

(R-87-572)

RESOLUTION NUMBER R- 266723


ADOPTED ON OCT 06 1986

WHEREAS, in Closed Session on September 9, 1986, the City Council, by the following vote: Yeas: Districts 1, 2, 3, 4, 5, and 7, Not Present: Mayor O'Connor, Districts 6 and 8, 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 \$70,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, United States District Court Case No. 84-2598-R (CM), Howard Everet Conder, et al. v. Robert Allen Cara, et al., resulting from the personal injuries to Howard E. Conder and Correne J. Conder.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$70,000.00, made payable to Howard E. Conder and Correne J. Conder and their attorney, Jeffrey C. Demos, Law Office of Gary B. Naughton, 8950 Villa La Jolla Drive, Suite 1200, La Jolla, CA 92037, in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By   
for Anthony J. Shanley  
Deputy City Attorney

AJS:mlb:Lit.  
09/25/86  
Aud.Cert:8700299  
Or.Dept:Risk Mgmt.  
R-87-572

00065

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

CERTIFICATE OF UNALLOTTED BALANCE AC 8700299

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 \_\_\_\_\_

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

**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 \$ 70,000.00

Vendor HOWARD E. AND CORRENE J. CONDER AND THEIR ATTORNEY, JEFFREY C. DEMOS

Purpose Authorizing expenditure of funds for final settlement of all claims against the City of San Diego as a result of the traffic collision on November 2, 1983.

Date September 24, 1986 By: *Dileen Magana*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			601	106	4823	060106				\$70,000.00
TOTAL AMOUNT										\$70,000.00

FUND OVERRIDE

R- 266723

OCT 06 1986

AC 8700299

60066

Passed and adopted by the Council of The City of San Diego on OCT 06 1986,  
by the following vote:

Council Members	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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksmā	<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 Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR  
Mayor of The City of San Diego, California.

(Seal)

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

By *Maureen L. Patterson*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <u>R-266723</u>	Adopted <u>OCT 06 1986</u>