

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JUNE 26, 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 2:07 p.m. Council President Peters recessed the meeting at 2:31 p.m. for the purpose of a break. Council President Peters reconvened the meeting at 2:40 p.m. with all Council Members present. Council President Peters recessed the meeting at 4:27 p.m. for the purpose of a break. Council President Peters reconvened the meeting at 4:37 p.m. with all Council Members present. The meeting was adjourned by Council President Peters at 6:30 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-present
 - (6) Council Member Frye-present
 - (7) Council Member Madaffer-present
 - (8) Council Member Hueso-present
- Clerk-Maland (ek)

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-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Hueso-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend John Gill of the
Metropolitan Community Church of San Diego.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Frye.

FILE LOCATION: MINUTES

CLOSED SESSION:

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

**CS-1 *City of San Diego v. Orrick Herrington & Sutcliff (attorneys) Calderon, Jahan &
Osborn (accountants) Caporicci & Larson (accountants) and Webster & Anderson
(attorneys)*
San Diego Superior Court No. GIC 857632**

REFERRED TO CLOSED SESSION OF TUESDAY, JUNE 27, 2006

EACA assigned D. McGrath

This matter is a pending lawsuit for money damages filed by the City of San Diego against accountants and attorneys whose legal advice and accountancy practices fell below the standard of care for similarly situated and compensated professionals. The City Attorney will brief the City Council potential settlement with one of the defendants.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 6:30 p.m. – 6:30 p.m.)

Council President Peters closed the hearing.

**CS-2 *Marcus R. Abbe, et al. v. City of San Diego, et al.*
United States District Court No. 05 CV 1629**

REFERRED TO CLOSED SESSION OF TUESDAY, JUNE 27, 2006

EACA assigned: D. McGrath

This matter is a class action filed by numerous police officers alleging violations of the memorandum of understanding with the City of San Diego. In closed session the City Attorney will brief the Council on the status of the matter and request retention of outside counsel in the matter.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 6:30 p.m. – 6:30 p.m.)

Council President Peters closed the hearing.

**CS-3 *Building Industry Association of San Diego County, Inc. v City of San Diego*
San Diego Superior Court Case No. GIC 817064**

DCA: D. Karlin

The Building Industry Association of San Diego County, Inc., has challenged the City of San Diego's Inclusionary Affordable Housing Regulations [Ordinance], codified at Chapter 14, Article 2 of the San Diego Municipal Code [SDMC], in the above-entitled matter. In closed session, the City Attorney will update the City Council on the status of the litigation.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 6:30 p.m. – 6:30 p.m.)

Council President Peters closed the hearing.

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

CS-4 Number of Cases: One

REFERRED TO CLOSED SESSION OF TUESDAY, JUNE 27, 2006

EACA assigned: D. McGrath

In closed session the City Attorney will advise the Council on the potential of the initiation of litigation and the retention of outside counsel Dan Stanford & Associates to pursue.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 6:30 p.m. – 6:30 p.m.)

Council President Peters closed the hearing.

Public employment - performance evaluation, pursuant to California Government Code section 54957(b)(1):

CS-5 Title: Independent Budget Analyst

REFERRED TO CLOSED SESSION OF TUESDAY, JUNE 27, 2006

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 6:30 p.m. – 6:30 p.m.)

Council President Peters closed the hearing.

CS-6 Title: City Clerk

REFERRED TO CLOSED SESSION OF TUESDAY, JUNE 27, 2006

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 6:30 p.m. – 6:30 p.m.)

Council President Peters closed the hearing.



ITEM-150: Golf Operations Business Plan.

(See Independent Budget Analyst Report No. 06-23; Reports to the City Council No. 06-079 and 06-057; memorandum from Mayor Jerry Sanders dated 5/16/2006; and memorandum from Mark Woodward dated 6/14/2006.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2006-1082 Rev.) ADOPTED AS AMENDED AS
RESOLUTION R-301581, WITH DIRECTION

Approving the Golf Operations Business Plan;

Authorizing the Mayor, or his designee, to review rate revisions annually and make adjustments as needed in accordance with Administrative Regulation 95.25.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 5/17/2006, NR&C voted 4 to 0 to forward the item without recommendation to the full City Council with the exception to include 70/30 percent tee time allocation between residents and non-residents, with direction to staff to provide answers to the Committee's questions at that time. (Councilmembers Faulconer, Atkins, Frye, and Hueso voted yea.)

