

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JUNE 21, 2004
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 2:14 p.m. Mayor Murphy recessed the meeting at 2:38 p.m. to convene the Budget Review Committee. Mayor Murphy reconvened the meeting at 4:33 p.m. with all Council Members present. Mayor Murphy adjourned the meeting at 4:40 p.m. into Closed Session immediately thereafter 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 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
- 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 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 Mary Ann Kelley of the Teachings of the Inner Christ Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Maienschein.

FILE LOCATION: MINUTES

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS: APPROVED

Approval of Council Minutes for the meetings of:

05/24/2004

05/25/2004

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 2:16 p.m. – 2:16 p.m.)

MOTION BY MADDAFER TO APPROVE. Second by Atkins. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

CLOSED SESSION ITEMS FOR MONDAY, JUNE 21, 2002:

Conference with Legal Counsel - anticipated litigation - significant exposure to litigation, pursuant to California Government Code section 54956.9(b):

CS-1 Anticipated Litigation

REFERRED TO CLOSED SESSION ON MONDAY, JUNE 21, 2004

In closed session the City Attorney will advise the City Council on a matter presenting a significant exposure to litigation. In the opinion of the City Attorney it would not be prudent to identify the facts and circumstances presented by this matter because those facts and circumstances may not be known to any potential plaintiff, and such identification could be detrimental to the City's interests and compromise its legal position.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 2:36 p.m. – 2:36 p.m.)

Mayor Murphy closed the hearing.

Conference with Legal Counsel - anticipated litigation - initiation of litigation, pursuant to California Government Code section 54956.9(c):

CS-2 *City of San Diego v. County of San Diego*

REFERRED TO CLOSED SESSION ON MONDAY, JUNE 21, 2004

DCA assigned: Yolanda Gammill

This matter concerns a dispute between the City of San Diego [City] and the County of San Diego [County] over the County's failure to reimburse the City for laboratory fees and costs collected by the County in criminal court cases. In closed session, the City Attorney will advise the City Council about the dispute and seek direction as to what action, if any, the City should pursue in attempting to resolve it.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 2:36 p.m. – 2:36 p.m.)

Mayor Murphy closed the hearing.

CLOSED SESSION ITEMS FOR TUESDAY, JUNE 22, 2002:

Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

CS-1 *Valerie O'Sullivan v. City of San Diego, et al.*
San Diego Superior Court No. GIC 826918

DCA assigned: John Mullen

REFERRED TO CLOSED SESSION ON TUESDAY, JUNE 22, 2004

Plaintiff Valerie O'Sullivan has filed a complaint alleging the City of San Diego has breached a 1931 grant deed conveying tidelands to the City, including the Children's Pool in La Jolla. Plaintiff alleges that the City has failed to comply with the tidelands trust by allowing harbor seals to maintain a permanent presence at the Children's Pool. In closed session, the City Attorney will review the allegations of the complaint and discuss the City's potential defenses. The City Attorney will also seek appropriate direction from the City Council.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 2:37 p.m. – 2:37 p.m.)

Mayor Murphy closed the hearing.

CS-2 *Border Business Park v. City of San Diego*
Appellate Case No. D039225; SDSC Case No. GIC 692794
Otay Acquisitions v. City of San Diego
SDSC Case No. GIC 753247
National Enterprises, Inc. v. City of San Diego
SDSC Case Nos. GIC 791407; GIC 805465

ACA assigned: Les Girard

REFERRED TO CLOSED SESSION ON TUESDAY, JUNE 22, 2004

These matters involve a variety of disputes between certain companies owned or controlled by Roque de la Fuente and the City of San Diego [City] regarding the Border Business Park in Otay Mesa. The Border Business Park case resulted in a jury verdict against the City which is now on appeal. The National Enterprises and Otay Acquisitions cases are currently awaiting trial in the Superior Court. In closed session, the City Attorney will report on the status of on-going settlement negotiations and request further direction regarding those negotiations.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 2:37 p.m. – 2:37 p.m.)

Mayor Murphy closed the hearing.

CS-3 *Chargers Football Company, LLC v. City of San Diego*
Los Angeles Superior Court Case No. BC 306758

ACA assigned: Les Girard

REFERRED TO CLOSED SESSION ON TUESDAY, JUNE 22, 2004

This matter concerns the litigation filed by the San Diego Chargers [Chargers] against the City of San Diego [City], and the City 's related cross complaint against the Chargers, over the validity of the "trigger" notice delivered to the City by the Chargers in March of 2003 pursuant to the 1995 agreement for the use of Qualcomm Stadium [1995 Agreement]. In closed session, the City 's outside litigation counsel and the City Attorney will report on the status of the litigation and the status of any additional discussions with the Chargers concerning the term sheet authorized by the City Council on April 26, 2004, to be conveyed to the Chargers. The City Council may give further direction to its attorneys and consultants with regard to the matter.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 2:37 p.m. – 2:37 p.m.)

Mayor Murphy closed the hearing.

