



**Contra
Costa
County**

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: January 14, 2014

Subject: Public report of litigation settlement agreements that became final during the period of December 1, 2013 through December 31, 2013.

RECOMMENDATION(S):

RECEIVE public report of litigation settlement agreements that became final during the period of December 1, 2013 through December 31, 2013, as recommended by County Counsel.

FISCAL IMPACT:

Settlement amounts are listed below.

BACKGROUND:

Two agreements to settle pending litigation, as defined in Government Code section 54956.9, became final during the period of December 1, 2013 through December 31, 2013.

Contra Costa Water District v. County of Contra Costa, et al., CCC Sup. Ct. Case No. N11-1141. This action concerned the County's review of environmental impacts of proposed commercial and residential subdivisions in an unincorporated area near Oakley. As part of a settlement and release agreement, the developer agreed to pay past due processing fees to the County. The Board authorized settlement on March 19, 2013, in closed session, by a 3-0 vote, Supervisors Andersen and Piepho absent. The settlement

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/14/2014** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 14, 2014

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Thomas Geiger,
925-335-1800

became final on December 17, 2013.

BACKGROUND: (CONT'D)

County of Contra Costa v. Bank of America, N.A., et al. (In re Municipal Derivatives Litigation - U.S.D.C. Case No. MDL 1950 (S.D.N.Y.)). This settlement is the fourth in a series of settlements with various financial institutions in a class-action lawsuit involving municipal derivatives. As part of a settlement with the class of plaintiffs, Wells Fargo Bank, N.A. agreed to pay the County \$4,751. The Board authorized settlement on August 13, 2013, in closed session, by a 5-0 vote. The settlement became final on December 6, 2013.

This report includes final settlements of litigation matters handled by the Office of the County Counsel. This report does not include litigation settlements that were reported by the Risk Management Division of the County Administrator's Office as a consent item on the Board's open session agenda.

CONSEQUENCE OF NEGATIVE ACTION:

The report would not be accepted.

CHILDREN'S IMPACT STATEMENT:

Not applicable.