

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
CLOSED SESSION DOCKET  
FOR  
MONDAY, OCTOBER 6, 2014  
CITY ADMINISTRATION BUILDING  
COMMITTEE ROOM – 12<sup>TH</sup> 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 - existing litigation, pursuant to California Government Code section 54956.9(d)(1):**

**CS-1** *San Diegans for Open Government v. City of San Diego*  
San Diego Superior Court Case No. 37-2013-00056051-CU-MC-CTL

ACA Assigned: D. Worley

Plaintiff, in the California Public Records Act case, seeks redacted transcripts of Closed Session hearings. If the Court orders that the City of San Diego produce them as public records, the City Attorney’s Office will update the Mayor and City Council on the status of the litigation and seek direction.

**CS-2** *XL Specialty Insurance Co. v. City of San Diego*  
San Diego Superior Court Case No. 37-2014-00030786-CU-EI-CTL

DCA Assigned: K. Steinman

This matter stems from a water main break that occurred on Rosecrans Street on September 27, 2012. The City Attorney’s Office and Risk Management will update the Mayor and City Council on the status of the litigation and seek direction.

**Conference with Legal Counsel – significant exposure to litigation, pursuant to California Government Code Section 54956.9(d)(2):**

**CS-3 Number of Cases: One**

DCA Assigned: T. Zeleny

The City Attorney will discuss with the Mayor and City Council a threat of litigation made by local environmental groups over the National Pollutant Discharge Elimination System (NPDES) permit for the Point Loma Wastewater Treatment Plant. The Plant is the last significant wastewater treatment facility in the United States operating under a “waiver” from secondary treatment requirements. City must apply to renew the NPDES permit by February 1, 2015. The City Attorney’s Office will update the Mayor and City Council on the potential for litigation and seek direction.

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

**CS-4 Number of Cases: One**

DCA Assigned: T. Zeleny