

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, JANUARY 25 AND 26, 2010
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

REPORTING THE RESULTS OF THE CLOSED SESSION MEETING

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 Mary Jo Lanzafame reports the results of the Closed Session Meeting of January 25 and 26, 2010, as follows:

CLOSED SESSION MEETING FOR MONDAY, JANUARY 25, 2010

(Closed Session Items were heard on **Monday, January 25, 2010.**)

CLOSED SESSION MEETING FOR TUESDAY, JANUARY 26, 2010

(Closed Session Meeting was held on **Monday, January 25, 2010**, starting at 5:00 p.m.)

ROLL CALL for Monday Meeting at 5:00 p.m.:

Present: Council President Hueso, Council President
Pro Tem Faulconer, and Councilmembers Lightner, Gloria,
Young, DeMaio, Frye, and Emerald

Absent: Mayor Sanders

ROLL CALL for MONDAY MEETING AT 5:30 p.m. (After 10 minute break between 5:00 p.m. meeting and 5:30 start again.):

Present: Council President Hueso, Council President
Pro Tem Faulconer, and Councilmembers Lightner, Gloria,
Young, DeMaio, Frye, and Emerald

Absent: Mayor Sanders

MONDAY CLOSED SESSION ITEMS for 5:00 p.m. MEETING:

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

CS-1 *City of San Diego v. U.S. Department of the Navy*
RE: *Miramar Landfill Lease, U.S. Contract N.6871195RP05P90*

DCAs: G. Lowenberg and C. Welch

Motion: Authorize filing of appeal to Armed Services Board of Contract Appeals
Moved: Councilmember Gloria - Dist. 3
Seconded: Council President Hueso - Dist. 8
Vote: 8/0 [Passed unanimously]
Report: This item was reported out by Deputy City Attorney Paul Prather on
Tuesday, January 26, 2010, during the 6:00 p.m. Meeting (@6:55 p.m.)

Yesterday, in Closed Session, the City Council voted on Closed Session Item No. 1, *City of San Diego v. U.S. Department of the Navy, regarding Miramar Landfill Lease, U.S. Contract No. 6871195RP05P90*, to authorize the filing of an appeal to the Armed Services Board of Contract Appeals.

The motion passed unanimously 8 to 0.

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

CS-2 **Number of cases: One**

Motion: Authorize the City Attorney to file complaint in intervention.
Moved: Councilmember Emerald - Dist. 7
Seconded: Councilmember DeMaio - Dist. 5
Vote: 8/0 [Passed unanimously]
Report: This item was reported out by Deputy City Attorney Paul Prather on
Tuesday, January 26, 2010, during the 6:00 p.m. Meeting (@6:55 p.m.)

Also, yesterday, in Closed Session, the City Council voted on Closed Session Item No. 2 to authorize the intervention in an action. The action, the Defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to conclude existing settlement negotiations to its advantage.

The motion passed unanimously 8 to 0.

Conference with Labor Negotiators, pursuant to Government Code section 54957.6:

CS-3 Management Team Members:

William Kay, Burke, Williams & Sorensen
Timothy Davis, Burke, Williams & Sorensen
Scott Chadwick, Director, Human Resources Department
Judy von Kalinowski, Deputy Director, Human Resources Department
Thom Harpole, Senior Labor Relations Officer
Kim Nguyen, Labor Relations Officer
John O'Neill, Labor Relations Officer
Lourdes Silva, Labor Relations Officer
Valerie VanDeweghe, Deputy Director, Risk Management Department
Shelly Zimmerman, Assistant Police Chief
Robert Kanaski, Assistant Police Chief
Paul Cooper, Assistant/Advisor to the Police Chief
Jeff Carle, Assistant Fire Chief
Hadi Dehghani, Personnel Director
Joan Dawson, Deputy City Attorney
William Gersten, Deputy City Attorney
Lori Thacker, Deputy City Attorney

Designated as representatives within the meaning of California Government Code section 54957.6(a):

Andrea Tevlin, Independent Budget Analyst
Jeff Sturak, Deputy Director, Office of the Independent Budget Analyst

Employee organizations:

American Federation of State, County and Municipal Employees, Local 127 [Local 127]
San Diego Municipal Employees' Association
San Diego Police Officers Association [SDPOA]
Teamsters, Local 911 [Teamsters]

DCA Assigned: J. Dawson

Report: Nothing to report.

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

CS-4 *AFSCME Local 127 v. City of San Diego*
Public Employment Relations Board Case No. LA-CE-526-M

DCA Assigned: J. Dawson

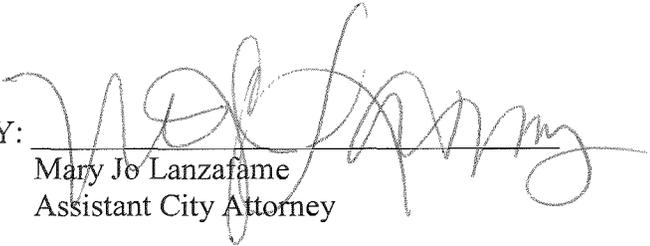
Report: Nothing to report.

CS-5 *AFSCME Local 127 v. City of San Diego*
Public Employment Relations Board Case No. LA-CE-533-M

DCA Assigned: J. Dawson
Outside Counsel: Burke, Williams & Sorensen

Report: Nothing to report.

REPORTED BY:


Mary Jo Lanzafame
Assistant City Attorney