


RESOLUTION NUMBER R- 299564

ADOPTED ON AUG 10 2004

BE IT RESOLVED, that the Council of the City of San Diego hereby authorizes acceptance of \$2.3 million in full settlement of the City's lawsuit against Conwell Shonkwiler & Associates, Inc., regarding the design of the City of San Diego Water Department's Central Facility; and

BE IT FURTHER RESOLVED, that an increase in appropriation for Fiscal Year 2005 to Water Fund 41500, CIP 73-338.0/73-338.1, Water Department Central Facility in the amount of \$2,300,000 is hereby authorized, said increase to be funded exclusively by the above-referenced settlement.

APPROVED: CASEY GWINN, City Attorney

By 
Michael R. McGuinness
Deputy City Attorney

MRM:amp
7/27/04
Aud.Cert: 2500081
Or.Dept: Water Dept.
R-2005-133

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

CERTIFICATE OF UNALLOTTED BALANCE

AC 2500081

ORIGINATING DEPT. NO.: 760

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: \$2,300,000.00 Fund: 41500

Purpose: To accept the settlement from Conwell Shonkwiler & Associates and authorize the increase in appropriation for FY2005 in the Water Department Central Facility.

Date: July 26, 2004

By: *Sue Clark*
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	391	4278	184270					\$2,300,000.00
TOTAL AMOUNT											\$2,300,000.00

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: _____

Vendor: _____

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											

AC-361 (REV 2-92)

FUND OVERRIDE

AC 2500081

R-299564

AUG 10 2004