

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, SEPTEMBER 11, 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 Pro Tem Young wished to thank the City Council for allowing him to attend the conference in Columbia, South Carolina, where a symposium of national leaders met to consider the issue of gang violence and gang intervention facing cities throughout the country. Mr. Young emphasized the pressing need to address this issue nationwide and that more commissions will be created to address this problem.

Council Member Madaffer wished to thank the Office of the City Clerk for developing real-time motions that may now be displayed on the screen in Council Chambers for each item under discussion by the City Council. Mr. Madaffer especially wished to thank City Clerk Liz Maland and Recorder Esther Ramos for their hard work in implementing the process.

Council Member Frye requested that Public Notice Items 250, 251 and 252 on today's docket be heard before Council for discussion and an affirmative decision by the Council, specifically Item 251, and requested that Council President Peters docket these items.

Regarding the Business Reengineering Processes, Council Member Frye requested that more information be provided about bringing back a City card or credit cards regarding their limits, who is entitled to receive them, what controls are in place regarding their use, and when these are reported. Miss Frye also requested to docket as soon as possible for discussion by Council any changes to Item No. 276, Ordinance O-19523, the Business Process Reengineering ordinance, approved on July 31, 2006.

Council President Peters recessed the meeting at 3:16 p.m. to convene the Redevelopment Agency. Council President Peters reconvened the regular meeting at 3:19 p.m. with all Council Members present. Council President Peters recessed the meeting at 3:24 p.m. for the purpose of a break. Council President Pro Tem Young reconvened the meeting at 3:31 p.m. with Council President Peters not present. The meeting was adjourned by Council President Pro Tem Young at 3:40 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 Jim Hill of the
North Clairemont United Methodist Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Maienschein.

FILE LOCATION: MINUTES

CLOSED SESSION:

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

**CS-1 *Sonja Blevins, et al. v. City of San Diego*
San Diego Superior Court Case No. GIC853685**

REFERRED TO CLOSED SESSION OF TUESDAY, SEPTEMBER 12, 2006

DCA assigned: J.M. Boardman

This matter involves a wrongful death due to dangerous conditions and nuisance action brought by the surviving wife and two daughters of Scot Blevins. Mr. Blevins was killed when a eucalyptus tree growing on city-owned open space land in Scripps Ranch fell and struck the cab of his truck. The City Attorney requests that the Mayor and City Council consider the Plaintiffs' recent Offer of Compromise pursuant to CCP § 998 in closed session.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:15 p.m. – 3:15 p.m.)

Council President Peters closed the hearing.

**CS-2 *Save Our Forest and Ranchlands v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 864298**

REFERRED TO CLOSED SESSION OF TUESDAY, SEPTEMBER 12, 2006

CDCA assigned: H. Carlyle

This is an update on a petition for writ of mandate filed by a citizens group known as Save Our Forest and Ranchlands challenging the City's compliance with the California Environmental Quality Act [CEQA] in its February 28, 2006 approvals of the Downtown Community Plan and subsequent implementing ordinances. Pursuant to mandatory CEQA requirements, a settlement conference was conducted and settlement discussions have continued. The merits of the writ and the status of the settlement negotiations will be presented to the Council.

CLOSED SESSION COMMENT-1:

Ian Trowbridge commented on the need for a valid Environmental Impact Report in order for this plan to be approved.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:12 p.m. – 3:14 p.m.)

Council President Peters closed the hearing.

**CS-3 *Save Our Heritage Organization v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 865774**

REFERRED TO CLOSED SESSION OF TUESDAY, SEPTEMBER 12, 2006

DCA assigned: H. Carlyle

This is an update on a petition for writ of mandate filed by a citizens group known as Save Our Heritage Organization challenging the City's compliance with the California Environmental Quality Act [CEQA] in its February 28, 2006 approvals of the Downtown Community Plan and subsequent implementing ordinances. Pursuant to mandatory CEQA requirements, a settlement conference was conducted and settlement discussions

have continued. The merits of the writ and the status of the settlement negotiations will be presented to the Council.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:15 p.m. – 3:15 p.m.)

Council President Peters closed the hearing.

