

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY AND TUESDAY, DECEMBER 14 AND 15, 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. Executive Assistant City Attorney Paul E. Cooper reports the results of the Closed Session meeting of December 14 and 15, 2015, as follows:

**CLOSED SESSION MEETING FOR MONDAY, DECEMBER 14, 2015**

(Closed Session Items were heard on Tuesday, December 15, 2015.)

**CLOSED SESSION MEETING FOR TUESDAY, DECEMBER 15, 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 Alvarez.

Absent: Councilmember Sherman, Council District 7, 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 *Benelia Santos-Hunter v. City of San Diego, et al.***

San Diego Superior Court Case No. 37-2014-00027634-CU-OE-CTL  
Risk Management Department Claim File No. 8781

DCA Assigned: G. Schaefer

Report: Nothing to report.

**CS-2 *Kenneth Simmons v. City of San Diego, et al.***

San Diego Superior Court Case No. 37-2015-00012269-CU-CR-CTL  
Risk Management Department Claim File No. 9903

DCA Assigned: K. Phillips

Report: Nothing to report.

**CS-3** *U.S. ex rel. Hendrix v. J-M Manufacturing Company, Inc., et al.*  
United States District Court Case No. 5:06cv00055GW

Related: *State of Nevada v. J-M Manufacturing Company, Inc. et al.*  
Los Angeles Superior Court Case No. BC459943

DCA Assigned: C. Welch

Motion: To approve and or accept a proposed allocation of settlement proceeds  
Moved: Council President Lightner, District 1  
Seconded: Council President Pro Tem Emerald, District 9  
Vote: Passed 8 to 0 with Councilmember Sherman absent.  
Report: This item was reported out by Assistant City Attorney Mary Nuesca on  
Tuesday, December 15, 2015, at 4:33 p.m.

The City Council voted on Closed Session Item Number Three, *United States, ex rel. Hendrix versus J-M Manufacturing Company, Incorporated, et al.*, United States District Court Case Number 5:06cv00055GW, related to *State of Nevada v. J-M Manufacturing Company, Incorporated, et al.*, Los Angeles Superior Court Case Number BC459943, to approve and or accept a proposed allocation of settlement proceeds. This case arises from a whistle-blower action brought in the U.S. District Court in Los Angeles.

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

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

DCA Assigned: Not assigned

Report: Nothing to report.

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