

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, AUGUST 1, 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 2:01 p.m. Mr. Ted Gavid of the Mission Lions Club introduced two exchange students from Yokohama, Japan. Mayor Hedgecock welcomed the students. A proclamation proclaiming August 1, 1983, as Nicolae Spirescu Day was presented to Mr. Nicolae Spirescu by Mayor Hedgecock on behalf of the California Ballet.

Mayor Hedgecock adjourned the meeting at 5:20 p.m. to meet in Closed Session regarding pending litigation on Tuesday, August 2, 1983, at 9:00 a.m. 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-excused by R-259013
(vacation).
 - (6) Council Member Gotch-present.
 - (7) Council Member Murphy-present.
 - (8) Council Member Martinez-present.
- Clerk-Abdelnour (mp)

FILE LOCATION:

MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- Mayor Hedgecock-present.
- Council Member Mitchell-not present.
- Council Member Cleator-not present.
- Council Member McColl-present.
- Council Member Jones-present.
- Council Member Struiksma-not present.
- Council Member Gotch-not present.
- Council Member Murphy-present.
- Council Member Martinez-present.

ITEM-10: INVOCATION

Invocation was given by City Clerk Charles G. Abdelnour.

FILE LOCATION:

MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Murphy.

FILE LOCATION:

MINUTES

ITEM-30: REQUEST FOR A HEARING DEFEATED

Request for a hearing pursuant to San Diego Municipal Code Section 22.0101, Rule 4, of an appeal from the decision of the Public Services and Safety Committee to suspend the Samoan Senior Citizens Association's bingo license.

FILE LOCATION:

GENL Bingo Regulations

COUNCIL ACTION: (Tape location: A325-369).

MOTION BY MITCHELL TO GRANT THE REQUEST FOR A HEARING. Second by

Mayor Hedgecock. Defeated by the following vote: Mitchell-yea, Cleator-nay, McColl- nay, Jones-nay, Struiksma-not present, Gotch-nay, Murphy-nay, Martinez-nay, Mayor Hedgecock-yea.

* ITEM-50: (O-83-265) ADOPTED AS ORDINANCE O-16013 (New Series)

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. University Community Plan area.

District-1. Introduced on 7/18/83. Council voted 9-0.)

FILE LOCATION:

ZONE 8/1/83

COUNCIL ACTION: (Tape location: A470-480).

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

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-51: (O-83-264) ADOPTED AS ORDINANCE O-16014 (New Series)

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. Mira Mesa Community Plan Area. District-5. Introduced on 7/18/83. Council voted 9-0.)

FILE LOCATION:

ZONE 8/1/83

COUNCIL ACTION: (Tape location: A470-480).

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

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-52: (O-84-3) ADOPTED AS ORDINANCE O-16015 (New Series)

Approving the first amendment to the Development Agreement between the City of San Diego and MBM Associates, Mission Valley Partnership, Mission Valley I Ltd., Douglas Allred, Donald Sammis, Conrock, R. E. Hazard Contracting, and Murray Properties for the First San Diego River Improvement Project.

(District-5. Introduced on 7/19/83. Council voted 9-0.)

FILE LOCATION:

DEVL First San Diego River Improvement Project.

COUNCIL ACTION: (Tape location: A470-480).

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

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-53: (O-84-2) ADOPTED AS ORDINANCE O-16016 (New Series)

Authorizing the Mayor to execute a restated stadium lease with the San Diego Stadium Authority for the San Diego Jack Murphy Stadium.

(Mission Valley Community Area. District-5. Introduced on 7/19/83. Council voted 8-0. District 5 not present.)

FILE LOCATION:

LEAS San Diego Stadium Authority

COUNCIL ACTION: (Tape location: A470-480).

CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND

ADOPT.

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-100:
19830801

Four actions relative to awarding contracts:

Subitem-A: (R-84-20) ADOPTED AS RESOLUTION R-258962

Hawthorne Machinery Co. for the purchase of Caterpillar repair parts as may be required for a period of one year beginning September 1, 1983 through August 31, 1984, for an estimated cost of \$35,000, including tax and terms, with an option to renew the contract for an additional one year period. BID-5135Q

Subitem-B: (R-84-66) ADOPTED AS RESOLUTION R-258963

Environmental Care Inc. for furnishing the City of San Diego with complete landscape maintenance of designated planted and paved center islands, and certain street right-of-ways in the Rancho Bernardo Landscape Maintenance District, as may be required for a period of twelve months beginning July 1, 1983 through June 30, 1984, for an estimated cost of \$27,623.20, including terms, with options to renew the contract for four additional one year periods. BID-5104
(District-1.)

Subitem-C: (R-84-21) ADOPTED AS RESOLUTION R-258964

Environmental Care Inc. for furnishing the City of San Diego with complete landscape maintenance of designated planted and paved center islands, street right-of-ways, sidewalks, curbs and open space in the Mira Mesa Landscape Maintenance District, as may be required for a period of twelve months beginning July 1, 1983 through June 30, 1984, for an estimated cost of \$16,344.55 including terms, with options to renew the contract for four additional one year periods. BID-5102
(District-5.)

Subitem-D: (R-84-67) CONTINUED TO AUGUST 9, 1983

San Diego Turf and Irrigation for furnishing the City of San Diego with complete landscape maintenance of designated landscaped and undeveloped areas within the Bay Terraces Landscape Maintenance District, as may be required for a period of twelve months beginning July 1, 1983 through June 30, 1984, for an estimated cost of \$9,695.27, including terms, with options to renew the contract for four additional one year periods. BID-5105

(District-4.)

FILE LOCATION: Subitem-A MEET; Subitem-B STRT M-71; Subitem-C STRT M-67;

Subitem-D STRT M-68

COUNCIL ACTION: (Tape location: A370-410;A481-509).

MOTION BY JONES TO CONTINUE SUBITEM-D TO AUGUST 9, 1983, AS REQUESTED BY THE CITY MANAGER SO THAT THE CONTRACT WILL BE ON THE SAME DOCKET AS THE APPROVAL OF THE MAINTENANCE DISTRICT. Second by

McCull. Passed by the following vote: Mitchell-yea, Cleator-yea, McCull-yea, Jones-yea, Struiksmas-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

CONSENT MOTION BY MARTINEZ TO ADOPT SUBITEMS A, B, AND C. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McCull-yea, Jones-yea, Struiksmas-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-101:

19830801

Four actions relative to the final subdivision map of Carmel Valley Neighborhood 6 Unit No. 1, a 23-lot subdivision located westerly of I-5 and Carmel Valley Road: (North City West Community Area. District-1.)

