

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, MARCH 19 AND 20, 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 March 19 and 20, 2007, as follows:

CLOSED SESSION MEETING FOR MONDAY, MARCH 19, 2007

Closed Session Items were heard on Tuesday, March 20, 2006.

CLOSED SESSION MEETING FOR TUESDAY, MARCH 20, 2007

ROLL CALL:

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

Absent: Councilmember Faulconer – Dist. 2 (Absent for Items CS-2, 3, and 4)

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**

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

CDCA Assigned: H. Carlyle

Motion: Acceptance of signed settlement offer
Moved: Councilmember Faulconer - Dist. 2
Seconded: Council President Peters - Dist. 1
Vote: 7/0 [Passed]
Recused: Councilmember Frye - Dist. 6
Absent: All Present

**Reported out in Open Session on March 20, 2007, at 2:00 p.m. by Karen Heumann,
Assistant City Attorney:**

This morning in Closed Session, the City Council and Redevelopment Agency voted to settle Closed Session Item 1, *Save Our Forest and Ranchlands v. City of San Diego, et al.*, San Diego Superior Court Case GIC 846298. The settlement essentially provides that CCDC will prepare for Council consideration a Transit-Oriented Alternative to the Downtown Community Plan, with an accompanying Environmental Impact Report. Upon payment of SOFAR's attorney fees by CCDC (\$60,613), SOFAR will dismiss this lawsuit with prejudice. The City, Redevelopment Agency, and CCDC are represented by Special Counsel Sabrina Teller of the law firm of Remy, Thomas, Moose and Manley (located in Sacramento). It was a motion by Councilmember Faulconer and second by Council President Peters. The item passed 7 to 0 with Councilmember Frye recused.

**CS-2 *Bruno Etchepare v. City of San Diego*
San Diego Superior Court Case No. GIC 859369**

DCA Assigned: A. Jones

Nothing to report

NOTE: Regarding Item CS-2, *Bruno Etchepare v. City of San Diego*, San Diego Superior Court Case No. GIC 859369, after the settlement was finalized, Karen Heumann, Assistant City Attorney, reported out on March 22, 2007, at 9:00 a.m. the following:

The City Council in Closed Session voted unanimously on Closed Session Item No. 2, *Bruno Etchepare v. City of San Diego*, San Diego Superior Court Case No. GIC 859369. to settle the litigation in the amount of \$100,000 with a motion by Council President Peters - a second by Councilmember Madaffer. This item passed 7 to 0 with Councilmember Faulconer absent.

**CS-3 *San Diego Police Officers' Association v. Michael Aguirre, et al.*
United States District Court Case No. 05-CV-1481 H**

EACA Assigned: D. McGrath

Nothing to report

**CS-4 *Jill P. Shina v. Linda Alayoubi, et al.*
San Diego Superior Court Case No. GIC 861123**

DCA Assigned: R. Walters

Motion: Acceptance of signed settlement offer
Moved: Councilmember Madaffer - Dist. 7
Seconded: Councilmember Hueso - Dist. 8
Vote: 7/0 [Passed]
Absent: Councilmember Faulconer – Dist. 2

**Reported out in Open Session on March 20, 2007, at 2:00 p.m. by Karen Heumann,
Assistant City Attorney:**

Also, today the City Council in Closed Session voted unanimously on Closed Session Item No. 4, *Jill P. Shina v. City of San Diego*, San Diego Superior Court Case No. GIC 861123. to accept the Plaintiff's 998 offer to settle the litigation in the amount of \$69,999.99 with a motion by Councilmember Madaffer - a second by Councilmember Hueso. This item passed 7 to 0 with Councilmember Faulconer absent.

**CS-5 *Citizens for Responsible Equitable Environmental Development v. City of San Diego*
San Diego Superior Court Case No. GIC 871259**

Affordable Housing Coalition of San Diego County v. City of San Diego, et al.
Appeal Case No. D049665 San Diego Superior Court Case No. GIC 857723

Citizens for Responsible Equitable Environmental Development, et al. v. City of San Diego, et al.
Court of Appeal Case No. D049637; San Diego Superior Court Case No. GIC 858098

Citizens for Responsible Equitable Environmental Development, et al. v. City of San Diego
San Diego Superior Court Case No. GIC 876017

DCA Assigned: M. Dickenson

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