

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

REPORTING THE RESULTS OF THE 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 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 Closed Session meeting of February 13, 2023, as follows:

CLOSED SESSION MEETING FOR MONDAY, February 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, Whitburn, von Wilpert, Lee, Campillo, and Moreno.

Absent: Not applicable

CLOSED SESSION ITEMS:

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

CS-1 *Andre Verdun, et al. v. City of San Diego*

United States District Court Case No. 19cv0839 ABJ (WVG)
United States Court of Appeal Ninth Circuit Case No. 21-55046

Risk Management Department Claim File No. 22420

SDCA Assigned: M. A. Wharton

Report: Nothing to report.

Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation, pursuant to California Government Code section 54956.9(d)(4):

CS-2 **Number of Cases: One**

SDCA Assigned: M. A. Wharton

Outside Counsel: Cecilia Miller and Ryan Caplan of Buchalter

The City Council voted unanimously (9-0) on Closed Session Item Number 2, to initiate litigation. Once litigation is formally commenced, the action, the defendants, and other particulars will be disclosed to any person upon inquiry unless to do so would jeopardize effective service of process or settlement negotiations.

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

CS-3 *PQ-NE Action Group v. City of San Diego*

San Diego Superior Court Case No. 37-2021-00033583-CU-TT-CTL
Risk Management Department Claim File No. 27592

DCA Assigned: B. P. Syz

The City Council also voted unanimously (9-0) on Closed Session Item Number 3, *PQ-NE Action Group v. City of San Diego*, San Diego Superior Court Case Number 37-2021-00033583-CU-TT-CTL, to seek appellate review in this matter once judgment is entered in the Superior Court.

CS-4 *HACS-1 San Diego Tenant Union, and Darlissa McDowell vs. San Diego Housing Commission*

San Diego Superior Court Case No. 37-2019-00012582-CU-WM-CTL

General Counsel Assigned: Mara W. Elliott

Report: Nothing to report.

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

David J. Karlin
Senior Deputy City Attorney