

(R-92-909)

RESOLUTION NUMBER R- 279147

ADOPTED ON 12 03 1991

WHEREAS, in Closed session on December 3, 1991, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, 8; Nays, None; Not Present, Mayor, 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 \$35,000 in the settlement of each and every claim against the City of San Diego, its agents and employees, in the case of Tommy Lee Freeman, et al v. City of San Diego, et al., U.S. District Court Case No. 91-0147BTM, resulting from an incident occurring on July 18, 1989.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue three checks: one in the amount of \$19,000 made payable to Tommy Lee Freeman and his attorney Roger A. Strong; a second check in the amount of \$15,500.00 made payable to Mary Freeman and her attorney Roger A. Strong and a third check in the amount of \$500.00 made payable to

Michelle Elaine Freeman and her attorney Roger A. Strong, in full settlement of the lawsuit and of all claims, costs and attorney's fees.

APPROVED: John W. Witt, City Attorney

By: Eugene P. Gordon
Eugene P. Gordon,
Chief Deputy City Attorney

MRM:cl:Lit
12/04/91
Aud.Cert:
Or.Dept:Risk Mgmt
R-91-

R. 279147

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9200447

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 \$ 35,000.00

Vendor Tommy Lee Freeman

Purpose Authorizing the expenditure of funds for the settlement of a personal injury claim.

Date December 4, 1991 By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1	0	100	601	106	4823	060106				\$35,000.00
TOTAL AMOUNT										\$35,000.00

FUND OVERRIDE

R-279147

DEC 09 1991

AC 9200447

Passed and adopted by the Council of The City of San Diego on DEC 09 1991
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"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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:

(Seal)

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

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

By *Linda Ferguson*, Deputy.

Office of the City Clerk, San Diego, California

Resolution R. 279147 Adopted DEC 09 1991
Number.....