THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, MARCH 20, 2006
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 Council President Peters at 2:02 p.m. Council President Peters recessed the meeting at 2:53 p.m. for the purpose of a break. Council President Peters reconvened the meeting at 3:02 p.m. with Council Member Maienschein not present. Council President Peters recessed the meeting at 3:25 p.m. to convene the Redevelopment Agency. Council President Peters reconvened the regular meeting at 3:26 p.m. with Council Member Maienschein not present. The meeting was adjourned by Council President Peters at 3:43 p.m.

ATTENDANCE DURING THE MEETING:

(1) Council Member Peters-present

(2) Council Member Faulconer-present

(3) Council Member Atkins-present

(4) Council Member Young-present

(5) Council Member Maienschein-not present-Excused by R-301327-no reason given

(6) Council Member Frye-present

(7) Council Member Madaffer-present

(8) Council Member Hueso-present

Clerk-Maland (gs)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Maland called the roll:

(1) Council Member Peters-present
(2) Council Member Faulconer-present
(3) Council Member Atkins-present
(4) Council Member Young-present
(5) Council Member Maienschein-not present
(6) Council Member Frye-present
(7) Council Member Madaffer-present
(8) Council Member Hueso-not present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Tom Ryba of Horizon Christian Fellowship.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Faulconer.

FILE LOCATION: MINUTES

CLOSED SESSION ITEMS:

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

CS-1 ***Border Business Park v. City of San Diego***
Appellate Case No. D039225; San Diego Superior Court Case No. GIC 692794
Otay Acquisitions v. City of San Diego
San Diego Superior Court Case No. GIC 753247
National Enterprises, Inc. v. City of San Diego
San Diego Superior Court Case Nos. GIC 791407; GIC 805465

REFERRED TO CLOSED SESSION OF TUESDAY, MARCH 21, 2006

EACA assigned: D. McGrath

These matters involve a variety of disputes between certain companies owned or controlled by Roque de la Fuente and the City of San Diego regarding the Border Business Park in Otay Mesa. In closed session the City Attorney and Judge Irvine will update the Council on the settlement offer.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:26 p.m. – 3:26 p.m.)

Council President Peters closed the hearing.

CS-2 ***William J. McGuigan v. City of San Diego, et al.***
San Diego Superior Court GIC 849883

REFERRED TO CLOSED SESSION OF TUESDAY, MARCH 21, 2006

EACA assigned: D. McGrath

This lawsuit was filed on behalf of a retired City employee against the City of San Diego requesting that the Court order the City to immediately pay all past unfunded pension liability to the retirement system. In closed session, the City Attorney will brief the City Council.

CLOSED SESSION COMMENT 1:

Hud Collins commented on transferring property not dedicated to the pension fund.

CLOSED SESSION COMMENT 2:

Daniel Coffey commented on the City Attorney increasing the liability of a client.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:26 p.m. – 3:32 p.m.)

Council President Peters closed the hearing.

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

CS-3 Agency negotiator: Scott Chadwick, J. Rod Betts, Julie Dubick, Lisa Briggs, Jay Goldstone, Rich Snapper, Scott Chadwick, Val VanDeweghe, Jessica Falk Michelli William Gersten

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

REFERRED TO CLOSED SESSION OF TUESDAY, MARCH 21, 2006

DCA assigned: J. Falk Michelli

1. Discuss with Council the negotiations with all five labor unions (Municipal Employees Association, AFSCME Local 127, Police Officers Association, International Association of Firefighters Local 145, and the Deputy City Attorney's Association) regarding the Mayor's two Ballot proposals that would allow for the managed competition of certain City services and also require voter approval for enhancements to employee pension benefits.

2. Discuss with Council the upcoming labor contract negotiations with the Police Officers Association, International Association of Firefighters Local 145, and the Deputy City Attorney Association regarding new labor agreements.

CLOSED SESSION COMMENT 1:

Hud Collins commented on calling an immediate summit with the five unions.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:33 p.m. – 3:36 p.m.)

Council President Peters closed the hearing.

