

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY AND TUESDAY, JANUARY 4 AND 5, 2010  
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. Assistant City Attorney Mary Jo Lanzafame reports the results of the Closed Session Meeting of January 4 and 5, 2010, as follows:.

**CLOSED SESSION MEETING FOR MONDAY, JANUARY 4, 2010**

The City Council Meeting of Monday, January 4, 2010, was adjourned. The Closed Session Items were heard on Tuesday, January 4, 2010. The meeting of Monday, January 4, 2010, was held in conjunction with the regularly scheduled meeting of Tuesday, January 5, 1020

**CLOSED SESSION MEETING FOR TUESDAY, JANUARY 5, 2010**

(Meeting held from 9:00 a.m. to 10:00 a.m. and continued to 11:45 a.m.)

**ROLL CALL for 9:00 a.m. MEETING:**

Present: Mayor Sanders, Council President Hueso, Council President Pro Tem Faulconer, and Councilmembers Lightner, Gloria, Young, DeMaio, Frye, and Emerald

Absent: All Present

**ROLL CALL for 11:45 a.m. MEETING:**

Present: Mayor Sanders, Council President Hueso, Council President Pro Tem Faulconer, and Councilmembers Lightner, Gloria, Young, DeMaio, Frye, and Emerald

Absent: All Present

**CLOSED SESSION ITEM for 9:00 a.m. MEETING:**

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

**CS-1 *City of San Diego, et al. v. Hotels.com, L.P. et al.***

San Diego Superior Court Case No. GIC861117, JCCP No. 4472 and  
Parallel TOT Administrative Hearing

DCA's Assigned: D. Bamberg and J. Taylor

Outside Litigation Counsel: McKool Smith, Baron & Budd, Kiesel Boucher & Larson (Steve Wolens, Gary Cruciani, Bill Larson, Laura Baughman, Thomas Sims)

Report: Nothing to report

**CS-2 *SDCERS v. City of San Diego***

San Diego Superior Court Case No. 841845

DCA Assigned: W. Chung

Report: Nothing to report

**Conference with Legal Counsel - anticipated litigation - initiation of litigation, pursuant to California Government Code section 54956.9(c):**

**CS-3 Number of cases: Two**

**First Case:** Nothing to Report

**Second Case (Heard at 9:00 a.m. Session and continued to 11:45 a.m. Session):**

Motion: To authorize the City Attorney to initiate litigation.

Moved: Council President Pro Tem Faulconer - Dist. 2

Seconded: Council President Hueso - Dist. 8

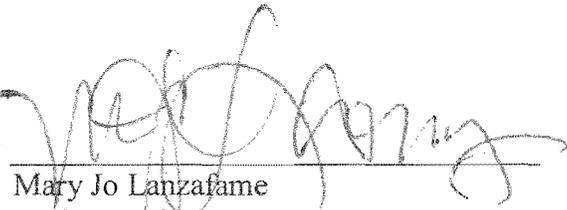
Vote: 8/0 [Passed unanimously]

Report: This item was reported out by Assistant City Attorney Mary Jo Lanza fame on  
Tuesday, January 5, 2010, @3:14 p.m.

Today, the City Council voted in Closed Session on Closed Session Item No. 3, Conference with Legal Counsel pursuant to California Government Code section 54956.9(c), to authorize the initiation of a legal action.

The motion passed unanimously 8 to 0.

REPORTED BY:

  
Mary Jo Lanza fame  
Assistant City Attorney