

RESOLUTION No. R- 251120 (R-80-1362)

Adopted on FEB 4 1980


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 One Million Sixty-Three Thousand Dollars (\$1,063,000) in the settlement of claims against the City resulting from increased costs and losses incurred by the contractor, D-B-R & 8, a joint venture, in the contract for the Construction of the Second Point Loma Sewer Force Main, and which are the subject of San Diego Superior Court Case No. 378694.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue a warrant check in the sum of \$1,063,000 to D-B-R & 8, a joint venture, in full settlement of all claims.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to transfer \$734,007 within the Sewer Revenue Fund from CIP No. 46-009 (South Bay-Point Loma Waste Water Treatment Plants and Land Acquisition) to CIP No. 47-002 (Point Loma Sewer Force Main).

APPROVED: JOHN W. WITT, City Attorney

By  \_\_\_\_\_  
James J. Thomson, Jr., Deputy

JJT:cj  
Dr.Dept.:  
Water Util.  
Aud.Cert.  
# 80523  
P. 4032

01001

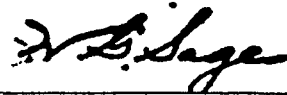
# CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

## 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 \$ 734,007.00 Fund 41506 Sewer revenue

Purpose Additional Funds for Settlement of Claim



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

Date January 31, 19 80

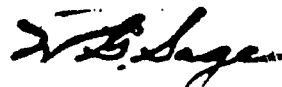
By Don Munn

## 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 \$ 1,063,000.00

Dated January 31, 19 80



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

BY Don Munn

FUND/ DEPT.	ORG. NO.	ACCOUNT	JOB ORDER	BENEFITING DEPARTMENT
<u>30244</u>	<u>109</u>	<u>4220</u>	<u>470020</u>	

PURPOSE Settlement of Claim

VENDOR DBR & S

\* USE FUND NO. ONLY WHEN USING GEN. LEDGER & REV. ACCTS., OTHERWISE USE DEPT. NO.

01002

AC-241 (7-75)

R-251120

FEB 4 1980

AC 80523

Passed and adopted by the Council of The City of San Diego on FEB 4 1980,  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<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.

CHARLES G. ABDELNOUR  
 City Clerk of The City of San Diego, California.

(Seal)

By Walter B. Blom, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number	R-251120
Adopted	FEB 4 1980