ITEM-200: Airport Land Use Plan Determination Override.

(See Report to the City Council 06-028. Mira Mesa Community Area. District 5.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-131 Cor. Copy) ADOPTED AS RESOLUTION R-301294

Denying the applicant's request that the City Council override the City Manager's determination of non-compliance with the Comprehensive Land Use Plan (CLUP) for Marine Corps Air Station Miramar.

Staff: Kelly Broughton - (619) 557-7983
Shannon M. Thomas - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:05 p.m. – 2:14 p.m.)

MOTION BY YOUNG TO ADOPT. Second by Hueso. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-not present, Frye-yea, Madaffer-yea, Hueso-yea.

ITEM-201: Cost Allocation Policy of the Mayor.

(See Independent Budget Analyst Report No. 06-12; and memorandum from Mayor Sanders dated 3/17/2006.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-786 Cor. Copy) ADOPTED AS RESOLUTION R-301295

Adopting the Cost Allocation Policy of the Mayor and directing that the Mayor adopt necessary procedures to implement said policy.

STAFF SUPPORTING INFORMATION:

In order to make sound fiscal management decisions, accurate revenue and expenditure financial information is to be maintained regarding the operations of the City. The purpose of this Cost Allocation Policy (Policy) is to establish guidelines to be used by the City when allocating costs to:

- Provide management information through accurate costing of auxiliary activities.
- Provide for reimbursement between budgeted operations and enterprises for costs incurred by one unit which benefit one or more other units.
- Ensure proportional equity and consistency in the accounting for the allocation of indirect costs.

The Policy addresses three types of costs: direct costs, indirect costs, and central support service costs utilizing, to the extent applicable, the cost allocation guidelines set forth in the Office of Management and Budget Circular A-87 (a publication of OMB which provides guidance respecting cost allocation methods for federal grants).

The Policy also incorporates four primary guidelines:

1. Necessary & Reasonable - A prudent person would have purchased this item and paid this price.
2. Allocable - Expenses can be allocated based on benefit derived, cause and effect, or other equitable relationship.
3. Consistent Treatment - Like expenses must be treated the same in like circumstances.
4. Allowable - Permitted as a direct cost under the terms of a specific law, grant, contract, policy, etc.

The City's Chief Financial Officer shall be responsible for the development and implementation of the City's cost allocation policy. This Policy was developed in conjunction with the City's Auditor and Comptroller and the City Attorney. Macias, Gini & Company, the City's Outside Auditor, has also provided input during Policy development.

The Policy shall be reviewed at least on a bi-annual basis and any recommended changes to the Policy shall be submitted to the City Council for approval.

The City's Chief Financial Officer shall consult with the City's Auditor and Comptroller about accounting and cost allocation determinations as frequently as necessary to ensure that cost accounting principles are being accurately applied. The City's Chief Financial Officer shall consult with the Auditor and Comptroller and the City Attorney prior to the allocation of indirect costs to any enterprise funds of the City to ensure that such allocation is appropriate under the Charter and applicable law.

FISCAL CONSIDERATIONS:
In summary, the cost allocation methodologies should meet the following requirements:

1. Use direct costing whenever possible.
2. Be a reasonable reflection of the actual business operations.
3. Reflect only the portion of costs which is applicable to the specific program for which services are contracted.
4. Be consistent in the use of allocation methods, for cost-reporting purposes, across contracts, program areas, and other businesses.
5. Be based on criteria directly related to program costs.
6. Provide a clear and understandable explanation of the numerator and denominator of the allocation ratio used, described in words and in numbers.
7. Show 100% allocation of the costs being allocated.
8. Show how and to which specific business components the remaining percentages of costs were allocated.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:
None.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:
None for this action.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:
This Policy is applicable to all City Operations.

Goldstone/Froman

Staff: Jay Goldstone - (619) 236-5941
Mark D. Blake - Chief Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:14 p.m. – 2:39 p.m.)

