

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, JULY 14, 2008
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 Legal Counsel - existing litigation, pursuant to California Government Code Section 54956.9(a):

**CS-1 *City of San Diego v. Sunroad Enterprises et al.*
San Diego Superior Court Case No. GIC 877054**

DCA Assigned: C. Brock

San Diego Superior Court Case No. GIC 877054 was initiated by the City Attorney to abate the public nuisance created by Sunroad Enterprises' construction of a 12 story, 180 foot building which was declared a "hazard" to air navigation at the City's Montgomery Field Airport by the Federal Aviation Administration (FAA). Sunroad Enterprises cross-complained against the City claiming the City issued permits for the building and is responsible for any monetary loss Sunroad may incur. The City Attorney and outside counsel, Latham & Watkins, will discuss the status of the pending litigation and associated costs.

**CS-2 *Grace Church of North County v. City of San Diego, et al.*
United States District Court Case No. 07-CV-419H (RBB)**

DCA Assigned: C. Fitzgerald

Grace Church of North County, Plaintiff in this matter, filed an action in the Southern District Court alleging constitutional violations arising from the approval by the Planning Commission for a Conditional Use Permit for a time shorter than was requested. City Attorney's Office will provide a status of the litigation.

Public employment - performance evaluation, pursuant to California Government Code Section 54957(b)(1):

CS-3 Title: City Clerk

CS-4 Title: Independent Budget Analyst

Conference with Legal Counsel – existing litigation, pursuant to California Government Code Section 54956.9(a):

**CS-5 *Friends and Concerned Citizens of University City, et al. v. City of San Diego*
SDSC No. 37-2007-00078058-CU-TT-CTL**

This litigation is regarding a proposed development at Costa Verde. Outside counsel will brief the City Council on the status of this matter per a requirement in the engagement contract that the City Council be updated monthly in Closed Session.