

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, OCTOBER 15, 2002
AT 9:00 A.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 10:05 a.m. Mayor Murphy recessed the meeting at 10:43 a.m. to convene the Redevelopment Agency. Mayor Murphy reconvened the regular meeting at 10:47 a.m. with all Council Members present. Mayor Murphy recessed the meeting at 11:45 a.m. for purposes of a short break. Mayor Murphy reconvened the meeting at 11:48 a.m. with Council Member Inzunza not present. Mayor Murphy recessed the meeting at 11:55 a.m. to reconvene the Redevelopment Agency. Mayor Murphy reconvened the meeting at 12:00 p.m. with Council Member Inzunza not present. The meeting was recessed by Mayor Murphy at 12:01 p.m.

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-300: 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-not present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Don Stillwell commented regarding the Charger's stadium.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A078-107.)

PUBLIC COMMENT-2: **REFERRED TO THE CITY MANAGER**

Beverly Walker expressed her concerns regarding the fire drill held at the Civic Center Plaza on October 9th.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A108-148)

PUBLIC COMMENT-3:

Jarvis Ross commented on the strategic framework element.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A149-183)

PUBLIC COMMENT-4:

Norma Milnes thanked Council for their overwhelming support of the White Cane Law.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A184-220.)

PUBLIC COMMENT-5:

Linda Smith commented regarding ethics in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A222-240.)

PUBLIC COMMENT-6:

Noel Nudeck commented regarding audio and teleconferencing communication from public library community rooms.

City Manager Uberuaga responded that his office had received a letter from Mr. Nudeck and will provide a response by October 28th.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A243-284.)

PUBLIC COMMENT-7:

Victoria Robertson asked for corporate sponsorship for her band who will be touring overseas and providing entertainment at American military bases.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A285-338.)

PUBLIC COMMENT-8:

David Thompson expressed his concern with crime and drug use by young people.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A340-388.)

PUBLIC COMMENT-9:

Arlene Freeman Invited Council Members to attend and speak at Falun Dara California Month celebration which will be held on October 17th at noon in the Civic Center Plaza.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A390-415.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Council Member Frye commented on the Clean Water Act.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A423-450.)

COUNCIL COMMENT-2:

Council Member Peters announced that a baby was delivered on October 11th at Fire Station 24 after the mother was unable to make it to the hospital. Mr. Peters thanked the Firefighters and paramedics for their work.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A452-500.)

CITY MANAGER COMMENT:

None.

CITY ATTORNEY COMMENT:

City Attorney Gwinn thanked the Mayor and Council for their support of the Family Justice Center.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A503-525.)

ITEM-330: Street Name Change - Ardath Road to La Jolla Parkway.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-279) ADOPTED AS RESOLUTION R-297194

1. Changing the name of a portion of Ardath Road, connecting Interstate 5 to the La Jolla community, to La Jolla Parkway;
2. Authorizing the City Auditor and Comptroller to add CIP-52-441.0, La Jolla Parkway Freeway Signs, to the Fiscal Year 2003 Capital Improvements Program Budget;
3. Authorizing the City Auditor and Comptroller to transfer \$20,000 in TransNet Fund 30300 from CIP-52-293.0 Streetlights-Citywide, to CIP-52-441.0, La Jolla Parkway Freeway Signs;
4. Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$20,000 in TransNet Fund 30300 from CIP-52-441.0, La Jolla Parkway Freeway Signs, for the purpose of installing new freeway signs incorporating the new name along State Route 52.

CITY MANAGER SUPPORTING INFORMATION:

Council is requested to change the name of the connector road from Interstate 5 to the La Jolla community from Ardath Road to La Jolla Parkway. Ardath Road was originally only the name of a residential street, dedicated to public use by deed in 1926 and named Ardath Road in 1935. In 1968, a four lane connector road from Interstate 5 was constructed adjacent to the existing Ardath Road and was also named Ardath Road.

The residences on the original Ardath Road have requested that the name change of the four lane connector road be changed to La Jolla Parkway in order to reduce confusion of the two street names. Ardath Road would remain the street name of the residential street. The connector road has no adjacent residences or businesses. The new street name, La Jolla Parkway, will also bring more recognition to the community of La Jolla.

The street name is supported by the La Jolla Community Planning Association, the La Jolla Shores association, the La Jolla Town Council, and Promote La Jolla.

There are few street signs on the connector road and the Torrey Pines - La Jolla Shores Drive - Ardath Road intersection is scheduled for extensive reconstruction by the City of San Diego which will facilitate the conversion of street signs. Caltrans is planning overhead sign upgrades on Interstate 5 and this will incorporate the new street name.

FISCAL IMPACT:

Local street signs included in an improvement plan for Ardath Road. Caltrans will pay for highway signs on Interstate Highway 5. An amount of \$20,000 from CIP-52-2930 (Street Lights) will pay for highway signs on State Route 52.

