

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR TUESDAY, FEBRUARY 5, 2019  
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. Mary Nuesca, Assistant City Attorney for Special Projects, reports the results of the Closed Session meeting of February 5, 2019, as follows:

**CLOSED SESSION MEETING FOR TUESDAY, FEBRUARY 5, 2019, AT 11:00 A.M.**

**ROLL CALL:**

Present: Mayor Faulconer, Council President Gomez, Council President Pro Tem Bry, and Councilmembers Campbell, Ward, Montgomery, Kersey, Cate, Sherman, 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 *Stewart Matthew Dillon v. City of San Diego, et al.***

San Diego Superior Court Case No. 37-2018-00011916-CU-PA-CTL  
Risk Management Department Claim File No. 17261

DCA Assigned: S. Tejura

Report: Nothing to report.

**CS-2 *City of San Diego v. Elizabeth Maland (SDSU West)***

San Diego Superior Court Case No. 37-2018-00023290-CU-WM-CTL

CDCA Assigned: T. Phelps

Report: Nothing to report.

**CS-3** *City of San Diego v. Elizabeth Maland (Soccer City)*  
San Diego Superior Court Case No. 37-2018-00023295-CU-WM-CTL

CDCA Assigned: T. Phelps

Report: Nothing to report.

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

**CS-4 Number of Cases: One**

DCA Assigned: C. Bell, Jr.

Motion: To initiate or to intervene in litigation

Moved: Councilmember Ward, District 3

Seconded: Councilmember Sherman, District 7

Vote: Passed unanimously 9 to 0.

Report: This item was reported out by Senior Chief Deputy City Attorney Prescilla Dugard on Tuesday, February 5, 2019, at 3:02 p.m.

The City Council voted on Closed Session Item Number Four to initiate litigation. Once litigation is 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.

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

**CS-5 City Designated Management Team Representatives**

ACA Assigned: J. McNeill

The City Council reviewed the City of San Diego's position and instructed the City's designated representatives regarding meet and confer under the Meyers-Milias-Brown Act related to the terms and conditions for a successor Memorandum of Understanding with Deputy City Attorneys Association of San Diego (DCAA).

REPORTED BY:           /s/ Mary T. Nuesca            
Mary T. Nuesca  
Assistant City Attorney for Special  
Projects