

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY AND TUESDAY, OCTOBER 27 AND 28, 2008  
CITY ADMINISTRATION BUILDING  
COMMITTEE ROOM – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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**REPORTING THE RESULT 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. Assistant City Attorney Karen Heumann reports the results of the Closed Session Meeting of October 27 and 28, 2008, as follows:

**CLOSED SESSION MEETING FOR MONDAY, OCTOBER 27, 2008**

Closed Session Items were heard on Tuesday, October 28, 2008.

**CLOSED SESSION MEETING FOR TUESDAY, OCTOBER 28, 2008**

**ROLL CALL:**

Present: Mayor Sanders, Council President Peters, Council President Pro Tem Madaffer, and Councilmembers Atkins, Young, Maienschein, Frye, and Hueso

Absent: Councilmember Faulconer – Dist. 2 (Absent for part of Item CS-6)

**CLOSED SESSION ITEMS:**

**Conference with Legal Counsel - existing litigation, pursuant to California Government Code Section 54956.9(a):**

**CS-1** *City of San Jose v. Operating Engineers Local Union No. 3, et al.*  
California Supreme Court Case No. S162647

CDCA Assigned: A. Hersh

Report: Nothing to report

**CS-2** *Valerie O'Sullivan v. City of San Diego*

San Diego Superior Court Case No. GIC 826918; Court of Appeal Case No. 826918;

*La Jolla Friends of the Seals, et al v. National Oceanic and Atmospheric Administration National Marine Fisheries Service, et al.*

U.S. District Court Case No. 08cv1847 WQH POR

DCA Assigned: G. Schaefer

Report: Nothing to report

**CS-3** *Citizens for Responsible Equitable Environmental Development v. City of San Diego*

San Diego Superior Court Case No. GIC871259

*Citizens for Responsible Equitable Environmental Development, et al. v. City of San Diego*

San Diego Superior Court Case No. GIC876017

DCA Assigned: M. Dickenson

Report: Nothing to report

**Conference with Legal Counsel - anticipated litigation - significant exposure to litigation, pursuant to California Government Code Section 54956.9(b):**

**CS-4 Number of Potential Cases: Up to 50 (Voluntary Compliance Program Filing)**

DCA Assigned: W. Chung

Report: Nothing to report

**Conference with Labor Negotiator, pursuant to Government Code Section 54957.6:**

**CS-5 Agency Negotiator:** Scott Chadwick, Jay Goldstone

**Employee Organizations:** AFSCME Local 127

CDCA Assigned: A. Hersh

DCA Assigned: B. Gersten

Report: Nothing to report

**Conference with Legal Counsel - existing litigation, pursuant to California Government Code Section 54956.9(a):**

**CS-6** *Friends and Concerned Citizens of University City, et al. v. City of San Diego*  
San Diego Superior Court Case No. 37-2007-00078058-CU-TT-CTL

DCA Assigned: N/A

Report: Nothing to report

REPORTED BY: \_\_\_\_\_  
Karen Heumann  
Assistant City Attorney