

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR TUESDAY, APRIL 26, 2016
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 April 26, 2016, as follows:

CLOSED SESSION MEETING FOR TUESDAY, APRIL 26, 2016, 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 – existing litigation, pursuant to California Government Code section 54956.9(d)(1):

CS-1 *Gioconda Hychko v. City of San Diego, et al.*

San Diego Superior Court Case No. 37-2016-00005845-CU-NP-CTL

DCA Assigned: A. Mullins

Report: Nothing to report.

CS-2 *Lowe SD California Property, LLC v. City of San Diego*

San Diego Superior Court Case No. 37-2015-00025959-CU-CO-CTL
Risk Management Department Claim File No. 11360

DCA Assigned: C. Brock

Report: Nothing to report.

CS-3 *City of San Diego v. Kinder Morgan, et al.*

United States District Court Case No. 07-CV-1883 (MMA)

DCA Assigned: J. Taylor

Outside Counsel: Rene Tatro and Steve Tekosky, Tatro & Tekosky

Report: Nothing to report

Conference with Legal Counsel – anticipated litigation – initiation of litigation, pursuant to California Government Code section 54956.9(d)(4):

CS-4 Number of Cases: One

DCA Assigned: J. Taylor

Motion: To initiate litigation

Moved: Councilmember Sherman, District 7

Seconded: Council President Lightner, District 1

Vote: Passed 8 to 0 with Council President Emerald absent.

Report: This item was reported out by Assistant City Attorney Mary Nuesca on
Tuesday, April 26, 2016, at 3:22 p.m.

The City Council 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