

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JUNE 17, 2002  
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 2:07 p.m.

Mayor Murphy announced that it was not his intention to adopt a final budget today. He stated that there are many uncertainties with regard to the State budget and the last quarter sales tax receipts. Mayor Murphy and the City Manager agreed to wait until next Monday when more data would be available.

Council Member Atkins announced the 15<sup>th</sup> Annual International Summer Organ Festival kick off at the Spreckles Organ Pavilion and will begin at 7:30 p.m. This year the festival will feature San Diego's new civic organist Carol Williams. The festival will consist of eleven Monday evening concerts through August 25<sup>th</sup>. Ms. Atkins announced and joined the rest of the Council Members in wishing Council Member Peters a happy birthday.

Mayor Murphy closed the public hearing and continued the final decision on the budget until June 24, 2002. Mayor Murphy adjourned the meeting at 4:36 p.m. into Closed Session on Tuesday, June 18, 2002, at 9:00 a.m. in the 12<sup>th</sup> floor conference room to discuss potential and pending litigation and Meet and Confer matters.

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

ITEM-10: INVOCATION

Invocation was given by Pastor James Gordon of Horizon Christian Fellowship.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Maienschein.

ITEM-S400: Budget Plan for the San Diego Urban Forest Proposal.

(See City Manager Report CMR-02-133; memorandum from City Attorney dated 5/30/2002; and letter from Holly Duncan dated 5/31/2002.)

**TODAY'S ACTION IS:**

Adoption of the following resolution:

(R-2002-1752)            ADOPTED AS RESOLUTION R-296672

Accepting City Manager Report CMR-02-133, dated May 31, 2002, concerning the Budget Plan for the Urban Forestry Program. The Council further accepts the City Manager's list of potential actions and refers to the FY 2003 budget deliberations those elements that require City Council action.

**RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S  
RECOMMENDATION:**

On 6/05/2002, RULES voted 5-0 to approve the City Manager's recommendation. (Councilmembers Wear, Atkins, Stevens, Madaffer and Mayor Murphy voted yea.)

FILE LOCATION:            MEET

COUNCIL ACTION:            (Tape location: A259-B184.)

MOTION BY WEAR TO ADOPT. Second by Atkins. 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-600: Reverends Carolyn and Tom Owen-Towle Day.

**COUNCILMEMBER ATKINS' RECOMMENDATION:**

Adopt the following resolution:

(R-2002-1692)            ADOPTED AS RESOLUTION R-296669

Commending Reverends Carolyn and Tom Owen-Towle for their commitment to a variety of social causes and their many years of service to the First Unitarian Universalist Church of San Diego and the greater San Diego community, and wishing them well upon their retirement from the church;

Proclaiming June 17, 2002 to be "Reverends Carolyn and Tom Owen-Towle Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A065-161.)

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

ITEM-601: Mr. Gregory E. Knoll Day.

**DEPUTY MAYOR STEVENS' RECOMMENDATION:**

Adopt the following resolution:

(R-2002-1504) ADOPTED AS RESOLUTION R-296670

Commending Mr. Gregory E. Knoll, Esq., for his contributions to the City of San Diego;

Proclaiming June 17, 2002 to be "Mr. Gregory E. Knoll Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A163-252.)

MOTION BY STEVENS TO ADOPT. Second by Mayor Murphy. 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-602: Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8:

Property: Sea World, Lease  
An approximate 172-acre area of Mission Bay Park  
(Portions of APN-435-480-15)

City Negotiator: Real Estate Assets Director

Negotiating Party: Sea World, Inc.

Under Negotiation: Seeking direction on a Sea World Lease Amendment in order to comply with California Coastal Commission requirements.

Prior to Council discussion in Closed Session and in compliance with the Brown Act, (California Government Code Section 54956.8) this issue is listed on the docket **only** for public testimony.

**There is no Council discussion of this item. The City Council's actions are:**

1) Open the Public Hearing and accept testimony from any members of the public wishing to address the Council on this subject; 2) Conclude and close the public hearing; and 3) Refer the matter to Closed Session on June 18, 2002.

**NOTE:** Members of the public wishing to address the Council on this item should speak "in favor" or "in opposition" to the subject.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: B190-228.)

Mayor Murphy closed the hearing and referred the matter to Closed Session.

ITEM-603: Solid Waste System Financing - Proposed Increase to Non-Exclusive Solid Waste Franchise Fee.

(See City Manager Report CMR-02-141.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2002-1727)            ADOPTED AS RESOLUTION R-296671

Increasing the Class I Franchise Fee for Non-Exclusive Solid Waste Franchisees by \$1 per ton to \$10 per ton and the Class II Franchise Fee for Non-Exclusive Solid Waste Franchisees by \$1 per ton to \$11 per ton, effective July 1, 2002;

Ratifying the Fiscal Year 2003 Disposal Fee Schedule with fee increases to be effective 30 days after adoption of this resolution or July 15, 2002, whichever is earlier;

Authorizing the City Manager to adjust disposal fees for non-City waste to match fees at other San Diego area landfills.

FILE LOCATION:            MEET

COUNCIL ACTION:            (Tape location: B229-C098.)

MOTION BY MADAFFER TO ADOPT WITH DIRECTION TO THE CITY MANAGER TO PROVIDE COUNCIL A STATUS REPORT WITHIN THE FIRST SIX MONTHS OF FISCAL YEAR 2003 REGARDING ILLEGAL DUMPING AND ON THE USE OF FRANCHISE FEES. Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-nay, Mayor Murphy-yea.

NON-DOCKET ITEMS:

NONE.

ADJOURNMENT:

The meeting was adjourned by Mayor Murphy at 4:36 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C667.)