

(R-93-1147)

RESOLUTION NUMBER R- 281455

ADOPTED ON FEB 08 1993

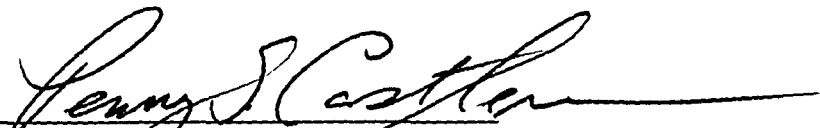
WHEREAS, in Closed Session on January 5, 1993, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, 7 and the Mayor, Nays, None, Not Present, District 8, approved the following; NOW, THEREFORE,

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 \$377,246.64 in the settlement of one hundred forty-six claims against The City of San Diego, its agents and employees, United States District Court Case No. 92-0425-GT, Denise Abell, et al. v. City of San Diego, et al., resulting from an overtime dispute with the employees of The City of San Diego.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to credit annual leave to the accounts of each employee as set forth in the Stipulated Settlement of January 6, 1993, or to issue said employee one check, on or before February 22, 1993, for the full amount owed said employee. Said leave can be sold back to the City pursuant to the terms of

said settlement. This constitutes the complete and final settlement of one hundred forty-six claims arising out of said lawsuit.

APPROVED: John W. Witt, City Attorney

By   
Penny L. Castleman  
Deputy City Attorney

PLC:eh:Lit.  
01/20/93  
Aud.Cert:9300686  
Or.Dept:Risk.Mgmt.  
R-93-1147

R-281455

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

**CERTIFICATE OF UNALLOTTED BALANCE** AC 9300686

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 \$ 377,246.64 Fund VARIOUS

Purpose Authorizing the expenditure of funds or the credit of annual leave hours and approve the conditions of leave sell back rights of each employee for back overtime pay.

Date January 21, 1993 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	100			9544					\$220,280.87
2	0	10330			9544					6,479.66
3	0	41100			9544					189.62
4	0	41200			9544					1,246.28
5	0	41300			9544					28,939.46
TOTAL AMOUNT										CONTINUED

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 \$ \_\_\_\_\_

Vendor \_\_\_\_\_

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										

AC-361 (REV 2-92)

FUND OVERRIDE

FEB 08 1993

*R-281455*

AC 9300686

#114

Passed and adopted by the Council of The City of San Diego on ..... FEB 08 1993 .....  
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"/>
<del>Bob Filner</del> Vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<del>Mayor Maureen O'Connor</del>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding				

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING  
~~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-281455**  
Number ..... Adopted **FEB 08 1993** .....