

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, JULY 14 AND 15, 2014
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. Executive Assistant City Attorney Paul E. Cooper reports the results of the Closed Session meeting of July 14 and 15, 2014, as follows:

CLOSED SESSION MEETING FOR MONDAY, JULY 14, 2014

(Closed Session Items were heard on Tuesday, July 15, 2014.)

CLOSED SESSION MEETING FOR TUESDAY, JULY 15, 2014, AT 9:00 A.M.

ROLL CALL:

Present: Mayor Faulconer, Council President Gloria, Council President Pro Tem Lightner, and Councilmembers Harris, Cole, Kersey, Zapf, Sherman, and Emerald.

Absent: Councilmember Kersey, Council District 5, absent for CS-1.
Councilmember Zapf, Council District 6, absent for CS-1.
Councilmember Alvarez, Council District 8, absent for the meeting.
Councilmember Emerald, Council District 9, absent for CS-1.

CLOSED SESSION ITEMS:

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

CS-1 *David Flores v. City of San Diego*

San Diego Superior Court Case No. 37-2011-00085526-CU-WT-CTL

DCA Assigned: K. Zlotnik

Report: Nothing to report.

CS-2 *Affordable Housing Coalition of San Diego County v. Sandoval*

Sacramento Superior Court Case No. 34-2012-80001158

City of San Diego v. Matosantos (Ballpark Bonds)

Sacramento Superior Court Case No. 34-2013-80001364

City of San Diego v. Matosantos (NTC Shoreline Improvements)
Sacramento Superior Court Case No. 34-2013-80001409
Third District Court of Appeal Case No. C075865

City of San Diego v. Matosantos (Long Term Debt)
Sacramento Superior Court Case No. 34-2013-80001410
Third District Court of Appeal Case No. C076019

City of San Diego v. Matosantos (Housing Fund DDR)
Sacramento Superior Court Case No. 34-2013-80001454

City of San Diego v. Matosantos (NTC Section 108 Loan)
Sacramento Superior Court Case No. 34-2013-80001556

City of San Diego v. Matosantos (Harbor Drive Bridge)
Sacramento Superior Court Case No. 34-2013-80001555
Third District Court of Appeal Case No. C076687 (not yet assigned)

City of San Diego v. Cohen (Non-Housing Funds DDR)
Sacramento Superior Court Case No. 34-2014-80001824

DCA Assigned: M. 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-3 Number of Cases: One

DCA Assigned: M. Wharton

Motion: To initiate litigation
Moved: Councilmember Cole, District 4
Seconded: Councilmember Emerald, District 9
Vote: Passed 8 to 0 with Councilmember Alvarez absent.
Report: This item was reported out by Assistant City Attorney Mary Nuesca on
Tuesday, July 15, 2014, at 4:26 p.m.

The City Council voted on Closed Session Item Number Three 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.

CS-4 Number of Cases: One

DCA Assigned: M. Wharton

Motion: To initiate litigation

Moved: Councilmember Sherman, District 7

Seconded: Councilmember Emerald, District 9

Vote: Passed 8 to 0 with Councilmember Alvarez absent.

Report: This item was reported out by Assistant City Attorney Mary Nuesca on
Tuesday, July 15, 2014, at 4:26 p.m.

The City Council also voted on Closed Session Item Number Four 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.

REPORTED BY: /s/ Paul E. Cooper
Paul E. Cooper
Executive Assistant City Attorney