(R-94-580)

RESOLUTION NUMBER R-282796 ADOPTED ON OCTOBER 12, 1993

WHEREAS, in Closed Session on October 12, 1993, the City Council, by the following vote: Yeas, Districts 1, 4, 5, 6, 7, 8 and the Mayor; Nays, None, Not Present, Districts 2 and 3, approved the following; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Auditor and Comptroller be and he is hereby authorized to transfer the sum of \$1,125,000.00 from the Sewer Fund Unallocated Reserved (Fund 41506, Prog. Elem. 70697) to CIP 46-121.0, Sewer Pump Stations 11, 14 and 16.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to pay the following sums: 1) \$129,943.18 to Elliott and Dorothy Green; 2) \$95,000.00 to Richard and Ruth Cohen; 3) \$162,753.19 to Barbara Lefton; 4) \$175,788.12 to Donald and Barbara Cox; 5) \$244,766.80 to William and Margaret Treiger; and, 6) \$316,748.71 to Barbara Lefton, in settlement of each and every claim against The City of San Diego, its agents and employees, in the cases Cohen, et al. v. City of San Diego, et al., Superior Court Case Nos. 640919, 654764 and 656814.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue six checks in

the following amounts: 1) \$129,943.18 payable to Elliott and Dorothy Green, and G. Greg Aftergood, their attorney of record; 2) \$95,000.00 payable to Richard and Ruth Cohen, and Robert L. Kenny, their attorney of record; 3) \$162,753.19 payable to Barbara Lefton, and G. Greg Aftergood, her attorney of record; 4) \$175,788.12 payable to Donald and Barbara Cox, and G. Greg Aftergood, their attorney of record; 5) \$244,766.80 payable to William and Margaret Treiger, and G. Greg Aftergood, their attorney of record; and, 6) \$316,748.71 payable to Barbara Lefton, and G. Greg Aftergood, her attorney of record, as a full and final settlement of the above-referenced lawsuits.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to undertake certain other remedial measures in and around Sewer Pump Station No. 11, as fully set forth in the formal settlement and release agreements on file in the Office of the City Clerk as Document Nos. RRthru

John W. Witt, City Attorney APPROVED:

Leslie J. Girard

Deputy City Attorney

LJG:vtc:Lit.

10/13/93

Aud.Cert: 9400384-389

Or.Dept:Risk.Mqmt.

R-94-580

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Page 2 of 2

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AC-361 (R	EV 2-	-92)							4.0	FUND OVERRIDE	
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R- 282796

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AC-361 (REV 2-	-92)							AC	fund override 9400388			

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			et al. Ci	 	LP91-0705		<u> </u>	vilia A	an Ped	77)			
Purpo			et al. Ci	ty file #:	LP91-0705	5–2535 By:	<u>U</u>	vilia A	an Ped	chard , , , s department			
Purpo Date	CY		et al. Ci	ty file #:	LP91-0705	5-2535	<u>U</u>	vilia A	an Ped	77)			
Purpo		Cohen,	et al. Ci	ty file #: er 8, 199	LP91 – 0705 93	S-2535 By: COUNTING D. JOB	AUDITO	MIA A OR AND COM	M Les	5 DEPARTMENT			
Purpo Date	CY PY	Cohen,	et al. Ci	ty file #: er 8, 199 org.	LP91-0705	S-2535 By: COUNTING D. JOB ORDER	AUDITO	MIA A OR AND COM	M Les	S DEPARTMENT AMOUNT			
Purpo Date	CY PY	Cohen,	et al. Ci	ty file #: er 8, 199 org.	LP91-0705	S-2535 By: COUNTING D. JOB ORDER	AUDITO	MIA A OR AND COM	M Les	S DEPARTMENT AMOUNT			
Purpo Date	CY PY	Cohen,	et al. Ci	ty file #: er 8, 199 org.	LP91-0705	S-2535 By: COUNTING D. JOB ORDER	AUDITO	MIA A OR AND COM	M Ped APTROLLER'S	S DEPARTMENT AMOUNT			
Purpo Date	CY PY O	FUND	et al. Ci	ty file #: er 8, 199 org.	LP91-0705	S-2535 By: COUNTING D. JOB ORDER	AUDITO	OR AND COM BENT/ EQUIP	M Ped APTROLLER'S	AMOUNT \$316,748.71			

K_282796

of The City of S	an Diego on	October 12,	1993	
Yeas	Navs	Not Present	Ineligible	
\mathbf{x}				
		X		
		X		
X				
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X				
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		or of The City of San	Diego, California.	
A	City	Clerk of The City of S	an Diego, Califor	, Deputy.
	Yeas X X X X X X X X	Yeas Nays	Yeas Nays Not Present	X

Resolution 282796 Adopted 0 0 1 1 2 1993

Office of the City Clerk, San Diego, California