

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION AGENDA
FOR
MONDAY, JULY 24, 2023, AT 10:00 AM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rules for Noticing and Conduct of Closed Session Meetings, adopted by Resolution No. R-310153 on December 8, 2015, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Agenda. **Public testimony for this Closed Session Agenda will be taken today during the 10:00 a.m. Council meeting.**

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

CS-1 *Cecilia Sepulveda, et al. v. City of San Diego*

San Diego Superior Court Case No. 37-2022-00029023-CU-PO-CTL
Risk Management Department Claim File No. 28359

DCA Assigned: S. M. Robinson

Outside Counsel: Tatiana Dupuy, Gordon, Rees, Scully Mansukhani

This case arises from an accident on September 18, 2021, when a rented electric scooter rider was killed when a car drifted into the bicycle lane on Pershing Drive. The lawsuit alleges the roadway constituted a dangerous condition. The City Attorney's Office and outside counsel will update the Mayor and City Council on the status of the litigation and seek direction.

CS-2 *Destiny Smith v. City of San Diego*

San Diego Superior Court Case No. 37-2023-0006933-CU-PO-CTL
Risk Management Department Claim File No. 29412

DCA Assigned: D. W. Nicholas

Outside Counsel: D. Semerdjian, Schwartz Semerdjian Cauley & Evans LLP

This case arises from an injury accident where the Plaintiff alleges she was riding a Bird scooter on Mission Boulevard when she struck a pothole and was thrown from the scooter. The City Attorney's Office and outside counsel will update the Mayor and City Council on the status of the litigation and seek direction.

CS-3 *John Enright v. City of San Diego*

San Diego Superior Court Case No. 37-2022-00028178-CU-PO-CTL

Risk Management Department Claim File No. 28875

DCA Assigned: K. R. Yee

Outside Counsel: D. Semerdjian, Schwartz Semerdjian Cauley & Evans LLP

This case arises from an injury accident where the Plaintiff alleges he was riding a Bird scooter at the entrance to an alleyway in La Jolla when he struck a pothole and was thrown from the scooter. The City Attorney's Office and outside counsel will update the Mayor and City Council on the status of the litigation and seek direction.

Public Employment – Performance Evaluation, pursuant to California Government Code Section 54957(b)(1):

CS-4 Title: City Clerk

DCA Assigned: None assigned