

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, JULY 29 AND 30, 2013
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 ‘C’ STREET
SAN DIEGO, CA 92101**

REPORTING THE RESULTS OF THE CLOSED SESSION MEETING

Only items that can be disclosed are reported out in the Open Session of the regular City Council meeting. Public comment on Closed Session items are taken in Open Session. Please refer to the City Clerk’s minutes for Open Session for more information. Assistant City Attorney Mary Jo Lanzafame reports the results of the Closed Session meeting of July 29-30, 2013, as follows:

CLOSED SESSION MEETING FOR MONDAY, JULY 29, 2013

(Closed Session Items were heard on Tuesday, July 30, 2013.)

CLOSED SESSION MEETING FOR TUESDAY, JULY 30, 2013, AT 9:00 A.M.

ROLL CALL:

Present: Council President Gloria, Council President Pro Tem Lightner, and Councilmembers Faulconer, Cole, Kersey, Zapf, Sherman, Alvarez, and Emerald.

Absent: Mayor Filner (absent for the meeting).

CLOSED SESSION ITEMS:

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

CS-1 *McCormack Jackson v. City of San Diego, et al.*

San Diego County Superior Court Case No. 37-2013-00058613-CU-OE-CTL

CDCA Assigned: J. Cordileone

Motion: Authorize City Attorney to file cross-complaint

Moved: Councilmember Sherman, District 7

Seconded: Councilmember Zapf, District 6

Vote: Passed unanimously 9 to 0.

Report: This item was reported out by Assistant City Attorney Mary Jo Lanzafame on Tuesday, July 31, 2013, at 6:50 p.m.

The City Council voted on Closed Session Item Number One, *McCormack Jackson v. City of San Diego, et al.*, San Diego County Superior Court Case No. 37-2013-00058613-CU-OE-CTL, authorizing the City Attorney to file a cross-complaint to seek indemnification from the Mayor.

This litigation arises out of a lawsuit filed by an employee against the City of San Diego and Mayor Filner alleging sexual harassment.

Conference with Legal Counsel – anticipated litigation – initiation of litigation, pursuant to California Government Code section 54956.9(d)(4):

CS-2 Number of Cases: One

DCA Assigned: W. Chung

Motion: Initiate litigation

Moved: Councilmember Sherman, District 7

Seconded: Councilmember Zapf, District 6

Vote: Passed unanimously 9 to 0.

Report: This item was reported out by Assistant City Attorney Mary Jo Lanzafame on Tuesday, July 31, 2013, at 6:50 p.m.

Lastly, the City Council voted on Closed Session Item Number Two to initiate litigation. Once litigation is formally commenced, the action, the defendants, and other particulars will be disclosed to any person upon inquiry unless to do so would jeopardize effective service of process or settlement negotiations.

REPORTED BY: /s/ Mary Jo Lanzafame
Mary Jo Lanzafame
Assistant City Attorney