

RESOLUTION NUMBER R-295090

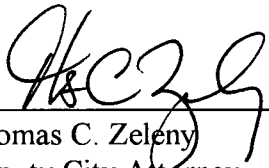
ADOPTED ON JUN 05 2001

WHEREAS, in Closed Session on June 5, 2001, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 7, 8, and the Mayor; Nays, None; District 6 Vacant; approved the settlement of the claim submitted by Westinghouse Process Controls, Inc. in connection with the Wastewater Operations Management Network (COMNET); NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager is hereby authorized and empowered, for and on behalf of the City, to pay the total amount of \$1,150,657 in full settlement of each and every claim against the City of San Diego, its agents, and employees, by Westinghouse Process Controls, Inc. regarding its COMNET claim.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to transfer an amount not to exceed \$1,150,657 within Fund No. 41509, from CIP 46-502.0, Clean Water Program Pooled Contingency, to CIP 42-911.4, Metropolitan Biosolids Center, solely and exclusively to provide funds for the above settlement.

APPROVED: CASEY GWINN, City Attorney

By 
Thomas C. Zeleny
Deputy City Attorney

TCZ:mb
07/06/01
Aud.Cert:2101314
Or.Dept:MWWD
MWD-1234
R-2002-89

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

CERTIFICATE OF UNALLOTTED BALANCE AC 2101314

ORIGINATING DEPT. NO.: 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 expenses and obligations 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: \$1,150,657.00

Vendor: Westinghouse Process Controls, Inc.

Purpose: Authorizing the expenditure for settlement claim submitted by Westinghouse

Date: June 29, 2001

By: *Victoria De Losa*
 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		4210	198833				\$1,150,657.00
TOTAL AMOUNT										\$1,150,657.00

AC-361 (REV 2-92)

FUND OVERRIDE

R-295090

JUN 05 2001

AC 2101314