(R-85-2584)

RESOLUTION NUMBER R- 263681

ADOPTED ON JUL 15 1985

WHEREAS, in Closed Session on June 18, 1985, the City
Council, by the following votes: Yeas: Districts 1, 2, 3, 4, 5,
6, 7 and the Mayor; Not Present: District 8, approved the
settlement of Superior Court Case No. 505845, Michael F. and Rae
Woolrich et al. v. City of San Diego, et al., in the amount of
\$1,671,615; 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 sum of \$1,671,615 in the settlement of Superior Court Case No. 505845, Michael F. and Rae Woolrich, et al. v. City of San Diego, et al., and each and every claim against The City of San Diego, its agents and employees, resulting from flood damage of plaintiffs' properties on Paxton Drive and Lauriston Drive, San Diego.
- 2. That the City Auditor and Comptroller be and he is hereby authorized to issue warrant checks in the following amounts: \$1,510,725.75 payable to Gary S. Elster, Client Trust Account; \$38,698.50 payable to Insurance Co. of North America and Daniel R. Espinosa; \$122,190.75 payable to Hinchy, Witte, Wood, Anderson & Hodges, Client Trust Account, in full settlement of the lawsuit and of all claims.

3. That the City Auditor and Comptroller be and he is hereby authorized to accept the check in the amount of \$240,000 from co-defendant Metropolitan Transit Development Board as payment of its and San Diego Trolley, Inc.'s and San Diego and Arizona Eastern Railway Company's portion of the total settlement with plaintiffs.

APPROVED: JOHN W. WITT, City Attorney

ВУ

Alan Sumption, Chief Deputy

CAS:smm:Lit.

7/10/85

Or.Dept:Atty

Aud.Cert: 86089, 86090, 86091

R-85-2584

Form=r.none

The City of San Diego

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

	1 HF	EREBY (CERTIFY	i that th	ie money i	required fo	or the a	originatii dept. no.: . allotment o	of funds	for the purpose set	
forth in and is ot	the	foregoing ise unallo	ς resolutio	on is ava	ailable in tl	ne Treasur	y, or is	anticipated	I to com	ne into the Treasury,	
Amo	ount :	\$				Fu	ind		· ····		
Purp	ose _										
	_										
										-1	
Date		Auditor and Comptroller By									
Date				-, 17		DY UNTING DA	Y				
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPER. ACCT.	BENF/EQUIP	FACILITY	AMOUNT	
	 	 							<u> </u>		
	 	 				i					
	····							TOTAL AM	TNUO		
provision requirenthe purp in the T the same anticipa	ns of ments pose of reasu e are ted to	the Char of the C of said c ry, or are to be dra o come i	ter of the Charter o ontract, e anticipa awn, and	e City of f the Cit that suff ited to e that the Treasury	f San Diege ty of San I ficient mon come into the said money , to the cr	o; and 1 do Diego, that neys to mo he Treasury ys now act	t sufficition that the control of th	y further colors from the moneys obligations e credit of the Treasuropriation, a Auditor (ertify, in s have b of said the appro iry, toget are other	iolation of any of the conformity with the cen appropriated for contract are actually opriation from which ther with the moneys rwise unencumbered omptroller	
	8	and Rae	Woolrie	ch, et	al.		sonal	injury c	laims (of Michael F.	
VENDO	R _C	SARY S.	ELSTER	, CLIEN	NT TRUST	ACCOUNT					
					ACCOL	UNTING DA	TA				
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPER. ACCT.	BENF/EQUIP	FACILITY	AMOUNT	
1	-		601	106	4824	060106	<u> </u>			\$1,510,725.75	
	┼─										
							1				
	I				<u> </u>		<u> </u>		<u></u>	\$1,510,725,75	