Subitem-A: (R-84-128) ADOPTED AS RESOLUTION R-258965 Authorizing the execution of an agreement with Baldwin Builders, Inc. for the installation and completion of improvements.

Subitem-B: (R-84-127) ADOPTED AS RESOLUTION R-258966 Approving the final map.

Subitem-C: (R-84-129) ADOPTED AS RESOLUTION R-258967 Approving the acceptance by the City Manager of the street easement deeds of Village Properties, Pardee Construction

Co., and Joseph F. Oliver and Susan Mack Oliver; dedicating and naming Carmel View Road, Carmel Vista Road, High Bluff Drive, Carmel Valley Road and El Camino Real; approving the acceptance by the City Manager of the drainage, slope, sewer and drainage access easement deeds of Village Properties and Pardee Construction Company.

Subitem-D: (R-84-130) ADOPTED AS RESOLUTION R-258968

Approving the acceptance by the City Manager of the pedestrian and non-motor vehicular right-of-way deed of Village Properties and dedicating same to public use.

FILE LOCATION: Subitem-A SUBD Carmel Valley Neighborhood 6 Unit No. 1;
Subitem-B SUBD Carmel Valley Neighborhood 6 Unit No. 1;
Subitem-C DEED F-1990;
Subitem-D DEED F-1991

COUNCIL ACTION: (Tape location: A481-509).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-102:
19830801

Three actions relative to the final subdivision map of Lusk Industrial Park Unit No. 5, a six-lot subdivision located northwesterly of Lusk Boulevard and Barnes Canyon Road: (Mira Mesa Community Area. District-5.)

Subitem-A: (R-84-111) ADOPTED AS RESOLUTION R-258969

Authorizing the execution of an agreement with Lusk/Mira Mesa, for the installation and completion of improvements.

Subitem-B: (R-84-110) ADOPTED AS RESOLUTION R-258970

Approving the final map.

Subitem-C: (R-84-112) ADOPTED AS RESOLUTION R-258971

Approving the acceptance by the City Manager of that deed of Lusk/Mira Mesa, granting to City an easement for public street purposes in a portion of Lot 1 of Lusk Industrial Park Unit No. 5.

FILE LOCATION: Subitem-A SUBD Lusk Industrial Park Unit No. 5;

Subitem-B SUBD Lusk Industrial Park Unit No. 5;

Subitem-C DEED F-1992.

COUNCIL ACTION: (Tape location: A481-509).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmas-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-103:

19830801

Nine actions relative to the final subdivision map of University Canyon, a 46-lot subdivision, located northwesterly of Linda Vista Road and Glidden Street:
(Linda Vista Community Area. District-5.)

Subitem-A: (R-84-136) ADOPTED AS RESOLUTION R-258972
Authorizing the execution of an agreement with Collins Development for the installation and completion of improvements.

Subitem-B: (R-84-135) ADOPTED AS RESOLUTION R-258973
Approving the final map.

Subitem-C: (R-84-137) ADOPTED AS RESOLUTION R-258974
Approving the acceptance by the City Manager of the grant deeds of the Housing Authority of the City of San Diego for Lots 2 and 3, University Canyon.

Subitem-D: (R-84-138) ADOPTED AS RESOLUTION R-258975
Approving the acceptance by the City Manager of certain street easement deeds of the University of San Diego and the San Diego Unified School District; dedicating said land as and for a public street and naming the same Via Las Cumbres.

Subitem-E: (R-84-139) ADOPTED AS RESOLUTION R-258976
Approving the acceptance by the City Manager of certain sewer and drainage easement deeds of the San Diego Unified School District and the University of San Diego.

Subitem-F: (R-84-140) ADOPTED AS RESOLUTION R-258977
Dedicating a portion of Lot 9, Block 56, and a portion of Lot 28, Block 59 of Linda Vista Subdivision, reserved for

future street, as and for a public street and naming the same Kelly Place.

Subitem-G: (R-84-141) ADOPTED AS RESOLUTION R-258978
Dedicating a portion of Lot 80, Alcalá Knolls Subdivision, reserved for future street, as and for a public street and naming the same Via Las Cumbres.

Subitem-H: (R-84-142) ADOPTED AS RESOLUTION R-258979
Declaring that the names of portions of Glidden Street and Cretian Drive are changed to Via Las Cumbres.

Subitem-I: (R-84-143) ADOPTED AS RESOLUTION R-258980
Authorizing the execution of a quitclaim deed conveying to the Housing Authority of the City of San Diego and the University of San Diego, all of the City's right, title and interest in an unneeded sewer easement.

FILE LOCATION: Subitem-A and B SUBD University Canyon;
Subitem-C DEED F-1993;
Subitem-D DEED F-1994;
Subitem-E DEED F-1995;
Subitem-F DEED F-1996;
Subitem-G DEED F-1997;
Subitem-H DEED F-1998;
Subitem-I DEED F-1999

COUNCIL ACTION: (Tape location: A481-509).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmá-not present, Gotch-yea, Murphy-yea, Martínez-yea, Mayor Hedgecock-yea.

* ITEM-104:
19830801

Two actions relative to Murray-Frazeé Subdivision:
(Located northwesterly of Murray Canyon Road and Frazee Road. Serra Mesa Community Area. District-5.)

Subitem-A: (R-84-114) ADOPTED AS RESOLUTION R-258981

Authorizing the execution of a notice of partial release releasing a portion of the sureties issued by Developers Insurance Company in the form of a Performance Bond No. 102123, reducing the sum for faithful performance of Subdivision Agreement to \$352,596 and reducing the sum of the benefit of the contractor, subcontractor and persons renting equipment or

furnishing labor or material to \$176,298.

Subitem-B: (R-84-115) ADOPTED AS RESOLUTION R-258982

Granting an extension of time to April 30, 1985 to Sunroad Investment Corporation, subdivider, to complete the improvements required in Murray-Frazee Subdivision.

