

RESOLUTION NUMBER R- 286972

ADOPTED ON MAR 04 1996

WHEREAS, in Closed Session on January 30, 1996, the City Council, by the following vote: Yeas, Districts 2, 3, 4, 5, 6, and the Mayor, Nays, None, Not Present, Districts 1 and 7, 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 issue one check for \$56,050.00 to Contractors Bonding and Insurance Company and its attorney of record, Robert C. Niesley, in the settlement of each and every claim against The City of San Diego, its agents and employees in Superior Court Case No. 683938, Contractors Bonding and Insurance Company v. City of San Diego, et al. resulting from allegedly improperly withholding contract funds as it relates to the Sherman Heights Community Center.

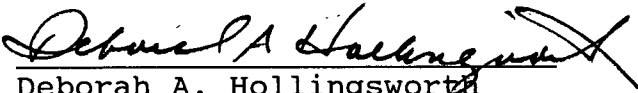
BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$56,050.00, made payable to Contractors Bonding and Insurance Company and its attorney of record, Robert C. Niesley, in full settlement of the lawsuit and of all claims. (\$56,050.00 from Fund No. 18529.)

BE IT FURTHER RESOLVED, by the City Council of the City of San Diego that the City Manager be and he is hereby authorized and empowered to issue a check for \$45,638.06 to the California State Department of Industrial Relations, Division of Labor

Standards Enforcement for reimbursement for Labor Code violations on behalf of certain Baldan Construction Company employees who worked on the Sherman Heights Community Center.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue a check for \$45,638.06 to the Division of Labor Standards Enforcement for reimbursement for Labor Code violations on behalf of certain Baldan Construction Company employees who worked on the Sherman Heights Community Center (\$45,638.06 from Fund No. 18529.)

APPROVED: JOHN W. WITT, City Attorney

By 
Deborah A. Hollingsworth
Deputy City Attorney

DAH:eh:Lit.
2/06/96
Aud.Cert:9600851/9600852
Or.Dept:Eng.
R-96-902
Form=r.claim1

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 9600851
DEPT. NO.: 547

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 \$ 56,050.00

Vendor Contractors Bonding and Insurance Company and its attorney Robert C. Niesley

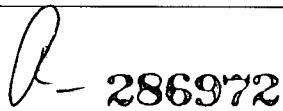
Purpose Authorizing the expenditure of funds in settlement of its claim for the completion of the Sherman Heights Community Center Corporation construction project.

Date February 7, 1996 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	18529	4042	4216	4279	119150				\$56,050.00
TOTAL AMOUNT										\$56,050.00

FUND OVERRIDE



MAR 04 1996

AC 9600851

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CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

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FUND OVERRIDE

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Not to Exceed \$ 45,638.06

Vendor Division of Labor Standards Enforcement (DLSE)

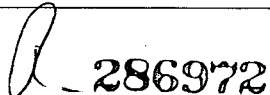
Purpose Authorizing the expenditure of funds to pay the correct prevailing wages on the Sherman Heights Community Center Corporation construction project.

Date February 7, 1996 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	18529	4042	4216	4279	119150				\$45,638.06
TOTAL AMOUNT										\$45,638.06

FUND OVERRIDE



MAR 04 1996

AC 9600852