

(R-94-1616)

RESOLUTION NUMBER R- 283830

ADOPTED ON MAY 09 1994

WHEREAS, in Closed Session on April 19, 1994, the City Council, by the following vote: Yeas, Districts 1, 3, 4, 5, 6, 7, 8 and the Mayor, Nays, None, Not Present, District 2, approved the following; NOW, THEREFORE,

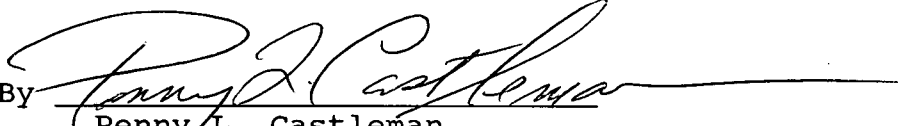
BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the total sum of \$1,100,000.00, in the settlement of Superior Court Case No. 665057, Rivera, et al. v. City of San Diego, et al. This constitutes the complete and final settlement of the personal injury claims, including costs and attorneys' fees, of Jose Luis Rivera, Alicia Rivera, Elizabeth America Rivera, Alicia Berenice Rivera and Maria Conception Murillo against the City of San Diego and the individually named defendants arising out of the incidents of July 11, 1992.

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

following amounts, made payable as follows in full settlement of the lawsuit and of all claims:

<u>Payee</u>	<u>Amount</u>
Fred Cohen, Esq. (in trust for medical liens)	\$ 43,639.00
Maria Conception Murillo	108,129.67
Jose Luis Rivera	59,696.42
Alicia Rivera	168,455.59
Metropolitan Life (Annuities for Alicia Berenice Rivera and Elizabeth America Rivera)	398,496.00
Metropolitan Life (Administrative fees)	750.00
Fred Cohen, Esq.	157,313.66
Tom Adler, Esq.	<u>163,519.66</u>
TOTAL	\$1,100,000.00

APPROVED: John W. Witt, City Attorney

By 
Penny L. Castleman
Deputy City Attorney

PLC:eh:Lit.
04/26/94
Aud.Cert:9401067
Or.Dept:Risk.Mgmt.
R-94-1616

R-283830

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 9401067

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 \$ 1,100,000.00

Vendor Alicia Rivera, et al.

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

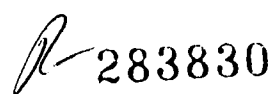
Date April 26, 1994 By: 

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				\$1,100,000.00
TOTAL AMOUNT										\$1,100,000.00

FUND OVERRIDE



MAY 09 1994 AC 9401067