

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, JULY 28, 2008
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 - existing litigation, pursuant to California Government Code Section 54956.9(a):

**CS-1 *City of San Diego v. Orrick, Herrington & Sutcliff, et al.*
San Diego Superior Court Case No. GIC857632**

EACA Assigned: D. McGrath

In Closed Session, Executive Assistant City Attorney Don McGrath and outside counsel, Bryan Vess, will brief the City Council regarding the status of this matter filed in Superior Court and seek direction regarding an offer to settle the matter.

**CS-2 *Marsha K. Ryder v City of San Diego and Phyllis Swanegan*
Case No. 37-2007-00073129-CU-WT-CTL**

DCA Assigned: J. Cordileone

The Plaintiff in this lawsuit against the City of San Diego has made a written settlement offer which the City Attorney wishes to present to the City Council.

**CS-3 *County of San Diego v. Redevelopment Agency of the City of San Diego, et al.*
San Diego County Superior Court Case No. GIC 850455
(Consolidated with San Diego County Superior Court Case No. GIC 850829)**

DCA Assigned: G. Spitzer

This litigation regards the validity of City Council's adoption of the Grantville Redevelopment Plan, Ordinance No. O-19380. City Council and the Redevelopment Agency will confer with the City Attorney regarding settlement and the status of litigation.

Public employment - performance evaluation, pursuant to California Government Code Section 54957(b)(1):

CS-4 Title: Independent Budget Analyst

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

CS-5 Agency Negotiator: Richard Kreisler, Scott Chadwick, Tanya Tomlinson, Thom Harpole, Abby Jarl, Greg Bych, Val VanDeweghe, and Alan Hersh

Employee Organizations: Municipal Employees Association, AFSCME Local 127 AFL-CIO, and Deputy City Attorney Association

DCA Assigned: A. Hersh

The Mayor and City Council will be updated on the status of negotiations regarding the Ballot Initiative Reform of the City of San Diego Pension System.

CS-6 Agency Negotiator: Richard Kreisler, Scott Chadwick, Tanya Tomlinson, Thom Harpole, Abby Jarl, Greg Bych, Val VanDeweghe, Jessica Falk Michelli, and Alan Hersh

Employee Organizations: Municipal Employees Association, AFSCME Local 127 AFL-CIO, and Deputy City Attorney Association

DCA Assigned: A. Hersh

Discussions regarding impasse on the Ballot Initiative regarding Reform of the City of San Diego Pension System.

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

**CS-7 *Blackwater Lodge and Training Center, Inc. v. Broughton et al.*
United States District Court Case No. 08cv0926-H (WMC)**

United States District Court Case No. 08cv0926-H (WMC) was filed by Blackwater Lodge and Training Center, Inc., on May 23, 2008, requesting, in part, that the City be required to issue occupancy permits for use of an industrial warehouse in the Otay Mesa Development District for use as a military training center. A temporary restraining order was issued by the Court followed by a Preliminary Injunction. The City Attorney is being requested to provide an update on the pending litigation and settlement proposal submitted by Blackwater.