

(R-92-1129)

RESOLUTION NUMBER R- 279454

ADOPTED ON FEB 24 1992

WHEREAS, in Closed Session on January 21, 1992, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, 7 and the Mayor; not present, District 8, approved the settlement of Strobl, et al. v. City, et al., Superior Court Case No. 641951, by paying the sum of \$25,000.00 to petitioner's attorneys for attorney's fees and costs; 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 \$25,000.00 to petitioner's attorneys, Gray, Cary, Ames & Frye, in settlement of their claim against The City of San Diego and the City Council, their agents and employees, in Strobl, et al. v. City of San Diego, et al., Superior Court Case No. 641951, for attorney's fees and costs incurred in the suit concerning the "PLAN" initiative.

BE IT FURTHER RESOLVED, that the Auditor and Comptroller be and he is hereby authorized to expend from the Public Liability Reserve (81140) the sum of \$25,000 for the sole and exclusive purpose of providing funds to pay petitioner's attorneys, Gray, Cary, Ames & Frye, in settlement of their claim against The City of San Diego and the City Council, their agents and employees, in

Strobl, et al. v. City of San Diego, et al., for attorneys fees and costs incurred in the suit concerning the "PLAN" initiative.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$25,000.00 made payable to the law firm Gray, Cary, Ames & Frye, attorneys of record for petitioners Strobl, et al., in full settlement of this suit and all claims for costs and attorney's fees or otherwise.

APPROVED: JOHN W. WITT, City Attorney

By Stuart H. Swett
Stuart H. Swett
Senior Chief Deputy

CAS:smm:Lit.
02/13/92
Or.Dept:Atty
Aud.Cert:9200608
R-92-1129
Form=r-t

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9200608

ORIGINATING DEPT. NO.: 045

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 \$ 25,000.00

Vendor Gray, Cary, Ames & Frye

Purpose Authorizing the expenditure of funds for attorneys fees and costs incurred in the suit concerning the "PLAN" Initiative.

Date February 10, 1992 By: *Celia San Pedro*

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	81140	81140		4141	081141				\$25,000.00
TOTAL AMOUNT										\$25,000.00

FUND OVERRIDE

R. 279454

FEB 24 1992

AC 9200608

115

Passed and adopted by the Council of The City of San Diego on **FEB 24 1992**
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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:

(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 *Mary Cepeda* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-279454* Adopted FEB 24 1992

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CITY CLERK'S OFFICE
SAN DIEGO, CA