RESOLUTION NUMBER R- 312647

DATE OF FINAL PASSAGE SEP 12 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT BETWEEN FRANCIS M. SILVA AND THE CITY OF SAN DIEGO

WHEREAS, on January 23, 2019, FRANCES M. SILVA filed a claim against the City of San Diego [City] alleging property damage arising from a break in the City's water main at Hawley Boulevard in Normal Heights; and

WHEREAS, in Closed Session on July 30, 2019, the City Council, by the following votes: Yeas, District(s) 1, 2, 3, 4, 5, 6, 7, 8, and 9; Nays, None; and Absent, None, approved the Settlement 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 Council:

- 1. Authorize the Mayor or his designee to pay the sum of \$100,476.48 from Water Utility Operating Fund No. 700011, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and employees, arising from the property damage claim filed by Frances M. Silva.
- 2. Authorize the Chief Financial Officer to expend \$100,476.48 from Water Utility Operating Fund No. 700011, 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.

3. Authorize the Department of Financ	e to issue a check in the amount of								
\$100,476.48, made payable to Frances M. Silva.									
APPROVED: MARA W. ELLIOTT, City Attorney By Dave Abad Deputy City Attorney	y								
DA:la August 5, 2019 CC No. 3000012457 Or.Dept: City Attorney Doc. No.:2074814									
I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 10 2019									
	ELIZABETH S. MALAND City Clerk By Junda Troin Deputy City Clerk								
Approved: 9/12/19 (date)	LEVIN L. FAULCONER, Mayor								
Vetoed:(date)	KEVIN L. FAULCONER, Mayor								

The City of San Diego COMPTROLLER'S CERTIFICATE

		CERTIFICATE OF UNALLOTTED BALANCE					ORIGINATING DEPT		
					•		•	NO.	
				uired for the allotme asury, and is otherwi			rpose set forth in the	foregoing resolution	on is available in the
Amount: \$100,476.48				Fund:	d: 700011				
Purpo	se:	To certify a settlement of a pre-litigation claim filed by Frances M. Silva for damage to her home and personal property in Normal Heights stemming from a break in the City's water main on January 14,2019							
- .		A				Du	By: Jessica Tran		
Date:		August 8, 2019				By: Jessica Tran DEPARTMENT OF FINANCE			
		T		A ¹	CCOUNTING DATA	Business	I		
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account		Cost Center	WBS	Original Amount
	700011	Non-Program		OTHR-00000000-WU	512007	2000	2000211101		\$100,476.48
									
	l	L				L		TOTAL AMOUNT	\$100,476.48
								TOTAL AMOUNT	1 \$100,170.10
resolut confor contra- he cre anticip	tion, can mity with ct, that so edit of the ated to co Exceed:	be incurred withouthe the requirements officient moneys appropriation fro	out the violation s of the Charter to meet the obli om which the sa	of any of the provision of the City of San Di gations of said contra	ons of the Ch ego, that suf act are actua and that the	narter of the ficient mot of the filling in the sald more	ract or agreement au ne City of San Diego; neys have been app. Treasury, or are antic ney now actually in the	and I do hereby fu ropriated for the pu sipated to come into	rther certify, in roose of said o the Treasury, to
Purpos	e:								
Date:							Ву:	DEPARTMENT OF	MANCE
				AC	COUNTING DATA				
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
		-							
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		_						TOTAL AMOUNT	
:C-361 (RI	EV 7-09)							cc	FUND OVERRIDE 3000012457