

(R-88-1185)

RESOLUTION NUMBER R- 269943

ADOPTED ON DEC 07 1987

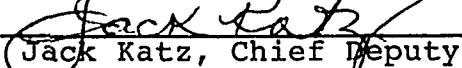
A RESOLUTION APPROVED BY THE CITY COUNCIL IN
CLOSED SESSION ON TUESDAY, NOVEMBER 24, 1987
TO SETTLE THE CASE OF McCARTHY v. ATKINSON.

WHEREAS, the City Council, in Closed Session on Tuesday,
November 24, 1987, considered the matter of settling the personal
injury litigation in the case of McCarthy v. Atkinson, Superior
Court Case No. 520787, for an amount of \$45,000; and

WHEREAS, the City Council approved said settlement by the
following vote: Wolfsheimer - yea; Cleator - yea; McColl - yea;
Struiksma - yea; Gotch - yea; McCarthy - yea; Ballesteros - yea;
District 4 - vacant; and the Mayor - not present; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that
the City Manager be and he is hereby authorized to pay the total
sum of \$45,000 in the settlement of each and every claim against
the City, its agents and employees, resulting from the personal
injury to Michael C. McCarthy (McCarthy v. Atkinson, Superior
Court Case No. 520787); authorizing the Auditor and Comptroller
to issue one check in the total amount of \$45,000 made payable to
Michael C. McCarthy and his attorney of record, Thomas F.
Friedberg, in full settlement of the lawsuit and all claims.

APPROVED: John W. Witt, City Attorney

By 
Jack Katz, Chief Deputy

JK:smm
11/30/87
CORRECTED:01/07/88
Or.Dept:Risk.Mgmt.
Aud.Cert:8800532
R-88-1185
Form=r+t

00752

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 8800532

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 \$ 45,000.00

Vendor MICHAEL MC CARTHY AND HIS ATTORNEY, THOMAS FRIEDBERG

Purpose Authorizing expenditure of funds for settlement of bodily injury claim (City File #LX84-0535-0045)

Date November 30, 1987 By: William Pease

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	60106				\$45,000.00
TOTAL AMOUNT										\$45,000.00

FUND OVERRIDE

R- 269943

DEC 07 1987

00753

AC 8800532

DEC 07 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"/>
Ron Roberts	<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"/>
H. Wes Pratt	<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"/>
J. Bruce Henderson	<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"/>
Bob Filner	<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 *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-269943** Adopted **DEC 07 1987**