CITY COUNCIL OF THE CITY OF SAN DIEGO THE CLOSED SESSION MEETING REPORT FOR TUESDAY, OCTOBER 9, 2018 CITY ADMINISTRATION BUILDING

COMMITTEE ROOM – 12TH 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 October 9, 2018, as follows:

CLOSED SESSION MEETING FOR TUESDSAY, OCTOBER 9, 2018, AT 11:00 A.M.

ROLL CALL:

Present: Mayor Faulconer, Council President Cole, Council President Pro Tem Bry,

and Councilmembers Zapf, Ward, Kersey, Cate, Sherman, Alvarez, and

Gomez.

Absent: None; all present.

CLOSED SESSION ITEMS:

Conference with Legal Counsel – Existing Litigation, pursuant to California Government Code section 54956.9(d)(1):

CS-1 Catherine A. Boling, et al. v. Public Employment Relations Board (City of San Diego)

California Supreme Court Case No. S242034, consolidated with Court of Appeal Case

Nos. D069626 and D069630

Public Employment Relations Board Dec. No. 2464-M Risk Management Department Claim File No. 6215

CDCA Assigned: T. Phelps

Motion: To seek appellate review

Moved: Councilmember Cate, District 6 Seconded: Councilmember Sherman, District 7

Vote: Passed 8 to 1 with Councilmember Ward voting "no."

Report: This item was reported out by Senior Chief Deputy City Attorney Leslie

FitzGerald on Tuesday, October 9, 2018, at 3:35 p.m.

The City Council voted on Closed Session Item Number One, *Catherine A. Boling, et al. v. Public Employment Relations Board*, California Supreme Court Case Number S242034, consolidated with Court of Appeal Case Numbers D069626 and D069630, Public Employment Relations Board Decision Number 2464-M, Risk Management

Department Claim File Number 6215, to seek appellate review. This closed session item involves litigation related to Proposition B, a June 2012 voter-approved pension reform initiative to amend the City Charter. Four of the City's recognized employee labor organizations challenged the adoption of Proposition B on the ground it violated the City's meet-and-confer obligations under the Meyers-Milias-Brown Act.

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

CS-2 City Designated Management Team Representatives

The Council reviewed the City of San Diego's position and instructed the City's designated representatives regarding any meet and confer related to Proposition B, a pension reform measure approved by City voters in June 2012 that is the subject of litigation for alleged violations of the Meyers-Milias-Brown Act.

DCA Assigned: Not assigned

The City Council reviewed the City of San Diego's position and instructed the City's designated representatives regarding meet and confer under the Meyers-Milias-Brown Act related to Proposition B, a pension reform measure approved by City voters in June 2012 that is the subject of litigation for alleged violations of the Meyers-Milias-Brown Act.

REPORTED BY: /s/ Mary T. Nuesca

Mary T. Nuesca Assistant City Attorney for Special Projects