

(R-93-590)

RESOLUTION NUMBER R- 280813  
ADOPTED ON OCT 05 1992

WHEREAS, in Closed Session on September 22, 1992, the City Council, by the following vote: Yeas, Districts 2, 3, 5, 6, 7, 8, and Not Present, Districts 1, 4 and Mayor O'Connor, 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 \$50,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court Case No. 645206, Bettye and Leo Stern v. City of San Diego, et al. resulting from injuries to plaintiff.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$50,000.00, made payable to Bettye Stern, Leo Stern, and their Attorney of Record Susan K. Mosich in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By Carol S. Leimbach  
Carol S. Leimbach  
Deputy City Attorney

CSL:nln:Lit.  
09/30/92  
Aud.Cert:9300302  
Or.Dept:Risk.Mgmt.  
R-93-590  
Form=r.claim1

The City of San Diego  
**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATE OF UNALLOTTED BALANCE** AC 9300302

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 \$ 50,000.00

Vendor Bettye & Leo Stern

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

Date September 23, 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    |                   |             |          | \$50,000.00 |
|                 |       |       |       |      |         |           |                   |             |          |             |
|                 |       |       |       |      |         |           |                   |             |          |             |
|                 |       |       |       |      |         |           |                   |             |          |             |
|                 |       |       |       |      |         |           |                   |             |          |             |
| TOTAL AMOUNT    |       |       |       |      |         |           |                   |             |          | \$50,000.00 |

FUND OVERRIDE

*L* 280813

OCT 05 1992

5401

OCT 05 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 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.

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

(Seal)

By *Mary Cepeda* Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-280813* Adopted **OCT 05 1992**