**CS-4 *County of San Diego v. Redevelopment Agency of the City of San Diego, et al.*
San Diego Superior Court Case No. GIC 850259**

REFERRED TO CLOSED SESSION OF TUESDAY, SEPTEMBER 12, 2006

DCA assigned: G. Spitzer

This litigation regards the validity of City Council's adoption of the Grantville Redevelopment Plan, Ordinance No. O-19380. In closed session the City Attorney will provide a status of the litigation pursuant to the City Council's request.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:15 p.m. – 3:15 p.m.)

Council President Peters closed the hearing.

**CS-5 *Friends of Fox Canyon Park v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 864623**

REFERRED TO CLOSED SESSION OF TUESDAY, SEPTEMBER 12, 2006

DCA assigned: M. Dickenson

This matter involves a California Environmental Quality Act case which challenges the City Council's approval of a Mitigated Negative Declaration. The City Attorney requests that the Mayor and City Council consider possible settlement of this case in closed session.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:12 p.m. – 3:12 p.m.)

Council President Peters closed the hearing.

**CS-6 *Linda Morgan and Renee Hill v. City of San Diego*
San Diego Superior Court Case No. GIC 849127**

REFERRED TO CLOSED SESSION OF TUESDAY, SEPTEMBER 12, 2006

DCA assigned: M. Stiffler

This employment discrimination lawsuit is brought by two detectives who allege retaliation by their superiors in the San Diego Police Department. In closed session, the City Attorney will update the Council on the status of the litigation and recommend that Council approve an offer to settle the case.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:15 p.m. – 3:15 p.m.)

Council President Peters closed the hearing.

**CS-7 *Sumaiyah Alazzawi v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 858179**

REFERRED TO CLOSED SESSION OF TUESDAY, SEPTEMBER 12, 2006

DCA assigned: M. Stiffler

This employment discrimination lawsuit is brought by a former seasonal lifeguard who alleges she was subject to sexual harassment, retaliation, and a constructive discharge by several other lifeguards. The parties engaged in mediation, and believe they have reached an appropriate settlement. In closed session, the City Attorney will update Council on the status of the litigation and recommend approval of the proposed settlement.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:16 p.m. – 3:16 p.m.)

Council President Peters closed the hearing.

**CS-8 *Howard DeYoung, et al. v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 849647**

REFERRED TO CLOSED SESSION OF TUESDAY, SEPTEMBER 12, 2006

DCA assigned: J. Riley

This case involves an alleged violation of a 1983 settlement agreement. In closed session, the City Attorney will update the City Council on the matter and seek direction.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:16 p.m. – 3:16 p.m.)

Council President Peters closed the hearing.

**CS-9 *Michael Shames v. City of San Diego*
San Diego Superior Court Case No. GIC 831539**

REFERRED TO CLOSED SESSION OF TUESDAY, SEPTEMBER 12, 2006

DCA assigned: J. Riley

This case involves an alleged over billing of single family sewer customers in violation of the State Constitution and a breach by the City of San Diego of loan and grant contracts from the State of California and the Federal Government. In closed session the City Attorney will update the Mayor and City Council on the matter and seek direction.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:16 p.m. – 3:16 p.m.)

Council President Peters closed the hearing.

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

CS-10 Agency Negotiator: Scott Chadwick, J. Rod Betts, Lisa Briggs, Rich Snapper, Jessica Falk Michelli William Gersten, Joe Harris, Rick Reynolds

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, SEPTEMBER 12, 2006

DCA assigned: J. Falk Michelli

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 implementing ordinances for the Mayor's Ballot proposals that would allow for the managed competition of certain City services and also require voter approval for enhancements to employee pension benefits.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:16 p.m. – 3:16 p.m.)

Council President Peters closed the hearing.



[ITEM-150:](#) 2005 Urban Water Management Plan.

(See Report to the City Council No. 06-003.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2007-25) ADOPTED AS RESOLUTION R-301859

Adopting the 2005 City of San Diego Urban Water Management Plan;

Declaring the California Environmental Quality Act does not apply to this activity pursuant to California Water Code Section 10652.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 1/18/2006, NR&C voted 3 to 0 to accept staff's recommendations. (Councilmembers Atkins, Maienschein, and Frye voted yea. Districts 2 and 8-vacant.)

