

(R-93-165)

RESOLUTION NUMBER R- 280468

ADOPTED ON AUG 03 1992

WHEREAS, in Closed Session on July 7, 1992, the City Council, by the following vote: Yeas, Mayor, Districts 1, 2, 3, 4, 5, 6, 7 and 8; Nays, none; 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 to pay the sum of \$116,539.32 in full payment for those services and fees through May 31, 1992 in the cases of Spaulding and Bray v. City of 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 \$96,518.33, made payable to SHEPPARD, MULLIN, RICHTER & HAMPTON in full payment for services and fees through May 31, 1992 in the case of Bray v. City of San Diego, et al., United States District Court Case No. 911109S(M).

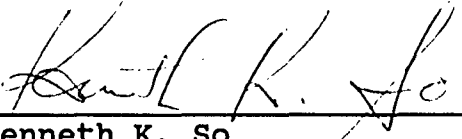
BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$20,020.99 made payable to SHEPPARD, MULLIN, RICHTER & HAMPTON in full payment for services and fees through May 31, 1992 in the case of Spaulding v. City of San Diego, et al., San Diego Superior Court Case No. 643073.

BE IT FURTHER RESOLVED, that in the Bray v. City of San Diego, et al., United States District Court Case No. 911109S(M) and Spaulding v. City of San Diego, et al., San Diego Superior

Court Case No. 643073, the City Auditor and Comptroller be and he is hereby authorized and empowered to pay for deposition costs, investigative costs and expert witness costs when those costs have been reviewed and approved by the Office of the City Attorney and the City Manager.

APPROVED: JOHN W. WITT, City Attorney

By



Kenneth K. So
Chief Deputy City Attorney

KKS:js
07/22/92
Aud.Cert:9201055
Or.Dept:Risk.Mgmt.
R-93-165
Form=r.claim

Office of
The City Attorney
City of San Diego

MEMORANDUM

533-4700

DATE: July 27, 1992
TO: City Clerk
FROM: City Attorney
SUBJECT: Bray v. City of San Diego, et al.
U.S. District Court Case No. 911109 S (M)

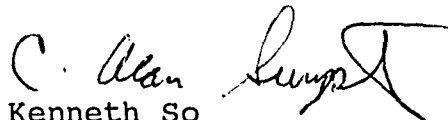
92 JUL 27 10:29:55
CITY OF SAN DIEGO
ST. ANTHONY'S

Attached please find a resolution (R-93-165) setting forth the approval of the City Council in Closed Session on July 7, 1992. The Auditor's Certificate was not requested prior to Council action in Closed Session. The vote taken in Open Session shall be the official vote.

Pursuant to the requirements, it is appropriate for this resolution to be placed on a Council docket under CONSENT AGENDA so that the official and public record will reflect the adoption of this resolution.

It is, therefore, requested that it be calendared for the supplemental docket of August 3, 1992.

JOHN W. WITT, City Attorney

By 
fa. Kenneth So
Chief Deputy City Attorney

KS:tg:Lit.
Attachment/Enclosure
cc Julian Johnson

R-280468

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9201055

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 _____ 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 money 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 \$ 116,539.32

Vendor Sheppard, Mullin, Richter & Hampton

Purpose Authorizing the expenditure of funds in settlement of claim resulting from personal injury to

Susan Bray and Robert Spaulding.

Date July 21, 1992 By: Cecilia 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		4823	081141				\$116,539.32
TOTAL AMOUNT										\$116,539.32

AC-361 (REV 2-92)

FUND OVERRIDE

R-280468 AUG 03 1992

AC 9201055

AUG 03 1992

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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  Deputy.

Office of the City Clerk, San Diego, California

Resolution **R-280468** **AUG 03 1992**
Number..... Adopted.....