

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, JANUARY 24 AND 25, 2005
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ROLL CALL:

Present (Monday): Mayor Dick Murphy, Councilmembers Peters, Zucchet, Atkins, Young, Frye, Madaffer, and Inzunza

Absent (Monday): Councilmember Maienschein – Dist. 5 (Absent for Items CS-2 and CS-5 only)

REPORTING RESULTS OF CLOSED SESSION MEETING

The following are the results of the Closed Session Meetings of January 24 and 25, 2005, as reported by Assistant City Attorney Les Girard:

CLOSED SESSION MEETING OF MONDAY, JANUARY 24, 2005:

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

**CS-1 *7-Eleven v. City of San Diego, et al.*
San Diego County Superior Court Case No. GIC 837831**

DCA: Silva

Nothing to report

**CS-2 *Del Mar Union School District V. City of San Diego (AME)*
Riverside County Superior Court Case No. RIC 390648**

***Del Mar Union School District v. City of San Diego (Nexus)*
Riverside County Superior Court Case No. RIC 390673**

DCA: Silva

Motion: Seek Appellate Review
Moved: Councilmember Madaffer – Dist. 7
Seconded: Councilmember Zucchet – Dist. 2
Vote: 7/1 (Councilmember Frye (Dist. 6) – Nay) [Passed]
Absent: Councilmember Maienschein – Dist. 5

Reported out in Open Session on January 25, 2005: Seek Appellate Review

**CS-3 *Gleason v. San Diego City Employees' Retirement System*
San Diego Superior Court Case No. GIC 803779**

DCA assigned: Morris

ITEM HEARD ON TUESDAY, JANUARY 25, 2005

**CS-4 *Border Business Park v. City of San Diego*
Appellate Case No. D039225; SDSC Case No. GIC 692794
Otay Acquisitions v. City of San Diego
SDSC Case No. GIC 753247
National Enterprises, Inc. v. City of San Diego
SDSC Case Nos. GIC 791407; GIC 805465**

ACA assigned: Girard

Off-calendar

**CS-5 *Howard Jarvis Taxpayers Ass. v. City of San Diego*
San Diego Superior Court No. GIC 706260**

ACA Girard

Motion: Refrain from Seeking Appellate Review
Moved: Councilmember Madaffer – Dist. 7
Seconded: Councilmember Zucchet – Dist. 2
Vote: 8/0 [Passed]
Absent: Councilmember Maienschein – Dist. 5

Reported out in Open Session on January 25, 2005: Refrain from Seeking Appellate Review

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

CS-6 Agency negotiators: Lamont Ewell, Cathy Lexin, Mike McGhee

Employee organizations: Municipal Employees Association, Local 127 AFSCME, AFL-CIO, Local 145 International Association of Firefighters AFL-CIO, San Diego Police Officers Association

HDCA assigned: Morris

Nothing to report

CLOSED SESSION MEETING OF TUESDAY, JANUARY 25, 2005:

ROLL CALL:

Present (Tuesday): Mayor Dick Murphy, Councilmembers Peters, Zucchet, Atkins, Young, Maienschein, Frye, Madaffer, and Inzunza

Absent (Tuesday): All present

CLOSED SESSION ITEMS:

**CS-3 *Gleason v. San Diego City Employees' Retirement System*
San Diego Superior Court Case No. GIC 803779**

DCA assigned: Morris

Motion: Refrain from Seeking Appellate Review
Moved: Councilmember Inzunza – Dist. 8
Seconded: Councilmember Madaffer – Dist. 7
Vote: Unanimous [Passed]
Absent: All present

Reported out in Open Session on February 1, 2005: Refrain from Seeking Appellate Review