

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE SPECIAL CLOSED SESSION MEETING REPORT
FOR TUESDAY, AUGUST 12, 2008
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

REPORTING THE RESULTS OF THE SPECIAL CLOSED SESSION MEETING

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. Chief Deputy City Attorney Catherine Bradley reports the results of the Special Closed Session Meeting of August 12, 2008, as follows:

SPECIAL CLOSED SESSION MEETING FOR TUESDAY, AUGUST 12, 2008

ROLL CALL:

Present: Council President Peters; Council President Pro Tem Madaffer; and Councilmembers Faulconer, Young, Maienschein, and Hueso

Absent: Mayor Sanders (Absent for the meeting.)
Councilmember Atkins - Dist. 3 (Absent for the meeting.)
Councilmember Frye - Dist. 6 (Absent for the meeting.)

CLOSED SESSION ITEMS

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

CS-1 *County of San Diego v. Redevelopment Agency of the City of San Diego, et al.*
San Diego County Superior Court Case No. GIC 850455
(Consolidated with San Diego County Superior Court Case No. GIC 850829)

Assigned DCA: G. Spitzer

Motion: The City Council/Agency Board instructs its counsel, the San Diego City Attorney/Agency General Counsel and Agency Special Counsel, to sign all agreements, resolutions, and other documents in connection with the Grantville Settlement within 5 days.

The City Council/Agency Board further instructed its counsel, the San Diego City Attorney/Agency General Counsel, to not file a validation action pursuant to Code of Civil Procedure section 860 or to take any other action which seeks to challenge or obtain judicial review of the Grantville Settlement.

Moved: Council President Pro Tem Madaffer - Dist. 7

Seconded: Councilmember Hueso - Dist. 8

Vote: 6/0 [Passed]

Absent: Councilmember Atkins - Dist. 3
Councilmember Frye - Dist. 6

Report: See below

AT THE DIRECTION OF COUNCIL PRESIDENT PETERS, THE FOLLOWING REPORT OUT FOR THE AUGUST 12, 2008 CLOSED SESSION ITEM CS-1 WAS POSTED ON THE 12TH FLOOR OF THE CITY ADMINISTRATION BUILDING, 202 C STREET, SAN DIEGO, CALIFORNIA, ON AUGUST 12, 2008.

Today, Chief Deputy City Attorney Catherine Bradley reported the following result of the August 12, 2008 City Council/Redevelopment Agency Special Closed Session Meeting for Item CS-1/Item RACS-1, *County of San Diego v. Redevelopment Agency of the City of San Diego, et al.*, San Diego County Superior Court Case No. GIC 850455 (Consolidated with San Diego County Superior Court Case No. GIC 850829):

On July 29, 2008, the City Council/Agency Board approved the Settlement Agreement between the City of San Diego and the Redevelopment Agency of the City of San Diego, on the one hand, and the County of San Diego, Atomic Investments, Inc., Leonard Teyssier, Trustee of the Leonard and Monica Teyssier Family Trust, and Leonard Teyssier, Trustee of the Leonard and Monica Teyssier Family Marital Trust, on the other hand, which is commonly referred to as the Grantville Settlement.

IT IS HEREBY MOVED THAT:

The City Council/Agency Board instructs its counsel, the San Diego City Attorney/Agency General Counsel and Agency Special Counsel, to sign all agreements, resolutions, and other documents in connection with the Grantville Settlement within 5 days.

The City Council/Agency Board further instructed its counsel, the San Diego City Attorney/Agency General Counsel, to not file a validation action pursuant to Code of Civil Procedure section 860 or to take any other action which seeks to challenge or obtain judicial review of the Grantville Settlement.

The motion was made by Council President Pro Tem Madaffer and the second by Councilmember Hueso.

The motion passed 6 to 0 with Councilmembers Atkins and Frye absent.

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

CS-2 *City of San Diego and Redevelopment Agency v. Carolyn Smith*

Assigned DCA: M. Dickenson

Report: Nothing to report

REPORTED BY: _____
Catherine M. Bradley
Chief Deputy City Attorney