

RESOLUTION NUMBER R- 300367

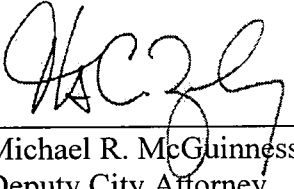
ADOPTED ON MAY 03 2005

BE IT RESOLVED, that the Council of the City of San Diego hereby authorizes acceptance of \$4,950,000.00 in full settlement of the City's lawsuit against PCL Civil Constructors Inc., regarding construction defects discovered in the Rose Canyon Trunk Sewer Project further described in City's lawsuit titled *City of San Diego v. PCL Civil Constructors Inc.*, San Diego Superior Court Case No. GIC 817014;

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, an agreement with all parties related to the City's lawsuit, on file in the office of the City Clerk as Document No. RR 300367.

BE IT FURTHER RESOLVED that said settlement proceeds shall be deposited into Sewer Revenue Fund No. 41506 for a new CIP to be created for the repair of the Rose Canyon Trunk Sewer.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By  (for)
Michael R. McGuinness,
Deputy City Attorney

MRM:kat
03/21/05
Or.Dept:MWWD
R-2005-1045