

**THE COMMITTEE ON NATURAL RESOURCES AND CULTURE  
OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO**

**Councilmember Frye, Chair  
Councilmember Carl DeMaio, Vice Chair  
Councilmember Sherri Lightner  
Councilmember Marti Emerald**

**ACTIONS FOR  
WEDNESDAY, MARCH 17, 2010, AT 1:00 P.M.**

**COUNCIL CHAMBERS (12TH FLOOR),  
CITY ADMINISTRATION BUILDING  
202 C STREET, SAN DIEGO, CALIFORNIA**

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All Committee members present.

NON-AGENDA PUBLIC COMMENT: None.

COMMITTEE COMMENT: Councilmember Emerald commented on sub-metering in the City of San Diego and the gray water policy.

CITY ATTORNEY, IBA, AND MAYORAL STAFF COMMENT: None.

ADOPTION AGENDA

Approval of the Record of Action Items for February 24, 2010

**ACTION:** Motion by Councilmember Lightner, second by Councilmember Emerald, to approve.

**VOTE:** 3-0; Frye-yea, DeMaio-not present, Lightner-yea, Emerald-yea

CONSENT ITEMS

- ITEM-1:** Reports from the ENGINEERING AND CAPITAL PROJECTS DEPARTMENT regarding:
- A. Agreement with RBF Consulting for Torrey Pines/La Jolla Boulevard Water Main Replacement, Phase 3B
  - B. Agreement with RBF Consulting, Inc. for Design of Harbor Drive and

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Lindbergh Field Pipeline Replacement

- C. First Amendment to Agreement with Roseling Nakamura Terada Architects, Inc., for La Jolla Cove Lifeguard Station

(1A: See Engineering and Capital Projects Department's December 10, 2009, Executive Summary; 1B: Engineering and Capital Projects Department's February 19, 2010, Executive Summary; 1C: Engineering and Capital Projects Department's November 16, 2009, Executive Summary)

ACTION: Motion by Councilmember Lightner, second by Councilmember Emerald, to approve.

VOTE: 3-0; Frye-yea, DeMaio-not present, Lightner-yea, Emerald-yea

ITEM-2: Reports from the PUBLIC UTILITIES DEPARTMENT regarding:

- A. Purchase of Sodium Hypochlorite for Wastewater Disinfection and Odor Control
- B. Amendment 2 with UCSD for the Evaluation of Anthropogenic Impacts on the San Diego Coastal Ecosystem
- C. Agreement with Helix Environmental Planning, Inc. for Preparing a Land Management Plan for Public Utilities Rural Lands

(2A: See Public Utilities Department's February 26, 2010, Executive Summary; 2B: Report to City Council No. 10-029; 2C: Public Utilities Department's March 1, 2010, Executive Summary)

ACTION: 2A: Motion by Councilmember Lightner, second by Councilmember Emerald, to approve

VOTE: 3-0; Frye-yea, DeMaio-not present, Lightner-yea, Emerald-yea

ACTION: 2B: Motion by Councilmember Lightner, second by Councilmember Emerald, to approve. Direct that EOC documents be included when this item comes before the full City Council.

VOTE: 3-0; Frye-yea, DeMaio-not present, Lightner-yea, Emerald-yea

ACTION: 2C: Motion by Councilmember Lightner, second by Councilmember Emerald, to approve. Direct that information be provided regarding implementation of the plan.

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VOTE: 3-0; Frye-yea, DeMaio-not present, Lightner-yea, Emerald-yea

ITEM-3: Report from the Environmental Services Department regarding RENEWAL OF HOUSEHOLD HAZARDOUS MATERIALS DISPOSAL CONTRACT

(See Report to City Council No. 10-035)

ACTION: Motion by Councilmember Emerald, second by Councilmember Lightner, to approve.

VOTE: 3-0; Frye-yea, DeMaio-not present, Lightner-yea, Emerald-yea

ACTION ITEMS

ITEM-4: Consideration of Management Options regarding the LA JOLLA CHILDREN'S POOL under these various alternatives:

- A. Make it illegal to access the Children's Pool during pupping season
- B. Keep the rope up year round
- C. Declare the Children's Pool a marine mammal park, encouraging MMPA enforcement
- D. Consideration of Management Options as presented by Friends of the Children's Pool and the Council of Divers

(See Bryan Pease's March 10, 2010, letter; Council of Divers' February 22, 2010, letter; Debbie Beacham's March 10, 2010, letter)

ACTION: Motion by Councilmember Lightner, to continue this item. No second.

