

(R-99-650)

RESOLUTION NUMBER R- 291046

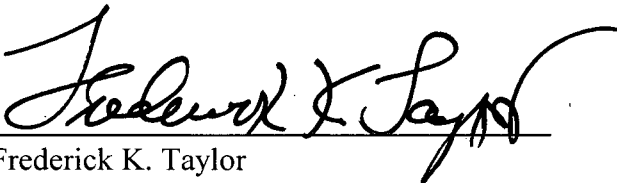
ADOPTED ON DEC 07 1998

WHEREAS, in Closed Session on October 6, 1998, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, 8 and Mayor Golding, approved the following: NOW THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows: That the City Manager be and he is hereby authorized and empowered to pay the total sum of \$200,000 (Two Hundred Thousand Dollars) in the settlement of each and every claim against The City of San Diego, its agents and employees, brought by Soltek of San Diego arising from a construction contract to reconstruct The House of Hospitality in Balboa Park.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue two checks of \$100,000 each made payable to Soltek of San Diego and its attorney of record, A. Kendall Wood, in full settlement of all claims.

APPROVED: CASEY GWINN, City Attorney

By 
Frederick K. Taylor
Deputy City Attorney

FKT:cmg:Civ.
11/25/98
Or.Dept: Engineering and Capital Projects
Aud.Cert: 9900574
R-99-650
Form=r&t.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 9900574

ORIGINATING

DEPT. NO.: 543

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 \$ \$100,000 Fund 30244
 Purpose Comparison Settlement Agreement and Mutual General Release between Soltek of San Diego (Soltek)(Plaintiff) and the City of San Diego (City)(Defendent)
 Date November 25, 1998 By: *Pamela J. Giddoch*

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 | 30244 | 30244 | 103 | 4279 | 218354 | | | | \$100,000.00 |
| TOTAL AMOUNT | | | | | | | | | | \$100,000.00 |

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 \$ _____
 Vendor _____
 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 | | | | | | | | | | |

AC-361 (REV 2-92)

FUND OVERRIDE

AC 9900574

R - 291046 DEC 07 1998