

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, NOVEMBER 27 AND 28, 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 November 27 and 28, 2006, as follows:

CLOSED SESSION MEETING FOR MONDAY, NOVEMBER 20, 2006

Closed Session Items were heard on Tuesday, November 28, 2006.

CLOSED SESSION MEETING FOR TUESDAY, NOVEMBER 28, 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 Items CS-1, CS-2, CS-3, CS-4, CS-5, CS-6, and CS-8 left at 9:25.a.m. (present for Item CS-7)

CLOSED SESSION ITEMS:

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

**CS-1 *Save Our Forest and Ranchlands v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 864298**

CDCA assigned: H. Carlye

Nothing to report

**CS-2 *Save Our Heritage Organization v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 865774**

CDCA assigned: H. Carlyle

Nothing to report

**CS-3 *City of San Diego v. Callan, et al.*
San Diego Superior Court Case No. GIC852419**

EACA assigned: D. McGrath

Motion: Acceptance of signed settlement offer of \$4,500,000
Moved: Councilmember Madaffer – Dist. 7
Seconded: Councilmember Frye – Dist. 6
Vote: 7/0 [Passed]
Absent: Councilmember Maienschein

Reported out in Open Session on November 28, 2006, by Karen Heumann, Assistant City Attorney:

Today in Closed Session, the City Council voted in the matter of *City of San Diego v. Callan Associates, Inc.*, Case No. GIC 852419, to accept settlement wherein the defendant Callan Associates, Inc., will pay the City \$4,500,000. Motion by Councilmember Madaffer, second by Councilmember Frye, The item passed 7 to 0 with Councilmember Maienschein absent.

**CS-4 *City of San Diego v. Vinson & Elkins, L.L.P., et al.*
San Diego Superior Court Case No. GIC869788**

EACA assigned: D. McGrath

Nothing to report

**CS-5 *Carmen Dumais v. City of San Diego*
San Diego Superior Court, Case No. GIC 854051**

DCA assigned M. Herrin

Nothing to report

**CS-6 *Anja Freeman v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 844968**

ACA assigned: E. Gordon

Nothing to report

**CS-7 *Boat Depot, Inc v. City of San Diego./SMCM Partners GP v. City of San Diego*
Consolidated under San Diego Superior Court Case No. GIC 846472**

DCA assigned: W. Donnell

Motion: Acceptance of signed settlement offer.
Moved: Councilmember Madaffer – Dist. 7
Seconded: Council President Peters - Dist. 1
Vote: 8/0 [Passed - Unanimously]
Absent: All present

Reported out in Open Session on November 28, 2006, by Karen Heumann, Assistant City Attorney:

Today, the City Council voted in Closed Session in the matter of *Boat Depot, Inc., v. City of San Diego* to authorize settlement in the amount of \$475,000. Paid from the Public Liability Fund. The motion by Councilmember Madaffer with the second by Council President Peters. The motion passed 8 to 0.

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

CS-8 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: W. Gersten

Nothing to report

REPORTED BY: _____
Karen Heumann
Assistant City Attorney