

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY AND TUESDAY, JUNE 8 AND 9, 2015  
CITY ADMINISTRATION BUILDING  
COMMITTEE ROOM – 12<sup>TH</sup> 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. Executive Assistant City Attorney Paul E. Cooper reports the results of the Closed Session meeting of June 8 and 9, 2015, as follows:

**CLOSED SESSION MEETING FOR MONDAY, JUNE 8, 2015**

(Closed Session Items were heard on Tuesday, June 9, 2015.)

**CLOSED SESSION MEETING FOR TUESDAY, JUNE 9, 2015, AT 9:00 A.M.**

**ROLL CALL:**

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

Absent: None; all present.  
Councilmember Alvarez, Council District 8, absent for CS-1.

**CLOSED SESSION ITEMS:**

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

**CS-1 *Jaime Jubak v. City of San Diego***

San Diego Superior Court Case No. 37-2014-00026428-CU-PO-CTL  
Risk Management Department Claim File No. 9527

DCA Assigned: K. McGeehan

Motion: Acceptance of a signed settlement offer

Moved: Council President Lightner, District 1

Seconded: Councilmember Sherman, District 7

Vote: Passed 8 to 0 with Councilmember Alvarez absent.

Report: This item was reported out by Assistant City Attorney Mary Nuesca on Tuesday, June 9, 2015, at 2:50 p.m.

The City Council voted on Closed Session Item Number One, *Jaime Jubak v. City of San Diego*, San Diego Superior Court Case Number 37-2014-00026428-CU-PO-CTL, Risk Management Department Claim File Number 9527, for acceptance of a signed settlement offer. This case arises from a trip and fall on a raised sidewalk that allegedly occurred as a result of a dangerous condition of City of San Diego property.

**CS-2 *Hacienda 12625 at High Bluff Drive, LLC v. City of San Diego, et al.***  
San Diego Superior Court Case No. 37-2013-00045621-CU-WM-CTL  
Risk Management Department Claim File No. 7943

DCA Assigned: J. Will

Motion: To participate in an amicus  
Moved: Councilmember Cate, District 6  
Seconded: Councilmember Sherman, District 7  
Vote: Passed unanimously 9 to 0.  
Report: This item was reported out by Assistant City Attorney Mary Nuesca on Tuesday, June 9, 2015, at 2:50 p.m.

The City Council also voted on Closed Session Item Number Two, to file an amicus curiae brief in the case of *Hacienda 12625 at High Bluff Drive, LLC v. City of San Diego, et al.*, San Diego Superior Court Case Number 37-2013-00045621-CU-WM-CTL, Risk Management Department Claim File Number 7943. This case involves Petitioner Hacienda 12625 at High Bluff Drive, LLC's challenge to the City of San Diego's approval of a lot line adjustment to property owned by Respondent/Real-Party-In-Interest, Burgener-Clark, LLC.

**Conference with Legal Counsel – significant exposure to litigation, pursuant to California Government Code section 54956.9(d)(2):**

**CS-3 Precautionary File – Farmer/AIG**  
Risk Management Department Claim File No. 8738

DCA Assigned: C. Richardson

Report: Nothing to report.