SUPPORTING INFORMATION:

The City of San Diego has prepared a 2005 Urban Water Management Plan (Plan) in response to the Urban Water Management Planning Act (Act), Water Code Sections 10610 through 10656. The City's 2005 Plan describes historic and projected water supply and demand scenarios, water supply reliability, water usage trends, current and planned facilities to support demand, current and planned demand management programs, water shortage contingency plans, water recycling efforts, groundwater use, and alternative sources of water that the City is considering. The City of San Diego has complied with the requirements of the Act every year since its inception 20 years ago.

The California Department of Water Resources (DWR) is tasked with collecting and reviewing all 2005 Plans received from water agencies. The Plan is reviewed by DWR staff to determine whether or not they are complete pursuant to the Urban Water Management Planning Act. Agencies must have adopted a complete Plan that meets the requirements of the law and must have submitted it to DWR to be eligible for drought assistance or to receive grant funds through DWR.

FISCAL CONSIDERATIONS:

There are no direct fiscal impacts resulting from the submission of this plan. Funding of existing programs outlined in the UWMP is provided in the Water Department's proposed 2007 budget. Due to its five-year planning horizon, the Plan describes future programs, each of which will be studied and approved separately prior to implementation.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Approval of the 2005 Urban Water Management Plan was recommended by the Public Utility Advisory Committee at its October 17, 2005 meeting. The Natural Resources and Culture Committee approved staff's recommendation to accept the 2005 UWMP at its January 18, 2006 meeting.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The UWMP has been presented to and approved by the Public Utilities Advisory Committee at a public meeting. Public comment was solicited via advanced noticing in the San Diego Daily Transcript. In addition, the draft UWMP has been available for review on the Water Department's public web-site.

Yackly/Haas

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:18 p.m. – 2:29 p.m.)

MOTION BY FRYE TO ADOPT. 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-200: Step VI Grievance from Police Officers Association Regarding Annual Leave Cap.

(See Report to the City Council No. 06-122.)

STAFF'S RECOMMENDATION:

Take the following actions:

CONTINUED TO MONDAY, SEPTEMBER 25, 2006, WITH DIRECTION

Hear the grievance and determine the outcome;

Directing the City Attorney to prepare the appropriate resolutions in accordance with Charter Section 40.

Staff: Scott Chadwick - (619) 236-6313

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 2:30 p.m. – 3:11 p.m.)

Motion by Madaffer to adopt Staff's recommendation to deny the Step VI Grievance.
Second by Young. Motion withdrawn.

MOTION BY MADAFFER TO CONTINUE TO MONDAY, SEPTEMBER 25, 2006
WITH DIRECTION THAT THE CITY ATTORNEY PROVIDE THE CITY COUNCIL
WITH A LEGAL OPINION REGARDING THIS ITEM. Second by Hueso. Passed by
the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea,
Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-201: Mira Mesa Public Facilities Financing Plan and Facilities Benefit
Assessment, Fiscal Year 2007.

(See Report to the City Council No.06-116. Mira Mesa Public Facilities
Financing Plan and Facilities Benefit Assessment, FY 2007. Mira Mesa
Community Area. District 5.)

TODAY'S ACTIONS ARE:

Adopt the following resolutions:

Subitem-A: (R-2007-91) ADOPTED AS RESOLUTION R-301860

Approving the document entitled "Mira Mesa Public Facilities Financing Plan and
Facilities Benefit Assessment, FY 2007"

Subitem-B: (R-2007-92) ADOPTED AS RESOLUTION R-301861

Resolution of Intention to designate an area of benefit in Mira Mesa and setting
the time and place for holding a public hearing thereon.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 8/9/2006, LU&H voted 4-0 to approve the Staff's recommendation.
(Councilmembers Faulconer, Atkins, Madaffer, and Hueso voted yea.)

SUPPORTING INFORMATION:

The Public Facilities Financing Plan details the public facilities that will be needed through the ultimate development of Mira Mesa. Mira Mesa is an area in the early stages of development where significant infrastructure construction has occurred. This plan revises and updates the Fiscal Year 2005 Plan (R-299990 dated December 7, 2004). The objective of the FBA is to ensure that funds will be available in sufficient amounts to provide community facilities when scheduled. The FBA will be collected at the building permit issuance stage of development and deposited into a special interest earning fund for Mira Mesa.

Changes from the current Financing Plan include: increasing the assessment rates a total of 62% due to increases in actual construction costs being experienced throughout the City and anticipated annual inflation, and advancing and/or delaying various projects in the plan due to changes in project priorities.

Should the City Council not approve the proposed Mira Mesa Public Facilities Financing Plan, Fiscal Year 2007, then the existing fees would remain in place and new development would not be contributing its proportional share for new facilities identified in the Mira Mesa Plan. Alternative funding sources would have to be identified to fund the share of the identified facilities attributable to new development.

The proposed assessments for Fiscal Year 2007 are as follows:

LAND USE	CURRENT ASSESSMENT	PROPOSED ASSESSMENT per UNIT/ACRE in FY 2007 DOLLARS
SINGLE FAMILY UNITS	\$15,778	\$24,577
MULTI-FAMILY UNITS	\$11,044	\$17,204
COMMERCIAL ACRE	\$97,661	\$152,132
INDUSTRIAL ACRE (I2)	\$34,236	\$53,332
INDUSTRIAL ACRE (I4)	\$37,233	\$58,002
INDUSTRIAL ACRE (I5)	\$29,661	\$46,205
INDUSTRIAL ACRE (I6)	\$44,808	\$69,799

FISCAL CONSIDERATION:

Adoption of this revised Public Facilities Financing Plan will continue to provide a funding source for the public facilities identified in the Mira Mesa Plan.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

None.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The Mira Mesa Planning Group, at their meeting of June 19, 2006, reviewed the financing plan and assessments and unanimously recommended approval.

KEY STAKEHOLDERS AND PROJECTED IMPACTS (if applicable):

All property owners with remaining new development are listed on the Mira Mesa Public Facilities Financing Plan, Fiscal Year 2007 Assessment Roll, starting on page A-3, and will have received notice and a copy of this document in the mail. These property owners will have liens placed on their property and will be required to pay Facilities Benefit Assessments upon any building permit issuance when developing their property. Any redevelopment which increases the intensity of existing uses may be subject to an impact fee per Attachment 2.

Waring/Anderson/FVJ/CR

Staff: Cheryl Robinson – (619) 533-3679
David Miller - Deputy City Attorney

FILE LOCATION: STRT FB 12 (33)

COUNCIL ACTION: (Time duration: 2:29 p.m. – 2:30 p.m.)

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



ITEM-202: Wireless Communication Facility Ordinance – Amended Per Coastal Commission.

Matter of approving or denying language added by the California Coastal Commission to the Wireless Communication Facility Ordinance (Section 141.0420 of the Land Development Code) previously adopted by the City Council on March 1, 2005.

(Citywide.)

STAFF'S RECOMMENDATION:

Introduce the ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-2007-27) INTRODUCED, TO BE ADOPTED ON
TUESDAY, SEPTEMBER 26, 2006

Introduction of an Ordinance of the Council of the City of San Diego amending Chapter 14, Article 1, Division 4, of the San Diego Municipal Code, by amending Sections 141.0405 and 141.0420, pertaining to Wireless Communication Facilities Regulations.

Subitem-B: (R-2006-716) ADOPTED AS RESOLUTION R-301862

Adoption of a Resolution accepting California Coastal Commission suggested modifications for certification of Local Coastal Program Amendment No. 2-05 re Wireless Communication Facilities, and authorizing the Mayor to submit Local Coastal Program Amendment No. 2-05 to the California Coastal Commission for final certification.

OTHER RECOMMENDATIONS:

Planning Commission on January 16, 2003, voted unanimously to recommend to the City Council approval of the original Land Development Code revisions; voted 6 - 0 to recommend approval; was opposition.

Ayes: Lettieri, Garcia, Anderson, Chase, Schultz, Steele
Not Present: Brown

This is a matter of City-wide effect. The following community group has taken a position on the item: In favor: On October 26, 2004, the CPC voted 16-1-0 to support staff recommendation.

