

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY AND TUESDAY, MARCH 24 and 25, 2008  
CITY ADMINISTRATION BUILDING  
COMMITTEE ROOM – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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**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 24 and 25, 2008, as follows:

**CLOSED SESSION MEETING FOR MONDAY, MARCH 24, 2008**

Closed Session Items were heard on Tuesday, March 25, 2008.

**CLOSED SESSION MEETING FOR TUESDAY, MARCH 25, 2008**

**ROLL CALL:**

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

Absent: Councilmember Young - Dist. 4 (Absent for the meeting.)  
Councilmember Maienschein - Dist. 5 (Absent for items CS-2 and 4)

**CLOSED SESSION ITEMS:**

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

**CS-1** *City of San Diego v. Tracy Means, et al.*  
San Diego Superior Court Case No. GIC 858344 (on appeal)

**Tracy Means v. The City of San Diego**  
Case No.: GIC 864419 (the City prevailed)

**Tracy Means v. City of San Diego**  
A municipal corporation and a Political Subdivision of the  
State of California 37-2007-00083609-CU-MC-CTL

DCA Assigned: J. Cordileone

Report: Nothing to report

**CS-2** *In The Matter of: Natural Gas Anti-Trust Cases I, II, III, & IV*  
*Re: All Price Indexing Cases,*  
San Diego Superior Court JCCP Nos. 4221, 4224, 4226, and 4228

DCA Assigned: F. Ortlieb

Report: Nothing to report at time of Closed Session

Report after Closed Session: The settlement was finalized after Closed Session. Payment to the City by Duke Energy. The City will receive a portioned share of the settlement.

**CS-3** *Citizens for Responsible Equitable Environmental Development v. City of San Diego*  
San Diego Superior Court Case No. GIC 871259;

*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

Report: Nothing to report

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

**CS-4** **Number of potential cases: One (North Park Theatre Project)**

CDCA Assigned: H. Carlyle

Report: Nothing to report

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

**CS-5 Number of Cases: One**

DCA Assigned: J. Serrano

Report: Nothing to report

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

**CS-6 Voluntary Compliance Program Filing**

EACA Assigned: D. McGrath

Report: Nothing to report

REPORTED BY: \_\_\_\_\_

Karen Heumann  
Assistant City Attorney