

RESOLUTION NUMBER R- 306748

DATE OF FINAL PASSAGE APR 21 2011

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT
BETWEEN 1766-70 GRAND AVENUE AND THE CITY OF
SAN DIEGO

WHEREAS, on May 7, 2010, 1766-70 Grand Avenue LP filed suit against the City of San Diego [City] alleging its property was damaged as a result of flooding caused by the City's failure to maintain and repair a six inch storm drain. Plaintiff brought suit in the San Diego Superior Court. The suit is entitled *1766-70 Grand Avenue, LP v. City of San Diego*, Case No 37-2010-00091615-CU-PO-CTL (Litigation); and

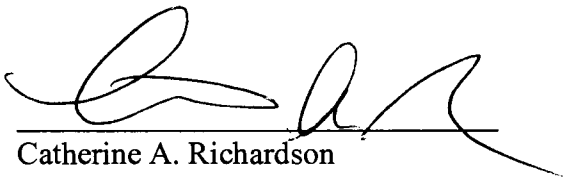
WHEREAS, in Closed Session on February 15, 2011, the City Council, by the following votes: Yeas, District(s) 1, 2, 3, 4, 5, 6, 7, 8; All Present; Nays, None, approved settlement of the Litigation for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth in the Settlement Agreement; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Council authorizes:

1. The sum of \$60,000 to be paid from the Public Liability Fund, Fund 720045, in full and final settlement of each and every claim for damages, interest, costs and fees of any type, including attorney fees, against the City, its agents and employees, arising from the Litigation.
2. The Comptroller to issue one check in the amount of \$60,000 payable to 1766-1770 Grand Avenue, L.P.

3. The expenditure of \$60,000 from the Public Liability Fund No. 720045.

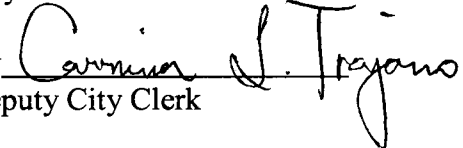
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Catherine A. Richardson
Deputy City Attorney

CAR: has
3/24/2011
Or.Dept:City Atty

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 12 2011

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4-11-11
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor