

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY AND TUESDAY, JULY 27 AND 28, 2015  
CITY ADMINISTRATION BUILDING  
COMMITTEE ROOM – 12<sup>TH</sup> 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. Assistant City Attorney Mary T. Nuesca reports the results of the Closed Session meeting of July 27 and 28, 2015, as follows:

**CLOSED SESSION MEETING FOR MONDAY, JULY 27, 2015**

(Closed Session Items were heard on Tuesday, July 28, 2015.)

**CLOSED SESSION MEETING FOR TUESDAY, JULY 27, 2015, AT 9:00 A.M.**

**ROLL CALL:**

Present: Council President Lightner, Council President Pro Tem Emerald, and Councilmembers Gloria, Cole, Kersey, Cate, Sherman, and Alvarez.

Absent: Mayor Faulconer, absent for the meeting.  
Councilmember Zapf, Council District 2, absent for the meeting.

**CLOSED SESSION ITEMS:**

**Conference with Legal Counsel – significant exposure to litigation – claim matter, pursuant to California Government Code section 54956.9(d)(2):**

**CS-1 *Tracy Kull v. City of San Diego***

Risk Management Department Claim File No. 10965

DCA Assigned: S. Plotkin-Wolff

Report: Nothing to report.

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

**CS-2 *City of Chula Vista, et al. v. Tracy Sandoval***

Sacramento Superior Court Case No. 34-2014-80001723

DCA Assigned: M. Wharton and K. Reisch

Report: Nothing to report.

**CS-3 *De Anza Cove Homeowners Association, Inc. v. City of San Diego, et al.***

San Diego Superior Court Case No. GIC 821191, including stayed cross-complaints; and the related cases:

***Aglia v. City of San Diego, et al.***

San Diego Superior Court Case No. 37-2009-81994-CU-EI-CTL

***Scottsdale Insurance Company v. City of San Diego, et al.***

San Diego Superior Court Case No. 37-2008-00083941-CU-EI-CTL

***Certain Interested Underwriters at Lloyd's v. Terra Vista Management, Inc., De Anza Cove Homeowners Association, Inc. and City of San Diego***

San Diego Superior Court Case No. 37-2008-00092709-CU-MC-CTL

DCA Assigned: M. Wharton and J. Riley

Report: Nothing to report.

**CS-4 *Border Business Park, Inc. v. City of San Diego***

San Diego Superior Court Case No. GIC692794

***National Enterprises, Inc. v. City of San Diego***

San Diego Superior Court Case No. GIC73001

***Otay Acquisitions, LLC v. City of San Diego***

San Diego Superior Court Case No. GIC753247

***Otay Truck Parking, LP v. City of San Diego***

San Diego Superior Court Case No. 37-2009-00095661-CU-EI-CTL

***Border Business Park, Inc. v. City of San Diego***

San Diego Superior Court Case No. 37-2011-00090494-CU-EU-CTL

DCA Assigned: David J. Karlin, Chief Deputy City Attorney

Christopher Garrett, Robert Howard & Jake Ryan, Latham & Watkins  
LLP

Cecilia O'Connell Miller, Procopio, Cory, Hargreaves & Savitch LLP

Report: Nothing to report.