On July 27, 2004, the City Council approved the Wireless Communication Facilities Ordinance, Section 141.0420, but identified seven issues needing resolution. On March 1, 2005, staff returned to City Council with an amended version of the previously approved Section 141.0420, addressing the seven issues. The ordinance was approved and staff submitted the Local Coastal Program (LCP) amendment package to the Coastal Commission for certification.

On November 17, 2005, the California Coastal Commission approved the Wireless Communication Facilities Ordinance Local Coastal Program amendment with minor

modifications. The modifications include the addition of language pertaining to removal of expired or obsolete facilities and the requirement for a Coastal Development Permit in the Coastal Overlay Zone. The specific language includes additions to the following two sections:

Section 141.0420(b)(4)

If the permit(s) for any wireless communication facility includes an expiration date, upon expiration of the permit, the facilities and improvements authorized therein shall be removed from the site by the owner or permittee of such facilities and improvements, and said owner or permittee shall restore the property to its original condition, all at the owner's or permittee's sole cost and expense. In addition, the owner or permittee shall, at its sole cost and expense, remove or replace any wireless communication facility if the City Manager determines that the facility or components of the facility are non-operational or no longer used. If the owner or permittee does not remove such facilities and restore the property as required herein, the City may remove the facilities and restore the property at the cost and expense of the owner or permittee, jointly and severally; and

Section 141.0420(b)(5)

Coastal Development Permit. Within the Coastal Overlay Zone, the Coastal Development Permit regulations beginning with Section 126.0701 of the Land Development Code, shall also apply.

Please refer to the ordinance prepared by the City Attorney for sequence of modified code language within Section 141.0420.

Due to the length of time that has lapsed since the Coastal Commission hearing, the ordinance must return to the Coastal Commission for final certification.

FISCAL CONSIDERATIONS:

Project review for compliance with the Wireless Communication Facility Ordinance is fully cost recoverable through deposit accounts provided by wireless communication facility applicants.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Workshops (4) were conducted with the Land Use and Housing Committee between September 19, 2001 and October 9, 2002.

City Council approved Section 141.0420 and related City Council Policies on July 27, 2004 and approved amendments to Section 141.0420 on March 1, 2005.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The Telecommunication Issues Committee (TIC) was originally formed in 2000 to address telecom issues. The committee consisted of four representatives from the industry and four City Council appointed community members. Over a period of five years, the group met to discuss telecom issues and collaborate on writing revised Council Policies and the new wireless ordinance, which is the subject of this Executive Summary.

On January 16, 2003, the Planning Commission voted 6-0 to recommend approval of Section 141.0420.

The Community Planners Committee reviewed the Wireless Communication Facility regulations on October 24, 2004 and voted 16-1-0 to support the ordinance.

KEY STAKEHOLDERS:

The City, the wireless communication industry and the Telecommunication Issues Committee.

Waring/Halbert/KL-A

NOTE: This project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(3), (“General Rule”).

Staff: Karen Lynch-Ashcraft – (619) 446-5351
Steven Lastomirsky – Deputy City Attorney

FILE LOCATION: SUBITEM A: NONE
SUBITEM B: MEET

COUNCIL ACTION: (Time duration: 3:31 p.m. – 3:35 p.m.)

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



ITEM-203: Tierrasanta Townhomes.

Matter of approving, conditionally approving, modifying or denying an application for a Rezone from RS-1-7 to RM-1-1, Vesting Tentative Map with an Open Space Easement Abandonment and a waiver of the requirement to

underground existing overhead utilities, Site Development Permit, Conditional Use Permit and a Multi-Habitat Planning Area Boundary Adjustment to construct 60 residential condominium units and relocate 4 existing wireless telecommunication facilities on a 6.86 acre site at 11445 Tierrasanta Boulevard. The existing church building, YMCA daycare building, and associated surface parking would be demolished. The site is located within the Tierrasanta Community Plan area.

(Project Numbers 61500 and 89848. Tierrasanta Community Plan Area. District 7.)

