

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, MAY 14 AND MAY 15, 2012
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 May 14 - 15, 2012, as follows:

CLOSED SESSION MEETING FOR MONDAY, MAY 14, 2012

(Closed Session Items were heard on Tuesday, May 15, 2012, at 1:00 p.m.)

CLOSED SESSION MEETING FOR TUESDAY, MAY 8, 2012

ROLL CALL:

Present: Mayor Sanders, Council President Young, and Councilmembers Lightner, Gloria, Emerald, and Alvarez

Absent: Council President Pro Tem Faulconer – Dist 2 (Absent for Item CS-3 due to conflict.)
Councilmember DeMaio – Dist 5 (Absent for Item CS-3 due to conflict.)
Councilmember Zapf – Dist. 6 (Absent for meeting.)

CLOSED SESSION ITEMS:

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

CS-1 *City of San Diego ex rel. Heffner v. Rural/Metro Corporation*
San Diego Superior Court Case No. 37-2010-00099272-CU-MC-CTL

DCA's Assigned: K. Phillips and S. Singer

Report: Nothing to Report

CS-2 *Jane Doe v. City of San Diego, et al.*

United States District Court Case No.12-cv-0689-MMA (DHB)

DCA Assigned: S. Plotkin-Wolff

CS-3 *Thalheimer v. City of San Diego*

United States District Court for the Southern District of California,
Court Case No. 09 CV 2862 IEG

Outside Counsel: John Schena, Schwartz Semerdjian Haile Ballard & Cauley LLP

Motion: Not to appeal judgment.

Moved: Councilmember Emerald – Dist. 7

Seconded: Councilmember Lightner – Dist. 1

Vote: Passed 5 to 0 with Council President Pro Tem Faulconer and Councilmember DeMaio absent for vote due to conflict, and Councilmember Zapf was absent.

Report: This item was reported out by Assistant City Attorney Mary Jo Lanzafame on Tuesday, May 15, 2012, at 5:22 p.m.

Today, in Closed Session, the Council voted on Item No. CS-3, *Thalheimer v. City of San Diego*, United States District Court Case No. '09 CV 2862 IEG (BGS). This action involves a challenge to the contribution limits and waiting period before contributions and expenditures can be made under the City's Election Code. The Council voted 5 to 0, with Councilmembers Faulconer, DeMaio, and Zapf absent, not to appeal the judgment.

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

CS-4 Number of Cases: One

Report: Nothing to Report

REPORTED BY: _____/s/_____
Mary Jo Lanzafame
Assistant City Attorney