

(R-2001-1623).

RESOLUTION NUMBER R- 294903

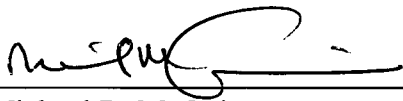
ADOPTED ON MAY 29 2001

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 pay the sum of \$135,000, in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. 719731, *Nielsen Dillingham Builders, et al. v. City of San Diego, et al.*, resulting from the contractual claim of Nielsen Dillingham Builders, a joint venture;

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$135,000, made payable to Plaintiffs, Nielsen Dillingham and Saturn Electric, and their attorney of record William L. Bruckner, Esq., in full settlement of all claims.

APPROVED: CASEY GWINN, City Attorney

By



Michael R. McGuinness
Deputy City Attorney

MRM:db
5/24/01
Aud.Cert:2101188
Or.Dept:MWWD
R-2001-1623
Form=claim2r.frm

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

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING DEPT. NO.: AC 2101188
779

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

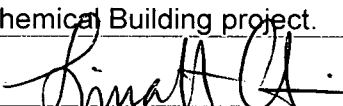
I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the 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 \$ 135,000.00

Vendor Nielsen Dillingham and Saturn Electric

Purpose Authorizing the expenditure of funds for the settlement of claim resulting from contractual claim

in relating to North City Water Reclamation Plant - Chemical Building project.

Date May 22, 2001 By: 

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
01	0	41509	779		4278	194561				\$135,000.00
TOTAL AMOUNT										\$135,000.00

FUND OVERRIDE

R-294903

MAY 29 2001