

RESOLUTION NUMBER R-287176

ADOPTED ON APR 15 1996

WHEREAS, in Closed Session on March 5, 1996, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 7, 8, and the Mayor; Not present: District 6 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 \$6,000.00 as a one-time lease payment immediately, and \$170,000.00 to purchase applicable property by April 6, 1997, in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. 685611, Danny M. Marschall v. City of San Diego, et al., resulting from an incident occurring on or about January 1993.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$6,000 immediately, and one check in the amount of \$170,000.00, by April 6, 1997, made payable to Danny M. Marschall and to his attorney of record, Louis Goebel in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By 
Frederick K. Taylor
Deputy City Attorney

GRT:cl:Lit.
03/11/96
Aud.Cert: R-96-1054
Or.Dept:084
R-96-

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

CERTIFICATE OF UNALLOTTED BALANCE AC 9601025

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 \$ 170,000.00 Fund 81140

Purpose AUTHORIZING EXPENDITURE OF FUNDS TO PURCHASE PROPERTY BY APRIL 6, 1997 IN SETTLEMENT OF EACH AND EVERY CLAIM AGAINST THE CITY (DANNY M. MARSHALL)

Date MARCH 26, 1996 By: *Jillio Pease*
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		4824	081140				\$170,000.00
TOTAL AMOUNT										\$170,000.00

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 \$ 6,000.00

Vendor DANNY M. MARSHALL

Purpose AUTHORIZING EXPENDITURE OF FUNDS FOR SETTLEMENT OF DIMINUATION IN PROPERTY VALUE CLAIM.

Date MARCH 26, 1996 By: *Jillio Pease*
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		4824	81140				\$6,000.00
TOTAL AMOUNT										\$6,000.00

FUND OVERRIDE

R - 287176

APR 15 1996

AC 9601025