(R-90-550)

RESOLUTION NUMBER R- 274493
OCT 2 1989

WHEREAS, in Closed Session on September 20, 1989, the City Council, by the following vote: Yeas, Districts 2, 3, 6, 7, 8, and the Major; Nays, None; Not Present, Districts 1, 4, and 5;

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. 1, issued in connection with the construction of the PENASQUITOS GLENS TRUNK SEWER EXPANSION. The terms and conditions under which this action is taken are set forth in the Settlement and Release Agreement on file in the Office of the City Clerk as Document No. RR- 274493;

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized and empowered to pay the sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00), in consideration of Change Order No. 1 and in settlement of the case, Wal-Con Construction Co. v. Chilcote, Inc, et al., San Diego Superior Court Case No. 612200;

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to expend the amount of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) from Fund 41506, C.I.P.



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No. 46-148.0, payable to Wal-Con Construction Co., as the final payment towards full settlement of any and all claims set forth in the lawsuit.

APPROVED: John W. Witt, City Attorney

Amita M. Noone

Deputy City Attorney

AMN:jt:Lit. 09/27/89

Aud.Cert: 9000345 Or.Dept:W.Util.

R-90-550

Form=r.claim

The City of San Diego

CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

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Passed and adopted by the Council of Th by the following vote:	e City of San Diego on
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. Deputy.
	Office of the City Clerk, San Diego, California
CC-1276 (Rev. 12-87)	Resolution 274493 OCT 2 1989 Number Adopted