Conference with Legal Counsel - anticipated litigation - significant exposure to litigation, pursuant to California Government Code section 54956.9(b):

CS-4 Anticipated Litigation

REFERRED TO CLOSED SESSION ON TUESDAY, JUNE 22, 2004

In closed session the City Attorney will advise the City Council on a matter presenting a significant exposure to litigation. In the opinion of the City Attorney it would not be prudent to identify the facts and circumstances presented by this matter because those facts and circumstances may not be known to any potential plaintiff, and such identification could be detrimental to the City's interests and compromise its legal position.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 2:37 p.m. – 2:37 p.m.)

Mayor Murphy closed the hearing.

Conference with Legal Counsel - anticipated litigation - initiation of litigation, pursuant to California Government Code section 54956.9(c):

CS-5 *City of San Diego v. County of San Diego*

DCA assigned: Yolanda Gammill

REFERRED TO CLOSED SESSION ON TUESDAY, JUNE 22, 2004

This matter concerns a dispute between the City of San Diego [City] and the County of San Diego [County] over the County's failure to reimburse the City for laboratory fees and costs collected by the County in criminal court cases.

In closed session, the City Attorney will advise the City Council about the dispute and seek direction as to what action, if any, the City should pursue in attempting to resolve it.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 2:37 p.m. – 2:37 p.m.)

Mayor Murphy closed the hearing.

Conference with Real Property Negotiator, pursuant to California Government Code section 54956.8:

CS-6 Property: Qualcomm Stadium

REFERRED TO CLOSED SESSION OF TUESDAY, JUNE 22, 2004

City Negotiator: Assistant City Attorney Leslie J. Girard, Deputy
City Manager Bruce Herring, Paul Jacobs, Esq., and
Daniel S. Barrett

Negotiating Parties: City of San Diego and the San Diego Chargers

Under Negotiation: Real Property Interests at the Qualcomm Stadium Site pursuant to the recommendations of the Citizens' Task Force on Chargers Issues, and pursuant to the terms of Paragraph 31 of the 1995 Agreement for the Partial Use and Occupancy of Qualcomm Stadium.

ACA assigned: Les Girard

This matter involves negotiations authorized by the City Council in March of 2003 between the City of San Diego [City] and San Diego Chargers [Chargers] regarding the Qualcomm Stadium site, pursuant to both the recommendations of the Citizens' Task Force on Chargers Issues and the "Trigger Notice" sent to the City by the Chargers in March of 2003.

In closed session, the City's negotiating team will report to the City Council on the status of any discussion with the Chargers concerning the term sheet authorized by the City Council on April 26, 2004, to be conveyed to the Chargers.

Please see the description on the closed session agenda under "pending litigation" — Chargers Football Company, LLC v. City of San Diego for a description of a related matter.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 2:37 p.m. – 2:37 p.m.)

Mayor Murphy closed the hearing.

Conference with Labor Negotiator, pursuant to Government Code section 54957.6:

CS-7 Agency negotiators: Lamont Ewell, Cathy Lexin, Mike McGhee,
Christopher Morris

REFERRED TO CLOSED SESSION ON TUESDAY, JUNE 22, 2004

Employee organizations: Municipal Employees Association, Local 127 AFSCME, AFL-CIO, Local 145 International Association of Firefighters AFL-CIO, San Diego Police Officers Association

HDCA assigned: Chris Morris

In closed session, the City Manager and the City's negotiators will review with the City Council the City's position with respect to the salary and fringe benefits of the represented employees, and request instructions from the City Council as to those matters.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 2:37 p.m. – 2:37 p.m.)

Mayor Murphy closed the hearing.

* ITEM-50: Amending the San Diego Municipal Code to Ban Alcoholic Beverage Consumption in Fanuel Street Park.

(Mission Bay Park Community Area. Districts-2 and 6.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 6/7/2004 (Council voted 9-0):

(O-2004-59) ADOPTED AS ORDINANCE O-19290 (New Series)

Amending Chapter 5, Article 6, Division 0, of the San Diego Municipal Code by amending Section 56.54 by making formatting changes and enforcing a 24-hour ban on the consumption of alcoholic beverages in Fanuel Street Park; and by amending Sections 56.55 and 56.56 by making formatting changes only.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:22 p.m. – 2:24 p.m.)

CONSENT MOTION BY LEWIS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-51: Transfer of Non-Exclusive Solid Waste Collection Franchise Agreement.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2004-141) INTRODUCED, TO BE ADOPTED ON MONDAY, JULY 12, 2004

Introduction of an Ordinance approving the transfer of a non-exclusive solid waste collection franchise from Webco Sanitation to EDCO Disposal Corporation and authorizing the execution of a Class II Non-Exclusive Solid Waste Collection Franchise Agreement with EDCO Disposal Corporation (dba Webco Sanitation).

NOTE: 6 votes required pursuant to Section 103 of the City Charter.

CITY MANAGER SUPPORTING INFORMATION:

On December 13, 1996, the City Council enacted Ordinance No. 0-18353, which amended the San Diego Municipal Code to establish Non-Exclusive Solid Waste Collection Franchises for solid waste haulers and authorized the City Manager to execute Non-Exclusive Solid Waste Franchise Agreements with the City's seventeen existing licensed solid waste haulers. Under City Charter Section 103, these franchises can be transferred by an ordinance of the City Council. Charter Section 103 states the following: "For purposes of this section, a Council approved transfer shall be required when there is any change in the legal structure of the entity which holds the franchise, which change alters the ownership or control of the entity. Such changes include, but are not necessarily limited to, sale, lease, assignment..." It further states that "Absent Council approval, the franchise shall not be deemed to have been transferred to the new entity."

Edco Disposal Corporation is one of 13 existing companies that have franchise agreements with the City of San Diego. Edco Disposal Corporation previously purchased Webco Sanitation and is now requesting the transfer of the existing franchise agreement. Including the Webco Sanitation franchise agreement, the City of San Diego currently has 21 franchise agreements in place, since some companies have affiliated franchises. An application containing current business license, business plan, proof of insurance, performance bond, and vehicle information data has been submitted and reviewed.

Staff has determined that Edco Disposal Corporation's application meets all the technical and financial criteria for transfer of a Non-Exclusive Solid Waste Collection Franchise within the City of San Diego. Approval of this transfer will not increase Edco Disposal Corporation's market share of the commercial solid waste collection services sector since Webco Sanitation currently has no active accounts. As an affiliate of Edco Disposal Corporation, it will have the same access to the marketplace as any of the other existing franchisees.

Mendes/Heap/SAM

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 2:22 p.m. – 2:24 p.m.)

CONSENT MOTION BY LEWIS TO INTRODUCE. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-100: Downtown Banner Program.

(Downtown Community Area. District-2.)

COUNCILMEMEBER ZUCCHET'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1371) ADOPTED AS RESOLUTION R-299355

Declaring that, in accordance with San Diego Municipal Code Section 142.1210, banners may be installed on the following streets: Market Street from India Street to 17th Street; F Street from 10th Avenue to 17th Street; J Street from 6th Avenue to 17th Street; Harbor Drive from 5th Avenue to Park Boulevard; Imperial Avenue from Park Boulevard to 17th Street; Park Boulevard from Market Street to Harbor Drive; 6th Avenue from Market Street to L Street; 7th Avenue from Market Street to Tony Gwinn Drive; Tony Gwinn Drive from 7th Avenue to Park Boulevard; 8th Avenue from Market Street to J Street; 9th Avenue from Market Street to J Street; 10th Avenue from F Street to Park Boulevard; 11th Avenue from Market Street to Park Boulevard; Russ Boulevard from Park Boulevard to 16th Street; B Street from Park Boulevard to 16th Street; C Street from Park Boulevard to 16th Street; 16th Street from Russ Boulevard to C Street; and Park Boulevard from Russ Boulevard to C Street;

Declaring the Downtown San Diego Partnership will manage the banners;

Declaring the banners shall be installed in accordance with the following:

- a. The banners shall not be used for commercial or political advertising, except that logos and trademarks of sponsoring organizations shall be permitted.
- b. The total area of logos and trademarks shall be limited to five percent of the banner length.
- c. The banners shall be displayed no more than 30 calendar days, with one 30-calendar-day extension.
- d. The banners shall be installed only on light standards that have been equipped by the City with mounting hardware.
- e. The banners have received all necessary permits to locate in the public right-of-way.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:22 p.m. – 2:24 p.m.)

CONSENT MOTION BY LEWIS TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-101: Otay Mesa Banner Program.

(Otay Mesa Community Area. District-8.)

COUNCILMEMBER INZUNZA'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1349) ADOPTED AS RESOLUTION R-299356

Declaring that, in accordance with San Diego Municipal Code Section 142.1210, banners may be installed on the following streets: Otay Mesa Road from Caliente Avenue to Piper Ranch Road; Siempre Viva Road from La Media Road to Enrico Fermi Drive, Airway Road from Britannia Boulevard to Enrico Fermi Drive, Britannia Boulevard from Siempre Viva Road to Otay Mesa Road, La Media Road from Siempre Viva Road to Otay Mesa Road, and Heritage Road from Camino Maquiladora to Otay Mesa Road;

Declaring the Otay Mesa Chamber of Commerce or if a business improvement district (BID) is created, will sponsor and manage the banners;

Declaring the banners shall be installed in accordance with the following:

- a. The banners shall not be used for commercial or political advertising except that logos and trademarks of sponsoring organizations shall be permitted.
- b. The total area of logos and trademarks shall be limited to five percent of the banner length.
- c. The banners shall be displayed no more than 30 calendar days, with one 30-calendar-day extension.
- d. The banners shall be installed only on light standards that have been equipped by the City with mounting hardware.
- e. The banners have received all necessary permits to locate in the public right-of-way.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:22 p.m. – 2:24 p.m.)

CONSENT MOTION BY LEWIS TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-102: De-Appropriation of TransNet Commercial Paper.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1355) ADOPTED AS RESOLUTION R-299357

Authorizing the City Auditor and Comptroller to de-appropriate TransNet Commercial Paper, Fund 30306, in the amount of \$23,295,661, for approximately 118 projects that have been identified by the City Manager for de-appropriation.

CITY MANAGER SUPPORTING INFORMATION:

As part of the Fiscal Year 2004 Final Capital Improvements Program Budget, the Mayor and City Council approved approximately \$58.8 million in capital improvement projects funded by the TransNet Program. Of this total amount, approximately \$29.1 million is from TransNet Sales Tax, interest and reimbursements, and approximately \$29.7 million is from TransNet Commercial Paper programmed from prior years and carried over as a result of our cash management process. With this process, any commercial paper not issued during the current fiscal year must be de-appropriated and reprogrammed in the new fiscal year. This action is merely a deferral process and by itself does not constitute a reduction in the overall commercial paper funding. Although the issuance of commercial paper is deferred, the individual project needs remain the same, which necessitates the sustenance of the programmed funding. Of the \$29.7 million programmed in commercial paper, it is recommended that \$23.2 million be de-appropriated this fiscal year for approximately 118 projects. The remaining \$6.4 million in commercial paper will not be de-appropriated as it was issued this fiscal year.

FISCAL IMPACT:

There will be no impact to any of the projects, as the commercial paper will be reprogrammed in Fiscal Year 2005 Final Budget if the project has not been completed by the end of the fiscal year.

Loveland/Belock/SMC

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:22 p.m. – 2:24 p.m.)

CONSENT MOTION BY LEWIS TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-103: Renewal of Lease Agreement with Ocean Beach Child Care Project.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1013) ADOPTED AS RESOLUTION R-299358

Authorizing the City Manager to execute a 5-year lease agreement with Ocean Beach Child Care Project, for low cost childcare services located at 2031 and 2041 Chatsworth Boulevard, at an initial yearly rent of \$1, plus an annual administrative fee of \$2,621 with annual CPI adjustments.

CITY MANAGER SUPPORTING INFORMATION:

The City owns an approximately 14,600 square foot parcel with two buildings together totaling 2,827 square feet located at 2031 and 2041 Chatsworth Boulevard. This property was acquired in 1986 with CDBG funds for low cost child care services in Council District 2. The property has been leased to the Ocean Beach Child Care Project, a non-profit corporation, since 1990. Ocean Beach Child Care Project, Inc., utilizes the building for low income families with infants, toddlers and/or pre-schoolers that need care and educational enrichment during the day.

The existing lease expired on September 30, 2000 and is on holdover. Ocean Beach Child Care Project has requested a five year renewal of the lease with two five year options. They have a need for a long term lease in order to secure grant funding for capital improvements. Rent will be \$1 per year, plus an annual administrative fee of \$2,621 with annual CPI adjustments.

City valuation staff determined the fair market rental value of the property to be \$99,600 per year.

The basic terms and conditions of the proposed lease are as follows:

USE Operation of a child care facility; care and educational enrichment to infants, toddlers and/or pre-schoolers from low income families.

TERM Five (5) years with two (2) five (5) year options.

RENT One Dollar (\$1) per Lease Year with an Administrative Fee of Two Thousand Six Hundred Twenty-One Dollars (\$2,621) per Lease Year with annual CPI adjustments.

MAINTENANCE Lessee is responsible for the maintenance of the premises for the term of the lease.

FISCAL IMPACT:

Amount of \$2,621, subject to annual CPI adjustments, will be deposited into the general fund revenue account #77444.

Herring/Griffith/CRG

FILE LOCATION: LEAS – Ocean Beach Child Care Project

COUNCIL ACTION: (Time duration: 2:24 p.m. – 2:35 p.m.)

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

ITEM-104: Fifteen-Year Lease Agreement with San Diego Family Care, d.b.a. Mid-City Community Clinic.

(City Heights Community Area. District-3.)

CITY MANAGER’S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1331) ADOPTED AS RESOLUTION R-299359

Authorizing the City Manager to execute a lease agreement with San Diego Family Care, d.b.a. Mid-City Community Clinic, for the management and operation of a health care clinic for low-income patients and to provide related non-profit social services at 4290 Polk Avenue for an initial term of fifteen years and a conditional right to extend for an additional ten years, at no rent plus administrative cost recovery, under the terms and conditions as substantially set forth in that lease agreement.

CITY MANAGER SUPPORTING INFORMATION:

Mid-City Community Clinic (MCCC) has leased the majority of the property since September 5, 1979. The premises consist of two buildings (15,000 sq. ft.) and a small parking lot, located on a .48 acre parcel. The premises are used by MCCC for its clinic and staff offices. The Salvation Army previously leased a portion of the clinic basement, which it vacated last year. MCCC now wishes to lease the entire premise to alleviate its crowded conditions.

MCCC recently merged with Linda Vista Clinic, creating San Diego Family Care d.b.a. Mid-City Community Clinic. MCCC provides quality, low or no cost medical services and medications to the low-income persons in the community. MCCC's fees are on a sliding scale, according to the patient's income and dependants. It also provides health educational programs and counseling in several languages common within this diverse community.

MCCC's primary consideration to the City for the lease is the medical service it provides for the community. As additional consideration, MCCC will initially invest an estimated \$54,491 to remove mold in the basement and to repair foundation leaks. MCCC maintains the premises at an estimated annual cost of \$80,000. For an additional lease term of ten years, MCCC will invest an estimated additional \$200,000 with a combination of grants and its funds to remodel the basement for its record storage and staff offices. City staff estimates the current annual market rent for the premises to be in the range of \$181,800 to \$198,000, according to its rent survey of comparable properties. Based on the new proposed Nonprofit Policy, the MCCC will be charged an annual administration fee of \$2,621, plus annual CPI adjustments.

