

(R-94-930)

RESOLUTION NUMBER R-283184

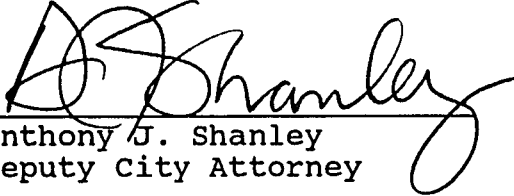
ADOPTED ON DECEMBER 7, 1993

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 sum of \$350,000.00 in the settlement of each and every claim against the City of San Diego, its agents and employees, in United States District Court Case No. 91-1062-AAM(LSP), Ruki L. Kelley, et al. v. City of San Diego, et al., concerning the Plaintiffs Ruki L. Kelley, individually and guardian ad litem for R.J. Kelley, Devin F. Kelley and Rafi H. Kelley resulting from a wrongful death action of August 6, 1990.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue two checks: one in the amount of \$267,500.00, payable to Ruki L. Kelley, individually; Ruki L. Kelley as guardian ad litem for R.J. Kelley, Devin Kelley, and Rafi H. Kelley; and Luce, Forward, Hamilton & Scripps, their attorneys; the other in the amount of \$82,500.00 payable to Metropolitan Life Insurance Company; in full settlement of all claims.

APPROVED: John W. Witt, City Attorney

By

  
Anthony J. Shanley  
Deputy City Attorney

AJS:lja:Lit.  
03/03/94  
Aud.Cert:9400613  
Or.Dept:Risk.Mgmt.  
R-94-930  
Form=r.claim2

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

**CERTIFICATE OF UNALLOTTED BALANCE** AC 9400613

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 \$ 350,000.00

Vendor Ruki L. Kelley, et al.

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

Date December 6, 1993

By: *Amy J. DeBevoise*  
 AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0	81140	81140		4823	081141				\$350,000.00
TOTAL AMOUNT										\$350,000.00

FUND OVERRIDE

*R-* 283184

DEC 07 1993

AC 9400613

CS-1

in Closed Session

Passed and adopted by the Council/of The City of San Diego on December 7, 1993  
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Harry Mathis	<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"/>
Christine Kehoe	<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"/>
Barbara Warden	<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"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Charles G. Abdelnour*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-283184* Adopted DEC 07 1993