

R. 75-2263

RESOLUTION NO. 213306

**MAY 15 1975**

WHEREAS, The City of San Diego has excavated property belonging to Gildreth Building Development Company and Gildreth Building Company in order to construct the Carroll Canyon Trunk Sewer and requires fill material to fill said excavated area in order to complete said project; and

WHEREAS, the necessary amount of fill dirt (30,000 cubic yards) is now available for acquisition and is located adjacent to the job site and owned by the Conrock Company; and

WHEREAS, the City has the power of eminent domain, under City Charter Sections 1 and 220, to condemn said quantity of fill dirt, but to avoid the condemnation process has negotiated with the Conrock Company to purchase said 30,000 cubic yards of fill dirt at \$.30 per cubic yard; and

WHEREAS, because the price of \$.30 per cubic yard is substantially below the current market price, and because the fill dirt is subject to condemnation, it is in the City's best interest to forego competitive bidding and acquire the fill dirt at said negotiated price; 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 execute, for and on behalf of said City, a contract with CONROCK COMPANY for the purchase of approximately 30,000 cubic yards of fill material at \$.30 per cubic yard for an

estimated cost of \$9,000 plus sales tax, and that the City Auditor and Comptroller is further authorized to transfer \$61,000 from Unallocated Reserve Fund 506 - 68.91 to Fund 506 - 64.40 to fill the open cut section of Carroll Canyon Trunk Sewer, and related costs.

APPROVED: JOHN W. WITT, City Attorney

By

*Michael B. Poynor*  
Michael B. Poynor, Deputy

MBP:lc  
4/30/75  
Or.Dept.:Purchasing

**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATION OF UNALLOTTED BALANCE**

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 \$ 61,000.00 Fund 506 UNALLOCATED RESERVE FUND

Purpose Authorizing the transfer from Unallocated Reserve Fund 506-6891 to Fund 506-6440.

*W. B. Sage*

Auditor and Comptroller of  
The City of San Diego, Calif.

'75 MAY 7 4 34 PM

Date April 11, 19 75

By *[Signature]*

**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 moneys 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 \$ 9,540.00

Dated April 11, 19 75

*W. B. Sage*

Auditor and Comptroller of  
The City of San Diego, Calif.

BY *[Signature]*

Job Order  
Resolution No.  
Project No. 34575 35475

Fund 506 Dept./Activity 6440 Object 3275

Purpose Purchase approximately 30,000 cubic yards of fill material.

Vendor Conrock Company

CERTIFICATE NO. 6578

**MAY 15 1975**

Passed and adopted by the Council of The City of San Diego on MAY 15 1975,  
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN  
City Clerk of The City of San Diego, California.

By Kathleen Martinez, Deputy.

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Office of the City Clerk, San Diego, California

Resolution Number 213306 Adopted MAY 15 1975