FISCAL IMPACT:

An annual minimum of \$2,621 will be deposited into the City's 100 Fund.

Herring/Griffith/DLD

FILE LOCATION: LEAS – San Diego Family Care dba Mid-City Community Clinic

COUNCIL ACTION: (Time duration: 2:24 p.m. – 2:35 p.m.)

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

* ITEM-105: Approval of Settlement Agreement in San Diego Police Officers Association v. City of San Diego.

CITY ATTORNEY’S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1274) ADOPTED AS RESOLUTION R-299360

Authorizing the City Manager to execute the settlement agreement (Agreement), in complete settlement of each and every claim against the City of San Diego, its agents and employees, in San Diego Police Officers Association v. City of San Diego, San Diego Superior Court Case No. GIC 814284;

Authorizing the City Manager and City Attorney to take such and further actions as may be necessary or appropriate to implement the intent and purposes of this resolution and the Agreement.

SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the claims asserted against the City of San Diego, its agents and employees, as alleged in the complaint filed in the San Diego Police Officers Association v. City of San Diego, San Diego Superior Court Case No. GIC 814284.

Gwinn

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:22 p.m. – 2:24 p.m.)

CONSENT MOTION BY LEWIS TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

- * ITEM-106: First Amendment to the Agreement with Brown & Caldwell for Utilities Asset Management System.

(See memorandum from Larry Gardner dated 5/5/04.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2004-1361) ADOPTED AS RESOLUTION R-299361

Authorizing the City Manager to execute, a First Amendment to Agreement with Brown & Caldwell for Consulting Services (First Amendment) for the development of a Capital Asset Management System;

Authorizing the expenditure of an amount not to exceed \$460,000 for the purpose of providing funds for the First Amendment, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 5/12/2004, NR&C voted 3 to 0 to approve. (Councilmembers Lewis, Frye, and Inzunza voted yea. Councilmembers Zucchet and Madaffer not present.)

SUPPORTING INFORMATION:

On June 4th of 2002, the City Council approved the Utilities Asset Management System Consulting Agreement with Brown & Caldwell (R-296591). These consulting services are being used by the Water Department and the Metropolitan Wastewater Department (MWWD) for the development of a Utilities Asset Management System. The Water Department is requesting authorization to add \$460,000 to the agreement for additional services increasing the Agreement to a not to exceed total of \$1,172,379 for the development of a Capital Asset Management System (CAMS).

The CAMS program will be a computerized tool to forecast capital water infrastructure replacement and refurbishment (R&R) requirements over multi-year periods and support the department's financing plan, and long-range capital planning efforts. CAMS will include the ability to analyze and compare multiple scenarios regarding both future R&R needs and funding requirements. Therefore, developing and implementing CAMS is anticipated to result in improved water system reliability through use of better asset data and reducing costs by constructing and scheduling projects identified using asset management business processes. Furthermore, the CAMS program will demonstrate to consumers and financing entities the long-term view the Department is taking of its infrastructure.

The following are the tasks to be completed over the next 18 months:

- Asset data including useful lives, pricing formulae or tables, and characteristic refurbishment programs
- Requirements/Design/Development of CAMS computerized program
- Definition of database formats.
- Simulation and R&R reporting
- Funding Analysis and Planning
- Documentation for CAMS
- Testing/Training/Deployment

Once completed, CAMS will be updated by the Water Department, and will be integrated with the proposed Computerized Maintenance Management System (CMMS) that is a component of the Bid-to-Goal program.

FISCAL IMPACT:

Total cost of the First Amendment is \$460,000, which will be phase funded in FY 2004 and FY 2005. Funding is available in Fund 41500.

Mendes/Gardner/GJA

Aud. Cert. 2401134.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:22 p.m. – 2:24 p.m.)

CONSENT MOTION BY LEWIS TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-107: First Amendment to Agreement with EMA, Inc., for Implementation of Water Department Strategic Business Plan.

(See memorandum from Larry Gardner dated 5/5/2004.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2004-1362) ADOPTED AS RESOLUTION R-299362

Authorizing the City Manager to execute a First Amendment to Agreement with EMA, Inc., for Consulting Services (First Amendment) for implementation of the Water Department Strategic Business Plan;

Authorizing the expenditure of an amount not to exceed \$249,864 from Water Fund 41500, for the purpose of providing funds for the First Amendment;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 5/12/2004, NR&C voted 3 to 0 to approve. (Councilmembers Lewis, Frye, and Inzunza voted yea. Councilmembers Zucchet and Madaffer not present.)

SUPPORTING INFORMATION:

During the FY 2002 budget review the City Council directed a management review of the Water Department. That review was completed by the consulting firm of Black and Veatch which included in its recommendations that the Water Department develop a Strategic Business Plan. On February 18, 2003, the City Council authorized the Water Department to enter into a contract with EMA, Inc., for the sum of \$349,631 to develop a Strategic Business Plan.