Development Services Department recommendation: approval of this request.

Ewell/Broughton/AKW

Aud. Cert. 2300240.

FILE LOCATION: DEED F- 9333

COUNCIL ACTION: (Tape location: C175-210.)

Hearing began at 11:49 a.m. and halted at 11:55 a.m.

Testimony in favor by Patricia Lipe and Steve Lipe.

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-not present, Mayor Murphy-yea.

ITEM-S404: Alex Szekely Day.

COUNCILMEMBER PETERS' RECOMMENDATION:

Adopt the following resolution:

(R-2003-531) ADOPTED AS RESOLUTION R-297195

Proclaiming October 14, 2002 to be "Alex Szekely Day" in the City of San Diego in recognition of his commitment to his community and his important role in improving the lives of all San Diegans.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A008-066.)

MOTION BY PETERS TO ADOPT. Second by Madaffer. 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-S500: Prohibiting Spectators at Illegal Speed Contests.

(See memorandum from City Attorney Casey Gwinn dated 9/20/2002.)

TODAY'S ACTION IS:

Introduce the following ordinance:

(O-2003-62) INTRODUCED TO BE ADOPTED ON MONDAY,
OCTOBER 28, 2002

Introduction of an Ordinance amending Chapter 5, Article 2 of the San Diego Municipal Code by adding a new Division 52, titled "Spectators Prohibited at Illegal Speed Contest or Exhibitions of Speed;" and by adding new Sections 52.5201, 52.5202, 52.5203, 52.5204 and 52.5405.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:**

On 9/25/2002, PS&NS voted 5 to 0 to accept the recommendations of the City Attorney's Office for this ordinance. (Councilmembers Atkins, Stevens, Maienschein, Frye and Inzunza voted yea.)

SUPPORTING INFORMATION:

Illegal street racing, also known as "drag racing," has been occurring in San Diego for decades. In 1960, 2,000 racers and spectators were involved in a "riot" on El Cajon Boulevard. During the 1970s hundreds of racers and spectators continued to race on City roads, causing a major racing magazine to designate San Diego as one of the top street racing locations in the country. The numbers of racers and spectators slightly decreased during the 1980s to mid-1990s and began to rise again in 1998, when estimates of 1,000 participants were common. Today, magazines and Internet sites continue to spotlight San Diego as a prime spot for illegal street racing in the nation.

The rise in popularity of illegal speed contests in San Diego has brought with it an increase in deaths related to racing. During a 120-day period from July 1998 to October 1998, there were an astonishing eight deaths and eleven injuries directly related to illegal street racing in San Diego County. During this time, police throughout the country, including the San Diego Police, attempted to alleviate the problem by strictly enforcing existing laws. The short-term effect was minimal, and there was no long-term impact. Most recently, San Diego's illegal street racing fatality rate has been termed "epidemic." In 2002, there have been twelve fatal accidents on City streets, with five related to illegal street racing.

Illegal street racing in the City has grown into a serious community problem, immediately threatening public peace, property, health and safety. In the late night and early morning hours, hundreds of illegal street racers and spectators converge on various public streets, primarily in commercial or industrial areas. These juveniles and adults block the streets with their cars, set up improvised racetracks complete with individuals acting as race starters, and drag race until police arrive. When patrol cars descend on an illegal racing site, the racers and spectators jump back into their cars and caravan to other locations, where they race until the police catch up with them. The racers, traveling at high speeds from location to location, cause traffic congestion and danger to other drivers. The racers are highly sophisticated, using cell phones, police scanners, and other electronic devices to communicate with each other to avoid arrest. They also communicate through the Internet, providing information on illegal racing events and advice on how to avoid detection and prosecution, often staying one step ahead of law enforcement.

Illegal street racing attracts other criminal activity-juvenile curfew violations, gambling, fights and disturbances, littering, drinking in public, urinating in public, trespassing, and vandalism, including graffiti and destruction of property. The San Diego Police Department regularly patrols racing sites and conducts undercover operations to curb the illegal racing. However, police staffing is not always adequate to handle the enormous crowds that gather at the illegal racing sites. Furthermore, it takes high levels of police staffing and coordination to observe, arrest, and build strong cases against the illegal racers. Attempts to eliminate the problem using speed bumps, tow-away zones, street closures, and other means have not provided a lasting solution. The presence of spectators at these events encourages criminal activity and creates an environment in which illegal activities flourish.

On September 25, 2002, the Public Safety and Neighborhood Services Committee reviewed a report outlining the purpose and background of the proposed ordinance along with the draft ordinance. Councilmembers from Districts 3, 4, 5, 6 and 8 voted unanimously in a 5-0 vote to accept the City Attorney's recommendations and approve the proposed ordinance.

Gwinn/Swett

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A608-C159.)

MOTION BY MADAFFER TO INTRODUCE. 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 12:01 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C348.)