SUPPORTING INFORMATION:

In June of 2001, the City Council adopted the first five year Business Plan governing the operation of the City maintained golf facilities. This plan outlined key issues facing the daily operation of the three City golf complexes. The plan also outlined key capital needs and established the green fee structure for the five years covered by the plan. During the five years of the plan, several key changes occurred in the Golf Division. Some of these changes included:

Torrey Pines Golf Course being selected for the 2008 U.S. Open (October 2002)

The City assuming operational responsibility for the Mission Bay Golf Complex (November 2003) following the expiration of the 50 year lease.

Completion of a comprehensive audit (summer/fall 2004) at Torrey Pines resulting in updates and improvements to: inventory tracking, cash handling procedures and other operational and customer service standards.

The primary goal of the proposed Business Plan is to provide a guideline for Golf Operations over the next five years. During this time, the Golf Division will address the significant revenue short fall at Balboa Park, identify plans to address the maintenance deficiencies at all three facilities, reduce the back log of facility deferred maintenance and provide funding for several much needed Capital Improvement Projects. In general, the plan must maintain a Golf Enterprise Fund that addresses many operational needs while establishing clear policies and procedures that ensure the long term financial sustainability of the Golf Enterprise Fund.

Staff has worked with many City departments, as well as private consultants, regarding the development and review of the proposed Business Plan. This collaboration has added diversity of experience and knowledge to the process and has resulted in a plan that attempts to consider all of the many short and long term aspects of golf course management and operation. Based on this broad range of professional involvement in the business planning process, Golf Division staff believes that the proposed plan will address many of the existing system deficiencies will allow for the long term enhancement of all three complexes.

FISCAL CONSIDERATIONS:

Each of the specific Business Plan recommendations has potential financial impacts affecting the financial viability of the Golf Enterprise Fund. In order to ensure that the recommendations of the Business Plan have been properly reviewed and analyzed, staff from the Golf Division has worked with the Park and Recreation Department Business Manager, Financial Services staff as well as a private sector professional consultant from the National Golf Foundation (NGF). Recently, NGF has completed their review of the proposed Business Plan, and in general, it finds that the plan is conservative in its projected greens fees and it addresses many of the outstanding operational issues.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

On May 17, 2006 the Natural Resource and Culture Committee heard an updated presentation on the proposed Park and Recreation Department Golf Course Operations Business plan and made the following recommendations:

1. Separate the Parking lot portion of the clubhouse CIP budget for the club house.
VOTE: 4-0
2. Forward the Park and Recreation Department Golf Course Operations Business plan without recommendation to the full City Council with the exception to include the 70/30 percent tee time allocation between residents and non-residents, with direction to staff to provide answers to the Committee's questions. VOTE: 4-0

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Informational presentations to Golf Advisory Council

October 2005 - Discussion of four primary plan goals

November 2005 - Review complete principles

December 2005 - Review status of plan preparation

January 2006 - Informational presentation of complete Business Plan

Action by Golf Advisory Council

February 2006 - Council voted 8-3 to not support the proposed Business Plan

Special Community Meeting hosted by the City Attorney - March 1, 2006

Natural Resource and Culture Committee informational presentation - March 8, 2006

Briefing involving stakeholders representing all interested/affected organizations, Mayor Jerry Sanders and City staff – April 5, 2006

KEY STAKEHOLDERS & PROJECTED IMPACTS:

The following are stakeholders in the Business Plan:

Daily local and visiting golfers
Golf Advisory Council
Torrey Pines Women's Golf Club
Torrey Pines Men's Golf Club

Golf Division staff believes that the proposed plan will address many of the existing system deficiencies will allow for the long term enhancement of all three complexes. This fiscal stability, coupled with the clear and concise policy direction from Mayor Jerry Sanders, provides the Golf Division with a comprehensive Business Plan that will increase access to City residents, create a long term Capital Improvement Program and address many outstanding operational issues.

Medina/Martinez

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:48 p.m. – 6:29 p.m.)

Motion by Frye to adopt as amended to include the following changes: 1) Restore the Men's and Women's Club tee times; 2) apply the 70/30 split to prime times; 3) rate increases be 4 percent per year for residents; 4) Friday is not to be considered a weekend day for purposes of the senior discount; and 5) to include a low-income fee waiver. No second.

Motion by Maienschein to apply the 70/30 split to prime time hours. Second by Frye. Failed: Yeas-3,5,6. Nays-1,2,4,7,8. Not present-None.

MOTION BY YOUNG TO ADOPT AS AMENDED TO DIRECT STAFF TO RETURN TO THE COUNCIL WITH A PROGRAM FOR A LOW-INCOME FEE WAIVER AND SENIOR DISCOUNT RATES. ACCEPT COUNCIL MEMBER ATKINS' RECOMMENDATION THAT THE 70/30 SPLIT BE AUDITED AND THAT A COMPETENT DATA SYSTEM BE PROVIDED TO DETERMINE THE IMPACT OF THESE FEES ON PRIME TIME HOURS, AND TO SHOW THE DIFFERENCE BETWEEN GENERAL LOW-INCOME FEES AND THE SENIOR FEE. DIRECTION BY COUNCIL MEMBER MAIENSCHIN THAT THE EXACT COST FOR A

ROUND OF GOLF AT TORREY PINES BE PROVIDED TO THE COUNCIL, AND WHAT THIS COST IS TIED TO. Second by Madaffer. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-nay, Madaffer-yea, Hueso-yea.



[ITEM-151:](#) San Dieguito River Park Concept Plan with City of San Diego Addendum.

(See Report to the City Council No. 06-060; and San Dieguito River Park Concept Plan. San Pasqual/Lake Hodges, Rancho Bernardo, Torrey Pines, Carmel Valley, and Pacific Highlands Ranch Community Areas. Districts 1 and 5.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2006-1056 Rev.) ADOPTED AS RESOLUTION R-301582,
WITH DIRECTION

Declaring the River Park Concept Plan with City of San Diego Addendum is hereby acknowledged and accepted by the City of San Diego as a guiding document for Regional Park planning and park facilities in the Focused Planning Area (FPA);

Declaring the Concept Plan with City of San Diego Addendum shall be considered by City staff and City decision makers when evaluating land development proposals within the River Park FPA;

Declaring subject to the City's General Plan, zoning, policies and land use regulations, which shall take precedence, City staff and City decision makers shall endeavor to make land use decisions affecting land within the River Park FPA that are consistent with the River Park Concept Plan with City of San Diego Addendum;

Declaring City staff and City decision makers shall endeavor to harmonize City rules and regulations with the purposes, intent, and provisions of the San Dieguito River Park Concept Plan with City of San Diego Addendum. However, where there is a conflict between provisions of the Concept Plan and any City regulation

or policy, the City regulation or policy shall take precedence over the Concept Plan.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 5/24/2006, NR&C voted 3 to 0 to approve. (Councilmembers Faulconer, Atkins, and Frye voted yea. Councilmember Hueso not present.)

SUPPORTING INFORMATION:

The San Dieguito River Park Joint Powers Authority (JPA) has been empowered by its member agencies (the County of San Diego and the Cities of San Diego, Del Mar, Escondido, Poway, and Solana Beach) to plan and maintain a regional park focused on the San Dieguito River Valley, formally known as the San Dieguito River Park. The San Dieguito River Park Concept Plan (Concept Plan) has been prepared by staff from the JPA to provide a conceptual framework for the development of the San Dieguito River Park. The planning effort was initiated to ensure the preservation of the valley's sensitive resources, rural character and visual quality. The area ultimately adopted as the regional planning boundary for the park, referred to as the Focused Planning Area (FPA), incorporates the entire watershed of the river valley, its major tributary canyons and a high desert linkage to Anza Borrego State Park. The FPA extends for 55 miles from the ocean at Del Mar to the desert just east of Volcan Mountain.