CITY MANAGER REPORT:

On April 20, 1983 the City entered into an agreement with Sunroad Investment Corporation for the construction of public improvements for Murray-Frazee Subdivision and Performance Bond No. 102123, issued by the Developers Insurance Company in the amount of \$900,798, was provided by the subdivider. The subdivider has requested a partial release of surety and an extension of time to April 30, 1985, in which to complete the required improvements. Approximately 81 percent of the work has been completed. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced to \$352,596 (approximately 61 percent reduction) and since the incomplete improvements are not necessary to serve the adjacent development or the general public, that the time extension be granted.

FILE LOCATION: Subitem-A and B SUBD Murray Frazee Subdivision

COUNCIL ACTION: (Tape location: A481-509).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-105: (R-83-1757) ADOPTED AS RESOLUTION R-258983

Vacating a portion of India Street and a portion of Washington Street adjacent to portions of Lots 8 and 9, Block 178, and Lot 4 and a portion of Lot 5, Block 177, of Middletown Partition, Map-4134-R, and Lot 19 and portions of Lots 18 and 20, Block 13, of Middletown Addition, Map-384 under the procedure for the summary vacation of an excess right-of-way of a street or highway not required for street or highway purposes; declaring that the City reserves and excepts from the foregoing vacation, the right, easement, and privilege of placing, constructing, repairing, replacing, maintaining, using, and operating public utilities of any kind or nature; declaring that the City reserves and excepts from vacation and abandonment, easements, and rights of any public utility pursuant to any existing franchise or renewals thereof; declaring that the easement reserved herein is in, under, over, upon, along, and across that portion of Washington Street

adjacent to Lots 8 and 9, Block 178, and Lot 4 and a portion of Lot 5, Block 177, of Middletown Partition, Map 4134-R, and Lot 19 and portions of Lots 18 and 20, Block 13, Middletown Addition, Map-384.

(A parcel map is required. Uptown Community Area. District-2.)

CITY MANAGER REPORT:

This action involves the vacation of portions of India Street, dedicated by subdivision in 1874, and Washington Street, quitclaimed to the City by Caltrans in 1946. The abutting property owner has petitioned for the closures to acquire and develop the land to provide additional off-street parking for his facilities. The rights-of-way to be vacated are unimproved but contain sewer, water, drain, gas, electric, and telephone facilities, and a pedestrian stairway. Easements have been reserved to service, maintain, and provide access to these facilities. The India Street closure abuts the Washington Street closure on the west and consists of a

25-

foot-high steep bank, which makes it infeasible to improve and precludes its use for traffic circulation. The right-of-way for Washington Street, classified as a six-lane prime arterial street in the Community Plan, will be retained for its ultimate design width; therefore, the Washington Street closure consists of excess

right-

of-way. The petitioner has bonded for and obtained a permit to construct the improvements necessary to the closing.

The petitioner has proposed to purchase the portion of the Washington Street closure owned in fee by the City. The sale will be considered by the Council as a separate item on this docket. Staff has concluded that the right-of-way is no longer needed for present or prospective public use and can be summarily vacated, subject to the easement reservations and land sale approval cited above. This action was processed in accordance with Council Policy 600-15.

FILE LOCATION:

STRT J-2483 and DEED F-2000

COUNCIL ACTION: (Tape location: A481-509).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-106: (R-84-86) ADOPTED AS RESOLUTION R-258984

Vacating Murray Canyon Road between State Highway 163 and

Map-

Frazee Road adjacent to Lot 3, Murray-Frazee Subdivision, 10097 and Lots 1 and 2, Trepte Park Subdivision, Map-4842, and those portions of Frazee Road adjacent to Lot 2, Trepte Park Subdivision Map-4842, and Lot 3, Murray-Frazee Subdivision, Map-10097 under the procedure for the summary vacation of streets where the street to be vacated consists of a portion of a street or highway that lies within property under one ownership and that does not continue through such ownership or end touching property of another; reserving and excepting the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using, and operating public utilities of any kind or nature; declaring that the City reserves and excepts from vacation and abandonment, easements and rights pursuant to any existing franchise or renewals thereof; the easement reserved herein is in, under, over, upon, along, and across Murray Canyon Road between State Highway 163 and Frazee Road adjacent to Lot 3, Murray-Frazee Subdivision, Map-10097, and Lots 1 and 2, Trepte Park Subdivision, Map-4842; declaring that this resolution shall not become effective unless and until an Engineering Permit to construct public improvements within the right-of-way has been issued; declaring that this resolution shall not become effective unless and until Parcel Map (TM-82-0148) has been approved; in the event either or both of the above conditions cannot be met by June 30, 1986, this resolution shall become void and be of no further force or effect; directing the City Engineer to advise the City Clerk of the issuance of the aforementioned Engineering Permit and the approval of the aforementioned Parcel Map.

(A parcel map is required. Serra Mesa Community Plan. District-5.)

CITY MANAGER REPORT:

80- Murray Canyon Road to be vacated was dedicated in 1908 as an

foot right-of-way. A 15-foot off-setting vacation and dedication in 1957 maintained the 80-foot width until the Murray-Frazee Subdivision dedicated additional right-of-way for a turnaround adjacent to Lot 3 of that map in 1981. One portion of Frazee Road to be vacated was dedicated by Council action in 1961. The other portion was relinquished to the City by CalTrans in 1971. The abutting property owners have petitioned for the closure to utilize the area for off-street parking. The closure is bound on the east by Frazee Road and truncated on the west by State Highway 163; therefore, it provides access only to the adjacent properties. Legal access to the adjacent properties will not be precluded by the

closing.

The rights-of-way to be vacated are improved with asphalt pavement and contain sewer, water, drain, gas, electric, and telephone facilities. A general utility easement has been reserved to service and maintain these facilities. The street vacation is conditioned upon the petitioner obtaining and bonding for an Engineering Permit to construct the public improvements necessary to the closing. The closing is also conditioned upon the approval of a final parcel map, which will consolidate the unsubdivided land within the closure with the adjacent properties. The map will record after the vacation is finalized. Staff has concluded that these rights-of-way are no longer needed for present or prospective public use and can be summarily vacated, conditioned upon the issuance of an Engineering Permit and the approval of a Parcel Map (TM-82-0148). This action was processed in accordance with Council Policy 600-15.

