#104 6/2/15 (R-2015-616)

RESOLUTION NUMBER R- 309764

DATE OF FINAL PASSAGE JUN 11 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING SETTLEMENT OF LITIGATION ENTITLED TC CONSTRUCTION COMPANY, INC. V. CITY OF SAN DIEGO.

WHEREAS, in Closed Session on April 7, 2015, the City Council, by the following vote: Yeas, District 1, 2, 3, 4, 5, 6, 7, 8, 9; Nays, None: Not Present, None; approved the following motion: Settlement of all claims of T.C. Construction Company, Inc. against the City in *TC Construction Co. v. City of San Diego*, San Diego Superior Court Case No. 37-2014-00004845-CU-BC-CTL: NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor or his designee is authorized to execute a settlement and release agreement with TC Construction Company arising from the construction contract claim of TC Construction Company, Inc. v. City of San Diego, San Diego Superior Court Case No. 37-2014-00004845-CU-BC-CTL for CIP S-12035, Balboa Terrace Trunk Sewer, Fund 700008, Muni Sewer CIP, in an amount not to exceed \$822,000; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$822,000 from CIP S-12035, Balboa Terrace Trunk Sewer, Fund 700008, Muni Sewer CIP for the purpose of executing this agreement.

APPROVED: JAN I. GOLDSMITH, City Attorne	y
By Jon E. Taylor Deputy City Attorney	
JET:tsc April 29, 2015	
Or.Dept: City Attorney	
CC No. 3000007891 Doc. No.: 1005797	
<b>Doc.</b> 1003797	
I certify that the foregoing Resolution was passed to meeting of	by the Council of the City of San Diego, at this  —.
	ELIZABETH S. MALAND
	City Clerk
	By All Cooper
	Deputy City Clerk
Approved: 6/11/15	Heill
(date)	KEVIN L. FAULCONER, Mayor
Vetoed:	
(date)	KEVIN L. FAULCONER, Mayor

## The City of San Diego COMPTROLLER'S CERTIFICATE

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Resolution Number R-