

(R-89-742)

RESOLUTION NUMBER R- 272162

ADOPTED ON OCT 2 - 1988

WHEREAS, in Closed Session on October 11, 1988, the City Council, by the following vote: Yeas, Districts 1, 2, 4, 5, and 6, Not Present, Districts 3, 7, 8, and Mayor O'Connor, 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 \$55,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court Case No. 585174 and United States District Court No. 87-0854-B(M), Barbara Dockstader and David Hughes v. The City of San Diego and Officer R. McGee, resulting from a claim of a violation of plaintiff's civil rights.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$55,000.00, made payable to Barbara Dockstader, and her attorney of record, Stephen J. Dimeff, in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By   
Penny Castleman  
Deputy City Attorney

PC:eh:Lit.  
10/12/88  
Aud.Cert:8900356  
Or.Dept:Risk.Mgmt.  
R-89-742  
Form=r.claim

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

CERTIFICATE OF UNALLOTTED BALANCE      AC 8900356

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 \$ 55,000.00

Vendor BARBARA DOCKSTADER AND HER ATTORNEY, STEPHEN J. DIMEFF

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

(City file: LX87-0110-2796).

Date October 10, 19 88 By: Lillian 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				\$55,000.00
TOTAL AMOUNT										\$55,000.00

FUND OVERRIDE

*Lillian Pease*  
 272162

AC 8900356

AC

RECEIVED  
OCT 13 1988  
CITY OF SAN DIEGO

Office of  
The City Attorney  
City of San Diego

MEMORANDUM

533-4700

**DATE:** October 12, 1988  
**TO:** City Clerk  
**FROM:** City Attorney  
**SUBJECT:** Barbara Dockstader and David Hughes v.  
The City of San Diego and Officer R. McGee

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Attached please find a resolution (R-89-742) setting forth the approval of the City Council in Closed Session on October 11, 1988. The Auditor's Certificate was not requested prior to Council action in Closed Session. The vote taken in Open Session shall be the official vote.

Pursuant to the requirements, it is appropriate for this resolution to be placed on a Council docket under CONSENT AGENDA 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   
Penny Castleman  
Deputy City Attorney

PC:eh:Lit.  
Attachment  
cc Julian Johnson

R-272162

#131

001 24 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 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 *Jana Martin*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-272162 Adopted 001 24 1988