

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
CLOSED SESSION DOCKET  
FOR  
MONDAY, DECEMBER 16, 2013  
CITY ADMINISTRATION BUILDING  
COMMITTEE ROOM – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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**NOTE:** In accordance with the San Diego City Council Permanent Rules for Noticing and Conduct of Closed Session Meetings, adopted on February 28, 2005, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. **Public testimony for this Closed Session Agenda will be taken today during the 2:00 p.m. Council meeting.**

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

**CS-1** *500 W. Broadway, LP v. City of San Diego et al.*  
United States Bankruptcy Court Case No. 10-03532-A11

DCA Assigned: C. Brock

The City of San Diego is a creditor in this bankruptcy case with a claim against the bankruptcy estate related to a loan provided to the debtor by the former Redevelopment Agency of the City of San Diego for an affordable housing redevelopment project. The City Attorney's Office will update the City Council on the status of the bankruptcy case and seek direction.

**CS-2** *In the Matter of the Complaint of Phyllis W. Cheng, Director, Department of Fair Employment and Housing v. City of San Diego*  
DFEH Case No. 85926-66549

DCA Assigned: K. Zlotnik

This case involves an administrative complaint regarding the City of San Diego's sexual harassment prevention training of supervisory employees. The City Attorney's Office will update the City Council on the status of the litigation and seek direction.

**CS-3** *Coastal Environmental Rights Foundation, Inc. v. City of San Diego*  
San Diego County Superior Court Case No. 37-2010-00095062-CU-TT-CTL

*Coastal Environmental Rights Foundation, Inc. v. City of San Diego*  
San Diego County Superior Court Case No. 37-2010-00102574-CU-TT-CTL

*Coastal Environmental Rights Foundation, Inc. v. City of San Diego*  
San Diego County Superior Court Case No. 37-2011-00092008-CU-TT-CTL

*Coastal Environmental Rights Foundation, Inc. v. City of San Diego*  
San Diego County Superior Court Case No. 37-2011-00102639-CU-TT-CTL

DCA Assigned: G. Spitzer

These cases allege that the City of San Diego has not complied with the California Environmental Quality Act with regard to park use and special event permitting. The City Attorney's Office will update the City Council on the status of the litigation and seek direction.

**CS-4** *McCormack-Jackson v. City of San Diego, et al.*  
San Diego County Superior Court Case No. 37-2013-0058613-CU-OE-CTL

DCA Assigned: J. Cordileone

This case arises from claims lodged against former Mayor Robert Filner by Irene McCormack-Jackson. The City Attorney's Office will update the City Council on the status of the litigation and seek direction.

**Conference with Legal Counsel – threat of litigation, pursuant to California Government Code section 54956.9(e)(3):**

**CS-5 Number of Cases: One**

DCA Assigned: J. Cordileone

The City Attorney's Office will discuss with the City Council a letter dated November 15, 2013, threatening litigation against the City of San Diego.

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

**CS-6 Number of Cases: One**

DCA Assigned: M. Wharton

The City Attorney will discuss the potential to initiate litigation and seek direction.