

RESOLUTION NUMBER R- 310693

DATE OF FINAL PASSAGE OCT 04 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT
BETWEEN EDUARDO AND PATRICIA PEREZ AND
THE CITY OF SAN DIEGO

WHEREAS, Eduardo and Patricia Perez filed a claim with the City of San Diego (City) for damages to their residence and property located at 6212 Cabaret Street, San Diego CA 92120, following the failure of a City storm drain on January 5, 2016. Claim No. 12282 was reviewed by City of San Diego's Risk Management Department; and

WHEREAS, on July 12, 2016, the City Council by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7 8, 9; Nays, None; and Absent, None, approved the settlement of the claim for an amount consistent with the amounts set forth below; NOW THEREFORE,

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

1. Authorizing the Mayor or his designee to pay the sum of \$98,743.08 from the Liability Fund 720045 in settlement of each and every claim for damages, interest, costs and fees of any type, including attorney fees, against the City, its agents and employees, arising from the January 5, 2016 incident that is the subject of Eduardo and Patricia Perez's claim. The City has advanced \$50,000 to claimants;

2. Authorizing the Chief Financial Officer to appropriate and expend \$48,743.08 from the Liability Fund 720045, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer; and

3. Authorizing the Comptroller to issue a check for the outstanding balance of Forty Eight Thousand Seven Hundred Forty Three Dollars and Eight cents (\$48,743.08) made payable to Eduardo and Patricia Perez

APPROVED: JAN I. GOLDSMITH, City Attorney

By David J. Karlin
David J. Karlin
Chief Deputy City Attorney

DJK:aml
August 29, 2016
Or. Dept: Streets
CC No. 3000009181
Doc. No.: 1341934

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 20 2016.

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

[Signature]
KEVIN L. FAULCONER, Mayor

Approved: 10/3/16
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

**The City of San Diego
COMPTROLLER'S CERTIFICATE**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000009181
DEPT. NO. 1211

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: _____
s _____

Date: _____ By: _____

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

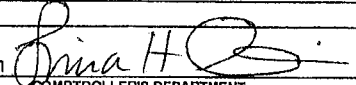
I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the 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: _____ \$48,743.08

Vendor: Eduardo and Patricia Perez

Purpose: Settlement of a property damage claim filed by Eduardo and Patricia Perez, Risk Management File No. iVOS 12282.

Date: _____ August 17, 2016

By: Lina Chim 
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
01	720045			OTHR-00000000-GG	512007	1515	1515000011		\$48,743.08
TOTAL AMOUNT									\$48,743.08

FUND OVERRIDE

CC 3000009181

Passed by the Council of The City of San Diego on SEP 20 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 04 2016.


(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California

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