RESOLUTION NUMBER R- **304245**

DATE OF FINAL PASSAGE **OCT 2 7 2008**

A RESOLUTION APPROVING AND FUNDING THE
SETTLEMENT OF PROPERTY DAMAGE CLAIM BY
MERLE RICHMAN AND SUSAN T. TRAN

WHEREAS, on March 27, 2007, a residential home owned by Merle Richman and Susan

T. Tran, located at 8376 La Jolla Shores Drive, was damaged by flooding, which occurred as the

result of a sewer backup.

WHEREAS, the City of San Diego, Merle Richman and Susan T. Tran, now desire to

resolve and settle all claims; and

WHEREAS, the City in closed session on September 9, 2008, authorized settlement of all

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, that the Mayor is

authorized to pay the sum of $96,042.42 in settlement of each and every claim against the City,

its agents and employees, resulting from the Property Damage Claim of Merle Richman and

Susan T. Tran.

BE IT RESOLVED, by the Council of the City of San Diego, that the City Auditor and

Comptroller is authorized to issue one check in the amount of $96,042.42, made payable to

Merle Richman and Susan T. Tran.

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that the

expenditure of an amount not to exceed $96,042.42 from Metropolitan Wastewater Department

Fund 41506, Sewer Revenue Fund, is hereby authorized solely and exclusively for the purpose of

providing funds for the full settlement of the above-mentioned lawsuit and of all claims.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By _____Christine Leone_____
Christine M. Leone
Chief Deputy City Attorney

CMF:ms
10/01/08
Audit. Cert.: AC2900240
Or.Dept: Risk Management
R-2009-336

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 1 4 2008.

ELIZABETH S. MALAND
City Clerk

By_____
Deputy City Clerk

Approved: _10·27-06_
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

R 304245

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC _____ 2900240

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: _____ 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: _____ $96,042.42 _____

Vendor: Merle W Richman & Susan T. Tran

Purpose: Authorizing the expenditure of funds for settlement of property damage claim (Risk Management File # LP07-7773-1760)

Date: September 26, 2008 By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	41506	773	170	4824	001707				$96,042.42
								TOTAL AMOUNT		$96,042.42

AC-361 (REV 2-92)

FUND OVERRIDE ☐

AC _____ 2900240

R- 304245

OCT 1 4 2008