

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR TUESDAY, OCTOBER 3, 2017  
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 September 26, 2017, as follows:

**CLOSED SESSION MEETING FOR TUESDAY, SEPTEMBER 26, 2017, AT 11:00 A.M.**

**ROLL CALL:**

Present: Mayor Faulconer, Council President Cole, Council President Pro Tem Kersey, and Councilmembers Bry, Zapf, Ward, Sherman, Alvarez, and Gomez.

Absent: Councilmember Cate, Council District 6, absent for the meeting.  
Councilmember Sherman, Council District 7, absent for CS-2.

**CLOSED SESSION ITEMS:**

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

**CS-1 Number of Cases: One**

DCA Assigned: P. Prather

Motion: To initiate litigation

Moved: Councilmember Alvarez, District 8

Seconded: Councilmember Sherman, District 7

Vote: Passed 8 to 0 with Councilmember Cate absent.

Report: This item was reported out by Assistant City Attorney Sanna Singer on Tuesday, September 26, 2017, at 5:03 p.m.

Today, in Closed Session, the City Council voted on Closed Session Item Number One, to initiate litigation against the International Boundary and Water Commission and Veolia Water North America – West LLC for Violations of the Clean Water Act, Resource Conservation and Recovery Act, for Public Nuisance, Injunction, Abatement and all Other Possible Causes of Action.

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

**CS-2 *Deborah Ganley v. City of San Diego***

San Diego Superior Court Case No. 37-2016-00000261-CU-OE-CTL  
Risk Management Department Claim File No. 12306

DCA Assigned: D. Karlin

Outside Counsel: Robert Allenby, Sullivan Hill Lewin Rez & Engel

Report: Nothing to report.

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