

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
CLOSED SESSION AGENDA  
FOR  
MONDAY, FEBRUARY 23, 2026, AT 10:00 AM  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 "C" STREET  
SAN DIEGO, CA 92101**

Virtual Participation: <https://sandiego.gov/councilmtg>

To join by telephone: Dial 1-669 254 5252 + input Webinar ID: 160 943 0466

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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 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 Consent items 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 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 *Dorsett, William J. v. City of San Diego***

United States District Court Case No. 24cv1172 BTM (SBC)

Risk Management Department Claim File No. 35319

DCA Assigned: M. Arambula

This case arises from a disorderly conduct citation issued to Plaintiff on June 25, 2023. Plaintiff alleges San Diego Municipal Code section 56.27 is unconstitutional and that his First Amendment rights were violated. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

**CS-2 *Jacob Triska v. City of San Diego***

San Diego Superior Court Case No. 37-2024-00009822-CU-PO-CTL  
Risk Management Department Claim File No. 35327

DCA Assigned: A. B. Markowitz

This action arises from a fall while skateboarding in an alleyway between Beadnell Way and Chateau Drive on October 7, 2023, allegedly caused by cracks in the roadway. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

**CS-3 *Rodney Edelheit v. City of San Diego***

San Diego Superior Court Case No. 37-2022-00016549-CU-PO-CTL  
Risk Management Department Claim File No. 28818

DCA Assigned: A. B. Markowitz

This action arises from a fall Plaintiff alleges occurred while riding a bicycle on Thomas Avenue, between Cass and Bayard Street on January 5, 2022, due to trenching in the roadway. 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-4 *Livable San Diego v. City of San Diego***

San Diego Superior Court Case No.: 37-2023-00014623-CU-TT-CTLK  
Risk Management Department Claim File No. 32735

SDCA Assigned: J. Mickova Will

This case involves a California Environmental Quality Act (CEQA) challenge to the City's adoption of an ordinance creating a new definition of a Sustainable Development Area in March 2023. 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:**** 7<sup>th</sup> & Market – 55,000 square foot site located downtown San Diego between 7<sup>th</sup> Avenue, 6<sup>th</sup> Avenue, Market Street and Island Avenue

**Agency Negotiator:** Christina Bibler, Director, Economic Development Department  
Lucy Contreras, Deputy Director, Economic Development

**Negotiating Parties:** The Robert Green Company

**Under Negotiation:** Price and payment terms related to unsolicited offer for the potential redevelopment of the 7<sup>th</sup> & Market site located on the block bounded by 7<sup>th</sup> Avenue, 6<sup>th</sup> Avenue, Market Street and Island Avenue in Downtown San Diego.

SDCA Assigned: K. Malcolm

The Council will meet with its real property negotiators to provide instruction on potential price and terms of payment regarding the former Redevelopment Agency site located at 7<sup>th</sup>& Market in Downtown San Diego.

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

**CS-6 *Brietta Cooper v. City of San Diego***

San Diego Superior Court Case No. 37-2023-00034308-CU-PA-CTL  
Risk Management Department Claim File No. 33851

DCA Assigned: A. M. Poplin

This case arises from a motorcycle crash allegedly caused by potholes at the intersection of Rancho Bernardo Road and Bernardo Center Drive on March 12, 2023. 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 – Anticipated Litigation – Initiation of Litigation, pursuant to California Government Code Section 54956.9(d)(4):**

**CS-7 Number of Cases: One**

DCA: K. B. King

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