The Department has reviewed and analyzed industry trends, obtained input from significant stakeholders and peers in the water industry, conducted a detailed self-assessment process to identify organizational strengths and weaknesses, developed statements of its vision, goals and objectives, and identified strategies and tactics to improve the efficiency and effectiveness of the organization. The Strategic Business Plan (Plan) document is now undergoing its final review and is expected to be approved by the Public Utilities Advisory Commission on June 21, 2004. The Plan will be presented to the Mayor and City Council following its approval by the PUAC. This action is presented now, in anticipation of PUAC approval, in order to have the necessary resources in place to begin immediately implementing the plan at the beginning of Fiscal Year 2005.

Additional work is required to fully implement the strategic planning process into the daily activities of the department. In particular, we need to develop a systematic method of measuring how well we are doing in attaining our goals and objectives. The standard for such measurement is called a Balanced Scorecard which links specific performance measures to identified goals and objectives. This amendment will utilize EMA's familiarity with the department and its nationally recognized expertise in this field to assist the department in development of such a scorecard. EMA, Inc., would also follow up on issues identified in the self-assessment process and assist the department to optimize specific business processes such as customer support, human resources, and financial services to improve their overall efficiency, and assist in development of a departmental communications plan.

This amendment extends the duration of the agreement with EMA, Inc., by two years and adds \$249,864 to the previously authorized amount of \$349,631.

FISCAL IMPACT:

There is \$249,864 available in the FY 2004 Water Department budget (Water Fund 41500) for this amendment.

Mendes/Gardner/MS

Aud. Cert. 2401142.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:22 p.m. – 2:24 p.m.)

CONSENT MOTION BY LEWIS TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-108: Agreement with Infrastructure Engineering Corporation for Engineering Design Consulting Services.

(See memorandum from Larry Gardner dated 6/1/2004. Carmel Valley Community Area. District-1.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2004-1332) ADOPTED AS RESOLUTION R-299363

Authorizing the City Manager to execute an agreement with Infrastructure Engineering Corporation (Agreement), for engineering design consulting services on the Carmel Valley Reclaimed Water Pipeline;

Authorizing the expenditure of an amount not to exceed \$548,221.61 from Water Fund 41500, CIP-70-954.0, North City Reclamation System (Carmel Valley Recycled Water Pipeline), for the purpose of providing funds for the Agreement and related in-house costs;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 6/9/2004, NR&C voted 4 to 0 to approve. (Councilmembers Zucchet, Lewis, Frye, and Madaffer voted yea. Councilmember Inzunza not present.)

SUPPORTING INFORMATION:

In December 2000, the City of San Diego developed the Water Reclamation Master Plan which evaluated area demands for reclaimed water and established the basis for planning of capital improvements. The Master Plan identified specific infrastructure needed for distribution of reclaimed water from the North City Water Reclamation Plant. The distribution network was planned to transmit water to rapidly growing areas to the north, in three phases: Phase I is currently under construction, portions of Phase II have been and are planned to be constructed simultaneously with ongoing and future development while Phase III remains conceptual in nature.

The proposed Carmel Valley Recycled Water Pipeline is part of the Phase II of the Master Plan intended to achieve the 2010 EPA goal. This pipeline includes approximately 10,000 linear feet of 8-inch to 12-inch diameter pipeline to provide a vital extension to serve recycled water to the Meadows Del Mar golf course, Palacio Del Mar Home Owners Association and future customers in the 500 Zone in the western portion of Carmel Valley. It is anticipated that Meadows Del Mar would use approximately 303 acre-feet per year (AFY) of recycled water for golf course irrigation and 109 AFY for Palacio Del Mar Home Owners Association. This proposed Carmel Valley RWP is an integral part of the City's reclaimed distribution network. Once in operation, the North City Reclamation System will reduce the City's dependence on imported water, thereby easing the demands on the existing potable water infrastructure.

The Water Department Request for Qualifications selection process was followed to obtain the services of a design engineering consultant. As part of this process, the Water Department receives a short-list of qualified firms from Contract Services. A Selection Panel was convened and interviewed the short-listed firms. The firms were evaluated on the basis of qualifications including expertise, experience, understanding and approach to the scope of services, and the capability of personnel and subcontractors. Based upon the results of these interviews and subsequent reference checks, Infrastructure Engineering Corporation was selected as the most qualified to provide engineering consulting services.

FISCAL IMPACT:

Funding is available from the Water Department Fund 41500, CIP-70-954.0, North City Water Reclamation System in the amount of \$548,221.61.

Mendes/Gardner/FA

Aud. Cert. 2401125.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:22 p.m. – 2:24 p.m.)

CONSENT MOTION BY LEWIS TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-109: Establishment of a Two-Hour Unmetered Parking Zone on the 2400 Block of 6th Avenue.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1342) ADOPTED AS RESOLUTION R-299364

Establishing a two-hour unmetered time limit parking zone, effective between the hours of 8:00 a.m. and 6:00 p.m., Sunday and certain holidays excepted, on the west side of the 2400 block of 6th Avenue;

Authorizing the installation of the necessary signs and markings to be made on said street, and the regulations hereinabove imposed shall become effective upon the installation of such signs.

