

RESOLUTION NUMBER R- 289268

ADOPTED ON OCT 07 1997


WHEREAS, in Closed Session on September 9, 1997, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, and the Mayor, Nays, Districts None, Not Present, Districts 7 and 8, 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 \$184,511.32, in the settlement of each and every claim against The City of San Diego, its agents and employees, based on U.S. District Court Case No. 95-0321-H(CM), Gabriel Nunez, et al. v. City of San Diego, et al. resulting from the judgment entered in favor of plaintiffs.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$184,511.32, made payable to the ACLU Foundation of San Diego & Imperial Counties, as payment for attorneys' fees and costs, in full settlement of the lawsuit and of all claims.

BE IT FURTHER RESOLVED, that said funds are to be payable from Fund No. 81140, Public Liability Reserve Fund.

APPROVED: CASEY GWINN, City Attorney

By 
James M. Chapin
Deputy City Attorney

JMC:vtc:Civ.
09/18/97
Aud.Cert:
Or.Dept:Risk Mgmt
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**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

AC 9800356
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 \$ 184,511.32

Vendor A.C.L.U. Foundation

Purpose Authorizing expenditure of funds for settlement of attorney fees and costs for Gabriel Nunez, et al

City file#LP95-0110-4840

Date September 18, 1997

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		4824	081141				\$184,511.32
TOTAL AMOUNT										\$184,511.32

FUND OVERRIDE

R-289268

OCT 07 1997

AC 9800356