

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION AGENDA
FOR
TUESDAY, JUNE 23, 2020, AT 9:00 AM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rules for Noticing and Conduct of Closed Session Meetings, adopted by Resolution No. R-310153 on December 8, 2015, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Agenda. **Public testimony for this Closed Session Agenda will be taken today during the 9:00 a.m. Council meeting.**

Conference with Legal Counsel – Significant Exposure to Litigation, pursuant to California Government Code Section 54956.9(d)(2):

CS-1 *2016 Tecolote Canyon Sewage Spill*

San Diego Regional Water Quality Control Board Notice of Violation No. R9-2016-0049

CDCA Assigned: C. Leone

On or about January 5, 2016, a City of San Diego sewer main in Tecolote Canyon failed during a major storm event, resulting in the release of several million gallons of untreated wastewater into Tecolote Creek and Mission Bay. On February 10, 2016, the San Diego Regional Water Quality Control Board (Board) issued Notice of Violation No. R9-2016-0049 to the City requesting technical information and indicating possible enforcement action, including civil liability assessments of \$10,000 per day and \$10 per gallon of wastewater released. Subsequent negotiations with the Board have resulted in a proposed settlement. The City Attorney’s Office will present the settlement the Mayor and City Council for consideration and approval.

Conference with Legal Counsel – existing litigation, pursuant to California Government Code Section 54956.9(d)(1):

CS-2 *City of Chula Vista, et al. v. Sandoval*

Sacramento Superior Court Case No. 34-2014-80001723

SDCA Assigned: M. Wharton

A group of cities in San Diego County, including the City of San Diego, initiated litigation against the San Diego County Auditor-Controller entities concerning the calculation method used by the County Auditor-Controller to allocate the residual balance from the Redevelopment Property Tax Trust Fund to the local taxing entities, including the City. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-3 *Candace Mitchell, et al. v. City of San Diego*

United States District Court Case No. 17cv2014 GPC-BGS
Risk Management Department Claim File No. 17154

DCA Assigned: A. Adema

This case is a collective action for recovery of alleged underpaid overtime compensation from the City of San Diego under the Fair Labor Standards Act. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.