

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
CLOSED SESSION DOCKET  
FOR  
MONDAY, JULY 27, 2015  
CITY ADMINISTRATION BUILDING  
COMMITTEE ROOM – 12<sup>TH</sup> 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 Legal Counsel - significant exposure to litigation - claim matter, pursuant to California Government Code Section 54956.9(d)(2):**

**CS-1 *Tracy Kull v. City of San Diego***

Risk Management Department Claim File No. 10965

DCA Assigned: S. Plotkin-Wolff

This matter arises from the flooding of a home. The City Attorney's Office will update the Mayor and City Council on the threat of litigation and seek direction.

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

**CS-2 *City of Chula Vista, et al. v. Tracy Sandoval***

Sacramento Superior Court Case No. 34-2014-80001723

DCA Assigned: M. Wharton and K. Reisch

A group of cities in San Diego County, including the City of San Diego, initiated litigation against the San Diego County Auditor-Controller entities concerning the calculation method used by the County Auditor-Controller to allocate the residual balance from the Redevelopment Property Tax Trust Fund to the local taxing entities, including the City. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

**CS-3 *De Anza Cove Homeowners Association, Inc. v. City of San Diego, et al.***  
San Diego Superior Court Case No. GIC 821191, including stayed  
cross-complaints; and the related cases:

***Aglío v. City of San Diego, et al.***

San Diego Superior Court Case No. 37-2009-81994-CU-EI-CTL

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

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

***Certain Interested Underwriters at Lloyd's v. Terra Vista Management, Inc.,  
De Anza Cove Homeowners Association, Inc. and City of San Diego***

San Diego Superior Court Case No. 37-2008-00092709-CU-MC-CTL

DCA Assigned: M. Wharton and J. Riley

This case arises from the class action lawsuit filed by 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-4 *Border Business Park, Inc. v. City of San Diego***  
San Diego Superior Court Case No. GIC692794

***National Enterprises, Inc. v. City of San Diego***

San Diego Superior Court Case No. GIC73001

***Otay Acquisitions, LLC v. City of San Diego***

San Diego Superior Court Case No. GIC753247

***Otay Truck Parking, LP v. City of San Diego***

San Diego Superior Court Case No. 37-2009-00095661-CU-EI-CTL

***Border Business Park, Inc. v. City of San Diego***

San Diego Superior Court Case No. 37-2011-00090494-CU-EU-CTL

DCA Assigned: David J. Karlin, Chief Deputy City Attorney

Christopher Garrett, Robert Howard & Jake Ryan, Latham & Watkins  
LLP

Cecilia O'Connell Miller, Procopio, Cory, Hargreaves & Savitch LLP

In 1995, Plaintiff Border Business Park, Inc. initiated the first of the above-entitled lawsuits against the City of San Diego. Subsequently, similar lawsuits were filed by related entities. The City Attorney's Office and outside counsel will discuss the current status of the City's insurance coverage related to these matters and will seek direction from the Mayor and City Council.

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

**CS-5 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  
Stephen Puetz, Chief of Staff, Office of the Mayor  
Felipe Monroig, Deputy Chief of Staff for Communications, Office of the Mayor  
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 and Analytics Director, Office of the Mayor  
Judy von Kalinowski, Human Resources Director  
Joy Freeman, Human Resources Deputy Director  
Karen DeCrescenzo, Senior Human Resources Officer  
Abby Jarl-Veltz, Labor Relations Manager  
Colin Brazile, 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, Financial Operations Manager, Office of the City Comptroller  
Julio Canizal, Deputy Director, Financial Management  
Quennelle Allen, Senior Budget Development Analyst, Financial Management  
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 Kavar, 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's position and instruct the City's labor negotiators regarding negotiations with the City's six recognized employee organizations related to the payment of interest charges for errors resulting from San Diego City Employees' Retirement System overpayments and underpayments.