

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
CLOSED SESSION DOCKET  
FOR  
MONDAY, MARCH 2, 2009  
CITY ADMINISTRATION BUILDING  
COMMITTEE ROOM – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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**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 Labor Negotiator, pursuant to Government Code Section 54957.6:**

**CS-1 Agency Negotiators:** William Kay, Timothy Davis, Scott Chadwick, Judy von Kalinowski, Thom Harpole, Kim Nguyen, Woo-Jin Shim, Lourdes Silva, Valerie VanDeweghe, Javier Mainar, Brian Fennessy, David Ramirez, Robert Kanaski, Paul Cooper, Jan Goldsmith. Tanya Tomlinson, Joan Dawson, William Gersten, Lori Thacker

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

DCA Assigned: J. Dawson

Discussion with the Mayor and City Council pending contract negotiations with employee unions (Police Officers Association, International Association of Firefighters Local 145, Municipal Employees Association, AFSCME Local 127 and the Deputy City Attorney's Association).

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

**CS-2 *Christopher Stavros v. City of San Diego*  
Claim No. LP05-0534-2204**

DCA Assigned: D. Shanahan

The *Christopher Stavros v. City of San Diego* matter is a non-litigated claim arising out of a failed City storm drain. The failed storm drain caused water intrusion into the lower level of the Stavros' residence and also caused severe soil erosion of the slope under and around the residence. In closed session, the City Attorney will brief the Mayor and City Council on this matter and recommend settlement.

**CS-3 *Friends and Concerned Citizens of University City, et al. v. City of San Diego*  
San Diego Superior Court Case No. 37-2007-00078058-CU-TT-CTL**

This litigation is regarding a proposed development at Costa Verde. Outside counsel requests that the Mayor and City Council consider a proposed settlement of the matter in closed session.

**CS-4 *Michael T. Uberuaga v. City of San Diego*  
United States District Court Case No. 08cv1960 MMA (BLM)**

DCA Assigned: D. Karlin

This matter involves a lawsuit filed by a former City employee requesting the City provide him a legal defense including payment of all attorney fees, costs and expenses with regard to the civil action brought by the United States Securities and Exchange Commission. The City Attorney will advise the Mayor and City Council on the status of the litigation, including a potential settlement, and discuss the possibility of making determinations under California Government Code section 995.2 in closed session.

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

**CS-5 Number of Cases: One**

DCA Assigned: C. Leone

Consideration of litigation against the San Diego Regional Airport Authority regarding the Authority's EIR on its Master Plan for the proposed airport expansion and a proposed resolution.

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

**CS-6 *James M. Chapin and Penney Castleman v. Michael Aguirre and City of San Diego*  
United States District Court Case No. 05CV1906R (POR)**

DCA Assigned: W. Chung

*James M. Chapin and Penney Castleman v. Michael Aguirre and City of San Diego* is a wrongful termination case arising from both of Plaintiffs prior employment as former deputy city attorneys. In closed session, the deputy city attorney and outside counsel retained by the City will brief the Mayor and City Council on the matter and present a settlement offer made by Plaintiffs.