CITY MANAGER SUPPORTING INFORMATION:

This action will establish a two-hour unmetered time limit parking zone effective between 8:00 a.m. and 6:00 p.m. and Sundays and certain holidays excepted, on the westside of the 2400 block of 6th Avenue. Council approval is required according to Municipal Code Section 86.04.

The fronting property owner at the subject location has submitted a petition requesting the establishment of a two-hour unmetered parking zone. This location has met the criteria established in Council Policy 200-04 for the installation of two-hour unmetered parking. In addition, a parking duration study was performed and it showed the two-hour unmetered parking suitable for this location. The Uptown Partnership, Inc., is in favor of this action.

The proposed parking configuration is consistent with other parking zones in the rest of the Uptown community. The proposed parking insures that more parking spaces will be available to serve fronting property.

FISCAL IMPACT:

\$400. Funds are not budgeted for this purpose. However, Street Division will reprioritize other maintenance needs in order to complete this project.

Mendes/Belock/VW

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:22 p.m. – 2:24 p.m.)

CONSENT MOTION BY LEWIS TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-110: Appointments and Reappointment to the Relocation Appeals Board.

(See memorandum from Mayor Murphy dated 6/9/2004, with resumes attached.)

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1378 Cor. Copy) ADOPTED AS RESOLUTIN R-299365

Council confirmation of the following appointments and reappointment by the Mayor to serve as members of the Relocation Appeals Board with terms expiring as indicated:

Reappointment:

Term Ending

Kurt A. Chilcott

October 1, 2005

- * ITEM-112: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2004-1106) ADOPTED AS RESOLUTION R-299367

Declaring a Continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L - State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico

COUNCIL ACTION: (Time duration: 2:22 p.m. – 2:24 p.m.)

CONSENT MOTION BY LEWIS TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

- * ITEM-113: Declaring a Continued State of Emergency Due to Economic Circumstances in the San Diego-Tijuana Border Region.

(District-8.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2004-1316) ADOPTED AS RESOLUTION R-299368

Declaring a Continued State of Emergency due to economic circumstances in the San Diego-Tijuana border region.

FILE LOCATION: GEN'L - State of Emergency Due to Economic
Circumstances in the San Diego-Tijuana Border Region

COUNCIL ACTION: (Time duration: 2:22 p.m. – 2:24 p.m.)

CONSENT MOTION BY LEWIS TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

* ITEM-114: Declaring a Continued Local Health Emergency Due to the Spread of the Hepatitis C Virus and the Human Immunodeficiency Virus (HIV).

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2004-1088) ADOPTED AS RESOLUTION R-299369

Declaring a Continued Local Health Emergency due to the spread of the Hepatitis C Virus and the Human Immunodeficiency Virus (HIV) for the purpose of implementing a one-year clean needle and syringe exchange program.

CITY MANAGER SUPPORTING INFORMATION:

California Health and Safety Code section 11364.7 (effective January 1, 2000) acknowledges the public health threat posed by the sharing of needles and syringes by injection drug users. The Code requires a local jurisdiction to declare a local emergency due to the existence of a critical local public health crisis in order to establish a clean needle and syringe exchange program. In order to permit development and implementation of a pilot clean needle and syringe exchange program, today's action continues the state of emergency first declared by the City Council on November 27, 2001.

FILE LOCATION: GEN'L - Local Health Emergency Due to the Spread of the
Hepatitis C Virus and the Human Immunodeficiency Virus
(HIV)

COUNCIL ACTION: (Time duration: 2:22 p.m. – 2:24 p.m.)

CONSENT MOTION BY LEWIS TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-nay, Frye-yea, Madaffer-nay, Inzunza-yea, Mayor Murphy-nay.

* ITEM-115: Declaring a Continued State of Emergency Due to Severe Shortage of Affordable Housing in the City.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2004-1230) ADOPTED AS RESOLUTION R-299370

Declaring a Continued State of Emergency Due to Severe Shortage of Affordable Housing in the City of San Diego.

FILE LOCATION: GEN'L - State of Emergency Due to Severe Shortage of Affordable Housing in the City of San Diego

COUNCIL ACTION: (Time duration: 2:22 p.m. – 2:24 p.m.)

CONSENT MOTION BY LEWIS TO ADOPT. Second by Peters. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Inzunza-yea, Mayor Murphy-yea.

ITEM-200: Funding for Fox Canyon Park and Home Avenue Park from Mid-City Park Development Fund.

(Continued from the meeting of June 7, 2004, Item 106, at the request of Deputy Mayor Atkins, for further review.)

