

(R-90-1928)

RESOLUTION NUMBER R- 275745

ADOPTED ON MAY 21 1990

WHEREAS, in Closed Session on April 17, 1990, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 7 and 8 and the Mayor, Nays, District 6, 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 \$550,000.00 in the settlement of each and every claim against The City of San Diego, Metropolitan Transit Development Board and San Diego & Arizona Eastern Railway Company, their agents and employees, Superior Court Case No. 605886, Vasquez v. Stachewicz, et al., and Superior Court Case No. 608654, Vasquez v. City of San Diego, et al., resulting from the February 2, 1988 flooding of premises at 1255 Lauriston Drive, San Diego.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$85,250.00, made payable to Chicago Title Company, and one check in the amount of \$464,750.00, made payable to Attorney Ernest R. Fraley Client Trust Account, in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By Larry E. Renner
Larry E. Renner
Deputy City Attorney

LER:ib
05/15/90
Aud.Cert:9000946
Or.Dept:Risk Mgt.
R-90-1928
Form=r.claim

R-275745

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9000946

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 \$ 550,000.00

Vendor Chicago Title Company/Attorney Ernest R. Fraley's Client Trust Account

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

injury claim of Erundina Vasquez, City File No. LX88-0070-3800

Date May 04, _____, 1990

By: *Debra Ruby*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1		100	601	106	4823	060106				\$550,000.00
TOTAL AMOUNT										\$550,000.00

FUND OVERRIDE

R-275745

MAY 21 1990

AC 9000946

7/02

MAY 21 1990

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"/>
John Hartley	<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"/>
Linda Bernhardt	<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 Board*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number **R-275745** Adopted **MAY 21 1990**