MOTION BY FRYE TO ADOPT THE RESOLUTION AND AMEND THE "COST ALLOCATION POLICY", ON PAGE FOUR, UNDER THE SECTION TITLED "RESPONSIBILITY FOR COST RECOVERY", SECOND PARAGRAPH, LAST SENTENCE CHANGE THE WORD "RESOLVED" TO "DISCUSSED WITH". Second by Madaffer. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-not present, Frye-yea, Madaffer-yea, Hueso-yea.

ITEM-202: Agreement Between the City of San Diego and J. Rod Betts of Paul, Plevin, Sullivan and Connaughton, LLP for Services Pertaining to the Meet and Confer Process with the City's Five Recognized Employee Organizations.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-713) ADOPTED AS RESOLUTION R-301296

Approving the Consulting Agreement between the City of San Diego and Paul, Plevin, Sullivan & Connaughton, LLP (Agreement), and authorizing and empowering the Chief Operating Officer to execute, for and on behalf of the City, the Agreement in an amount not to exceed $250,000 for consulting services pertaining to the Meet and Confer process with the City's five recognized employee organizations, under the terms and conditions set forth in the Agreement.

STAFF SUPPORTING INFORMATION:

On March 1, 2006, an agreement was entered into by the City of San Diego Mayor's Office and Paul, Plevin, Sullivan and Connaughton, LLP contingent upon Council approval. The agreement was for Paul, Plevin, Sullivan and Connaughton, LLP to provide consulting services to the City pertaining to the "Meet and Confer" process with the City's five recognized employee organizations. It is anticipated that services provided are not to exceed $250,000.

FISCAL CONSIDERATIONS:
None.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:
None.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:
None.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):
None.

Froman/Roberts

Aud. Cert. 2600650.

Staff: Dean Roberts – (619) 236-6929
Keri Katz – Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:39 p.m. – 2:47 p.m.;
3:03 p.m. – 3:07 p.m.)

MOTION BY MADAFFER TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-not present, Frye-yea, Madaffer-yea, Hueso-yea.

ITEM-203: Appointments to the San Diego Convention Center Corporation Board of Directors.

(See memorandum from Mayor Sanders and Council President Peters dated 3/1/2006.)

MAYOR SANDERS' RECOMMENDATION:

Adopt the following resolution:

(R-2006-785) ADOPTED AS RESOLUTION R-301297

Council confirmation of the following appointments by the Mayor of the City of San Diego to serve as directors of the San Diego Convention Center Corporation, for terms ending as indicated:

NAME	**TERM ENDING**
Cheryl D. Kendrick (Point Loma, District 2) (Replacing Daniel McAllister, whose term has expired)	December 1, 2008
Robert E. Nelson (Bankers Hill, District 3) (Replacing C. April Boling, whose term has expired)	December 1, 2008
Chris W. Cramer (Point Loma, District 2) (Replacing Robert H. Gleason, who has resigned)	December 1, 2007

Cheryl A. Fisher December 1, 2006
(El Cajon)
(Replacing Wilmer Cooks,
who has resigned)

Determining that pursuant to Council Policy 000-13, for purposes of deliberation and consideration of appointment, that Cheryl A. Fisher is a resident of San Diego County, but not the City of San Diego, and has unique qualifications to serve as a member of the Board, therefore, a conscious exception to Council Policy 000-13 is hereby declared.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:47 p.m. – 2:53 p.m.)

MOTION BY ATKINS TO ADOPT. Second by Madaffer. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-not present, Frye-yea, Madaffer-yea, Hueso-yea.

ITEM-204: College Grove Condos.

Matter of approving, conditionally approving, modifying or denying a 45-unit residential condominium development on a 1.91-acre site located at 6420 College Grove Drive. The project requires a Rezone from RM-1-1 and RS-1-7 to RM-2-5; an Easement Vacation to abandon a storm drain easement; a Vesting Tentative Map for condominium development; a Planned Development Permit for deviations to certain development regulations; and, a Site Development Permit for environmental sensitive lands.

(Eastern Neighborhood of Mid-City Communities Plan Area. District 7.)

(Continued from the meeting of March 7, 2006, Item 334, at the request of Councilmember Faulconer, for full Council.)

