

(R-96-373)

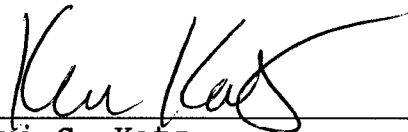
RESOLUTION NUMBER R- 286433

ADOPTED ON OCT 03 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 up to and including \$220,000.00 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. 665804, Kvaas Construction Co., Inc. v. City of San Diego, et al., resulting from contract disputes regarding the construction of the Canyonside 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 \$205,000.00, made payable to Kvaas Construction Co., Inc. and its attorney of record, Thomas R. Laube, in full settlement of all claims.

APPROVED: John W. Witt, City Attorney

By 
Keri G. Katz,
Deputy City Attorney

KGK:kjk:Lit.
10/03/95
Aud.Cert:9600367
Or.Dept:Risk Mgmt.
R-96-373
Form=r.claim2

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

CERTIFICATE OF UNALLOTTED BALANCE AC 9600367

ORIGINATING DEPT. NO.: 084

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 \$ 220,000.00

Vendor KVASS CONSTRUCTION COMPANY INC

Purpose AUTHORIZING EXPENDITURE OF FUNDS FOR SETTLEMENT OF PROPERTY DAMAGE

CLAIM. CITY FILE #LP93-0540-4940

Date SEPTEMBER 28, 1995 By: 

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	81140	81140		4824	081141				\$93,550.00
2	0	30244	30244	105	4220	294102				126,450.00
TOTAL AMOUNT										\$220,000.00

FUND OVERRIDE

AC 9600367

OCT 03 1995 R-286433