

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JUNE 18, 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 2:10 p.m. with all members present. Mayor Murphy recessed the meeting at 3:55 p.m. for the purpose of a break. Mayor Murphy reconvened the meeting at 4:05 p.m. with all members present. Mayor Murphy recessed the meeting at 4:16 p.m. to convene the Budget Review Committee Meeting. Mayor Murphy reconvened the regular meeting at 6:20 p.m. with all members present. Mayor Murphy recessed the meeting at 6:25 p.m. to Closed Session at 9:00 a.m. on Tuesday, June 19, 2001.

**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) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present
- Clerk-Fishkin (ek)

**FILE LOCATION: MINUTES**

**ITEM-1: ROLL CALL**

Clerk Fishkin 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) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present

**ITEM-10: INVOCATION**

Invocation was given by Pastor Lou Wargo of the Kensington Community Church.

**ITEM-20: PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Madaffer.

**ITEM-30: Richard Belzer Day.**

**COUNCILMEMBER MAIENSCHIN'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1662) ADOPTED AS RESOLUTION R-295001

Recognizing June 18, 2001 as "Richard Belzer Day" for his excellence in his activism to make Rancho Bernardo a better place to live for his fellow community members.

**SUPPORTING INFORMATION:**

Richard Belzer is an active and involved member of Rancho Bernardo, whose leadership has

improved the projects and institutions that make up the quality of life that is such a source of pride in Rancho Bernardo. Richard has committed himself to the improvement of the quality of life in his community of Rancho Bernardo by being an active volunteer. He has served on the Rancho Bernardo Planning Group for the last seven years providing invaluable leadership and advocacy for his community where he has devoted countless hours to negotiations and meetings. As Chair for the last four years Richard has acted as a model citizen as demonstrated by his leadership in the community as Chair. Richard's efforts have resulted in many improvements to projects and increased funding for road construction including I-15. He has also been very active on the community plan update for the San Pasqual Valley. In addition to serving on the Rancho Bernardo Planning Board, he is active in SCORE (Service Corp of Retired Executives), the Big Brother Program, and the mentor program at Poway High.

Recognizing June 18, 2001 as "Richard Belzer Day" for his excellence in his activism to make Rancho Bernardo a better place to live for his fellow community members.

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FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A111-172.)

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

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comment by Jim Varnadore welcoming Council Member Frye to the City Council.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A470-509.)

**PUBLIC COMMENT-2:**

Comment by Patty Vaccariello commending the City Council on the Budget Review Process.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A510-540.)

**PUBLIC COMMENT-3:**

Comment by Linc Ward on the Select Committee and Fleet Maintenance and how good budgeting by the City benefitted the General Fund. Mayor Murphy thanked Mr. Ward for his oversight and the saving of \$950,000 for the City.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A541-B059.)

**PUBLIC COMMENT-4:**

Comment by Judie Italiano regarding the Roger Hedgecock radio show, where negative comments were made against City employees.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B060-072.)

**PUBLIC COMMENT-5:**

Comment by Don Stillwell on the higher prices of gasoline.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B073-105.)

**PUBLIC COMMENT-6:**

Comment by Mel Shapiro regarding Ball Park Financing and why it was not considered during the Budget Review Hearings.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B106-137.)

**PUBLIC COMMENT-7:**

Comment by Hugh Muhammad on the Use of Force policy by San Diego Police. Mr. Muhammad also commented on racial profiling in the Black community and that more sensitivity needs to be shown.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B138-169.)

**PUBLIC COMMENT-8:**

Comment by Zigmund Turoski on the ramifications of the destruction of the De Anza Cove community.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B170-187.)

**PUBLIC COMMENT-9: REFERRED TO THE CITY ATTORNEY**

Comment by Steve Kirby regarding the injustice of the five-year problem of weeds in Carmel Valley.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B188-250.)

**PUBLIC COMMENT-10: REFERRED TO THE CITY MANAGER**

Nader Abuljebain commented regarding racial comments made on the Roger Hedgcock radio show.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B251-309.)

**PUBLIC COMMENT-11:**

Comment by Gary Hill regarding his previous proposal concerning Father's Day 2001.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B310-357.)

**PUBLIC COMMENT-12:**

Comment by Leo Long on the "Third Way" regarding the functions of the De Anza Resort, that more time is needed to implement changes and that there should be no lease extensions.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B358-411.)

**PUBLIC COMMENT-13: REFERRED TO THE CITY MANAGER**

Comment by Beverly Walker on how ADA and Disability Services should improve in their service for the infirm, and that there are vacant positions in these departments that need to be filled.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B412-485.)

**PUBLIC COMMENT-14: REFERRED TO THE CITY MANAGER**

Comment by Laura Campa on where she can obtain the list of all residential-care facilities in the City of San Diego. Ms. Campa also pointed out the need for attention to the Emporium Apartments and Logan Heights.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B486-549.)

**PUBLIC COMMENT-15:**

Comment by Theresa Quiroz on Item No. 150 of the April 2, 2001 City Council Meeting docket regarding the use of the term "minority."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B550-C012.)

**PUBLIC COMMENT-16: REFERRED TO THE CITY MANAGER**

Comment by Bill Bradshaw regarding the alcohol ban on City beaches and the illegal advertising of alcohol to youths.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C013-049.)

**PUBLIC COMMENT-17:**

Comment by Tom Switzer regarding additional consultants for approving the Budget.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C050-083.)

**PUBLIC COMMENT-18:**

Comment by Michael Sprague regarding the use of police maps in the City neighborhoods.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C084-101.)

