

**JOINT CLOSED SESSION MEETING
OF THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY
OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR TUESDAY SEPTEMBER 6, 2005
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ROLL CALL:

Present: Councilmembers Peters, Atkins, Young, Maienschein, Frye, and Madaffer

Absent:

Vacant: Mayor
Councilmember District 2
Councilmember District 8

REPORTING THE RESULTS OF THE CLOSED SESSION MEETING OF THE CITY COUNCIL

The following are the results of the City Council Closed Session Meeting of September 6, 2005, as reported by Deputy City Attorney Don McGrath II:

CLOSED SESSION ITEMS:

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

**CS-1 *Sierra Club v. California Coastal Commission and City of San Diego*
San Diego Superior Court Case No. GIC844081**

DCA assigned: D. Smith

Off-calendar

**CS-2 *Helen Soroush-Azar v. City of San Diego*
San Diego Superior Court No. IC 841453**

***Kristina Hancock, et al. v. City of San Diego*
San Diego Superior Court No. GIC 847615**

DCA assigned: H. Wierman

Motion: Acceptance of Signed Settlement Offer
Moved: Councilmember Peters – Dist.1
Seconded: Councilmember Madaffer – Dist. 7
Vote: 6/0 [Passed]
Absent:
Vacant: Mayor
Councilmember District 2
Councilmember District 8

**CS-3 *San Diego City Employees Retirement System v. City of San Diego and San Diego City Attorney Michael J. Aguirre and related cross-claim.*
San Diego Superior Court GIC 841845**

ACA assigned: D. McGrath

Nothing to report

**CS-4 *San Diego City Employees Retirement System v. City of San Diego, et al.*
San Diego Superior Court GIC 851286**

ACA assigned: D. McGrath

Nothing to report

**CS-5 *San Diego Police Officers Association v. Michael Aguirre, et al.*
United States District Court No. 05 CV 1581**

ACA assigned: D. McGrath

Motion: Defend Litigation
Moved: Councilmember Peters – Dist.1
Seconded: Councilmember Madaffer – Dist. 7
Vote: 6/0 [Passed]
Absent:
Vacant: Mayor
Councilmember District 2
Councilmember District 8

**CS-6 *Marcus R. Abbe, et al. v. City of San Diego, et al.*
United States District Court No. 05 CV 1629**

ACA assigned: D. McGrath

Nothing to report

**CS-7 *William J. McGuigan v. City of San Diego, et al.*
San Diego Superior Court GIC 849883**

ACA assigned: D. McGrath

Nothing to report

**CS-8 *John A. Torres, et al. v. City of San Diego, et al.*
San Diego Superior Court GIC 852293**

ACA assigned: D. McGrath

Nothing to report

**CS-9 *City of San Diego v. Callan, et al.*
San Diego Superior Court GIC 852419**

ACA assigned: D. McGrath

Nothing to report

**CS-10 *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: D. McGrath

Nothing to report

CS-11 *In Re: SEC Investigation into City Bond and Disclosure Practices*

ACA assigned: D. McGrath

Nothing to report

**CS-12 *Michael Shames v. City of San Diego*
San Diego Superior Court Case No. GIC 831539**

DCA assigned: J. Riley

Nothing to report

CS-13 In re: United States Securities and Exchange Commission Investigation and United States Attorney investigation into City's Finances.

ACA: A. Noone

Nothing to report

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

CS-14 California State University Board of Trustees

ACA assigned: K. Heumann

Motion: Initiate Litigation
Moved: Councilmember Madaffer – Dist. 7
Seconded: Councilmember Peters – Dist. 1
Vote: 6/0 [Passed]
Absent:
Vacant: Mayor
Councilmember District 2
Councilmember District 8

CLOSED SESSION MEETING OF THE REDEVELOPMENT AGENCY:

ROLL CALL:

Present: Councilmembers Peters, Atkins, Young, Maienschein, Frye, and Madaffer

Absent:

Vacant: Mayor
Councilmember District 2
Councilmember District 8

**REPORTING THE RESULTS OF THE CLOSED SESSION MEETING OF THE
REDEVELOPMENT AGENCY**

The following are the results of the Redevelopment Agency Closed Session Meeting of September 6, 2005, as reported by Deputy City Attorney Don McGrath II:

CLOSED SESSION ITEMS:

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

**CS-1 *Reichbart v. Redevelopment Agency*
San Diego Superior Court No. GIC816792**

DCA assigned: R. Witt

Continued

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

CS-2 California State University Board of Trustees

ACA assigned: Heumann

Motion: Initiate Litigation
Moved: Councilmember Madaffer – Dist. 7
Seconded: Councilmember Peters – Dist. 1
Vote: 6/0 [Passed]
Absent:
Vacant: Mayor
Councilmember District 2
Councilmember District 8