

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, JUNE 14 AND 15, 2010
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 June 14 and 15, 2010, as follows:

CLOSED SESSION MEETING FOR MONDAY, JUNE 14, 2010

(Closed Session Items were heard on Tuesday, June 15, 2010.)

CLOSED SESSION MEETING FOR TUESDAY, JUNE 15, 2010

ROLL CALL:

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

Absent: Council President Hueso - Dist. 8 (Absent for the meeting.)

CLOSED SESSION ITEMS:

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

CS-1 *In Re 500 West Broadway v. City of San Diego, San Diego Housing Commission and the City of San Diego Redevelopment Agency*
United States Bankruptcy Court, Case No. 10-bk-03532-LA11

DCA Assigned: C. Brock

Report: Nothing to report

CS-2 *Mission and PB Drive, LLC v. Pearson, and related Cross-Action*
San Diego Superior Court Case No. 37-2008-84738-CU-OR-CTL

DCA Assigned: J. Riley

Report: Nothing to report

CS-3 *DeAnza Cove Homeowners Association, Inc. v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 821191; and related cross claims,
including claims by De Anza Harbor Resort and Golf

Abbit, et al. v. City of San Diego, et al.
San Diego Superior Court Case No. Case No. GIC 865536

Aglio, et al. v. City of San Diego, et al.
San Diego Superior Court Case No. GIC 37-2009-00081994-CU-EI-CTL

Scottsdale Insurance Company. v. City of San Diego, et al.
San Diego Superior Court Case No. GIC 37-2008-00083941-CU-EI-CTL

***Certain Interested Underwriters at Lloyd's v. Terra Vista Management, Inc.,
DeAnza Cove Homeowners Association, Inc. and City of San Diego***
San Diego Superior Court Case No. 37-2008-000892709-CU-MC-CTL

DCA Assigned: J. Riley

Motion: Motion is to approve settlement.
Moved: Councilmember Frye - Dist. 6
Seconded: Councilmember Emerald - Dist. 7
Vote: 7/1 [Passed] Absent: Council President Hueso.
Report: This item was reported out by Assistant City Attorney Mary Jo Lanzafame
on Tuesday, June 15, 2010, @3:47 p.m.

Today, in Closed Session, the City Council voted on Closed Session Item No. 3, *Abbit, et al. v. City of San Diego, et al.*, San Diego Superior Court Case No. GIC 865536, to authorize settlement. The settlement of the case consisted of personal damage claims filed by approximately 250 tenants in the DeAnza Mobile Home Park in the amount of \$3.6 million to be paid by insurance company proceeds without contribution by the City.

The motion passed 7 to 0 with Council President Hueso absent.

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

CS-4 Number of Cases: One

DCA Assigned: N/A

Motion: Authorize administrative appeal.
Moved: Councilmember Frye - Dist. 6
Seconded: Councilmember Emerald - Dist. 7
Vote: 7/1 [Passed] Absent: Council President Hueso.
Report: This item was reported out by Assistant City Attorney Mary Jo Lanzafame on Tuesday, June 15, 2010, @3:47 p.m.

Also, today, in Closed Session, the City Council voted on Closed Session Item No. 4, to initiate litigation. The litigation is an appeal of the decision by the California State Association of Counties denying coverage relative to the case of DeAnza Cove Homeowners Association, Inc., v. City of San Diego.

The motion also passed 7 to 0, with Council President Hueso absent.

Conference with Labor Negotiators, pursuant to Government Code section 54957.6:

CS-5 Agency negotiators: Scott Chadwick, Wally Hill, Judy von Kalinowski, Joan Dawson, William Gersten, and Lori Thacker

Employee organizations: San Diego Municipal Employees' Association and AFSCME Local 127 AFL-CIO

DCA Assigned: J. Dawson

Report: Nothing to report

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

CS-6 *AFSCME Local 127 and San Diego Municipal Employees Association v. City of San Diego*

Public Employees' Relations Board Case No. LA-CE-352-M

DCAs Assigned: J Cordileone and J. Dawson

Report: Nothing to report

REPORTED BY: 
Mary Jo Lanzafame
Assistant City Attorney