

RESOLUTION NUMBER R- 308498

DATE OF FINAL PASSAGE OCT 08 2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE JOINT RESPONSE OF
THE INTERIM MAYOR AND CITY COUNCIL TO THE
2013 SAN DIEGO COUNTY GRAND JURY REPORT
ENTITLED "MISSION VALLEY FUEL LEAKAGE AND
CONTAMINATION ABATEMENT."

WHEREAS, on May 20, 2013, the Mayor and City Council received a report from the 2012-2013 San Diego County Grand Jury (Grand Jury) entitled "Mission Valley Fuel Leakage and Contamination Abatement" (Report); and

WHEREAS, under California Penal Code section 933(c), within 90 days after the filing of the Report, each public agency which the Grand Jury reviewed, and about which it issued the Report, must comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency; and

WHEREAS, at the City's request, the Presiding Judge of the Superior Court extended the time for the City to respond to the Report until October 18, 2013; and

WHEREAS, the Grand Jury examined certain aspects of the on-going remediation of the contamination of the Mission Valley Aquifer and the Qualcomm Stadium property resulting from the release of petroleum products at the Mission Valley Terminal;

WHEREAS, the Grand Jury made 6 findings and 3 recommendations, all of which were directed to both the Mayor and City Council; and

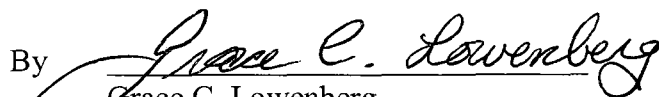
WHEREAS, the Independent Budget Analyst (IBA) has proposed and recommends that City Council President Todd Gloria, as interim mayor, and the City Council provide a joint response to the Report, which joint response is incorporated as Attachment 1 to IBA Report No. 13-42 dated September 25, 2013 (IBA Report); and

WHEREAS, under Charter section 280(a)(1), this Resolution is not subject to veto by the Mayor because this matter is exclusively within the purview of the City Council and does not affect the administrative service of the City under the control of the Mayor; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, as follows:

1. The Council approves and adopts as its own the proposed joint response to the 2013 San Diego County Grand Jury Report entitled "Mission Valley Fuel Leakage and Contamination Abatement" attached as Attachment 1 to the IBA Report.
2. The Council President is authorized and directed, on behalf of the Interim Mayor and the City Council, to execute and deliver the above-described joint response to the Presiding Judge of the San Diego County Superior Court by no later than October 18, 2013.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Grace C. Lowenberg
Deputy City Attorney

GCL:bs
10/01/2013
Or.Dept: IBA
Doc. No.: 643877

Passed by the Council of The City of San Diego on OCT 08 2013, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<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"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 08 2013.

(Please note: When a resolution is approved by the Council President as interim Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA, COUNCIL PRESIDENT
as interim Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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