

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, NOVEMBER 27, 2000
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:12 p.m. Mayor Golding presented a special recognition plaque to Deputy Mayor Mathis and thanked him for his service as the Deputy Mayor for the year 2000. Mayor Golding also recognized and welcomed Mayor-Elect Dick Murphy. Mayor Golding presented special recognition plaques to Deputy Mayor Mathis, Council Members Kehoe, Blair, McCarty, and Vargas and former Council Member Warden in appreciation for their dedicated service to their district and to the citizens of the City of San Diego. Deputy Mayor Mathis and the City Council presented a plaque to Mayor Susan Golding for the years of service from 1992 through 2000 for her dedication and leadership to the City of San Diego and also recognized her as the 32nd Mayor of the City of San Diego. Council Member Stevens added to Mayor Golding's special recognition and thanked Council Members Mathis, Kehoe, McCarty, and Vargas for their years of service to the City of San Diego. Council Member Vargas recognized and introduced his wife Adrian and his daughter Rosa and also added his thanks to Mayor Golding and the Council Members for all their help that they have given him in his district. In addition, Council Member Kehoe said that it has been a privilege for her to serve her Council district and the people of San Diego and thanked Mayor Golding for the plaque and wished the new Mayor and the new Council Members the best. Council Member McCarty added that it has been a pleasure and a privilege to be involved with the Council. She wished Council Members Kehoe and Vargas and Mayor Elect Murphy and the new Council Members the best. Deputy Mayor Mathis commented that it has been a great opportunity for him to serve his district and the people of San Diego and thanked all for their help, support and friendship. Council Member Blair also thanked his fellow Council Members for their support and guidance. Mayor Golding recognized Don Stillwell for his comments and presence at every Council Meeting and proclaimed November 27, 2000 to be "Don Stillwell Day" in the City of San Diego. Mayor Golding adjourned the meeting at 7:00 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
 - (1) Council Member Mathis-present
 - (2) Council Member Wear-present
 - (3) Council Member Kehoe-present
 - (4) Council Member Stevens-present
 - (5) Council Member Blair-present
 - (6) Council Member Stallings-present
 - (7) Council Member McCarty-present
 - (8) Council Member Vargas-present
- Clerk-Abdelnour (ew)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Blair-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

ITEM-10: INVOCATION

Invocation was given by Pastor Chris Olson of Horizon Fellowship.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mathis.

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS: APPROVED

Approval of Council Minutes for the meetings of:

10/31/2000	Adjourned
11/06/2000	Adjourned
11/07/2000	Adjourned
11/13/2000	Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A042-043.)

MOTION BY WEAR TO APPROVE. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31: Renewable Energy Day.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-875) ADOPTED AS RESOLUTION R-294288

Recognizing and appreciating the assistance of the Department of Energy and proclaiming November 30, 2000 to be "Renewable Energy Day" in San Diego.

CITY MANAGER SUPPORTING INFORMATION:

The City Manager's Information Report to Council of November 20, 2000 explained the selection of San Diego as a demonstration site for the White House sponsored national Livable Community Initiative. San Diego's project is led by Environmental Services Department with work occurring in six theme areas. The Department of Energy is the federal lead agency. Three of the six themes focus on environmental technologies, specifically those associated with energy efficiency and renewable energy. The remaining three themes are designed to raise the profile of the environmental, economic and social benefits available through energy efficiency and renewable energy by providing public forums, international workshops with Tijuana, and by pursuing environmental management systems in City departments. A framing document, signed by Secretary Bill Richardson, United States Department of Energy and Mayor Susan Golding, identifies each of the agencies objectives and roles in this collaborative project.

The Department of Energy (DOE) funded a \$60,000 feasibility study at the Miramar Landfill to evaluate the potential use of photovoltaic arrays on closed landfill sites. The initial analysis, based on a one megawatt distributed power plant, is favorable in terms of the economic and environmental aspects. The DOE Office of Energy Efficiency and Renewable Energy has also dedicated tremendous staff time to work with the City in evaluating other renewable energy options, as well as clean fuel and energy efficiency projects.

Recognizing that the City of San Diego, and the region at large, face serious energy reliability shortfalls which must be overcome, and that serious air quality issues are also a concern, the choice for renewable energy is one that meets the needs of our current residents without jeopardizing the environmental quality of future generations.

By proclaiming "Renewable Energy Day", the public is informed about innovative solutions to our current energy crisis, and encouraged to consider options, such as renewable energy, that balance economic, environmental and societal needs. Additionally, the proclamation formally acknowledges the outstanding service to the City provided by the Department of Energy.

FISCAL IMPACT:

None.

Epler

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A044-109; A484-522.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Blair. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1: REFERRED TO THE CITY MANAGER

Comments by Linda Smith regarding the following: 1) Is the height of the front fence at Wabash and Polk in code compliance; 2) Is the bus stop at El Cajon and Felton, where there is a storm drain and driveway which she was injured at in February, ADA compliant; 3) Is the bus stop at 33rd and University, the number 8 Line which has an 18-inch high curb, ADA compliant; and 4) The response of a Police Officer when in July she asked the officer why they were having a shooting every six to eight weeks and the police officer responded that they don't obey us.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B099-146.)

PUBLIC COMMENT-2:

Comment by Don Stillwell requesting that meeting changes be announced to the public.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B147-171.)