JUL 15 1985

FUND OVERRIDE

The City of San Diego

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

			Cin	UIIIIGA	HON OF	OIMALIO		BALANCE	ı Av	C <u>86090</u>
								ORIGINATIN DEPT. NO.:		
orth in t	the f	REBY Coregoing se unallo	resolutio	that thon is ave	e money r ilable in th	equired fo ne Treasury	r the a ', or is	llotment o anticipated	f funds I to com	for the purpose sele into the Treasury
Amou	ınt \$	S				Fu	nd	······		
Purpo	se									
)						D				nptroller
Jate				19_		JNTING DAT				
ACCTG LINE	CY	FUND	DEPT	ORG.	ACCOUNT	ЈОВ	OPER.	BENF/EQUIP	EACH ITY	AMOUNT
LINE	PY	FUND	DEPT	ORG.	ACCOUNT	ORDER	ACCT.	BENF/EGUIP	FACILITY	AMOUNT
							·			
				<u> </u>						
			l	L	l	,		TOTAL AM	OUNT	
			CERTIFY	i that t		dness and	obligat	tion to be	incurred	by the contract of
ngreemen provision equirement the purp in the Tr the same participate Not to ex Dated	s of ents ose creasured to	thorized the Char of the C of said c ry, or are to be dra o come i I \$ _38 Jui settleme and Rae	DERTIFY by the heter of the Charter of ontract, and into the heter of woolri	that tereto attended to contact that the Treasury propertich, et	he indebte tached reso f San Diege ty of San lifeient moreome into the said mone to the critical	dness and lution, can o; and I do Diego, that neys to me he Treasury ys now act redit of sai	obligate be incubed to hereby, sufficient the wally in id appropriate the second of th	tion to be urred without further continuous continuous credit of the Treasu opriation, Auditor	incurred but the viertify, in s have be of said the appropriate other and Colors, together and Colors,	by the contract of olation of any of the conformity with the contract are actuall opriation from which the money wise unencumbered for the contract of the con
ngreemen provision equirement the purp in the Tr the same participate Not to ex Dated	s of ents ose creasured to	thorized the Char of the C of said c ry, or are to be dra o come i I \$ _38 Jui settleme and Rae	DERTIFY by the heter of the Charter of ontract, and into the heter of woolri	that tereto attended to contact that the Treasury propertich, et	he indebte lached reso f San Dieg ty of San lifeient more ome into the said mone to the critical	dness and lution, can o; and I do Diego, that neys to me he Treasury ys now act redit of sai	obligate be incusto hereby, sufficing the the wally in the individually in the idea of the	tion to be urred without further continuous continuous credit of the Treasu opriation, Auditor	incurred but the viertify, in s have be of said the appropriate other and Colors, together and Colors,	by the contract of olation of any of the conformity with the contract are actuall opriation from which her with the money wise unencumbered imptroller
ngreemen provision equirement the purp in the Tr the same participate Not to ex Dated	s of ents ose creasured to	thorized the Char of the C of said c ry, or are to be dra o come i I \$ _38 Jui settleme and Rae	DERTIFY by the heter of the Charter of ontract, and into the heter of woolri	that tereto attended to contact that the Treasury propertich, et	he indebte lached reso f San Dieg ty of San lifeient more ome into the said mone to the critical	dness and lution, can or and I do Diego, that neys to me he Treasury ys now act redit of sai	obligate be incusto hereby, sufficing the the wally in the individually in the idea of the	tion to be urred without further continuous continuous credit of the Treasu opriation, Auditor	incurred but the viertify, in s have be of said the appropriate other and Constant C	by the contract of olation of any of the conformity with the contract are actuall opriation from which her with the money wise unencumbered imptroller
egreemen provision equirement he purpent the Tr he same anticipate Not to ex Dated	s of ents ose creasured to	thorized the Char of the Cof said c ry, or are to be dra c come i I \$ _38	CERTIFY by the heter of the Charter of Ontract, e anticipa awn, and into the 198,50 Ly 9 ent of Woolrice CO.	that tereto attended to contact that the Treasury propertice, et	he indebte tached reso f San Diege ty of San Diege ty of San Diege the come into the said mone for the come into the said mone for the come into the come in	dness and lution, can or and I do Diego, that neys to me be Treasury ys now act redit of sai BY and personal A AND DAI DAI JOB	obligate be incured be incured by the sufficient th	tion to be urred without further continuous credit of the Treasure opriation, Auditor Auditor Lano injury c	incurred but the viertify, in s have be of said the appropriate other and Constant C	by the contract colation of any of the conformity with the contract are actuall opriation from which her with the money wise unencumbered mptroller
greemen provision equiremente purpon the Transcript to extend the same enticipated Dated D	s of ents ose creasured to	thorized the Char of the Cof said c ry, or are to be dra c come i I \$ _38	DERTIFY by the heter of the Charter of Contract, e anticipa awn, and into the contract of the	that tereto attended to contact that the Treasury propert ch, et OF NORT	he indebte tached reso f San Diege ty of San D	dness and lution, can or and I do Diego, that neys to me he Treasury ys now act redit of sai BY and personal A AND DAI ORDER	obligate be incured be incured by the sufficient th	tion to be urred without further continuous credit of the Treasure opriation, Auditor Auditor Lano injury c	incurred but the viertify, in s have be of said the appropriate other and Constant C	by the contract colation of any of the conformity with the contract are actuall optiation from which her with the money wise unencumbered mptroller
greemen provision equiremente purpon the Transcript to extend the same enticipated Dated D	s of ents ose creasured to	thorized the Char of the Cof said c ry, or are to be dra c come i I \$ _38	DERTIFY by the heter of the Charter of Contract, e anticipa awn, and into the contract of the	that tereto attended to contact that the Treasury propert ch, et OF NORT	he indebte tached reso f San Diege ty of San D	dness and lution, can or and I do Diego, that neys to me he Treasury ys now act redit of sai BY and personal A AND DAI ORDER	obligate be incured be incured by the sufficient th	tion to be urred without further continuous credit of the Treasure opriation, Auditor Auditor Lano injury c	incurred but the viertify, in s have be of said the appropriate other and Constant C	by the contract colation of any of the conformity with the contract are actuall opriation from which her with the money wise unencumbered mptroller
greemen provision equiremente purpon the Tr he same enticipated Not to expended Dated Date	s of ents ose creasured to	thorized the Char of the Cof said c ry, or are to be dra c come i I \$ _38	DERTIFY by the heter of the Charter of Contract, e anticipa awn, and into the contract of the	that tereto attended to contact that the Treasury propert ch, et OF NORT	he indebte tached reso f San Diege ty of San D	dness and lution, can or and I do Diego, that neys to me he Treasury ys now act redit of sai BY and personal A AND DAI ORDER	obligate be incured be incured by the sufficient th	tion to be urred without further continuous credit of the Treasure opriation, Auditor Auditor Lano injury c	incurred but the viertify, in s have be of said the appropriate other and Constant C	by the contract of olation of any of the conformity with the contract are actuall operation from which her with the money wise unencumbered in the money of Michael F.

