(R-2008-561)

RESOLUTION NUMBER R- 303386

DATE OF FINAL PASSAGE FEB 1 9 2008

A RESOLUTION OF THE CITY COUNCIL APPROVING SETTLEMENT OF CLAIMS OF DARREN ROYSTER, dba LA JOLLA COVE PROPERTY MANAGEMENT v. CITY OF SAN DIEGO

WHEREAS, in Closed Session on July 17, 2007, by motion of District 3 and second by District 7, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 6, 7; Nays, None; Not Present, Districts 5 and 8; authorized the amount of \$250,000 to pay ongoing expenses and settle all claims of Darren Royster, dba La Jolla Cove Property Management [Claimant] against the City of San Diego; and

WHEREAS, to date, the amount of \$135,709.26 has been paid for ongoing expenses resulting from said claim; 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 from the Water Liability Fund the additional amount of \$114,290.74 in the settlement of each and every claim of Claimant against the City, its agents and employees, arising from a series of water main breaks occurring prior to and on or about April 22, 2007 as set forth in prior Claims and Claim No. LP07 0705 1955.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to appropriate and issue one check in the amount of \$114,290.74 payable to Claimant in full settlement of all claims pursuant to the Settlement Agreement entered into by and between the parties.

BE IT FURTHER RESOLVED, that said funds are to be payable from Water Liability Fund No. 41500.

BE IT FURTHER RESOLVED, that this activity is not a "project" and is therefore not subject to the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060 (c)(3).

APPROVED. MICHAEL J. AGVIRRE, City At	orney
By Raymond C. Palmucci	
Deputy City Attorney	
RCP:js	
01/08/08 Or.Dept:CityAtty	
R-2008-561	•
I hereby certify that the foregoing resolution was	passed by the Council of the City of San Diego,
at its meeting of	
	ELIZABETH S. MALAND, City Clerk
	By Crus
	Deputy City Clerk
Approved: 0.19.08	10
Approved: (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

