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(R-2008-758)

3/25

RESOLUTION NUMBER R- 303516

DATE OF FINAL PASSAGE APR 08 2008

A RESOLUTION OF THE CITY COUNCIL APPROVING  
SETTLEMENT OF LITIGATION ENTITLED *VADNAIS ET AL.*  
v *CITY OF SAN DIEGO*

WHEREAS, in Closed Session on March 4, 2008, by motion of District 6 and second by District 1, the City Council, by the following vote: Yeas, Districts 1, 2, 4, 6, and 8; Nays, None; Not Present, Districts 3, 5, and 7; approved the following motion: settlement of all claims of Vadnais Corporation against the City of San Diego in *Vadnais Corp. et. al. v City of San Diego* San Diego Superior Court Case No. GIC 854791; NOW, THEREFORE,


BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor or his designee is hereby authorized and empowered to pay the amount of \$530,000.00 in the settlement of each and every claim of Vadnais Corporation against the City, its agents and employees, arising from the Sewer Pump Station 30A - Alternative Project as set forth in San Diego Superior Court Case No. GIC 854791, *Vadnais Corp. et al. v City of San Diego*.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to appropriate and issue two checks, one in the amount of \$376,544.48 and one in the amount of \$153,455.52 (total of \$530,000.00), payable to Vadnais Corporation in full settlement of all claims arising from the Sewer Pump Station 30A - Alternative Project.

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BE IT FURTHER RESOLVED, that \$376,544.48 is to be payable from Sewer Fund No. 41506, and \$153,455.52 is payable from Sewer Pump Station 30A Project Fund CIP 46-200.0


APPROVED: MICHAEL J. AGUIRRE, City Attorney

By   
Sim von Kalinowski  
Chief Deputy City Attorney

SVK:svk  
03/07/08  
Or.Dept:CityAtty  
DP No. 4212998 for Sewer Fund 41506  
PO No. 5044322 for Sewer Pump Station 30A Project Fund CIP 46-200.0  
R-2008-758

I hereby certify that the foregoing resolution was passed by the Council of the City of San Diego, at its meeting of MAR 25 2008.

ELIZABETH S. MALAND, City Clerk

By   
Deputy City Clerk

Approved: 4-8-08  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor