

**CITY COUNCIL OF THE CITY OF SAN DIEGO
THE CLOSED SESSION MEETING REPORT
FOR MONDAY AND TUESDAY, JUNE 25 AND 26, 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 June 25 and 26, 2007, as follows:

CLOSED SESSION MEETING FOR MONDAY, JUNE 25, 2007

Closed Session Items were heard on Tuesday, June 26, 2007.

CLOSED SESSION MEETING FOR TUESDAY, JUNE 26, 2007

ROLL CALL:

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

Absent: Councilmember Maienschein - Dist. 5 (Absent for Items CS-1 and 3)

CLOSED SESSION ITEMS:

**CS-1 *De Anza Cove Homeowners Association, Inc. v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 821191**

***Ernest Abbitt, et al. v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 865536**

CDCA Assigned: M. Severson

Motion: Initiate Litigation
Moved: Councilmember Madaffer - Dist. 7
Seconded: Councilmember Frye - Dist. 6
Vote: 7/0 [Passed]
Absent: Councilmember Maienschein

**Reported out in Open Session on June 26, 2007, at 4:50 p.m. by Karen Heumann,
Assistant City Attorney:**

Today, the City Council voted in Closed Session on Item CS-1, *De Anza Cove Homeowners Association, Inc. v. City of San Diego*, San Diego Superior Court Case No. GIC 821191, to initiate litigation against DHRG, Terra Vista Management and Michael Gelfand, prior lessees of the property and prior operators of the mobilehome park. Motion by Councilmember Madaffer – second by Councilmember Frye. The motion passed 7 to 0 with Councilmember Maienschein absent.

**CS-2 *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)**

DCA Assigned: G. Spitzer

Nothing to report

**CS-3 *Steve Trunk, et al. v. City of San Diego*
United States District Court Case No. 89cv00820 GT (LSP)**

DCA Assigned: G. Schaefer

Motion: Seek Appellate Review
Moved: Councilmember Madaffer - Dist. 7
Seconded: Councilmember Faulconer - Dist. 2
Vote: 5/2 [Passed]
Absent: Councilmember Maienschein

**Reported out in Open Session on June 26, 2007, at 4:50 p.m. by Karen Heumann,
Assistant City Attorney:**

Secondly, today, the City Council voted in Closed Session on Item CS-3, *Steve Trunk, et al. v. City of San Diego*, United States District Court Case No. 89cv00820 GT (LSP), to appeal the award of attorney's fees and costs with a motion by Councilmember Madaffer - second by Councilmember Faulconer. The motion passed 5 to 2 with Councilmembers Atkins and Frye voting "No."

REPORTED BY: _____
Karen Heumann
Assistant City Attorney