**PUBLIC COMMENT-19: REFERRED TO THE CITY MANAGER**

Comment by Mshinda Nyofu regarding the non-lethal or less-lethal use of force by police, and requested an investigation into the use-of-force policy.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C102-169.)

**PUBLIC COMMENT-20:**

Comment by Glenn MacNary regarding empowerment zones.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C170-195.)

**PUBLIC COMMENT-21:**

Comment by Ron Boshun wherein he stated that the comments of the City Council are before the Grand Jury. He also commented on the alleged fraudulent income generated by camera-enforced red lights.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C196-229.)

**COUNCIL COMMENT:**

**COUNCIL COMMENT-1:**

Council Member Maienschein wished Happy Birthday to his colleague Council Member Peters.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C230-251.)

COUNCIL COMMENT-2:

Council Member Peters stated he had the privilege of representing the City Council at the Regional Water Quality Control Board on Wednesday and that the Board was considering what to do about the one-million-gallon-plus sewage spill at Tecolote Canyon. Council Member Peters mentioned that positive comments were made as to what the Council has done in the area of water quality of San Diego and what has been accomplished in this regard. He also noted that the City Council is developing a fine reputation in this regard.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C252-264.)

COUNCIL COMMENT-3: **REFERRED TO THE RULES COMMITTEE**

Council Member Madaffer commented regarding when Public Comment should be taken on the meeting schedule, whether it be at a time certain, for example, at 4:00 o'clock, or at the end of the meetings. Mayor Murphy directed that this item be placed on the agenda.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C265-285.)

COUNCIL COMMENT-4: **REFERRED TO THE CITY MANAGER**

Council Member Wear commented regarding the issue of what he calls "shake, rattle and roll," that there is a lot of demolition work at NTC which shakes up a lot of people along Rosecrans, resulting in foundations and walls cracking. Council Member Wear would like the City Manager to respond to those constituent concerns.

Council Member Wear also commented that Mayor Murphy and he attended the opening of the Point Loma Wastewater Treatment Plant Hydroelectric Turbine,

which will generate an additional 1.3 megawatts of power at a savings of approximately \$1 million per year in our water and sewer account. Council Member Wear also congratulated his sister-in-law for being appointed the Executive Director of the California State Water Resources Control Board.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C286-330.)

**COUNCIL COMMENT-5:**

Mayor Murphy commented on the dedication of the hydroelectric facility at the Point Loma Metropolitan Wastewater Plant, that the Sewer Department over the years has been criticized for sewer spills but that it is a very creative department, that they pioneered burning off the bi-product of sewage treatment, methane, and then burning that methane to generate 4.5 megawatts of electricity per year from this methane. Mayor Murphy stated that today, we implemented the creation of a hydroelectric plant at that same wastewater facility where the treated wastewater falls from the Point Loma treatment facility down to the outfall where it hits a turbine that runs a generator that will create 1 megawatt of electricity. He stated that he would like to achieve Goal No. 9, to pursue energy independence. Mayor Murphy mentioned that wastewater does not cost us anything and that everybody in the City of San Diego contributes to it, and that he has deemed to call this new facility the "Poop To Power Plant." He congratulated the Metropolitan Wastewater Department and the City Manager for demonstrating creativity in pursuing another cost-effective source of energy.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C331-359.)

**CITY MANAGER COMMENT:**

The City Manager commented regarding the Wastewater Department and that he was informed by the International City Managers Association that we will be receiving an award for the Bid To Goal Program, which is a cooperation between

the employee unions, the City Management and the elected officials of the City, in saving over \$17 million through that program. He stated that when we receive the award he will bring it back and give it to our employees.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C360-369.)

ITEM-S400: Biotechnology Week.

**MAYOR MURPHY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1739) ADOPTED AS RESOLUTION R-295002

Welcoming the delegates of the Biotechnology Industry Organization and urging them to enjoy their stay in America's Finest City;

Proclaiming June 24, 2001 to be "Biotechnology Week" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A040-110.)

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

ITEM-S401: Starlings Volleyball Clubs, USA, National Championship Day.

**MAYOR MURPHY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1714) ADOPTED AS RESOLUTION R-295003

Proclaiming June 21, 2001 to be “Starlings Volleyball Clubs, USA, National Championship Day” in recognition of the program’s outstanding service to the youth of our nation and community.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A173-346.)

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

ITEM-S402: Proclaiming June 18, 2001 to be “George Ross Jezek Day” in San Diego.

**COUNCILMEMBER MADAFFER’S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1722) ADOPTED AS RESOLUTION R-295004

Recognizing the many accomplishments of George Ross Jezek and proclaiming June 18, 2001 to be “George Ross Jezek Day ” in the City of San Diego.

**SUPPORTING INFORMATION:**

Commending George Ross Jezek for the creation of his book, “San Diego: Then and Now,” which showcases photographs - historic and contemporary - of locations throughout San Diego, and in honor of his significant contribution, proclaiming June 18, 2001 to be “George Ross Jezek Day” in San Diego.

Fornwalt

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A347-469.)

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

**NON-DOCKET ITEMS:**

None.

**ADJOURNMENT:**

The meeting was adjourned by Mayor Murphy at 6:25 p.m. in honor of the memory of:

Rabbi Aaron S. Gold as requested by Mayor Murphy;  
Charles Henry White as requested by Council Member Maienschein; and  
Richard A. Burt as requested by Council Member Madaffer.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F377).