

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY AND TUESDAY, MAY 9 and 10, 2005  
CITY ADMINISTRATION BUILDING  
COMMITTEE ROOM – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

---

**ROLL CALL:**

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

Absent (Monday): All present

**REPORTING RESULTS OF CLOSED SESSION MEETING**

The following are the results of the Closed Session Meetings of May 9 and 10, 2005, as reported by Assistant City Attorney Les Girard (Items CS-1, 2, 3, 4, 5, 6, and 7) and Deputy City Attorney Christopher Morris (Item CS-8):

**CLOSED SESSION MEETING OF MONDAY, MAY 9, 2005:**

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

**CS-1 *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: Leslie J. Girard

Off-calendar

**CS-2 *DMIG v. City*  
San Diego Superior Court No. GIC 837823**

DCA assigned: Claudia Silva

Off-calendar

**CS-3 *De Anza Cove Homeowners Association, Inc. v. City of San Diego*  
San Diego Superior Court Case No. GIC 821191**

CDCA assigned: Michael McGuinness

Off-calendar

**Conference with Legal Counsel – anticipated litigation, pursuant to California Government Code section 54956.9(b):**

**CS-4 *Furgatch v. San Diego Unified Port District, et al.*  
San Diego Superior Court No. GIC 744288**

ACA assigned: Leslie J. Girard

Off-calendar

**CS-5 *Pyatt v. City of San Diego and Nettleton v. City of San Diego*  
Claim numbers: LP05-0534-2006 and LP05-0534-2049**

DCA Assigned: Claudia Silva

Off-calendar

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

<b>CS-6</b>	<b>Property:</b>	<b>City-owned property located at 3889 Midway Drive consisting of approximately 8.36 acres and improved under a 55-year ground lease with a 255-unit apartment complex known as Stonewood Garden Apartments (APN 760-102-67)</b>
	Agency Negotiator:	William T. Griffith, Real Estate Assets Director
	Negotiating Parties:	Lessee, MG Stonewood Garden Apartments, L.P.
	Under Negotiation:	Seeking direction pertaining to an unsolicited proposal from MG Apartments for the purchase of the fee property and a condominium conversion of the existing apartment units.

DCA assigned: Elisa Cusato

Off-calendar

<b>CS-7</b>	<b>Property:</b>	<b>Tailgate Park</b>
	Agency Negotiator:	Leslie J. Girard, Assistant City Attorney
	Negotiating Parties:	City of San Diego and San Diego Unified Port District
	Under Negotiation:	Status of satisfaction of all conditions necessary to complete transfer of Tailgate Park to the Port District

ACA assigned: Girard

Off-calendar

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

**CS-8** Agency negotiators: Lamont Ewell, Bruce Herring, Mike McGhee

Employee organizations: Municipal Employees Association, Local 127  
AFSME, AFL-CIO, Local 145 International Association of Firefighters AFL-CIO, San Diego Police Officers Association, The Deputy City Attorneys Association of San Diego

DCA assigned: Chris Morris

Nothing to report

**CLOSED SESSION MEETING OF TUESDAY, MAY 10, 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-8** Agency negotiators: Lamont Ewell, Bruce Herring, Mike McGhee

Employee organizations: Municipal Employees Association, Local 127  
AFSME, AFL-CIO, Local 145 International Association of  
Firefighters AFL-CIO, San Diego Police Officers  
Association, The Deputy City Attorneys Association of  
San Diego

DCA assigned: Chris Morris

Nothing to report