

RESOLUTION NUMBER R- 293020

ADOPTED ON APR 17 2000

WHEREAS, in Closed Session on February 22, 2000, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, 7 and 8 , Nays, None, Not Present, the Honorable Mayor, in the settlement of each and every claim against The City of San Diego, its agents and employees, in Superior Court Case No. 729392, *Rich Construction Inc. v. City of San Diego, et al.* resulting from the property damage claim of Rich Construction Inc.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$190,000.00, made payable to Rich Construction, Inc. and William J. Braun, its attorney of record, in full settlement of the lawsuit and of all claims.

BE IT FURTHER RESOLVED, that said funds are to be payable from Sewer Fund No. 41506, CIP No. 44-001.0, Annual Allocation - Sewer Main Replacement for construction of Sewer Group 609.

APPROVED: CASEY GWINN, City Attorney

By Aaron C. Harp
Aaron C. Harp
Deputy City Attorney

ACH:vtc:Civ.
04/10/00
04/14/00 Cor.Copy
Aud.Cert: AC 2000968
Or.Dept: Engineering & Capital Projects
R-2000-946
Form=claimr.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING AC 2000968
DEPT. NO.: 773

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 \$ 190,000.00

Vendor Rich Construction

Purpose Authorizing the additional expenditure from Annual Allocation - Sewer Main Replacements for construction of Sewer Group 609 property damage claim

Date April 5, 2000 By: 

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	41506	773	960	4824	172346				\$190,000.00
TOTAL AMOUNT										\$190,000.00

FUND OVERRIDE