

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, JULY 21, 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 *Wright v. City of San Diego, et al.*
San Diego County Superior Court Case No. 37-2007-00071621-CU-OE-CTL**

DCA Assigned: D. Bamberg

This is an action in which a City employee filed a complaint against the City alleging that she has been discriminated against. In Closed Session, the City Attorney will update the Mayor and City Council on the status of the litigation and the possibility of settlement.

**CS-2 *Jeffery Taich v. San Diego Police Dept., et al.*
United States District Court No. 09CV-0383 JAH (JMA)**

DCA Assigned: W. Chung

This matter pertains to a lawsuit filed in District Court by Jeffery Taich arising from his arrest by San Diego Police on January 26, 2006, wherein Mr. Taich alleges several causes of action relating to Civil Rights violations. In Closed Session, Walter Chung of the City Attorney's Office will brief the City Council on the litigation's status, as well as seek direction regarding an offer of compromise.

**CS-3 *Shipyard Sediment Site*
California Regional Water Quality Control Board Tentative Cleanup and
*Abatement Order No. R9-2005-0126***

CDCA: M. Severson
DCA Assigned: F. Ortlieb

The *Shipyard Sediment Site California Regional Water Quality Control Board Tentative Cleanup and Abatement Order* is an action being taken against the City and other entities, both private and public, mandating the cleanup of sediment from the NASSCO Shipyard area of the San Diego Bay. The tentative order alleges the City is responsible, in part, for contribution of contaminants from Chollas Creek. In Closed Session, the City Attorney will brief the City Council on the status of this matter.

Conference with Legal Counsel - anticipated litigation - significant exposure to litigation, pursuant to California Government Code Section 54956.9(b):

CS-4 Number of Potential Cases: Up to 50 (Voluntary Compliance Program Filing)

DCA Assigned: W. Chung

In Closed Session, the Mayor requests that Outside Counsel provide advice relating to proposed Pension System Changes included in the Voluntary Compliance Program Filing that may affect the pension benefits of employees, retirees and their beneficiaries.

Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8:

CS-5 Property: 5036-60 Sterling Court, San Diego (south end of Winona Avenue)

Agency Negotiator: Jim Barwick, Director, Real Estate Assets Department

Negotiating Party: Larry Zajonc

Under Negotiation: Price and terms of payment

DCA Assigned: K. Davies

Discussion of negotiations regarding the offer received from Larry Zajonc for the sale of his property to the City for a proposed park (Fox Canyon).

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

CS-6 Title: City Clerk

CS-7 Title: Independent Budget Analyst

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

CS-8 Agency Negotiator: Richard Kreisler, Scott Chadwick, Tanya Tomlinson, Thom Harpole, Abby Jarl, Greg Bych, Val VanDeweghe, and Alan Hersh

Employee Organizations: Municipal Employees Association, AFSCME Local 127 AFL-CIO, and Deputy City Attorney Association

DCA Assigned: A. Hersh

The Mayor and City Council will be updated on the status of negotiations regarding the Ballot Initiative Regarding Reform of the City of San Diego Pension System.

CS-9 Agency Negotiator: Richard Kreisler, Scott Chadwick, Tanya Tomlinson, Thom Harpole, Abby Jarl, Greg Bych, Val VanDeweghe, Jessica Falk Michelli, and Alan Hersh

Employee Organizations: Municipal Employees Association, AFSCME Local 127 AFL-CIO, and Deputy City Attorney Association

DCA Assigned: A. Hersh

Discussions regarding impasse on the Ballot Initiative regarding Reform of the City of San Diego Pension System.

CS-10 Agency Negotiator: Rod Betts, Scott Chadwick, Tanya Tomlinson, Chris Morris, Kathryn Burton, Karen Heumann, and Alan Hersh

Employee Organizations: Deputy City Attorney Association

DCA Assigned: A. Hersh

The Mayor and City Council will be updated on the status of negotiations regarding the DCAA Ballot Proposal to amend the City Charter regarding the City Attorney's Office and Civil Service.