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RESOLUTION NUMBER R- 302691
DATE OF FINAL PASSAGE JUN 13 2007

A RESOLUTION AUTHORIZING PAYMENT FOR
SETTLEMENT OF CLAIMS BETWEEN THE CITY OF SAN
DIEGO AND FAIRWAY VIEWS, LLP; AND LA JOLLA
COUNTRY CLUB; AND TAKING RELATED ACTIONS


WHEREAS, in Closed Session on March 27, 2007, the City Council, by the following vote: Yeas, Districts 2, 3, 5, 6, 7, 8: Nays, None; Districts 1 and 4, Not Present, authorized the payment in full and final settlement of each and every claim by Fairway Views L.L.C. and La Jolla Country Club, a Mutual Benefit Nonprofit Corporation, in the total amount of \$70,116.73;
NOW, THEREFORE,

BE IT RESOLVED, that the Mayor or his designee be, and hereby is, authorized and empowered to pay from the Water Utility Fund in an amount not to exceed \$70,116.73, \$34,966.90 to Fairway Views L.L.C. and \$35,149.83 to La Jolla Country Club, a Mutual Benefit Nonprofit Corporation, in settlement of each and every claim against the City, its agents and employees, resulting from their property damage claims arising out of a water main break.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to issue one check in the amount of \$34,996.90 payable to Fairway Views L.L.C. and one check in the amount of \$35,149.83 payable to La Jolla Country Club, a Mutual Benefit Nonprofit Corporation.

BE IT FURTHER RESOLVED, that this activity is not a project and therefore is exempt from CEQA Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Raymond C. Palmucci
Deputy City Attorney

RCP:js
05/16/2007
Or.Dept: Risk Management
Aud. Cert. _____ & _____
R-2007-1104

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 05 2007.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 6.13.07
(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 2700671

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: \$35,149.83

Vendor: La Jolla Country Club

Purpose: Settlement of Property Damage claims due to water main break.

Date: April 9, 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					\$35,149.83
TOTAL AMOUNT											\$35,149.83

FUND OVERRIDE

AC 2700671

R 302691

JUN 05 2007

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2700672

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: \$34,966.90

Vendor: Fairway Views, LLP

Purpose: Settlement of Property Damage claims due to water main break.

Date: April 9, 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				\$34,966.90
TOTAL AMOUNT										\$34,966.90

FUND OVERRIDE

AC 2700672

R. 302691

JUN 05 2007