The Concept Plan was adopted by the JPA Board of Directors in February 1994 and updated to include administrative changes in February 2002. Since the JPA itself does not have land use authority over the properties within the FPA, the JPA is recommending that its member agencies take formal action recognizing the Concept Plan. If recognized by its member agencies, the Concept Plan can effectively serve as a tool for implementing the goals for the San Dieguito River Valley. Upon acknowledgement and acceptance, consistency with the Concept Plan's goals and recommendations will be considered by the City of San Diego when making decisions regarding appropriate land uses, as well as park and development projects within and surrounding the river valley.

In addition to the February 2002 Concept Plan, City of San Diego staff is recommending that the City Council include a one-page City of San Diego Addendum as part of their action. The purpose of the addendum is to clarify certain issues specific to the City of San Diego and identify procedures for City staff review should a conflict arise between adopted City policies and ordinances and the Concept Plan. The addendum was prepared as a result of a thorough review of the Concept Plan by a multidisciplinary team of City staff and a comprehensive public outreach effort in which the Torrey Pines, Carmel Valley, Rancho Bernardo and San Pasqual/Lake Hodges planning groups made recommendations regarding the Concept Plan. Finally, JPA staff has also reviewed the addendum and supports City staffs recommendation.

FISCAL CONSIDERATIONS:

City of San Diego staff has reviewed the Concept Plan as a General Fund activity. No additional costs are anticipated with this action.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

On November 6, 2002, the City of San Diego's Land Use and Housing Committee directed City staff to analyze the Concept Plan for consistency with the City's existing plans and policies.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

In January and February of 2005, the updated Concept Plan was presented to the Torrey Pines, Carmel Valley, San Pasqual/Lake Hodges, and Rancho Bernardo planning groups for recommendations. Both the Torrey Pines and Carmel Valley planning groups voted in favor of the City Council approving the adoption of the plan, while the San Pasqual Lake Hodges planning group voted to deny the Concept Plan based upon several ambiguities, which have now been addressed in the addendum, and the Rancho Bernardo Community Planning Board voted that the City "Acknowledge and Accept" the plan with conditions, all of which have now been incorporated into the addendum.

KEY STAKEHOLDERS:

The Concept Plan was developed in partnership with a Citizens Advisory Committee made up of community planning group members, a selection of homeowners associations, representatives from appropriate professional organizations, property owners within the FPA, and interested planning, environmental, and other special interest organizations, as well as other individuals, identified by the JPA Board of Directors.

McCullough/Waring

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:40 p.m. – 2:43 p.m.)

MOTION BY ATKINS TO ADOPT WITH DIRECTION BY COUNCIL MEMBER MADAFFER THAT STAFF PROVIDE VERIFICATION OF THE FUNDING, WHAT THE STATUS OF THE CITY'S CONTRIBUTION IS, AND TO ADVISE WHETHER THE CITY'S CONTRIBUTION WILL REMAIN EQUAL AND WHOLE. Second by Madaffer. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-200: USA Gas Station No. 855.

Matter of approving, conditionally approving, modifying or denying a Conditional Use Permit to permit construction of a new gasoline station including six multi-product dispensers sheltered by a weather canopy and a 1,939 square foot mini-market at 3481 National Avenue in the Southeast San Diego Community Plan area. The Site Development/Planned Development Permit would allow a 5-foot front yard setback where 15-feet is required. The project is currently zoned CT-2 (commercial transitional zone) and MF-1500 (multi-family zone). A rezone is proposed to remove the MF-1500 zone to have the entire site zoned CT-2.

(See Report to Council No. 06-091. Southeastern San Diego Community Plan Area. District 4.)

STAFF'S RECOMMENDATION:

Introduce the ordinance in Subitem A; and adopt the resolutions in Subitems B and C:

Subitem-A: (O-2006-148) INTRODUCED, TO BE ADOPTED ON
TUESDAY, JULY 11, 2006

Introduction of an Ordinance changing 0.12-acre located at 3481 National Avenue, within the Southeastern San Diego Community Plan Area, in the City of San Diego, California, from the MF-1500 Zone (Southeastern Planned District) into the CT-2 Zone, as defined by the San Diego Municipal Code Section 103.1707; and repealing Ordinance No. O-16921 (New Series), adopted August 3, 1987, insofar as the same conflict herewith.

Subitem-B: (R-2006-1048) ADOPTED AS RESOLUTION R-301583

Adoption of a Resolution certifying 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;

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-C: (R-2006-1042) ADOPTED AS RESOLUTION R-301584

Adoption of a Resolution adopting the findings with respect to PDP No. 323465/CUP No. 6267/SDP No. 6266;

That Planned Development Permit No. 323465/Conditional Use Permit No. 6267/Site Development Permit No. 6266 is granted to Palisades Gas & Wash, Inc., Owner/Permitted, under the terms and conditions set forth in the permit.

OTHER RECOMMENDATIONS:

Planning Commission on April 6, 2006, voted 6-1 to approve; no opposition.

Ayes: Ontai, Garcia, Schultz, Griswold, Steele, Otsuji

Nays: Chase

The Southeastern San Diego Community Planning Group has recommended approval of this project.

STAFF SUPPORTING INFORMATION:

The proposed project includes a gasoline station with six multi-product dispensers, a weather canopy and a 1,939-square-foot mini-market on a 0.48-acre vacant lot at 3481 National Avenue in the Southeast San Diego Community Plan area. The proposed mini market would be constructed using a California Mediterranean style design. Spanish style tiles would be used on the roof and several colors of stucco would be employed on the façade. Landscaping is proposed around the perimeter of the property, which would create a visual buffer between the street and the paved areas on site.

The project requires a Rezone, a Site Development Permit, Planned Development Permit and a Conditional Use Permit.

The subject site is zoned both CT-2 and MF-1500. The project is proposing to rezone the entire site to CT-2. The rezone is supported because it is consistent with the Recommended Land Use Map designation for General Commercial Use (Page 243 of the Southeast San Diego Community Plan). The Plan specifically calls for an enlargement of commercial-designated areas on the south side of National Avenue at 35th Street. (Page 237). It goes on to specifically address this

particular 0.48 acre site by stating that, "Approximately 0.5 acres on the southwest corner of 35th Street and National Avenue is recommended for commercial uses."

A Site Development Permit and Conditional Use Permit are required to permit the gasoline station and mini-market. Pursuant to Section 141.0801.(g) of the Land Development Code, the project has been conditioned to limit the hours of operation between 6:00 a.m. and 12:00 midnight and that signage be lighted only between the hours of 6:00 a.m. and 12:00 midnight. These conditions are required because the site is located adjacent to residential development. A Planned Development Permit is required for the deviation to the front yard setback requirement. The CT-2 zone requires a 15-foot front yard setback. The community plan (page 126) states that along pedestrian orientated streets, new buildings should be up to or within 10-feet of the property line. The proposed building is 5-feet from the property line (Attachment 5). To implement the community plan a deviation to permit a 5-foot front yard setback where 15-feet are required is proposed. Staff supports this deviation because it will implement the community plan's recommendations for pedestrian orientated streets.

FISCAL CONSIDERATION:

All costs associated with the processing of this project are paid by the applicant.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

On April 6, 2006, the Planning Commission voted 6:1:0 to approve the project with the following two conditions. The fence adjacent to the residential uses would be capped in stucco to match the proposed mini-mart building, and the County must approve the location of the gas station tanks due to the close proximity to a school and the adjacent residential housing. These two conditions have been incorporated into the project.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

On March 16, 2006, the Southeastern San Diego Planning Committee voted in support of the project by a vote of 10:0:0 with no conditions.

KEY STAKEHOLDER:

Palisades Gas & Wash, Inc.

Halbert/Waring/PG

LEGAL DESCRIPTION:

The project is located at 3481 National Avenue in the Southeastern San Diego Community Plan and is more particularly describes as Lots 25-30, Block 5 of the South Chollas Addition to the City of San Diego Map.

