

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, MARCH 22 AND 23, 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 March 22 and 23, 2010, as follows:

CLOSED SESSION MEETING FOR MONDAY, MARCH 22, 2010

(Closed Session Items were heard on Tuesday, March 23, 2010.)

CLOSED SESSION MEETING FOR TUESDAY, MARCH 23, 2010

ROLL CALL:

Present: Mayor Sanders, Council President Pro Tem Faulconer, and Councilmembers Lightner, Gloria, DeMaio, Frye, and Emerald

Absent: Council President Hueso – Dist. 8 (Absent for Items CS-1, 2, 3, and 5 (Note: Arrived @9:18 a.m. for Item CS-4))
Councilmember Young – Dist. 4 (Absent for the meeting.)

CLOSED SESSION ITEMS:

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

**CS-1 *San Diego City Employees Retirement System v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 841845**

ACA Assigned: D. Worley

Report: Nothing to report

CS-2 *Patricia Frazier, et al v. City of San Diego*
San Diego Superior Court Case No. 37-20080-00091840

Michael T. Uberuaga v. City of San Diego
San Diego Superior Court Case No. 08cv1960 MMA (BLM)

DCA Assigned: D. Karlin

Report: Nothing to report

CS-3 *People of the State of California and City of San Diego v. Sunroad*
San Diego Superior Court Case No. GIC 877054

ACA Assigned: D. Worley
DCAs Assigned: C. Brock and S. Ferguson

Motion: Authorize settlement
Moved: Council President Pro Tem Faulconer - Dist. 2
Seconded: Councilmember Emerald - Dist. 7
Vote: 6/0 [Passed]
Absent: Council President Hueso and Councilmember Young
Report: This item was reported out by Assistant City Attorney Mary Jo Lanzafame on Tuesday, March 23, 2010, @2:05 p.m.

Today, in Closed Session, the City Council voted on Closed Session Item No. 3, *People of the State of California and City of San Diego v. Sunroad*, Superior Court Case No. GIC 877054, authorizing settlement, which states that the parties agree to dismiss their respective actions and waive pursuit of fees and costs.

The motion passed 6 to 0 with Council President Hueso and Councilmember Young absent.

CS-4 *City of San Diego v. Hotels.com LLP*
San Diego Superior Court Case No. GIC 86117
[Judicial Council Coordination Proceeding No.:4472]

DCAs Assigned: D. Bamberg and J. Taylor
Outside Counsel: McKool Smith, P.C. (Steven Wolens and Gary Cruciani);
Kiesel, Boucher & Larson, LLC (William Larson and Paul Kiesel);
and Baron & Budd, LLC (Laura Baughman and Thomas Sims)

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

Motion: Authorize filing a writ of mandate
Moved: Councilmember Frye - Dist. 6
Seconded: Councilmember Emerald - Dist. 7
Vote: 6/0 [Passed]
Absent: Council President Hueso and Councilmember Young
Report: This item was reported out by Assistant City Attorney Mary Jo Lanzafame on Tuesday, March 23, 2010, @2:05 p.m.

Additionally, today, in Closed Session, the Council voted on Closed Session Item No. 5 authorizing the filing of a writ of mandate. The action, defendants and other particulars shall be disclosed upon inquiry by any person.

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

CS-6 Agency Negotiators:

Scott Chadwick, Director, Human Resources Department
Judy von Kalinowski, Deputy Director, Human Resources Department
Jan Goldsmith, City Attorney
Joan Dawson, Deputy City Attorney
William Gersten, Deputy City Attorney
Lori Thacker, Deputy City Attorney

Employee organizations:

AFSCME Local 127 AFLCIO
San Diego Municipal Employees' Association

DCA Assigned: J. Dawson

Report: Nothing to report

REPORTED BY:


Mary Jo Lanzafame
Assistant City Attorney