

104
9/11

RESOLUTION NUMBER R- 302979

DATE OF FINAL PASSAGE SEP 20 2007

A RESOLUTION APPROVING AND FUNDING THE
SETTLEMENT OF PROPERTY DAMAGE CLAIM BY
JAMES THOMAS AND LISA THOMAS, D.B.A. SANDPATCH
LLC

WHEREAS, on March 2, 2007, a duplex owned by James Thomas and Lisa Thomas, d.b.a., Sandpatch, LLC, located at 2220 and 2222 Calle Frescota, was damaged by flooding which occurred as the result of a sewer backup.

WHEREAS, the City of San Diego, James Thomas and Lisa Thomas, now desire to resolve and settle all claims relating to the property damage; and

WHEREAS, the City in closed session on July 23, 2007, authorized settlement of the claims for an amount consistent with the amounts set forth below, NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the Mayor is authorized to pay the sum of \$65,218.12 in settlement of each and every claim against the City, its agents and employees, resulting from the Property Damage Claim of James and Lisa Thomas.
2. That the City Auditor and Comptroller is authorized to issue one check in the amount of \$65,218.12, made payable to James Thomas and Lisa Thomas, d.b.a. Sandpatch, LLC.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Christine Fitzgerald
Christine M. Fitzgerald
Chief Deputy City Attorney

CMF:ms
Aug. 21, 2007
Audit. Cert.: AC2800127
Or.Dept: Risk Management
R-2008-150

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 11 2007.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 9-20-07
(date)

[Signature]
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 2800127

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: August 16, 2007

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: \$67,550.41

Vendor: James & Lisa Thomas and Sandpatch, LLC

Authorizing the expenditure of funds for the property damage claim of James and Lisa Thomas.

Date: August 16, 2007

By: *L. 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					\$65,218.12
TOTAL											\$65,218.12

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2800127

R- **302979**

SEP 1 1 2007