(Mid-City Community Area. Districts-3, 4, and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1151) ADOPTED AS RESOLUTION R-299371

Amending the Fiscal Year 2004 Capital Improvements Program Budget by adding CIP-29-865.0, Home Avenue Park;

Amending the Fiscal Year 2004 Capital Improvements Program Budget for Fund No. 39094, Mid-City Special Park Fees, CIP-29-865.0, Home Avenue Park, by increasing the budget amount by \$600,000;

Authorizing the appropriation and expenditure of an amount not to exceed \$600,000 from Fund No. 39094, Mid-City Special Park Fees, CIP-29-865.0, Home Avenue Park, solely and exclusively, for the purpose of providing funds for design contracts and initial environmental studies of Home Avenue Park;

Amending the Fiscal Year 2004 Capital Improvements Program Budget by adding CIP-29-596.0, Fox Canyon Park – Acquisition and Development;

Amending the Fiscal Year 2004 Capital Improvements Program Budget for Fund No. 39094, Mid-City Special Park Fees, CIP-29-596.0, Fox Canyon Park – Acquisition and Development, by increasing the budget amount by \$900,000;

Authorizing the appropriation and expenditure of an amount not to exceed \$900,000 from Fund No. 39094, Mid-City Special Park Fees, CIP-29-596.0, Fox Canyon Park – Acquisition and Initial Studies, solely and exclusively, for the purpose of providing funds for the purposes of acquisition, design contracts, and environmental studies of Fox Canyon Park, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The purpose of this request for Council Action is to provide initial funding for two new parks: Fox Canyon Park (\$900,000) and Home Avenue Park (\$600,000). The funding source is the Mid-City Park Development Fund (#39094).

Fox Canyon Park is located east of Euclid Avenue, west of Altadena Drive, and south of University Avenue, in the Fox Canyon Neighborhood. The proposed land is adjacent to Auburn Creek and will provide an approximately 2-acre passive use park. This community is park deficient and the proposed park will provide a highly needed recreational outlet.

Home Avenue Park is located on the east side of Home Avenue, near the intersection with 47th Street, in the Mid-City area. The proposed park is adjacent to Chollas Creek and the six-acre site will provide approximately two-acres of passive use parkland. The Mid-City Community is park deficient based on General Plan Standards and this project will provide much needed park land. It is envisioned that this site will serve communities in Council Districts 3, 4, and 7. Its design and construction will also enhance a portion of Chollas Creek.

FISCAL IMPACT:

Funds in the amount of \$600,000 are available for CIP-29-865.0, Home Avenue Park, from the Mid-City Park Development Fund, Fund No. 39094. Funds in the amount of \$900,000 are available for CIP-29-596.0, Fox Canyon Park - Acquisition and Development, from the Mid-City Park Development Fund, Fund No. 39094. The proposed new facilities will require funding for operation and maintenance when they are completed.

Herring/Penera/KR

Aud. Cert. 2401080.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:35 p.m. – 2:36 p.m.)

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

ITEM-250: **Notice of Pending Final Map Approval – Torrey Highlands Employment Center.**

Notice is hereby given that the City Engineer has reviewed and will approve on this day the subdivision of land shown on that certain final map entitled “Torrey Highlands Employment Center” (T.M. No. 40-0315), a copy of which is available for public viewing at the Office of the San Diego City Clerk. Said project is located southwesterly of proposed SR 56 and Camino Del Sur in the Torrey Highlands Community Plan Area in Council District 1. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 p.m., 10 calendar days from the date of this notice stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the approval findings or need additional information about the map or your appeal rights, please feel free to contact Deputy City Engineer Lee Hennes at (619) 446-5291.

ITEM-251: **SUBMISSION OF BALLOT PROPOSALS**

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who shall then transmit them promptly to the Rules Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket 127 days prior to the election the ballot proposals which have been referred back to Council following Rules Committee review.

Therefore, the City Clerk's Office has established the following administrative guidelines for the November 2, 2004 election:

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Friday	5/28/2004	158	LAST DATE (10:00 a.m.) for public, departments, and agencies to submit ballot proposals to City Clerk for review by Rules Committee.
Wednesday	6/16/2004	139	Rules Committee review of ballot proposals.
Monday	6/21/2004	134	Council Docket (PUBLIC NOTICE) lists proposals referred by Rules Committee.
Monday	6/28/2004	127	Council adopts propositions for ballot; directs City Attorney to prepare ordinances.
Monday	7/19/2004	106	
Monday	7/26/2004	99	Council adopts ordinances prepared by City Attorney.
Friday	8/06/2004	88	Last day for City Clerk to file with Registrar of Voters all elections material.
Thursday	8/19/2004	75	Last day to file ballot arguments with City Clerk.

If you have questions, please contact the Office of the City Clerk at (619) 533-4025.

ITEM-S400: Gary DeBusschere Day.

COUNCILMEMBER MADAFFER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1387) ADOPTED AS RESOLUTION R-299372

Proclaiming June 18, 2004 to be “Gary DeBusschere Day” in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 2:16 p.m. – 2:22 p.m.)

MOTION BY MADAFFER TO ADOPT. Second by Lewis. Passed by the following vote: Peters-yea, Zucchet-yea, Atkins-yea, Lewis-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 4:40 p.m. in honor of the memory of:

Willis M Allen, Sr. as requested by Council member Peters,
Ruxana Memarzadeh as requested by Council Member Peters,
Betty Baskin Gleicher as requested by Council Member Peters,
Mrs. Jeannette Pitts Benford as requested by Council Member Lewis.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 4:33 p.m. – 4:40 p.m.)