R-263681

JUL 15 1985

AC ____86090

ĺ

00521

The City of San Diego

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

			CER	HIFIGA	TION OF	UNALLU	TEED	ORIGINATIN	ig no	v C: <u>√860AT</u>
	1 HE	REBY C	ERTIFY	that th	e money r	equired fo	r the a	DEPT. NO.: - llotment o	f funds	for the purpose set
orth in	the f	oregoing se unallo	resolutio	on is ava	ilable in th	ie Treasury	, or is	anticipated	l to com	e into the Treasury,
						En	nd			
rurp	ose _	·-··						· · · · · · · · · · · · · · · · · · ·		
	•						·			
								A 11.	1.0	
) ata				10		D		Auditor		•
) ate						JNTING DA				
ACCTG LINE	CY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPER.	BENF/EQUIP	FACILITY	AMOUNT
LINE	PY					OHDER	ACCT.			
	ļ							<u> </u>		
·	-									
								TOTAL AM	TNUO	
provisio equiren he pur n the T he sam inticipa	ns of nents pose of reasu e are ted to	the Char of the C of said c ry, or are to be dre o come i	cter of th Charter o contract, c anticipa awn, and	e City of the Ci that suf ited to c that the Treasury	f San Dieg ty of San ficient more come into the said mone	o; and I do Diego, tha neys to mo he Treasur ys now act	o hereby t sufficine tet the y, to the ually in	y further e ent money obligations e credit of the Treast opriation,	ertify, in s have b of said the appro rry, toget are other	olation of any of the conformity with the cent appropriated for contract are actuall opriation from which ther with the money twise unencumbered.
									.	mptroller . / a
Dated .		Ju	1y 9	, 19	85	В)	Lane	Brod	lley
PURPO	SE _	Settlem	ent of	proper	ty damage	and per	sonal	injury o	laims	of Michael F.
VENDO	R _	and Rae	Woolri WITTE,	.ch, et WOOD,	ANDERSON	N & HODGI	s, cl	IENT TRUS	T ACCO	UNT
					ACCO	UNTING DA				1
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPER.	BENF/EQUIP	FACILITY	AMOUNT
_1	 		601	106	4824	060106				\$122,190.75
	 	 		 						
				ļ <u>.</u>						
		<u> </u>	1	<u></u>	<u> </u>			1		4100 100 75
								TOTAL A	MOUNT	\$122,190.75

R-263681

JUL 1 5 1985

00522

Passed and adopted by the Counc.	il of The City of San Diego on	JUL 1 5 1985
by the following vote:	•	
Councilmen Bill Mitchell Bill Cleator Gloria McColl William Jones Ed Struiksma Mike Gotch District 7 Uvaldo Martinez Mayor Roger Hedgecock	Yeas Nays	Not Present Ineligible
AUTHE	NTICATED BY:	
(Seal)	Mayor of CHA City Clerk o	OGER HEDGECOCK The City of San Diego, California. RLES G. ABDELNOUR f The City of San Diego, California. arc. Dadler, Deputy.
	Office of the City C	Clerk, San Diego, California
	Resolution 263681	JUL 1 5 1985

CC-1276 (REV. 6-83)