

RESOLUTION No. R-254801

(R. -82-237)

Adopted on August 11, 1981

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

That the City Manager be and he is hereby authorized and empowered to pay the total sum of \$6,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees [Superior Court Case No. 429970, TFL v. City, et al.] resulting from an overcharge of fees to TFL CO.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the total amount of \$6,000.00 made payable to TFL CO. and FRANK A. FRYE, III, his attorney of record, in full settlement of the lawsuit and of all claims.

BE IT FURTHER RESOLVED, authorizing the transfer of \$6,000.00 within the Sewer Revenue Fund (41506) from the Unallocated Reserve (70697) to Engineering Services-Sewer (70641).

APPROVED: JOHN W. WITT, City Attorney

By *Alan C. Sumption*
Alan C. Sumption, Deputy City Attorney

ACS/KS:sm:Lit.
8/11/81
Aud. Cert. 82099
Or. Dept.: Water Utilities

01593

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 \$ _____ Fund _____

Purpose _____

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

Date _____, 19 _____

By _____

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 \$ 6,000.00

Dated August 6, 1981

W. B. Sage

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

BY *Don Mumm*

* FUND/ DEPT.	ORG. NO.	ACCOUNT	JOB ORDER	BENEFITING DEPARTMENT
<u>700</u>	<u>267</u>	<u>4903</u>	<u>70697</u>	_____

PURPOSE Settle Claim

VENDOR T F L Co. and Frank Frye III

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

in closed session

Passed and adopted by the Council of The City of San Diego on August 11, 1981
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

Lucy L. Killea

PETE WILSON

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Ellen Roward*, Deputy.

Office of the City Clerk, San Diego, California	
Resolution Number <i>R-254801</i>	Adopted <u>AUG 11 1981</u>