

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, MAY 21 AND 22, 2012
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 May 21 - 22, 2012, as follows:

CLOSED SESSION MEETING FOR MONDAY, MAY 21, 2012

(Closed Session Items were heard on Tuesday, May 22, 2012)

CLOSED SESSION MEETING FOR TUESDAY, MAY 22, 2012

ROLL CALL:

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

Absent: Councilmember Gloria – Dist 3 (Absent for Item CS-1.)
Councilmember Alvarez – Dist. 8 (Absent for meeting.)

CLOSED SESSION ITEMS:

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

CS-1 *Melissa Sedlmeier, et al. v. City of San Diego*
San Diego Superior Court Case No. 37-2010-00085062-CL-PO-CTL

DCA Assigned: T. Phelps

Motion: To approve a settlement agreement and release to pay Plaintiff \$3,893.94 for out-of-pocket medical costs

Moved: Councilmember President Young – Dist. 4

Seconded: Councilmember Lightner – Dist. 1

Vote: Passed 6 to 0 with Councilmembers Gloria and Alvarez absent.

Report: This item was reported out by Assistant City Attorney Mary Jo Lanzafame on Tuesday, May 22, 2012, at 4:35 p.m.

Today, in Closed Session, the Council voted on Closed Session item No. 1, *Melissa Sedlmeier, et al. v. City of San Diego*, Superior Court Case No. 37-2010-00085062-CL-PO-CTL. This matter involves allegations by Plaintiff that when the City cleaned its sewer main, it caused Plaintiff's home to flood with sewage. The Council voted 6 to 0, with Councilmembers Gloria and Alvarez absent, to approve a settlement agreement and release to pay Plaintiff \$3,893.94 for out-of-pocket medical costs.

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

CS-2 Number of Cases: One

Report: Nothing to Report

CS-3 Number of Cases: One

Report: Nothing to Report

REPORTED BY: _____/s/
Mary Jo Lanzafame
Assistant City Attorney