

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY, MAY 15, 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 Monday, May 15, 2023, as follows:

**CLOSED SESSION MEETING FOR MONDAY, MAY 15, 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: Councilmember Moreno, Council District 8, CS-7.

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

**CS-1 *Michelle Haulcy v. City of San Diego***

San Diego Superior Court Case No. 37-2022-00012180-CU-PO-CTL  
Risk Management Department Claim File No. 27430

DCA Assigned: J. P. Pearson

Report: Nothing to report.

**CS-2 *Kenneth Webster v. City of San Diego***

San Diego Superior Court Case No. 37-2022-00004131-CU-PO-CTL  
Risk Management Department Claim File No. 28291

DCA Assigned: N. A. Morales

Report: Nothing to report.

**Conference with Legal Counsel – Significant Exposure to Litigation, pursuant to California Government Code section 54956.9(d)(2):**

**CS-3 Pre-Lit Claim – Chhunean Pao**

Risk Management Department Claim File No. 28138

DCA Assigned: D. E. Abad

Report: Nothing to report

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

**CS-4 *Castellanos, et al. v. State of California, et al.***

Court of Appeal, First Appellate District Court Case Number A163655

Risk Management Department Claim File No. N/A

SCDCA Assigned: M. Ankcorn

The City Council voted on Closed Session Item Number 4, *Castellanos, et al. v. State of California, et al.*, Court of Appeal, First Appellate District, Court Case Number A163655, to join in litigation as an amicus participant supporting the plaintiffs’ challenge to Proposition 22, which allows “gig economy” tech companies like Uber to classify their workers as independent contractors. The motion passed unanimously 9 to 0.

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

**CS-5 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-6 *Kekoa Young v. City of San Diego, et al.***

San Diego Superior Court Case No. 37-2020-00017371-CU-PA-CTL

Risk Management Department Claim File No. 23099

SCDCA Assigned: R. A. Stephan

Outside Counsel: J. Buddingh, Gordon & Rees

Report: Nothing to report.

**Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation, pursuant to California Government Code section 54956.9(d)(4):**

**CS-7 Number of Cases: One**

DCA Assigned: R. A. Sullivan

The City Council also voted on Closed Session Item Number 7 to initiate litigation against SeaWorld due to unpaid rent that accrued in 2020 and 2021.

The motion passed 8 to 0 with Councilmember Moreno absent.

**Consultation with San Diego’s Chief Information Security Officer – Threat to Public Services or Facilities, pursuant to California Government Code section 54957(a):**

**CS-8 THREAT TO PUBLIC SERVICES OR FACILITIES**

DCA Assigned: S. R. Lastomirsky

Report: Nothing to report.

REPORTED BY: */s/ David J. Karlin*

David J. Karlin

Senior Deputy City Attorney