

(R-90-617)

RESOLUTION NUMBER R-274559

ADOPTED ON OCT 16 1989

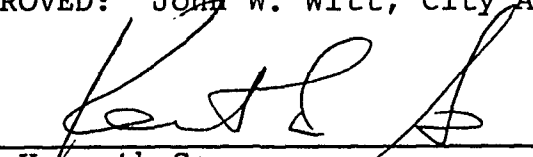
WHEREAS, in Closed Session on October 3, 1989 the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 6, 7, Not Present, Districts 5, 8, and Mayor Maureen O'Connor approved the following; NOW, THEREFORE,

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 in the settlement of each and every claim against The City of San Diego its agents and employees, Superior Court Case No. 593426, Marshall Smith v. City of San Diego, et al. resulting from the personal injuries to Marshall Smith. Fifteen thousand dollars of that sum shall be reserved for future medical costs.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$40,000, made payable to Marshall Smith and James M. Gattey, attorney in partial settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By


Kenneth So
Deputy City Attorney

KS:sdv:Lit
10/06/89
Aud.Cert:9000360
Or.Dept:Risk Mgmt.
R-90-617
Form=r.claim

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9000360

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 Marshall Smith and James M. Gattey, Attorney.

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

LX87-0705-3574.

Date October 5, 1989

By: *Kimberly Rice*
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			700	209	4824	5409				\$55,000.00
TOTAL AMOUNT										\$55,000.00

FUND OVERRIDE

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#113

OCT 16 1989

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 *Blonda R. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-274559 Adopted OCT 16 1989

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