

(R-95-1282)


RESOLUTION NUMBER R- 285422

ADOPTED ON FEB 28 1995

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 sum of \$37,000.00 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. 679168, O&B Matthews v. City of San Diego resulting from extra-work costs that were not included in the contract.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$37,000.00, made payable to O&B Matthews and Timothy J. Sullivan, in full settlement of all claims.

APPROVED: John W. Witt, City Attorney

By 
Keri G. Katz
Deputy City Attorney

KGK:kjk:Lit.
2/28/95
Aud.Cert:9500891
Or.Dept:Gen.Svcs.
R-95-1282
Form=r.claim2

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE AC 9500891

ORIGINATING
DEPT. NO.: 534

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 \$ 37,000.00

Vendor O & B Matthews Construction Company

Purpose Authorizing the appropriation of \$37,000.00 form Gas Tax Fund Balance; authorizing the expenditure of \$37,000 from Gas Tax Fund in settlement of Superior Court Claim 679168, City Claim LP94-0534-2830.

Date February 27, 1995 By: *Marcelle J. Van...*

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	302191	3220		9544	322211				\$37,000.00
TOTAL AMOUNT										\$37,000.00

FUND OVERRIDE

AC 9500891