

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
TUESDAY, JULY 12, 2016
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rules for Noticing and Conduct of Closed Session Meetings, adopted by Resolution No. R-310153 on Tuesday, December 8, 2015, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. **Public testimony for this Closed Session Agenda will be taken today during the 9:00 a.m. Council meeting.**

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

CS-1 *San Diegans for Open Government v. City of San Diego*
San Diego Superior Court Case No. 37-2012-00088065-CU-MC-CTL

DCA Assigned: J. Goldsmith

This case arises from San Diegans for Open Government’s challenge to the renewal of the City of San Diego’s tourism marketing district. The City Attorney’s Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-2 *San Diego Navy Broadway Complex Coalition v. California Coastal Commission, et al.*
San Diego Superior Court Case No. 37-2013-00077213-CU-TT-CTL
Consolidated with San Diego Superior Court Case No. 37-2014-00006987-CU-TT-CTL
Risk Management Department Claim File No. 9355

DCA Assigned: J. Goldsmith

This case arises from a challenge to the California Coastal Commission’s certification of a Port Master Plan Amendment related to the proposed expansion of the San Diego Convention Center. The City Attorney’s Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-3 *FreePB.org v. City of San Diego*

San Diego Superior Court Case No. 37-2013-00052704-CU-TT-CTL

DCA Assigned: G. Spitzer

This case involves a challenge by FreePB.org under the California Environmental Quality Act to the 60th Annual Over-the-Line Tournament sponsored by the Old Mission Bay Athletic Club for the weekends of July 13 and July 20, 2013, in Fiesta Island. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-4 *Brigitte Browning, et al. v. City of San Diego, et al.*

San Diego Superior Court Case No. 37-2012-00094831-CU-MC-CTL, consolidated with Case Nos. 37-2012-00097148-CU-MC-CTL and 37-2012-00100333-CU-TT-CTL

DCA Assigned: T. Phelps

This case relates to litigation concerning the validity of the Convention Center Facilities District formation, landowner election, and special tax to facilitate funding of the expansion of the San Diego Convention Center. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-5 *San Diegans for Open Government v. Jan Goldsmith, et al.*

San Diego Superior Court Case No. SDSC 37-2014-00000217-CU-MC-CTL

DCA Assigned: D. Karlin

This case arises from San Diegans for Open Government's demand for "[a]ny and all e-mails sent to or from jgsandiego@yahoo.com (regardless of the number or identity of other recipients) between January 1, 2008 and December 31, 2013, and that pertain in any way to the official business of the City of San Diego." Representatives from the City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-6 *Henry Gonzales, et al. v. City of San Diego*

United States District Court Case No. 15cv1033 L RBB
Risk Management Department Claim File No. 12282

DCA Assigned: D. Karlin

This case arises from a City of San Diego Police Department officer-involved shooting. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

Conference with Legal Counsel – significant exposure to litigation, pursuant to California Government Code Section 54956.9(d)(2):

CS-7 *Eduardo and Patricia Perez v. City of San Diego*
Risk Management Department Claim File No. 12282

DCA Assigned: D. Karlin

This claim arises from the failure of a 36-inch corrugated metal storm drain on January 5, 2016, in the 6200 block of Cabaret Street. Claimants seek compensation for damages to their real and personal property. The City Attorney's Office will update the Mayor and City Council on the status of the claim and seek direction.

CS-8 *Rebecca Woolston v. City of San Diego*
Risk Management Department Claim File No. 12282

DCA Assigned: D. Karlin

This claim arises from the failure of a 36-inch corrugated metal storm drain on January 5, 2016, in the 6200 block of Cabaret Street. Claimant seeks compensation for damages to her real and personal property. The City Attorney's Office will update the Mayor and City Council on the status of the claim and seek direction.

Conference with Legal Counsel – anticipated litigation – initiation of litigation, pursuant to California Government Code Section 54956.9(d)(4):

CS-9 **Number of Cases: One**

SCDCA Assigned: L. FitzGerald

The City Attorney will discuss the potential to initiate litigation and seek direction.