

RESOLUTION NUMBER R- 289219

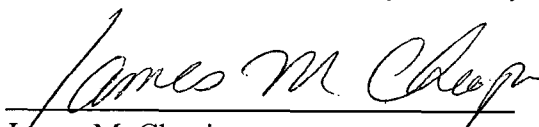
ADOPTED ON SEP 23 1997

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 up to but not exceeding \$37,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees resulting from the Personal Injury Claims of Dannie Kamack, Mark Reese and Tracson McLeod.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue three checks: one in the amount of \$12,000.00 made payable to Dannie Kamack and his attorney of record Michael Marrinan; one check in the amount of \$18,500.00 made payable to Mark Reese and his attorney of record Michael Marrinan; and one check in the amount of \$6,500.00 made payable to Tracson McLeod and his attorney of record Kay Sunday. This constitutes the complete and final settlement of the Personal Injury Claims of Dannie Kamack, Mark Reese, and Tracson McLeod against the City of San Diego, its agents and employees, as a result of an incident which occurred on November 4, 1995.

APPROVED: CASEY GWINN, City Attorney

By

  
James M. Chapin  
Deputy City Attorney

JMC:vtc:Civ.

09/23/97

Aud.Cert: AC 9800355

Or.Dept: Risk Mgmt

R-98-346

Form=claim2r.frm

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 9800355  
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 \$ 37,000.00

Vendor Dannie Kamack and his attorney Michael Marrinan; Mark Reese and his attorney Michael Marrinan; Tracson McLeod and his attorney Kay Sunday.

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

City file#LX96-0110-5531, LX96-0110-5534 and LX96-0110-5535

Date September 18, 1997

By: *Lellie Reese*

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    |                   | Kamack      |          | \$12,000.00 |
| 02              | 0     | 81140 | 81140 |      | 4823    | 081141    |                   | Reese       |          | 18,500.00   |
| 03              | 0     | 81140 | 81140 |      | 4823    | 081141    |                   | McLeod      |          | 6,500.00    |
|                 |       |       |       |      |         |           |                   |             |          |             |
|                 |       |       |       |      |         |           |                   |             |          |             |
| TOTAL AMOUNT    |       |       |       |      |         |           |                   |             |          | \$37,000.00 |

FUND OVERRIDE

**R-289219**

**SEP 23 1997**

AC 9800355