

6/16/2020
A-104
(R-2020-454)

RESOLUTION NUMBER R- 313096
DATE OF FINAL PASSAGE JUN 18 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO BETWEEN SCRIPPS HEALTH AND THE CITY
OF SAN DIEGO.

WHEREAS, on December 5, 2019, Plaintiff Scripps Health filed suit against the City of San Diego alleging water leaked into Scripps Green Hospital's (SGH) interventional radiology department between April 24, 2017 and November 7, 2017, entitled *Scripps Health v. City of San Diego, et al.*, Case No. 37-2019-00064591-CU-EI-CTL; and

WHEREAS, in closed session on April 7, 2020, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 4, 5, 6, 7, 8 and 9; Nays, none, Absent, none; approved the Settlement for an amount consistent with the amounts set forth below; NOW, THEREFORE,

WHEREAS, the City Council in closed session on April 7, 2019, 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 City Council of the City of San Diego, that the Council:

1. Authorizes the Mayor or his designee to pay the sum of \$497,500.00 from Water Fund No. 700011, cost center 2000211101, 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 complaint filed by Plaintiff Scripps Health dba Scripps Green Hospital.

2. Authorizes the Chief Financial Officer to expend \$497,500.00 from Fund 700011, Water Utility Operating Fund, for the purpose of executing the settlement agreement 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.

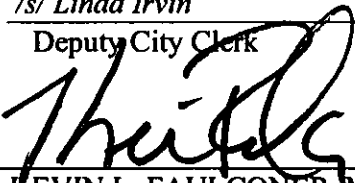
APPROVED: MARA W. ELLIOTT, City Attorney

By s/ Seetal Tejura
Seetal Tejura
Chief Deputy City Attorney

ST:my
April 7, 2020
Or.Dept:14000
CC: 30000013210
Doc. No.: 2362928

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 06/16/2020.

ELIZABETH S. MALAND
City Clerk

By /s/ Linda Irvin
Deputy City Clerk

KEVIN L. FAULCONER, Mayor

Approved: 6/17/20
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

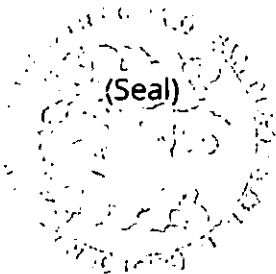
Passed by the Council of The City of San Diego on JUN 16 2020, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 18 2020.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:



KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy

Office of the City Clerk, San Diego, California

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