

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION AGENDA
FOR
MONDAY, JUNE 16, 2025, AT 10:00 AM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 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 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 Agenda. **Public testimony for this Closed Session Agenda will be taken today during the 10:00 a.m. Council meeting.** Court records about existing litigation are available to the public on the San Diego Superior Court’s Website <http://www.sdcourt.ca.gov> and Register of Actions <http://odyroa.sdcourt.ca.gov>.

CONSENT ITEMS

Staff presentations on the Consent items listed will be waived unless a request is made by any Councilmember for a specific item to be heard in 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):

CS-1 *Susan Baker v. City of San Diego*

San Diego Superior Court Case No. 37-2023-00028707-CU-PO-CTL
Risk Management Department Claim File No. 33197

DCA Assigned: K. R. Yee

This matter arises from a trip and fall that occurred on October 22, 2022. Plaintiff alleges stepping on uneven asphalt near 3792 Crete Street. The City Attorney’s Office will update the Mayor and City Council on the status of litigation and seek direction.

CS-2 *Kaid Marouf v. City of San Diego*

San Diego Superior Court Case No. 24CU004814C
Risk Management Department Claim File No. 33097

DCA Assigned: C. Turner

This inverse condemnation case arises from property damage to Plaintiff’s home located at 2465 Hidden Valley Road, La Jolla, allegedly caused by flooding due to a

water main rupture on March 27, 2023. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

DISCUSSION ITEMS

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

CS-3 *Cameron Adams, et al. v. City of San Diego, et al.*

San Diego Superior Court Case No. 37-2022-00006091-CU-PO-CTL
Risk Management Department Claim File No.: 24431

Eric Bahena, et al. v. City of San Diego, et al.

San Diego Superior Court Case No. 37-2021-00007004-CU-AS-CTL
Risk Management Department Claim File No.: 24431

Luis Guerrero v. City of San Diego, et al.

San Diego Superior Court Case No. 37-2021-00001137-CU-PO-NC
Risk Management Department Claim File No.: 24133

Juan Rose, III v. City of San Diego, et al.

San Diego Superior Court Case No. 37-2022-00018805-CU-MC-CTL
Risk Management Department Claim File No.: 24133

DCA Assigned: P. H. James

Outside Counsel: J. Parker, Esq., Hugo Parker, LLP

Plaintiffs in these four actions are 42 employees of contractors who worked in the 101 Ash Street building and seek damages for exposure to asbestos. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-4 *City of San Diego v. 101 Ash, LLC et al.*

San Diego Superior Court Case No. 37-2020-00036247-CU-CO-CTL

ACA Assigned: M. T. Phelps

Outside Counsel: D. Semerdjian and J. Schena, Schwartz Semerdjian

This item involves the City's claims against its contractors for negligent disruption of asbestos during renovations of the 101 Ash Street property. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8:

CS-5 Property: 101 Ash Street, San Diego, California

Agency Negotiator: Christina Bibler, Economic Development Director
Casey Smith, Deputy Chief Operating Officer

Negotiating Parties: City of San Diego and MRK Partners/cREate Development

Under Negotiation: Price and payment terms for potential disposition of an interest or estate in the real property located at 101 Ash Street, San Diego, CA

SDCA Assigned: K. Reisch

DCA Assigned: J. Gough Inman

The Council will meet with its negotiator to discuss the price and payment terms for the potential disposition of an interest or estate in the real property located at 101 Ash Street, San Diego, California.

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

CS-6 *Marcus Evans v. City of San Diego, et al.*

United States District Court Case No. 25-cv-1094 BJC MMP
Risk Management Department Claim File No. 38783

SDCA Assigned: Stacy J. Plotkin-Wolff

This matter involves allegations of excessive force when Plaintiff was arrested on October 24, 2024, after officers responded to a reported domestic violence incident involving a gun. 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 Number of Cases: Multiple

Risk Management Department Claim File No. N/A

Executive ACA Assigned: J. Jordan

The City Attorney's Office will update the Mayor and City Council regarding significant exposure to litigation.