NOTE: Hearing open. No public testimony taken on March 7, 2006.

STAFF'S RECOMMENDATION:

Adopt the resolutions in Subitems A, C, and D; and introduce the ordinance in Subitem B:

Subitem-A: (R-2006-667) ADOPTED AS RESOLUTION R-301298

Adoption of a Resolution certifying Mitigated Negative Declaration LDR No. 56578, on file in the Office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations Section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of a rezone, vested tentative map with easement abandonment, and planned development permit/site development permit for the College Grove Condos;

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the Office of the City Clerk and incorporated by reference, is approved;

That pursuant to California Public Resources Code Section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, a copy of which is attached hereto, as Exhibit A, and incorporated herein by reference;

That the City Clerk is directed to file a Notice of Determination (NOD) with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

Subitem-B: (O-2006-92) INTRODUCED, TO BE ADOPTED ON TUESDAY, APRIL 4, 2006

Introduction of an Ordinance changing 1.91 acres, located at 6420 College Grove Drive, East of College Avenue, in the eastern area community of the Mid-City Communities Plan Area, in the City of San Diego, California, from the RM-1-1 and the RS-1-7 Zones of the Central Urbanized Planned District into the RM-2-5 Zone of the Central Urbanized Planned District, as defined by San Diego Municipal Code Sections 131.0406 and 131.0403, and Repealing Ordinance No. O-18855 (New Series), adopted October 2, 2000, of the Ordinances of the City of San Diego insofar as the same conflicts herewith.

Subitem-C: (R-2006-666 Cor. Copy 3) ADOPTED AS RESOLUTION R-301299

Adoption of a Resolution adopting the findings with respect to Planned Development Permit No. 165297/Site Development Permit No. 289473;

That Planned Development Permit No. 165297/Site Development Permit No. 289473 is granted to Beacon Group, LLC, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this resolution.

Subitem-D: (R-2006-665) ADOPTED AS RESOLUTION R-301300

Adoption of a Resolution adopting the findings with respect to Vesting Tentative Map No. 172907;

That pursuant to California Government Code Section 66434(g), the public service easement as shown on Drawing No. 6572-D, and located within the project boundaries as shown in Vesting Tentative Map No. 172907, shall be vacated, contingent upon the recordation of the approved final map for the project;

That Vesting Tentative Map No. 172907 is granted to Beacon Group LLC, Applicant/Subdivider and Project Design Consultants, Engineer, subject to the attached conditions which are made a part of this resolution by this reference.

OTHER RECOMMENDATIONS:

Planning Commission on January 19, 2006, voted 5-0 to approve; no opposition.

Ayes: Schultz, Garcia, Chase, Ontai, Steele
Not present: Griswold, Otsuji

On November 22, 2005, the Eastern Area Planning Committee recommended approval of the project by a vote of 12-0-0 with no conditions.

STAFF SUPPORTING INFORMATION:

The College Grove Condominium Project is a 45-unit residential condominium development to be constructed at a 1.91-acre vacant site located at 6420 College Grove Drive, just south of College Avenue. Project implementation requires the following approvals: A rezone from RM-1-1 and RS-1-7 to RM-2-5; an easement vacation to abandon a ten foot wide storm drain easement; a Vesting Tentative Map for the condominium development; a Planned Development Permit for the proposed deviation to the front and side yard setback and retaining wall height; and, a Site Development Permit for potential impacts to the biological and paleontological resources. On January 19, 2006, the Planning Commission recommended unanimous approval of the project by a vote of 5-0-0. The property is located in the Eastern Community of the Mid City Communities Planning Area and within Council District 7.

Halbert/NSK

LEGAL DESCRIPTION:

The proposed development would be located at 6420 College Grove Drive in the Mid-City Community Plan (Lot 3 College Grove Center) in the City and County of San Diego.

Staff: Nilia Koering – (619) 446-5107
Douglas K. Humphreys – Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: SUBITEMS A, C, & D: MEET
SUBITEM B: NONE

COUNCIL ACTION: (Time duration: 3:08 p.m. – 3:25 p.m.)

