

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
MONDAY, JANUARY 5, 2009, AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

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 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 consider requests for continuance.

=== LEGISLATIVE SCHEDULE ===

Adoption Agenda, Discussion, Other Legislative Items

- ITEM-200: Appointments of the Mayor and Councilmembers to Outside Organizations for Calendar Year 2009.
COUNCIL PRESIDENT HUESO'S RECOMMENDATION: Adopt the resolutions.
- ITEM-201: Appointing New Public Audit Committee Members.
INDEPENDENT BUDGET ANALYST'S RECOMMENDATION: Adopt the resolution.
- ITEM-202: Conflict of Interest Code for the Audit Committee. (Citywide.)
CITY ATTORNEY'S RECOMMENDATION: Adopt the resolution.

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 Mondays, 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) Allow for 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 – Black Mountain Ranch East
Clusters Unit No. 2.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT

=== EXPANDED CITY COUNCIL AGENDA ===

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMSRESOLUTIONS:

ITEM-200: Appointments of the Mayor and Councilmembers to Outside Organizations for Calendar Year 2009.

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

(See memorandum from Mayor Sanders and Council President Hueso dated 12/18/2008.)

COUNCIL PRESIDENT HUESO'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2009-757)

Appointing Mayor Jerry Sanders to serve as the representative to the San Diego River Conservancy and to serve as representative, alternate, or liaison to the listed organizations, as indicated below, for the period commencing January 1, 2009, through December 31, 2009:

<u>OUTSIDE ORGANIZATION</u>	<u>POSITION</u>
San Diego Unified Port District Board of Port Commissioners	Liaison
San Diego Association of Governments-Board of Directors	Representative
San Diego Association of Governments-Executive Committee	Representative
San Diego Association of Governments- Regional Planning Committee	First Alternate
San Diego River Conservancy	Representative

Subitem-B: (R-2009-758)

Appointing Councilmember Todd Gloria, jointly by the Mayor and City Council, to serve as representative, alternate, or liaison to the organizations listed below for the period commencing January 1, 2009, through December 31, 2009:

<u>OUTSIDE ORGANIZATION</u>	<u>POSITION</u>
City-County Joint Homeless Task Force	Representative
San Diego Metropolitan Transit System Board	Representative
San Diego Metropolitan Transit System Board-Taxi Cab Committee	Representative
San Diego Association of Governments-Board of Directors	Second Alternate
San Diego Association of Governments-Public Safety Committee	First Alternate
San Diego Association of Governments-Regional Planning Committee	First Alternate
San Diego Workforce Partnership	Representative

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)RESOLUTIONS: (Continued)

ITEM-200: (Continued)

Subitem-C: (R-2009-759)

Appointing Council President Pro Tem Kevin Faulconer, jointly by the Mayor and City Council, to serve as representative, alternate, or liaison to the organizations listed below for the period commencing January 1, 2009, through December 31, 2009:

<u>OUTSIDE ORGANIZATION</u>	<u>POSITION</u>
City-County Joint Homeless Taskforce	Representative
San Diego Metropolitan Transit System Board	Representative
San Diego Association of Governments-Bayshore Bikeway Working Group	Representative
San Diego Association of Governments- Regional Planning Committee	Second Alternate
San Diego Association of Governments- Shoreline Preservation Working Group	Representative

Subitem-D: (R-2009-760)

Appointing Councilmember Tony Young, jointly by the Mayor and City Council, to serve as representative, alternate, or liaison to the organizations listed below for the period commencing January 1, 2009, through December 31, 2009:

<u>OUTSIDE ORGANIZATION</u>	<u>POSITION</u>
San Diego Metropolitan Transit System Board	Representative
San Diego Metropolitan Transit System-Executive Committee	Alternate
City-County Reinvestment Task Force	Representative
San Diego Association of Governments-Board of Directors	First Alternate
San Diego Association of Governments-Executive Committee	Second Alternate
San Diego Association of Governments-Transportation Committee	Representative
San Diego Regional Airport Authority	Representative
Southeastern Economic Development Corporation	Liaison

Subitem-E: (R-2009-761)

Appointing Council President Ben Hueso, jointly by the Mayor and City Council, to serve as representative, alternate, or liaison to the organizations listed below for the period commencing January 1, 2009, through December 31, 2009:

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-200: (Continued)

Subitem-E: (Continued)

OUTSIDE ORGANIZATION**POSITION**

League of Cities, San Diego County Division	Representative
Otay River Valley Regional Park Policy Committee	Representative
San Diego Association of Governments-Board of Directors	Representative
San Diego Association of Governments-Borders Committee	Representative
San Diego Association of Governments-Executive Committee	First Alternate

Subitem-F: (R-2009-762)

