

RESOLUTION NO. R-261640 (R-85-427)  
Adopted on OCT 1 1984

WHEREAS, in Closed Session on January 3, 1984, the City Council, by the following vote: Yeas: Districts 1, 3, 4, 5, 6, 7, and 8, and Mayor Hedgecock; Not Present: District 2, approved the following; NOW, THEREFORE,

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

1. That the City Manager be and he is hereby authorized and empowered to pay the total sum of Two Hundred Thousand Dollars (\$200,000.00) in settlement of Superior Court Case No. 490235, Ferrell H. Nihart v. City of San Diego, and of each and every claim against the City, its agents and employees, resulting from the personal injuries to Ferrell Hudson Nihart.

2. That the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$200,000.00 made payable to Ferrell Hudson Nihart and his attorney, Donald L. Salem, in full settlement of all claims.

APPROVED: JOHN W. WITT, City Attorney

By Eugene P. Gordon  
Eugene P. Gordon, Chief Deputy

EPG/jkp:Lit  
9/19/84  
Aud.Cert.#85284  
Or.Dept.:/Risk Mgt.

The City of San Diego  
**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATION OF UNALLOTTED BALANCE AC \_\_\_\_\_

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

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

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 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 \$ 200,000.00 \_\_\_\_\_  
*BE Ryan*  
\_\_\_\_\_  
Auditor and Comptroller

Dated September 18, 19 84 BY *John Trautman*

PURPOSE Settlement of bodily injury claim of Ferrell Hudson Nihart

VENDOR FERRELL HUDSON NIHART AND HIS ATTORNEY DONALD L. SALEM

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			601	106	4823	060106				\$200,000.00
TOTAL AMOUNT										\$200,000.00

FUND OVERRIDE

*R-261640*

OCT 1 1984

**00145**

Passed and adopted by the Council of The City of San Diego on OCT 1 1984,  
 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"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

**ROGER HEDGECOCK**  
 Mayor of The City of San Diego, California.

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

By *June A. Blackwell*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California	
Resolution Number <u>R- 261640</u>	Adopted <u>OCT 1 1984</u>