

RESOLUTION No. 219285 (R-78-413)

Adopted on SEP 7 1977

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That the City Manager be and he is hereby authorized to pay the sum of \$50,162.00 in the settlement of each and every claim against the City, its agents and employees, resulting from the Claim of Valley Crest Landscape, Inc. respecting additional costs incurred in the landscape development of the Mission Bay Interchange.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue a warrant check in the amount of \$50,162.00 to Valley Crest Landscape, Inc. in full settlement of all claims.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to transfer \$10,779.00 and \$17,642.00 from Park and Recreation Bond (725) Fund Reserve and Gas Tax (220) Fund Reserve respectively to supplement Resolution No. 210520 which authorized landscape development of Mission Bay Interchange.

APPROVED: JOHN W. WITT, City Attorney

By

  
David W. Ryan, Deputy

MICROFILMED

JUN 6 1978

DWR:lg  
9-6-77  
Or.Dept.:DOT  
Cert.No. 8806  
CC-1265-B (REV. 12-76)

01443

DECLARATION OF THOMAS F. CALVERLEY

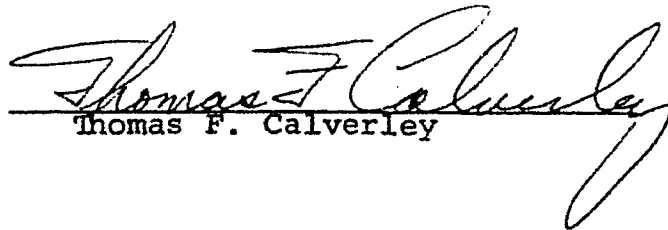
I, THOMAS F. CALVERLEY, Deputy City Attorney for The City of San Diego, hereby state and declare that:

On September 7, 1977, I attended an Executive Session of the City Council regarding the settlement of Valley Crest Landscape, Inc. v. City of San Diego, Superior Court Case No. 371045. Jim Meehan, George Simpson and Orville Johnson attended as City staff familiar with the contract.

The settlement was approved unanimously with Districts 2 and 5 absent. Mayor Wilson recorded the vote count.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 8 day of September, 1977, at San Diego, California.

  
Thomas F. Calverley

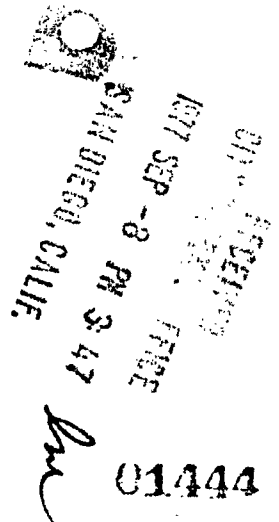
TFC:cj  
R-78-413  
Aud.Cert.  
8806

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219285

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01444

# 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 \$ 17,642.00 220 Gas Tax Fund  
10,779.00 Fund 725 Park and Recreation Bond Fund

Purpose Authorizing the transfer of funds to supplement res.# 210520.

*D. B. Sage*  
 Auditor and Comptroller of  
 The City of San Diego, Calif.

Date Aug. 31, 19 77

By *Matt Supo*

CITY OF SAN DIEGO, CALIF.  
 SEP 8 3 47 PM '77

## 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 \$ ~~30,162,000~~ 28,421,00\*\*

Dated Aug. 31, 19 77

*D. B. Sage*  
 Auditor and Comptroller of  
 The City of San Diego, Calif.

BY *Matt Supo*

|                 |                         |                    |           |                              |               |
|-----------------|-------------------------|--------------------|-----------|------------------------------|---------------|
| Fund <u>244</u> | Prog./Elem. <u>4504</u> | Object <u>3275</u> | Job Order | Resolution No. <u>220210</u> | \$10,779.00   |
|                 |                         |                    |           | Project No. <u>520461</u>    | \$17,642.00** |

Purpose Settlement of claim.  
 Vendor Valley Crest Landscape.

**219285**

SEP 7 1977

CERTIFICATE NO. 8806

MICROFILMED  
 JUN 6 1978

**01445**

in Executive Session,

9/7/77

Passed and adopted by the Council of The City of San Diego on the following vote:

| Councilmen          | Yeas                                | Nays                     | Excused                  | Absent                              |
|---------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| Col Johnson         | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Maureen F. O'Connor | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Lee Hubbard         | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Leon T. Williams    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Floyd L. Morrow     | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Edm Gade            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| Joel M. Strobl      | <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*

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By

*Allyn D. Newitt*

Deputy.

CIT  
1977 SEP -8 PM 3:47  
SAN DIEGO, CALIF.

|   |                      |
|---|----------------------|
| Office of the City Clerk, San Diego, California |                      |
| Resolution Number                               | 219285               |
| Adopted   | SEP 7 1977 <i>ed</i> |

MICROFILMED

C1446

JUN 6 1978