

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, OCTOBER 28 AND 29, 2013
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 October 28-29, 2013, as follows:

CLOSED SESSION MEETING FOR MONDAY, OCTOBER 28, 2013

(Closed Session Items were heard on Tuesday, October 29, 2013.)

CLOSED SESSION MEETING FOR TUESDAY, OCTOBER 29, 2013, AT 1:00 P.M.

ROLL CALL:

Present: Council President Pro Tem Lightner, and Councilmembers Faulconer, Cole, Kersey, Zapf, Sherman, Alvarez, and Emerald.

Absent: Council President Gloria (absent for the meeting).

CLOSED SESSION ITEMS:

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

CS-1 *Shannon Robinson, Dante Harrell. v. City of San Diego, Chief of Police William Lansdowne, Officer D. McClain, Officer A. Savage, Officer Sacco, Officer C. Hernandez, Officer Dobbs, Officer Dodd*

United States District Court, Case No. 11cv0876 AJB (WVG)

DCA Assigned: J. Gilman

Report: Nothing to report.

CS-2 *Shirley Louise Baier v. City of San Diego, et al.*

San Diego Superior Court Case No. 37-2012-00083990-CU-PA-CTL

DCA Assigned: C. Turner

Report: Nothing to report.

CS-3 *Indian Harbor Insurance Company v. City of San Diego*
U.S.D.C. S.D. N.Y. Case No. 12CV5787 (JGK)

DCA Assigned: C. Leone

Motion: Authorize City Attorney to seek appellate review
Moved: Councilmember Sherman, District 7
Seconded: Councilmember Emerald, District 9
Vote: Passed 8 to 0 with Council President Gloria absent
Report: This item was reported out by Assistant City Attorney Mary Jo Lanzafame on Tuesday, October 29, 2013, at 3:12 p.m.

Today, in Closed Session, the City Council took the following action:

The City Council voted on Closed Session Item Number Three, *Indian Harbor Insurance Company v. City of San Diego*, U.S.D.C. S.D.N.Y. Case Number 12CV5787 (JGK), to seek appellate review of a decision adverse to the City – a decision of summary judgment.

This case arises from an action brought by the City of San Diego's Insurer, Indian Harbor Insurance Company, in the Southern District of New York. Indian Harbor sought a declaration of no coverage for three lawsuits filed by the City.

REPORTED BY: _____



Mary Jo Lanzafame
Assistant City Attorney