Staff: Patricia Grabski – (619) 446-5277
Shannon M. Thomas – Deputy City Attorney

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

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

COUNCIL ACTION: (Time duration: 2:43 p.m. – 2:48 p.m.)

MOTION BY HUESO TO INTRODUCE THE ORDINANCE IN SUBITEM A AND ADOPT THE RESOLUTIONS IN SUBITEMS B AND C. Second by Young. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

ITEM-250: 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 7, 2006 election:

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Friday	6/16/2006	144	LAST DATE (10:00 a.m.) for public, departments, and agencies to submit ballot proposals to City Clerk for review by Rules Committee
Wednesday	6/21/2006	139	Rules Committee review of ballot proposals
Monday	6/26/2006	134	Council Docket (PUBLIC NOTICE) lists proposals referred by Rules Committee

Monday	7/10/2006	120	Council adopts propositions for ballot; directs City Attorney to prepare ordinances
Monday	7/31/2006	99	Council adopts ordinances prepared by City Attorney
Friday	8/11/2006	88	Last day for City Clerk to file with Registrar of Voters all elections material
Thursday	8/24/2006	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.

ITEM-251: Notice of Pending Final Map Approval – 4438 Ohio 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 “4438 Ohio Street Condominiums” (T.M. No. 81406/PTS No. 86899), located on the west side of Ohio Street between Meade Avenue and Monroe Avenue 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-252: Notice of Pending Final Map Approval – 4554 Marlborough Drive 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 “4554 Marlborough Drive Condominiums” (T.M. No. 234872/PTS No. 96546), located on the west side of Marlborough Avenue between Monroe Avenue and Madison Avenue in the Mid-City: Kensington-Talmadge 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-253: Notice of Pending Final Map Approval – Campus Walk 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 "Campus

Walk Condominiums” (T.M. No. 230006/PTS No. 100925), located on the north side of Lindo Paseo between 55th Street and Campanile Drive in the College Area Community Plan Area in Council District 7, 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 – 4165 Alabama 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 “4165 Alabama Street Condominiums” (T.M. No. 86454/PTS No. 80777), located on the east side of Alabama Street between Polk Avenue and Howard Avenue 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-255: Notice of Pending Final Map Approval – Axos.

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 “Axos” (T.M. No. 210532/PTS No. 96452), located on the west side of 21st Street between “B” Street and “C” Street in the Greater Golden Hill 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-256: Notice of Pending Final Map Approval – 4975 Del Monte Avenue.

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 “4975 Del Monte Avenue” (T.M. No. 169283/PTS No. 89825), located on the south side of Del Monte Avenue between Bacon Street and Cable Street in the Ocean 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-257: Notice of Pending Final Map Approval – Palazzo.

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 “Palazzo”

(T.M. No. 219822/PTS No. 33906), located on the north side of Torrey Pines Road easterly of the intersection of La Jolla Parkway in the La Jolla Community Plan Area in Council District 1, 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-258: Notice of Pending Final Map Approval – 3993 Jewell 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 “3993 Jewell Condominiums” (T.M. No. 170863/PTS No. 69933), located on the southeast corner of Jewell Street and Fortuna Avenue 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-259: Notice of Pending Final Map Approval – 4046 Iowa 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 “4046 Iowa Street Condominiums” (T.M. No. 179246/PTS No. 96099), located on the west side of Iowa Street between Lincoln Avenue and Polk Avenue 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-S400](#): Confirmation of the Chief of the Fire-Rescue Department.

MAYOR SANDERS' RECOMMENDATION:

Adopt the following resolution:

(R-2006-1113) ADOPTED AS RESOLUTION R-301585

Council confirmation of the appointment by the Mayor of Tracy Jarman to be Chief of the San Diego Fire-Rescue Department of the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:09 p.m. – 2:30 p.m.)

MOTION BY MAIENSCHIN TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

REPORT OUT OF CLOSED SESSION:

None.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Council President Peters at 6:30 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 6:30 p.m.)