

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, DECEMBER 4, 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 *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-2 *Michael Shames v. City of San Diego*
San Diego Superior Court Case No. GIC 831539**

DCA Assigned: J. Riley

This case involves an alleged over billing of single-family sewer customers in violation of the state constitution and a breach by the City of San Diego of loan and grant contracts from the State of California and the Federal Government. In closed session, the City Attorney will update the City Council related to the mediation process and seek approval of the proposed settlement.

**CS-3 *County of Santa Clara et al v Atlantic Richfield Co. et al*
Santa Clara County Superior Court Case No. CV 7888657**

CDCA Assigned: Sim von Kalinowski

This matter involves a claim by numerous California public entities against lead paint manufacturers, suppliers, and distributors among others for environmental contamination from lead paint. The City Attorney requests that the City Council consider allowing the City to enter the case as a plaintiff, and retain outside counsel to represent the City in the matter.

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

CS-4 Number of Cases: One

DCA Assigned: J. Cordileone

In closed session the City Attorney will advise the City Council on potential litigation.

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

CS-5 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: D. Buljat and 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, and deliberations, if necessary, following impasse procedures.