

RESOLUTION NUMBER R- 284562

ADOPTED ON SEP 12 1994

WHEREAS, in Closed Session on August 2, 1994, the City Council, by the following vote: Yeas, Districts 1, 2, 4, 5, 7 and 8, Nays, District 6, Not Present, District 3 and Mayor Golding, approved the following; NOW, THEREFORE,

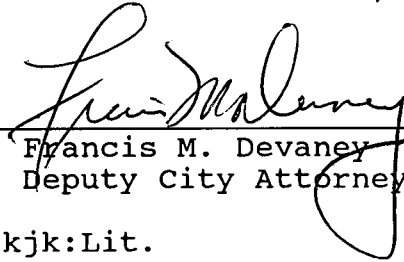
BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the sum of \$60,000.00 in the settlement of each and every claim against The City of San Diego, Kevin McNamara, Stuart Littlefield and all other agents and employees of the City of San Diego, resulting from injuries sustained by Victoria Yolanda Martinez, Arturo Martinez, Yolanda Martinez, Gerry Martinez, Sr., Imelda Martinez, Bobby Martinez, Lillybell Martinez, Lisbet Martinez, Gerry Martinez, Jr., Hortencia Rodriguez and Angel Gil on January 24, 1993, as is alleged and more fully set forth in United States District Court Case No. 940165B (BTM), Martinez v. City of San Diego, et al.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$60,000.00, made payable to Michael R. Marrinan, attorney, in trust for Victoria Yolanda Martinez, et al., in full

settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By


Francis M. Devaney
Deputy City Attorney

FMD:kjk:Lit.

08/02/94

Aud.Cert:

Or.Dept:Risk.Mgmt.

R-95-261

Form=r.claim1

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

CERTIFICATE OF UNALLOTTED BALANCE AC 9500198

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 \$ _____ 60,000.00

Vendor Yoland Victoria Martinez, et al.

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

Date August 10, 1994 By: *Amy Nolenbeck*

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				\$60,000.00
TOTAL AMOUNT										\$60,000.00

FUND OVERRIDE