STAFF'S RECOMMENDATION:

Adopt the resolution in Subitem A; introduce the ordinance in Subitem B; adopt the resolution in Subitem C to grant the map and adopt the resolution in Subitem D to grant the permits:

Subitem-A: (R-2007-13) CONTINUED TO TUESDAY, OCTOBER 10, 2006

Adoption of a Resolution certifying that final Mitigated Negative Declaration No. 61500, 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 site development permit, conditional use permit and MHPA boundary adjustment for the Tierrasanta Townhomes project;

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 final 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-B: (O-2007-5) CONTINUED TO TUESDAY, OCTOBER 10, 2006

Introduction of an Ordinance changing 6.86 acres located at 11445 Tierrasanta Boulevard, in the Tierrasanta Community Plan Area, in the City of San Diego, California, from the RS-1-7 Zone into the RM-1-1 Zone, as defined by San Diego Municipal Code Section 131.0401; and Repealing Ordinance No. O-2463 (New Series), adopted on September 5, 1978, of the ordinances of the City of San Diego insofar as the same conflict herewith.

Subitem-C: (R-2007- 9) CONTINUED TO TUESDAY, OCTOBER 10, 2006

Adoption of a Resolution adopting the findings with respect to Tentative Map No. 182476 with an Open Space Easement Abandonment No. 184493;

That Vesting Tentative Map No. 334358, including the waiver of the requirement to underground existing overhead utilities and Open Space Easement Abandonment No. 184493, are granted to Tierrasanta Christian Church and Shappel Industries, Inc., Applicant/Subdivider and Project Design Consultants, Engineer, subject to the attached conditions which are made a part of this resolution by this reference.

Subitem-D: (R-2007-8 Cor.Copy) CONTINUED TO TUESDAY,
OCTOBER 10, 2006

Adoption of a Resolution adopting the findings with respect to Site Development Permit No. 330475, Conditional Use Permit Nos. 287678, 2876680, 287681, 287682, and a MHPA Boundary Adjustment;

That Site Development Permit No. 330475, Conditional Use Permit Nos. 287678, 287680, 287681, and 287682, are granted to Tierrasanta Christian Church and Shappel Industries, Inc., Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof;

That the MHPA boundary adjustment as shown on Site Development Permit No. 330475 is approved.

OTHER RECOMMENDATIONS:

Planning Commission on May 25, 2006, voted 5-1-1 to approve; no opposition.

Yeas: Griswold, Ontai, Otsuji, Schultz, Garcia

Nays: Chase

Not present: Steele

The Tierrasanta Community Council and Planning Group have recommended approval of this project.

STAFF SUPPORTING INFORMATION:

The project site is located at 11445 Tierrasanta Boulevard within the Tierrasanta Community Plan area. The Tierrasanta Community Plan designates this site for open space and is currently zoned RS-1-7. Approximately 2.5 acres of the 6.86-acre site is currently developed with a church building, YMCA daycare, and associated surface parking. The existing buildings to be demolished were constructed in 1985 and the site has a recorded Conditional Use Permit No. C-17951 for the church, sanctuary, classrooms and other associated improvements which will be rescinded as part of this proposed permit action.

The Tierrasanta Community Plan recommends that open space which will not be acquired by the City, should be allowed to be developed at the same residential density as adjacent properties. The City has no plans to purchase the developed subject property for open space. This site is adjacent to the El Dorado Apartments which is a multifamily residential development, located to the north and west along Tierrasanta Boulevard. The community plan states that a density between 5 and 10 du/acre is acceptable to the Planned Residential Development for El Dorado. The proposed project would have a density of approximately nine dwelling units per acre.

The project is requesting a Conditional Use Permit for the relocation of the existing four telecommunication facilities which will be integrated into the architecture of the residential units, and a Site Development Permit for deviations to structure height, setbacks, refuse and recycling storage, private open space, retaining wall height. Staff supports the requested deviations because the project meets the requirements of Council Policy 900-14 (Sustainable Buildings) and for the reasons outlined in Planning Commission Report PC-06-168 (attached). The development will provide energy-efficient building techniques as well as energy-generating photovoltaic roofs throughout the development. The Project also requires a Site Development Permit for Environmentally Sensitive Lands, adjacent to Multi-Habitat Planning Area (MHPA). The project's design and deviation requests are intended primarily to minimize impacts to the

steep slopes, sensitive vegetation, and the MHPA while also meeting the goals of the community plan.

