

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, FEBRUARY 26 AND 27, 2007
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 February 26 and 27, 2007, as follows:

CLOSED SESSION MEETING FOR MONDAY, FEBRUARY 26, 2007

Closed Session Items were heard on Tuesday, February 27, 2006

CLOSED SESSION MEETING FOR TUESDAY, FEBRUARY 20, 2007

ROLL CALL:

Present: All Present

Absent: All Present

CLOSED SESSION ITEMS:

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

CS-1 *La Jolla Alta Master Council v. City of San Diego*
San Diego Superior Court Case No. GIC 822281

DCA assigned: J. Boardman

Nothing to report

CS-2 *City of San Diego v. Sunroad Enterprise, et al.*
San Diego Superior Court Case No. GIC 877054

DCA assigned: C. Brock

Motion: Authority to defend the cross action against the City including the authorization for retention of outside counsel in the amount of \$250,000 from the general fund and/or reserves.

Moved: Councilmember Frye - Dist. 6

Seconded: Council President Pro Tem Young - Dist. 4

Vote: 5/3 [Passed] (Council President Peters, and Councilmembers Madaffer and Hueso voted "NO")

Absent: All Present

Reported out in Open Session on Tuesday, February 27, 2007, at 11:00 a.m. by
Karen Heumann, Assistant City Attorney:

The City Council voted in Closed Session today on Item Closed Session 2 to defend the cross claim in the litigation *City of San Diego v. Sunroad Enterprise*, including authorization for retention of outside counsel to defend in that litigation. Motion by Councilmember Frye. Second by Council President Pro Tem Young. The vote passed 5 to 3 with Council President Peters and Councilmembers Madaffer and Hueso voting "No."

CS-3 *Estate of Beatrice Madison, et al. v. City of San Diego*
San Diego Superior Court Case No. GIC 857262

DCA assigned: R. Walters

Nothing to report

CS-4 *La Playa View Holdings, LLC, et al. v. City of San Diego*
San Diego Superior Court Case No. GIC 843584

DCA assigned: M. Dickenson

Noting to report

Conference with Legal Counsel - anticipated litigation - significant exposure to litigation, pursuant to California Government Code section 54956.9(b):

CS-5 *AFSCME Local 127 v. City of San Diego*
Unfair Practice Charge No. LA-CE-352-M

DCA assigned: D Buljat

Nothing to report

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

CS-6 Agency negotiator: Scott Chadwick, J. Rod Betts, Lisa Briggs, Rich Snapper,
Jessica Falk Michelli, William Gersten, and Debora Buljat

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

DCA assigned: W. Gersten/D. Buljat

Nothing to report

REPORTED BY: _____

Karen Heumann
Assistant City Attorney