

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY AND TUESDAY, FEBRUARY 14 and 15, 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): Mayor Dick Murphy, Councilmembers Peters, Zucchet, Young, Maienschein, Madaffer, and Inzunza

Absent (Monday): Councilmembers Atkins -Dist. 3 (Absent for Item CS-4 only)  
Councilmember Frye - Dist. 6 (Absent for Item CS-4 only)

**REPORTING RESULTS OF CLOSED SESSION MEETING**

The following are the results of the Closed Session Meetings of February 14 and 15, 2005, as reported by Assistant City Attorney Les Girard:

**CLOSED SESSION MEETING OF MONDAY, FEBRUARY 14, 2005:**

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

**CS-1 *AFSCME Local 127 v. City of San Diego*  
Los Angeles Superior Court Case No. LA-CE-209-M**

DCA assigned: Sanchez

Off-calendar

**CS-2 *De Anza Cove Homeowners Association, Inc. v. City of San Diego*  
San Diego Superior Court Case No. GIC 821191**

DCA assigned: McGuiness

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*  
San Diego Superior Court No. Case No. GIC 753247  
*National Enterprises, Inc. v. City of San Diego*  
San Diego Superior Court Nos. GIC 791407; GIC 805465

ACA assigned: Girard

Nothing to report

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

**CS-4** *City of San Diego v. Berryman & Henigar, Inc.*

DCA assigned: Fusco

Nothing to report

**Conference with Labor Negotiator, pursuant to Government Code section 54957.6:**

**CS-5** Agency negotiators: Lamont Ewell, Cathy Lexin, Mike McGhee  
Employee organizations: Municipal Employees Association, Local 127 AFSCME,  
AFL-CIO, Local 145 International Association of  
Firefighters AFL-CIO, San Diego Police Officers  
Association

DCA assigned: Morris

ITEM HEARD TUESDAY, FEBRUARY 15, 2005

**Public employment, pursuant to California Government Code section 54957(b)(1):**

**CS-6 Title: City Manager**

Nothing to report

**CLOSED SESSION MEETING OF TUESDAY, FEBRUARY 15, 2005:**

**ROLL CALL:**

Present (Tuesday): Mayor Dick Murphy, Councilmembers Peters, Zucchet, Atkins, Young, Maienschein, Frye, Madaffer, and Inzunza

Absent (Tuesday): All present

**CLOSED SESSION ITEM:**

**Conference with Labor Negotiator, pursuant to Government Code section 54957.6:**

**CS-5** Agency negotiators: Lamont Ewell, Cathy Lexin, Mike McGhee

Employee organizations: Municipal Employees Association, Local 127 AFSCME, AFL-CIO, Local 145 International Association of Firefighters AFL-CIO, San Diego Police Officers Association

DCA assigned: Morris

Nothing to report