

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, APRIL 9 AND 10, 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 April 9 and 10, 2007, as follows:

CLOSED SESSION MEETING FOR MONDAY, APRIL 9, 2007

Closed Session Items were heard on Tuesday, April 10, 2007.

CLOSED SESSION MEETING FOR TUESDAY, APRIL 10, 2007

ROLL CALL:

Present: Council President Peters, Council President Pro Tem Young, and Councilmembers Faulconer, Atkins, Maienschein, and Frye

Absent: Mayor (Absent for Items 3, 4, and 5)
Councilmember Madaffer - Dist. 7 (Not present for the meeting.)
Councilmember Huesto - Dist.8 (Not present for the meeting.)

CLOSED SESSION ITEMS:

Conference with Legal Counsel - anticipated litigation - initiation of litigation, pursuant to California Government Code section 54956.9(c):

CS-1 *T.C. Construction Company*

DCA assigned: F. Ortlieb

Motion: Acceptance of signed settlement agreement offer.
Moved: Council President Peters - Dist. 1
Seconded: Councilmember Frye - Dist. 6
Vote: 6/0 [Passed]
Absent: Councilmember Madaffer - Dist. 7
Councilmember Hueso - Dist. 8

**Reported out in Open Session on April 10, 2007, at 10:15 a.m. by Karen Heumann,
Assistant City Attorney:**

Today, the City Council voted in Closed Session on Item CS-1, *T.C. Construction Company*, to accept settlement of \$210,000 paid to the City by Insurance Company of Pennsylvania. The motion was by Council President Peters - second by Councilmember Frye. The motion passed 6 to 0 with Councilmembers Madaffer and Hueso absent.

CS-2 *Hawthorne Power Systems*

DCA assigned: F. Ortlieb

Nothing to report

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

CS-3 *Philip K. Paulson v. City of San Diego, et al.*
United States District Court Case No. 89cv820 GT (POR)

DCA assigned: D. Karlin

Nothing to report

CS-4 *De Anza Cove Homeowners Association, Inc. v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 821191;

Ernest Abbitt, et al. v. City of San Diego, et al.
San Diego Superior Court Case No. GIC 865536

CDCA assigned: M. Severson

Nothing to report

CS-5 *Estate of Beatrice Maidson, et al. v. City of San Diego*
San Diego Superior Court Case No. GIC 857262

CDCA assigned: M. Severson and DCA: R. Walters

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