

RESOLUTION NUMBER R- 287045

ADOPTED ON MAR 18 1996

WHEREAS, in Closed Session on December 5, 1995, the City Council, by the following vote: Yeas - Districts 1, 2, 3, 4, 5, 6, 7, 8, and the Mayor, approved the settlement of pending cases before the Regional Water Quality Control Board; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager and City Attorney are hereby authorized and empowered to pay the total sum of \$1,350,000 in the settlement of each and every claim against The City of San Diego, its agents, and employees, resulting from all pending and potential claims of the Regional Water Quality Control Board, all as detailed in the Board's letter of March 4, 1996.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to issue one check in the amount of \$350,000, made payable to the STATE WATER RESOURCES CONTROL BOARD as the cash payment referenced in the above stated letter.

APPROVED: JOHN W. WITT, City Attorney

By   
Ted Bromfield  
Chief Deputy City Attorney

TB:mb  
03/15/96  
Or.Dept:MWWD  
R-96-1029  
Form=r.claim

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

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 9600979  
 ORIGINATING DEPT. NO.: 700

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: \_\_\_\_\_

RECEIVED  
 95 MAR 14 PM 4:  
 CITY CLERK'S OFFICE  
 SAN DIEGO, CA

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 \$ 1,350,000.00

Vendor State Water Resources

Purpose Authorizing the expenditure for the settlement of the Penasquitos spill in FY 1993.

Date 3/14/96 By: Carol S. Romig

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	40012	700	102	4469	036111		41506		\$350,000.00
002	0	41506			9544					1,000,000.00
TOTAL AMOUNT										\$1,350,000.00

FUND OVERRIDE

AC 9600979

*R*- 287045

**MAR 18 1996**