

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, SEPTEMBER 13 AND 14, 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 September 13 and 14, 2010, as follows:

CLOSED SESSION MEETING FOR MONDAY, SEPTEMBER 13, 2010

Closed Session Items were heard on Tuesday, September 14, 2010.)

CLOSED SESSION MEETING FOR TUESDAY, SEPTEMBER 14, 2010

ROLL CALL:

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

Absent: Councilmember Emerald – Dist. 7 (Absent for the meeting.)

CLOSED SESSION ITEMS:

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

**CS-1 *City of Santee v. City of San Diego and City Council for City of San Diego*
San Diego Superior Court Case No. 37-2008-00097666-CU-WM-CTL**

***East Elliot Land Co. LLC et al. v. City of San Diego and City Council for City of San Diego*
San Diego Superior Court Case No. 37-2008-00097944-CU-TT-CTL**

DCA Assigned: H. Stroud

Motion: To refrain from seeking appellate review.
Moved: Councilmember Lightner - Dist. 1
Seconded: Councilmember Frye - Dist. M
Vote: 7/0 [Passed] with Councilmember Emerald absent.
Report: This item was reported out by Assistant City Attorney Mary Jo Lanzafame on Tuesday, September 14, 2010, @6:09 p.m.

Today, in Closed Session, the City Council voted on Closed Session Item No. 1, *City of Santee v. City of San Diego and City Council for City of San Diego*, San Diego Superior Court Case No. 37-2008-00097666-CU-WM-CTL; and *East Elliot Land Co. LLC et al. v. City of San Diego and City Council for City of San Diego*, San Diego Superior Court Case No. 37-2008-00097944-CU-TT-CTL, to refrain from seeking appellate review. These two lawsuits challenged the Sycamore Canyon Landfill Master Plan under the California Environmental Quality Act.

The motion passed 7 to 0 with Councilmember Emerald absent.

CS-2 *San Diegans for Open Government v. City of San Diego*
San Diego Superior Court Case No. 37-2009-00098375-CU-TT-CTL

DCA Assigned: A. Jodlowski

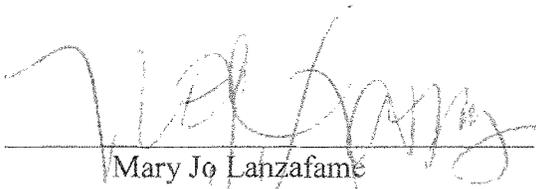
Report: Nothing to report.

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

CS-3 Number of Cases: One

Report: Nothing to report.

REPORTED BY: _____


Mary Jo Lanzafame
Assistant City Attorney