

(R-89-1070)

RESOLUTION NUMBER R- 272386

ADOPTED ON NOV 21 1988

WHEREAS, in Closed Session on November 1, 1988, the City Council, by the following vote: Yeas, Districts 2, 3, 4, 5, and 7, Not Present, Districts 1, 6, 8 and Mayor, approved the following; NOW, THEREFORE,

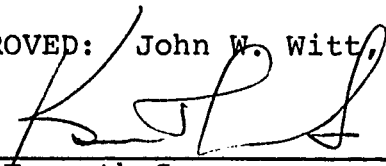
BE IT RESOLVED, by the Council of The City of San Diego that the City Manager be and he is hereby authorized and empowered to pay the total sum of \$362,500.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court Case No. 582011, Davis/Clark v. Christina D. King/Bicknell/Cunningham v. Cunningham v. City of San Diego, et al. resulting from the personal injuries to Roger W. Davis, Jr., Eugene F. Clark, William Bicknell, and Amanda Cunningham.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue three checks; one check in the amount of \$262,500.00 made payable to Roger W. Davis, Jr., and his attorney, Fred Hammett; one check in the amount of \$25,000.00 made payable to Eugene F. Clark and his attorney, Fred Hammett; and one check in the amount of \$75,000.00 made payable to

RECEIVED
1933 NOV 18 AM 9:10
SAN DIEGO, CALIF

William Bicknell, Amanda Cunningham, and their attorney, Lee
Witham in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By 
Kenneth So
Deputy City Attorney

SO:jt:Lit
11/17/88
Aud.Cert:8900454
Or.Dept:Risk.Mgmt.
R-89-1070
Form=r.claim

R-272386

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 8900454

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 \$ 362,500.00

Vendor Roger W. Davis, Jr. and his attorney Fred Hammett; Eugene F. Clark and his attorney Fred Hammett; William Bicknell and Amanda Cunningham and attorney Lee Witham.

Purpose Authorizing the expenditure of funds for the settlement of personal injury

claims; City files LX86-0442-0286, LX86-0442-0287, LX86-0442-6163, and LX86-0442-6161.

Date November 16, 19 88 By: *Tracy McMurtry*
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				\$362,500.00
TOTAL AMOUNT										\$362,500.00

FUND OVERRIDE

R-272386

NOV 21 1988

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Jana Martin*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *272386* Adopted