

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY
APRIL 30 AND MAY 1, 2007
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

REPORTING RESULTS OF CLOSED SESSION MEETINGS

Only items that can be disclosed are reported out in the Open Session of the regular City Council Meeting. Public comment on Closed Session items are taken in Open Session. Please refer to the City Clerk’s minutes for Open Session for more information. Assistant City Attorney Karen Heumann reports the results of the Closed Session Meetings of April 30 and May 1, 2007, as follows:

CLOSED SESSION MEETING FOR MONDAY, APRIL 30, 2007

Closed Session Items were heard on Tuesday, May 1, 2007.

CLOSED SESSION MEETING FOR TUESDAY, MAY 1, 2007

ROLL CALL:

Present: Mayor Jerry Sanders, Council President Peters, Council President Pro Tem Young and Councilmembers Faulconer, Atkins, Maienschein, Frye, Madaffer, and Hueso

Absent: All present

CLOSED SESSION ITEMS:

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

**CS-1 J&J Properties, LLC v. San Diego Housing Commission, et al.
San Diego Superior Court Case No. GIC 85880**

DCA assigned: C. Fitzgerald

Nothing to report

**CS-2 *Coastal Law Enforcement Action Network v. City of San Diego;*
Air California Adventure, LLC;
David Jebb - (Complaint);
City of San Diego v. Air California Adventure, LLC;
Air California Adventure, Inc.;
David Jebb; Maya Jebb - (Cross Complaint)
San Diego Superior Court Case No. GIC 861914**

DCA Assigned: M. Dickenson

Motion: Acceptance of signed settlement offer.
Moved: Council President Peters - Dist. 1
Seconded: Councilmember Madaffer - Dist. 7
Vote: 8/0 [Passed - Unanimously]
Absent: All present

**Reported out in Open Session on May 1, 2007, at noon by Karen Heumann,
Assistant City Attorney:**

Today in Closed Session, the City Council voted in the matter of Closed Session Item 2, ***Coastal Law Enforcement Action Network v. City of San Diego, et al.***, San Diego Superior Court Case No. GIC861914, to authorize settlement that requires City to pay \$20,000 in exchange for waiver of any and all claims for attorney fees and costs, and requires the City to take the following three actions:

- The City shall enforce all the requirements of the lease agreement, including restoration of native vegetation; and
- The City will prepare a General Development Plan, a comprehensive City Plan for the development and management of the Torrey Pines City Park; and
- The City will establish the Torrey Pines City Park Advisory Board whose members shall be appointed within 90 days from the date of this agreement and who shall include representatives of the following Gliderport user groups: paragliders, hanggliders, sailplane gliders, and radio-controlled model sailplane gliders as well as at least two representatives from non-profit environmental groups.

Motion by Council President – second by Councilmember Madaffer. The item passed 8 to 0.

*******FOLLOW UP REPORT OUT FOR ITEM CS-2 FROM THE APRIL 10, 2007,
CLOSED SESSION MEETING LISTED BELOW:**

CS-2 *Hawthorne Power Systems*

**Reported out in Open Session on May 1, 2007, at noon by Karen Heumann,
Assistant City Attorney:**

The City Council voted in the Closed Session Meeting of April 10, 2007, on Closed Session Item 2, *Hawthorne Power Systems*, to authorize settlement of \$35,000 paid by Hawthorne Power Systems. The motion was made by Council President Peters and second by Councilmember Frye. It passed 6 to 0 with Councilmembers Madaffer and Hueso absent.

REPORTED BY: _____

Karen Heumann
Assistant City Attorney