

RESOLUTION NUMBER R- 304821
DATE OF FINAL PASSAGE MAY 04 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE SETTLEMENT
AGREEMENT BETWEEN CHRISTOPHER STAVROS AND
STEFAN CHILCOTE AND THE CITY OF SAN DIEGO, THEIR
AGENTS AND EMPLOYEES, IN THE SUM OF THIRTY FIVE
THOUSAND DOLLARS

WHEREAS, in Closed Session on October 21, 2008, by motion of Council President
Scott Peters and seconded by Councilmember Toni Atkins, the City Council voted 7 to 1, with
Councilmembr Toni Young absent, and approved the following motion:

To approve the settlement agreement of each and every claim against the City of San
Diego, its agents and employees, resulting from the property damage claim of Christopher
Stavros and Stefan Chilcote, arising from a storm drain failure on December 28, 2004.

BE IT RESOLVED, that the City Comptroller be and is hereby authorized to issue a
check in the amount of, but not exceeding, \$35,000 made payable to Christopher Stavros and
Stefan Chilcote, in full and final settlement of all claims.

BE IT FURTHER RESOLVED, that the City Council is hereby authorized to pay the sum of \$35,000 from the Public Liability Fund 81140.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Donald F. Shanahan
Donald F. Shanahan
Deputy City Attorney

DFS:slc
12/22/2008
Or.Dept: Risk Management
AC 2900461
R-2009-753

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 21 2009.

ELIZABETH S. MALAND
City Clerk
By [Signature]
Deputy City Clerk

Approved: 5-4-09
(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 2900461
DEPT. _____
NO.: 045

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: \$35,000.00

Vendor: Christopher Starvos & Stefan Chilcote

Purpose: Authorize the Mayor to pay the sum of \$35,000 in settlement of each and every claim against the City, its agents and employees, resulting from the property damage claim of Chistopher Starvos & Stefan Chilcote. Authorize the City Comptroller to issue one check payable to above vendors in the amount of \$35,000 from the Public Liability Fund.

Date: December 12, 2008 By: *Patricia Walker* 12/12/08
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	81140	81140	3501	4824	081141				\$35,000.00
TOTAL AMOUNT										\$35,000.00

FUND OVERRIDE

APR 21 2009

R - 304821

AC 2900461