

(R-84-2048)

RESOLUTION NO. R-260809

Adopted on MAY 29 1984

WHEREAS, in Executive Session on March 6, 1984, the City Council, by the following vote: Yeas: Districts 1, 2, 3, 6, 7 and 8; Not Present: Mayor, Districts 4 and 5, approved the following; NOW, THEREFORE,

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

1. That the City Manager be and he is hereby authorized and empowered to pay the sum of \$125,000.00 in the settlement of Superior Court Case No. 430903, The People of the State of California, acting by and through the Department of Transportation v. H. G. Fenton Material Co., Inc., et al., and each and every claim against The City of San Diego, its agents and employees, resulting from sand and gravel extraction activities on City property and damage to the State bridge on Highway 67 crossing the San Diego River.

2. That the City Auditor and Comptroller be and he is hereby authorized to issue a warrant check in the amount of \$125,000.00 made payable to The Department of Transportation, State of California in full settlement of the lawsuit and of all claims.

APPROVED: JOHN W. WITT, City Attorney

BY C. Alan Sumption
C. Alan Sumption, Chief Deputy

CAS:dv:Lit.
5/15/84
Aud. Cert. #84851
Or.Dept.: Risk Mgt.

01625

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATION OF UNALLOTTED BALANCE AC 84851

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 \$ 125,000.00

De Ryan
 Auditor and Comptroller
Morgan J. Robinson

Dated May 14, 1984 BY _____

PURPOSE Settlement of property damage claim of the People of the State of California acting by and through the Department of Transportation

VENDOR THE DEPARTMENT OF TRANSPORTATION, STATE OF CALIFORNIA

ACCOUNTING DATA										
ACCTG LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			700	102	4824	5402				\$125,000.00
TOTAL AMOUNT										\$125,000.00

FUND OVERRIDE

MAY 29 1984

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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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"/>
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.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By Barbara Bayter, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-260809 Adopted MAY 29 1984

RECEIVED
CITY CLERK'S OFFICE
1984 MAY 17 AM 10:36
SAN DIEGO, CALIF.

01628

MAY 15 1984