

RESOLUTION NUMBER R- 311978

DATE OF FINAL PASSAGE SEP 27 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT BETWEEN METROPOLITAN TRANSIT SYSTEM AND THE CITY OF SAN DIEGO

WHEREAS, on July 30, 2017, METROPOLITAN TRANSPORTATION SYSTEM filed a claim against the City of San Diego [City] alleging property damage arising from a break in the City's water main at Kettner Boulevard and Juniper Street in Little Italy; and

WHEREAS, in Closed Session on July 31, 2018, the City Council, by the following votes: Yeas, District(s) 1, 2, 3, 4, 5, 7, 8, and 9; Nays, None; and absent, 6, approved the Settlement for an amount consistent with the amounts set forth below;

NOW, THEREFORE,

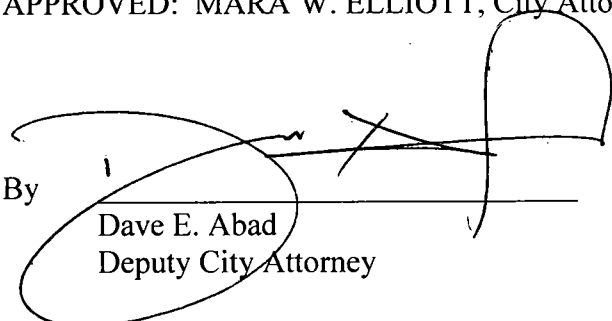
BE IT RESOLVED, by the Council of the City of San Diego that the Council:

1. Authorize the Mayor or his designee to pay the sum of \$88,830.19 from Water Utility Operating Fund No. 700011, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and employees, arising from the property damage claim filed by Metropolitan Transit System.

2. Authorize the Chief Financial Officer to expend \$88,830.19 from Water Utility Operating Fund No. 700011, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

3. Authorize the Comptroller to issue a check in the amount of \$88,830.19, made payable to Metropolitan Transit System.

APPROVED: MARA W. ELLIOTT, City Attorney

By 

Dave E. Abad
Deputy City Attorney

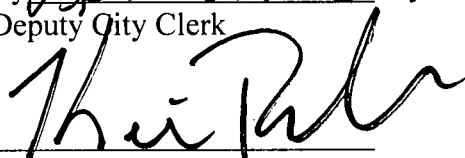
DA:gb
8/10/2018
Or.Dept: City Attorney
CC No. 3000011431
Doc. No.: 1811547

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 25 2018

ELIZABETH S. MALAND
City Clerk

By 

Deputy City Clerk



KEVIN L. FAULCONER, Mayor

Approved: 9/27/18

(date)

Vetoed: _____

(date)

KEVIN L. FAULCONER, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000011431
 DEPT. NO.: 2000

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: _____

Purpose: _____

Date: _____ By: _____

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center or Cost Center	Internal Order or WBS Element	Original 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: \$88,830.19

Vendor: Metropolitan Transit System

Purpose: To authorize the expenditure of funds, not to exceed \$88,830.19, with Metropolitan Transit System for the settlement of property damage Claim No. 17107.

Date: August 29, 2018

By: Elizabeth Warnock
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Funded Program	Fund	Grant Number	G/L Account	Functional Area	Business Area	Fund Center	WBS Element	Original Amount
001	Non-Program	700011	N/A	512007	OTHR-00000000-WU	2000	2000211101	N/A	\$88,830.19
TOTAL AMOUNT									\$88,830.19

Passed by the Council of The City of San Diego on SEP 25 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 27 2018

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:



KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Bruen, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 311978