

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR THE SPECIAL COUNCIL MEETING  
OF  
TUESDAY, AUGUST 12, 2008  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Council President Peters 9:10 a.m. The meeting was adjourned by Council President Peters at 9:12 a.m. to convene into Closed Session.

ATTENDANCE DURING THE MEETING:

- (1) Council Member Peters-present
- (2) Council Member Faulconer-present
- (3) Council Member Atkins-not present-Excused by R-304201, no reason given
- (4) Council Member Young-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-not present-Excused by R-304204, due to illness
- (7) Council Member Madaffer-present
- (8) Council Member Hueso-present

Clerk-Maland (sr)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Maland called the roll:

- (1) Council Member Peters-present
- (2) Council Member Faulconer-present
- (3) Council Member Atkins-not present
- (4) Council Member Young-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-not present
- (7) Council Member Madaffer-present
- (8) Council Member Hueso-present

FILE LOCATION: MINUTES

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)

**REFERRED TO CLOSED SESSION OF TUESDAY, AUGUST 12, 2008**

This litigation regards the validity of City Council's adoption of the Grantville Redevelopment Plan, Ordinance No. O-19380. City Council and the Redevelopment Agency will confer with the City Attorney regarding settlement and the status of litigation.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 9:11 a.m. - 9:11 a.m.)

**Council President Peters closed the hearing.**

**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*

**REFERRED TO CLOSED SESSION OF TUESDAY, AUGUST 12, 2008**

The City Attorney will discuss the initiation of litigation against Carolyn Smith, President of Southeastern Economic Development Corporation.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 9:11 a.m. - 9:11 a.m.)

**Council President Peters closed the hearing.**



ITEM-701: Declaring a Continued State of Emergency Regarding the Wildfires.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2008-891) ADOPTED AS RESOLUTION R-304028

Declaring a continued state of emergency to exist in the City of San Diego due to the wildfires which began on October 21, 2007, pursuant to California Government Code Section 8630;

Declaring that the measures previously taken by the City Council in Resolution No. R-303098 shall continue to have full force and effect.

FILE LOCATION: GEN'L – State of Emergency Regarding the Wildfires

COUNCIL ACTION: (Time duration: 9:11 a.m. – 9:12 a.m.)

MOTION BY MAIENSCHIEIN TO ADOPT. Second by Madaffer. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-not present, Young-yea, Maienschein-yea, Frye-not present, Madaffer-yea, Hueso-yea.



ITEM-702: State of Local Emergency Declaration Regarding the Landslide on Mount Soledad.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2008-869) ADOPTED AS RESOLUTION R-304029

Declaring a continued state of emergency to persist relative to the landslide on Mount Soledad, pursuant to California Government Code Section 8630;

Declaring that the measures previously authorized by the City Council in Resolution No. R-303041 shall continue to have full force and effect.

FILE LOCATION: GEN'L – State of Emergency Regarding the Landslide on Mount Soledad

COUNCIL ACTION: (Time duration: 9:12 a.m. – 9:12 a.m.)

MOTION BY FAULCONER TO ADOPT. Second by Madaffer. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-not present, Young-yea, Maienschein-yea, Frye-not present, Madaffer-yea, Hueso-yea.

NON-DOCKET ITEMS:

None.

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ADJOURNMENT:

The meeting was adjourned by Council President Peters at 9:12 a.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 9:12 a.m. – 9:12 a.m.)