

2/20/07

RESOLUTION NUMBER R- 302367

DATE OF FINAL PASSAGE FEB 26 2007

AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE  
PROPERTY DAMAGE CLAIM OF MICHELLE AND  
WILLIAM MERRILL TO LUTH & TURLEY

WHEREAS, on January 22, 2007, this matter went before Closed Session and by motion of District 3, and seconded by District 6, the City Council, by the following vote: Yeas, Districts 2, 3, 4, 6, 7, 8; Nays, None; Not Present, Districts 1 and 5, approved the following motion:


To accept Plaintiff Michelle & William Merrill's settlement offer in the amount of sixty seven thousand, five hundred and fifty dollars, forty one cents \$67,550.41; NOW,

THEREFORE;

BE IT RESOLVED by the Council of the City of San Diego that the Council authorizes:

1. The sum of \$67,550.41 to Luth & Turley, in full settlement of all claims by Luth & Turley arising out of property damage to Michelle & William Merrill's residence
2. The City Auditor and Comptroller to issue a check in the amount of \$67,550.41 payable to Luth & Turley.

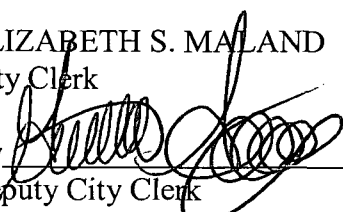
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Michael J. Herrin  
Deputy City Attorney

MJH:aml  
January 30, 2007  
Aud.Cert: 2700461  
Or.Dept :Risk Management  
R-2007-699

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**  
 ORIGINATING

AC 2700461  
 DEPT. \_\_\_\_\_  
 NO. 773

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: January 3, 2007

ACCOUNTING DATA											
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/	EQUIP	FACILITY	AMOUNT
<b>TOTAL AMOUNT</b>											

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: \$67,550.41

Vendor: Luth and Turley, Inc.

Authorizing the expenditure of funds for the property damage claim of Michelle and William Merrill.

Date: January 5, 2007

By: *Lisa Anna Jones-Santa*  
 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	41506	773	170	4824	1707					\$67,550.41
<b>TOTAL</b>											\$67,550.41

FUND OVERRIDE

*R-* 302367

FEB 20 2007