

(R-88-2330)

RESOLUTION NUMBER R- 271012

ADOPTED ON MAY 17 1988

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 sum of \$28,500.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court No. 535849, Dianna Bandak-Moe v. City of San Diego, et al., resulting from the personal injuries to Dianna Bandak-Moe.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$28,500.00, made payable to Dianna Bandak-Moe, and her attorney, Lee Morrison, in full settlement of all claims.

APPROVED: John W. Witt, City Attorney

By Jack Katz
for William S. Donnell
Deputy City Attorney

WSD:rw:Lit.
05/17/88
Aud.Cert:8801007
Or.Dept:Risk.Mgmt.
R-88-2330
Form=r.claim2

Office of
The City Attorney
City of San Diego

MEMORANDUM

533-4700

DATE: June 8, 1988
TO: City Clerk
FROM: City Attorney
SUBJECT: Dianna Bandak-Moe v. City of San Diego

[Resolution No. R271012]

Attached please find a resolution (R-88-2330) which was adopted by the City Council in Closed Session on May 17, 1988, with Yea votes by Districts 2, 5, 6, 7 and Mayor; Districts 1, 3, 4, and 8 not present. The Auditor's Certificate was available to the Council in Closed Session.

Pursuant to the requirements, it will be necessary for this resolution to be placed on a Council Docket under PUBLIC NOTICE so that the official and public record will reflect the adoption of this resolution.

It is therefore requested that it be calendared for the next available docket.

JOHN W. WITT, City Attorney

By



William S. Donnell
Deputy City Attorney

WSD:rw:Lit.
Attachment

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 8801007

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 \$ 28,500.00

Vendor DIANA BANDAK-MOE AND HER ATTORNEY, LEE MORRISON

Purpose Authorizing expenditure of funds for the settlement of Personal Injury Claim

of Diana Bandak-Moe, City File: AX85-0110-0316

Date May 16, 1988 By: *Nancy L. Manay*
AUDITOR AND COMPTROLLER'S DEPARTMENT

| ACCOUNTING DATA | | | | | | | | | | |
|-----------------|-------|------|-------|------|---------|-----------|-------------------|------------|----------|-------------|
| ACCTG. LINE | CY PY | FUND | DEPT | ORG. | ACCOUNT | JOB ORDER | OPERATION ACCOUNT | BENF/EQUIP | FACILITY | AMOUNT |
| 1. | | | 81140 | | 4821 | 081141 | | | | \$28,500.00 |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| TOTAL AMOUNT | | | | | | | | | | \$28,500.00 |

AC-361 (REV 3-86)

FUND OVERRIDE

AC 8801007

R 271012

MAY 17 1988

Passed and adopted ^{in Closed Session} by the Council of The City of San Diego on MAY 17 1988,
by the following vote:

| Council Members | Yeas | Nays | Not Present | Ineligible |
|------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| Abbe Wolfsheimer | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Ron Roberts | <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"/> |
| H. Wes Pratt | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Ed Struiksmma | <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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 Ellen Board, Deputy.

| | |
|---|----------------------------|
| Office of the City Clerk, San Diego, California | |
| Resolution Number <u>R-271012</u> | Adopted <u>MAY 17 1988</u> |