

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
MONDAY, NOVEMBER 5, 2007 AT 2:00 P.M.  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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- ITEM-1:                               ROLL CALL.
- ITEM-10:                               INVOCATION.
- ITEM-20:                               PLEDGE OF ALLEGIANCE.

**NON-AGENDA PUBLIC COMMENT**

Non-agenda public comment is taken on Tuesday pursuant to the San Diego Municipal Code Section 22.0101.5.

**MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY COMMENT**

**UPDATES ON PENDING LEGISLATION (MAYOR’S OFFICE)**

**REQUESTS FOR CONTINUANCE**

The Council will now consider requests to continue specific items.

**=== LEGISLATIVE SCHEDULE ===**

Adoption Agenda, Discussion, Other Legislative Items

ITEM-200:

Alcohol-Free Beach Proposals.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES

COMMITTEE'S RECOMMENDATION: On 10/10/2007, PS&NS voted 3 to 0 to forward all of the versions in this item to the full City Council for consideration.

**CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT**

In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meeting, adopted on February 28, 2005, this portion of the agenda is reserved for City Attorney comment, public comment, and City Council discussion of the content of the Closed Session Agenda. Public testimony on Closed Session items is taken in Open Session on Monday's, except when there is no Monday meeting. Public testimony on Closed Session items is always taken prior to the actual Closed Session. Closed Session may take place any time after public testimony, but is typically held on Tuesdays at 9:00 a.m. The Closed Session Agenda is separately available in the Office of the City Clerk and also posted at the same locations as the Open Session Agenda, including the City internet address.

**NOTE:** Members of the public wishing to address the City Council on any item on the Closed Session Agenda should reference the closed session item number from the Closed Session Docket on the speaker slip. Speakers may speak "in favor" or "in opposition" to the subject.

**Information Item - No Action Required - The City Council shall:**

1) Consider any oral report from the City Attorney or City negotiators; 2) Accept testimony from any member of the public wishing to address the City Council on any item appearing on the Closed Session Agenda; 3) Questions and discussion by Council Members, limited to the facts as disclosed by the City Attorney or City negotiators and the basis or justification for consideration of the matter in closed session 4) Refer matters discussed to closed session.

=== LEGISLATIVE SCHEDULE (Continued) ===

Public Notices

ITEM-250:           **Notice** of Pending Final Map Approval – Golden Heights.

ITEM-251:           Submission of Ballot Proposals.

ITEM-252:           Submission of Ballot Proposals.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

**=== EXPANDED CITY COUNCIL AGENDA ===**

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ORDINANCES TO BE INTRODUCED:

ITEM-200: Alcohol-Free Beach Proposals.

[?View referenced exhibit back-up material \(Part 1 of 3\).](#)

[?View referenced exhibit back-up material \(Part 2 of 3\).](#)

[?View referenced exhibit back-up material \(Part 3 of 3\).](#)

(See City Attorney's 10/5/2007 memorandum with Draft Ordinances Versions A, B, C, and D; Jessica Luedtke's 10/5/2007 e-mails; Citizens' e-mails; SafeBeaches' 10/10/2007 PowerPoint; FreePB's 10/10/2007 PowerPoint; John Greenhalgh's 7/14/2007 and 4/14/2007 letters; Windansea letter with map; Mayor Sanders' 10/10/2007 PowerPoint; and packets of signatures favoring ban.)

**TODAY'S ACTION IS:**

**Alternate Ordinances - Introduce only one of the following ordinances:**

Subitem-A: (O-2008-65A)

Introduction of an Ordinance amending Chapter 5, Article 6, Division 0, of the San Diego Municipal Code by amending Section 56.54, titled "Alcohol Beverage Consumption Prohibited in Certain Areas," to add all public beaches, bays, coastal parks, and coastal rights-of-way to the list of public property covered by the existing 24-hour ban; and repealing Sections 56.70, 56.71, and 56.72, all relating to the previously existing 16-hour beach alcohol ban and the Fourth of July keg ban.

**or**

Subitem-B: (O-2008-65B)

Introduction of an Ordinance amending Chapter 5, Article 6, Division 0, of the San Diego Municipal Code by amending Section 56.54, titled "Alcohol Beverage Consumption Prohibited in Certain Areas," to add a ban on alcohol consumption at all public beaches, bays, coastal parks, and coastal rights-of-way on the Memorial Day, Fourth of July, and Labor Day Holiday periods; and repealing Sections 56.70, 56.71, and 56.72, all relating to the Fourth of July keg ban.

