

(R-87-1496)

RESOLUTION NUMBER R- 267639

ADOPTED ON FEB 9 1987

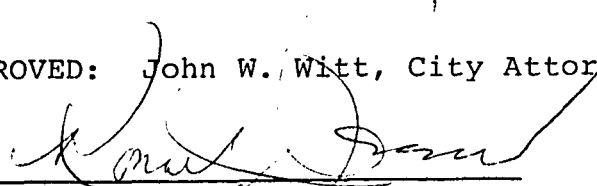
WHEREAS, in Closed Session on January 13, 1987, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 5, 6, 7 and 8 and Mayor O'Connor, Not Present, District 4, approved the following; NOW, THEREFORE,

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 \$40,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court Case No. 504979, Carol Ann Herwig, et al. v. City of San Diego, et al. resulting from the death of David Herwig.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$40,000.00, made payable to the Clerk of the Superior Court on behalf of Kimberly Herwig and Wendy Herwig, minors, and their attorney Dennis Paul Dorman, 110 Laurel Street, San Diego, California 92101, in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By


Ronald L. Johnson
Senior Chief Deputy

RLJ:db:Lit
01/28/87
Aud.Cert:8700614
Or.Dept:Risk Mgmt
R-87-1496
Form=r.claim

00860

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 8700614

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 \$ 40,000.00

Vendor CAROL ANN HERWIG, AND CAROL ANN HERWIG, AS GUARDIAN AD LITEM FOR KIMBERLY AND WENDY HERWIG, MINORS, AND THEIR ATTORNEY DENNIS PAUL DORMAN

Purpose Authorizing expenditure of funds for settlement of each and every claim against the City, its agents and employees resulting from the death of David Herwig

Date January 23, 19 87 By: *Julian Magaña*
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				\$40,000.00
TOTAL AMOUNT										\$40,000.00

FUND OVERRIDE

R - 267639

FEB 9 1987

AC 8700614

00861

FEB 9 1987

Passed and adopted by the Council of The City of San Diego on.....
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 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"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-267639** Adopted **FEB 9 1987**

RECEIVED
CITY CLERK'S OFFICE
1997 JAN 30 AM 9:43
SAN DIEGO, CALIF.

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