

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, JUNE 25 AND 26, 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 June 25 - 26, 2012, as follows:

CLOSED SESSION MEETING FOR MONDAY, JUNE 25, 2012

(Closed Session Items were heard on Tuesday, June 19, 2012, at 9:00 a. m. and continued to 11:15 a.m.)

CLOSED SESSION MEETING FOR TUESDAY, JUNE 19, 2012, AT 9:00 A.M.

ROLL CALL:

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

Absent: All Present

CLOSED SESSION ITEMS FOR THE 9:00 A.M. SESSION:

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

**CS-1 *Coastal Environmental Rights Foundation v. City of San Diego* [CERF 3]
San Diego Superior Court Case No. 37-2011-00092008-CU-TT-CTL**

***Coastal Environmental Rights Foundation v. City of San Diego* [CERF 4]
San Diego Superior Court Case No. 37-2011-00102639-CU-TT-CTL**

DCA Assigned: G. Spitzer

NOTE: This item was heard in Closed Session at 11:15 a.m.

CS-2 *San Diego Municipal Employees' Association v. City of San Diego*
Public Employment Relations Board (PERB) Case No. LA-CE-746-M

Deputy City Attorneys Association v. City of San Diego
PERB Case No. LA-CE-752-M

AFSCME, Local 127 v. City of San Diego
PERB Case No. LA-CE-755-M

San Diego Fire Fighters, Local 145 v. City of San Diego
PERB Case No. LA-CE-758-M

ACA Assigned: D. Worley

REPORT: Nothing to report.

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

CS-3 Management Team Members:

Timothy Davis, Esq., Burke, Williams & Sorensen LLP
Jay Goldstone, Chief Operating Officer
Wally Hill, Assistant Chief Operating Officer
Scott Chadwick, Director, Human Resources Department
Jennifer Carbuccia, Deputy Director, Office of Labor Relations
Karen DeCrescenzo, Labor Relations Officer
Rimah Khouri, Labor Relations Officer
John O'Neill, Labor Relations Officer
Lourdes Silva, Labor Relations Officer
Greg Bych, Risk Management Director
Valerie VanDeweghe, Deputy Director, Risk Management Department
Marcelle Rossman, Financial Operations Manager, Office of the City Comptroller
Javier Mainar, Fire Chief
Brian Fennessy, Assistant Fire Chief
Rick Wurts, Lifeguard Chief
William Lansdowne, Police Chief
Shelley Zimmerman, Assistant Police Chief
Jan Goldsmith, City Attorney
Joan Dawson, Deputy City Attorney
William Gersten, Deputy City Attorney
Roxanne Story Parks, Deputy City Attorney
Lori Thacker, Deputy City Attorney
Tanya Tomlinson, Deputy Director, Office of the City Attorney
Marcus Wu, Esq., Hanson Bridgett, LLP

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
Lisa Byrne, Fiscal and Budget Analyst, Office of the Independent Budget Analyst

Employee organizations:

American Federation of State, County and Municipal Employees,
Local 127 (AFSCME Local 127)
Deputy City Attorneys Association (DCAA)
San Diego City Firefighters, International Association of Fire Fighters, Local 145
San Diego Municipal Employees' Association (MEA)
San Diego Police Officers Association (SDPOA)
Teamsters, Local 911 (Teamsters)

REPORT: Nothing to report.

CLOSED SESSION MEETING FOR TUESDAY, JUNE 19, 2012, AT 11:15 A.M.

ROLL CALL:

Present: Council President Young, Council President Pro Tem Faulconer, and Councilmembers Lightner, Gloria, DeMaio, Zapf, Emerald, and Alvarez

Absent: Mayor Sanders absent for the meeting.

CLOSED SESSION ITEMS FOR THE 11:15 A.M. SESSION:

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

**CS-1 *Coastal Environmental Rights Foundation v. City of San Diego* [CERF 3]
San Diego Superior Court Case No. 37-2011-00092008-CU-TT-CTL**

***Coastal Environmental Rights Foundation v. City of San Diego* [CERF 4]
San Diego Superior Court Case No. 37-2011-00102639-CU-TT-CTL**

DCA Assigned: G. Spitzer

Motion: Authorize City Attorney to file a notice of appeal for CERF 3 and CERF 4.

Moved: Councilmember Zapf – Dist. 6

Seconded: Councilmember DeMaio – Dist. 5

Vote: Passed 7 to 1 with Councilmember Emerald voting “No.”

Report: This item was reported out by Assistant City Attorney Mary Jo Lanzafame on Tuesday, June 26, 2012, at 3:23 p.m.

Today, in Closed Session, the Council voted on Closed Session item No. 1, *Coastal Environmental Rights Foundation v. City of San Diego* [CERF 3], San Diego Superior Court Case No. 37-2011-00092008-CU-TT-CTL; and *Coastal Environmental Rights Foundation v. City of San Diego* [CERF 4], San Diego Superior Court Case No. 37-2011-00102639-CU-TT-CTL, to authorize the City Attorney to file a notice of appeal. Both of these cases challenge the City's determinations under the California Environmental Quality Act related to the adoption of amendments to the Municipal Code.

The motion passed 7 to 1 with Councilmember Emerald voting "No."

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