

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, DECEMBER 9, 2013
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 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 on February 28, 2005, 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 Docket. **Public testimony for this Closed Session Agenda will be taken today during the 2:00 p.m. Council meeting.**

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

CS-1 Number of Cases: Two

DCA Assigned: M. Wharton

The City Attorney will discuss the potential to initiate litigation and seek direction.

CS-2 Number of Cases: One

DCA Assigned: G. Schaefer

The City Attorney will discuss the potential to initiate litigation and seek direction.

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

CS-3 *Animal Protection and Rescue League, et al. v. City of San Diego, et al.*

San Diego County Superior Court Case No. 37-2012-00086105

Fourth District, Division One Court of Appeal Case No. D064127

DCA Assigned: G. Schaefer

In the *Animal Protection and Rescue League 6* case, Plaintiffs challenged the San Diego Planning Commission’s denial of a permit for a year-round rope barrier for the protection of seals at the La Jolla Children’s Pool. The San Diego County Superior Court issued a writ for the Plaintiffs and awarded attorneys’ fees. The City Attorney’s Office will update the City Council on the status of the litigation and seek direction.

CS-4 *San Diegans for Open Government (UTC) v. City of San Diego*

San Diego County Superior Court Case No. 37-2013-00044155-CU-TT-CTL

DCA Assigned: J. Will

This case arises from the City of San Diego's approval of a Neighborhood Use Permit and CEQA exemption for a comprehensive sign plan at the Westfield Shopping Center. The City Attorney's Office will update the City Council on the status of the litigation and seek direction.

CS-5 *The Environmental Health Coalition, et al. v. Elizabeth Maland, et al.*

San Diego County Superior Court Case No. 37-2013-00075076-CU-WM-CTL

DCA Assigned: K. Zlotnik

This case involves a challenge to the validity of a submitted referendary petition regarding the Barrio Logan Community Plan Update. The City Attorney's Office will update the City Council on the status of the litigation and seek direction.

Conference with Labor Negotiators pursuant to California Government Code Section 54957.6:

CS-6 City Designated Management Team Representatives:

Todd Gloria, Council President – Chief Negotiator (Rev. 12/6/13)
Timothy Davis, Burke, Williams, & Sorensen LLP
Judy von Kalinowski, Human Resources Director
Rimah Khouri, Human Resources Deputy Director
Joy Freeman, Human Resources Deputy Director
Karen DeCrescenzo, Senior Human Resources Officer
Gina Conrad, Human Resources Officer
Mike Ismail, Human Resources Officer
John O'Neill, Human Resources Officer
Scott Chadwick, Chief Operating Officer
Stacey LoMedico, Assistant Chief Operating Officer (Rev. 12/6/13)
Jeff Sturak, Deputy Chief Operating Officer
Greg Bych, Risk Management Director
Estella Montoya, Risk Management Deputy Director
Michelle Villa, Payroll Principal Accountant, City Comptroller Department

Designated as representatives within the meaning of California Government Code Section 54957.6(a):

Andrea Tevlin, Independent Budget Analyst
Jeff Kavar, Deputy Director, Office of the Independent Budget Analyst
Lisa Byrne, Fiscal and Budget Analyst, Office of the Independent Budget Analyst

Designated as representatives within the meaning of California Government Code Section 54957.6(a):

Jan Goldsmith, City Attorney
Joan Dawson, Deputy City Attorney
Bill Gersten, Deputy City Attorney
Roxanne Story Parks, Deputy City Attorney

Employee Organization:

San Diego Municipal Employees' Association (MEA)

DCA Assigned: Not assigned

The purpose of this Closed Session is to review the City's position and instruct the City's designated representatives related to proposals by Civic San Diego and work performed by City employees represented by the San Diego Municipal Employees' Association.