

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, OCTOBER 11, 1982

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Killea at 2:13 p.m. The meeting was recessed by Deputy Mayor Killea at 4:20 p.m. The meeting was reconvened by Deputy Mayor Killea at 4:29 p.m. with Council Member Williams and Mayor Wilson not present. Chairperson Mitchell adjourned the meeting at 5:57 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Wilson-excused by R-257341 (vacation)
 - (1) Council Member Mitchell-present.
 - (2) Council Member Cleator-present.
 - (3) Council Member Golding-present.
 - (4) Council Member Williams-present.
 - (5) Council Member Struiksma-present.
 - (6) Council Member Gotch-present.
 - (7) Council Member Murphy-present.
 - (8) Council Member Killea-present.
- Clerk-Mutascio (mp)

FILE LOCATION:

MINUTES

ITEM-1: ROLL CALL

Clerk Mutascio called the roll:
Mayor Wilson-not present.
Council Member Mitchell-present.
Council Member Cleator-not present.
Council Member Golding-present.
Council Member Williams-not present.
Council Member Struiksma-not present.
Council Member Gotch-present.
Council Member Murphy-present.
Council Member Killea-present.

ITEM-10: INVOCATION

Invocation was given by Reverend Thomas Rothhaar of the
Pacific Beach United Methodist Church.

FILE LOCATION:

MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Golding.
FILE LOCATION:
MINUTES

ITEM-30: TRAILED, TO BE CONSIDERED OCTOBER 12, 1982

Approval of Council Minutes for the meetings of:
8/23/82 P.M.
8/24/82 A.M. and P.M.
8/24/82 A.M. Special Meeting
8/30/82 P.M.
8/31/82 A.M. and P.M.
9/13/82 P.M.
9/14/82 A.M. and P.M.

FILE LOCATION:
MEET

COUNCIL ACTION: (Tape location: 000-000).

ITEM-31: (R-83-440) TRAILED, TO BE CONSIDERED OCTOBER 12, 1982

A Resolution adopted by the City Council in Closed Session on Tuesday, August 24, 1982 by the following vote:
Mitchell-not present, Cleator-yea, Golding-yea, Williams-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

Authorizing the City Manager to pay the total sum of \$20,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to John B. Schilling, Laura Ann Schilling, Deanna M. Schilling and Heather L. Schilling (Superior Court Case No. 407295, John B. Schilling, et al. v. William Heyenga, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$20,000 made payable to John B. Schilling, Laura Ann Schilling, Deanna M. Schilling, a minor, Heather L. Schilling, a minor, by and through their guardian ad litem, Laura A. Schilling and to their attorney, Donald W. Schmidt, in full settlement of the lawsuit and all claims.

FILE LOCATION:
MEET

COUNCIL ACTION: (Tape location: 000-000).

ITEM-32: (R-83-477) TRAILED, TO BE CONSIDERED OCTOBER 12, 1982

A Resolution adopted by the City Council in Closed Session on Tuesday, September 21, 1982 by the following vote: Mitchell-yea, Cleator-not present, Golding-yea, Williams-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-not present, Mayor Wilson-not present.

Authorizing the City Manager to pay the total sum of \$10,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the alleged property damage to William Hillyer (Superior Court Case No. 456260, William Hillyer and Betty Hillyer v. Bank of America, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$10,000 made payable to William Hillyer, Betty Hillyer, and their attorney, Brown Smith, of Hillyer & Irwin, in full settlement of the lawsuit and all claims.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: 000-000).

* ITEM-50: (O-83-65) ADOPTED AS ORDINANCE O-15832 (New Series)

Establishing a new parking meter zone (Rate A) and parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the west side of India Street between "G" Street and Market Street; authorizing the installation of the necessary signs and markings.

(Introduced on 9/27/82. Council voted 8-0. Mayor not present. Centre City Community Planning Area. District-8.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A066-073).

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND ADOPT.

Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-51: (O-83-44) ADOPTED AS ORDINANCE O-15833 (New Series)

Amending Chapter VI, Article 3 of the San Diego Municipal Code by amending Section 63.20.6 relating to certain lifeguards designated harbor police.

(Introduced on 9/27/82. Council voted 8-0. Mayor not present.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A066-073).

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND ADOPT.

Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding- yea, Williams-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-52: (O-83-55 Rev.) ADOPTED AS ORDINANCE O-15834 (New Series)

Amending Chapter X, Article 1, Division 5 of the San Diego Municipal Code by adding Section 101.0550 relating to sidewalk cafes.

(Introduced previously on 9/14/82. Council voted 9-0. Council voted 8-0 to re-introduce on 9/27/82. Mayor not present.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A066-073).

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND ADOPT.

Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding- yea, Williams-not present, Struiksma-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-53: (O-83-73) INTRODUCED, TO BE ADOPTED OCTOBER 25, 1982

Introduction of an Ordinance amending Section 1 of Ordinance O-15292 (New Series), adopted July 21, 1980, incorporating Lot B and a portion of Lot C, Encima de San Diego Addition No. 1, Map-1546; Lots 32, 35, 36, 43 through 60; 62 through 78; 80 through 93; 157, 158 and a portion of Lot 161, Encima de San Diego, Map-1546; and a portion of Lot 18, Encanto, Map-749 into R-1-5 (Small Lot Overlay) and CN Zones; extension of time to August 20, 1984.

(See Planning Department Report PDR-82-412. Located on the north side of Skyline Drive between Woodman Street and Cielo Drive. Old Case-5-80-012. New Case-82-0400.)

FILE LOCATION:

ZONE 10/11/82

COUNCIL ACTION: (Tape location: A074-083).

CONSENT MOTION BY GOTCH TO INTRODUCE THE ORDINANCE. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-not present, Gotch-yea,

Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-54:

19821011

Two actions relative to introduction of Ordinances
establishing new parking meter zones:

(Centre City Community Planning Area. District-8.)

Subitem-A: (O-83-42 Rev.) INTRODUCED, TO BE ADOPTED OCTOBER
25, 1982

Introduction of an Ordinance establishing a new parking
meter zone and parking time limit of one hour between the hours
of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays
excepted, on the east side of Eighth Avenue between Broadway
and "E" Street; authorizing the installation of parking meters
and the necessary signs and markings.

Subitem-B: (O-83-43 Rev.) INTRODUCED, TO BE ADOPTED OCTOBER
25, 1982

Introduction of an Ordinance establishing a new parking
meter zone and parking time limit of one hour between the hours
of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays
excepted, on the west side of Ninth Avenue between Broadway and
"E" Street; authorizing the installation of parking meters
and the necessary signs and markings.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A074-083).

CONSENT MOTION BY MURPHY TO INTRODUCE THE ORDINANCES. Second
by

Golding. Passed by the following vote: Mitchell-yea, Cleator-yea,
Golding-yea, Williams-yea, Struiksma-not present, Gotch-yea,
Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-100:

19821011

Two actions relative to awarding contracts:

Subitem-A: (R-83-387) ADOPTED AS RESOLUTION R-257302

For the purchase of office furniture as may be required for
a period of one year ending September 30, 1983 as follows: 1)
Arenson Office Furniture for Section I - desks and tables,
Section II - vertical files, bookcases, console files and

storage cabinets, and Section IV - executive furnishings for the following brands - Beelner and Thomas and Boling and Anderson; 2) Columbia Office Furniture, Inc. for Section III - chairs; 3) McMahan Desk for Section IV - executive furnishings - Alma Brand; 4) Southwest Business Interiors for Section IV - executive furnishings for the following brands - E.P.P. and Benedetti; 5) Fischer Office Interiors for Section IV - executive furnishings for the following brands - Hilbert, Steelcase, Accoustical Paneling, Condi, Kimball and KT; and 6) B-K Cox Interiors for Section IV - executive furnishings for the following brands - Norman Bates, Gunlocke and Wesley Freeman, all for an estimated cost including tax and terms, of \$31,971.08. BID-4668

Subitem-B: (R-83-389) ADOPTED AS RESOLUTION R-257303

Herman - Pinney - Kodmur Mechanical Equipment for modification of two Clow/Yeomans Shone Ejectors for an actual cost including tax and terms, of \$14,816.68. BID-4744L

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A084-113).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-101: (R-83-390) ADOPTED AS RESOLUTION R-257304

Inviting bids for the construction of traffic signal and street lighting systems at San Andres Drive and Via de la Valle on Specifications Document No. 118231; authorizing a contract with the lowest responsible and reliable bidder; authorizing the expenditure of \$65,000 from Capital Outlay Fund 30245, CIP-62- 222, San Andres Drive and Via de la Valle and \$15,000 from Trust Fund 63021 for said project and related costs and authorizing the Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-4745

(North City West Community Area. District-1.)

