

RESOLUTION NUMBER R- 294480

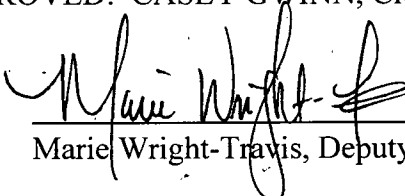
ADOPTED ON JAN 23 2001

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 \$240,000.00 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. GIC 732511, *Petar Artukovich Construction Company, Inc. v. City of San Diego*, resulting from property damage claim of Petar Artukovich Construction Company, 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 \$240,000.00, made payable to Petar Artukovich Construction Company, Inc., and William J. Braun, Esq., attorney of record, in full settlement of all claims.

BE IT FURTHER RESOLVED, that said settlement is payable as follows: \$97,981.48 from Sewer Fund No. 41506, CIP 44-001.0, Annual Allocation-Sewer Main Replacements and \$28,773.35 from Water Fund 41500, CIP 73-083.0, Annual Allocation - Water Main Replacements.

APPROVED: CASEY GWINN, City Attorney

By   
Marie Wright-Travis, Deputy

MWT:sw  
01/19/01  
Aud.Cert: 2100802  
Or.Dept: Risk  
R-2001-1068  
Form=claim2r.frm  
LAW-TRAVIS\732511\Memos\R2001-1068.wpd

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

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING AC 2100802  
 DEPT. NO.: 084

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 126,754.83 Fund 41500 / 41506

Purpose Authorizing the expenditure of funds for the settlement of the property claim of Petar

Artukovich Construction Company. (CIP's 442047 & 738318)

Date January 19, 2001

By: *Robecky Weber*  
 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	41500	760	391070	4141	180107				\$28,773.35
2	0	41506	773	960	4141	064912				97,981.48
TOTAL AMOUNT										\$126,754.83

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 \$ 240,000.00

Vendor Petar Artukovich Construction Company

Purpose Authorizing expenditure of funds for settlement of each and every claim against the City, its agents & employees from the Property Claim of Petar Artukovich Construction Co.

City File #: LP99-7777-2762

Date January 19, 2001

By: *Robecky Weber*  
 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	41500	760	391070	4141	064912				\$31,638.42
2	0	41506	773	960	4141	180107				208,361.58
TOTAL AMOUNT										\$240,000.00

FUND OVERRIDE

*R* - 294480

JAN 23 2001

AC 2100802