

**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 20, 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 RESULTS OF CLOSED SESSION MEETING

Only items that can be disclosed are reported out in the Open Session of the regular City Council Meeting. Assistant City Attorney Karen Heumann reports the results of the Closed Session Meeting of September 20, 2005, as follows:

CLOSED SESSION ITEMS:

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

**CS-1 *People of the State of California v. City of San Diego*
San Diego Superior Court No. GIC 835383-1**

DCA assigned: D. Smith

Off-calendar

**CS-2 *Westbrook Torrey Hills LLP v. City of San Diego*
San Diego Superior Court No. GIC 824491**

DCA assigned: C. Silva

Nothing to report

CS-3 *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

Nothing to report

CS-4 In Re: SEC Investigation into City Bond and Disclosure Practices

ACA assigned: D. McGrath

Off-calendar

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

CS-5 In Re: David Cowan

ACA assigned: D. McGrath

Motion: Pay legal fees for David Cowan in the amount of \$137,716.30
Moved: Councilmember Madaffer – Dist. 7
Seconded: Councilmember Young – Dist. 4
Vote: 6/0 [Passed]
Absent:
Vacant: Mayor
Councilmember District 2
Councilmember District 8

Threat to public services or facilities, pursuant to California Government Code section 54957:

CS-6 In Re: Water Department Security of Public Services and Facilities

DCA assigned: J. Kirk

Nothing to report

CLOSED SESSION MEETING OF THE REDEVELOPMENT AGENCY:

ROLL CALL:

Present: Councilmembers Peters, Atkins, Young, Maienschein, Frye, and Madaffer
Absent: Councilmember Maienschein – Dist. 5 [Was not present for all of Item CS-2]
Vacant: Mayor
Councilmember District 2
Councilmember District 8

CLOSED SESSION MEETING 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

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

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

CS-2 Property: That surface parking lot commonly known as “ Tailgate Park” bounded by 12th Street, 14th Street, Imperial Avenue, and K Street

Agency Negotiator: Peter Hall, President, Centre City Development Corporation
Leslie J. Girard, Assistant City Attorney

Negotiating Parties: Redevelopment Agency of the City of San Diego and San Diego Ballpark Funding LLC

Under Negotiation: Terms of lease for operation of parking lot

ACA: Girard

Nothing to report

REPORTED BY: _____
Karen Heumann
Assistant City Attorney