

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
CLOSED SESSION AGENDA  
FOR  
TUESDAY, AUGUST 06, 2019, AT 11:00 AM  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 "C" STREET  
SAN DIEGO, CA 92101**

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**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 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 10:00 a.m. Council meeting.**

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

**CS-1 *Bensfield v. Southwest Pipeline***

Orange County Superior Court Case No. 30-2018-01017576-CU-BC-CJC

DCA Assigned: J. Taylor

This litigation involves a delay claim by a subcontractor related to the Pipeline Rehabilitation AA-1 Project. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

**CS-2 *Marcus Alfaro, et al. v. COSD, et al.***

United States District Court Case No. 17cv0046 H (KSC)  
Risk Management Department Claim File No. 16036

DCA Assigned: S. Tejura

Three employees with the Fire-Rescue Department have brought claims under the Federal Labor Standards Act alleging overtime pay and retaliation. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

**CS-3 *William George Furgerson v. City of San Diego***

San Diego Superior Court Case No. 37-2018-00018436-CU-PO-CTL  
Risk Management Department Claim File No. 17445

SCDCA Assigned: R. Stephan

This case arises from an alleged bicycle accident that occurred on April 1, 2017, on Carmel Valley Road, San Diego. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

**CS-4 *Eric Arundel, et al. v. City of San Diego, et al.***

United States District Court Case No. 17cv1433-WVG  
Risk Management Department Claim File No. 17351

DCA Assigned: M. von Wilpert

Plaintiffs sued the City of San Diego related to the constitutionality of San Diego Municipal Code section 54.0110 (unauthorized encroachments). The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

**CS-5 *Rasean Johnson v. City of San Diego***

United States District Court Case No. 17cv410 L (NLS)  
Risk Management Department Claim File No. 15666

DCA Assigned: A. Adema

This is an employment case in which Plaintiff alleged retaliation in violation of Title VII of the Civil Rights Act of 1964. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.