

(R-86-981)

RESOLUTION NUMBER R- 264608

ADOPTED ON DEC 02 1985

WHEREAS, in Closed Session on November 19, 1985, the City Council, by the following vote: Yeas, Districts 2, 3, 4, 5, 6, 8 and the Mayor, Nays, District 1, approved the following; NOW, THEREFORE,

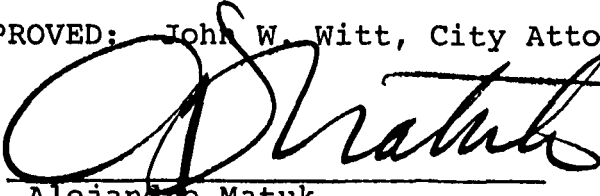
BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the total sum of \$725,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court Case No. 454496, Bradley Wood, et al. v. The City of San Diego, et al., resulting from the damage to Bradley and Nancy Wood's property and to Patricia Winter's property.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized upon receipt of a full and proper authorized release to issue one check in the amount of \$362,500.00, made payable to BRADLEY WOOD, NANCY WOOD and their attorney of record RICHARD J. ELLIOTT, and one check in the amount of \$362,500.00, made payable to PATRICIA WINTER, Individually and as Executrix of the Estate of RICHARD D. WINTER, and her attorney of record RICHARD J. ELLIOTT, in full settlement of the lawsuit and of all claims and attorney's fees.

01575

BE IT FURTHER RESOLVED, that said funds are to be payable
from Fund No. 81140, Public Liability Reserve Fund.

APPROVED: John W. Witt, City Attorney

By 
Alejandro Matuk
Deputy City Attorney

AM:ib:Lit.

11/20/85

Aud.Cert: 86512, 86513

Or.Dept: Risk Mgt.

R-86-981

Form=r.claim

R- 264608

RECEIVED
CITY CLERK'S OFFICE
1985 NOV 20 PM 3: 54
SAN DIEGO, CALIF.

TO: [Illegible]
FROM: [Illegible]
SUBJECT: [Illegible]

DATE: [Illegible]
TIME: [Illegible]

BY: [Illegible]

FOR: [Illegible]

[Illegible]

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATION OF UNALLOTTED BALANCE AC 86512

ORIGINATING DEPT. NO.: 084

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	OPER. ACCT.	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 \$ 362,500.00

[Signature]
 Auditor and Comptroller

Dated November 26, 1985

BY *[Signature]*

Settlement of property damage claims of Bradley and Nancy Wood, and Patricia Winter, individually, and as Executrix of the Estate of Richard Winter.

VENDOR BRADLEY AND NANCY WOOD AND THEIR ATTORNEY RICHARD ELLIOT

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPER. ACCT.	BENF/EQUIP	FACILITY	AMOUNT
1			601	106	4824	060106				\$362,500.00
TOTAL AMOUNT										\$362,500.00

FUND OVERRIDE

R-264608 DEC 02 1985

AC 86512

01578

RECEIVED
CITY CLERK'S OFFICE
1985 NOV 26 PM 4: 08
SAN DIEGO, CALIF.

01579

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATION OF UNALLOTTED BALANCE AC 86513

ORIGINATING DEPT. NO.: 084

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 _____

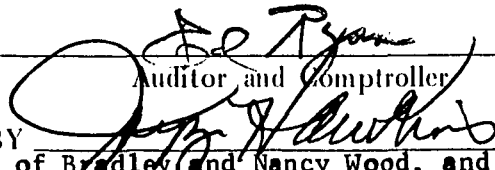
ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPER. ACCT.	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

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 \$ 362,500.00


 Auditor and Comptroller

Dated November 26, 1985 BY Patricia Winter
 Settlement of property damage claims of Bradley and Nancy Wood, and Patricia Winter, individually, and as Executrix of the Estate of Richard Winter.

VENDOR PATRICIA WINTER, INDIVIDUALLY AND AS EXECUTRIX OF THE ESTATE OF RICHARD WINTER AND THEIR ATTORNEY RICHARD ELLIOT

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPER. ACCT.	BENF/EQUIP	FACILITY	AMOUNT
1			601	106	4824	060106				\$362,500.00
TOTAL AMOUNT										\$362,500.00

FUND OVERRIDE

R- 264608

DEC 02 1985

01580

2/20/1

Passed and adopted by the Council of The City of San Diego on DEC 02 1985,
by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<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.

(Seal)

By *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-264608</u>	Adopted <u>DEC 02 1985</u>