

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY AND TUESDAY, OCTOBER 5 AND 6, 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 October 5 and 6, 2015, as follows:

**CLOSED SESSION MEETING FOR MONDAY, OCTOBER 5, 2015**

(Closed Session Items were heard on Tuesday, October 6, 2015.)

**CLOSED SESSION MEETING FOR TUESDAY, OCTOBER 6, 2015, AT 9:00 A.M.**

**ROLL CALL:**

Present: Mayor Faulconer, Council President Lightner, and Councilmembers Zapf, Gloria, Cole, Kersey, Cate, Sherman, and Alvarez.

Absent: Council President Pro Tem Emerald, Council District 9, absent for the meeting.

**CLOSED SESSION ITEMS:**

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

**CS-1 *Rob Wellington Quigley Architects/Tucker Sadler Architects Joint-Venture***  
Risk Management Department Claim File No. 9624

DCA Assigned: M. Hoot

Report: Nothing to report.

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

**CS-2 *Brigette Browning, et al. v. City of San Diego, et al.***  
San Diego Superior Court Case No.

DCA Assigned: T. Phelps

Motion: To seek appellate review

Moved: Council President Lightner, District 1

Seconded: Councilmember Sherman, District 7

Vote: Passed 7 to 1 with Councilmember Alvarez voting “no” and Council President Pro Tem Emerald absent.

Report: This item was reported out by Assistant City Attorney Mary Nuesca on Tuesday, October 6, 2015, at 3:09 p.m.

The City Council voted on Closed Session Item Number Two, *Brigette Browning, et al. v. City of San Diego, et al.*, San Diego Superior Court Case Number 37-2012-00094831-CU-MC-CTL, consolidated with Case Numbers 37-2012-00097148-CU-MC-CTL and 37-2012-00100333-CU-TT-CTL, to seek appellate review. This item relates to litigation concerning the validity of the Convention Center Facilities District formation, landowner election, and special tax to facilitate funding of the expansion of the San Diego Convention Center.

**Conference with Labor Negotiators pursuant to California Government Code section 54957.6:**

**CS-3 City Designated Management Team Representatives**

DCA Assigned: Not assigned

Report: Nothing to report.

**CS-4 City Designated Management Team Representatives**

DCA Assigned: Not assigned

Report: Nothing to report.

REPORTED BY:           /s/ Mary T. Nuesca            
Mary T. Nuesca  
Assistant City Attorney