(R-2018-252)

RESOLUTION NUMBER R- 311516 DATE OF FINAL PASSAGE FFR 0 7 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND SAN DIEGO GAS AND ELECTRIC COMPANY.

WHEREAS, on August 9, 2016, SAN DIEGO GAS & ELECTRIC COMPANY, a California corporation, filed suit against the City of San Diego [City] alleging property damage arising from the demolition of a sidewalk. Plaintiff brought suit in the California Superior Court for the County of San Diego. The suit is entitled San Diego Gas & Electric Company v. City of San Diego, Case No. 37-2016-00027320-CU-PO-CTL [Litigation]; and

WHEREAS, the City Council in closed session on December 5, 2017, authorized settlement of the Litigation for an amount consistent with the amounts set forth below;

NOW, THEREFORE,

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

- A resolution authorizing the Mayor or his designee to pay the sum of \$65,000.00 1. from the Public Liability Fund No. 720045, in settlement of each and every claim for damages, interest, costs, and fees of any type, including attorney fees, against City of San Diego, its agents and employees, arising from the property damage claim filed by San Diego Gas & Electric Company.
- 2. Authorizes the Chief Financial Officer to appropriate and expend \$65,000.00 from the Public Liability Fund No. 720045, 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. Authorizes the Comptroller to issu	e a check in the amount of \$65,000.00, made
payable to San Diego Gas and Electric Company.	
APPROVED: MARA W. ELLIOTT, City Attorne	ey
By Stacy J. Plotkin-Wolff Deputy City Attorney	
SJP: bg January 8, 2018 Or. Dept: City Attorney CC No. 3000010642 Doc. No.: 1662531	
I certify that the foregoing Resolution was passed meeting of JAN 23 2018	by the Council of the City of San Diego, at this
	ELIZABETH S. MALAND City Clerk
	By Deputy City Clerk
Approved: 2/6/18 (date)	KEVIN L. FAULCONER, Mayor
Vetoed: (date)	KEVIN L. FAULCONER, Mayor

The City of San Diego COMPTROLLER'S CERTIFICATE

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Passed by the Council of The City	of San Diego on _	JAN 23 2018 , by the following vote:		
Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	Ø			
Lorie Zapf	Z			
Chris Ward	ot Z			
Myrtle Cole	ot Z			
Mark Kersey	Z			
Chris Cate	\mathbb{Z}			
Scott Sherman	\mathbb{Z}			
David Alvarez			Ø	
Georgette Gomez	Ø			
(Please note: When a resolution is approved resolution was returned AUTHENTICATED BY:		he City Cler	·k.) KEVIN L. FA	-
(Seal)		City By	ELIZABETH S	S. MALAND f San Diego, California. , Deputy
		Office of the	e City Clerk, San I	Diego, California

Resolution Number R-

311516