

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY, SEPTEMBER 18, 2023  
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 September 18, 2023, as follows:

**CLOSED SESSION MEETING FOR MONDAY, SEPTEMBER 18, 2023, AT 10:00 A.M.**

**ROLL CALL:**

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

Absent: Council President Elo-Rivera, Council District 9, absent for the meeting.

**CLOSED SESSION ITEMS:**

**CONSENT ITEM**

Staff presentations on the Consent items listed below will be waived unless a request is made by any Councilmember for a specific item to be heard in the Discussion portion of the Closed Session agenda. Requests may be made during the meeting by notifying the Mayor or presiding officer.

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

**CS-1 *Arthur Aragon v. City of San Diego, et al.***

San Diego Superior Court Case No. 37-2020-00042161-CU-CR-CTL  
Risk Management Department Claim File No. 22308

DCA Assigned: K. McGeehan

Report: Nothing to report.

**DISCUSSION ITEMS**

**Conference with Labor Negotiators, pursuant to California Government Code section 54957.6:**

**CS-2 City Designated Management Team Representatives:**

ACA Assigned: J. McNeill

Report: Nothing to report.

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

**CS-3 *San Diego Police Officers' Ass'n v. City of San Diego***

San Diego Superior Court Case No. 37-2023-0003350-CU-JR-CTL  
Risk Management Department Claim File No. 34229

DCA Assigned: B. P. Syz

Report: Nothing to report.

**CS-4 *Miguel Angel Pizarro v. Trevor James Heitmann, et al., (consolidated with Angelo Pizarro v. Trevor James Heitmann, et al., and Kurt Heitmann v. City of San Diego, et al.,)***

San Diego Superior Court Case No. 37-2019-00039360-CU-PA-CTL (consolidated with 37-2019-00044450-CU-PA-CTL and 37-2019-00060502-CU-PA-CTL)

Risk Management Department Claim File No. 21367

SCDCA Assigned: S. J. Plotkin-Wolff

Report: Nothing to report.

**CS-5 *Patricia Flores v. City of San Diego*  
(consolidated with *Angelica Sanchez v. City of San Diego*)**

San Diego Superior Court Case No. 37-2017-00049108-CU-PA-CTL  
(consolidated with San Diego Superior Court Case No. 37-2018-00013595-CU-PA-CTL)  
Risk Management Department Claim File No. 16983

CDCA Assigned: J. J. McQuarrie

Report: Nothing to report

**CS-6 *Thomas Bell, et al. v. City of San Diego, et al.***

San Diego Superior Court Case No. 37-2023-00003890 CU-PO-CTL  
Risk Management Department Claim File No. 30595

Assigned: K. McGeehan, DCA and R. A. Stephan, SCDCA

Report: Nothing to report.

**CS-7 *Alliance San Diego v. City of San Diego, et al.***

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

DCA Assigned: T. L. Krentz

The City Council voted on Closed Session Item Number 7, *Alliance San Diego v. City of San Diego, et al.*, San Diego Superior Court Case Number 37-2021-00024590-CU-MC-CTL, to authorize the filing of a Petition for Review to the California Supreme Court.

**CS-8 *Daniel Vander Meer v. City of San Diego, et al.***

San Diego Superior Court Case No. 37-2020-00038094-CU-PA-CTL  
Risk Management Department Claim File No. 24528

DCA Assigned: M. T. Neff

Report: Nothing to report.

**CS-9 *City of Grants Pass, Oregon v. Gloria Johnson, et al.***

United States Supreme Court Case No. 23-175  
Risk Management Department Claim File No. N/A

CDCA Assigned: T. L. Krentz

The City Council also voted on Closed Session Item Number 9, *City of Grants Pass, Oregon v. Gloria Johnson, et al.*, United States Supreme Court Case Number 23-175, to join in the litigation as an amicus participant supporting the city of Grants Pass by signing onto an amicus brief to be filed by the city of Seattle, Washington.

**Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation, pursuant to California Government Code section 54956.9:**

**CS-10 Number of Cases: One**

Assigned: M. T. Phelps, ACA and B. P. Syz, DCA

The City Council also voted on Closed Session Item Number 10 to initiate litigation. Once 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/ David J. Karlin*

David J. Karlin  
Senior Deputy City Attorney