FILE LOCATION:

W.O. 118231

COUNCIL ACTION: (Tape location: A084-113).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-102: (R-83-391) ADOPTED AS RESOLUTION R-257305

Authorizing the Purchasing Agent to advertise for sale 16 vehicles, said vehicles are so used, obsolete or depreciated as to be unfit or undesirable for use or retention by the City; expenses in connection with the sale of said vehicles shall be deducted from the proceeds received from the sale thereof.

BID-4747L

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A084-113).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksmayea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-103:

19821011

Two actions relative to the final subdivision map of Silver Oaks Unit No. 1, a one-lot subdivision located southerly of Carroll Canyon Road between I-15 and Maya Linda Road:
(Mira Mesa Community Area. District-1.)

Subitem-A: (R-83-520) ADOPTED AS RESOLUTION R-257306

Approving the final map and acknowledging receipt of subdivider's assurance of compliance with the affirmative marketing program.

Subitem-B: (R-83-518) ADOPTED AS RESOLUTION R-257307

Authorizing the execution of a quitclaim deed, quitclaiming to GJH Investors, all the City's right, title and interest in a slope easement in Parcel 3 of Parcel Map PM-2595.

FILE LOCATION: SUBD Silver Oaks Unit No. 1; Subitem B DEED F-1605

COUNCIL ACTION: (Tape location: A084-113).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksmayea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-104: (R-83-481) ADOPTED AS RESOLUTION R-257308

Granting an extension of time to Emma Webb Clarke, subdivider of Nightingale Condominiums, to June 30, 1984 to complete improvements in Nightingale Condominiums.

(Located southeasterly of Arbor Drive and Bachman Place.
Uptown Community Area. District-2.)

FILE LOCATION:

SUBD Nightingale Condominiums

COUNCIL ACTION: (Tape location: A084-113).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-105: (R-83-505) ADOPTED AS RESOLUTION R-257309

Granting an extension of time to Avco Community Developers, Inc., subdivider of Ridgeway La Jolla, to April 22, 1983 to complete improvements in Ridgeway La Jolla subdivision.

(Located northerly of Soledad Mountain Road and Pacifica Drive. La Jolla Community Area. District-1.)

FILE LOCATION:

SUBD Ridgeway La Jolla

COUNCIL ACTION: (Tape location: A084-113).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-106: (R-83-497) ADOPTED AS RESOLUTION R-257310

Rescinding Resolution R-254921, adopted August 31, 1981, approving the map for 4783 - 35th Street subdivision.

(Mid-City Community Area. District-3.)

FILE LOCATION:

SUBD 4783 - 35th Street

COUNCIL ACTION: (Tape location: A084-113).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-107: (R-83-491) ADOPTED AS RESOLUTION R-257311

Approving the acceptance by the City Manager of the drainage easement deed of James K. Cole, granting to City an easement for drainage purposes in a portion of Parcel 4 of Parcel Map PM-11403, in connection with South Las Chollas Creek Improvement Project - Phase III; approving the acceptance by the City Manager of grant deed of Coletta, granting to City

Parcel 3 of Parcel Map PM-9934, located west of the intersection of National Avenue and 43rd Street in the Southeast San Diego Area, for the South Las Chollas Creek Improvement Project - Phase III; authorizing the expenditure of funds not to exceed \$50,000 from Community Development Block Grant Fund 18516 for acquisition and related expenses for this project.

(Located south of Ocean View Boulevard to National Avenue. Southeast San Diego Community Area. District-4.)

FILE LOCATION:

DEED F-1606

COUNCIL ACTION: (Tape location: A084-113).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-108:

19821011

Two actions relative to Lot 18 of Rancho Mission of San Diego:

(Located northwesterly of Federal Boulevard and 60th Street. Southeast San Diego Community Area. District-4.)

Subitem-A: (R-83-492) ADOPTED AS RESOLUTION R-257312

Approving the acceptance by the City Manager of easement and abutter's rights of access deeds of Robert E. Chambers and Janet M. Chambers, granting to City easements for public street, sewer and drainage purposes, and relinquished abutter's rights of access affecting a portion of Lot 18 of Rancho Mission of San Diego, Map-330; dedicating said land as and for a public street and naming the same Federal Boulevard.

Subitem-B: (R-83-493) ADOPTED AS RESOLUTION R-257313

Setting aside and dedicating a portion of Lot 18 of Rancho Mission of San Diego as and for a water easement.

FILE LOCATION: Subitem A DEED F-1607, Subitem B DEED F-1608

COUNCIL ACTION: (Tape location: A084-113).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-109: (R-83-512) ADOPTED AS RESOLUTION R-257314

Vacating the City's interest in an unneeded general utility easement affecting Lot 66 of La Jolla Corona Estates Unit No. 2.

(Located south of Nautilus Street and east of La Jolla Boulevard. La Jolla Community Area. District-1.)

FILE LOCATION:

DEED F-1609

COUNCIL ACTION: (Tape location: A084-113).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksmayea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-110: (R-83-220) ADOPTED AS RESOLUTION R-257315

Establishing Council Policy 800-10 regarding use of lien agreements as an interim means of securing subdivision improvements as provided for in the State Subdivision Map Act.

(See City Manager Report CMR-82-327.)

COMMITTEE ACTION: Reviewed by TLU on 9/13/82. Recommendation to adopt the Resolution. Districts 1, 3, 4, 5 and 7 voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A084-113).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksmayea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-111: (R-83-430) ADOPTED AS RESOLUTION R-257316

Authorizing the City Manager to solicit proposals for a cogeneration feasibility study at the City's sewage Pump Station No. 2; authorizing the City Auditor and Comptroller to transfer the sum of \$25,000 within the Sewer Revenue Fund (41506) from the Unallocated Reserve (70697) to Sewer Engineering Services (70641) to cover the cost of the feasibility study; authorizing the City Auditor and Comptroller to set up a General Ledger Account (9022) in Deposit Trust Fund (63021) for the purpose of receiving \$12,500 from the Unified Port District to reimburse the Sewer Revenue Fund for one-half of the cost of said cogeneration feasibility study.

(Harbor Community Area. District-2.)

COMMITTEE ACTION: Reviewed by PSS on 9/29/82. Recommendation to adopt the Resolution. Districts 1, 5 and 7 voted yea. Districts 6 and 8 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A084-113).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-112: (R-83-478) ADOPTED AS RESOLUTION R-257317

Prohibiting commercial vehicles of a gross vehicular weight rating of 2,000 pounds or more on Agate Street west of La Jolla Mesa Drive; providing that this use limitation shall not apply to passenger buses or public utility vehicles under the jurisdiction of the Public Utilities Commission or commercial vehicles having a destination or point of origin on such street; authorizing the installation of the necessary signs and markings; the regulation hereinabove imposed shall become effective upon the installation of such signs.

(Pacific Beach Community Planning Area. District-6.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A084-113).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-150: (R-83-495) TRAILED, TO BE CONSIDERED OCTOBER 12, 1982

Expressing support for the Tree Tops Unlimited Reorganization, subject to terms and conditions that may be imposed; authorizing the conveyance of such expression of support to the San Diego Local Agency Formation Commission.

(See Planning Department Report PDR-82-426.)

COMMITTEE ACTION: Reviewed by TLU on 9/27/82. Recommendation to adopt the Resolution. Districts 4, 5 and 7 voted yea. Districts 1 and 3 not present.

FILE LOCATION:

ANNEX Tree Tops Unlimited Reorganization

COUNCIL ACTION: (Tape location: 000-000).

ITEM-151: (R-82-1057) TRAILED, TO BE CONSIDERED OCTOBER 12, 1982

Approving and adopting the rules and regulations for Cable Television Public Access as set forth in Enclosure (1) and authorizing the Cable Television Franchise holders to operate their public access channel accordingly.

(See City Manager Report CMR-82-17 and TLU Committee Consultant Analysis TLU-82-17.)

COMMITTEE ACTION: Reviewed by TLU on 9/27/82. Recommendation to adopt the Resolution. Districts 4, 5 and 7 voted yea. Districts 1 and 3 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: 000-000).

ITEM-152: (R-82-1102) TRAILED, TO BE CONSIDERED OCTOBER 12, 1982

Amending Council Policy 600-15 regarding street vacations and easement abandonments.

(See City Manager Report CMR-82-319 and TLU Committee Consultant Analysis TLU-82-12.)

COMMITTEE ACTION: Reviewed by TLU on 9/13/82. Recommendation to adopt the Resolution. Districts 1, 3, 4, 5 and 7 voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: 000-000).

ITEM-153: (O-82-255) RETURNED TO CITY MANAGER

(Continued from the meeting of September 20, 1982 at the City Manager's request.)

Introduction of an Ordinance amending Chapter V, Article 5 of the San Diego Municipal Code by adding Section 55.01.1 relating to annual fire inspection, plan checks and special service fees.

(See City Manager Report CMR-82-240 and PSS Committee Consultant Analysis PSS-82-17.)

COMMITTEE ACTION: Reviewed by PSS on 8/25/82. Recommendation to introduce the Ordinance. Districts 5, 7 and 8 voted yea. Districts 1 and 6 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A044-065).

MOTION BY GOTCH TO RETURN TO THE CITY MANAGER AT THE REQUEST OF

THE CITY MANAGER ON BEHALF OF THE SCHOOL DISTRICT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-not present, Struiksmas-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-200: (R-83-511) TRAILED, TO BE CONSIDERED OCTOBER 12, 1982

Approving the acceptance by the City Manager of that grant

deed of McMillin Scripps Two, a joint venture composed of McMillin Development, Inc. and Financial Scene, Inc., formerly MLM Development, Inc., granting to City a portion of Section 33, Township 14 South, Range 2 West, S.B.B.M., for Scripps Miramar Ranch Community Park; authorizing and approving the expenditure of \$505,000 from Park Service District 11230 fees, CIP-29-408, to cover the cost of acquisition of said park.

(Located easterly of Lake Miramar in the Miramar Ranch North Community. Scripps Ranch Community Area. District-5.)

FILE LOCATION:

DEED F-1610

COUNCIL ACTION: (Tape location: 000-000).

ITEM-201: (R-83-) ADOPTED AS RESOLUTION R-257318 DENYING THE APPEAL AND APPROVING THE CUP PERMIT

(Additional business from the meeting of September 28, 1982 continued at Council Member Golding's request.)

Appeal of Rancho Santa Fe Association, by Ellen B. Spellman, from the decision of the Planning Commission in approving Conditional Use Permit CUP-10- 644-0 to construct and operate a 27-hole golf course, country club and support facilities and construct a flood control channel, on a 402-acre site described as a portion of Rancho San Dieguito and portions of Sections 4 through 9, Township 14 South, Range 3 West. The subject property is located south of Via de la Valle, one mile east of I-5, in the Fairbanks Country Club Specific Plan Area.

(CUP-10-644-0. District-1.)

Today's action is adoption of a Resolution granting the appeal and denying the CUP permit; or denying the appeal and granting the CUP permit with appropriate findings to support Council action.

NOTE: Testimony taken on 3/30/82. Hearing closed. Council voted 5-3 to return to Planning. Council voted 6-1 on 4/13/82 to place the issue of the golf course and open space on the Council docket of 7/13/82. Hearing open, no testimony taken on 7/13/82. Continued to 9/14/82 at applicant's request. Hearing open, testimony taken on 9/14/82. Continued to 1/18/83 at Councilman Murphy's request. On 9/28/82 Council voted 6-2 to suspend the rules, 5-3 to reconsider and 6-2 to continue hearing to 10/12/82. Hearing open, no testimony taken on 9/28/82. Mayor not present.

FILE LOCATION:

PERM CUP-10-644-0

COUNCIL ACTION: (Tape location: A607-E133).

Hearing began at 2:55 p.m. and recessed at 4:20 p.m. Hearing

resumed at 4:30 p.m. and halted at 5:26 p.m.

Council Member Williams entered at 3:15 p.m.

Testimony in favor by Karen Berger, Bill Schlosser, Ellen Spellman, Richard Westfall, Peter MacKauf, James Scotnicki, Emily Durbin, and Joseph Lang.

Testimony in opposition by Charles Moss, Paul Robinson, Alan Belch, Ed McNeeley, Eleanor Luddy and Terry Hughes.

Motion by Mitchell to suspend the rules to allow ten additional minutes of testimony per side. Second by Murphy. Passed. Yeas: 1,2,3,4,5,6,7,8. Nays: None. Not present: M.

MOTION BY CLEATOR TO CLOSE THE HEARING, DENY THE APPEAL, AND GRANT THE CUP PERMIT. Second by Struiksma. Passed by the following vote: Mitchell-nay, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-nay, Murphy-yea, Killea-nay, Mayor Wilson-not present.

ITEM-202: (R-83-) FAILED DUE TO LACK OF FIVE AFFIRMATIVE VOTES

(Continued from the meetings of August 17, September 21 and September 28, 1982; last continued at Sam Glick's request.)

Appeal of La Jolla Shores Community of Del Oro Court, by William D. Fell, from the decision of the Planning Commission in approving Tentative Map TM-82- 0183 which proposes a two-parcel map of a portion of Pueblo Lot 1295, Miscellaneous Map-36. The subject property is located at 2323 Calle del Oro in the SF Zone and within the boundaries of the La Jolla Shores Community Plan.

(TM-82-0183 and EQD EX. District-1.)

Today's action is adoption of a Resolution granting the appeal and denying the map, or denying the appeal and granting the map with appropriate findings to support Council action.

NOTE: Hearing open, no testimony taken on 8/17/82.

Districts 1, 4, 5 and Mayor not present. Hearing closed, testimony taken on 9/21/82. Districts 4, 8 and Mayor not present. Hearing closed, no testimony taken on 9/28/82. Mayor not present.

FILE LOCATION:

SUBD Pueblo Lot 1295

COUNCIL ACTION: (Tape location: E264-544).

Hearing began at 5:37 p.m. and halted at 5:55 p.m.

Testimony by Mr. Fell and Mr. Milch.

MOTION BY GOTCH TO UPHOLD THE APPEAL. Second by Mitchell. Failed by the following vote: Mitchell-yea, Cleator-not present, Golding-nay, Williams-nay, Struiksma-nay, Gotch-yea, Murphy-nay, Killea-not present, Mayor Wilson-not present.

ITEM-203: (O-83-75) ADOPTED AS O-15831 (New Series)

Adoption of an Ordinance authorizing an agreement with Viking Freight System, Inc. and a trust agreement with Security Pacific National Bank in connection with the issuance of City of San Diego Economic Development Revenue Bonds (Viking Freight System, Inc. Project).

Six votes required.

(Introduced on 9/27/82. Council voted 7-1. District 3 voted nay. Mayor not present. District-5.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A121-155).

MOTION BY STRUIKSMA TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-nay, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

* ITEM-S400: (R-83-522) TRAILED, TO CONSIDERED OCTOBER 12, 1982

Authorizing the City Manager to charge a reduced annual fee of 30 percent of the annual rental for one mooring in Mission Bay to be used by a Sea Scout Troop sponsored by the San Diego Rowing Club.

(See City Manager Report CMR-82-192.)

COMMITTEE ACTION: Reviewed by PFR on 6/9/82. Recommendation to adopt the Resolution. Districts 2, 5, 6 and 7 voted yea. District 1 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: 000-000).

ITEM-S401: (R-83-582) ADOPTED AS AMENDED AS RESOLUTION R-257319

Declaring the intent of the Council to form a joint powers agency by agreement with other local governments in order to obtain low-cost hydroelectric power from Hoover Dam through the Western Area Power Administration; directing the City's legislative representative to seek the support of this area's congressional delegation in obtaining an allocation of low-cost hydroelectric power from Hoover Dam; directing the City Manager and City Attorney to take any action necessary to implement this resolution.

(See City Manager Report CMR-82-376.)

COMMITTEE ACTION: Reviewed by RULES on 10/4/82. Recommendation to adopt the Resolution and place on a Supplemental docket. Districts 2, 3, 4 and 8 voted yea. Mayor not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A157-340).

MOTION BY GOLDING TO ADOPT AS AMENDED INCORPORATING
ASSEMBLYMAN

STIRLING'S RECOMMENDATION AND ALSO THAT OUR LEGISLATORS BE
ASKED TO

LOOK INTO THE HIRSCH SUGGESTION TO SEE WHAT CAN BE DONE TO
SUPPORT

IT. Second by Struiksma. Passed by the following vote:

Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea,
Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present

ITEM-S402:

19821011

(Continued from the meeting of October 4, 1982 at the City
Manager's request.)

Two actions relative to appeals:

Subitem-A: (R-82-1518) CONTINUED TO OCTOBER 25, 1982

Amending Council Policy No. 000-11 regarding appeals from
decisions of the Police Chief relative to police-regulated
businesses.

Subitem-B: (O-82-194 Rev.) CONTINUED TO OCTOBER 25, 1982

Introduction of an Ordinance amending Chapter II of the San
Diego Municipal Code by adding to Article 1 a new Division 2
containing Sections 21.0201, 21.0202, 21.0203 and 21.0204 and
amending Section 26.02(D.); amending Chapter III by amending
Sections 33.0501, 33.0502 and 35.0110; amending Chapter V by
amending Sections 54.0201, 54.0204, 54.0205, 54.0206 and
57.01.7; amending Chapter VI by amending Sections 62.0413,
62.1008, 63.02, 63.02.32, 64,21.3, 66.0111, 66.0119 and 68.0220
and by repealing Section 68.0221; amending Chapter VII by
amending Sections 75.0112 and 75.0113; and amending Chapter X
by amending Sections 102.0404 and 103.0202.3, relating to
appeals from various administrative decisions.

(See City Clerk Report CCR-82-05.)

COMMITTEE ACTION: Reviewed by RULES on 9/20/82. Recommendation to adopt
the Resolution. Districts 2, 4 and 8 voted yea. District 3 and Mayor not
present.

NOTE: Hearing open, no testimony taken on 10/4/82.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A044-065).

MOTION BY MURPHY TO CONTINUE TO OCTOBER 25, 1982, AT THE CITY CLERK'S REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-not present, Struiksmas-not present, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-S403: FILED

Discussion on the matter of the November ballot propositions.

(See Director of Intergovernmental Relations Department memorandum dated September 28, 1982.)

COMMITTEE ACTION: Reviewed by RULES on 10/4/82. Recommendation to take no position on any of the propositions and to forward to the full Council for further discussion on a Supplemental docket. Districts 3, 4 and 8 voted yea. District 2 and Mayor not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: E230-232).

MOTION BY MURPHY TO FILE. Second by Struiksmas. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksmas-yea, Gotch-yea, Murphy-yea, Killea-not present, Mayor Wilson-not present.

ITEM-S404: (R-83-521) TRAILED, TO BE CONSIDERED OCTOBER 12, 1982

Authorizing the execution of an option agreement with Mission Pacific Associates (MPA) pursuant to which MPA shall have a nine-month option to enter into a lease agreement for approximately 35 acres of City-owned property in the southeast corner of Mission Bay Park adjacent to Sea World Drive, which option shall provide consideration to the City of \$10,000 per month for the first six months, \$20,000 for the seventh month, \$22,500 for the eighth month, and \$25,000 for the ninth month; authorizing the execution of a lease agreement, upon satisfactory completion of the conditions of the option agreement and upon exercise of the option by MPA, for a term of fifty years, for the purpose of development and operation of a hotel and related facilities, with a construction period rent of \$12,500 per month and an initial minimum rent upon commencement of operations of \$50,000 per month against various percentages of gross income, with minimum rent adjustments every three years and percentage rate adjustments after seventeen years and each ten years thereafter; authorizing the execution of an operating agreement as additional consideration to the City, providing for the development and maintenance by

MPA of the approximately 20-acre parcel adjacent to the lease parcel as and for a passive public park and which operating agreement provides for repair and maintenance of the park improvements for the entire term of the hotel lease by the Park and Recreation Department, or by contract, with annual reimbursement to the City from MPA for all maintenance and repair costs, and which operating agreement and hotel lease provides for reimbursement to MPA for MPA's actual costs of constructing a public restroom within the 20-acre park, which reimbursement shall be in the form of credits against the hotel rents payable to City.

(See City Manager Report CMR-82-410 and PFR Committee Consultant Analysis PFR-82-29. Mission Bay Master Plan Community Planning Area. District-6.)

COMMITTEE ACTION: Reviewed by PFR on 10/6/82. Recommendation to adopt the Resolution and place on a Supplemental docket. Districts 2, 5, 6 and 7 voted yea. District 1 not present.

FILE LOCATION:

LEAS Mission Pacific Associates

COUNCIL ACTION: (Tape location: 000-000).

ITEM-S405:

19821011

Six actions relative to the Ocean Boulevard Master Plan:

(See City Manager Report CMR-82-411. Pacific Beach Community Area. District-6.)

Subitem-A: (R-83-584 Rev.) ADOPTED AS RESOLUTION R-257320

Approving the Final Master Plan for Improvements on Ocean Boulevard prepared by Phillips Brandt Reddick and approving the City Manager Report CMR-82-411 dated October 1, 1982, which discusses said Master Plan including Alternative No. 1 as set forth on page 2 of said Manager Report.

Subitem-B: (R-83-585 Rev.) ADOPTED AS RESOLUTION R-257321

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-81-07-18 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-C: (R-83-586 Rev.) ADOPTED AS RESOLUTION R-257322

Authorizing staff to make application to the State Coastal Commission for approval of the Final Master Plan for

Improvements on Ocean Boulevard prepared by Phillips Brandt Reddick, the Environmental Impact Report, and the permanent closure of Ocean Boulevard, including continuation of the nighttime closure until permanent physical closing can be accomplished.

Subitem-D: (R-83-587) ADOPTED AS RESOLUTION R-257323

Authorizing City staff to advertise for consultant services for the design of the first phase of improvements on Ocean Boulevard.

Subitem-E: (R-83-588) ADOPTED AS RESOLUTION R-257324

Authorizing City staff to work with affected property owners concerning an assessment district to maintain the public improvements on Ocean Boulevard.

Subitem-F: (R-83-632) ADOPTED AS RESOLUTION R-257325

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-81-07-18.

COMMITTEE ACTION: Reviewed by PFR on 10/6/82. Recommendation to adopt the Resolution and place on a Supplemental docket. Districts 1, 2, 5, 6 and 7 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A354-599).

MOTION BY GOTCH TO ADOPT SUBITEMS A THROUGH F. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-S406: (R-83-589) ADOPTED AS RESOLUTION R-257326

Authorizing the execution of a lease agreement with Watt Industries/San Diego, Inc. pursuant to which the City will lease approximately 400 acres of property presently owned by Watt Industries but proposed for conveyance to City, for development and operation of a golf course and related facilities (Fairbanks Country Club Golf Course), and pursuant to which an additional approximately 214 acres of open space lands shall be maintained by Watt Industries, with a total rent of \$3,000 to be payable to City prior to January 1, 2010, with percentages of gross receipts to be payable to City as rent subsequent to January 1, 2010, and which lease has a term of 61 years commencing on the date of acquisition of title by City.

(See City Manager Report CMR-82-422. Located in a portion

of Rancho San Dieguito and portions of Sections 4 and 9,
Township 14 South, Range 3 West, S.B.B.M. District-1.)

FILE LOCATION:

LEAS Watt Industries/San Diego, Inc.

COUNCIL ACTION: (Tape location: E136-196).

MOTION BY WILLIAMS TO ADOPT AS AMENDED APPROVING THE LEASE IN
CONCEPT SUBJECT TO THE WORDING BEING PRESENTED LATER ON THOSE
PROVISIONS THAT THE CITY COUNCIL SHOULD BE INVOLVED IN--THAT THE
CITY COUNCIL WILL REVIEW THE MAINTENANCE AND THE ASSIGNMENTS
OF THE

LEASE AND MAJOR SUBLEASES. Second by Cleator. Passed by the
following vote: Mitchell-yea, Cleator-yea, Golding- yea,
Williams-yea, Struiksma-yea, Gotch-nay, Murphy-yea, Killea-not present,
Mayor Wilson-not present.

ITEM-S407:

19821011

Two actions relative to proposed modifications to Council
Policies pertaining to Community Planning Committees:
(See Planning Department Report PDR-82-446.)

Subitem-A: (R-83-565) CONTINUED TO OCTOBER 25, 1982, 3:00
P.M. TIME CERTAIN

Amending Council Policy 600-5 regarding community plans.
Subitem-B: (R-83-566) CONTINUED TO OCTOBER 25, 1982, 3:00
P.M. TIME CERTAIN

Amending Council Policy 600-24 regarding standard operating
procedures and responsibilities of recognized community
planning committees.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E235-260).

MOTION BY CLEATOR TO CONTINUE TO OCTOBER 25, 1982, 3:00 P.M. TIME
CERTAIN. Second by Struiksma. Passed by the following vote:
Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea,
Gotch-yea, Murphy-yea, Killea-not present, Mayor Wilson-not present.

ADJOURNMENT:

The meeting was adjourned by Chairperson Mitchell at 5:57
p.m.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: E545-576).

MOTION BY WILLIAMS TO ADJOURN IN HONOR OF THE MEMORY OF
LAUREN J.

HENDERSON, ANDERSON BORTHWICK, AND DONALD BURNHAM. Second by
Murphy. Passed by the following vote: Mitchell-yea, Cleator-not
present, Golding-yea, Williams- yea, Struiksma-yea, Gotch-yea,
Murphy-yea, Killea-not present, Mayor Wilson-not present.