

(R-86-2521)

RESOLUTION NUMBER R- 266011

ADOPTED ON JUN 16 1986

WHEREAS, as a part of the settlement of a lawsuit brought against the City and the Retirement Board by retired City employees, and with the recent approval by a vote of the active members of the San Diego City Employees' Retirement System, certain retirees have been awarded increased benefits; and

WHEREAS, the City Council was previously advised of the matter and changes in connection therewith and gave its approval for the settlement; and

WHEREAS, in connection with the settlement agreement which was approved by the court on June 13, 1986, it was agreed that the sum of \$9.7 million which had been set aside would be distributed to members of the class plus 10% interest from April 1, 1986 until distribution is made; and

WHEREAS, it is now appropriate, pursuant to said court approved settlement, as previously agreed to by Council, to distribute said funds; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the Auditor and Comptroller be and he is hereby authorized, pursuant to Superior Court approval of the settlement agreement in the Superior Court Case No. 515699, to distribute the sum of \$9.7 million to members of the class action, plus 10% interest

from April 1, 1986 until distribution is made, said funds set aside for such purpose in a retirement system reserve account and to be expended therefrom.

APPROVED: JOHN W. WITT, City Attorney

By Jack Katz  
Jack Katz, Chief Deputy

JK:smm  
6/13/86  
Or.Dept:Ret.  
Aud.Cert:869041  
R-86-2521  
Form=r.none

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

CERTIFICATE OF UNALLOTTED BALANCE AC 869041


ORIGINATING DEPT. NO.: 045

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 \$ 10,000,000.00 approximate Fund 60011

Purpose Authorizing the expenditure of funds for the court approved settlement of the City Employees Retirement System 13th Check Supplemental Benefit, Case No. / 515699.

Date June 13, 19 86

By:   
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1		60011			8670					\$10,000,000.00 approx.
TOTAL AMOUNT										10,000,000.00 approx.

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 \$ \_\_\_\_\_

Vendor \_\_\_\_\_

Purpose \_\_\_\_\_

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

By: \_\_\_\_\_  
 AUDITOR AND COMPTROLLER'S DEPARTMENT

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

FUND OVERRIDE

5406

JUN 1 6 1986

Passed and adopted by the Council of The City of San Diego on .....  
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 Struiksma	<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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT

AUTHENTICATED BY:

ED STRUIKSMA

Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Barbara Boster* Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number R-266011 Adopted JUN 1 6 1986

RECEIVED  
CITY CLERK'S OFFICE  
1986 JUN 13 PM 12 36  
SAN DIEGO, CALIF.



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