

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, DECEMBER 3, 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 10:03 a.m. The meeting was adjourned by Mayor Murphy at 11:54 a.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Zucchet-present
- (3) Council Member Atkins-present
- (4) Council Member Lewis-present
- (5) Council Member Maienschein-present
- (6) Council Member Fyre-present
- (7) Council Member Madaffer-present
- (8) Council Member Inzunza-present
- Clerk-Abdelnour (ek)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Murphy-present

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- (1) Council Member Peters-present
 - (2) Council Member Zucchet-present
 - (3) Council Member Atkins-present
 - (4) Council Member Lewis-present
 - (5) Council Member Maienschein-present
 - (6) Council Member Frye-present
 - (7) Council Member Madaffer-present
 - (8) Council Member Inzunza-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend Dennis Saylor of the First Church of the Brethren.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Peters.

FILE LOCATION: MINUTES

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Don Stillwell acknowledged Council Members Zucchet and Lewis as new members, and Council Members Frye and Inzunza and their new terms. He also commented on the Chargers and their new contract.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:26 a.m. - 10:28 a.m.)

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

Kathryn Burton commented on illegal grading in her community in the open spaces, and requested a response to this matter.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:29 a.m. - 10:32 a.m.)

PUBLIC COMMENT-3:

Al Strohlein congratulated the new Council Members, and hopes that their office files are intact and up-to-date.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:33 a.m. - 10:36 a.m.)

PUBLIC COMMENT-4:

Jarvis Ross wished to welcome the new Council Members and that this is a new day for the City Council. Mr. Ross also commented on the procedural goals of the Council.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:37 a.m. - 10:39 a.m.)

PUBLIC COMMENT-5:

Clyde Richard welcomed the new Council Members and noted that certain Council Members have worked as former Council Members' staff.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:40 a.m. - 10:41 a.m.)

PUBLIC COMMENT-6:

Tom Arena presented as gifts two books, The Life of Jacqueline Kennedy and The Life of Queen Elizabeth, to the new City library. Mr. Arena noted that the current City Council values the library system.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:42 a.m.- 10:45 a.m.)

PUBLIC COMMENT-7:

Linda Smith stated that, even though she is now hospitalized, she owes the Police Department a big debt of gratitude for saving her life. Miss Smith also wished to thank the Council Members who found out she was being overcharged for Padres tickets.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:46 a.m. - 10:47 a.m.)

PUBLIC COMMENT-8: **REFERRED TO THE CITY MANAGER**

Martin Chevalier commented that his community would like to receive proper notice on the needle-exchange program before it is implemented.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:48 a.m. - 10:54 a.m.)

PUBLIC COMMENT-9: REFERRED TO THE CITY MANAGER

Bill Adams commented on the parking problems in his district, particularly the high-density requirements.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:55 a.m. - 10:57 a.m.)

PUBLIC COMMENT-10:

Steve McWilliams commented on Proposition 215 and on the City's Cannabis Task Force. Mr. McWilliams also stated that there will be a \$100 million lawsuit filed against the City.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:58 a.m. - 11:00 a.m.)

PUBLIC COMMENT-11:

Michael Bartelmo read an article from last Tuesday's Union-Tribune on the effect of cannabis measures on seventh-, eighth- and ninth-grade children.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:01 a.m. - 11:03 a.m.)

PUBLIC COMMENT-12:

Gretchyn Barbee stated that she is the wife of a cannabis patient and that, although cannabis is not for children, it does bring great pain relief.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:04 a.m. - 11:04 a.m.)

PUBLIC COMMENT-13:

Tom Willardson stated that he opposes the guidelines set forth by the Cannabis Task Force. Mr. Willardson also quoted from an article in which a doctor concluded that cannabis is ineffective as an inhalant.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:05 a.m. - 11:07 a.m.)

PUBLIC COMMENT-14:

Noel Neudeck congratulated the new Council Members, and also wished to thank the City Attorney for meeting with persons from the disabled community.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:08 a.m. - 11:09 a.m.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Council Member Atkins wished to acknowledge Mama's Kitchen and its annual distribution of meals, noting that this is the 11th year for them to do so on behalf of

AIDS locally and worldwide.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 11:14 a.m. - 11:15 a.m.)

COUNCIL COMMENT-2:

Council Member Peters wished to congratulate and welcome Council Members Zuchet and Lewis.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 11:16 a.m. - 11:16 a.m.)

COUNCIL COMMENT-3:

Council Member Maienschein stated that he looks forward to working with the new Council Members. He also commented on university football teams.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 11:17 a.m. - 11:17 a.m.)

CITY ATTORNEY COMMENT:

City Attorney Gwinn reiterated Noel Neudeck's concerns regarding the Bardon case which dealt with the ADA community. It concerned the issue of whether or not the City Council had taken action to be part of a lawsuit in Sacramento. The City Council has not taken any action. City Attorney Gwinn stated that first, the City Attorney reviews amicus brief requests from the State of California and throughout the country to support this position. The City had actually joined that case a year and a half ago per the request of the National League of Cities and the California League of Cities. Mr. Gwinn stated he has agreed to review that

decision with representatives of the disabled community on December 12, 2002 in the City Attorneys Office. Thereafter, a decision will be made whether to continue to be involved in the amicus brief.

City Attorney Gwinn also noted that on November 21, 2002, the City received a