FISCAL CONSIDERATIONS:

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

PREVIOUS ACTION:

On May 25, 2006, the Planning Commission voted 5:1:0 to recommend approval of the project as outlined in Report No. 06-168. The Commission also recommended looking into the option of affordable housing, and the three undergrounding options presented in the environmental report (project includes a waiver from the undergrounding requirement).

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

On March 15, 2006, the Tierrasanta Community Council and Planning Group voted 14-0-0 to approve the project with conditions discussed within the Planning Commission Report.

KEY STAKEHOLDERS & PROJECTED IMPACTS:

Tierrasanta Christian Church, Shappel Industries, Inc., Intracorp, Cingular, Verizon, Sprint, T-Mobile, Community of Tierrasanta.

Halbert/Waring/HD

LEGAL DESCRIPTION:

The site is located at 11445 Tierrasanta Boulevard within the Tierrasanta Community Plan area and Council District 7. APN 455-210-07, 08 Legal Description: Lot 301 of Eldorado Hills, Unit 13, in the City of San Diego, County of San Diego State of California according to Map Thereof No. 9151.

Staff: Helene Deisher – (619) 446-5223

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

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 2:17 p.m. – 2:18 p.m.)

MOTION BY MADAFFER TO CONTINUE TO TUESDAY, OCTOBER 10, 2006 AT THE REQUEST OF JOEL HYATT, REPRESENTING INTRACORP OF SAN DIEGO, FOR FURTHER REVIEW. Second by Young. Passed by the following vote: Peters-ineligible, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

ITEM-250: **Notice** of Pending Final Approval for HR/Personnel Business Process Reengineering Report.

Notice is hereby given that city staff has completed a business process reengineering study of the human resources and personnel functions across the city. A copy of this report is available for public viewing at the office of the San Diego City Clerk. The report's recommendations include:

- (1) Reorganize the current centralized human resources departments under one Human Resources Director.
- (2) Develop a new organization structure which equalizes services across the various departments.
- (3) Develop a communications plan to ensure consistency in policy implementation.
- (4) Develop a central policy/forms/documents electronic library.
- (5) Continue BPR process and focus on hiring, payroll, discipline, training, and injury management and tracking.

This report will be approved and implemented unless the Council President or any four members of the Council request a public hearing on the report. Such hearing must take place and a determination made as to approve or reject the report within a review period of 60 days or five Council Meetings. At the conclusion of the review period and no hearing having been held, the Mayor will proceed with implementation of the BPR changes.

If you have questions about the HR/Personnel Business Process Reengineering Report, please feel free to contact Rick Reynolds at (619) 236-5953.

ITEM-251: **Notice** of Pending Final Approval for Contracts Business Process Reengineering Report.

Notice is hereby given that city staff has completed a business process reengineering study of the contracts and agreements functions across the city.

A copy of this report is available for public viewing at the office of the San Diego City Clerk. The report's recommendations include:

- (1) Creation of a central department responsible for the administration of all contracts and agreements.
- (2) Maintenance of a current and comprehensive list of City contracts and agreements.
- (3) Guidelines that support city wide standardization and consistency.
- (4) Implementation of internal control mechanisms to provide sufficient checks and balances.
- (5) Consolidation of multiple contracts and agreements with same vendor.
- (6) Evaluation of approval threshold levels for possible increases.

This report will be approved and implemented unless the Council President or any four members of the Council request a public hearing on the report. Such hearing must take place and a determination made as to approve or reject the report within a review period of 60 days or five Council Meetings. At the conclusion of the review period and no hearing having been held, the Mayor will proceed with implementation of the BPR changes.

If you have questions about the Contracts Business Process Reengineering Report, please feel free to contact Rick Reynolds at (619) 236-5953.

ITEM-252: Notice of Pending Final Approval for Information Technology Business Process Reengineering Report.

Notice is hereby given that city staff has completed a business process reengineering study of the information technology functions across the city. A copy of this report is available for public viewing at the office of the San Diego City Clerk. The report's recommendations include:

- (1) Creation of a new IT governance model with Group IT Managers and the Office of the CIO responsible for setting policy and providing direction;
- (2) Hire Group IT Managers;
- (3) Form IT Implementation Team comprised of Group IT Managers, CIO and certain other subject matter experts;
- (4) Develop a partnership between City staff and SDDPC to develop a "Most Efficient Organization" (MEO) to provide technical functions; and
- (5) Continue BPR process focusing on technical IT functions.

