

(R-88-802)

RESOLUTION NUMBER R- 269624

ADOPTED ON NOV 2 1987

WHEREAS, in Closed Session on October 13, 1987, the City Council approved, by the following vote: Yeas, Districts 1, 5, 6, 7 and 8; Nays, None; Not Present, Districts 2, 3 and the Mayor; Vacant, District 4, to authorize settlement of the Superior Court Case entitled Sonico Associates, Ltd. v. City of San Diego, et al., and pending Sonico claim for alleged damages; NOW, THEREFORE,

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

That the City Manager be and is hereby authorized and empowered to execute, for and on behalf of The City of San Diego, an agreement with Sonico Associates, Ltd., for land acquisition in the vicinity of Roselle Street in Sorrento Valley described as Parcel 2 of Parcel Map 14492, together with easements in Parcel 1 of said Parcel Map for Pump Station 64 Force Main II, as previously approved by City Council Resolution No. R-268324 and adopted on May 12, 1987.

BE IT FURTHER RESOLVED, that the City Manager be and is hereby authorized and empowered to pay the sum of \$2,252,425, together with related acquisition expenses in the sum of \$7,575, for a total of \$2,260,000 towards the purchase of said property and in settlement of the case, Sonico Associates, Ltd. v. City of San Diego, et al., Superior Court Case No. 569785;

C0081

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized and empowered to utilize available funds for said acquisition from the Wastewater Collection Systems Construction Program Fund 70492, "Pump Station 64" Force Main II, said funds previously authorized by Resolution No. 268777; A.C. 8701017, out of C.I.P. No. 46-118;

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$2,252,425, together with related acquisition expenses of not more than \$7,575, from the Wastewater Collection Systems Program Fund 70492, C.I.P. No. 46-118 is hereby authorized from the source and under the authority cited above, solely and exclusively for the purpose of providing funds for the above-described acquisition and settlement of Superior Court Case No. 569785 and the additional Sonico claim, provided that the escrow in connection with land acquisition authorized by paragraph 1 of this resolution closes in accordance with the terms and conditions of said escrow.

APPROVED: JOHN W. WITT, City Attorney

By 
Alan L. Geraci
Deputy City Attorney

ALG:jt:Lit.
10/21/87
Or.Dept:Property
Aud.Cert:8800402
R-88-802
Form=r.none

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 8800402

ORIGINATING DEPT. NO.: 070

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 \$ 2,260,000.00 Fund 41506

Purpose Authorizing expenditure of funds for acquisition of Parcel 2 of Parcel Map 14492

Date October 20, 19 87

By: Lillian Pease
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1			700	203	4638	170709				\$2,260,000.00
TOTAL AMOUNT										\$2,260,000.00

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 \$ _____

Vendor _____

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

R-269624

NOV 2 1987

00083

AC 8800402

200

Passed and adopted by the Council of The City of San Diego on **NOV 2 1987**,
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 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"/>
District 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> VACANT
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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Celia Ballesteros	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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.

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

By *June K. Blackhall*, Deputy.

(Seal)

Office of the City Clerk, San Diego, California

Resolution Number **R-269624** Adopted **NOV 2 1987**