OFFICE OF COUNCIL PRESIDENT TODD GLORIA
CITY OF SAN DIEGO

M E M O R A N D U M

DATE: August 5, 2014

TO: Honorable City Councilmembers

FROM: Council President Todd Gloria

SUBJECT: Special Closed Session Meeting of the City Council REVISED

The City Council will convene for a Special Session on Thursday, August 7, 2014 at 12:30 p.m. The public will be provided an opportunity to comment in open session prior to the Council adjourning into Special Closed Session. Council will reconvene into open session following completion of the Special Closed Session to allow the City Attorney the opportunity to report out any reportable actions taken in closed session.

The City Council will convene in Council Chambers on the 12th floor of the City Administration Building, 202 C Street, San Diego, CA. The Council will adjourn to the Committee Room for the Special Closed session. No other business may be considered at this time.

The agenda for the Special Closed Session is the following:

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

SCS-1 ***Jane Doe v. City of San Diego, et al.***
United States District Court Case No. 12-cv-0689-MMA (DHB)

DCA Assigned: C. Milligan

This case arises from alleged misconduct by former San Diego Police Officer Anthony Arevalos. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

SCS-2 City of San Diego v. Melvin Shapiro, et al.
Fourth District Court of Appeal Case No. D063997

San Diego Superior Court Case No. 37-2012-00097148-CU-MC-CTL

DCA Assigned: M. Phelps; and Daniel C. Bort and Michael C. Weed, Orrick Herrington & Sutcliffe LLP

This closed session item relates to litigation concerning the validity of the Convention Center Facilities District formation, landowner election, and special tax to facilitate funding of the expansion of the convention center. In closed session, the City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

SCS-3 San Diegans for Open Government v. City of San Diego, et al.
San Diego Superior Court Case No. 37-2013-00048878-CU-MC-CTL

DCA Assigned: C. Richardson

This case arises from San Diegans for Open Government's demand to inspect and then obtain copies of each and every email, text-message and voice mail communication (regardless of whether the account used was public or private) between Council President Gloria and his staff with any other person (regardless of the number of authors or recipients in the communication, but excluding communications strictly between Council President Gloria and his staff), concerning any item that appeared on any City Council agenda (excluding "proclamations/ceremonial items" and "consent items") between January 1, 2013, and April 24, 2013. Representatives from the City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

SCS-4 San Diegans for Open Government v. Jan Goldsmith, et al.
San Diego Superior Court Case No. 37-2014-0000217-CU-MC-CTL

DCA Assigned: C. Richardson; and Jacqueline Vinaccia, Lounsbery Ferguson Altona & Peak LLP

This case arises from San Diegans for Open Government's allegations that the City Attorney is conducting official City of San Diego business from his personal e-mail account in violation of the California Public Records Act, the California Constitution, and San Diego Charter (Charter), and is wasting taxpayer money by, among other things, communicating with the media and exercising his duties and obligations under Charter section 40. Representatives from the City Attorney's Office and outside counsel will update the Mayor and City Council on the status of the litigation and seek direction.

cc: Honorable Mayor Kevin Faulconer
Honorable City Attorney Jan Goldsmith
Andrea Tevlin, Independent Budget Analyst
Liz Maland, City Clerk