

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, JUNE 1, 2015
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rules for Noticing and Conduct of Closed Session Meetings, adopted on February 28, 2005, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. **Public testimony for this Closed Session Agenda will be taken today during the 2:00 p.m. Council meeting.**

Conference with Labor Negotiators pursuant to California Government Code Section 54957.6:

CS-1 City Designated Management Team Representatives:

Timothy Davis, Burke, Williams, & Sorensen LLP, Labor Negotiation Consultant
Scott Chadwick, Chief Operating Officer
Mary Lewis, Chief Financial Officer
Stacey LoMedico, Assistant Chief Operating Officer
David Graham, Deputy Chief Operating Officer
Ron Villa, Deputy Chief Operating Officer
Jaymie Bradford, Deputy Chief of Staff, Office of the Mayor
Mike Hansen, Director of Land Use and Environmental Policy, Office of the Mayor
Almis Udrys, Performance & Analytics Department Director
Barbara Lamb, Program Manager
Judy von Kalinowski, Human Resources Director
Joy Freeman, Human Resources Deputy Director
Karen DeCrescenzo, Senior Human Resources Officer
Abby Jarl, Labor Relations Manager
Gina Conrad, Human Resources Officer
Darrin Schwabe, Human Resources Officer
Anthony Austin, Human Resources Officer
Victoria Davidson, Human Resources Officer
Greg Bych, Risk Management Director
Estella Montoya, Risk Management Deputy Director
Nancy Stadille, Employee Benefits Manager, Risk Management
Elena Perez, Deputy Director, Office of the City Comptroller
Javier Mainar, Fire Chief, Fire-Rescue Department

Kenneth Barnes, Assistant Fire Chief, Fire-Rescue Department
Brian Fennessy, Assistant Fire Chief, Fire-Rescue Department
Rick Wurts, Lifeguard Chief, Fire-Rescue Department
Shelley Zimmerman, Police Chief, Police Department
Sarah Creighton, Assistant Police Chief
Tanya Tomlinson, Deputy Director, City Attorney's Office, solely for negotiations with the Deputy City Attorneys Association

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

Andrea Tevlin, Independent Budget Analyst
Jeff Kawar, Deputy Director, Office of the Independent Budget Analyst
Lisa Byrne, Fiscal and Policy Analyst, Office of the Independent Budget Analyst
Chris Olsen, Fiscal and Policy Analyst, Office of the Independent Budget Analyst

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

Paul Cooper, Executive Assistant City Attorney, City Attorney's Office
Mary Nuesca, Assistant City Attorney, City Attorney's Office
John Hemmerling, Chief Deputy City Attorney, City Attorney's Office
Joan Dawson, Deputy City Attorney, City Attorney's Office
Roxanne Story Parks, Deputy City Attorney, City Attorney's Office
William Gersten, Deputy City Attorney, City Attorney's Office
Greg Halsey, Deputy City Attorney, City Attorney's Office

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)

DCA Assigned: Not assigned.

The purpose of this closed session matter is to review the City of San Diego's position and instruct the City's designated representatives regarding the Managed Competition process.

Conference with Legal Counsel - existing litigation, pursuant to California Government Code Section 54956.9(d)(1):

CS-2a *Benelia Santos-Hunter v. City of San Diego, et al.*

San Diego Superior Court Case No. 37-2014-00027634-CU-OE-CTL
Risk Management Department Claim File No. 8781

DCA Assigned: G. Schaefer

In this case, Plaintiff is suing the City and former Mayor Robert Filner for sexual harassment in the workplace and related claims. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-2b *Michelle Tyler and Katherine Ragazzino v. City of San Diego, et al.*

United States District Court Case No. 14cv01179 GPC (JLB)
Risk Management Department Claim File No. 8732

DCA Assigned: G. Schaefer

In this case, Plaintiffs are suing the City and former Mayor Robert Filner for sexual harassment during a meeting and related claims. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-2c *Stacy McKenzie v. Robert Filner, et al.*

San Diego Superior Court Case No. 37-2013-00079445-CU-OE-CTL
Risk Management Department Claim File No. 8447

DCA Assigned: G. Schaefer

In this case, Plaintiff is suing the City and former Mayor Robert Filner for sexual harassment at public event and related claims. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-2d *Marilyn McGaughy v. Robert Filner, et al.*

San Diego Superior Court Case No. 37-2014-00010580-CU-PO-CTL
Risk Management Department Claim File No. 8492

DCA Assigned: G. Schaefer

In this case, Plaintiff is suing the City and former Mayor Robert Filner for sexual harassment at an elementary school event and related claims. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-2e *Jeri Dines v. Robert Filner, et al.*

San Diego Superior Court Case No. 37-2014-00038529-CU-PO-CTL
Risk Management Department Claim File No. 9468

DCA Assigned: G. Schaefer

In this case, Plaintiff is suing the City and former Mayor Robert Filner for sexual harassment at a public event and related claims. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-3 *Jane Doe v. City of San Diego*

United States District Court Case No. 15cv211 DMS (DHB)
Risk Management Department Claim File No. 9112

DCA Assigned: K. Phillips

This case arises from misconduct alleged against former San Diego Police Officer Christopher Hays. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-4 *San Diego Transportation Association, et al. v. San Diego Metropolitan Transit System, et al.*

San Diego Superior Court Case No. 37-2015-00008725-CU-TT-CTL

DCA Assigned: M. Wharton

A group representing current taxicab medallion holders has sued the San Diego Metropolitan Transit System (MTS) regarding MTS action implementing revised Council Policy 500-2, calling for the removal of the limit on the total number of taxicab permits in the City of San Diego and establishing certain screen criteria. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-5 *Roderica Huffman, et al. v. City of San Diego*

San Diego Superior Court Case No. 37-2013-00076520-CU-PA-CTL
Risk Management Department Claim File No. 7523

DCA Assigned: K. McGeehan

This case arises from an automobile collision involving a City employee. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-6 *Scottsdale Insurance Company v. City of San Diego, et al.*

San Diego Superior Court Case No. 37-2008-00083941-CU-IC-CTL

DCA Assigned: J. Riley

This case is related to the class action lawsuit filed by the residents of De Anza Mobilehome Park. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

CS-7 *San Diegans for Open Government v. Jan I. Goldsmith, et al.*

San Diego Superior Court Case No. 37-2014-00000217-CU-MC-CTL

DCA Assigned: D. Karlin

This case arises from San Diegans for Open Government's demand for "[a]ny and all e-mails sent to or from jgsandiego@yahoo.com (regardless of the number or identity of other recipients) between January 1, 2008 and December 31, 2013, and that pertain in any way to the official business of the City of San Diego." Representatives from the City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.