

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR TUESDAY, JULY 12, 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 July 12, 2016, as follows:

CLOSED SESSION MEETING FOR TUESDAY, JULY 12, 2016, 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, Sherman, and Alvarez.

Absent: None; all present.

CLOSED SESSION ITEMS:

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

CS-1 *San Diegans for Open Government v. City of San Diego*

San Diego Superior Court Case No. 37-2012-00088065-CU-MC-CTL

DCA Assigned: J. Goldsmith

Report: Nothing to report.

CS-2 *San Diego Navy Broadway Complex Coalition v. California Coastal Commission, et al.*

San Diego Superior Court Case No. 37-2013-00077213-CU-TT-CTL

Consolidated with San Diego Superior Court Case No. 37-2014-00006987-CU-TT-CTL
Risk Management Department Claim File No. 9355

DCA Assigned: J. Goldsmith

Report: Nothing to report.

CS-3 *FreePB.org v. City of San Diego*

San Diego Superior Court Case No. 37-2013-00052704-CU-TT-CTL

DCA Assigned: G. Spitzer

Report: Nothing to report.

CS-4 *Brigitte Browning, et al. v. City of San Diego, et al.*

San Diego Superior Court Case No. 37-2012-00094831-CU-MC-CTL, consolidated with
Case Nos. 37-2012-00097148-CU-MC-CTL and 37-2012-00100333-CU-TT-CTL

DCA Assigned: T. Phelps

Report: Nothing to report.

CS-5 *San Diegans for Open Government v. Jan Goldsmith, et al.*

San Diego Superior Court Case No. SDSC 37-2014-00000217-CU-MC-CTL

DCA Assigned: D. Karlin

Report: Nothing to report.

CS-6 *Henry Gonzales, et al. v. City of San Diego*

United States District Court Case No. 15cv1033 L RBB
Risk Management Department Claim File No. 12282

DCA Assigned: D. Karlin

Report: Nothing to report.

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

CS-7 *Eduardo and Patricia Perez v. City of San Diego*

Risk Management Department Claim File No. 12282

DCA Assigned: D. Karlin

Report: Nothing to report.

CS-8 *Rebecca Woolston v. City of San Diego*

Risk Management Department Claim File No. 12282

DCA Assigned: D. Karlin

Report: Nothing to report.

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

CS-9 Number of Cases: One

SCDCA Assigned: L. FitzGerald

Motion: To initiate litigation

Moved: Council President Lightner, District 1

Seconded: Council President Pro Tem Emerald, District 9

Vote: Passed unanimously 9 to 0.

Report: This item was reported out by Assistant City Attorney Mary Nuesca on Tuesday, July 12, 2016, at 2:39 p.m.

The City Council voted on Closed Session Item Number Nine 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