This report will be approved and implemented unless the Council President or any four members of the Council request a public hearing on the report. Such hearing must take place and a determination made as to approve or reject the report within a review period of 60 days or five Council Meetings. At the conclusion of the review period and no hearing having been held, the Mayor will proceed with implementation of the BPR changes.

If you have questions about the Information Technology Business Process Reengineering Report, please feel free to contact Rick Reynolds at (619) 236-5953.

ITEM-253: Notice of Pending Final Map Approval – 4618 30th 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 “4618 30th Street” (T.M. No. 92655/PTS No. 85956), located on the west side of 30th Street between Adams Avenue and Madison 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-254: Notice of Pending Final Map Approval – 5th and Pennsylvania 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 “5th and Pennsylvania Avenue” (T.M. No. 201522/PTS No. 82793), located on the south side of Pennsylvania Avenue between Fourth Avenue and Fifth Avenue 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: Notice of Pending Final Map Approval – 4075 Idaho 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 “4075 Idaho Street Condominiums” (T.M. No. 213916/PTS No. 99847), located on the east side of Idaho Street between Polk Avenue and Lincoln 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-256: Notice of Pending Final Map Approval - 4352 Swift Avenue 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 "4352 Swift Avenue Condominiums" (T.M. No. 205930/PTS No. 96454), located on the west side of Swift Avenue between El Cajon Boulevard and Meade 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-257: Notice of Pending Final Map Approval – 4067 45th 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 “4067 45th Street” (T.M. No. 151554/PTS No. 90205), located on the east side of 45th Street between Polk Avenue and University Avenue in the Mid-City: City Heights 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-258: Notice of Pending Final Map Approval – 3564 North 43rd 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 “3564 North 43rd Street Condominiums” (T.M. No. 172785/PTS No. 87684), located on the west side of 43rd Street between Dwight Street and Myrtle Avenue in the Mid-City: City Heights 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-259: Notice of Pending Final Map Approval – 4516 Park Boulevard.

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 “4516

Park Boulevard” (T.M. No. 257496/PTS No. 109835), located on the west side of Park Boulevard between Madison Avenue and Monroe Avenue 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-260: Notice of Pending Final Map Approval – Amended Map of Sycamore Estates Phase II Unit 5.

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 “Amended Map of Sycamore Estates Phase II Unit 5” (T.M. No. 99-0899/PTS No. 102438), located southeasterly of Beeler Canyon Road and Pomerado Road in the Rancho Encantada 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-261: Notice of Pending Final Map Approval – 4241 Swift Avenue 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 “4241 Swift Avenue Condominiums” (T.M. No. 105119/PTS No. 97074), located on the east side of Swift Avenue between El Cajon Boulevard and Orange Avenue in the Mid-City: Normal Heights 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-262: Notice of Pending Final Map Approval – 4244 Cherokee Avenue 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 “4244 Cherokee Avenue Condominiums” (T.M. No. 67677/PTS No. 96460), located on the west side of Cherokee Avenue between El Cajon Boulevard and Orange Avenue in the Mid-City: Normal Heights 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-263: Notice of Pending Final Map Approval – 4018-22 Louisiana 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 “4018-22 Louisiana Street” (T.M. No. 199963/PTS No. 93701), located on the west side of Louisiana Street between Polk Avenue and Lincoln 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-264: Notice of Pending Final Map Approval – 4165 Mississippi 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 “4165 Mississippi Street” (T.M. No. 262292/PTS No. 107361), located on the east side of Mississippi Street between Howard 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.

REPORT OUT OF CLOSED SESSION:

None.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Council President Pro Tem Young at 3:40 p.m. in honor of the memory of:

Those lost their lives in the September 11, 2001 tragedy as requested by Council Member Madaffer;
Dr. Fritz Klein as requested by Council Member Atkins; and
Dr. David McWhirter as requested by Council Member Atkins.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 3:36 p.m. – 3:40 p.m.)

Elizabeth S. Maland, City Clerk
City of San Diego