

RESOLUTION NUMBER R-301321

DATE OF FINAL PASSAGE MARCH 21, 2006

WHEREAS, the City of San Diego, submitted an application to the City of San Diego for a site development permit, for the Fox Canyon Neighborhood Park project [Project]; and

WHEREAS, on October 12, 2005, after considering the staff report and testimony from the public, the Project was approved by the Hearing Officer; and

WHEREAS, Hearing Officer's decision was appealed to the Planning Commission; and

WHEREAS, on December 1, 2005, the Planning Commission of the City of San Diego heard the appeal of the project, and pursuant to Resolution No. 3897-PC, voted to uphold the Hearing Officer's decision to approve the site development permit and Mitigated Negative Declaration Project No. 70422, SCH No. 2005081130, and deny the appeal with the condition that Councilmember Madaffer's Office establishes and coordinates a community Task Force prior to construction of the road to evaluate alternatives.

WHEREAS, in accordance with Public Resources Code section 21151 and San Diego Municipal Code section 112.0520, J. W. Stump, Esquire, et al, for Friends of Fox Canyon Park appealed the Planning Commission decision to uphold the Hearing Officer's decision to certify the Mitigated Negative Declaration; and

WHEREAS, the matter was set for a public hearing to be conducted by the Council of the City of San Diego; and

WHEREAS, under Charter section 280(a)(2) this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a

public hearing was required by law implicating due process rights of individuals affected by the decision and where the Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, the issue was heard by the City Council on March 21, 2006; and

WHEREAS, the City Council considered the issues discussed in Mitigated Negative Declaration Project No. 70422, SCH No. 2005081130; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it is certified that Mitigated Negative Declaration Project No. 70422, SCH No. 2005081130, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the land use actions for Fox Canyon Neighborhood Park.

BE IT FURTHER RESOLVED, that the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is approved.

BE IT FURTHER RESOLVED, that pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate

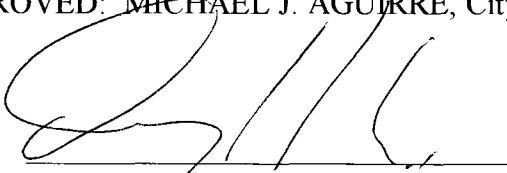
or avoid significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, that the decision of the Planning Commission is sustained, and the appeal of J.W. Stump, Esquire, et al, for Friends of Fox Canyon Park is denied.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



Douglas H. Humphreys
Deputy City Attorney

DKH:pev
07/24/06
Or. Dept: Clerk
R-2007-64

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EXHIBIT A

FOX CANYON NEIGHBORHOOD PARK
SITE DEVELOPMENT PERMIT (SDP)
PROJECT NO. 70422

This Mitigation Monitoring and Reporting Program is designed to ensure compliance with Public Resources Code Section 21081.6 during implementation of mitigation measures. This program identifies at a minimum: the department responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, the monitoring and reporting schedule, and completion requirements. A record of the Mitigation Monitoring and Reporting Program will be maintained at the offices of the Land Development Review Division, 1222 First Avenue, Fifth Floor, San Diego, CA 92101. All mitigation measures contained in the Mitigated Negative Declaration (Project No. 70422) shall be made conditions of SITE DEVELOPMENT PERMIT No. 267281 as may be further described below.

GENERAL

The following mitigation measures shall be noted on the submitted construction/grading documents and contract specifications, and included under the heading, "Environmental Mitigation Requirements." In addition, the requirements for a Preconstruction Meeting shall be noted on all construction documents.

BIOLGICAL RESOURCES

A. Prior to Permit Issuance or Bid Opening/Bid Award

1. Land Development Review (LDR) Plan Check
 - a. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Biological Monitoring have been noted on the appropriate construction documents.
2. Letters of Qualification have been submitted to ADD
 - a. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the biological monitoring program, as defined in the City of San Diego Biological Resources Guidelines (BRG).
 - b. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the biological monitoring of the project.
 - c. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the monitoring program.

3. Payment into the Habitat Acquisition Fund for Biological Impacts

- a. Prior to permit issuance Bid Opening/Bid Award, whichever is applicable, direct impacts to 0.05-acre of disturbed Southern Maritime Chaparral (SMC) and 0.10-acres of Non-native Grassland (NNGL) habitat totaling 0.15-acre of direct upland impacts shall be mitigated to the satisfaction of the City Manager through payment into the City's Habitat Acquisition Fund as described below:
 - (1) The applicant department shall pay into the City's Habitat Acquisition Fund the amount necessary to purchase 0.05-acre of Tier I and 0.05-acre of Tier IIIB habitat (\$25,000/acre) within the City's MHPA, which would satisfy the 1:1 (Tier I) and 0.5:1 (Tier IIIB) mitigation acreage requirements for impacts outside the MHPA that would be mitigated inside the MHPA.

