(R-2000-1300)

**RESOLUTION NUMBER R-293066** 

ADOPTED ON

APR 1 8 2000

WHEREAS, in Closed Session on April 18, 2000, the City Council, by the following vote: Yeas: Districts 1,3,4,5,6,7 and 8; Nays: None; Not Present: Mayor and District 2; approved the following; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that the City Manager is hereby authorized and empowered to pay the total sum of \$643,069 in the settlement of each and every claim against The City of San Diego, its agents and employees, in Superior Court Case No. GIC 742540, Elmore Woods, Joint Venture v. City of San Diego, arising from the performance of the contract for the construction of the North Metro Interceptor Phase II.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to issue Change Order No. 22 in the amount of \$643,069 to ELMORE WOODS, JOINT VENTURE, said amount to be paid in part from \$342, 773.73 in heretofore disputed contract retention, in full settlement of the lawsuit and of all claims.

BE IT FURTHER RESOLVED, that the remainder of said funds are to be payable from Fund No. 41508, CIP 46-104.0.

APPROVED: CASEY GWINN, City Attorney

By

Deputy City Attorney

FMO:mb:jp 05/16/00 A/C:2001121 Or.Dept:MWWD R-2000-1300

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

## CERTIFICATE OF UNALLOTTED BALANCE

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