

(R-93-209)

RESOLUTION NUMBER R- 280473

ADOPTED ON AUG 03 1992

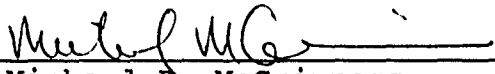
WHEREAS, in Closed Session on July 28, 1992, the City Council, by the following vote: Yeas, Districts 1, 2, 4, 5, 6, 7, 8, Mayor; Nays, None; Not Present, District 3, approved the following: NOW THEREFORE,

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 \$430,000.00 in settlement of each and every claim against the City, its agents and employees resulting from the personal injuries to Cheryl Abelowitz and Maria L. Foster, Heather R. Foster, and Maria L. Foster, as Administratrix of the Estate of Douglas Ray Foster, in Superior Court Case No. 640699, Cheryl Abelowitz v. City of San Diego, et al., consolidated with Case No. 642062, Maria Foster, et al v. City of San Diego, et al, resulting from an incident occurring on August 31, 1990.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue two checks: (1) in the amount of \$400,000.00 made payable to Cheryl Abelowitz and her attorney Patrick McCormick, Jr., and (2) in the amount of

\$30,000.00 made payable to Maria L. Foster, Heather R. Foster,
Maria L. Foster as Administratrix of the Estate of Douglas Ray
Foster, and their attorney Robert Thompson, in full settlement of
all claims.

APPROVED: John W. Witt, City Attorney

By 
Michael R. McGuinness
Deputy City Attorney

MRM:cl:Lit.
7/29/92
Aud.Cert: 9300102/3
Or.Dept:Risk Mgmt
R-93-209

R-280473

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9300102

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 \$ 400,000.00

Vendor Cheryl Abelowitz

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

Date July 29, 1992 By: *Veronica 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				\$400,000.00
TOTAL AMOUNT										\$400,000.00

FUND OVERRIDE

AC-361 (REV 2-92)

* CONTINGENT UPON APPROVAL OF FY93 BUDGET

AC 9300102

AUG 03 1992

R-280473

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9300103

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 \$ 30,000.00

Vendor Maria L. Foster, Heather R. Foster and Maria L. Foster

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

Date July 29, 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				\$30,000.00
TOTAL AMOUNT										\$30,000.00

FUND OVERRIDE

AC-361 (REV 2-92)

* CONTINGENT UPON APPROVAL OF FY93 BUDGET

AC 9300103

AUG 03 1992

R-280473

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 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 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 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.

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

(Seal)

By  Deputy.

Office of the City Clerk, San Diego, California

Resolution R-280473 AUG 03 1992
Number Adopted

92 JUL 30 11:37
CIVIL SERVICE
SAN DIEGO, CA