2800517 045

		available ir		-			_			
Amoun	t:						Fund:			
Purpos	e:		•							
				-						
	•			,						
Date:		Ву:								
		ACCOUNTING DATA								
ACCTG.	CY	ELIND.	DERT	ODC	ACCOUNT	IOS ODDED	OPERATION	BENE/ FOUR	FACILITY	AMOUNT
LINE	PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	ACCOUNT	BENF/ EQUIF	FACILITY	AMOUNT
				<u>"</u>						
									L	
TOTAL	AMC	DUNT								FUND OVERRIDE
						Section 1				TOND OVERNIBE
				CERTIF	ICATION OF	UNENCUM	BERED B	ALANCE		•
the hero San Die sufficier	eto a ego; a nt mo	ttached res and I do he neys have	solution, ca reby furthe been appr	e indebte an be incu er certify, i opriated fo	dness and o urred without in conformity or the purpo	obligation to but the violation with the request seeds seeds to be seed to be seeds to be seed to be seeds to be s	n of any o uirements ntract, tha	f the provisi of the Char t sufficient r	ons of the ter of the noneys to	greement authorized by e Charter of the City o City of San Diego, tha meet the obligations o
the here San Die sufficier said co from wh anticipa	eto a ego; a nt mo ntrac nich t ted te	ttached reseand I do he coneys have tare actual the same a come into	solution, ca reby furthe been appr lly in the 1 are to be d	ne indebte an be incu er certify, i opriated for freasury, and drawn, and sury, to the	dness and ourred without in conformity or the purpor or are anticid that the sale credit of sale	bligation to be the violation with the request see of said copated to con	n of any o puirements ntract, tha ne into the ow actuall	f the provisi of the Char t sufficient n Treasury, y in the Tre	ons of the ter of the noneys to to the cre asury, tog	e Charter of the City of City of San Diego, that meet the obligations of the appropriation gether with the moneys
the here San Die sufficier said co from wh	eto a ego; a nt mo ntrac nich t ted te	ttached reseand I do he coneys have tare actual the same a come into	solution, ca reby furthe been appr lly in the 1 are to be d	ne indebte an be incu er certify, i opriated fo freasury, and drawn, and sury, to the	dness and o urred without in conformity or the purpo or are antici d that the sa	bligation to be the violation with the requested to contain money needs to contaid the contains to be a contained to contain the contained to contained the contained to contained the contained to contain the contained to contained the contained to contained the contai	n of any o puirements ntract, tha ne into the ow actuall	f the provisi of the Char t sufficient n Treasury, y in the Tre	ons of the ter of the noneys to to the cre asury, tog	e Charter of the City of City of San Diego, that meet the obligations of the appropriation gether with the moneys
the here San Die sufficier said co from wh anticipa	eto a ego; a ego; a ntrac ntrac nich t ted to	ttached reseand I do he coneys have tare actual the same a come into	solution, ca reby furthe been appr lly in the T are to be do the Treas	ne indebte an be incu er certify, i opriated fo freasury, and drawn, and sury, to the	dness and ourred without in conformity or the purpor or are anticid that the sale credit of sale	bligation to be the violation with the requested to contain money needs to contaid the contains to be a contained to contain the contained to contained the contained to contained the contained to contain the contained to contained the contained to contained the contai	n of any o puirements ntract, tha ne into the ow actuall	f the provisi of the Char t sufficient n Treasury, y in the Tre	ons of the ter of the noneys to to the cre asury, tog	e Charter of the City of City of San Diego, that meet the obligations of the appropriation gether with the moneys
the here San Die sufficier said con from whe anticipa Not to E	eto a ego; a nt mo ntrac nich t ted to	ttached reseand I do he heys have tare actual the same a come into ed:	solution, careby further been appropriately in the I are to be do the Treas	ne indebte an be incuer certify, i opriated for reasury, and sury, to the	dness and ourred without in conformity or the purpor or are anticid that the sare credit of sa	bligation to be the violation with the request of said contained to contain money near the appropriate the contained appropriate appropriate the contained appropriate the contained appropriate appropriate the contained appropriate appropriate the contained appropriate a	n of any o juirements ntract, tha ne into the ow actuall tion, are ot	f the provisi of the Char t sufficient n e Treasury, y in the Tre herwise und	ons of the ter of the noneys to to the cre asury, too ncumber	e Charter of the City of City of San Diego, that meet the obligations of the appropriation gether with the moneys ed.
the hero San Die sufficier said con from whanticipa Not to E	eto a ego; a nt mo ntrac nich t ted to	ttached reseand I do he neys have t are actual the same a come into ed:  Darren Ro Authorizing	solution, careby further been appropriately in the I are to be do the Treas	ne indebte an be incuer certify, in opriated for freasury, and frawn, and sury, to the sury, to the	dness and ourred without in conformity or the purpor or are anticid that the sare credit of sa	bligation to be the violation with the request of said contained to contain money near the appropriate the contained appropriate appropriate the contained appropriate the contained appropriate appropriate the contained appropriate appropriate the contained appropriate a	n of any on purification of claims and of cl	f the provisi of the Char t sufficient ne Treasury, y in the Tre herwise und	ons of the ter of the noneys to to the cre asury, too ncumber	e Charter of the City of City of San Diego, that meet the obligations of edit of the appropriation gether with the moneys ed.