FILE LOCATION:

STRT J-2484 and DEED F-2001

COUNCIL ACTION: (Tape location: A481-509).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-107: (R-84-88) ADOPTED AS RESOLUTION R-258985

Vacating a portion of Tonawanda Drive (RS 643) in a portion of Quarter Section 83 of Rancho de la Nacion, Map-166, within the boundaries of the proposed Victoria Manor Subdivision Map (TM-83-0196) under the procedure for the summary vacation of an excess right-of-way of a street or highway not required for street or highway purposes; declaring that this resolution shall not become effective unless and until the final map for the Victoria Manor Subdivision has been approved by Council action; declaring that in the event that the final map is not approved by April 9, 1984, this resolution shall become void and of no further force or effect; directing the City Engineer to advise the City Clerk of the approval of the aforementioned subdivision map.

(A subdivision map is required. South Bay Terraces Community Area. District-4.)

CITY MANAGER REPORT:

The portion of Tonawanda Drive (RS 643) was dedicated by the County in 1935 and acquired by the City in 1955 as part of the Rancho Hills South annexation. The abutting property owners have

petitioned for the closure to facilitate development of their property as the Victoria Manor Subdivision.

The subject vacation lies north and westerly of the intersection of Parkside Avenue and Tonawanda Drive. The area proposed for vacation is partially improved with pavement but contains no public facilities. The irregularly shaped closure was created by the redesign and construction of the Tonawanda Drive/Parkside Avenue/

Rexford Place intersection. Rexford Place is a new street being dedicated by the Victoria Manor Subdivision. Sufficient

right-of-

way for Tonawanda Drive, classified as a collector street, will be retained to accommodate its planned ultimate design width. The street improvements necessary for the closure will be bonded for and constructed with the proposed Victoria Manor Subdivision

(TM-

83-0196).

Staff has concluded that the right-of-way to be vacated is no longer needed for present or prospective public use and can be summarily vacated, conditioned upon the approval and recordation of the final map for the Victoria Manor Subdivision (TM-83-0196). This action was processed in accordance with the provisions of Council Policy 600-15.

FILE LOCATION:

STRT J-2485 and DEED F-2002

COUNCIL ACTION: (Tape location: A481-509).

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

Jones-

yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-108: (R-84-121) ADOPTED AS RESOLUTION R-258986

Approving the acceptance by the City Manager of that deed of Wimpey/Gentry, conveying to the City a water easement in Parcels 22 and 23 of Parcel Map PM- 12573; authorizing the execution of a quitclaim deed, quitclaiming to Wimpey Gentry all of the City's right, title and interest in a water easement in Parcels 22 and 23 of Parcel Map PM-12573.

(Located southerly of Carroll Canyon Road and El Camino Drive. Mira Mesa Community Area. District-5.)

FILE LOCATION:

DEED F-2003

COUNCIL ACTION: (Tape location: A481-509).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by

the following vote: Mitchell-yea, Cleator-yea, McColl-yea,
Jones-
yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor Hedgecock-yea.

* ITEM-109: (R-84-122) ADOPTED AS RESOLUTION R-258987

Authorizing the execution of a quitclaim deed, quitclaiming
to LNC/Gentry all the City's right, title and interest in
portions of water easements.

(Located northerly of Camino Santa Fe and Trade Street.
Mira Mesa Community Area. District-5.)

FILE LOCATION:

DEED F-2004

COUNCIL ACTION: (Tape location: A481-509).

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

Jones-
yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor Hedgecock-yea.

* ITEM-110: (R-84-131) ADOPTED AS RESOLUTION R-258988

Expressing support for Assembly Bill 1958 (M. Waters)
regarding absentee ballots, if amended to preclude third
parties, unless they are deputized, from handling absentee
ballots.

(See Intergovernmental Relations Department Report

IRD-

83-52.)

COMMITTEE ACTION: Reviewed by RULES on 7/18/83. Recommendation to adopt the
Resolution. Districts 2, 5, 6, 7 and Mayor voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A481-509).

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

Jones-
yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor Hedgecock-yea.

* ITEM-111: (R-84-132) ADOPTED AS RESOLUTION R-258989

Expressing support for HR 1635 and HR 3110 (Pickle)
regarding "Federal Legislation to Restrict Tax-Exempt Financing
- HR 3110 and HR 1635," if they are amended to exempt

waste-to-

energy projects like SANDER.

(See Intergovernmental Relations Department Report

IRD-

83-50.)

COMMITTEE ACTION: Reviewed by RULES on 7/18/83. Recommendation to adopt the Resolution. Districts 2, 5, 6, 7 and Mayor voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A481-509).

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

Jones-

yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-112: (R-84-96) ADOPTED AS RESOLUTION R-258990

Memorializing the San Diego Delegation in the California State Legislature to support Senate Bill 197 (Garamendi) and Senate Bill 1202 (Garamendi) to require the Bureau of Home Furnishings to conduct studies necessary to establish fire safety performance standards for cigarettes and little cigars.

(See Intergovernmental Relations Department Report

IRD-

83-46.)

COMMITTEE ACTION: Reviewed by RULES on 7/18/83. Recommendation to adopt the Resolution. Districts 2, 5, 6, 7 and Mayor voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A481-509).

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

Jones-

yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-113: (R-84-95) UNFINISHED BUSINESS, TO BE CONSIDERED ON AUGUST 2, 1983

Expressing opposition to the concept of a local sales tax option as presently being proposed in the California Legislature.

(See Intergovernmental Relations Department Report

IRD-83-51.)

COMMITTEE ACTION: Reviewed by RULES on 7/18/83. Recommendation to adopt the

Resolution. Districts 2, 5, 6, 7 and Mayor voted yea.

FILE LOCATION:

MEET

* ITEM-114: (R-84-123) UNFINISHED BUSINESS, TO CONSIDERED ON AUGUST 2, 1983

Authorizing the sale by negotiation of a portion of Lot 6, Block 7 of the subdivision of Lots "H" and "O" of Rancho El Cajon, Map-817, for the sum of \$4,425 to David B. Martin, Ottavio Belvedere and Leonard Belvedere; authorizing the execution of a grant deed, granting to David B. Martin, Ottavio Belvedere and Leonard Belvedere said property; determining that no broker's commission shall be paid by the City on said negotiated sale.

(Located northerly of the existing Graves Avenue north of Prospect Avenue in the City of Santee.)

CITY MANAGER REPORT:

The adjacent developer has requested the purchase of this parcel, located easterly of Highway 67 in the City of Santee, to extend a portion of Graves Avenue through this site to his proposed development. The extension of Graves Avenue is a condition imposed by the City of Santee for the completion of the subdivision map. An easement for the existing El Monte Pipeline is a requirement of this sale and will be reserved over the entire parcel.

WU-PR-84-001.

FILE LOCATION:

DEED F-2005

* ITEM-115: (R-84-120) ADOPTED AS RESOLUTION R-258991

Authorizing the sale by negotiation of a portion of Lot 20 in Block 13 of Middletown Addition, Map-384, and a portion of Lot 5 in Block 177 of Middletown, for the sum of \$46,000 to James D. Mellos, Jr. and Helen M. Mellos; authorizing the execution of a grant deed, granting to James D. Mellos, Jr. and Helen M. Mellos said property; authorizing the execution of two easement deeds for access to neighboring owners, Howard J. Clure and Marjorie E. Page; determining that no broker's commission shall be paid by the City on said negotiated sale.

(Located on the north side of Washington Street at India Street. Uptown Community Area. District-2.)

CITY MANAGER REPORT:

The sale of this 6,522-square-foot, irregularly shaped parcel at Washington and India Streets is being processed concurrently with Street Vacation 82-503 and the sale would be subject to the approval and completion of this closing. The street vacation was initiated

by the adjacent owner to provide additional parking for his adjoining business. A condition of the sale is that a general utility easement be reserved over the entire sale area. In addition, a 15-foot pedestrian and non-motor vehicular easement and a 20-foot emergency vehicle and drain maintenance easement are also being reserved over portions of this parcel. This site is not developable as a separate parcel and can only be used by the buyer. Two easement deeds are being granted to neighboring owners who currently use a portion of this property for access to Washington Street.

FILE LOCATION:

DEED F-2006

COUNCIL ACTION: (Tape location: A481-509).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-116: (R-84-52) ADOPTED AS RESOLUTION R-258992

Authorizing the execution of an agreement with Ralph Bradshaw/Richard Bundy and Associates, AIA, to provide professional services for design of Central Library Building Repairs; authorizing the expenditure of the sum of \$3,000 from General Fund 100, General Services Department (53225) for the above project.

(Center City Community Area. District-8.)

CITY MANAGER REPORT:

General Services and Engineering and Development personnel investigated reports of decorative tile copings, which surround the windows, falling on the sidewalk below. It was found that some of the steel anchors that hold this trim in place are corroded and a better method of attachment must be found or the tiles replaced with another material. In accordance with Council Policy 300-7, a consultant Nominating Committee recommended three professional firms for consideration. After interviewing the nominees, the Selection Committee recommended Ralph Bradshaw/Richard Bundy and Associates, AIA, as being the first choice based upon their knowledge of the existing facility and experience with this type of problem. This agreement will provide for alternative solutions including advantages, disadvantages, and estimates for each. When the appropriate solution to the problem is arrived at, funds will need to be allocated for the completion of the construction documents and provide for a construction contract.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A481-509).

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

Jones-

yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-117: (R-84-90) ADOPTED AS RESOLUTION R-258993

Authorizing the City Manager to make an application to the Public Utilities Commission for approval to construct Kenamar Drive across the Atchison, Topeka and Santa Fe Railway Company main tracks.

(Located northerly of Miramar Road and Carroll Road. Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT:

The Santa Fe Land Development Company has an approved tentative map, Santa Fe Industrial Park, TM-83-0130, in the Miramar area. A requirement of the tentative map is that the subdivider dedicate and improve Kenamar Drive which crosses a lead track of Atchison, Topeka and Santa Fe railroad. The City must receive approval from the P.U.C. before approval can be given to the subdivider to construct the street across the railroad track.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A481-509).

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

Jones-

yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-150: (R-84-97) UNFINISHED BUSINESS, TO BE CONSIDERED ON AUGUST 2, 1983

Approving the recommendation in Intergovernmental Relations Department Report IRD-83-49 and expressing opposition to the proposed IRS rule change (LR- 82-82) regarding government borrowing; referring the question of the need for a general policy on tax-exempt municipal borrowing to the City Manager and City Auditor and Comptroller.

(See Intergovernmental Relations Department Report IRD-83-49.)

COMMITTEE ACTION: Reviewed by RULES on 7/18/83. Recommendation to adopt the Resolution. Districts 2, 5 and 7 voted yea. District 6 and Mayor voted nay.

FILE LOCATION:
MEET

ITEM-151: (O-84-001) INTRODUCED, TO BE ADOPTED ON AUGUST 15, 1983

Introduction of an Ordinance amending Chapter VIII, Article 6, of the San Diego Municipal Code by amending Section 86.23 to provide that no person shall use a vehicle while it is parked or standing upon any street as either temporary or permanent living quarters, abode or place of habitation either overnight or day by day.

(See City Manager Report CMR-83-286.)

COMMITTEE ACTION: Initiated by PSS on 7/13/83. Recommendation to introduce the Ordinance. Districts 3, 4, 6 and 8 voted yea. District 1 voted nay.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A450-469;A520-B280).

MOTION BY MARTINEZ TO CONTINUE FOR TWO WEEKS TO ALLOW THE SOCIAL

SERVICE AGENCIES TIME TO WORK OUT A COMPROMISE. Second by McColl. Failed by the following vote: Mitchell-yea, Cleator-nay, McColl-nay, Jones-yea, Struiksmas- not present, Gotch-nay, Murphy-nay, Martinez-yea, Mayor Hedgecock-yea.

MOTION BY GOTCH TO INTRODUCE THE ORDINANCE. Second by Cleator. Passed by the following vote: Mitchell-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksmas-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

ITEM-200: (R-84-68) UNFINISHED BUSINESS, TO BE CONSIDERED ON AUGUST 2, 1983

Inviting bids for the construction of San Diego Jack Murphy Stadium Expansion on Work Order No. 121054; authorizing the execution of a contract with the lowest responsible and reliable bidder, subject to the successful sale of Stadium Authority Revenue Bonds; authorizing the expenditure of not to exceed \$8,930,200 from Stadium Authority Revenue Bond proceeds for said project and related costs, subject to the successful sale of Stadium Authority Revenue Bond proceeds; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-5190

(Mission Valley Community Area. District-5.)

