

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY AND TUESDAY, APRIL 14 AND 15, 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 and Chief Deputy City Attorney Huston Carlyle report the results of the Closed Session Meetings of April 14 and 15, 2008, as follows:

**CLOSED SESSION MEETING FOR MONDAY, APRIL 14, 2008**

Closed Session Items were heard on Tuesday, April 15, 2008.

**CLOSED SESSION MEETING FOR TUESDAY, APRIL 15, 2008**

**ROLL CALL:**

Present: Mayor Jerry Sanders, Council President Peters, and Councilmembers Faulconer, \*Atkins, Young, Frye, \*Maienschein and Hueso

Absent: Council President Pro Tem Madaffer - Dist. 7 (Absent for items CS-2, 4, 7, and 9.)  
\*Councilmember Atkins - Dist. 3 (Recused for item CS-2)  
\*Councilmember Maienschein - Dist. 5 (Recused for item CS-2)

**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. Vinson & Elkins*  
Orange County Superior Court Case No. 06CC12932**

EACA assigned: D. McGrath

Report: Nothing to report

**CS-2** *City of San Diego v. San Diego City Employees Retirement System*  
**San Diego Superior Court Case No. 37-2007-00081912-CU-WM-CTL**

EACA assigned: D. McGrath

Report: Nothing to report

**CS-3** *Bevier & Hollingsworth v. Aguirre, et al.*  
**San Diego Superior Court Case No. GIC878380**

DCA assigned: W. Chung

Report: Nothing to report

**CS-4** *Mark Stiffler v. The City of San Diego, et al.*  
**San Diego Superior Court Case No. 37-2008-00079769-CU-OE-CTL**

DCA assigned: W. Chung

Report: Nothing to report

**CS-5** *The Heart of Kensington, Inc. v. City of San Diego*  
**Superior Court of the State of California, County of San Diego**  
**Case No. 37-2008-00079254-CU-MC-CPL**

DCA Assigned: G. Spitzer

Report: Nothing to report

**CS-6** *Friends of San Diego, Inc. v. City of San Diego, et al.*  
**San Diego Superior Court Case No. GIC 874140**

*Friends of San Diego, Inc. v. City of San Diego*  
**San Diego Superior Court Case No. 37-2008-00079265-CU-WM-CTL**

DCA assigned: G. Spitzer

Report: Nothing to report

**CS-7** *Beacon Electric Supply v. Saturn Electric, Inc.*  
**San Diego Superior Court Case No. GIC 849095**

DCA assigned: J. Taylor

Report: Nothing to report

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

**CS-8 Number of Cases: One**

DCA assigned: G. Spitzer

Report: Nothing to report

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

**CS-9 Number of Potential Cases: Up to 50 (Voluntary Compliance Program Filing)**

DCA assigned: W. Chung

Report: Nothing to report

**Conference with Labor Negotiator, pursuant to Government Code Section 54957.6:**

**CS-10 Agency Negotiator:** Steven Berliner, Richard Kreisler, Lisa Briggs, Scott Chadwick, Tanya Tomlinson, Thom Harpole, Abby Jarl, Hadi Dehghani, Val VanDeweghe, Jessica Falk Michelli, William Gersten, and Lori Thacker

**Employee Organizations:** Local 145 International Association of Firefighters, AFL-CIO, San Diego Police Officers Association, Municipal Employees Association, AFSCME Local 127 AFL-CIO, and Deputy City Attorney Association

DCAs assigned: W. Gersten/J. Falk Michelli/L. Thacker

Report: Nothing to report

**REPORT OUT FOR PRIOR CLOSED SESSION POSTED ON THE 12<sup>TH</sup> FLOOR OF  
THE CITY ADMINISTRATION BUILDING, 202 C STREET, SAN DIEGO, CALIFORNIA,  
ON APRIL 17, 2008.**

Chief Deputy City Attorney Huston Carlyle reported out the result of the March 10, 2008 Closed Session Meeting for Item CS-2, Number of cases: One, that is now reportable.

On March 10, 2008, the City Council voted in Closed Session on Item CS-2, Number of cases: One (Nichols Street), to initiate litigation. The motion was made by Councilmember Faulconer and seconded by Councilmember Frye. The item passed 6 to 0 with Council President Pro Tem Madaffer and Councilmember Maienschein absent.

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

Karen Heumann  
Assistant City Attorney