

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
SUPPLEMENTAL DOCKET NUMBER 2  
FOR THE REGULAR MEETING OF  
TUESDAY, APRIL 15, 2008  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ITEM-S500: Retain Special Prosecutor in the Matter of the People of the State of California v. Thomas Story.

[▶ View referenced exhibit back-up material.](#)

**MAYOR SANDERS’ RECOMMENDATION:**

Take the following action:

Retain special Prosecutor in the matter of The People of the State of California v. Thomas Story Case No. M014519 for the purposes of determining whether or not the prosecution should move forward and to handle all matters related to this prosecution;

Directing the City Attorney to prepare the appropriate resolutions and/or ordinances in accordance with Charter Section 40.

**SUPPORTING INFORMATION:**

Pursuant to a hearing on April 11, 2008 before Judge Wellington the City of San Diego has been informed that trial in this matter has been set for April 30, 2008. The City Attorney is barred from any and all involvement in this matter. The Attorney General and District Attorney’s Office have stated for jurisdictional and discretionary reasons they decline to prosecute. The Mayor requests that the City Council retain a special prosecutor to report to the Mayor and City Council exclusively.

FISCAL CONSIDERATIONS: The estimated expense is up to \$250,000 and is anticipated to come from the City Attorney’s operating budget, which is within the General Fund, Fund 100, Department 045.

PREVIOUS COUNCIL and/or COMMITTEE ACTION: n/a

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: n/a

KEY STAKEHOLDERS AND PROJECTED IMPACTS: n/a

Goldstone