

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY AND TUESDAY, JUNE 20 and 21, 2005  
CITY ADMINISTRATION BUILDING  
COMMITTEE ROOM – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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**ROLL CALL:**

Present (Monday): Councilmembers Peters, Atkins, Young, Frye, and Madaffer

Absent (Monday): Mayor Murphy (Absent for Items CS-1, 2, and 3)  
Councilmember Zucchet – Dist. 2 (Absent from the meeting.)  
Councilmember Maienschein – Dist. 5 (Absent from the meeting.)  
Councilmember Inzunza - Dist. 8 (Absent from the meeting.)

**REPORTING RESULTS OF CLOSED SESSION MEETING**

The following are the results of the Closed Session Meetings of June 20 and 21, 2005, as reported by Deputy City Attorney Don McGrath II:

**CLOSED SESSION MEETING OF MONDAY, JUNE 20, 2005:**

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

**CS-1 *Clark v. City of San Diego, et al.*  
San Diego Superior Court No. GIC 834061**

ACA assigned: K. Katz

Nothing to report

**CS-2 *George Amancio et al. v. City of San Diego*  
Claim No. LP05-0705-0728**

DCA assigned: A. Jones

Nothing to report

**CS-3 *Kari Livingstone, et al. v. City of San Diego*  
Claim Nos. LP05-7773-0596; LP05-7773-0597**

DCA assigned: A. Jones

Nothing to report

**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: L. Girard

Motion: Defend Litigation  
Moved: Councilmember Peters – Dist. 1  
Seconded: Councilmember Madaffer – Dist. 7  
Vote: 6/0 [Passed]  
Absent: Councilmember Zucchet – Dist. 2  
Councilmember Maienschein – Dist. 5  
Councilmember Inzunza – Dist. 8

**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: D. McGrath

ITEM HEARD TUESDAY, JUNE 21, 2005

**CLOSED SESSION MEETING OF TUESDAY, JUNE 21, 2005:**

**ROLL CALL:**

Present (Tuesday): Mayor Dick Murphy, Councilmembers Peters, Young, Frye, and Madaffer

Absent (Tuesday): Councilmember Zucchet – Dist. 2 (Absent from the meeting.)  
Councilmember Atkins – Dist. 3 (Absent from the meeting.)  
Councilmember Maienschein – Dist. 5 (Absent from the meeting.)  
Councilmember Inzunza - Dist. 8 (Absent from the meeting.)

**CLOSED SESSION ITEM:**

**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: D. McGrath

Motion: Initiate Litigation or Intervene  
Moved: Councilmember Peters – Dist. 1  
Seconded: Councilmember Madaffer – Dist. 7  
Vote: 5/0 [Passed]  
Absent: Councilmember Zucchet – Dist. 2 (Absent from the meeting.)  
Councilmember Atkins – Dist. 3 (Absent from the meeting.)  
Councilmember Maienschein – Dist. 5 (Absent from the meeting.)  
Councilmember Inzunza - Dist. 8 (Absent from the meeting.)