MINUTES OF A

SPECIAL MEETING OF THE

CITY COUNCIL OF THE

CITY OF CORONADO

Coronado City Hall

1845 Strand Way
Coronado, CA 92118
Monday, July 7, 2008 2:00 p.m.

Mayor Tom Smisek called the meeting to order at 2:00 p.m.

1. ROLL CALL:

Present: Councilmember's Downey, Monroe, Ovrom, Tanaka, and Mayor Smisek
Absent: None
Also Present: City Manager Mark Ochenduszko
City Attorney Morgan Foley
City Clerk Linda Hascup

2. ORAL COMMUNICATIONS: None

The City Council recessed to Closed Session at 2:01 p.m.

3. CLOSED SESSION:

a. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

AUTHORITY: Government Code Section 54956.9(a)
NAME OF CASE: Steven R. Foley v. City of Coronado, et al.
San Diego Superior Court (Case No. GIC 879075)

The regular meeting resumed at 2:16 p.m.
Mayor Smisek announced that a settlement had been reached regarding the court case and read a statement for the record (attached).

4. ADJOURNMENT: The meeting was adjourned at 2:18 p.m.

Approved: August 5, 2008

/s/_____

Tom Smisek, Mayor
City of Coronado

Attest:

/s/_____
Linda K. Hascup, City Clerk

Statement of Mayor Smisek Regarding Foley v. **City of Coronado**
Settlement Agreement
July 7,2008

Statement:

The Coronado City Council has approved the settlement with Mr. Foley in the Foley v City of Coronadomatter. The settlement is a no-fault agreement which resolves all past, present, and future claims made against the City by Mr. Foley. The settlement is $5.5 million. The City's $100,000 deductible will be applied to the matter and its insurance will cover the difference.

The City Council is satisfied that this dispute is resolved. This matter has been resolved to avoid the potential risk of significant loss to the City, not because of any admission of liability. The City stands by the efforts of all of its officers to maintain the safety of the general public, and appreciates their work to preserve safety.

The settlement agreement will be made available for public review at the conclusion of this meeting. Any further questions may be directed to the City's legal representative, Steve Boehmer.