

(R-92-1876)

RESOLUTION NUMBER R- 280002

ADOPTED ON MAY 26 1992

WHEREAS, in Closed Session on April 28, 1992, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 6, 7 and Mayor O'Connor; Not Present, Districts 5 and 8; approved the following; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager be and he is hereby authorized and empowered to pay the total sum of \$211,139.00 in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court Case No. 640518, K. E. Emerson Electric, Inc. v. L. R. Hubbard Construction, et al., resulting from the improvements to Montgomery Waller Community Park.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$211,139.00, made payable to L.R. Hubbard Construction Co., Inc., and their attorney of record, William H. Kronberger, Jr., in full settlement of the lawsuit and of all claims.

APPROVED: John W. Witt, City Attorney

By 

Debra J. Bevier
Deputy City Attorney

DJB:dv:Lit.
05/18/92
Aud.Cert:9200929
Or.Dept:Risk.Mgmt.
R-92-1876
Form=r.claim1

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9200929

ORIGINATING DEPT. NO.: 601

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 _____ 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 money 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 \$ 211,139.00

Vendor L.R. Hubbard Construction Co., Inc. & William H. Kronberger, Jr.

Purpose Authorizing expenditure of funds for settlement of each and every claim against the City--

City File: LP92-0441-0646.

Date May 15, 1992 By: *Denise Ann Pedro*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	100	601	106	4824	060106				\$211,139.00
TOTAL AMOUNT										\$211,139.00

FUND OVERRIDE

R-280002

MAY 26 1992

AC 9200929

409

Passed and adopted by the Council of The City of San Diego on MAY 26 1992
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"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<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"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

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

(Seal)

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

By Linda Sugaw Deputy.

Office of the City Clerk, San Diego, California

Resolution R-280002 MAY 26 1992
 Number..... Adopted.....

REC'D
92 MAY 19 PM 3: 07
CITY CLERK'S OFFICE
SAN DIEGO, CA