B. Prior to Start of Construction

1. PI Shall Attend Precon Meetings

- a. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that includes the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Biologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Biological Monitoring program with the Construction Manager and/or Grading Contractor.
 - (1) If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

2. Identify Areas to Be Monitored

- a. Prior to the start of any work that requires monitoring, the PI shall submit a Biological Monitoring Exhibit (BME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval, identifying the areas to be monitored including the delineation of grading/excavation limits.
 - (1) The Biologist shall identify pertinent information concerning protection of sensitive resources, such as but not limited to, flagging of individual plants or small plant groups, limits of grade fencing and limits of silt fencing (locations may include 10-foot or less inside the limits of grading, or up against and just inside of the limits of the grade fencing).

3. When Monitoring Will Occur

- a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
- b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction

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documents which indicate conditions such as changes to the limits of grading in sensitive areas which may reduce or increase the potential for resources to be impacted.

4. Approval of BME and Construction Schedule

After approval of the BME by MMC, the PI shall submit to MMC written authorization of the BME and Construction Schedule from the CM.

C. During Construction

1. Biological Monitor Shall Be Present During Grading/Excavation

- a. The Biological Monitor shall be on site to ensure that grading limits are observed and shall document activity via the Consultant Site Visit Record. This record shall be sent to the RE or BI, as appropriate, each month. The RE, or BI as appropriate, will forward copies to MMC. The biological monitor shall have the authority to divert work or temporarily stop operations to avoid significant impacts. It is the Construction Manager's responsibility to keep the monitors up-to-date with current plans.
- b. No staging/storage areas for equipment and materials shall be located within or adjacent to habitat retained in open space area; no equipment maintenance shall be conducted within or near adjacent open space.
- c. Natural drainage patterns shall be maintained as much as possible during construction. Erosion control techniques, including the use of sandbags, hay bales, and/or the installation of sediment traps, shall be used to control erosion and deter drainage during construction activities into the adjacent open space.
- d. No trash, oil, parking or other construction related activities shall be allowed outside the established limits of grading. All construction related debris shall be removed off site to an approved disposal facility.

2. Unforeseen Biological Impacts During Construction

For any unforeseen additional biological resources impacted during monitoring, the rehabilitation, revegetation or other such follow up action plans shall be included as part of the Final Biological Monitoring Report. Additional mitigation measures may also be required if additional impacts to the adjacent wetland habitat occur as a result of project construction.

D. Post Construction

1. Submittal of Draft Monitoring Report

- a. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Biological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring,

- b. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
 - c. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.
 - d. MMC shall provide written verification to the PI of the approved report.
 - e. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
2. Final Monitoring Report(s)
- a. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC of the approved report.
 - b. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC.

HISTORICAL RESOURCES (ARCHAEOLOGY)

A. Prior to Permit Issuance or Bid Opening/Bid Award

1. Land Development Review (LDR) Plan Check
 - a. Prior to permit issuance or Bid Opening/Bid Award, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Archaeological Monitoring and Native American monitoring, if applicable, have been noted on the appropriate construction documents.
2. Letters of Qualification have been submitted to ADD
 - a. Prior to Bid Award, the applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the archaeological monitoring program, as defined in the City of San Diego Historical Resources Guidelines (HRG). If applicable, individuals involved in the archaeological monitoring program must have completed the 40-hour HAZWOPER training with certification documentation.
 - b. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the archaeological monitoring of the project.
 - c. Prior to the start of work, the applicant must obtain approval from MMC for any personnel changes associated with the monitoring program.

B. Prior to Start of Construction

1. Verification of Records Search

- a. The PI shall provide verification to MMC that a site specific records search (1/4 mile radius) has been completed. Verification includes, but is not limited to a copy of a confirmation letter from South Coast Information Center, or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
- b. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.
- c. The PI may submit a detailed letter to MMC requesting a reduction to the ¼ mile radius.

2. PI Shall Attend Precon Meetings

- a. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified Archaeologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Archaeological Monitoring program with the Construction Manager and/or Grading Contractor.

- (1) If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.

- b. Acknowledgement of Responsibility for Curation (CIP or Other Public Projects)

The applicant shall submit a letter to MMC acknowledging their responsibility for the cost of curation associated with all phases of the archaeological monitoring program.

- c. Identify Areas to be Monitored

- (1) Prior to the start of any work that requires monitoring, the PI shall submit an Archaeological Monitoring Exhibit (AME) based on the appropriate construction documents (reduced to 11x17) to MMC for approval identifying the areas to be monitored including the delineation of grading/excavation limits.

