RESOLUTION NUMBER R- 302979

DATE OF FINAL PASSAGE SEP 2 0 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 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 <u>SEP 1 2007.</u>

ELIZABETH S. MALAND City Clerk

Deputy City Clerk

Approved: <u>9 - 25 - 6</u>

(date)

JERRY SANDERS, Mayor

Vetoed:

(date)

JERRY SANDERS, Mayor

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2800127 DEPT. 773

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Date:		August 16, 2007								
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