

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, OCTOBER 26 AND 27, 2015
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 October 26 and 27, 2015, as follows:

CLOSED SESSION MEETING FOR MONDAY, OCTOBER 26, 2015

(Closed Session Items were heard on Tuesday, October 27, 2015.)

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

ROLL CALL:

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

Absent: Council President Pro Tem Emerald, Council District 9, absent for CS-1. Councilmember Alvarez, Council District 8, absent for the meeting.

CLOSED SESSION ITEMS:

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

CS-1 *Denise Edwards v. City of San Diego*

San Diego Superior Court Case No. 37-2014-00019139-CU-PO-CTL

DCA Assigned: C. Milligan

Report: Nothing to report.

CS-2 *Citizens for Beach Rights v. City of San Diego, et al.*

San Diego Superior Court Case No. 37-2015-00028857-CU-WM-CTL

DCA Assigned: J. Will

Motion: To seek appellate review.

Moved: Councilmember Zapf, District 2

Seconded: Councilmember Sherman, District 7

Vote: Passed 8 to 0 with Councilmember Alvarez absent.
Report: This item was reported out by Chief Deputy City Attorney John Hemmerling on Tuesday, October 27, 2015, at 2:25 p.m.

The City Council voted on Closed Session Item Number Two, *Citizens for Beach Rights v. City of San Diego, et al.*, San Diego Superior Court Case, to seek appellate review of the preliminary injunction and any adverse ruling on the merits. This litigation pertains to Site Development Permit Number 197971 for the South Mission Beach Lifeguard Station located at 700 North Jetty Road.

CS-3 *Michael Bray, et al. v. City of San Diego, et al.*
San Diego Superior Court Case No. 37-2015-00006368-CU-PO-CTL
Risk Management Department Claim File No. 10519

DCA Assigned: S. Plotkin-Wolff

Report: Nothing to report.

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