(R-89-2445)

## ADOPTED ON JUN 1 2 1989

WHEREAS, in Closed Session on May 23, 1989, the City Council, by the following vote: Yeas, Districts 1, 2, 4, 5, 6, and the Mayor; Nays, None; Not Present, Districts 3, 7 and 8;

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That the City Manager be and he is authorized and empowered to execute, for and on behalf of the City of San Diego, Contract Change Order No. 15, issued in connection with the contract between the CITY OF SAN DIEGO and METRO-YOUNG CONSTRUCTION CO. for the construction of EASTGATE TECHNOLOGY PARK, UNIT I, said contract having been filed in the Office of the City Clerk as Document No. RR-260972, under the terms and conditions set forth in the Settlement and Release Agreement on file in the Office of the City Clerk as Document No. RR-273704;

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to pay the sum of ONE HUNDRED AND SIXTEEN THOUSAND DOLLARS (\$116,000.00), in consideration of Change Order No. 15 and in settlement of the case, Metro-Young Construction Co. v. City of San Diego, et al., United States District Court Case No. 87-1008 K(BTM);

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to expend the amount of ONE HUNDRED AND SIXTEEN THOUSAND DOLLARS (\$116,000.00) from Fund 30244, C.I.P. No. 39-202.0, payable to Metro-Young Construction

Co. and S. Myron Klarfeld, its attorney of record, as the final payment towards full settlement of any and all claims and conditions under the contract and lawsuit.

APPROVED: John W. Witt, City Attorney

Leslie J. Girard
Deputy City Attorney

LJG:tg:Lit. 06/02/89

Aud.Cert: 8901025 Or.Dept: Risk.Mgmt.

R-89-2445 Form=r.none

Lee: RK-273704-2 Change order

R-273704

## The City of San Diego

## CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

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CITY CLERKS OFFICE SAN DIEGO, CA

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Passed and adopted by the Council of Th	he City of San Diego on JUN 121989					
by the following vote:						
Council Members  Abbe Wolfsheimer  Ron Roberts  Gloria McColl  H. Wes Pratt  Ed Struiksma  J. Bruce Henderson  Judy McCarty  Bob Filner  Mayor Maureen O'Connor	Yeas Nays Not Present Ineligible					
AUTHENTICATED BY:	MAUREEN O'CONNOR  Mayor of The City of San Diego, California.					
(Scal)	CHARLES G. ABDELNOUR City Clerk of The City of San Diego, California.					
	By Ellon Bovard, Deputy.					
	Office of the City Clerk, San Diego, California					
	Resolution 273704 Adopted JUN 1 2 1989					

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Communication CA

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