- (2) The AME shall be based on the results of a site specific records search as well as information regarding the age of existing pipelines, laterals and associated appurtenances and/or any known soil conditions (native or formation).

- (3) MMC shall notify the PI that the AME has been approved.

- d. When Monitoring Will Occur

- (1) Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.

- (2) The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as age of existing pipe to be replaced, depth of excavation and/or site graded to bedrock, etc., which may reduce or increase the potential for resources to be present.

e. Approval of AME and Construction Schedule

- (1) After approval of the AME by MMC, the PI shall submit to MMC written authorization of the AME and Construction Schedule from the CM.

C. During Construction

1. Monitor Shall be Present During Grading/Excavation/Trenching

- a. The monitor shall be present full-time during grading/excavation/trenching activities including, but not limited to mainline, laterals, jacking and receiving pits, services and all other appurtenances associated with underground utilities as identified on the AME and as authorized by the CM. **The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.**
- b. The monitor shall document field activity via the Consultant Site Visit Record (CSV). The CSV's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (**Notification of Monitoring Completion**), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- c. The PI may submit a detailed letter to the CM and/or RE for concurrence and forwarding to MMC during construction requesting a modification to the monitoring program when a field condition such as modern disturbance post-dating the previous trenching activities, presence of fossil formations, or when native soils are encountered may reduce or increase the potential for resources to be present.

2. Discovery Notification Process

- a. In the event of a discovery, the Archaeological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
- b. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
- c. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

3. Determination of Significance

a. The PI and Native American representative, if applicable, shall evaluate the significance of the resource. If Human Remains are involved, follow protocol in Section IV below.

- (1) The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required.
- (2) If the resource is significant, the PI shall submit an Archaeological Data Recovery Program (ADRP) and obtain written approval of the program from MMC, CM and RE. ADRP and any mitigation must be approved by MMC, RE and/or CM before ground disturbing activities in the area of discovery will be allowed to resume.

(a) Note: For pipeline trenching projects only, the PI shall implement the Discovery Process for Pipeline Trenching projects identified below under "D."

(3) If resource is not significant, the PI shall submit a letter to MMC indicating that artifacts will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that that no further work is required.

(a) Note: For Pipeline Trenching Projects Only. If the deposit is limited in size, both in length and depth; the information value is limited and is not associated with any other resource; and there are no unique features/artifacts associated with the deposit, the discovery should be considered not significant.

(b) Note, for Pipeline Trenching Projects Only: If significance can not be determined, the Final Monitoring Report and Site Record (DPR Form 523 A/B) shall identify the discovery as Potentially Significant.

4. Discovery Process for Significant Resources - Pipeline Trenching Projects

The following procedure constitutes adequate mitigation of a significant discovery encountered during pipeline trenching activities including but not limited to excavation for jacking pits, receiving pits, laterals, and manholes to reduce impacts to below a level of significance:

a. Procedures for documentation, curation and reporting

- (1) One hundred percent of the artifacts within the trench alignment and width shall be documented in-situ, to include photographic records, plan view of the trench and profiles of side walls, recovered, photographed after cleaning and analyzed and curated. The remainder of the deposit within the limits of excavation (trench walls) shall be left intact.

- (2) The PI shall prepare a Draft Monitoring Report and submit to MMC via the RE as indicated in Section VI-A.
- (3) The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) the resource(s) encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines. The DPR forms shall be submitted to the South Coastal Information Center for either a Primary Record or SDI Number and included in the Final Monitoring Report.
- (4) The Final Monitoring Report shall include a recommendation for monitoring of any future work in the vicinity of the resource.

D. Discovery of Human Remains

If human remains are discovered, work shall halt in that area and the following procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) shall be undertaken:

1. Notification
 - a. Archaeological Monitor shall notify the RE or BI as appropriate, MMC, and the PI, if the Monitor is not qualified as a PI. MMC will notify the appropriate Senior Planner in the Environmental Analysis Section (EAS).
 - b. The PI shall notify the Medical Examiner after consultation with the RE, either in person or via telephone.
2. Isolate discovery site
 - a. Work shall be directed away from the location of the discovery and any nearby area reasonably suspected to overlay adjacent human remains until a determination can be made by the Medical Examiner in consultation with the PI concerning the provenience of the remains.
 - b. The Medical Examiner, in consultation with the PI, shall determine the need for a field examination to determine the provenience.
 - c. If a field examination is not warranted, the Medical Examiner shall determine with input from the PI, if the remains are or are most likely to be of Native American origin.
3. If Human Remains **ARE** determined to be Native American
 - a. The Medical Examiner shall notify the Native American Heritage Commission (NAHC). By law, **ONLY** the Medical Examiner can make this call.
 - b. The NAHC shall contact the PI within 24 hours or sooner, after Medical Examiner has completed coordination.

