

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE SPECIAL CLOSED SESSION MEETING REPORT
FOR MONDAY, NOVEMBER 13, 2023
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 ‘C’ STREET
SAN DIEGO, CA 92101**

REPORTING THE RESULTS OF THE SPECIAL 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 Special Closed Session items are taken in Open Session. Please refer to the City Clerk’s minutes for Open Session for more information. David J. Karlin, Senior Deputy City Attorney, reports the results of the Special Closed Session meeting of November 13, 2023, as follows:

SPECIAL CLOSED SESSION MEETING FOR MONDAY, NOVEMBER 13, 2023, AT 10:00 A.M.

ROLL CALL:

Present: Mayor Gloria, Council President Elo-Rivera, Council President Pro Tem Montgomery Steppe, and Councilmembers LaCava, Campbell, von Wilpert, Lee, and Moreno.

Absent: Councilmember Whitburn, Council District 3, and Councilmember Campillo, Council District 7, both absent for the meeting.

SPECIAL CLOSED SESSION ITEMS:

CONSENT ITEMS

Staff presentations on the Consent Items listed below will be waived unless a request is made by any Councilmember for a specific item to be heard during the Discussion portion of the Closed Session agenda. Requests may be made during the meeting by notifying the Mayor or presiding officer.

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

SCS-1 *Brookie Rocha v. City of San Diego, et al.*
United States District Court Case No. 23-CV-0885-CAB-JLB
Risk Management Department Claim File No. 29254

CDCA Assigned: J. J. McQuarrie

Report: Nothing to report.

SCS-2 ***Samuel Ellis v. City of San Diego, et al.***
San Diego Superior Court Case No. 37-2022-00032566-CU-PO-CTL
Risk Management Department Claim File No. 29108

DCA Assigned: D. E. Abad

Report: Nothing to report.

Conference with Legal Counsel – Significant Exposure to Litigation, pursuant to California Government Code section 54956.9(d)(2):

SCS-3 **Pre-Lit – Morena Smog, LLC**
Risk Management Department Claim File No. 30765

DCA Assigned: D. E. Abad

Report: Nothing to report.

SCS-4 **Pre-Lit – ESIS aso The Irvine Company**
Risk Management Department Claim File No. 30765

DCA Assigned: D. E. Abad

Report: Nothing to report.

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

SCS-5 ***Ronald Drobeck v. City of San Diego***
San Diego Superior Court Case No. 37-2019-00055963-CU-BC-CTL
Risk Management Department Claim File No. 20956

DCA Assigned: J. K. Goodman

Report: Nothing to report.

DISCUSSION ITEMS

Conference with Labor Negotiators pursuant to California Government Code section 54957.6:

SCS-6 **City Designated Management Team Representatives:**

ACA Assigned: J. McNeill

Report: Nothing to report.

SCS-7 City Designated Management Team Representatives:

ACA Assigned: J. McNeill

Report: Nothing to report.

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

SCS-8 *The People of the State of California and City of San Diego v. 3M Co., et al.*

San Diego Superior Court Case No. 37-2022-00017958-CU-PO-CTL

Risk Management Department Claim File No. N/A

DCA Assigned: J. Rau

Outside Counsel: K. J. McGee, Grant & Eisenhofer

D. S. Casey Jr., Casey Gerry Schenk Francavilla Blatt & Penfield,
LLP

G. A. Praglin, Cotchett, Pitre & McCarthy

Report: Nothing to report.

REPORTED BY: */s/ David J. Karlin*

David J. Karlin

Senior Deputy City Attorney

DJK:nf