

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY AND TUESDAY, MAY 26 AND 27, 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 May 26 and 27, 2008, as follows:

**CLOSED SESSION MEETING FOR MONDAY, MAY 26, 2008**

The Monday meeting was adjourned due to the Memorial Day Holiday. Closed Session Items were heard on Tuesday, May 27, 2008.

**CLOSED SESSION MEETING FOR TUESDAY, MAY 27, 2008**

**ROLL CALL:**

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

Absent: Council President Pro Tem Madaffer - Dist. 7 (Absent for the meeting.)  
Councilmember Maienschein - Dist. 5 (Absent for the meeting.)

**CLOSED SESSION ITEMS:**

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

**CS-1 *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

**CS-2** *Pablo Gomez v. City of San Diego, et al.*  
San Diego Superior Court Case No. GIC 877892

DCA assigned: A. Jones

Report: Nothing to report

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

**CS-3** Agency Negotiator: Steven Berliner, Richard Kreisler, Lisa Briggs,  
Scott Chadwick, Tanya Tomlinson, Thom Harpole,  
Abby Jarl, Hadi Dehghani, Val VanDeweghe,  
Rod Betts, Jessica Falk Michelli, William Gersten,  
Lori Thacker, and Alan Hersh

Employee Organizations: Municipal Employees Association,  
AFSCME Local 127 AFL-CIO, and  
Deputy City Attorney Association

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

Report: Nothing to report

**CS-4** Agency Negotiator: Steven Berliner, Richard Kreisler, Lisa Briggs,  
Scott Chadwick, Tanya Tomlinson, Thom Harpole,  
Abby Jarl, Hadi Dehghani, Val VanDeweghe,  
Rod Betts, Jessica Falk Michelli, William Gersten,  
Lori Thacker, and Alan Hersh

Employee Organizations: Municipal Employees Association,  
AFSCME Local 127 AFL-CIO, and  
Deputy City Attorney Association

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

Report: Nothing to report

**CS-5 *Crabbe v. City of San Diego***

San Diego Superior Court Case No. 37-2008-00077405-CU-EI-CTL

***Al-Quraini v. City of San Diego***

San Diego Superior Court Case No. 37-2008-00080246-CU-EI-CTL

EACA: D. McGrath

Report: Nothing to report

**REPORT OUT FOR PRIOR CLOSED SESSION MEETING MADE IN OPEN SESSION**

Below is the report out for a prior Closed Session Item that is now reportable. The report was made by Assistant City Attorney Karen Heumann during the May 27, 2008 Open Session at 2:00 p.m.

Date of Meeting: May 13, 2008

Item CS-2: *Cal Johnson, et al. v. Thomas Distabile, et al.*

San Diego County Superior Court Case No. GIC 782977

On May 13, 2008, the City Council voted in Closed Session on Item CS-3, *Cal Johnson, et al. v. Thomas Distabile, et al.*, San Diego County Superior Court Case No. GIC 782977, to accept the settlement offer of \$150,000 to be paid by the City.

The motion was made by Council President Pro Tem Madaffer and the second by Council President Peters.

The motion passed 5 to 0 with Councilmember Atkins recused and Councilmembers Young and Maienschein absent.

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

Karen Heumann  
Assistant City Attorney