

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JUNE 4, 2001
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 Murphy at 2:11 p.m. The meeting was recessed by Mayor Murphy at 2:48 p.m. to convene the Budget Review Committee. The meeting was reconvened by Mayor Murphy at 4:49 p.m. with all Council Members present and District 6 vacant. Mayor Murphy adjourned the meeting at 4:54 p.m. to reconvene at 6:30 p.m. as the Council/Budget Review Committee at Bayview Baptist Church Martin Luther King Educational Center, 6134 Benson Avenue to consider Council and Budget Items.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) District 6-vacant
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present
- Clerk-Abdelnour (er)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) District 6-vacant
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present

ITEM-10: INVOCATION

Invocation was given by Pastor Bill Jenkins of Christ United Methodist Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stevens.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1: **REFERRED TO THE CITY ATTORNEY**

Al Strohle commented regarding Robert's Rules of Order. Last week the Council heard an item that did not receive sufficient votes to pass, that is it failed. Yet, at the Mayor's request it was continued to this week's agenda.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A104-136.)

PUBLIC COMMENT-2:

Don Stillwell commented regarding debt equals control. With the well planned energy shortage both electric and gasoline that has put the City's and people's budget into shambles and caused many to go into bankruptcy it is time to remember warnings about going into debt to get things like ballparks and downtown libraries in order to compete with other cities that are trying to build bigger and better and are also going into debt to do so. Is the City being lured into more debt so that it may be controlled more easily?

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A140-175.)

PUBLIC COMMENT-3: REFERRED TO THE CITY MANAGER

Dorcas Turoski commented regarding the De Anza Cove community. A resident of De Anza spoke to the City Manager on May 22, concerning the definition and location of tidelands. That material has not yet been received. Ms. Turoski stated that if Mission Bay is allowed to be run over with hotels the citizens of San Diego will be standing in the parking lots wondering where the beach is.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A178-206.)

PUBLIC COMMENT-4:

Barbara MacKenzie responded to issues raised by the letter by Deputy City Attorney Mark Stifler to Steven McWilliams regarding a lawsuit. Ms. MacKenzie stated that she is and always has been a co-plaintiff in this suit and there has been no agreement reached on her behalf to settle this case. The trial date is set for September 14th.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A207-229.)

PUBLIC COMMENT-5: REFERRED TO THE CITY MANAGER

Alvin Walter commented regarding unleashed dogs and a follow up on the meeting last week on unleashed dogs. Mr. Walter requested a response and explanation on how the laws could have been waived to allow him to suffer the serious incident a year and a half ago that he is still suffering from. Mr. Walter stated that the public is required to be protected from dogs, and dogs should be on leashes at all times. Dogs are not to be allowed at large. Dogs are not allowed at the beaches between the hours of 9:00 a.m. to 7:00 p.m. He stated that he has not received a response though he has called several times. Mr. Walter commented that some people spoke at the meeting and stated that fences are offensive; however fences are there to protect people and animals. Mr. Walter asked who would be financially responsible for damages caused by dogs running off-leash if the owners have no assets.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A230-288.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Mayor Murphy announced the six-month anniversary for the five new Council Members and three-month anniversary for Council Member Inzunza.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A289-301.)

COUNCIL COMMENT-2:

Council Member Peters thanked the organizations and people involved in making the Fern Street Circus possible.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A302-310.)

COUNCIL COMMENT-3:

Council Member Maienschein acknowledged the Suzuki Marathon, which is supported by TOT funds, for bringing money into the region and recognized staff member Christine Young who won first place in her age group in the marathon.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A311-330.)

COUNCIL COMMENT-4:

Council Member Atkins commented regarding the marathon and the City Heights International Celebration a neighborhood event sponsored and supported by TOT funds. Council member Atkins also announced the groundbreaking on Phase 5 of the City Heights Urban Village which goes along with the concept of a City of Villages.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A331-362.)

COUNCIL COMMENT-5:

Council Member Madaffer commented regarding the marathon and the problems with the red-light cameras. Council Member Madaffer stated that because of the lack of public confidence in the cameras they should remain off until they have been audited by a third party. Mr. Madaffer would like to ensure that these cameras are not being used to generate revenue rather than to promote safety.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A363-415.)

COUNCIL COMMENT-6:

Council Member Stevens announced that the Council Meeting will be held tonight at the Bayview Baptist Church located at 61st and Benson Avenue at 6:30 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A416-424.)

COUNCIL COMMENT-7:

Council Member Wear commented on the marathon. Council Member Wear corrected a mistake made by a Union Tribune editorial regarding the cost of K Street Park Dog Park in Pacific Beach, which indicated the park would cost \$1.7 million. That is not correct; the dog park is going to cost \$200,000. Construction will begin in November 2001.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A425-442.)

COUNCIL COMMENT-8:

Mayor Murphy announced that staff member Paula Avila ran in the marathon.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A443-456.)

COUNCIL COMMENT-9:

Council Member Stevens announced that Monique Henderson represented the 4th Council District in Sacramento and won the 400 meter race last Saturday which is her fourth gold medal.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A458-460.)

CITY MANAGER COMMENT:

City Manager Uberuaga informed the Council that there will be a response this week to Council Member Madaffer's memo regarding the red-light enforcement; the Police Department is currently working on it. Enforcement has been suspended on the 19 intersections. An audit will be conducted to ensure it is done in a proper and credible way and it will be brought back to the Mayor and Council for consideration. The response regarding De Anza and the tidelands is being worked on by the City Attorney's office and the City Manager's office and will be done on June 11. A copy will be sent to the Mayor and City Council.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A464-482.)

CITY ATTORNEY COMMENT:

City Attorney Gwinn thanked the Mayor and Council for the proclamation and support for the last event of Asian Pacific Islander Month, which was Samoan Heritage Day. Mr. Gwinn responded to the public comment from last week regarding the F Street Bookstore locations and a stipulated agreement that the previous City Attorney executed in 1993 related to two F Street Bookstore locations. Those locations have been monitored. The need to close based on a ten-year agreement was discussed with those bookstores on June 1. They declined to close either location and a suit was filed seeking attorney's fees, a temporary restraining order, and a permanent injunction closing those two locations which are 3112 Midway Drive and 4626 Albuquerque Street. More information will be provided to the Mayor and Council as the lawsuit moves forward.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A483-522.)

ITEM-S400: National Homeownership Week.

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-1629) ADOPTED AS RESOLUTION R-294950

Recognizing the importance of homeownership toward stabilizing neighborhoods in the City of San Diego;

Proclaiming the week of June 2 through 9, 2001 to be "National Homeownership Week" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A027-086.)

MOTION BY STEVENS TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, District 6-vacant, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Murphy at 4:54 p.m. in memory of :

James Edward Brown, Sr. as requested by Council Member Stevens and Council Member Inzunza; and

Vera M. Eisen as requested by Council Member Maienschein.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D401-498).