



## CITY OF NEWPORT BEACH OFFICE OF THE CITY ATTORNEY

TO : Terri Cassidy,  
Human Resources Director

Date: November 25, 2009

FROM : David R. Hunt, City Attorney

MATTER: CSB Agenda Matters  
(A09-00229)

**SUBJECT: Closed Session Agenda for Special Meeting of November 30, 2009**

We have one closed session matter for the special CSB special meeting of November 30, 2009. The agenda description consistent with the Brown Act is as follows:

- **Conference with Legal Counsel – Anticipated Litigation – Exposure to Litigation (Government Code § 54956.9(b))**: One matter:
  - Potential exposure to litigation on one matter based upon facts and circumstances that might result in litigation against the City but which are not yet known to a potential plaintiff or plaintiffs and disclosure of the facts or circumstances would jeopardize the City's ability to resolve the matter.

In order satisfy Brown Act and procedural requirements, we recommend the Civil Service Board:

1. Convene in open session;
2. Offer an opportunity for public comment on any issue on the agenda, which will be difficult since the description is not very illuminating. I note that since this is a special meeting the Chair does not have to allow comments on any issue within the jurisdiction of the Board;
3. Adjourn into Closed Session;
4. Conduct its meeting in closed session;
5. Reconvene in Open Session;
6. Allow opportunity for the City Attorney to "report out;" and
7. Adjourn the meeting.

Please let me know if you have any questions or concerns.

*DRH*