

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, OCTOBER 27 AND 28, 2014
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 October 27 and 28, 2014, as follows:

CLOSED SESSION MEETING FOR MONDAY, OCTOBER 27, 2014

(Closed Session Items were heard on Tuesday, October 28, 2014.)

CLOSED SESSION MEETING FOR TUESDAY, OCTOBER 28, 2014, AT 9:00 A.M.

ROLL CALL:

- Present: Mayor Faulconer, Council President Gloria, Council President Pro Tem Lightner, and Councilmembers Harris, Cole, Kersey, Zapf, Sherman, Alvarez, and Emerald.
- Absent: Councilmember Harris, Council District 2, absent for CS-1 and CS-6.
Councilmember Alvarez, Council District 8, absent for CS-1, CS-2, CS-3, CS-4, CS-5, and a portion of CS-6.

CLOSED SESSION ITEMS:

Conference with Legal Counsel: existing litigation, pursuant to California Government Code section 54956.9:

- CS-1** *City of San Diego v. United States Navy*
Armed Service Board of Contract Appeals; Appeal No. 57096
- CDCA Assigned: C. Welch and A. Guy
- Report: Nothing to report.

CS-2 *City of San Diego v. California Regional Water Quality Control Board, San Diego Division*

Riverside County Superior Court Case No. RIC 1313331

DCA Assigned: H. Stroud

Motion: Seek appellate review

Moved: Councilmember Lightner, District 1

Seconded: Councilmember Emerald, District 9

Vote: Passed 8 to 0 with Councilmember Alvarez absent.

Report: This item was reported out by Assistant City Attorney Mary Nuesca on Tuesday, October 28, 2014, at 2:40 p.m.

Today, in Closed Session, the City Council voted on Closed Session Item Number Two, *City of San Diego v. California Regional Water Quality Control Board, San Diego Division*, Riverside County Superior Court Case Number RIC 1313331, to not file an appeal. The court ruled that the issue is now moot.

CS-3 *Janet Wood v. City of San Diego*

San Diego Superior Court Case No. 37-2010-00105217-CU-CR-CTL

Risk Management Claim File No. LX04-0880-0683

DCA Assigned: J. Cordileone

Report: Nothing to report.

CS-4 *DeAnza Cove HOA v. City of San Diego, et al.*

San Diego Superior Court Case No. GIC821191

Risk Management Claim File No. LP04-0130-0524

DCA Assigned: D. Worley and J. Riley

Report: Nothing to report.

CS-5 *San Diegans for Open Government v. City of San Diego*

San Diego Superior Court Case No. 37-2013-00048878-CU-MC-CTL

DCA Assigned: D. Karlin

Report: Nothing to report.