the here San Die sufficier said con from whe anticipa Not to E	eto a ego; a nt mo ntrac nich t ted to	ttached reseand I do he neys have t are actual the same a come into ed:  Darren Ro Authorizing	solution, careby further been appropriately in the I are to be do the Treas	ne indebte an be incuer certify, in opriated for freasury, and frawn, and sury, to the sury, to the	dness and ourred without in conformity or the purpor or are anticid that the sare credit of sa	bligation to be the violation with the request of said contained to contain money near the contained appropriate assettlement	n of any on purification of claims and of cl	f the provisi of the Char t sufficient ne Treasury, y in the Tre herwise und	ons of the ter of the noneys to to the cre asury, too ncumber	e Charter of the City of City of San Diego, that meet the obligations of edit of the appropriation gether with the moneys ed.
the here San Die sufficier said con from whe anticipa Not to E	eto a ego; a nt mo ntrac nich t ted to	ttached reseand I do he neys have t are actual the same a come into ed:  Darren Ro Authorizing	solution, careby further been appropriate to be do the Treas yster  g the expension of the description of the treas general trea	ne indebte an be incuer certify, in opriated for freasury, and frawn, and sury, to the sury, to the	dness and ourred without in conformity or the purpor or are anticid that the sate credit of sate 114,290.74	bligation to be the violation with the request of said compated to confaid money notice appropriate settlement in the vicinity	n of any on purification of claims and of cl	f the provisi of the Char t sufficient ne Treasury, y in the Tre herwise und	ons of the ter of the noneys to to the cre asury, too ncumber	e Charter of the City of City of San Diego, that meet the obligations of edit of the appropriation gether with the moneys ed.
the here San Die sufficier said co from whanticipa Not to E Vendor	eto a ego; a nt mo ntrac nich t ted to	ttached reseand I do he heys have tare actual he same a come into ed:  Darren Ro Authorizing	solution, careby further been appropriate to be do the Treas yster  g the expension of the description of the treas general trea	ne indebte an be incuer certify, i opriated for freasury, i frawn, and sury, to the sury, to the muster n	dness and ourred without in conformity or the purpor or are anticid that the sare credit of sand 114,290.74	bligation to be the violation with the request of said contained to contain money not appropriate a settlement in the vicinity.  By:	of any of any of of claims a of 2915-2	f the provisi of the Char t sufficient ne Treasury, y in the Tre herwise und	ons of the ter of the noneys to to the cre asury, too ncumber	e Charter of the City of City of San Diego, that meet the obligations of edit of the appropriation gether with the moneys ed.
the here San Die sufficier said co from whanticipa Not to E Vendor	eto a ego; a ego	ttached researd I do he heys have tare actual the same a come into ed:  Darren Ro  Authorizing damage re	solution, careby further been appropriately in the Illy in the I are to be do the Treas syster  g the expension of the Illy in	ne indebte an be incuer certify, it opriated for freasury, and sury, to the sury, to the muture of m water n	dness and ourred without in conformity or the purpoor are anticid that the sale credit of sale and the credit of sale and the sale credit of sale and the credit	bligation to be the violation with the request of said contained to compated to compaid money notice a settlement in the vicinity  By:	of claims a of 2915-2	f the provisi of the Char t sufficient near t su	ons of the ter of the noneys to the creasury, too ncumber	e Charter of the City of City of San Diego, that is meet the obligations of edit of the appropriation gether with the moneys ed.  Decreased property San Diego.
the herr San Die sufficier said cor from when when the E Vendor Purpos  Date:  ACCTG. LINE	eto a go; a go; a t mo ntrac nich t ted to e:	ttached researed I do he helps have tare actual the same a come into ed:  Darren Rodamage researed to the same a come into ed:	solution, careby further been appropriately in the Illy in the I are to be do the Treas syster  g the expensulting fro  January	ne indebte an be incuer certify, it opriated for reasury, and sury, to the sury, to the muture of m water n	dness and ourred without in conformity or the purpor or are anticid that the sale credit of sale and the sale and	bligation to be the violation with the request of said contained to compated to compated to compaid money noted appropriate a settlement in the vicinity  By:  COUNTING DATA	of claims a confidence of claims a confidence of chim	f the provisi of the Char t sufficient ne Treasury, y in the Tre herwise und	ons of the ter of the noneys to the creasury, too ncumber	e Charter of the City of City of San Diego, that is meet the obligations of edit of the appropriation gether with the moneys ed.  Decreased property San Diego.
the herro San Die sufficier said con from whanticipa Not to E Vendor Purpos Date:	eto a ego; a ego	ttached researd I do he heys have tare actual the same a come into ed:  Darren Ro  Authorizing damage re	solution, careby further been appropriately in the Illy in the I are to be do the Treas syster  g the expension of the Illy in	ne indebte an be incuer certify, it opriated for freasury, and sury, to the sury, to the muture of m water n	dness and ourred without in conformity or the purpoor are anticid that the sale credit of sale and the credit of sale and the sale credit of sale and the credit	bligation to be the violation with the request of said contained to compated to compaid money notice a settlement in the vicinity  By:	of claims a of 2915-2	f the provisi of the Char t sufficient near t su	ons of the ter of the noneys to the creasury, too ncumber	e Charter of the City of City of San Diego, that is meet the obligations of edit of the appropriation gether with the moneys ed.  Decreased property San Diego.
