

**RESOLUTION No. 218634**

(R77-2431)

Adopted on JUN 22 1977

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That the City Manager be and he is hereby authorized and empowered to pay the sum of \$12,000.00 in the settlement of each and every claim against the City, its agents and employees resulting from the personal injuries sustained by Frank J. Cummins in an accident which occurred on June 11, 1973.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue a warrant in the amount of \$9,500.00 to FRANK J. CUMMINS and to MAYNARD O. KARTVEDT, his attorney, and to issue a warrant in the amount of \$2,500.00 to STATE COMPENSATION INSURANCE FUND.

APPROVED: JOHN W. WITT, City Attorney

By *Donald W. Detisch*  
Donald W. Detisch, Deputy

DWD:rb  
6-15-77  
Orig. Dept.: Atty.  
Aud Cert. 8656

CITY of SAN DIEGO  
MEMORANDUM

Phone: 236-6220

FILE NO. :  
DATE : June 22, 1977  
TO : City Clerk  
FROM : City Attorney  
SUBJECT: Frank James Cummins v. City of San Diego  
Superior Court No. 351133

In Executive Session on June 22, 1977, the Council adopted a resolution authorizing the payment of \$12,000.00 in full settlement of all claims resulting from the personal injuries sustained by Frank J. Cummins in an accident which occurred on June 11, 1973. The vote was unanimous (7-0) with Mayor Wilson and Councilman Johnson being excused because of absence. Auditor's Certificate No. 8656 was attached to the resolution.

Pursuant to the new requirements, it will be necessary for this resolution to be placed on a Council docket under Special Order of Business so that the official and public record will reflect the adoption of this resolution.

It is requested that the resolution be processed as expeditiously as possible so that we may obtain the checks and forward them to the parties involved.

Thank you for your cooperation.

JOHN W. WITT, City Attorney

By   
Donald W. Detisch, Deputy

DWD:rb

RECEIVED  
CITY CLERK'S OFFICE  
1977 JUN 23 AM 10:58  
SAN DIEGO, CALIF.

**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATION OF UNALLOTTED BALANCE**

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 \_\_\_\_\_

Auditor and Comptroller of  
The City of San Diego, Calif.

Date \_\_\_\_\_, 19 \_\_\_\_\_

By \_\_\_\_\_

**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 moneys 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 \$ 12,000.00

Dated June 17, 19 77

*[Signature]*  
Auditor and Comptroller of  
The City of San Diego, Calif.

BY *[Signature]*

Job Order  
Resolution No.

Fund 100 Prog./Elem. 4406 Object 3299 Project No. \_\_\_\_\_

Purpose Settlement of claims - Frank J. Cummins v. The City of San Diego

Vendor Frank J. Cummins & Maynard O. Kartvedt- \$9,500.00; State Compensation Insurance Fund - \$2,500.00

CERTIFICATE NO. 8656

**JUN 22 1977**

**218634**

in Executive Session

Passed and adopted by the Council of The City of San Diego on JUN 22 1977,  
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AUTHENTICATED BY:

*Pete Wilson*  
PETE WILSON  
Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN  
City Clerk of The City of San Diego, California.

By *Pete Wilson*  
*Kathleen Martinez, Deputy*

Office of the City Clerk, San Diego, California	
Resolution Number <b>218634</b>	Adopted <b>JUN 22 1977</b>
	<i>AP</i>