

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY
JULY 31 AND AUGUST 1, 2006
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

REPORTING RESULTS OF CLOSED SESSION MEETINGS

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. Assistant City Attorney Karen Heumann reports the results of the Closed Session Meetings of July 31 and August 1, 2006, as follows:

CLOSED SESSION MEETING FOR MONDAY, JULY 31, 2006

Closed Session Items were heard on Tuesday, August 1, 2006.

CLOSED SESSION MEETING FOR TUESDAY, AUGUST 1, 2006

ROLL CALL:

Present: Mayor Jerry Sanders, Council President Peters, Council President Pro Tem Young, and Councilmembers Faulconer, Atkins, Frye, Madaffer, and Hueso

Absent: Councilmember Maienschein – Dist. 5 (Absent for the meeting.)

CLOSED SESSION ITEMS:

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

**CS-1 *Isbell v. City of San Diego, U.S.D.C.*
United States District Court No. 98CV0688**

DCA assigned: B. Walters

Nothing to report

CS-2 *City of San Diego v. Callan, et al.*
San Diego Superior Court Case No. GIC852419

EACA assigned: D. McGrath

Nothing to report

CS-3 *City of San Diego v. Orrick Herrington & Sutcliffe, et al.*
SDSC Case No. GIC857632

EACA assigned: D. McGrath

Nothing to report

CS-4 *Aaron et al. v. Michael Aguirre, City of San Diego; et al.*
United States District Court Case No. 06CV1451JM

EACA assigned: D. McGrath

Nothing to report

CS-5 *Settlement of Claims on Fire Stations Number 12 and 31 Projects*
Claim No. LP 0601201914

DCA assigned: M. Wright-Travis

Motion: Settle for \$180,000 to Erickson-Hall Construction Company. Paid from Engineering Capital projects.

Moved: Councilmember Madaffer – Dist. 7

Seconded: Councilmember Hueso – Dist. 8

Vote: 7/0 [Passed]

Absent: Councilmember Maienschein – Dist. 5

Reported out in Open Session on August 1, 2006, by Karen Heumann, Assistant City Attorney:

I just wanted to report on closed session item 5. The settlement of claims on Fire stations 12 and 31. The City Council voted unanimously 7-0 to settle those cases for \$180,000.00 paid to Erickson Hall Construction Company and paid from Engineering and Capital Projects' money. The motion was by Councilmember Madaffer with a second by Councilmember Hueso. Councilmember Maienschein was absent.

**CS-6 *Howard DeYoung, et al. v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 849647**

DCA assigned: J. Riley

Nothing to report

**CS-7 *Marcus R. Abbe, et al. v. City of San Diego, et al.*
United States District Court No. 05 CV 1629**

EACA assigned: D. McGrath

Nothing to report

**CS-8 *Mia Bonavita v. City of San Diego*
San Diego Superior Court Case No. GIC 852174**

DCA assigned M. Severson

Nothing to report

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

CS-9 Agency negotiator: Scott Chadwick, J. Rod Betts, Lisa Briggs, Rich Snapper,
Jessica Falk Michelli William Gersten, Joe Harris, Rick Reynolds

Employee organizations: Municipal Employees Association, Local 145 International
Association of Firefighters AFL-CIO, San Diego Police Officers
Association, Deputy City Attorney Association, AFSCME
Local 127

DCA assigned: J. Falk Michelli

Nothing to report

REPORTED BY: _____

Karen Heumann
Assistant City Attorney