

RESOLUTION NUMBER R- 266383

ADOPTED ON AUG 12 1986

WHEREAS, in Closed Session on July 15, 1986, the City Council, by the following votes: Yeas: Districts 1, 2, 3, 4, 6, 7, 8 and the Mayor; Not Present: District 5, approved the settlement of Superior Court Case Nos. 442060, 441619 and 442365, Del Mont Olesen, et al. v. Pardee Construction Co., et al., Christopher L. Skillern, et al. v. Ralph E. Hughes, et al., and City of San Diego v. Pardee Construction Co., et al. in an amount not to exceed \$125,000.00; 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 up to the sum of \$125,000.00 in the settlement of Superior Court Case Nos. 442060, 441619 and 442365, Del Mont Olesen, et al. v. Pardee Construction Co., et al., Christopher L. Skillern, et al. v. Ralph E. Hughes, et al., and City of San Diego v. Pardee Construction Co., et al., and each and every claim against The City of San Diego, its agents and employees, resulting from earth movement and resulting damage to plaintiffs' properties in the subdivision, Vista Del Cerro No. 4, San Diego.

2. That the City Auditor and Comptroller be and he is hereby authorized to issue warrant checks up to but not exceeding the amount of \$125,000.00 payable to Jim Henry Construction, Inc. ~~or other contractor hired by Woodward-Clyde Consultants pursuant~~

to the Stipulation and Settlement Agreement and Order entered into by Pardee Construction Co., Woodward-Clyde Consultants and The City of San Diego filed herewith as Document No. RR-266383 in full settlement of the lawsuits and of all claims.

3. That the City Manager be and he is hereby authorized to accept at a future date deeds to Lots 255, 256 and 257 of Vista Del Cerro No. 4, to be executed in favor of the City of San Diego granting to said City the real property more particularly described in said deeds.

4. That the City Clerk is hereby authorized and directed to cause said deeds, after acceptance by the City Manager, and a certified copy of this resolution, attested by the City Clerk under seal, to be recorded in the Office of the County Recorder.

APPROVED: JOHN W. WITT, City Attorney

By C. Alan Sumption
C. Alan Sumption
Chief Deputy City Attorney

CAS:st:Lit
08/06/86
Or.Dept:Eng. & Development
Aud.Cert: 8700168
R-87-246
Form=r.none

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 8700168

ORIGINATING DEPT. NO.: 540

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 _____

Date _____, 19____ By: _____
AUDITOR AND COMPTROLLER'S DEPARTMENT

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

Vendor JIM HENRY CONSTRUCTION, INC.

Purpose Authorizing expenditure of funds for Summit Ridge Landslide reconstruction.

Date August 6, 1986 By: Lillian Nagano
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			30244	111	4220	918013				\$125,000.00
TOTAL AMOUNT										\$125,000.00

FUND OVERRIDE

NOTE: Contingent upon approval of FY'87 Appropriations Ordinance AC 8700168

R - **266383**

AUG 12 1986

00256

2511

in Closed Session

AUG 1 2 1986

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

cas

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

By *Barbara Baxter*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number *R-266383* Adopted *AUG 1 2 1986*

RECEIVED
CITY CLERK'S OFFICE

1986 AUG 12 PM 2:28

SAN DIEGO, CALIF.

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