

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, DECEMBER 8, 2008
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Council Member Young at 2:02 p.m. The meeting was adjourned by Council Member Young at 2:28 p.m.

ATTENDANCE DURING THE MEETING:

- (1) Council Member Lightner-not present
 - (2) Council Member Faulconer-present
 - (3) Council Member Gloria-present
 - (4) Council Member Young-present
 - (5) Council Member DeMaio-present
 - (6) Council Member Frye-present
 - (7) Council Member Emerald-present
 - (8) Council Member Hueso-present
- Clerk-Maland (sr)

FILE LOCATION: MINUTES



ITEM-1: ROLL CALL

Clerk Maland called the roll:

- (1) Council Member Lightner-not present
- (2) Council Member Faulconer-present
- (3) Council Member Gloria-present
- (4) Council Member Young-present
- (5) Council Member DeMaio-present
- (6) Council Member Frye-present
- (7) Council Member Emerald-not present
- (8) Council Member Hueso-present

FILE LOCATION: MINUTES



ITEM-10: INVOCATION

Invocation was given by Reverend Dr. Emma Moore-Kochlas of La Jolla United Methodist Church.

FILE LOCATION: MINUTES



ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Faulconer

FILE LOCATION: MINUTES

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Council Member Faulconer welcomed the new Council Members.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 2:05 p.m. - 2:06 p.m.)

COUNCIL COMMENT-2:

Council Member Young commented on the deaths of two students in District 4 over the weekend.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 2:06 p.m. - 2:06 p.m.)

CLOSED SESSION ITEMS:

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

**CS-1 *City of San Diego v. Gabriel, Roeder, Smith & Co.*
San Diego County Superior Court Case No. GIC852419 (Severed)**

REFERRED TO CLOSED SESSION OF TUESDAY, DECEMBER 9, 2008

DCA Assigned: D. Bamberg

This is a lawsuit filed by the City of San Diego against, among others, Gabriel Roeder Smith & Company and Rick A. Roeder, individually. In closed session, the Mayor and City Council will meet with Deputy City Attorneys Daniel F. Bamberg and Andrew Jones to discuss a potential settlement of the matter.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 2:09 p.m. - 2:09 p.m.)

Council Member Young closed the hearing.

**CS-2 *Marcus Abbe, et al. (190⁺ Individual Police Officers) v. City of San Diego*
United States District Court Case No. 05 CV 1629 DMS;
and 06 CV 0538 DMS (RBB) (“POA II”)**

REFERRED TO CLOSED SESSION OF TUESDAY, DECEMBER 9, 2008

DCA Assigned: G. Schaefer

Over 1500 former and current San Diego police officers sued the City in federal court for unpaid wages, including overtime. The federal court conducted a settlement conference on November 21, 2008 that resulted in an impasse. The jury trial is set to commence on January 5, 2009. The City Attorney needs to brief the Mayor and City Council in closed session on the status of the litigation.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 2:09 p.m. - 2:09 p.m.)

Council Member Young closed the hearing.



ITEM-200: Selection of a Council President for Calendar Year 2009.

(See memorandum from the City Attorney dated 11/18/2008; memorandum from Council President Peters dated 11/3/2008; and memorandum from Councilmembers Faulconer, Maienschein, and Frye dated 11/3/2008.)

(Continued from the meeting of November 18, 2008, Item 334, at the request of Councilmember Hueso, for further review. Councilmember Young is designated to run the meeting.)

COUNCIL PRESIDENT PETERS' RECOMMENDATION:

Take the following actions:

(R-2009-) TRAILED TO TUESDAY, DECEMBER 9, 2008

Council is asked to consider the matter of selecting a Council President for Calendar Year 2009, and to take such actions as the Council deems appropriate. These actions may include:

1. Select a new Council President for Calendar Year 2009;
2. Select an Interim Council President until a date certain;
3. Continued the matter of selection of a Council President for Calendar Year 2009 to a later date.

Directing the City Attorney to prepare the appropriate resolutions and/or ordinances in accordance with Charter Section 40.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 2:09 p.m. - 2:26 p.m.)

REPORT OUT OF CLOSED SESSION:

None.

NON-DOCKET ITEMS:

None.

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for the Regular Meeting of Monday, December 8, 2008**

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ADJOURNMENT:

The meeting was adjourned by Council Member Young at 2:28 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 2:28 p.m. - 2:28 p.m.)