

RESOLUTION NO. R- 259304

(R-84-425)

SEP 26 1983

WHEREAS, in Closed Session on September 12, 1983, the City council by the following vote: Yeas: Districts 2, 3, 4, 6, 7, 8 and Mayor Hedgecock; Not Present: Districts 1 and 5, approved the following; NOW THEREFORE,

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 Hundred Fifty Seven Thousand Dollars (\$157,000.00) in the settlement of claims against the City resulting from increased costs and losses incurred by the contractor, Wal-Con Construction Co. and John M. Artukovich, a Joint Venture, in the contract for the construction of the 30th Street Pipeline, and which are the subject of San Diego Superior Court Case No. 476647.

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 \$157,000.00 to Wal-Con Construction Co. and John M. Artukovich, 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 the sum of \$157,000.00 from the Water Revenue Fund (41502) Unallocated Reserve (70679) to the Water Operating Fund (41500) Main Maintenance Program (70540).

APPROVED:

JOHN W. WITT, City Attorney

By Thomas F. Calverley
Thomas F. Calverley, Deputy

TFC:sf
9/15/83
Aud.Cert.: #84205
Or.Dept.: Water Util.

00755

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATION OF UNALLOTTED BALANCE AC _____

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

Date _____, 19____ By _____

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 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 \$ 157,000.00

[Signature]
 Auditor and Comptroller

Dated Sept. 14, 19 83

BY *[Signature]*

PURPOSE Settlement of claims

VENDOR Wal-Con Construction Co. and John M. Artukovich

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			700	203	4469	5430				\$157,000.00
TOTAL AMOUNT										\$157,000.00

FUND OVERRIDE

SEP 26 1983

Passed and adopted/by the Council of The City of San Diego on _____,
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<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"/>
Dick Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Magdalen L. Portecorvo, Deputy.

Office of the City Clerk, San Diego, California

Resolution **R-259304** **SEP 26 1983**
Number Adopted