

(R-99-1178)

RESOLUTION NUMBER R-291587

ADOPTED ON MAY 4, 1999

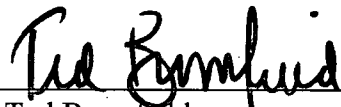
BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized, for and on behalf of the City, to award a monetary payment to the Sierra Club, a California non-profit organization, by and through Charles Stevens Crandall, Esq., its attorney, to settle the judgment, all claims, and the appeal of attorneys' fees in the case of *U.S.A. v. City of San Diego, et al*, U.S. District Court No. 88-1101-B, Ninth Circuit Court of Appeal Nos. 98-56676, 98-56682, and 98-56726.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to transfer an amount not to exceed \$482,500 within Fund No. 41509, from MWWD Fiscal Year 1999 Sewer Revenue - Unallocated Reserves Fund, Program Element No. 777210, to Department 777, Organization 445, O.A. 4141, Job Order 5003.

BE IT FURTHER RESOLVED, that the expenditure of an amount not to exceed \$482,500 from Fund No. 41509, Department 777, Organization 445, O.A. 4141, Job Order 5003, is hereby authorized, solely and exclusively to provide funds for the above judgment, claims, and settlement.

APPROVED: CASEY GWINN, City Attorney

By



Ted Bromfield
Deputy City Attorney

TB:mb
04/26/99
Aud.Cert:9901105
Or.Dept:MWWD
R-99-1178
Form=auagr.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 9901105
DEPT. NO.: 777

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 |
| | | | | | | | | | | |
| | | | | | | | | | | |
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| | | | | | | | | | | |
| | | | | | | | | | | |
| 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 \$ 482,500.00

Vendor Sierra Club and Charles Steven Crandall

Purpose To award a monetary payment for Legal Case Settlement of USA vs. City of San Diego.

Date April 19, 1999 By: Lu Ann Jones-Santos

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 | 41509 | 777 | 445 | 4903 | 777210 | | | | \$482,500.00 |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| TOTAL AMOUNT | | | | | | | | | | \$482,500.00 |

FUND OVERRIDE

R-291587

MAY 04 1999

AC 9901105