CITY COUNCIL OF THE CITY OF SAN DIEGO THE CLOSED SESSION MEETING REPORT FOR TUESDAY, MARCH 6, 2018 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. Mary Nuesca, Assistant City Attorney for Special Projects, reports the results of the Closed Session meeting of March 6, 2018, as follows:

CLOSED SESSION MEETING FOR TUESDAY, MARCH 6, 2018, AT 11:00 A.M.

ROLL CALL:

Present: Mayor Faulconer, Council President Cole, Council President Pro Tem Bry,

and Councilmembers Zapf, Ward, Kersey, Cate, Sherman, Alvarez, and

Gomez.

Absent: None; all present.

CLOSED SESSION ITEMS:

Conference with Legal Counsel – Existing Litigation, pursuant to California Government Code section 54956.9(d)(1):

CS-1 Tri-Group Construction v. City of San Diego

San Diego Superior Court Case No. 37-2015-00023487-CU-CO-CTL Risk Management Department Claim File No. 10514

DCA Assigned: J. Taylor

Motion: To seek appellate review

Moved: Councilmember Sherman, District 7 Seconded: Councilmember Kersey, District 5

Vote: Passed unanimously 9 to 0

Report: This item was reported out by Senior Chief Deputy City Attorney Leslie

FitzGerald on Tuesday, March 6, 2018, at 3:40 p.m.

The City Council voted on Closed Session Item Number One, *Tri-Group Construction vs. City of San Diego*, San Diego Superior Court Case No. 37-2015-00023487-CU-CO-CTL, Risk Management Department Claim File No. 10514, to seek appellate review. This case involves a construction contract claim by Tri-Group related to the Talbot Street Slope Repair project.

CS-2 Margarita Estrada v. City of San Diego

San Diego Superior Court Case No. 37-2015-00030595-CU-PO-CTL Risk Management Department Claim File No. 10891

DCA Assigned: C. Sweda

Motion: To accept a signed settlement offer Moved: Councilmember Ward, District 3 Seconded: Councilmember Sherman, District 7

Vote: Passed unanimously 9 to 0

Report: This item was reported out by Senior Chief Deputy City Attorney Leslie

FitzGerald on Tuesday, March 6, 2018, at 3:40 p.m.

The City Council also voted on Closed Session Item Number Two, *Margarita Estrada vs. City of San Diego*, San Diego Superior Court Case No. 37-2015-00030595-CU-PO-CTL, Risk Management Department Claim File No. 10891, to accept plaintiff's statutory offer of \$107,500. This case arises from a trip and fall that occurred on September 13, 2014, when Plaintiff allegedly fell into a City of San Diego water meter box, thereby allegedly injuring Plaintiff.

REPORTED BY: /s/ Mary T. Nuesca

Mary T. Nuesca

Assistant City Attorney for Special

Projects