

RESOLUTION No. R-254219

(R-81-2163)

Adopted on MAY 19 1981

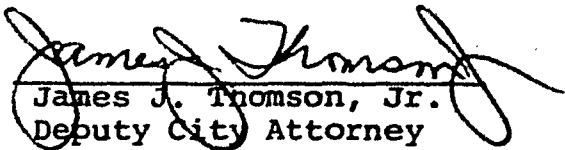
BE IT RESOLVED, by the Council of The City of San Diego as follows:

That the City Manager be and he is hereby authorized and empowered to pay the total sum of \$35,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees [Superior Court Case No. 422944, Kenneth J. Kopecky, et al. v. City of San Diego, et al.] resulting from erosion damage to plaintiffs' property.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the total amount of \$35,000.00 made payable to KENNETH J. KOPECKY and JOANN F. KOPECKY and their attorneys DUCKOR & SPRADLING, in full settlement of the lawsuit and of all claims.

APPROVED: JOHN W. WITT, City Attorney

By

  
James J. Thomson, Jr.  
Deputy City Attorney

JJT:db:Lit  
5/18/81  
Aud.Cert. # 81912  
Or.Dept: Risk Mgmt.

# 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 \$ 35,000.00

Dated May 18, 19 81

*W. B. Sage*  
Auditor and Comptroller of  
The City of San Diego, Calif.

BY *Don Murray*

FUND/ DEPT.	ORG. NO.	ACCOUNT	JOB ORDER	BENEFITING DEPARTMENT
81140		4823		

PURPOSE Settle Claim

Kenneth & Jane Kopecky and attorney Duckor and Spradling

VENDOR \_\_\_\_\_

\* USE FUND NO. ONLY WHEN USING GEN. LEDGER & REV. ACCTS., OTHERWISE USE DEPT. NO.

in Closed Session  
 Passed and adopted by the Council of The City of San Diego on May 19, 1981  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<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"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY: Pete Wilson

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

**CHARLES G. ABDELNOUR**  
 City Clerk of The City of San Diego, California.

By Ellen Board Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-254249 Adopted MAY 19 1981