**or**

Subitem-C: (O-2008-65C)

Introduction of an Ordinance amending Chapter 5, Article 6, Division 0, of the San Diego Municipal Code by amending Section 56.54, titled "Alcohol Beverage Consumption Prohibited in Certain Areas," to add all La Jolla (Council District 1) public beaches, coastal parks, and coastal rights-of-way to the list of public property covered by the existing 24-hour ban.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ORDINANCES TO BE INTRODUCED:

ITEM-200: (Continued)

**or**

Subitem-D: (O-2008-65D)

Introduction of an Ordinance amending Chapter 5, Article 6, Division 0, of the San Diego Municipal Code by amending Section 56.54, titled "Alcohol Beverage Consumption Prohibited in Certain Areas," to add all public beaches, bays, and coastal rights-of-way in Council Districts One and Two, and all coastal parks in Council District Two (all coastal parks south of Tourmaline Surfing Park) to the list of public property covered by the existing 24-hour ban; and repealing Sections 56.70, 56.71, and 56.72, all relating to the Fourth of July keg ban.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S  
RECOMMENDATION:**

On 10/10/2007, PS&NS voted 3 to 0 to forward all of the versions in this item to the full City Council for consideration. (Councilmembers Faulconer, Young, and Maienschein voted yea. Councilmember Hueso not present.)

**CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT**

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**PUBLIC NOTICES:**

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-250: **Notice** of Pending Final Map Approval – Golden Heights.

[?View referenced exhibit back-up material.](#)

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled “Golden Heights” (T.M. No. 207926/PTS No. 99268), located on the south side of “A” Street between 29<sup>th</sup> Street and 30<sup>th</sup> Street in the Greater Golden Hill Community Plan Area in Council District 8, a copy of which is available for public viewing at the Office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this Notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Anne Hoppe at (619) 446-5290.

PUBLIC NOTICES: (Continued)

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

## ITEM-251: SUBMISSION OF BALLOT PROPOSALS

[?View referenced exhibit back-up material.](#)

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who shall then transmit them promptly to the Rules Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket 127 days prior to the election the ballot proposals which have been referred to Council following Rules Committee review.

**Therefore, the City Clerk's Office has established the following administrative guidelines for the February 5, 2008 election:**

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Friday	9/14/2007	144	LAST DATE (10:00 a.m.) for public, departments, and agencies to submit ballot proposals to City Clerk for review by Rules Committee
Wednesday	9/19/2007	139	Rules Committee review
Monday	9/24/2007	134	Council Docket (PUBLIC NOTICE) lists proposals referred by Rules Committee ( <i>NB: E-127 is 10/1/2007, a legislative recess</i> )
Monday	10/8/2007	120	Council adopts propositions for ballot; directs City Attorney to prepare ordinances
Monday	10/29/2007	99	Council adopts ordinances prepared by City Attorney
Friday	11/9/2007	88	Last day for City Clerk to file with Registrar of Voters all elections material
Monday	11/26/2007	71	Last day to file ballot arguments with City Clerk

If you have questions, please contact the Office of the City Clerk at (619) 533-4025.

PUBLIC NOTICES: (Continued)

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## ITEM-252: SUBMISSION OF BALLOT PROPOSALS

[?View referenced exhibit back-up material.](#)

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**Therefore, the City Clerk's Office has established the following administrative guidelines for the June 3, 2008 election:**

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Friday	1/18/08	137	LAST DATE (10:00 a.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Rules Committee
Wednesday	1/23/08	132	Rules Committee review
Monday	1/28/08	127	Council Docket (PUBLIC NOTICE) lists proposals referred by Rules Committee
Monday	2/4/08	120	Council adopts propositions for ballot; directs City Attorney to prepare ordinances
Monday	2/25/08	99	Council adopts ordinances prepared by City Attorney
Friday	3/7/08	88	Last day for City Clerk to file with Registrar of Voters all elections material
Thursday	3/20/08	75	Last day to file ballot arguments with City Clerk

If you have questions, please contact the Office of the City Clerk at (619) 533-4025.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT