

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

MONDAY, JULY 18, 1983

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Hedgecock at 2:06 p.m. The meeting was adjourned by Mayor Hedgecock at 4:56 p.m. to meet in Closed Session on pending litigation at 9:00 a.m., July 19, 1983, in the twelfth floor conference room.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present.
 - (1) Council Member Mitchell-present.
 - (2) Council Member Cleator-present.
 - (3) Council Member McColl-present.
 - (4) Council Member Jones-present.
 - (5) Council Member Struiksma-present.
 - (6) Council Member Gotch-present.
 - (7) Council Member Murphy-present.
 - (8) Council Member Martinez-present.
- Clerk-Abdelnour (bb)

FILE LOCATION:

MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:
Mayor Hedgecock-present.
Council Member Mitchell-present.
Council Member Cleator-not present.
Council Member McColl-present.
Council Member Jones-not present.
Council Member Struiksma-present.
Council Member Gotch-present.
Council Member Murphy-present.
Council Member Martinez-present.

ITEM-10: INVOCATION

Invocation was given by Father Joseph Sum, of St. Joseph's Cathedral, San Diego.

FILE LOCATION:

MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Martinez.

FILE LOCATION:

MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

06/13/83 P.M.

06/14/83 A.M. and P.M.

06/20/83 P.M.

06/21/83 A.M. and P.M.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: A204-309).

MOTION BY MARTINEZ TO APPROVE. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch- yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-50: (O-83-254) ADOPTED AS ORDINANCE O-16006 (New Series).

Amending Chapter X, Article 3, Division 3 of the San Diego Municipal Code by amending Sections 103.0301 and 103.0304.1 relating to the La Jolla Shores Planned District Ordinance by modifying the existing Dwelling Unit Density Regulation of the Single Family (SF) Zone.

(District-1. Introduced on 7/5/83. Council voted 9-0.)

FILE LOCATION:

LAND La Jolla Shores Planned District Ordinance

COUNCIL ACTION: (Tape location: A287-300).

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

Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-51: (O-83-264) INTRODUCED, TO BE ADOPTED AUGUST 1, 1983

Introduction of an Ordinance amending Section 1 of Ordinance O-15643 (New Series), adopted January 4, 1982, incorporating portions of Sections 11 and 12, Township 15 South, Range 3 West, S.B.B.M., located on the north side of Miramar Road between Carroll Road and Empire Street, into M-1B Zone; extension of time to October 31, 1984.

(Case-83-0130/EOT1. See Planning Department Report PDR-83-272. Mira Mesa Community Plan Area. District-5.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A361-374).

CONSENT MOTION BY JONES TO INTRODUCE. Second by Martinez.

Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma- yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-52: (O-83-265) INTRODUCED, TO BE ADOPTED AUGUST 1, 1983

Introduction of an Ordinance amending Section 1 of Ordinance O-15490 (New Series), adopted April 20, 1981, incorporating portions of Lots 4 and 5, H. L. Barrow's Subdivision, Map 704, located on the north side of Eastgate Mall between Olson Drive and Miramar Road, into M-1B Zone; extension of time to May 19, 1986.

(Case-83-0344/EOT1. See Planning Department Report PDR-83-271. University Community Plan area. District-1.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A361-374).

CONSENT MOTION BY JONES TO INTRODUCE. Second by Martinez.

Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma- yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-100:
19830718

Two actions relative to beach accesses at various locations:
(La Jolla, Ocean Beach, Peninsula, and Pacific Beach Community Areas. District-1, District-2 and District-6.)

Subitem-A: (R-83-2127) ADOPTED AS RESOLUTION R-258884

Inviting bids on Work Order No. 118181; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of not to exceed \$375,000 from Capital Outlay Fund 30245, CIP-29- 490, Coastal Conservancy Access Grants, for said project and related costs; authorizing the Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-5170

Subitem-B: (R-83-2128) ADOPTED AS RESOLUTION R-258885

Certifying that the information contained in Environmental Negative Declaration END-82-0270 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

CITY MANAGER REPORT:

This project will provide eight new coastal access stairways and repair one existing stairway, in accordance with the provisions of a California Coastal Conservancy grant. The stairways at No Surf Beach, 6000 Camino de la Costa, Linda Way, Palisades Park North, Shell Beach, Westbourne Street and Wipeout Beach, will be constructed of concrete with either decorative concrete walls or galvanized pipe handrails as appropriate to each location. The Calumet Park stairway will consist of a concrete structure with wooden treads and handrails. The deteriorating Ladera Street stairway will be repaired and brought up to safety standards. This project has received community input and is identified in the community plans for each area. Permits as required from the California Coastal Commission, the California Coastal Conservancy and the Army Corps of Engineers have been approved. The grant budget also includes funds to purchase concrete benches, guard railings, and other miscellaneous items to improve three visual sites at Moss Lane, Midway Street and La Jolla Shores Lane. These three sites will be improved by the California Conservation Corps utilizing materials purchased by the City.

FILE LOCATION: W.O. 118181

COUNCIL ACTION: (Tape location: A375-389).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-101: (R-84-15) ADOPTED AS RESOLUTION R-258886

Inviting bids for the construction of Ocean Boulevard Improvements Phase I, on Work Order No. 117855; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of not to exceed \$692,945 from Capital Outlay Fund 30245, CIP-23-823, Ocean Boulevard Improvements, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-5165

(Pacific Beach Community Area. District-6.)

CITY MANAGER REPORT:

In October, 1982 the City Council approved the Ocean Boulevard

Master Plan and Environmental Impact Report. The plan provided for the permanent closure of four and one-half blocks of Ocean Boulevard to vehicular traffic and the installation of a recreation-pedestrian mall and other park improvements from Diamond Street to Thomas Avenue. The improvements are to be installed in three phases in 1983, 1989 and 1990. Subsequently, the State Coastal Commission granted a permit for the closure of Ocean Boulevard and the installation of the first phase of improvements from Diamond Street to Garnet Avenue. Construction of the first phase is scheduled to begin in September, 1983.

This project consists of the first phase improvements from Diamond Street to Garnet Avenue. The improvements include a comfort station, pedestrian walkways, beach access stairways, turf areas, trees, shrubs, groundcover, irrigation, lighting, drinking fountains, benches and bicycle racks.

FILE LOCATION:

W.O. 117855

COUNCIL ACTION: (Tape location: A375-389).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-102:
19830718

Two actions relative to the Lower Mission Gorge
Reorganization:

Subitem-A: (R-83-2164) ADOPTED AS RESOLUTION R-258887

Application to the Local Agency Formation Commission of the County of San Diego for a proposed reorganization of uninhabited territory described as portions of various lots of Rancho Mission of San Diego along with portions of Grantville and Outlots, pursuant to the District Reorganization Act of 1965; the reasons for this proposal are that this reorganization would eliminate an unincorporated island, by annexing the territory to the City of San Diego the City can provide services to this area more economically, and the City currently provides flood control services within its boundaries; it is hereby requested that proceedings be taken for the reorganization as proposed, exempting the project designated as "Lower Mission Gorge Reorganization" from the preparation and review of environmental documents, pursuant to

the California Environmental Quality Act of 1970 and Section 15060 of the California Environmental Quality Act Guidelines.

Subitem-B: (R-83-2165) ADOPTED AS RESOLUTION R-258888

Authorizing the Planning Director to file an application initiating reorganization proceedings on approximately 70 acres of land located within the County of San Diego and known as the Lower Mission Gorge Island; said reorganization proceedings to consist of annexation to the City of San Diego and detachment from the San Diego County Flood Control District Zone 2; approving the transfer of funds from the Unallocated Reserve to cover payment of the State Board of Equalization fee of \$560 for costs associated with the "Lower Mission Gorge Reorganization"; waiving the factors to be considered as designated in Paragraph 5 of Council Policy 600-1.

CITY MANAGER REPORT:

Under Resolution R-258276, adopted on April 18, 1983, the Council directed that the Planning Department "pursue annexation of all or part of the Lower Mission Gorge County Island." The Environmental Quality Division has determined that the project is exempt from the preparation and review of environmental documents.

FILE LOCATION: ANNEX Lower Mission Gorge Reorganization

COUNCIL ACTION: (Tape location: A375-389).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-103: (R-83-2163) ADOPTED AS RESOLUTION R-258889

Declaring Ocean Boulevard from 150 feet south of Diamond Street to Garnet Avenue to be closed to vehicles, pursuant to the provisions of California Vehicle Code Section 21101; authorizing the City Manager to implement further traffic flow measures incidental to said closing as may be necessary to remedy any related traffic flow problems; declaring that this resolution does not constitute a vacation of right-of-way and the City Council reserves the right at any time in the future to, at its discretion, reopen the street to motor vehicles.

(Pacific Beach Community Area. District-6.)

CITY MANAGER REPORT:

The State Coastal Commission granted a permit for the closure of Ocean Boulevard and the installation of the first phase improvements from Diamond Street to Garnet Avenue. Construction of the first phase is scheduled to begin in September, 1983. The proposed

resolution provides for the closure of two and one-half blocks of Ocean Boulevard from Diamond Street to Garnet Avenue. Section 21101 of the California Vehicle Code authorizes the City Council to close streets to vehicular traffic. Vehicular traffic will be allowed until the commencement of construction in September, 1983.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A375-389).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-

yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-104: (R-83-2157) ADOPTED AS RESOLUTION R-258890

Declaring the intention to dedicate portions of Brown Field and the Brown Field Filtration Plant for public right of way.

(Otay Mesa Community Area. District-8.)

CITY MANAGER REPORT:

The City of San Diego, as lead agency, is cooperating with the County, State, and Federal Government to construct an interim access road to the proposed second border crossing. The improvement will consist of a four-lane facility along Otay Mesa Road from State Route 117 to Harvest Road and southerly along and easterly of Harvest Road to the crossing site.

A ten-foot strip of land along the southerly boundary of Brown Field and a twenty-foot strip along the northerly boundary of the sewer filtration site serving Brown Field valued at \$144,300 are required for the street widening. The \$144,300 fair market value of the proposed right of way will be applied to the \$260,008 assessment cost to Brown Field. The Airport Enterprise Fund will be responsible for the balance of \$115,708, as previously approved by Council. The Federal Aviation Administration has directed that prior to releasing the above described land from airport use, they require a resolution of intention stating that the property is to be used for street purposes.

FILE LOCATION:

DEED F-1983

COUNCIL ACTION: (Tape location: A375-389).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-

yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-105: (R-83-2139) CONTINUED TO JULY 19, 1983

Authorizing the execution of an agreement with James M. Montgomery, Consulting Engineers, for engineering services to determine whether an energy generating or cogenerating plant near Metro Sewer Pump Station No. 2 and Port District facilities could prove beneficial to either or both parties; authorizing the expenditure of the sum not to exceed \$23,550 from Fund/Dept. 41506/700, Object Account 4118 for the above study.

(See City Manager Report CMR-83-281. Harbor Community Area. District-2.)

WU-U-83-805.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A399-B130).

MOTION BY MURPHY TO CONTINUE TO JULY 19, 1983, AT HIS REQUEST.

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl- yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-106: (R-83-2158) ADOPTED AS RESOLUTION R-258891

Authorizing the execution of a first amendment to agreement with Price Waterhouse, certified public accountants, for a Water Utilities Department Management and Organization Study; authorizing the expenditure of a sum not to exceed \$60,400 from Dept. 700, Account 4151 for the above purpose; authorizing the City Auditor and Comptroller to transfer the sum of \$60,400 from Water Revenue Fund 41502, Unallocated Reserve (70679) to Water Operating Fund 41500, Services Division (70611).

COMMITTEE ACTION: Reviewed by PFR on 7/6/83. Recommendation to adopt the Resolution. Districts 1, 3, 4, 7 and 8 voted yea.

CITY MANAGER REPORT:

A Management and Organization Study of the Water Utilities Department was recently conducted by Price Waterhouse. Their report of the results of the study recommended, among other things, that the Water Utilities Department initiate a requirements definition and conceptual system design study for a comprehensive automated workload planning/cost management system (Recommendation B-1 in Price Waterhouse Report); that an organizational review be made of top management positions, responsibilities and span of control (Recommendation C-1); and that the Water Utilities Department initiate an organizational study to restructure the Systems Division (Recommendation C- 2). The potential top level organizational changes and extensive system design study make it desirable to

engage an objective professional management consultant. Because of the understanding of and familiarity with the Department developed by Price Waterhouse during its recent work, their assistance with these projects can be provided in a very timely and cost-effective manner. It is recommended that the agreement with Price Waterhouse for the Management and Organization Study be amended to include their services for these projects.

WU-U-83-820.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A375-389).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-

yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-107: (R-84-4) ADOPTED AS RESOLUTION R-258892

Authorizing the execution of a joint use agreement with San Diego Gas & Electric Company providing for the construction, operation and maintenance of a sewer line over an existing San Diego Gas & Electric Company facility located generally between Interstates 5, 805 and 15 in the Mira Mesa area.

(Mira Mesa Community Area. Districts-1 and 5.)

CITY MANAGER REPORT:

The proposed trunk sewer project, to be constructed on the canyon floor and hillsides of Lopez Canyon, a finger canyon of the Los Penasquitos Canyon Preserve, will service the newly developing areas surrounding the canyon preserve. The majority of the sewer line project will be constructed within City-owned land acquired for the preserve.

The proposed joint use agreement which affects land at the easterly end of the project will permit the City to construct two portions of the sewer line over an existing 100-foot San Diego Gas & Electric Company easement. The joint use areas, containing a total of approximately 4,620 square feet, will be utilized by the City at no cost.

FILE LOCATION:

DEED F-1981

COUNCIL ACTION: (Tape location: A375-389).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-

yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-150: (R-83-2105) CONTINUED TO JULY 19, 1983

Authorizing the San Diego Housing Commission to enter into exclusive negotiations with the Conruba Partnership to develop a proposed lease for the development of low and moderate income housing on a parcel of land owned by the City known as Site-132 and located on Beyer Boulevard in the South San Diego area.

(See Housing Commission Report HCR-83-011CC. District-8.)

COMMITTEE ACTION: Reviewed by TLU on 6/13/83. Recommendation to adopt the Resolution. Districts 3, 4 and 8 voted yea. District 5 voted nay. District 2 not present.

FILE LOCATION:

LEAS Conruba Partnership

COUNCIL ACTION: (Tape location: B140-183).

MOTION BY MURPHY TO CONTINUE TO JULY 19, 1983, DUE TO LACK OF TIME. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl- yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-200: (O-84-4) FIRST HEARING HELD

Matters of:

a - Annual Appropriation Ordinance (Budget) proposed to be adopted for the Fiscal Year 1983-84.

(This is the first of two public hearings scheduled pursuant to the provisions of Section 71 of the City Charter which provides that the Annual Appropriation Ordinance shall be adopted during the month of July. The second public hearing and adoption of the Ordinance will be Tuesday, July 19, 1983, at 9:15 a.m. Time Certain.

b - Use of General Revenue sharing funds and the relationship of these funds to the Annual Budget.

(This is the time set for citizens to ask questions and express their views, either verbally or in writing, concerning the use of General Revenue Sharing Funds. Federal regulations require that the City publish notice of the Revenue Sharing hearing at least ten days prior to the hearing. This publication was made on July 8, 1983.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A210-230).

Hearing began at 2:23 p.m. and halted at 2:25 p.m.

ITEM-201: (R-84-3) RETURNED TO CITY MANAGER

Authorizing the sale of a portion of Lot 7, Palmetto Tract,

Map-2252 to the highest bidder at the July 18, 1983 auction; authorizing the execution of a grant deed granting to the highest bidder said property; declaring that a broker's commission shall be paid by the City if the applicable Municipal Code provisions and Resolution R-223040 have been satisfied and if the successful bidder is represented by a registered broker; authorizing the payment of related expenses in accordance with the sale from the proceeds thereof.

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

CITY MANAGER REPORT:

This property, located at Trojan Avenue and 54th Street in the East San Diego area, was processed through the City's Land Clearance procedure. The Transportation and Land Use Committee recommended that the site be designated for sale. The Council accepted this recommendation and authorized the sale of the parcel. It is level, vacant land comprising 3,436 square feet and is zoned R-3 in accordance with the Mid-City Community Plan.

A public auction of this property is to be held in the Council Chambers on the morning of July 18, 1983, and the results of this auction are being brought forward to Council for consideration.

FILE LOCATION:

DEED F-1982

COUNCIL ACTION: (Tape location: A231-239).

MOTION BY MITCHELL TO RETURN TO THE CITY MANAGER, AT CITY MANAGER

BLAIR'S REQUEST, DUE TO THE FACT NO BIDS WERE RECEIVED. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-202: (R-84-46) ADOPTED AS RESOLUTION R-258893

Confirming the appointment by the Mayor of Hope S. Logan to serve as a member of the Civil Service Commission for a term ending January 9, 1988, to replace Vira Williams, whose term has expired.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B131-139).

MOTION BY JONES TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-203: (R-84-44) ADOPTED AS RESOLUTION R-258894

Confirming the appointments by the Mayor of the following persons to serve as members of the Historical Site Board for terms expiring as indicated:

	NAME	TERM EXPIRES
1985	Richard J. Lareau (Reappointment)	March 1,
1985	Anna Mitchell Pflugh (Reappointment)	March 1,
1985	Ronald E. Pekarek (Reappointment)	March 1,
1985	Patrick J. Crowley (Reappointment)	March 1,
1984	Marilyn E. Irwin (To replace Sonya Reid, who has resigned)	March 1,
1985	Gregory C. M. Garratt (To replace Larry Malone, whose term has expired)	March 1,
1985	Kathryn Willetts (To replace Bernard Thompson, whose term has expired)	March 1,
1985	Robert Miles Parker (To replace Joan J. Easley, whose term has expired)	March 1,

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B131-139).

MOTION BY JONES TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-204: (R-84-45) ADOPTED AS RESOLUTION R-258895

Confirming the appointments and reappointments by the Mayor of the following persons to serve as members of the Board of Library Commissioners for terms expiring as indicated:

	NAME	TERM EXPIRES
1985	Barbara R. Luce (Reappointment)	March 1,
1985	Mortimer Rosenbaum (Reappointment)	March 1,
1985	Dorothy Kerrigan (To replace Wanda J. Farb, whose term has expired)	March 1,
	Robert E. Arndal (To replace Jean	March 1,

1984

T. Wood, who has resigned)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B131-139).

MOTION BY JONES TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-205: (R-83-2103) CONTINUED TO AUGUST 1, 1983

Approving certain financing pursuant to the City of San Diego Economic Development Revenue Bond Law; authorizing and providing for the issuance of its City of San Diego, Industrial Development Revenue Bonds, Series 1983A (Driver Insurance Building Project), for the purpose of providing funds for the acquisition and construction of such project; approving a certain trust indenture which creates a trust estate and makes certain provisions therefor and for the bonds; approving a certain loan agreement with Robert F. Driver Company, Inc.; approving a bond purchase agreement and authorizing its execution; approving a private offering memorandum and authorizing its use and declaring its election to have the \$10,000,000 limitation of Section 103(b)(6)(D) of the Internal Revenue Code of 1954, as amended, applied to the issuance of the bonds; authorizing such further action as may be necessary to conclude the issuance, sale and delivery of such bonds; making certain findings and determinations in connection therewith.

(Project location is bounded by Fourth and Fifth Avenues, Cedar Street and I-5. Centre City Community Area.

District-8.)

CITY MANAGER REPORT:

This is the final action required by the City Council to authorize execution of documentation and sale of bonds for the Robert F. Driver Company. Bond proceeds will finance construction of an insurance center (9-story office building and 6-story parking facility) on the block bounded by Fourth and Fifth Avenues, Cedar Street and I-5. The City Council adopted Inducement Resolution R-257642 on December 13, 1982. After consideration of a staff evaluation report and a presentation by the applicant, the City Council adopted Resolution R-258200 on April 4, 1983 authorizing the City Manager to continue preparations for the issuance of bonds.

The bonds, not to exceed \$9,000,000, at an average interest rate not to exceed 12 percent, mature on July 1, 1988. The bonds will be

secured by a Deed of Trust (first lien on the real property), by a security interest in furnishings and equipment, by assignment of revenues received from the project, and by an unconditional guarantee of the Robert F. Driver Co. Sale will be by private placement by Rauscher Pierce Refsnes, Inc. The indenture prohibits resale of the bonds without City consent. The indenture also specifies that the bonds, and interest thereon, are payable solely by the Robert F. Driver Co., through the trustee, and further that "neither the faith and credit, nor the taxing power of the City is pledged to the payment of principal or interest on the bonds."

Documents, drafts of which are on file with the City Clerk, include a loan agreement between the City and Robert F. Driver Company, trust indenture between the City and Security Pacific National Bank, bond purchase agreement between the City and the bond purchaser(s), and a private offering memorandum.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A240-250).

MOTION BY MARTINEZ TO CONTINUE TO AUGUST 1, 1983, AT CITY MANAGER

BLAIR'S REQUEST, DUE TO THE FACT PAPERWORK WAS NOT COMPLETE.

Second

by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-206: CONTINUED TO JULY 19, 1983, 3:00 P.M.
19830718

Three actions relative to San Diego Jack Murphy Stadium expansion:

(See City Manager Report CMR-83-282.)

Subitem-A: (O-84-2)

Authorizing the Mayor to execute a restated stadium lease for the San Diego Jack Murphy Stadium and providing for notice and a public hearing in connection therewith, pursuant to Section 99 of the City Charter.

Subitem-B: (R-83-2160)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EQD-83-0052 in connection with the San Diego Jack Murphy Stadium expansion, 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-83-2161)

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-83-0052.

FILE LOCATION: LEAS San Diego Stadium Authority

COUNCIL ACTION: (Tape location: B140-183).

MOTION BY MURPHY TO CONTINUE TO JULY 19, 1983, 3:00 P.M., AT MAYOR HEDGECK'S REQUEST DUE TO A LACK OF TIME. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-207: CONTINUED TO JULY 25, 1983, 3:00 P.M. TIME CERTAIN

Matter of the second hearing for the purpose of discussing Convention Center proposals. (Requested by Mayor Hedgecock)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B184-D550).

MOTION BY MARTINEZ TO CONTINUE TO JULY 25, 1983, 3:00 TIME CERTAIN, AT MAYOR HEDGECK'S REQUEST WITH THE CONDITION THAT PUBLIC

TESTIMONY BE GIVEN BETWEEN 3:00 P.M. AND 4:00 P.M. AND COUNCIL CONSIDERATION BE GIVEN BETWEEN 4:00 P.M. AND 5:00 P.M. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S400: MUSICAL PRESENTATION GIVEN AND ORCHESTRA INTRODUCED TO COUNCIL

Matter of a communication and brief musical presentation to the City Council from the Nautilus Chamber Orchestra.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A025-203).

ITEM-S401: (O-83-7 Rev.) CONTINUED TO JULY 19, 1983

Amending Chapter X, Article 1, Division 1, of the San Diego Municipal Code relating to definitions and interpretations by adding Section 101.0101.88, and amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by amending

Sections 101.0409 and 101.0410, and by repealing Sections 101.0411, 101.0412, 101.0413 and 101.0415, relating to residential zones, and amending Chapter X, Article 1, Division 6, of the San Diego Municipal Code by amending Section 101.0601, relating to side and rear yards.

(Introduced as amended on 7/5/83. Council voted 9-0.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A309-360).

MOTION BY MARTINEZ TO CONTINUE TO JULY 19, 1983, FOR FURTHER REVIEW BY COUNCIL. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S402: (R-84-50) ADOPTED AS AMENDED AS RESOLUTION R-258896

Adoption of a Resolution amending Council Policy 700-10 entitled "Disposition of City-owned Real Property" by:

a) Providing for appropriate evaluation of the rate of return from leaseholds in the event of amendment, and providing that the proceeds of encumbrances against leaseholds for development are monitored (See Council Policy 700-10, page 6, underscored portions of paragraphs 9 and 11).

b) Specifying conditions when developers can utilize City property for construction of public utilities without compensation (See Council Policy 700- 10, page 7 new paragraph H).

(See City Manager Reports CMR-83-231, CMR-83-273, CMR-83-245 and PFR Committee Consultant Analysis PFR-83-12.)

COMMITTEE ACTION: Reviewed by PFR on 7/6/83. Recommendation to adopt the Resolution. Districts 1, 3, 4, 7 and 8 voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A399-B130).

Motion by Mitchell to amend to include the Real Estate Advisory Committee's recommendation. Second by Jones. Withdrawn.

MOTION BY MARTINEZ TO ADOPT ALLOWING THE GRANTOR OR DONOR A RESERVATION FOR EASEMENT UP TO 10 YEARS AFTER THE TRANSFER OF PROPERTY. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-S403: (R-83-2039) ADOPTED AS RESOLUTION R-258897

Authorizing the execution of an agreement with Owen Geotechnical Consultants, Inc., Robert Prater Associates and

Geocon, Inc. for geotechnical consultant services.
(Citywide Community Areas and Council Districts.)

CITY MANAGER REPORT:

These three agreements will provide for professional consultant services as required to review geotechnical reports required by land development projects for the fiscal years of 1984 and 1985. Similar contracts have been utilized for the past eight years. Letters of interest were solicited from qualified consultants by advertisements appearing in the "Daily Transcript" on March 25 and April 8, 1983. After reviewing the data submitted by nine firms, the Design Consultant Nominating Committee recommended five firms for further consideration. Staff then interviewed the five firms and recommended Geocon, Inc., Owen Geotechnical Consultants, Incorporated and Robert Prater Associates. The agreements are for a two-year period, at a maximum fee of \$30,000 per year for each consultant.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A375-389).

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S404: (R-84-59) CONTINUED TO JULY 19, 1983, 3:00 P.M.

Authorizing the execution of an agreement with the Baldwin Company authorizing the delay of payments of North City West School Deposits.

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

CITY MANAGER REPORT:

This agreement between the Baldwin Company and the City provides for the delay of payment of North City West School Deposit fees for 27 model residential units to the close of escrow on each unit or a maximum of three years. Payment of \$4,415.31 plus 10 percent interest from the date of building permit issuance for each unit will be paid to the North City West School Facilities Financing Authority. The agreement will be recorded and constitutes a lien on the property on which the models will be built. The North City West School Facilities Financing Authority reviewed and approved the proposed agreement on July 7, 1983.

FILE LOCATION:

LAND - North City West School Facilities Master Plan

COUNCIL ACTION: (Tape location: B140-183).

MOTION BY MURPHY TO CONTINUE TO JULY 19, 1983, 3:00 P.M., AT

MAYOR HEDGECOCK'S REQUEST DUE TO A LACK OF TIME. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S405: (R-84-58) CONTINUED TO AUGUST 1, 1983

Authorizing an agreement with Medevac, Inc. to provide emergency medical services on an as needed basis for special events at San Diego Jack Murphy Stadium from July 1983 to June 1986.

(See City Manager Report CMR-83-303.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A251-264).

MOTION BY MARTINEZ TO CONTINUE TO AUGUST 1, 1983, AT CITY MANAGER

BLAIR'S REQUEST, FOR FURTHER CONSIDERATION BY COUNCIL. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S406: CONTINUED TO JULY 25, 1983

(Continued from the meeting of July 11, 1983 at Mayor Hedgecock's request.) SUBMITTED BY MAURICE R. CLARK

Provide for an election within the City of San Diego to give the taxpayers the right to determine whether or not the City of San Diego should obligate them to either operate, advance funds, finance, issue Municipal Bonds or furnish public improvements or services for a new proposed convention center.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D550-557).

MOTION BY MARTINEZ TO CONTINUE TO JULY 25, 1983, AT MAYOR HEDGECOCK'S REQUEST. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S407: (O-83-235) CONTINUED TO JULY 25, 1983

(Continued from the meeting of June 20, 1983 at Mayor Hedgecock's request.)
Introduction of an Ordinance amending Chapter VIII, Article

6, of the San Diego Municipal Code by amending Section 86.11, titled "Parking Meter Zones and Rates - Authority," relating to increasing parking meter fees.

(See City Manager Report CMR-83-180.)

COMMITTEE ACTION: Reviewed by PSS on 6/8/83. Recommendation to introduce the Ordinance. Districts 3, 4, 6 and 8 voted yea. District 1 not present.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A265-286).

MOTION BY JONES TO CONTINUE TO JULY 25, 1983, AT COUNCIL MEMBER STRUIKSMA'S REQUEST, FOR THE PURPOSE OF BEING REVIEWED BY THE SMALL

BUSINESS ADVISORY TASK FORCE BEFORE BEING CONSIDERED BY COUNCIL.

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma- yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S408: (R-83-1991) CONTINUED TO JULY 25, 1983

(Continued from the meeting of June 20, 1983 at Mayor Hedgecock's request.)

Awarding a contract to Traffic Appliance Corporation for the purchase of parking meter parts, for an estimated cost of \$13,146.12, including tax and terms. BID-5053

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A265-286).

MOTION BY JONES TO CONTINUE TO JULY 25, 1983, AT COUNCIL MEMBER STRUIKSMA'S REQUEST, FOR THE PURPOSE OF BEING REVIEWED BY THE SMALL

BUSINESS ADVISORY TASK FORCE BEFORE BEING CONSIDERED BY COUNCIL.

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma- yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ADJOURNMENT:

By common consent the meeting was adjourned by Mayor Hedgecock at 4:56 p.m.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: D557).