

(R-90-665)

RESOLUTION NUMBER R- 274592

ADOPTED ON OCT 17 1989

WHEREAS, in Closed Session on October 3, 1989, the City Council, by the following votes: Yeas: Districts 1, 2, 3, 4, and 7; Not Present: Districts 5, 6, 8 and the Mayor, approved the settlement of Superior Court Case No. 599215, Michael F. Woolrich, et al. v. City of San Diego, et al. in the amount of \$9 million; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

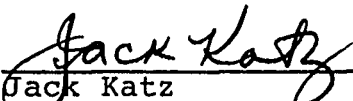
1. That the City Manager be and is hereby authorized and empowered to pay the sum of \$9 million in the settlement of Superior Court Case No. 599215, Michael F. Woolrich, et al. v. City of San Diego, et al., and each and every claim against the City of San Diego, its agents and employees, resulting from flood damage to plaintiffs and their real and personal properties.

2. The City Auditor and Comptroller be and is hereby authorized to issue a warrant check in the amount of \$6,800,000.00, to come from the Public Liability Reserve Fund 81140, payable to Gary S. Elster, Client Trust Account, and to issue warrant checks in an amount not to exceed \$2,200,000, to come from CIP 39-109.0, payable to escrow accounts to be set up for the transfer of fifteen real properties from the plaintiffs' owners in the Woolrich case to The City of San Diego described as Assessors Parcel Nos.: 630-160-37 (1218 Lauriston Dr.);

630-160-38 (1228 Lauriston Dr.); 630-160-39 (1236 Lauriston Dr.);
630-160-40 (1244 Lauriston Dr.); 630-160-41 (1252 Lauriston Dr.);
630-160-42 (1260 Lauriston Dr.); 630-160-44 (1245 Lauriston Dr.);
630-160-45 (1235 Lauriston Dr.); 630-160-46 (1225 Lauriston Dr.);
630-160-47 (1215 Lauriston Dr.); 630-060-11 (2853 Elrose Dr.);
630-060-12 (1211 Paxton Dr.); 630-060-13 (1221 Paxton Dr.);
630-060-14 (1224 Paxton Dr.); 630-060-15 (1214 Paxton Dr.); in
full settlement of the lawsuit and all claims.

3. That the Auditor and Comptroller and City Manager be and they are hereby authorized to open escrow accounts for the transfer of title of the fifteen real properties described in section 2 above to The City of San Diego and to accept title to them.

APPROVED: JOHN W. WITT, City Attorney

By 

Jack Katz
Senior Chief Deputy

JK:smm:skc
10/13/89
Or.Dept:Risk.Mgmt.
Aud.Cert:9000389
R-90-665
Form=r.none

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9000389

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 \$ 20,693,000.00 Fund Various

Purpose Authorizing the transfer and appropriation of various funding sources for the Woolrich Litigation Settlement. Authorizing the expenditure of \$2,200,000.00 from CIP 39-109.0 and \$6,800,000.00 from Public Liability Reserve Fund 81140.

Date October 11, 1989

By: Rhonda Ray
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1		10226	918		4881	000918				\$ 3,000,000.00
2		10270	1027		4881	001990				158,000.00
3		10545			9544					1,735,000.00
4		30248			9544					5,052,000.00
5		30244	30244		4881					1,448,000.00
continue									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 \$ _____

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

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