

(R-89-2623)

RESOLUTION NUMBER R-273819

ADOPTED ON JUNE 20, 1989

WHEREAS, in Closed Session on June 20, 1989, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, and Mayor O'Connor, Nays, -0-, Not Present, District 8, 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 \$120,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, in Superior Court Case No. 600719-24 (Consolidated) The City of San Diego v. Frank Derango, et al., resulting from the condemnation action filed by the City as directed in Resolution No. 270419 dated February 23, 1988.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$120,000.00, made payable to Frank A. Derango, Jean Derango, Frank P. Derango, Regina A. Derango, Philip J. Derango, Michael J. Derango, Michele M. Derango, Attorney James C. Allen, Endeman, Lincoln, Turek & Heater, 600 "B" Street, Suite 2100, San Diego, California 92101, in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By TC Burger
Thomas C. Burger
Deputy City Attorney

TCB:hk:Lit
06/20/89
Aud.Cert: 8901091
Or.Dept: Property
R-89-2623
Form=r.claim

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R - 273819

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 8901091

ORIGINATING DEPT. NO.: 070

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 \$ 120,000.00 Fund 79104

Purpose Authorizing the expenditure of funds from Open Space Bond Fund for settlement of condemnation proceedings entitled City of San Diego vs. Derango and the incident occurred at Goldfinch Canyon Open Space Park.

Date June 19, 1989

By: *Amojie Sanchez*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			79104	101	4279	079104				\$120,000.00
TOTAL AMOUNT										\$120,000.00

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 \$ _____

Vendor _____

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

R - **273819**

JUN 20 1989

AC 8901091

18-1

In Closed Session

Passed and adopted by the Council of The City of San Diego on June 20, 1989, 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 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 *TCB*
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By *J.C. Burger*, Deputy.
Raybell G. Postecow, Deputy

Office of the City Clerk, San Diego, California

Resolution Number **R-273819** Adopted **JUN 20 1989**