105 7-30-24 (R-2024-675)

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;

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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 19_	tood he
	Jenny K. Goodman	
	Lead Deputy City Atto	rney

JKG:msb June 27, 2024

Or. Dept: City Attorney CC No. 3000016945 Doc. No. 3705684

meeting of	JUL · 3 0 2024	<u> </u>
		DIANA J.S. FUENTES City Clerk
		By Connie Patterson Deputy City Clerk
Approved:	8/2/14 (date)	Crodd GLORIA, Mayor
Vetoed:	(date)	TODD GLORIA, Mayor

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this

The City of San Diego COMPTROLLER'S CERTIFICATE

Fund Funded Program Internal Order Functional Area G/L Account Fund Funded Program Internal Order Functional Area G/L Account					CERTIFICATE O	F UNALLOT	TED BALA	NCE		3000016945
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By:								rpose set forth in t	he foregoing res	olution is available
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CC-361 (REV 7-09)

FUND OVERRIDE

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Passed by the Council of The	: City of San Diego	onl	JL 3 0 2024	_, by the following vote:			
Joe LaCava Jennifer Campbell Stephen Whitburn Henry L. Foster III Marni von Wilpert Kent Lee Raul A. Campillo Vivian Moreno Sean Elo-Rivera	Yeas O O O O O O O O O	Nays	Not Present	Recused			
Date of final passageAUG_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:		May	TODD GL or of The City of S	LORIA San Diego, California.			
(Seal)		City Cle	DIANA J.S. FL erk of The City of S	UENTES San Diego, California.			
By Linda Liven, Deputy For Connie Patterson							
	Resc		ne City Clerk, San D Der R- 31572 1				