CITY MANAGER REPORT:

On March 21, 1983, Council approved funds for the Hope Consulting Group to prepare construction documents for the expansion of San Diego Jack Murphy Stadium. Plans and specifications are now

complete and ready to advertise for bids.

The proposed stadium expansion will provide a net increased seating capacity of about 7,800 seats, bringing the total capacity to above 60,000. This will be accomplished by closing the plaza level to a full bowl, replacing the 3,000 temporary bleacher seats with about 6,300 permanent seats on an at-grade structure. Behind these seats and flanking the scoreboard, two above-grade structures will provide an additional 2,700 seats in what is termed "extended plaza level" seating. The existing Loge and Press levels will be extended on each side to provide additional seating and 30 new "skyboxes," fully furnished and outfitted. Additions at these levels provide about 1,800 new seats. An additional 14 skyboxes will be constructed in existing available spaces on the Press level and on the Loge level. Additional public toilets will be constructed on the Loge level and beneath the extended Plaza level seating where additional concession facilities will also be provided. Additional office area of about 9,000 square feet will be provided beneath the extended Loge level. Other ancillary elements will be constructed as necessary to accommodate the expansion. These elements may include, but are not necessarily limited to: remodeled restaurant spaces, pantries, and converted or remodeled restrooms.

FILE LOCATION:

W.O. 121054

ITEM-201: (R-84-101) ADOPTED AS RESOLUTION R-258994 APPOINTING NANCY MacHUTCHIN

Discussion of the following nominees for appointment to serve on the San Diego Stadium Authority Board of Governors, to fill the vacancy caused by the resignation of Murray L. Galinson, for a term ending December 31, 1985:

NOMINEE	NOMINATED BY
Nancy MacHutchin	Mayor Roger Hedgecock
Norma McNerney	Council Member Murphy and Council Member Struiksma

Today's action is adoption of a resolution making the appointment.

Council Policy 000-13, as amended on 4/25/83, provides for the following procedure:

a. The Mayor calls on each candidate whose name appears on the docket as a nominee to make a presentation to the Council in support of his or her candidacy for appointment (maximum three minutes presentation for each candidate).

b. The Mayor calls on members of the Council to ask brief questions of the candidates concerning either the presentation

or matters contained in their application filed with the City.

c. Each Council member submits to the City Clerk the name of the candidate that he or she feels to be best qualified.

The candidate receiving the highest number of votes (minimum of five) is appointed to fill the vacancy.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A107-321).

Nancy MacHutchin was selected on the first ballot by a vote of 6-2.

MOTION BY CLEATOR TO APPOINT NANCY MacHUTCHIN. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksm-a-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

ITEM-202: UNFINISHED BUSINESS, TO BE CONSIDERED ON AUGUST 2, 1983
19830801

Four actions relative to Water Utilities in-lieu taxes:

(See City Manager Report CMR-83-305.)

Subitem-A: (R-84-106)

Electing to pay out of Municipal Funds 100 percent of an amount in lieu of taxes which would otherwise be levied upon property within the City by the Metropolitan Water District of Southern California for the Fiscal Year beginning July 1, 1983, and ending June 30, 1984, and appropriating such in-lieu amount.

Subitem-B: (R-84-107)

Electing to pay out of Municipal Funds 100 percent of an amount in lieu of taxes which would otherwise be levied upon property within the City by the San Diego County Water Authority for the Fiscal Year beginning July 1, 1983, and ending June 30, 1984.

Subitem-C: (R-84-108)

Declaring the intention to pay out of Municipal Funds the whole of the amount of taxes to be derived from that area of the Metropolitan Water District of Southern California which is within the City for the Fiscal Year beginning July 1, 1984 in an amount to be fixed in August, 1984 by Resolution of the Board of Directors of the District.

Subitem-D: (R-84-109)

Declaring the intention to pay out of Municipal Funds the

whole of the amount of taxes to be derived from that area of the San Diego County Water Authority which is within the City for the Fiscal Year beginning July 1, 1984 in an amount to be fixed in August, 1984 by Resolution of the Board of Directors of the Authority.

WU-U-83-818.

FILE LOCATION: Subitem-A and C WATER Metropolitan Water District of Southern California, Texas Payment out of Revenue;

Subitem-B and D WATER San Diego County Water Authority Texas, Payment out of Revenue.

ITEM-203: (R-84-58) UNFINISHED BUSINESS, TO BE CONSIDERED ON AUGUST 2, 1983

(Continued from the meeting of July 18, 1983 at the City Manager's request.)

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

ITEM-204: (R-83-2103) CONTINUED TO AUGUST 15, 1983

(Continued from the meeting of July 18, 1983, at the City Manager's request.)

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-4 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: A370-410).

MOTION BY MARTINEZ TO CONTINUE TO AUGUST 15, 1983 AT THE CITY MANAGER'S REQUEST. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy- yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-S400: (R-84-94) ADOPTED AS RESOLUTION R-258995

Authorizing the City Manager to submit an application to the California State Library for the maximum permissible amount of federal funds available under the Library Services and Construction Act Title II, for the Otay Mesa Branch Library new construction and the Benjamin Branch Library expansion

projects; authorizing the City Manager or his representative to perform all necessary acts to secure the funds.

(See City Manager Report CMR-83-307 and PSS Committee Consultant Analysis PSS-83-29. Otay Mesa Community Plan. District-8.)

COMMITTEE ACTION: Reviewed by PSS on 7/27/83. Recommendation to adopt the Resolution. Districts 1, 3, 6 and 8 voted yea. District 4 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A481-509)

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S401:

19830801

Two actions relative to a Task Force on Teenage Drug and Alcohol Abuse:

(See City Manager Report CMR-83-288.)

Subitem-A: (R-84-185) ADOPTED AS RESOLUTION R-258996

Establishing a Task Force on Teenage Drug and Alcohol Abuse consisting of two elected representatives from each of the following governmental bodies: 1) San Diego City Council; 2) San Diego County Board of Supervisors; 3) San Diego Unified School District Board of Education; and 4) San Diego County Board of Education; requesting the Board of Supervisors and the City and County Boards of Education to participate on the Task Force; declaring that the Task Force goals should include, but not be limited to, the following: 1) Reducing the incidents of drug/alcohol abuse through the development and implementation of a comprehensive, regional program of prevention and education with a focus on youth; 2) Providing leadership and direction in the problem assessment, planning, program development and evaluation required to create and implement an effective strategy; 3) Developing public policy to support Task Force activities; 4) Providing maximum coordination between and among agencies; and 5) Developing community financial support for programs to move away from the total dependence on public monies; appointing Council Members Bill Mitchell and William Jones as the representatives of the City Council on the Task Force and appointing Council Member Mike Gotch as alternate representative.

