

RESOLUTION NUMBER R- **303644**
DATE OF FINAL PASSAGE MAY 13 2008

A RESOLUTION OF THE CITY COUNCIL APPROVING
SETTLEMENT OF LITIGATION ENTITLED ***BEACON
ELECTRIC SUPPLY V. SATURN ELECTRIC, INC, ETAL.***

WHEREAS, in Closed Session on April 15, 2008, by motion of District 8 and second by District 1, the City Council, by the following vote: Yeas, Districts 1, 2, 3, 4, 5, 6, and 8; Nays, none; Not Present, District 7; approved the following motion: settlement of all claims of Orion Construction Company against the City in ***Beacon Electric Supply v. Saturn Electric, Inc., et al***, San Diego Superior Court Case No. GIC 849095; 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 release the amount of \$1,618,143.25 in funds earned by Orion Construction but retained by the City, and to pay an additional amount of \$900,000.00 in the settlement of each and every claim of Orion Construction against the City, its agents and employees, arising from the Rehabilitation of Pump Stations 77A and 77B Project as set forth in San Diego Superior Court Case No. GIC 849095, ***Beacon Electric Supply v. Saturn Electric, Inc., et al.***

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to appropriate and issue one check in the amount of \$900,000.00 payable to Orion Construction in full settlement of all claims arising from the Rehabilitation of Pump Stations 77A and 77B Project.

BE IT FURTHER RESOLVED, that said funds are to be payable from Sewer Fund No. 41506.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Sim von Kalinowski
Chief Deputy City Attorney

TCZ:mb
4/16/2008
Or.Dept:CityAtty
DP No. 4203556
R-2008-916

I hereby certify that the foregoing resolution was passed by the Council of the City of San Diego, at its meeting of APR 29 2008.

ELIZABETH S. MALAND, City Clerk

By 
Deputy City Clerk /

Approved:
(date)

JERRY MANDERS, Mayor

Vetoed:
(date)

JERRY SANDERS, Mayor