the herr San Die sufficier said cor from when when the E Vendor Purpos  Date:  ACCTG. LINE	eto a ego; a ego	ttached researed I do he helps have tare actual the same a come into ed:  Darren Rodamage researed to the same a come into ed:	solution, careby further been appropriately in the Illy in the I are to be do the Treas syster  g the expensulting fro  January	ne indebte an be incuer certify, it opriated for reasury, and sury, to the sury, to the muture of m water n	dness and ourred without in conformity or the purpor or are anticid that the sale credit of sale and the sale and	bligation to be the violation with the request of said contained to compated to compated to compaid money noted appropriate a settlement in the vicinity  By:  COUNTING DATA	of claims a of 2915-2	f the provisi of the Char t sufficient near t su	ons of the ter of the noneys to the creasury, too ncumber	e Charter of the City of City of San Diego, that is meet the obligations of edit of the appropriation gether with the moneys ed.  Decreased property San Diego.
the herr San Die sufficier said cor from when when the E Vendor Purpos  Date:  ACCTG. LINE	eto a ego; a ego	ttached researed I do he helps have tare actual the same a come into ed:  Darren Rodamage researed to the same a come into ed:	solution, careby further been appropriately in the Illy in the I are to be do the Treas syster  g the expensulting fro  January	ne indebte an be incuer certify, it opriated for reasury, and sury, to the sury, to the muture of m water n	dness and ourred without in conformity or the purpor or are anticid that the sale credit of sale and the sale and	bligation to be the violation with the request of said contained to compated to compated to compaid money noted appropriate a settlement in the vicinity  By:  COUNTING DATA	of claims a of 2915-2	f the provisi of the Char t sufficient near t su	ons of the ter of the noneys to the creasury, too ncumber	e Charter of the City of City of San Diego, that is meet the obligations of edit of the appropriation gether with the moneys ed.  Decreased property San Diego.
the herr San Die sufficier said cor from when when the E Vendor Purpos  Date:  ACCTG. LINE	eto a ego; a ego	ttached researed I do he helps have tare actual the same a come into ed:  Darren Rodamage researed to the same a come into ed:	solution, careby further been appropriately in the Illy in the I are to be do the Treas syster  g the expensulting fro  January	ne indebte an be incuer certify, it opriated for reasury, and sury, to the sury, to the muture of m water n	dness and ourred without in conformity or the purpor or are anticid that the sale credit of sale and the sale and	bligation to be the violation with the request of said contained to compated to compated to compaid money noted appropriate a settlement in the vicinity  By:  COUNTING DATA	of claims a of 2915-2	f the provisi of the Char t sufficient near t su	ons of the ter of the noneys to the creasury, too ncumber	e Charter of the City of City of San Diego, that is meet the obligations of edit of the appropriation gether with the moneys ed.  Decreased property San Diego.
the herrosan Diese sufficier said confrom what it is an anticipal Not to E Vendor Purpos  Date:  ACCTG. LINE	eto a ego; a ego	ttached researed I do he helps have tare actual the same a come into ed:  Darren Rodamage researed to the same a come into ed:	solution, careby further been appropriately in the Illy in the I are to be do the Treas syster  g the expensulting fro  January	ne indebte an be incuer certify, it opriated for reasury, and sury, to the sury, to the muture of m water n	dness and ourred without in conformity or the purpoor are anticid that the sale credit of sale and the	bligation to be the violation with the request of said contained to compated to compated to compaid money noted appropriate a settlement in the vicinity  By:  COUNTING DATA	of claims a of 2915-2	f the provisi of the Char t sufficient near t su	ons of the ter of the noneys to the creasury, too ncumber	e Charter of the City of City of San Diego, that is meet the obligations of edit of the appropriation gether with the moneys ed.  Decreased property San Diego.
the herrosan Diese sufficier said confrom what it is an anticipal Not to E Vendor Purpos  Date:  ACCTG. LINE	eto a ego; a ego	ttached researed I do he helps have tare actual the same a come into ed:  Darren Rodamage researed to the same a come into ed:	solution, careby further been appropriately in the Illy in the I are to be do the Treas syster  g the expensulting fro  January	ne indebte an be incuer certify, it opriated for reasury, and sury, to the sury, to the muture of m water n	dness and ourred without in conformity or the purpoor are anticid that the sale credit of sale and the	bligation to be the violation with the request of said contained to compated to compated to compaid money noted appropriate a settlement in the vicinity  By:  COUNTING DATA	of claims a of 2915-2	f the provisi of the Char t sufficient near t su	ons of the ter of the noneys to the creasury, too ncumber	e Charter of the City of City of San Diego, that is meet the obligations of edit of the appropriation gether with the moneys ed.  Decreased property San Diego.

€ 303386

FEB 0 5 2008