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- c. NAHC shall identify the person or persons determined to be the Most Likely Descendent (MLD) and provide contact information..
- d. The PI shall coordinate with the MLD for additional consultation.
- e. Disposition of Native American Human Remains shall be determined between the MLD and the PI, IF:
 - (1) The NAHC is unable to identify the MLD, OR the MLD failed to make a recommendation within 24 hours after being notified by the Commission; OR;
 - (2) The landowner or authorized representative rejects the recommendation of the MLD and mediation in accordance with PRC 5097.94 (k) by the NAHC fails to provide measures acceptable to the landowner.

4. If Human Remains are **NOT** Native American

- a. The PI shall contact the Medical Examiner and notify them of the historic era context of the burial.
- b. The Medical Examiner will determine the appropriate course of action with the PI and City staff (PRC 5097.98).
- c. If the remains are of historic origin, they shall be appropriately removed and conveyed to the Museum of Man for analysis. The decision for internment of the human remains shall be made in consultation with MMC, EAS, the applicant department and/or Real Estate Assets Department (READ) and the Museum of Man.

E. Night Work

1. If night work is included in the contract

- a. When night work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
- b. The following procedures shall be followed.

(1) No Discoveries

In the event that no discoveries were encountered during night work, The PI shall record the information on the CSVN and submit to MMC via the RE by fax by 9am the following morning, if possible.

(2) Discoveries

All discoveries shall be processed and documented using the existing procedures detailed in Sections III - During Construction, and IV – Discovery of Human Remains.

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(3) Potentially Significant Discoveries

If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III - During Construction shall be followed.

(4) Notification to RE and MMC

The PI shall immediately contact the RE and MMC, or by 8AM the following morning to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.

2. If night work becomes necessary during the course of construction

- a. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
- b. The RE, or BI, as appropriate, shall notify MMC immediately.

3. All other procedures described above shall apply, as appropriate.

F. Post Construction

1. Submittal of Draft Monitoring Report

- a. The PI shall submit two copies of the Draft Monitoring Report (even if negative) which describes the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program (with appropriate graphics) to MMC via the RE for review and approval within 90 days following the completion of monitoring,

- (1) For significant archaeological resources encountered during monitoring, the Archaeological Data Recovery Program or Pipeline Trenching Discovery Process shall be included in the Draft Monitoring Report.
- (2) Recording Sites with State of California Department of Parks and Recreation

The PI shall be responsible for recording (on the appropriate State of California Department of Park and Recreation forms-DPR 523 A/B) any significant or potentially significant resources encountered during the Archaeological Monitoring Program in accordance with the City's Historical Resources Guidelines, and submittal of such forms to the South Coastal Information Center with the Final Monitoring Report.

- b. MMC shall return the Draft Monitoring Report to the PI via the RE for revision or, for preparation of the Final Report.
- c. The PI shall submit revised Draft Monitoring Report to MMC via the RE for approval.

- d. MMC shall provide written verification to the PI of the approved report.
 - e. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
2. Handling of Artifacts
- a. The PI shall be responsible for ensuring that all cultural remains collected are cleaned and catalogued
 - b. The PI shall be responsible for ensuring that all artifacts are analyzed to identify function and chronology as they relate to the history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate.
3. Curation of artifacts: Accession Agreement and Acceptance Verification
- a. The PI shall be responsible for ensuring that all artifacts associated with the survey, testing and/or data recovery for this project are permanently curated with an appropriate institution. This shall be completed in consultation with MMC and the Native American representative, as applicable.
 - b. The PI shall submit the Accession Agreement and catalogue record(s) to the RE or BI, as appropriate for donor signature with a copy submitted to MMC.
 - c. The RE or BI, as appropriate shall obtain signature on the Accession Agreement and shall return to PI with copy submitted to MMC.
 - d. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
4. Final Monitoring Report(s)
- a. The PI shall submit one copy of the approved Final Monitoring Report to the RE or BI as appropriate, and one copy to MMC (even if negative), within 90 days after notification from MMC of the approved report.
 - b. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

Passed by the Council of The City of San Diego on MAR 21 2006, by the following vote:

| Council Members | Yeas | Nays | Not Present | Ineligible |
|-------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| Scott Peters | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Kevin Faulconer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Toni Atkins | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Anthony Young | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Brian Maienschein | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Donna Frye | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Jim Madaffer | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ben Hueso | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Date of final passage MAR 21 2006

AUTHENTICATED BY:

(Seal)

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By *Ernest Rando*, Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 001301