

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
TUESDAY, DECEMBER 9, 2003
AT 9:00 A.M.**

- I) Conference with Legal Counsel – existing litigation, pursuant to California Government Code Section 54956.9(a):
- a. *Barnes Wallace v. City of San Diego, et al.*
USDC 00-CV-1727 J(AJB)
 - b. *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
 - c. *Chargers Football Company, LLC v. City of San Diego*
LASP BC 306 758
 - d. *City of San Diego v. D.R. Horton*
SDSC Case No. GIC 777603
 - e. *City of San Diego v. Barratt American/Barczewski. L.P., et al.*
SDSC Nos. GIC 771613-1/GIC 794498
 - f. *City of San Diego v. Apogee Investors, et al.*
SDSC No. GIC 777606-1
 - g. *City of San Diego v. Barratt American, Lee Living Trust, et al.*
SDSC No. GIC 771344-1
 - h. *City of San Diego v. D.R. Horton, et al.*
SDSC No. GIC 777603-1

i. City of San Diego v. Gondor Investors, et al.
SDSC Nos. GIC 777604-1/GIC 777605-1

j. City of San Diego v. Gonsalves, et al.
SDSC No. GIC 771345-1

k. City of San Diego v. Lin, Kasai, et al.
SDSC No. GIC 771354-1

I. Conference with Legal Counsel - anticipated litigation - significant exposure to litigation, pursuant to California Government Code section 54956.9(b):

a. Number of cases: One

III. Public employee performance evaluation, pursuant to California Government Code section 54957(b)(1):

a. Title: City Manager

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

Property: Qualcomm Stadium

City Negotiator: Assistant City Attorney Leslie J. Girard, Deputy City Manager Bruce Herring, Paul Jacobs, Esq., Daniel S. Barrett, and Robert J. Kheel

Negotiating Parties: City of San Diego and the San Diego Chargers

Under Negotiation: Real Property Interests at the Qualcomm Stadium site pursuant to the recommendations of the Citizens Task Force on Chargers Issues, and pursuant to the terms of Paragraph 31 of the 1995 Agreement for the Partial Use and Occupancy of Qualcomm Stadium.