

RESOLUTION NUMBER R- 307394

DATE OF FINAL PASSAGE MAY 07 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT  
BETWEEN ZAHERA ASADI AND THE CITY OF SAN DIEGO

WHEREAS, on June 3, 2011, ZAHERA ASADI, an individual filed suit against the City of San Diego [City] alleging dangerous condition of public property. Plaintiff brought suit in the San Diego Superior Court. The suit is entitled Zahera Asadi v. City of San Diego, et al., Case No. 37-2011-00092354-CU-PO-CTL [Litigation]; and

WHEREAS, the City Council in closed session on February 7, 2012, authorized 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. Authorizing the Mayor or his designee to pay the sum of \$300,000.00 from the Water Utility Operating Fund, Fund 700011, in settlement of each and every claim for damages, interest, costs and fees of any type, including but not limited to attorney fees, against the City of San Diego, its agents and employees resulting from the personal injury claim of Zahera Asadi, San Diego Superior Court Case No. 37-2011-00092354-CU-PO-CTL.

2. Authorizing the Chief Financial Officer to expend the amount of \$300,000.00 from the Water Utility Operating Fund 700011, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

3. Authorizing the Comptroller to issue a check in the amount of \$300,000.00 made payable to Marc Mabile and Zahera Asadi.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Donald F. Shanahan  
Donald F. Shanahan  
Chief Deputy City Attorney

DFS:slc  
April 10, 2012  
Or.Dept:City Atty  
R-2012-511

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~APR 24 2012~~.

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 5-7-12  
(date)

[Signature]  
JERRY SANDERS, Mayor

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

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