

(R-89-945)

RESOLUTION NUMBER R- 272442

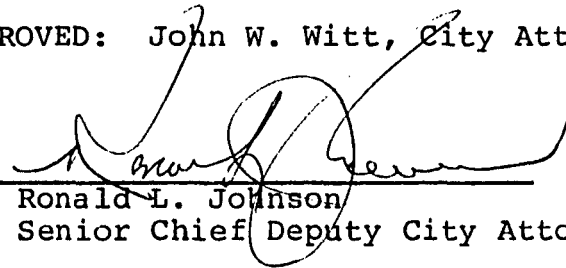
ADOPTED ON NOV 28 1988

WHEREAS, in Closed Session on August 11, 1987, the City Council, by the following vote: Yeas, Districts 1, 3, 5, 6, 7 and 8, Not Present, Districts 2, 4 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 \$100,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court Case No. 544094, John M. Butler, et al. v. Pre-Mix Cement Company, et al. resulting from the personal injuries to John M. Butler.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$100,000.00, made payable to John M. Butler, Robin Butler and their attorney of record Howard B. Clayton in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By 
Ronald L. Johnson
Senior Chief Deputy City Attorney

RLJ:db:Lit
11/22/88
Aud.Cert:8900441
Or.Dept:Risk.Mgmt.
R-89-945
Form=r.claim

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 8900441

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 \$ 100,000.00

Vendor John M. Butler, Robin S. Butler and Howard B. Clayton their Attorney./ and Anthony Battaglia, Attorney

Purpose Authorizing the expenditure of funds for the settlement of Bodily Injury Claim of John and Robin Butler City File: LX85-0535-3706.

Date November 9, 1988 By: *Nancy McManus*
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				\$100,000.00
TOTAL AMOUNT										\$100,000.00

FUND OVERRIDE

R-272442

NOV 28 1988

7 4

Passed and adopted by the Council of The City of San Diego on NOV 28 1988,
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 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 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 Ellen Berard, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-272442 Adopted NOV 28 1988

RECEIVED

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CITY CLERKS OFFICE
SAN DIEGO, CA