Appointing Councilmember Carl DeMaio, jointly by the Mayor and City Council, to serve as representative, alternate, or liaison to the organizations listed below for the period commencing January 1, 2009, through December 31, 2009:

OUTSIDE ORGANIZATION**POSITION**

Abandoned Vehicle Abatement Service Authority	Representative
Los Peñasquitos Canyon Preserve Task Force	Representative
San Diego Association of Governments-Public Safety Committee	Representative
San Diego Association of Governments-Transportation Committee	Second Alternate
San Dieguito River Valley Regional Open Space JPA	Representative
Service Authority for Freeway Emergencies	Representative

Subitem-G: (R-2009-747)

Appointing Councilmember Donna Frye, jointly by the Mayor and City Council, to serve as representative, alternate, or liaison to the organizations listed below for the period commencing January 1, 2009, through December 31, 2009:

OUTSIDE ORGANIZATION**POSITION**

Local Agency Formation Commission	Representative
Mission Trails Regional Park	Representative
San Diego Association of Governments-Energy Working Group	Representative
San Diego Association of Governments - Shoreline Preservation Working Group	Alternate
San Diego River Conservancy	Representative

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)RESOLUTIONS: (Continued)

ITEM-200: (Continued)

Subitem-H: (R-2009-748)

Appointing Councilmember Marti Emerald, jointly by the Mayor and City Council, to serve as representative, alternate, or liaison to the organizations listed below for the period commencing January 1, 2009, through December 31, 2009:

<u>OUTSIDE ORGANIZATION</u>	<u>POSITION</u>
San Diego Metropolitan Transit System Board	Alternate
Mission Trails Regional Park	Representative
San Diego Association of Governments-Borders Committee	Second Alternate
San Diego Association of Governments-Public Safety Committee	Second Alternate
San Diego Association of Governments-Housing Working Group	Representative
San Diego Workforce Partnership	Representative

Subitem-I: (R-2009-749)

Appointing Councilmember Sherri Lightner, jointly by the Mayor and City Council, to serve as representative, alternate, or liaison to the organizations listed below for the period commencing January 1, 2009, through December 31, 2009:

<u>OUTSIDE ORGANIZATION</u>	<u>POSITION</u>
Abandoned Vehicle Abatement Service Authority	Representative
Local Agency Formation Commission	Alternate
Los Peñasquitos Canyon Preserve Task Force	Representative
San Diego Metropolitan Transit System Board	Representative
San Diego Metropolitan Transit System Board-Executive Committee	Representative
San Diego Association of Governments-Borders Committee	First Alternate
San Diego Association of Governments-Transportation Committee	First Alternate
San Dieguito River Valley Regional Open Space JPA	Representative
Service Authority for Freeway Emergencies	Representative

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-201: Appointing New Public Audit Committee Members.

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

(See Independent Budget Analyst Report No. 08-122.)

INDEPENDENT BUDGET ANALYST'S RECOMMENDATION:

Adopt the following resolution:

(R-2009-750)

Declaring that the following public members are appointed to the Audit Committee, for terms ending as indicated:

<u>NAME</u>	<u>TERM ENDING</u>
_____	January 5, 2011
_____	January 5, 2012
_____	January 5, 2013

NOTE: This item is not subject to the Mayor's veto.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-202: Conflict of Interest Code for the Audit Committee. (Citywide.)

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

(See City Attorney Report dated 12/18/2008.)

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2009-743)

Adopting a Conflict of Interest Code for the Audit Committee, consisting of standard language embodied in Title 2, Section 18730 of the California Code of Regulations, and any amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories;

Declaring that a copy of Appendix A and Appendix B to the Conflict of Interest Code for the Audit Committee as adopted, be placed on file in the Office of the City Clerk;

Declaring that the persons whose positions are designated in the Conflict of Interest Code for the Audit Committee shall file their statements of economic interest with the City Clerk in compliance with the schedule set forth in Government Code Section 87302(b) and Fair Political Practices Commission Regulation 18730, or any amendments thereto, which set forth the deadlines for the filing of initial statements, assuming office statements, annual statements, and leaving office statements;

Declaring that the statements of economic interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction;

Declaring that the Conflict of Interest Code for the Audit Committee becomes effective upon the date of adoption of this resolution.

NOTE: This item is not subject to the Mayor's veto.

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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 – Black Mountain Ranch East Clusters Unit No. 2.

[?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 “Black Mountain Ranch East Clusters Unit No. 2” (T.M. No. 99-1054/PTS No. 146178), located at the northerly terminus of Valle Del Sur Court, northwesterly of Carmel Valley Road and I-15 in the Black Mountain Ranch Community Plan Area in Council District 1, 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.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT