

CITY OF SAN DIEGO COUNCIL DOCKET



COUNCIL PRESIDENT

Sherri Lightner • First District

COUNCIL PRESIDENT PRO TEM

Marti Emerald • Ninth District

COUNCIL MEMBERS

Lorie Zapf • Second District

Todd Gloria • Third District

Myrtle Cole • Fourth District

Mark Kersey • Fifth District

Chris Cate • Sixth District

Scott Sherman • Seventh District

David Alvarez • Eighth District

**Andrea Tevlin
Independent
Budget Analyst**

**Jan Goldsmith
City Attorney**

**Liz Maland
City Clerk**

Council Chambers, 12th Floor, City Administration Building
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Tuesday, July 21, 2015

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, JULY 21, 2015, AT 10:00 AM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sanidiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

NOTE: The City Council will convene for a Special Council meeting at 9:00 a.m., to provide the public with the opportunity to comment on the Closed Session agenda then the Council will adjourn into Closed Session from 9:00 a.m. - 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk. The public portion of the meeting will begin at 10:00 a.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF COUNCIL MINUTES

The Council Minutes of the following meetings will be approved by Unanimous Consent unless pulled for discussion:

06/22/2015 - Adjourned
06/23/2015 - Special
06/23/2015

PROCLAMATIONS/CEREMONIAL ITEMS

NOTE: The following Proclamations will be presented in Council Chambers and approved by Unanimous Consent unless pulled for discussion.

ITEM-30: Park and Recreation Month.

PRESENTED BY MAYOR FAULCONER AND COUNCIL PRESIDENT LIGHTNER:

Proclaiming July 2015, to be "Park and Recreation Month" in the City of San Diego.

ITEM-31: Cox Cares Foundation Day.

PRESENTED BY MAYOR FAULCONER, COUNCIL PRESIDENT LIGHTNER AND COUNCIL PRESIDENT PRO TEM EMERALD:

Proclaiming July 21, 2015, to be "Cox Cares Foundation Day" in the City of San Diego.

ITEM-32: 20th Anniversary of the Single Marine Program.

PRESENTED BY COUNCILMEMBER CATE:

Proclaiming July 21, 2015, to be the "20th Anniversary of the Single Marine Program" in the City of San Diego.

NOTE: The following Proclamation will NOT be presented in Council Chambers. It will be approved by Unanimous Consent unless pulled for discussion.

ITEM-33: La Jolla Recreation Center Centennial Celebration Day.

COUNCIL PRESIDENT LIGHTNER'S RECOMMENDATION:

Proclaiming July 25, 2015, to be "La Jolla Recreation Center Centennial Celebration Day" in the City of San Diego.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Per Section 22.0101, Rule 2.6.2, of the San Diego Municipal Code, comments are limited to two minutes per speaker. Speakers may not allocate their time to other speakers. If there are eight (8) or more speakers on a single issue, the maximum time allotted for that issue will be sixteen (16) minutes. Non-Agenda Public Comment is limited to 30 minutes during the Tuesday morning Council session. Any remaining speakers will be given an opportunity to speak after Council concludes the remaining agenda items for that day. Speaker order will generally be decided on a first-come, first-served basis. However, in the event that there are more than 15 Non-Agenda Public Comment speakers on a particular Tuesday, priority may be given to speakers who have not addressed the legislative body during "Non-Agenda Public Comment" at the last regularly scheduled Council meeting.

MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY, CITY CLERK COMMENT

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

SPECIAL ORDERS OF BUSINESS

None.

ADOPTION AGENDA, CONSENT ITEMS

The Consent items listed beginning on the next page are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (*). Because these items may be handled quickly, if you wish to be heard submit your Request to Speak form prior to the start of the meeting.

REQUESTS FOR CONTINUANCE

The Council will consider requests for continuance in the morning or afternoon, based on when the item was noticed to be heard.

ADOPTION AGENDA, CONSENT ITEMS
ORDINANCES TO BE INTRODUCED:

- * ITEM-50: Amendment to Consultant Agreement with EFS Engineering, Inc., for As-Needed Assessment Engineering and Special District Administration Services (H105023). (Citywide.)

ITEM DESCRIPTION:

This action would authorize a First Amendment to continue a Consulting Agreement with EFS Engineering, Inc., for the purpose of providing consistent As-Needed Assessment Engineering and Special District Administration Services to the Park and Recreation Department's Maintenance Assessment Districts Program in an amount not to exceed \$875,000 over a term of five years.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2016-1)

Introduction of an Ordinance authorizing and directing the Mayor, or his designee, to execute, for and on behalf of the City, the Amendment, which extends the Contract term through December 31, 2020, and increases the potential compensation to EFS Engineering, Inc., under the Contract by up to \$875,000 for a total amount not exceed \$1,750,000;

Authorizing the Chief Financial Officer to expend \$175,000 annually from January 1, 2016, through December 31, 2020, not to exceed a total amount of \$875,000, from Fund Number 200023 (Management Fund), Park & Recreation Dept/Maintenance Assessment Districts, for the purpose of funding the Contract, as amended by the Amendment, contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year, and provided that the Chief Financial Officer first furnishes one or more certificates that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

NOTE: 6 votes required pursuant to Section 99 of the City Charter. (Rev. 7/20/15)

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Funding for the \$875,000 will be available in the amount of \$175,000 annually from the Maintenance Assessment Districts Program's Management Fund, Number 200023, and contingent upon adoption of the Annual Appropriation Ordinance for the applicable Fiscal Year.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The original contract was heard at the Public Safety and Neighborhood Services Committee meeting on November 17, 2010, and approved at City Council on January 11, 2011.

This Amendment was heard and passed at the Public Safety and Livable Neighborhoods Committee meeting on July 1, 2015.

ACTION: Motion by Councilmember Cate, second by Councilmember Cole, to recommend Council adopt the resolution to approve the Contract Agreement.

VOTE: 4-0; Emerald-yea, Cate-yea, Gloria-yea, Cole-yea.

Parker/Graham

Primary Contact\Phone: Paul Sirois\619-685-1307, MS 5D

Secondary Contact\Phone: Rosa Lopez\619-685-1316, MS 5D

City Attorney Contact: Wander, Adam

* ITEM-51: Amendment 5 to Contract for Risk Analysis/Management Services with Haystax Technology. (Formerly Digital Sandbox, Inc.) (Citywide.)

ITEM DESCRIPTION:

Request for approval to execute a Fifth Amendment by Ordinance to the Agreement with Haystax Technologies, Inc., for an additional five year Contract extension period to commence in August 2015, for a total of ten years ending in August 2020, and not to exceed additional \$12 million to provide Risk Management Program software services.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2016-3)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute a Fifth Amendment to the Contract with Haystax Technologies, Inc. (formerly Digital Sandbox, Inc.) to extend that Contract for five additional years for Risk Management Program services and support for a California Statewide Program;

Authorizing the Chief Financial Officer to appropriate and expend \$1,383,556 from Fund 600000, available via the Fiscal Year 2014 Federal Department of Homeland Security Urban Area Security Initiative Grant Program for the purposes of funding the Risk Management Program tasks identified as part of the Fiscal Year 2014 Urban Area Security Initiative Grant;

Authorizing the Chief Financial Officer to appropriate and expend, contingent upon securing future fiscal years' Federal Department of Homeland Security Urban Area Security Initiative Grant Funding, an amount not to exceed twelve million dollars during the five year extension period of the Fifth Amendment to the Contract with Haystax Technologies, Inc., contingent upon the Chief Financial Officer furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

STAFF SUPPORTING INFORMATION:**FISCAL CONSIDERATIONS:**

The Federal Department of Homeland Security provides Urban Area Security Initiative (UASI) Grants through the California Governor's Office of Emergency Services (CalOES), which grants them to the City of San Diego to administer for the entire San Diego Urban Area. The statewide Risk Management Program enhances regional security and public safety at no cost to the City. There is no non-federal match or cost share required for grants under the program covered by this Ordinance. However, these grants are reimbursable in nature requiring the City to expend funds prior to requesting reimbursement; for this requested action, the total amount will not exceed \$12 million. Expenditures will be initially sourced from the City's general fund account, and then reimbursed from the respective federal fiscal year UASI Grant Program.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- This item was heard at the Public Safety and Livable Neighborhoods Committee meeting on July 1, 2015.

ACTION: Motion by Councilmember Cate, second by Councilmember Cole, to recommend City Council adopt the Ordinance to approve the Contract Agreement.

VOTE: 4-0; Emerald-yea, Cate-yea, Gloria-yea, Cole-yea.

- Resolutions R-306973, R-308082, and R-308555 authorizing Contracts Amendments 1, 2, and 3, respectively.
- Resolutions R-307024, R-307561, and R-308530 authorizing to apply, accept, appropriate and expend UASI Grant Funds.
- Resolution R-308999, dated June 23, 2014, authorizing the Mayor, or his designee, to expend an amount not to exceed \$2,037,127 in Grant Funds for Amendment 4 to the Contract with Digital Sandbox, Inc. for the statewide Risk Management Program.
- Resolution R-309175, dated July 31, 2014, granting authorization to apply for, accept, appropriate and expend up to \$16,874,000 in Grant Funds from the FY 2014, UASI Grant Program.

Valencia/Chadwick

Primary Contact\Phone: John Valencia\619-533-6763

Secondary Contact\Phone: Katherine Jackson\619-533-6761

City Attorney Contact: Brazier, Noah J.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-100: A Resolution of the City Council Approving a Side Letter Agreement Between the City and the American Federation of State, County and Municipal Employees, Local 127 (Local 127) Regarding Changes to Article 6, Flexible Benefits Plan.

ITEM DESCRIPTION:

This action approves a Side Letter Agreement between the City and Local 127 regarding changes to Article 6, Flexible Benefits Plan.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-13)

Approving and ratifying the Side Letter Agreement to the Memorandum of Understanding (MOU) between the City and Local 127, which amends Article 32 of the MOU related to the payment of residual flex credits from the City's Flexible Benefits Plan, as specified in the Side Letter Agreement, under the authority of the Meyers-Milias-Brown Act (MMBA) and Council Policy 300-06.

NOTE: 6 votes required pursuant to Charter Section 11.2.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

There is no fiscal impact to the City associated with this change.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

San Diego City Council Resolution R-308480 (October 15, 2013), Approval of Memorandum of Understanding (MOU) between the City and Local 127 regarding terms and conditions of employment for Fiscal Years 2014 through 2018.

von Kalinowski/Villa

Primary Contact\Phone: Judy von Kalinowski\619-236-6313

Secondary Contact\Phone: Karen DeCrescenzo\619-235-5802

City Attorney Contact: Story Parks, Roxanne

- * ITEM-101: A Resolution of the City Council Approving a Side Letter Agreement Between the City and the International Brotherhood of Teamsters, Local 911 (Local 911) Regarding Changes to Article 27, Flexible Benefits Plan.

ITEM DESCRIPTION:

This action approves a Side Letter Agreement between the City and the International Brotherhood of Teamsters, Local 911 (Local 911) regarding changes to Article 27, Flexible Benefits Plan.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-12)

Approving and ratifying the Side Letter Agreement to the Memorandum of Understanding (MOU) between the City and the International Brotherhood of Teamsters, Local 911 (Local 911), which amends Article 27 of the MOU related to the payment of residual flex credits from the City's Flexible Benefits Plan, as specified in the Side Letter Agreement, under the authority of the Meyers-Milias-Brown Act (MMBA) and Council Policy 300-06.

NOTE: 6 votes required pursuant to Charter Section 11.2.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

There is no fiscal impact to the City associated with this change.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

San Diego City Council Resolution R-308479 (October 15, 2013), Approval of Memorandum of Understanding (MOU) between the City and the International Brotherhood of Teamsters, Local 911 (Local 911), regarding terms and conditions of employment for Fiscal Years 2014 through 2018.

von Kalinowski/Villa

Primary Contact\Phone: Judy von Kalinowski\619-236-6313

Secondary Contact\Phone: Karen DeCrescenzo\619-235-5802

City Attorney Contact: Story Parks, Roxanne

- * ITEM-102: A Resolution of the City Council approving a Side Letter Agreement between the City and International Association of Firefighters (Local 145), regarding changes to Article 22, Flexible Benefits Plan.

ITEM DESCRIPTION:

This action approves a Side Letter Agreement between the City and International Association of Firefighters (Local 145), regarding changes to Article 22, Flexible Benefits Plan.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-10)

Approving and ratifying the Side Letter Agreement to the Memorandum of Understanding (MOU) between the City and International Association of Firefighters (Local 145), which amends Article 22 of the MOU related to the payment of residual flex credits from the City's Flexible Benefits Plan, as specified in the Side Letter Agreement, under the authority of the Meyers-Milias-Brown Act (MMBA) and Council Policy 300-06.

NOTE: 6 votes required pursuant to Charter Section 11.2.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

There is no fiscal impact to the City associated with this change.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

San Diego City Council Resolution R-308478 (October 15, 2013), Approval of the Memorandum of Understanding (MOU) between the City and International Association of Firefighters (Local 145), regarding terms and conditions of employment for Fiscal Years 2014 through 2018.

von Kalinowski/Villa

Primary Contact\Phone: Judy von Kalinowski\619-236-6313

Secondary Contact\Phone: Karen DeCrescenzo\619-235-5802

City Attorney Contact: Story Parks, Roxanne

- * ITEM-103: A Resolution of the City Council Approving a Side Letter Agreement Between the City and the San Diego Municipal Employees Association (MEA) Regarding Changes to Article 28, Flexible Benefits Plan.

ITEM DESCRIPTION:

This action approves a Side Letter Agreement between the City and San Diego Municipal Employees Association (MEA) regarding changes to Article 28, Flexible Benefits Plan.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-11)

Approving and ratifying the Side Letter Agreement to the Memorandum of Understanding (MOU) between the City and San Diego Municipal Employees Association (MEA), which amends Article 28 of the MOU related to the payment of residual flex credits from the City's Flexible Benefits Plan, as specified in the Side Letter Agreement, under the authority of the Meyers-Milius-Brown Act (MMBA) and Council Policy 300-06.

NOTE: 6 votes required pursuant to Charter Section 11.2.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

There is no fiscal impact to the City associated with this change.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

San Diego City Council Resolution R-308431 (October 15, 2013), Approval of Memorandum of Understanding (MOU) between the City and San Diego Municipal Employees Association (MEA) regarding terms and conditions of employment for Fiscal Years 2014 through 2018.

von Kalinowski/Villa

Primary Contact\Phone: Judy von Kalinowski\619-236-6313

Secondary Contact\Phone: Karen DeCrescenzo\619-235-5802

City Attorney Contact: Story Parks, Roxanne

- * ITEM-104: Settlement of inverse condemnation claim of Mark Llano and Tammy Domngern resulting from a broken water main pipe, Risk Management File No. iVOS 10031.

ITEM DESCRIPTION:

This a claim for damages suffered by Mark Llano and Tammy Domngern as the result of the damage to property following the break of a City water main pipe on September 3, 2014. The proposed settlement would resolve all claims brought by Mark Llano and Tammy Domngern.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-8)

Authorizing the sum of \$125,000 to be paid from the Water Utility Operating Fund 700011, in settlement of each and every claim for damages, interest, costs and fees of any type, including attorney fees, against the City, its agents and employees, arising from the September 3, 2014 incident that is the subject of Mark Llano and Tammy Domngern's claim. The City has already advanced \$2,500 to claimants, thus the total outstanding settlement amount is \$125,000;

Authorizing the Chief Financial Officer to appropriate and expend \$125,000 from the Water Utility Operating Fund 700011, in Fiscal Year 2016, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer, and contingent upon the adoption of the Annual Appropriation Ordinance;

Authorizing the City Comptroller to issue checks as follows:

- A check for the amount of \$100,000, made payable to Mark Anthony Llano and Tammy Domngern;
- A check for the amount of \$25,000 made payable to Aguirre & Severson LLP.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Total settlement of \$127,500 will be paid from the Water Utility Operating fund 700011. Claimants were advanced \$2,500 from the Water Utility Operating fund 700011, thus the total outstanding settlement amount is \$125,000, which will be expended from the Water Utility Operating Fund 700011 in Fiscal Year 2016, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer, and contingent upon adoption of the Annual Appropriation Ordinance for the applicable fiscal year.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The item was approved in Closed Session on May 19, 2015.

Bamberg

Primary\City Attorney Contact\Phone: Christina Milligan M.\619-235-5895, MS 59

Secondary Contact\Phone: Ginger Botha\619-533-6372, MS 59

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
ORDINANCES TO BE INTRODUCED:

This item may be taken in the morning session if time permits.

ITEM-330: Proposed Ordinance repealing various tobacco advertising provisions, and amending other provisions to regulate the advertising and promotion of tobacco products and e-cigarettes. (Citywide.)

ITEM DESCRIPTION:

Approve proposed Ordinance O-2015-96, repealing various existing tobacco advertising provisions, and amending other provisions to regulate tobacco and e-cigarette advertising and promotion.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-96)

Introduction of an Ordinance amending Chapter 5, Article 8, Division 3, of the San Diego Municipal Code by amending Section 58.0301, repealing Section 58.0302 and amending and renumbering 58.0305 to 58.0302, repealing Section 58.0303 and adding a new Section 58.0303, repealing Section 58.0304, renumbering Sections 58.0306 to 58.0304, 58.0307 to 58.0305, 58.0308 to 58.0306, 58.0309 to 58.0307, 58.0310 to 58.0308, 58.0311 to 58.0309, and 58.0312 to 58.0310, all relating to restricting the sale, advertising, and promotion of tobacco products and electronic cigarettes to minors.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- On February 26, 2014, at the Public Safety and Livable Neighborhoods Committee meeting they approved the following:

ACTION: Motion by Councilmember Kersey, second by Councilmember Cole to approve drafting of an ordinance related to use and retailing of electronic cigarettes.

VOTE: 3-0-1; Zapf-yea, Cole-yea, Kersey-yea; Emerald-not present.

- On June 18, 2014, the Public Safety and Livable Neighborhoods Committee unanimously approved the proposed Municipal Code revisions regulating the use and retailing of electronic cigarettes.

VOTE: 4-0-0; Harris-yea, Cole-yea, Kersey-yea, Emerald-yea.

- On September 16, 2014, the City Council approved the proposed Municipal Code revisions regulating the use and retailing of electronic cigarettes, Ordinances O-20408 and O-20409.

- This item was heard at the Public Safety and Livable Neighborhoods Committee meeting on June 10, 2015.

ACTION: Motion by Councilmember Cole, second by Councilmember Gloria, to accept the report and forward to City Council with a recommendation to approve staff's recommendation.

VOTE: 3-0; Emerald-yea, Gloria-yea, Cole-yea, Cate-not present.

Flores

Primary Contact\Phone: Marisa Berumen\619-236-7754

Secondary Contact\Phone: Ricardo Flores\619-236-7178

City Attorney Contact: Peter, Linda L.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
ORDINANCES TO BE INTRODUCED, READY FOR DISPENSING WITH THE READING AND ADOPTION:

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-331: Setting the Tax Levy for the Zoological Exhibits Maintenance for FY 2016.

ITEM DESCRIPTION:

City Council is requested to adopt an ordinance setting the tax rate for funding of Zoological Exhibits Maintenance by the last day of August of each year to meet the tax levy deadline determined by the County Assessor. The tax levy for Zoological Exhibits Maintenance is \$0.005 per \$100 of assessed valuation. Funding is appropriated in the Fiscal Year 2016 Annual Budget for Zoological Exhibits Maintenance in the amount of \$11,777,761.

STAFF'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-2016-4)

Introduction and adoption of an Ordinance declaring that pursuant to the provisions of the San Diego Charter Section 75, Article XIII A of the State Constitution and the State Legislation adopted pursuant thereto, there is hereby fixed a rate of taxation of five thousandths percent (0.005%) for the Zoological Exhibits on each One Hundred Dollars' valuation of taxable property (full value) within the City of San Diego for the Fiscal Year 2016 and that the rate is hereby levied on all taxable property, both real and personal, in the City of San Diego. This amount is required to be levied by Section 77a of the Charter;

Declaring that the taxes hereby levied shall be due and payable and shall be collected at the same time and in the same manner as State and County taxes in the County of San Diego.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Funding is appropriated in the Fiscal Year 2016 Annual Budget for Zoological Exhibits Maintenance in the amount of \$11,777,761.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

McCraner/LoMedico

Primary Contact\Phone: Raul Gudino\619-236-6913

Secondary Contact\Phone: Frank Dumbrique\619-533-4055

City Attorney Contact: Will, Brant C.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

This item may be taken in the morning session if time permits.

ITEM-332: Resolution of supporting a permanent legislative solution to reform the current immigration system and Deferred Action for Childhood Arrivals and for Parents of American Citizens and Legal Permanent Residents. (Citywide.)

ITEM DESCRIPTION:

Approve the proposed Resolution.

COUNCIL PRESIDENT LIGHTNER'S RECOMMENDATION:

Adopt the following resolution:

(R-2016-2)

Supporting Deferred Action for Childhood Arrivals (DACA) and Parents of American Citizens and Legal Permanent Residents (DAPA), and strongly urging the 114th U.S. Congress to immediately enact legislation which would present a more permanent solution;

Directing the City Clerk to send a copy of this Resolution to the each of the Honorable members of the 114th Congress of the United States.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Charter Review Committee meeting on May 14, 2015, and was requested to move forward to the full City Council within 60 days.

ACTION: Motion by Councilmember Emerald, second by Chair Lightner, urging the City Council to adopt a resolution emphasizing the importance of the Deferred Action of Childhood Arrivals (DACA) and the Deferred Action of Parents of Americans and Lawful Permanent Residents (DAPA) Programs that will impact nearly 100,000 families here in the San Diego region, and urging all interested parties to come together and, working with the Director of Legislative Affairs, agree on mutually satisfactory language for presentation to the full Council within 60 days.

VOTE: 4-0; Lightner-yea, Cate-yea, Kersey-yea, Emerald-yea.

Jurado-Sainz

Primary Contact\Phone: Diana Jurado-Sainz\619-236-6611, MS10
City Attorney Contact: Spivak, Sharon B.

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-333: Development Impact Fees Fiscal Year 2014 Annual Report. (Citywide.)

ITEM DESCRIPTION:

Adopt a resolution accepting the Development Impact Fees Fiscal Year 2014 Annual Report and make findings related to unexpended expenses as required in California Government Code Section 66001.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-768)

Reviewing and accepting the Development Impact Fees FY 2014 Annual Report, with attachments;

Declaring that the Council finds, with respect to funds reflected in the Development Impact Fees FY 2014 Annual Report, or attachments thereto, as having been collected over five years before July 1, 2014, and as stated on Pages 3-4 and Attachment 3, of the Development Impact Fees FY 2014 Annual Report, that the documentation: (1) Identifies the purpose to which the fee is to be put; (2) Demonstrates a reasonable relationship between the fee and the purpose to which the fee is to be put; (3) Identifies sources and amounts of funding anticipated to complete financing of incomplete improvements; and (4) Identifies the approximate dates on which such funding is expected to be deposited into the appropriate fund;

Incorporating and adopting the findings set forth on Pages 3-4 and Attachment 3, of the Development Impact Fees FY 2014 Annual Report, entitled "Development Impact Fees FY 2014 Annual Report Summary of Government Code Section 66001(d)" and "Development Impact Fees Fiscal Year 2014 Annual Report Findings for Funds Collected Over Five Years Ago," respectively.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- The City Council approved the Developer Impact Fees FY 2013 Report on October 7, 2014, Resolution R-309262.

- This item was heard at the Infrastructure Committee meeting on June 24, 2015.

ACTION: Motion by Councilmember Emerald, second by Councilmember Zapf, to forward the item with recommendation for approval to the City Council.

VOTE: 3-0; Kersey-yea, Zapf-yea, Emerald-yea. Cole-not present.

Tomlinson/Graham

Primary Contact\Phone: Scott Mercer\619-236-3676, MS 606F

Secondary Contact\Phone: Tom Tomlinson\619-533-3187, MS 606F

City Attorney Contact: Lintvedt, Inga B.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

This item will be taken in the morning session which is scheduled to begin at 10:00 a.m.

ITEM-334: La Jolla Country Club Reservoir Pump Station Project - EMINENT DOMAIN. (La Jolla Community Plan Area. District 1.)

ITEM DESCRIPTION:

Authorize the adoption of a Resolution of Necessity for the fee acquisition of a portion of property located on Assessor Parcel Number (APN) 352-311-10, found necessary for the City's La Jolla Country Club Reservoir & Pump Station Project.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2015-786)

Adoption of a Resolution declaring that the public interest and necessity require acquisition of the property interests as set forth in Exhibit 1 consisting of a portion of property located on APN 352-311-10 to implement the Project;

Declaring that the Project is planned or located in a manner most compatible with the public good and least private injury;

Declaring that the property interests proposed to be acquired are necessary for the Project and that such use is a public use authorized by law (inter alia, Charter Section 220, California Code of Civil Procedure Sections 1240.010, 1240.020, 1240.030, 1240.040, 1240.110, 1240.120, 1240.140, 1240.510, 1240.610 and 1255.410; California Government Code Section 5023.1);

Declaring that an offer to acquire the real property interests, pursuant to California Government Code Section 7267.2, at the appraised fair market value, has been made to each party claiming an ownership interest(s) in the property interests sought;

Authorizing and directing the City Attorney to commence an action in the Superior Court of the State of California, in and for the County of San Diego, in the name of and on behalf of the City of San Diego, against all claimants with any interest(s) in the real property interests sought, and to seek immediate possession of the real property interests sought pursuant to California Code of Civil Procedure Section 1255.410;

Authorizing the Chief Financial Officer to expend funds in the amount of \$46,100.00 from CIP A-BL.0001, Annual Allocation Standpipe and Reservoir Rehabilitations (B11024), Fund 700010 (Water Utilities CIP Funding Source) to acquire the property interests found necessary for the Project, and for deposit into the State Treasury's State Condemnation Fund, as necessary, to obtain possession of the Acquisition Area. This is the probable amount of compensation to be paid by the City for the necessary real property interests to be acquired.

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The probable amount of compensation to be paid to the property owner is \$46,100.00 for the acquisition of a portion of APN 352-311-10. The funds are available within the existing CIP budget, specifically WBS B-11024.03.02, and will be sourced from Fund 700010 (Water Utility – CIP Funding Source). Allocated funding shall be used for the purposes of property acquisition and related expenses.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: None.

Thompson/LoMedico/bs

Primary Contact\Phone: Barry Sloten\619-236-6724, MS 51A

Secondary Contact\Phone: April McCusker\619-236-6987, MS 51A

City Attorney Contact: Goodman, Jenny

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-335: Solar Energy Systems Ordinance. (Citywide.)

ITEM DESCRIPTION:

The proposed Land Development Code Amendments will bring the City into compliance with State Law (AB 2188) relating to the Solar Rights Act of 1978 as most recently amended on September 21, 2014. The Amendments create a new use category for “solar energy systems” and provide an expedited approval process to facilitate the development of small solar energy systems for single dwelling units and duplex development, and provide appeal rights for applicants in accordance with state law. City compliance by September 30, 2015, will allow the City to remain eligible to apply for and receive state-sponsored solar energy grant funds.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2015-167)

Introduce the Ordinance amending Chapter 11, Article 2, Division 5 of the San Diego Municipal Code by amending Section 112.0502; amending Chapter 12, Article 9, Division 1 by amending Section 129.0107; amending Chapter 12, Article 9, Division 3 by amending Section 129.0308; amending Chapter 13, Article 1, Division 2 by amending Section 131.0222; amending Chapter 13, Article 1, Division 3 by amending Section 131.0322; amending Chapter 13, Article 1, Division 4 by amending Section 131.0422; amending Chapter 13, Article 1, Division 5 by amending Section 131.0522; amending Chapter 13, Article 1, Division 6 by amending Section 131.0622; amending Chapter 14, Article 1, Division 4 By adding New Section 141.0418; amending Chapter 14, Article 2, Division 9 by amending Section 142.0905 and repealing Section 142.0911; amending Chapter 15, Article 1, Division 1 by amending Section 151.0103; amending Chapter 15, Article 5, Division 2 by amending Section 155.0238, relating to Solar Energy System Permit Processing.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Costs associated with implementation of the proposed amendments will be covered by project applicants.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On June 10, 2015, the Smart Growth and Land Use Council Committee voted 4-0 to recommend approval of the ordinance.

Motion by Councilmember Sherman, second by Councilmember Gloria with Chair Zapf and Councilmembers Alvarez, Gloria, and Sherman voting yes.

Vacchi/Graham/al

Primary Contact\Phone: Amanda Lee\619-446-6357, MS 501

City Attorney Contact: Thomas, Shannon

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-336: Fiscal Year 2016 Annual Levy and Annual Update of Assessment Engineer's Reports for Park and Recreation Department Maintenance Assessment Districts (MADs). (Citywide.)

ITEM DESCRIPTION:

Authorize actions needed for the operation of the Park and Recreation Department-managed Maintenance Assessment Districts. Specific actions include: authorize levy and collection of assessments for Fiscal Year 2016; approve annual update to property owner-approved Assessment Engineer's Report for each district, authorize the appropriation and expenditure of district funds, including administrative fund, district operating funds, district capital funds, and developer deposit funds associated with new assessment district formations.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

Subitem-A: (R-2015-732)

Adoption of a Resolution approving the updated Fiscal Year 2016 Engineer's Report, and the diagram located therein, for each of the City-Managed Maintenance Assessment Districts (MADs) referenced above as filed;

Authorizing the continued levy and collection of assessments on parcels within the City-managed MADs for Fiscal Year 2016 to pay a prescribed portion of the costs of improvements and/or services as described in each updated Engineer's Report;

Authorizing the Chief Financial Officer to appropriate and expend MAD funds for Fiscal Year 2016, including the management fund, district operating funds, district capital funds, and developer deposit funds associated with new MAD formation activities for Fiscal Year 2016 contingent upon approval of the Fiscal Year 2016 Appropriation Ordinance and contingent upon the City Comptroller certifying that the funds necessary for expenditure are or will be available.

STAFF SUPPORTING INFORMATION:**FISCAL CONSIDERATIONS:**

The Proposed Fiscal Year 2016 Assessment for all 55 Park and Recreation MADs totals \$13,843,095. The Proposed Fiscal Year 2016 Budget includes City Contributions to MADs for the General Benefit: Environmental Growth Fund for open space maintenance: \$286,626; Gas Tax Fund for street median maintenance: \$1,183,382; General Fund for park maintenance: \$856,834; General Fund for library grounds maintenance: \$26,924; and General Fund for fire station grounds maintenance: \$15,174 for a total of \$2,368,940 in City contributions to MADs. The Proposed Fiscal Year 2016 Budget also contains funding for assessments on City parcels (budgeted in Citywide Program Expenditures) in the amount of \$155,299. In addition, there is an estimated General Fund impact of approximately \$1,036,703 for External General Benefits as a result of the ongoing MAD general benefit study as necessitated by the City's efforts to improve all MADs to meet the requirements of the Golden Hill MAD lawsuit and to help improve the City's position with ongoing litigation.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The City Council approved the current Fiscal Year 2015 Assessment Engineer's Reports and annual levy of assessments for all existing Park and Recreation MADs in July 29, 2014. Budgets for each MAD were presented as part of the Mayor's Fiscal Year 2016 Proposed Annual Budget for next fiscal year.

Parker/Graham/ps

Primary Contact\Phone: Paul Sirois\619-685-1307, MS 5D

Secondary Contact\Phone: Rosa Lopez\619-685-1316, MS 5D

City Attorney Contact: Wander, Adam

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-337: Fiscal Year 2016 Annual Levy and Annual Update of Assessment Engineer's Reports for Economic Development Maintenance Assessment Districts. (Barrio Logan, Downtown/Centre City, College Area, City Heights, North Park, Ocean Beach, Southeastern and Uptown Community Plan Areas. Districts 2, 3, 8, and 9.)

ITEM DESCRIPTION:

As required by state and local law, this City Council item is to authorize actions needed for the operation of the Maintenance Assessment Districts managed by the Economic Development Department. The specific actions include: authorize the continued levy and collection of assessments within previously established districts for Fiscal Year 2016; authorize the name change of Barrio Logan Community Benefit MAD of 2012; approve the annual update to the property owner-approved Assessment Engineer's Report for each district; authorize the appropriation and expenditure of district funds for Fiscal Year 2016; and authorize the Mayor to execute amendments to the respective Maintenance Agreements.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2015-741 Cor. Copy)

Adoption of a Resolution approving the updated Fiscal Year 2016 Engineer's Report, and the diagram located therein, for each of the City's self-managed Maintenance Assessment Districts (MADs) referenced above as filed;

Authorizing the continued levy and collection of assessments on parcels within the self-managed MADs for Fiscal Year 2016 to pay a prescribed portion of the costs of improvements and/or services as described in each updated Engineer's Report;

Authorizing the Chief Financial Officer to appropriate and expend MAD funds for Fiscal Year 2016, including the management fund, district operating funds, district capital funds, and developer deposit funds associated with new Mad formation activities for Fiscal Year 2016 contingent upon approval of the Fiscal Year 2016 Appropriation Ordinance and contingent upon the City Comptroller certifying that the funds necessary for expenditure are or will be available.

Subitem-B: (R-2016-29 Cor. Copy)

Adoption of a Resolution authorizing and directing the Mayor to execute the Maintenance Assessment District (MAD) Amendments to the MAD maintenance agreement with the following nonprofit organizations and the additional Little Italy Amendments for the MAD maintenance agreement with the Little Italy Association, contingent upon the Chief Financial Officer first furnishing one or more certificates that the funds necessary for expenditure are, or will be, on deposit in the City Treasury:

Organization

Maintenance Assessment District

Adams Avenue Business Association

Adams Avenue MAD

Central Commercial District Revitalization Corporation

Central Commercial MAD

City Heights Business Association

City Heights MAD

College Area Economic Development Corporation

College Heights MAD

Hillcrest Business Association

Hillcrest Commercial Core MAD

Little Italy Association

Little Italy Mad

Ocean Beach Main Street Association

Newport Avenue MAD

Subitem-C: (R-2016-28 Cor. Copy)

Adoption of a Resolution approving a change in the name of the Barrio Logan Community Benefit Maintenance Assessment District to Barrio Logan Maintenance Assessment District;

Any reference to Barrio Logan Community Benefit Maintenance Assessment District shall now be understood to refer to the Barrio Logan Maintenance Assessment District.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The Proposed Fiscal Year 2016 Assessment for all 8 Economic Development MADs totals \$2,297,968. The Proposed Fiscal Year 2016 budget includes estimated city contributions of \$10,982 from the Gas Tax Fund (Medians). The Proposed Fiscal Year 2016 Budget also contains funding for assessments on City parcels (budgeted in Citywide Program Expenditures) in the amount of \$77,144.60. The City will receive \$94,314 from the MAD districts for administrative costs.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The City Council approved the Fiscal Year 2015 Assessment Engineer's Reports and annual levy and collection of assessments for all existing Economic Development MADs on July 29, 2014 (Resolution R-309180). On June 10, 2015, the action was heard by PS&LN and forwarded to the full Council.

Caldwell/Graham/lo

Primary Contact\Phone: Luis Ojeda\619-236-6475, MS 56D

Secondary Contact\Phone: Meredith Dibdon-Brown\619-236-6485, MS 56D

City Attorney Contact: Wander, Adam

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-338: Castlerock Amendment, Project No. 388889. (East Elliot Community Plan Area. District 7.)

ITEM DESCRIPTION:

Approval of an amendment to the Castlerock Project located on a 44.9 acre site within the East Elliott Community Plan Area. The Castlerock Amendment revisions would reconfigure portions of the public streets, reduce the number of dwelling units in Unit 5 from 93 to 87 single-family homes, significantly reduce impacts to the natural drainage within Unit 5, and increase the on-site park from 4 to 5.3 acres (gross), as well as a modest increase in the pocket park acreage. The Project would maintain access to the public open space and trails; however, the revised Unit 5 site plan increases the development footprint by 3.4 acres and includes dedication of approximately 11.1 acres to the City of San Diego as open space.

STAFF'S RECOMMENDATION:

Adopt the following resolutions in subitems A and E and introduce the ordinances in subitems B, C, and D:

Subitem-A: (R-2016-21 Cor. Copy)

Adoption of a Resolution certifying an Addendum to Environmental Impact Report SCH No. 2004061029, and adopting the Mitigation, Monitoring, and Reporting Program for Castlerock Amendment Project No. 388889;

Determining that the information contained in the Final Environmental Impact Report SCH No. 2004061029 along with the Addendum thereto, including any comments received during the public review process, has been reviewed and considered by this City Council prior to making a decision on the Project;

Determining that there are no substantial changes proposed to the Project and no substantial changes with respect to the circumstances under which the Project is to be undertaken that would require major revisions in Environmental Impact Report SCH No. 2004061029 for the Project;

Determining that no new information of substantial importance has become available showing that the Project would have any significant effects not discussed previously in the Environmental Impact Report SCH No. 2004061029 or that any significant effects previously examined will be substantially more severe than shown in Environmental Impact Report SCH No. 2004061029;

Determining that no new information of substantial importance has become available showing that mitigation measures or alternatives previously found not to be feasible are in fact feasible which would substantially reduce any significant effects, but that the Project proponents decline to adopt, or that there are any considerably different mitigation measures or alternatives not previously considered which would substantially reduce any significant effects, but that the Project proponents decline to adopt;

Adopting the Addendum to Environmental Impact Report SCH No. 2004061029 with respect to the Project, a copy of which is on file in the Office of the Development Services Department, pursuant to State CEQA Guidelines Section 15164, only minor technical changes or additions are necessary;

Adopting the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the Project as required by this City Council in order to mitigate or avoid significant effects on the environment, which is attached hereto as Exhibit A, pursuant to CEQA Section 21081.6;

Directing Development Services Department to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project after the final passage, rezoning the site from the existing RS-1-8 Zone into RX-1-1 and OC-1-1 Zones.

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

Subitem-B: (O-2015-164)

Introduction of an Ordinance rezoning 9.3 acres located at the North side of Mast Boulevard, between Medina Drive and West Hills Parkway, adjacent to the City of Santee Boundary, within the East Elliott Community Plan Area, in the City of San Diego, California, from the RS-1-8 Zone into the RX-1-1 and OC-1-1 Zones, as defined by San Diego Municipal Code Section 131.0404 and 131.0203; and repealing Ordinance No. 10864 (New Series), adopted June 29, 1972 and Ordinance No. 20303 (New Series), adopted October 1, 2013, of the Ordinances of the City of San Diego insofar as the same conflicts herewith.

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

Subitem-C: (O-2015-165)

Introduction of an Ordinance approving Planned Development Permit No. 1366476, Site Development Permit No. 1366477, and MHPA boundary line adjustment for Castlerock Amendment Project No. 388889 amending Site Development Permit No. 19032, Planned Development Permit No. 19031, and MHPA boundary line adjustment for the Castlerock Project No. 10046.

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

Subitem-D: (O-2015-168)

Introduction of an Ordinance approving amended Vesting Tentative Map No. 1366479, Public Right-of-Way Vacation No. 1487841 and Easement Vacation No. 1366480 for Castlerock Amendment Project No. 388889.

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

Subitem-E: (R-2015-782)

Adoption of a Resolution approving the General Plan and the East Elliott Community Plan Amendment for the Castlerock Amendment Project No. 388889;

Adopting the amendments to the East Elliott Community Plan, a copy of which is on file in the Office of the City Clerk;

Adopting an amendment to the General Plan for the City of San Diego to remove approximately 44.9 acres from the City of San Diego's boundaries and to incorporate the above amended plan;

Determining the amendments in Sections 1, 2 and 3 shall take effect only upon a final decision of LAFCO to approve the reorganization, which is concurrent with the effective date of Resolution No. R-308433;

Declaring if the reorganization is not approved, amendments to the East Elliott Community Plan and General Plan are adopted: the land use designations of Open Space and Very-Low Density Residential, consistent with Rezone Drawing B-4311, shall be made to the East Elliott Community Plan and the General Plan, and the 44.9-acre territory proposed for annexation shall remain in the City of San Diego;

Determining no building permits for development inconsistent with the provisions of this Resolution shall be issued unless application therefore was made prior to the passage of this Resolution.

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

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On September 16, 2013, the Council of the City of San Diego took all the required actions to approve the original Castlerock Project. These actions included a General Plan and East Elliott Community Plan Amendment, Rezone, Vesting Tentative Map, Planned Development Permit, Site Development Permit, Annexation Agreement and Environmental Impact Report with Findings and Statements of Overriding Consideration.

Vacchi/LoMedico/JSF

Primary Contact\Phone: John S. Fisher\619-446-5231, MS 301

Secondary Contact\Phone: Mike Westlake\619-446-5220, MS 501

City Attorney Contact: Thomas, Shannon

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony. (Rev. 7/20/15)

ITEM-350: Qualcomm Stadium and Petco Park City Suites.

The list of ticket users for the City Suites at Qualcomm Stadium and Petco Park will be posted on the City Clerk's website quarterly. This information will also be available for viewing by the public in the Office of the City Clerk.

ITEM-351: Notice of Pending Final Map Approval - Zapata Townhomes.

Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "Zapata Townhomes" (T.M. No. 1192220, PTS No. 386976) in the R-301263 zone, within the Mira Mesa Council District 6, 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 PM, 10 calendar days from the date of this City Council meeting 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 map approval findings or need additional information about the map or your appeal rights, please feel free to contact Frederick R. LePage (619) 446-5434.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT