

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR TUESDAY, APRIL 12, 2022  
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. David J. Karlin, Senior Deputy City Attorney, reports the results of the Closed Session meeting of April 12, 2022, as follows:

**CLOSED SESSION MEETING FOR TUESDAY, APRIL 12, 2022, AT 11:00 A.M.**

**ROLL CALL:**

Present: Mayor Gloria, Council President Elo-Rivera, Council President Pro Tem Montgomery Steppe, and Councilmembers LaCava, Campbell, Whitburn, von Wilpert, Cate, Campillo, and Moreno.

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 *Alliance San Diego v. City of San Diego, et al.***

San Diego Superior Court Case No. 37-2021-00024590-CU-MC-CTL consolidated with San Diego Superior Court Case No. 37-2021-00024607-CU-MC-CTL  
Risk Management Department Claim File No. 23992

SCDCA Assigned: M. T. Phelps

Motion: To seek appellate review

Moved: Councilmember Cate, District 6

Seconded: Councilmember Campbell, District 2

Vote: Passed 6 to 3 with Council President Elo-Rivera, Council President Pro Tem Montgomery Steppe, and Councilmember Moreno voting “no.”

Report: This item was reported out by Assistant City Attorney Leslie FitzGerald on Tuesday, April 12, 2022, at 4:47 p.m.

The City Council voted on Closed Session Item No. CS-1, *Alliance San Diego vs. City of San Diego, et al.*, San Diego Superior Court Case No. 37-2021-00024590-CU-MC-CTL, which was consolidated with San Diego Superior Court Case No. 37-2021-00024607-CU-MC-CTL, to seek appellate review of the trial court's order ruling in favor of motions for judgement on the pleadings brought by the Howard Jarvis Taxpayers Association and Alliance San Diego. These consolidated cases seek to address the validity of the City Council's determination that Measure C, a citizens' initiative, was approved by the voters during the March 3, 2020 Municipal Special Election.

REPORTED BY: */s/ David J. Karlin*

David J. Karlin  
Senior Deputy City Attorney