

(R-98-647)

RESOLUTION NUMBER R- 289574

ADOPTED ON DEC 16 1997

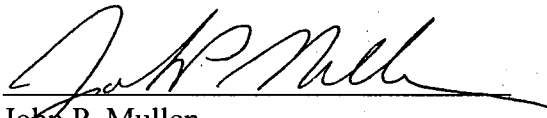
WHEREAS, in Closed Session on November 18, 1997, the City Council, by the following vote: Yeas, Districts 1, 2, 4, 5, 6, 7, and 8; Nays, none; Not Present, District 3 and the Honorable Mayor, approved the following; NOW, THEREFORE,

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 \$25,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, in Superior Court Case No. 682920, Fourth District Court of Appeal Civil Case No. D025961, Hoffmaster, et al. v. City of San Diego, et al. resulting from Plaintiffs/Respondents' attorney's fees incurred during the City of San Diego's appeal of the aforementioned case.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$25,000.00, made payable to Robert H. Lynn, Esq., in full settlement of Plaintiffs'/Respondents' attorneys fees incurred during the City of San Diego's appeal.

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 
John P. Mullen,
Deputy City Attorney

JPM:kat:Civ
12/2/97
Aud.Cert: 9800631
Or.Dept: 81140
R-98-647
Form=claimr.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 9800631
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 \$ 25,000.00

Vendor Robert H. Lynn

Purpose Authorizing expenditure of funds for settlement of claim for attorney fees in the litigation matter of

Kevin Hoffmaster. City file #LP95-0058-2497

Date November 25, 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				\$25,000.00
TOTAL AMOUNT										\$25,000.00