

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, APRIL 27 AND 28, 2015
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH 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. Executive Assistant City Attorney Paul E. Cooper reports the results of the Closed Session meeting of April 27 and 28, 2015, as follows:

CLOSED SESSION MEETING FOR MONDAY, APRIL 27, 2015

(Closed Session Items were heard on Tuesday, April 28, 2015.)

CLOSED SESSION MEETING FOR TUESDAY, APRIL 28, 2015, AT 9:00 A.M.

ROLL CALL:

Present: Mayor Faulconer, Council President Lightner, Council President Pro Tem Emerald, and Councilmembers Zapf, Gloria, Cole, Kersey, Cate, Sherman, and Alvarez.

Absent: Councilmember Zapf, Council District 2, absent for CS-2.
Councilmember Alvarez, Council District 8, absent for CS-2.
Council President Pro Tem Emerald, Council District 9, absent for CS-2.

CLOSED SESSION ITEMS:

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

CS-1 *Brian Hernandez & Kevin Hernandez v. City of San Diego, et al.*
United States District Court Case No. 14cv0591 GPC (JLB)

DCA Assigned: J. Riley

Report: Nothing to report.

CS-2 *City of San Diego, et al. v. Michael Cohen, et al.*
Sacramento Superior Court Case No. 34-2013-80001410

DCA Assigned: M. Wharton

Motion: To dismiss an appeal
Moved: Councilmember Sherman, District 7
Seconded: Councilmember Cole, District 4

Vote: Passed 6 to 0 with Councilmember Zapf, Alvarez, and Emerald absent.
Report: This item was reported out by Assistant City Attorney Mary Nuesca on
Tuesday, April 27, 2015, at 3:25 p.m.

Today, in Closed Session, the City Council took the following action:

The City Council voted on Closed Session Item Number Two, City of San Diego, et al. v. Michael Cohen, et al., Sacramento Superior Court Case No. 34-2013-80001410, to dismiss its appeal. This case arises from the decision in connection with ROPS 3 by the California Department of Finance to invalidate the Long Term Debt Agreement between the City and the Redevelopment Agency.

REPORTED BY: /s/ Paul E. Cooper
Paul E. Cooper
Executive Assistant City Attorney