ACTION: Motion by Councilmember Lightner, second by Councilmember DeMaio, to direct staff to provide recommendations on each of the following and bring that report to the La Jolla community groups prior to returning to the Committee:

1. Proposal for a beach closure during pupping season. Definition of the dates for pupping season at the Children's Pool;
2. Proposal for year-round night-time closure of the beach for public safety and seal safety considerations;
3. Proposal for summer public physical beach access;
4. Proposal for recreational diving access;

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5. Proposal to prevent dogs on the beach at Children's Pool at all times;
6. Proposals for City signage at the Children's Pool regarding all of the above items;
7. Opinion from the City Attorney on the definition of a marine mammal park, since this office originally suggested this term;
8. Opinion from the City Attorney on whether declaring seal-watching as the preferred use at the Children's Pool would require a change to the state trust, and an opinion on what the term "preferred use" means;
9. Cost estimate from the City for enforcement for any of the proposed changes;
10. Cost estimate for the use of a Ranger to perform enforcement at the Children's Pool;
11. Proposal regarding the potential to turn the management of the Children's Pool over to the State of California; and
12. Proposal to prevent seal colonization at other City of San Diego beaches.

Amendment by Councilmember DeMaio to the motion, to have staff return to the NR&C Committee within 30 days. Direct that a task force be created to address long-term issues addressed in Councilmember Lightner's motion and ask staff to return with options for the beach during pupping season, to include:

1. What we currently have in place;
2. Repositioning of the rope, if that is possible without any change in the process that is currently in place;
3. Complete closure of the beach; and
4. Possible modification of closure would include closure at night but not during the daytime, and to rely on the rope during the daytime.

VOTE: Failed 2-2; Frye-nay, DeMaio-yea, Lightner-yea, Emerald-nay

ACTION: Motion by Councilmember Emerald, second by Chair Frye, to have staff bring forward to the full City Council a legal analysis and explain the permit process to address seal rookery during pupping season.

VOTE: Failed 2-2; Frye-yea, DeMaio-nay, Lightner-nay, Emerald-yea

ITEM-5: Presentation from Nepsus Environmental: "NO TIME TO WASTE, NO WATER TO WASTE"

(See Nepsus Environmental's March 17, 2010, PowerPoint)

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ACTION: Information only. No action taken.

ITEM-6: **NOTE: This item was continued to the NR&C Committee meeting of April 14, 2010.**

Presentation from the Independent Budget Analyst: Overview of FUNDING ACTIVITIES RELATING TO THE CITY'S SOLID WASTE SYSTEM

(See Independent Budget Analyst's Report No. 10-16)

ITEM-7: Report from the PARK AND RECREATION DEPARTMENT: Update from the Golf Division regarding:

- A. Breakdown of Cost of \$25 Resident ID Card and Associated Revenues from Sales of those Cards
- B. Costs Associated with Special Events
- C. Impacts of Having a Senior Rate, Junior Rate, and Low-Income Fee Waiver In Place

(See Report to City Council No. 10-037)

ACTION: Information only. No action taken. Direct that the Park and Recreation Department return to the Committee within 60 days to provide an update on the cost of the Resident ID Card.

ITEM-8: Report from the Public Utilities Department regarding Third Amendment to Agreement with Raftelis Financial Consultants, Inc. for DEVELOPMENT OF RECYCLED WATER RATE STRUCTURING MODEL

(See Public Utilities Department's March 4, 2010, Executive Summary)

ACTION: Motion by Councilmember Lightner, second by Councilmember Emerald, to approve. Direct that this item be docketed for a Closed Session item prior to going to the full City Council.

VOTE: 3-0; Frye-yea, DeMaio-not present, Lightner-yea, Emerald-yea  
INFORMATION ITEMS

ITEM-9: **NOTE: This item was continued to the NR&C Committee meeting of April 14, 2010.**

Reports from the PUBLIC UTILITIES DEPARTMENT regarding:

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- A. Cost of Service Study Update
- B. Indirect Potable Reuse Study (IPR) Update
- C. Conservation and Water Use Restrictions Update

(9B: See Public Utilities Department's March 1, 2010, Executive Summary;  
9C: Public Utilities Department's March 5, 2010, Executive Summary; Public  
Utilities Department's March 17, 2010, PowerPoint)

Donna Frye  
Chair