Subitem-B: (R-84-98) ADOPTED AS RESOLUTION R-258997

Expressing strong support for the forthcoming KPBS television program entitled "The Chemical People" and urging all concerned citizens to watch this presentation scheduled for televising on November 2 and 9, 1983.

COMMITTEE ACTION: Initiated by PSS on 7/13/83. Recommendation to adopt the Resolutions. Districts 1, 3, 4, 6 and 8 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E120-132).

MOTION BY MITCHELL TO ADOPT SUBITEMS A AND B. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struikma-not present, Gotch-yea, Murphy-yea, Martinez-not present, Mayor Hedgecock-yea.

ITEM-S402: (R-84-154) ADOPTED AS RESOLUTION R-258998

Authorizing the City Manager to extend the term of the option to the lease agreement with Mission Pacific Associates, involving the proposed development and operation of a Ramada Hotel in the southeast corner of Mission Bay Park, for six months or until the issue of possible toxic waste hazards on the proposed hotel site has been resolved, whichever date or event first occurs; waiving the strict requirements contained in Council Policy 300-7 and authorizing the City Manager to select a consultant with a less formal selection process in order to allow for immediate testing for toxic wastes to commence; authorizing the expenditure of not to exceed \$180,000 from CIP Project 37.250 for professional services to conduct such testing.

(Mission Bay Community Area. District-6.)

COMMITTEE ACTION: Initiated by PSS on 7/27/83. Recommendation to adopt the Resolution. Districts 1, 3, 4, 6 and 8 voted yea.

COMMITTEE REPORT:

In October of 1982, the City Council approved an option agreement between the City and Mission Pacific Associates relative to the development and operation of a Ramada Renaissance hotel in the southeast corner of Mission Bay. Under that agreement which terminates on July 31, 1983, the City received \$127,500 for the option and MPA was to conclude certain development activities. MPA has fulfilled the terms of that agreement and is now ready to exercise the option and enter into the lease, the terms of which were also approved by Council last October.

However, recent information indicates that there is a possibility of toxic waste hazard on or near the hotel site. MPA is concerned about entering into a lease until this matter is resolved.

Therefore the Public Services and Safety Committee is recommending an extension of the option agreement, at no cost to MPA, for six months or until resolution of the matter, whichever first occurs. While there is currently no specific evidence to indicate the existence of a hazard, Committee believes it is prudent to take these precautions to ensure public safety.

In order to allow immediate testing and analysis, a waiver of Council Policy 300-7 (Consultant Selection) is recommended so that a consultant can be chosen without the formal process required by that policy. Expenditure of funds for testing is also requested. These funds are available in CIP Project 37.250 (Methane - Leachate Control - Sanitary Landfill Sites).

FILE LOCATION:

LEAS Mission Pacific Associates

COUNCIL ACTION: (Tape location: E133-152).

MOTION BY GOTCH TO ADOPT AND TO DIRECT THE CITY MANAGER'S STAFF,

WITH THE CITY MANAGER ACTING AS THE "POINT" PERSON, MEET WITH THE

COUNTY HEALTH STAFF AND REPORT BACK TO THE PS&S COMMITTEE, AT EACH

MEETING THAT IS HELD EVERY TWO WEEKS, WITH A PROGRESS REPORT ON THE

INVESTIGATION OF THE FORMER LANDFILL SITE. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksm-a-not present, Gotch-yea, Murphy-yea, Martinez-not present, Mayor Hedgecock-yea.

ITEM-S403: (O-83-235) UNFINISHED BUSINESS, TO BE CONSIDERED ON AUGUST 2, 1983

(Continued from the meetings of June 20, 1983, July 18, 1983 and July 25, 1983; last continued at the City Manager'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:

ITEM-S404: (R-83-1991) UNFINISHED BUSINESS, TO BE CONSIDERED ON AUGUST 2,

1983

(Continued from the meetings of June 20, 1983, July 18, 1983 and July 25, 1983; last continued at the City Manager'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

ITEM-S405:
19830801

Four actions relative to a Special Municipal Election:

Subitem-A: (O-84-13) ADOPTED AS ORDINANCE O-16017 (New Series)

Introduction, dispense with the reading and adoption of an Ordinance ordering, calling, providing for and giving notice of a Special Municipal Election to be held in the City on November 8, 1983 for the purpose of submitting to the qualified voters of the City of San Diego one proposition relating to an advisory measure in connection with the City entering into a 20-year agreement with the San Diego Unified Port District to operate and maintain a new convention and exhibition facility at Navy Field, and one proposition adding Section 76.1 to the Charter of the City of San Diego, and consolidating said Special Municipal Election with the General Municipal Election to be held in said City on November 8, 1983.

Subitem-B: (O-84-14) ADOPTED AS ORDINANCE O-16018 (New Series)

Introduction, dispense with the reading and adoption of an Ordinance ordering, calling and providing for and giving notice of a Special Municipal Election to be held in the City on November 8, 1983 for the purpose of submitting to the qualified voters of the La Jolla Landscape District of the City of San Diego one proposition relating to the imposition of a special tax, and consolidating said Special Municipal Election with the General Municipal Election to be held in in the said City on November 8, 1983.

Subitem-C: (O-83-250 Rev.) INTRODUCED, TO BE ADOPTED AUGUST 15, 1983

Introduction of an Ordinance establishing the La Jolla

Landscape District.

(District-1.)

Subitem-D: (R-84-155) ADOPTED AS RESOLUTION R-258999

Adoption of a Resolution authorizing the City Auditor and Comptroller to make payments for the Special Municipal Elections costs to the Registrar of Voters in compliance with the Board of Supervisors' advance payment policy and the Registrar of Voters' schedule for progress payments.

FILE LOCATION: Subitem-A, B and D MEET

COUNCIL ACTION: (Tape location: E154-250).

