

RESOLUTION NUMBER R- **315721**

DATE OF FINAL PASSAGE AUG 0 5 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN  
STATE FARM GENERAL INSURANCE COMPANY AND THE  
CITY OF SAN DIEGO.

WHEREAS, on November 12, 2020, State Farm General Insurance Company (State Farm) filed a cross-complaint against the City of San Diego (City) asserting its subrogation rights against the City alleging (1) Inverse Condemnation; (2) Dangerous Condition; (3) Trespass; (4) Private Nuisance; (5) Public Nuisance; (6) Premises Liability; and (7) Negligence, in the matter entitled, *Dr. Mehran Moussavian v. State Farm General Insurance Company, et al.*, San Diego Superior Court Case No. 37-2020-00003343-CU-IC-CTL (Litigation); and


WHEREAS, in closed session on January 29, 2024, the City Council, by the following votes: Yeas, Districts 1, 2, 3, 5, 6, 7 and 9; Nays, None; Absent, District 8; and Vacant, District 4; approved the settlement for an amount consistent with the amount set forth below; 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 \$7,837,485.00 from the Water Fund No. 700011, in settlement of each and every claim State Farm asserted including attorney fees and costs, against the City, its agents and employees, arising from State Farm's claims in the Litigation;

2. Authorizes the Chief Financial Officer to expend an amount not to exceed \$7,837,485.00 from the Water Fund No. 700011, for the purpose of settling this Litigation with respect to cross-complainant State Farm.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Jenny K. Goodman  
Lead Deputy City Attorney

JKG:msb  
June 27, 2024  
Or. Dept: City Attorney  
CC No. 3000016945  
Doc. No. 3705684

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 30 2024.

DIANA J.S. FUENTES  
City Clerk

By   
Deputy City Clerk

Approved: 8/2/24  
(date)

  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

**The City of San Diego  
COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING

DEPT. NO.: 3000016945  
2000

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \_\_\_\_\_ Fund: \_\_\_\_\_

Purpose: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$7,837,485.00

Vendor: Mehran Moussavian

Purpose: Settlement of Mehran Moussavian v. State Farm, San Diego Superior Court Case No. 37-2020-00003343-CU-IC-CTL, Claim No. 21574

Date: July 9, 2024

By: Jessica Tran  
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	700011			OTHR-00000000-WU	512007	2000	2000211101		\$7,837,485.00
TOTAL AMOUNT									\$7,837,485.00

FUND OVERRIDE

Passed by the Council of The City of San Diego on JUL 30 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<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"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage AUG 0 5 2024.

**(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:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By Linda Irwin, Deputy  
For Connie Patterson

Office of the City Clerk, San Diego, California

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