

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR TUESDAY, APRIL 24, 2018
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. Mary Nuesca, Assistant City Attorney for Special Projects, reports the results of the Closed Session meeting of April 24, 2018, as follows:

CLOSED SESSION MEETING FOR TUESDAY, APRIL 24, 2018, AT 11:00 A.M.

ROLL CALL:

Present: Mayor Faulconer, Council President Cole, Council President Pro Tem Bry, and Councilmembers Zapf, Ward, Kersey, Cate, Sherman, Alvarez, and Gomez.

Absent: Councilmember Zapf, Council District 2, absent for Items CS-1, CS-2, and CS-3.
Councilmember Cate, Council District 6, absent for Items CS-1, CS-2, and CS-3.
Councilmember Sherman, Council District 7, absent for Items CS-1, CS-2, and CS-3.

CLOSED SESSION ITEMS:

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

CS-1 *Rebecca Cook v. City of San Diego*

San Diego Superior Court Case No. 37-2015-00022471-CU-OE-CTL
Risk Management Department Claim File No. 11517

DCA Assigned: L. DePoister

Report: Nothing to report.

CS-2 *Jazmin Garcia v. City of San Diego, et al.*

San Diego Superior Court Case No. 37-2018-00003006-CU-OE-CTL
Risk Management Department Claim File No. 18191

DCA Assigned: M. McGowan

Report: Nothing to report.

CS-3 *Miller Marks v. City of San Diego, et al.*

San Diego Superior Court Case No. 37-2018-00014112-CU-MC-CTL
Risk Management Department Claim File No. 18598

DCA Assigned: M. Wharton

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

CDCA Assigned: T. Phelps

Motion: To initiate or intervene in litigation

Moved: Councilmember Alvarez, District 8

Seconded: Councilmember Gomez, District 9

Vote: Passed 6 to 3 with Councilmembers Zapf, Cate, and Sherman voting “no.”

Report: This item was reported out by Deputy City Attorney Keely Halsey on
Tuesday, April 24, 2018, at 5:18 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.

CS-5 Number of Cases: One

CDCA Assigned: T. Phelps

Motion: To initiate or intervene in litigation

Moved: Councilmember Alvarez, District 8

Seconded: Councilmember Gomez, District 9

Vote: Passed 6 to 3 with Councilmembers Zapf, Cate, and Sherman voting “no.”

Report: This item was reported out by Deputy City Attorney Keely Halsey on
Tuesday, April 24, 2018, at 5:18 p.m.

The City Council also voted on Closed Session Item Number Five 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/ Mary T. Nuesca
Mary T. Nuesca
Assistant City Attorney for Special
Projects