Testimony in favor by Laura Riebau.

MOTION BY MADAFFER TO ADOPT THE RESOLUTIONS IN SUBITEMS A, C, AND D; AND INTRODUCE THE ORDINANCE IN SUBITEM B. Second by Young. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-not present, Frye-yea, Madaffer-yea, Hueso-yea.

ITEM-250: **Notice** of Settlement to Barratt American Inc., Lee Living Trust, et al., for Attorneys' Fees and Costs.

(R-2006-756)

Adopted as Resolution R-301255 on February 28, 2006.

A Resolution approved by the City Council in Closed Session on Tuesday, February 28, 2006, by the following vote: Peters-yea; Faulconer-yea; Atkins-yea; Young-yea; Maienschein-not present; Frye-yea; Madaffer-yea; Hueso–not present.

Approving payment of $106,612.06 in settlement to Barratt American Inc., Lee Living Trust et al. (City of San Diego v. Barratt American, Inc., Lee Living Trust, et al., San Diego Superior Court Case No. GIC 771344-1), for attorneys' fees and costs awarded by the San Diego Superior Court after trial and appeal ($3,307.06 for interest owed on trial court attorney fee award and $103,305 for attorneys' fees on appeal).

Aud. Cert. 2600626.

NOTE: This item is placed on a Council docket, so that the official and public record will reflect the adoption of this Resolution. It does not require any further Council action.

ITEM-251: **Notice** of Pending Final Map Approval – 911 Missouri Street.

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 "911 Missouri Street" (T.M. No. 148367/PTS No. 88840), located on the south side of Missouri Street between Bayard Street and Cass Street in the Pacific Beach Community Plan Area in Council District 2, a copy of which is available for public viewing at the Office of the San Diego City Clerk. 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-252: **Notice** of Pending Final Map Approval – Otay Pacific Business Park.

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 "Otay Pacific Business Park" (T.M. No. 7078/PTS No. 53281), located southeasterly of Siempre Viva Road and Britannia Blvd. in the Otay Mesa Community Plan Area in Council District 8, a copy of which is available for public viewing at the Office of the San Diego City Clerk. 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-253: **Notice** of Pending Final Map Approval – 3345 29th Street Condominiums.

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 "3345 29th Street Condominiums" (T.M. No. 130918/PTS No. 73685), located on the east side of 29th Street between Upas Street and Thorn Street in the Greater North Park Community Plan Area in Council District 3, a copy of which is available for public viewing at the Office of the San Diego City Clerk. 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-254: **Notice** of Pending Final Map Approval - Mission Hills Commons.

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 "Mission Hills Commons" (T.M. No. 96003/PTS No. 60516), located on the east side of Falcon Street between Washington Street and Fort Stockton Drive in the Uptown Community Plan Area in Council District 3, a copy of which is available for public viewing at the Office of the San Diego City Clerk. 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-255: 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 June 6, 2006 election:

DAY	DATE	DAYS BEFORE ELECTION	EVENT
Friday	1/20/2006	137	LAST DATE (10:00 a.m.) for public, departments, and agencies to submit ballot proposals to City Clerk for review by Rules Committee
Wednesday	1/25/2006	132	Rules Committee review
Monday	1/30/2006	127	Council Docket (PUBLIC NOTICE) lists proposals referred by Rules Committee
Monday	2/06/2006	120	Council adopts propositions for ballot; directs City Attorney to prepare ordinances
Monday	2/27/2006	99	Council adopts ordinances prepared by City Attorney
Friday	3/10/2006	88	Last day for City Clerk to file with Registrar of Voters all elections material
Thursday	3/23/2006	75	Last day to file ballot arguments with City Clerk

If you have questions, please contact the Office of the City Clerk at (619) 533-4050.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Council President Peters at 3:43 p.m. in honor of the memory of:

Wilma Jenkins as requested by Council Member Frye; and
Marvin E. Blevins as requested by Council Member Madaffer.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:37 p.m. – 3:43 p.m.)