

REVISED

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, NOVEMBER 27, 2006
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rule 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 - existing litigation, pursuant to California Government Code section 54956.9(a):

**CS-1 *Save Our Forest and Ranchlands v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 864298**

CDCA assigned: H. Carlye

This is an update on a petition for writ of mandate filed by a citizens group known as Save Our Forest and Ranchlands challenging the City’s compliance with the California Environmental Quality Act [CEQA] in its February 28, 2006 approvals of the Downtown Community Plan and subsequent implementing ordinances. Pursuant to mandatory CEQA requirements, a settlement conference was conducted and settlement discussions have continued. The merits of the writ and the status of the settlement negotiations will be presented to the Council.

**CS-2 *Save Our Heritage Organization v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 865774**

CDCA assigned: H. Carlye

This is an update on a petition for writ of mandate filed by a citizens group known as Save Our Heritage Organization challenging the City’s compliance with the California Environmental Quality Act [CEQA] in its February 28, 2006 approvals of the Downtown Community Plan and subsequent implementing ordinances. Pursuant to mandatory CEQA requirements, a settlement conference was conducted and settlement discussions have continued. The merits of the writ and the status of the settlement negotiations will be presented to the Council.

**CS-3 *City of San Diego v. Callan, et al.*
San Diego Superior Court Case No. GIC852419**

EACA assigned: D. McGrath

In closed session, the City Attorney and retained outside counsel will update the City Council on the litigation's status and discuss settlement of the litigation.

**CS-4 *City of San Diego v. Vinson & Elkins, L.L.P., et al.*
San Diego Superior Court Case No. GIC869788**

EACA assigned: D. McGrath

In closed session, the City Attorney and retained outside counsel will update the City Council on the litigation's status.

**CS-5 *Carmen Dumais v. City of San Diego*
San Diego Superior Court, Case No. GIC 854051**

DCA assigned M. Herrin

This matter involves a dangerous condition of public property case resulting from allegedly sustained at the San Vicente Reservoir. The City Attorney requests that the City Council consider a possible settlement of the case in closed session.

**CS-6 *Anja Freeman v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 844968**

ACA assigned: E. Gordon

This employment discrimination lawsuit is brought by a former Emergency Medical Technician who alleges she was subjected to sexual harassment, retaliation, and wrongful termination. The parties engaged in mediation, and believe they have reached an appropriate settlement. In closed session the City attorney will update Council on the status of the litigation and recommend approval of the proposed settlement.

**CS-7 *Boat Depot, Inc v. City of San Diego./SMCM Partners GP v. City of San Diego*
Consolidated under San Diego Superior Court Case No. GIC 846472**

DCA assigned: W. Donnell

This matter involves a claim for flood damages at 4025-4035 Pacific Highway, resulting from the failure of the storm drain system on October 27, 2004. The City Attorney requests that the Mayor and City Council consider a possible settlement of the case in closed session.

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

CS-8 Agency negotiator: Scott Chadwick, J. Rod Betts, Lisa Briggs, Rich Snapper, Jessica Falk Michelli William Gersten, Joe Harris, Rick Reynolds

Employee organizations: Municipal Employees Association, Local 145 International Association of Firefighters AFL-CIO, San Diego Police Officers Association, Deputy City Attorney Association, AFSCME Local 127

DCA assigned: W. Gersten

Discuss with Council the negotiations with all five labor unions (Municipal Employees Association, AFSCME Local 127, Police Officers Association, International Association of Firefighters Local 145, and the Deputy City Attorney's Association) regarding the implementing ordinances for the Mayor's Ballot proposals that would allow for the managed competition of certain City services and also require voter approval for enhancements to employee pension benefits.