PUBLIC COMMENT-3:

Comment by Jan Fuchs from the Carmel Valley Community thanking the City Council for their work and service to the community.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B172-214.)

PUBLIC COMMENT-4:

Comment by Gerri Stryker thanking the City Council for their hard work that they did for the communities.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B215-246.)

PUBLIC COMMENT-5: REFFERED TO THE CITY MANAGER

Comments by Pat Granger regarding the following: 1) With regard to the zoning changes that would allow for a student center to be built in the area, what protection does the neighborhood have for any other institutions buying property and changing it for institutional use; and 2) the issue of students parking in the area.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B247-305.)

COUNCIL COMMENT:

NONE.

* ITEM-50: Curfew on the Spruce Street Pedestrian Bridge.

(District-3.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/14/2000. (Council voted 6-0. Councilmembers Kehoe, Vargas, and Mayor Golding not present.):

(O-2001-86) ADOPTED AS ORDINANCE O-18891 (New Series)

Amending Chapter VI, Article 3, Division 1, of the San Diego Municipal Code by amending Section 63.0120 relating to Curfews in Downtown Parks, making unlawful for any person to be on the Spruce Street Pedestrian Bridge from 10:00 p.m. until 6:00 a.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A484-522.)

CONSENT MOTION BY MATHIS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Blair. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-51: Prohibiting Smoking In and Around “Tot Lots” in City Parks.

CITY COUNCIL’S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/14/2000. (Council voted 6-0. Councilmembers Kehoe and Vargas, and Mayor Golding not present.)

(O-2001-79 Cor. Copy) ADOPTED AS ORDINANCE O-18892 (New Series)

Amending Chapter IV, Article 3, Division 10, of the San Diego Municipal Code by amending Sections 43.1001, 43.1002, and 43.1003, all relating to Smoking Regulations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A484-522.)

CONSENT MOTION BY MATHIS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Blair. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-52: Request to Exempt a Program Manager from the Classified Service for the Chief’s Office.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/14/2000. (Council voted 6-0. Councilmembers Kehoe, Vargas and Mayor Golding not present):

(O-2001-78) ADOPTED AS ORDINANCE O-18893 (New Series)

Exempting a Program Manager position from the Classified Service in the Chief’s Office of the San Diego Police Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A484-522.)

CONSENT MOTION BY MATHIS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Blair. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-53: Exemption of Medical Review Officer from the Classified Service.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/14/2000. (Council voted 6-0. Councilmembers Kehoe and Vargas and Mayor Golding not present.):

(O-2001-73) ADOPTED AS ORDINANCE O-18894 (New Series)

Amending Ordinance O-18806 (New Series), entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 2000-01" by amending Exhibit C to add one Medical Review Officer position to the Unclassified Salary Tables and exempting said position from the Classified Service.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A484-522.)

CONSENT MOTION BY MATHIS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Blair. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-54: Office Space Lease Amendment for the Office of the City Attorney.

(Centre City Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/14/2000. (Council voted 6-0. Councilmembers Kehoe, Vargas, and Mayor Golding not present.):

(O-2001-74) ADOPTED AS ORDINANCE O-18895 (New Series)

Authorizing the execution of an Eighth Amendment to Lease with Civic Center Associates for additional office space of approximately 822 square feet on the 15th floor of the Civic Center Plaza Building, for the Office of the City Attorney, commencing November 1, 2000, and terminating July 23, 2014, at an initial monthly rent of \$1,109.70;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$8,877.60 from the City Attorney's Fund 100, Department 45, for rent from the Fiscal Year 2001 budget.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: LEAS-Civic Center Associates

COUNCIL ACTION: (Tape location: A484-522.)

CONSENT MOTION BY MATHIS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Blair. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-55: Lease Agreement for the Tierrasanta Community Service Center.

(Tierrasanta Community Area. District-7.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/14/2000. (Council voted 6-0. Councilmembers Kehoe, Vargas and Mayor Golding not present.):

(O-2001-83) ADOPTED AS ORDINANCE O-18896 (New Series)

Authorizing a lease agreement with GMS Realty, LLC., for general office usage for the Tierrasanta Community Service Center and Police Storefront;

Authorizing the expenditure of an amount not to exceed \$29,411.25 from the Community Service Center Fund 10170 for rent from the Fiscal Year 2001 budget.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: LEAS-GMS Realty, LLC

COUNCIL ACTION: (Tape location: A484-522.)

CONSENT MOTION BY MATHIS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Blair. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-56: Amendment to Municipal Code Relating to Library Operations and Maintenance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/14/2000. (Council voted 6-0. Councilmembers Kehoe and Vargas and Mayor Golding not present.):

(O-2001-70) ADOPTED AS ORDINANCE O-18897 (New Series)

Amending Chapter II, Article 2, Division 2 of the San Diego Municipal Code by adding Section 22.0228 relating to funding for operation and maintenance of City Libraries in proposing the annual budget.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A484-522.)

CONSENT MOTION BY MATHIS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Blair. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-57: La Jolla Commons Rezoning.

(University Community Plan Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/14/2000. (Council voted 5-1. Councilmembers Mathis, Wear, Blair, Stallings, and McCarty voted yea. Councilmember Stevens voted nay. Councilmembers Kehoe and Vargas and Mayor Golding not present.):

(O-2001-84) ADOPTED AS ORDINANCE O-18898 (New Series)

Changing 16.89 acres, located between La Jolla Village Drive and Nexus Center

