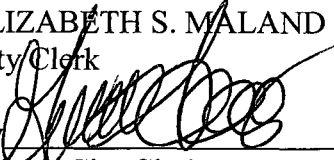
BE IT FURTHER RESOLVED, that this activity is not a project and is therefore exempt from the California Environmental Quality Act pursuant to Guidelines Section 15060(c) (3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Raymond C. Palmucci
Deputy City Attorney

RCP:js
01/31/2007
Or.Dept: Risk Management
Aud. Cert. AC2700490
R-2007-758

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 20 2007.

ELIZABETH S. MALAND
City Clerk
By 
Deputy City Clerk

Approved: 2-26-07
(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 2700490

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: \$180,264.00

Vendor: City Heights Square, L.P.

Purpose: Settlement of Property Damage Claim.

Date: January 19, 2007 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					\$180,264.00
TOTAL AMOUNT											\$180,264.00

FUND OVERRIDE

AC 2700490

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FEB 20 2007