MOTION BY GOTCH TO AMEND THE PROPOSED LANGUAGE OF SUBITEM-A (PAGES 2 AND 4, PROPOSITION () ADVISORY VOTE ONLY) TO READ AS FOLLOWS: "SHALL THE CITY ENTER INTO AN AGREEMENT WITH THE SAN DIEGO

UNIFIED PORT DISTRICT WHICH PROVIDES THAT THE PORT SHALL BUILD A CONVENTION AND EXHIBITION CENTER ON PORT-OWNED LAND AT PORT EXPENSE

USING AVAILABLE PORT DISTRICT FUNDS; AND FURTHER PROVIDES THAT THE

CITY SHALL OPERATE AND MAINTAIN THIS CENTER; PROVIDED THAT THE COST

TO THE CITY FOR OPERATING AND MAINTAINING THE CENTER SHALL BE PAID

ONLY FROM REVENUES DERIVED FROM OPERATION OF THE CENTER ITSELF AND,

IF NECESSARY, FROM TRANSIENT OCCUPANCY TAX REVENUES DERIVED FROM

OCCUPANCY OF HOTELS WITHIN THE NAVY FIELD COMPLEX?" AND TO INTRODUCE

AS AMENDED, DISPENSE WITH THE READING, AND ADOPT THE ORDINANCE. ALSO, INTRODUCE, DISPENSE WITH THE READING AND ADOPT SUBITEM-B, INTRODUCE SUBITEM-C, AND ADOPT SUBITEM-D. Second by Mitchell.

Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksm-a-not present, Gotch-yea, Murphy-yea, Martinez-not present, Mayor Hedgecock-yea.

ADDITIONAL BUSINESS: During consideration of this item, the Council also adopted the following as Resolution No. R-259000:

MOTION BY GOTCH TO DESIGNATE MAYOR HEDGECOCK TO PREPARE THE ARGUMENTS FOR THE CONVENTION CENTER ON BEHALF OF THE COUNCIL, AND

AUTHORIZE THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS PURSUANT TO THE ELECTION CODE, SECTION 5011, ATTACHING TO IT A MAP

SHOWING THE LOCATION OF THE CONVENTION CENTER. Second by Mitchell.

Passed by the following vote: Mitchell-yea, Cleator-yea,

McColl-yea, Jones-yea, Struiksmas-not present, Gotch-yea, Murphy-yea,
Martinez-not present, Mayor Hedgecock-yea.

ITEM-S406: RESCHEDULED FOR AUGUST 16, 1983, 3:00 P.M., TIME CERTAIN
19830801

(Continued from the meetings of August 3, 1982, September 28, 1982, July 19, 1983 and July 26, 1983; last continued at Council Member Mitchell's request.)

Matters of:

A. Proposal to introduce various zoning and other related Ordinances intended to implement a substantial portion of the City's proposed Local Coastal Program. The various Ordinances to be considered for introduction would, if adopted, effect the following changes in The City of San Diego Municipal Code:

1. Amend Chapter VI, Article 2, Divisions 1 and 4 by amending a provision relating to land development generally and, more particularly, by adding provisions relating to land development within the Coastal Zone.
2. Amend Chapter X, Article 1, Division 1 by adding several zoning definitions thereto.
3. Amend Chapter X, Article 1, Division 4 by:
 - a) Adding Coastal Zone regulations to the FW, FPF, R, RV, CO, CN, CC, CA, C- 1, M-1 and M-2 Zones.
 - b) Adding Coastal Zone regulations to the HR (Hillside Review) Overlay District.
 - c) Adding the CV (Commercial Visitor-Service) Zone.
 - d) Adding the SCR (Sensitive Coastal Resource) Overlay District.
4. Amend Chapter X, Article 1, Division 5 by adding marine-related uses to those uses approvable by the Planning Commission under Conditional Use Permit.
5. Amend Chapter X, Article 1, Division 8 by:
 - a) Revising tandem parking regulations.
 - b) Adding joint use and common parking regulations.
 - c) Adding Coastal Zone regulations relating to off-street parking.
6. Amend Chapter X, Article 1, Division 9 by making several technical revisions to the Planned Residential Development regulations and adding Coastal Zone regulations thereto.
7. Amend Chapter X, Article 1, Division 11 by adding Coastal Zone regulations to the On-Premises Sign Ordinance.
8. Amend Chapter X, Article 2, Division 4 by adding provisions relating to subdivisions within the Coastal Zone.
9. Amend Chapter X, Article 3, Division 3 by adding Coastal Zone regulations to the La Jolla Shores Planned District.

10. Add Chapter X, Article 5, Division 2 in order to establish a procedure for the processing of Coastal Development Permits within the City's Coastal Zone.

B. Proposal to approve minor amendments to the Ocean Beach Segment Land Use Plan, the Peninsula Segment Land Use Plan, the Pacific Beach Segment Land Use Plan and the North City Segment Land Use Plan that relate to development within the Coastal Zone.

C. Proposal to approve the initiation of rezonings intended to implement Coastal Zone segment land use plans following final and effective certification of The City of San Diego's Local Coastal Program.

D. Proposal to authorize the submittal of the above-referenced Ordinances, plan amendments, and related materials to the California Coastal Commission in order to seek certification of this City's Local Coastal Program.

Subitem-A: (R-84-9)

Adoption of a Resolution approving the proposed implementing Ordinances and the submittal of the LCP to the Coastal Commission.

Subitem-B: (O-83-1 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to definitions and regulations.

Subitem-C: (O-83-2 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to land development.

Subitem-D: (O-83-3 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to the land use definitions and interpretations.

Subitem-E: (O-83-4 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to FW Zone.

Subitem-F: (O-83-5 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to the FPF Zone.

Subitem-G: (O-83-6 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to the SCR Zone.

Subitem-H: (O-83-8 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to the RV Zone.

Subitem-I: (O-83-9 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to the CV Zone.

Subitem-J: (O-83-10 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to the CO Zone.

Subitem-K: (O-83-11 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to the CN Zone.

Subitem-L: (O-83-12 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to the CC Zone.

Subitem-M: (O-83-13 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to the CA Zone.

Subitem-N: (O-83-14 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to the C-1 Zone.

Subitem-O: (O-83-15)

Introduction of an Ordinance amending the Municipal Code relating to the M-1 Zone.

Subitem-P: (O-83-16)

Introduction of an Ordinance amending the Municipal Code relating to the M-2 Zone.

Subitem-Q: (O-83-17 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to the HR Overlay District.

Subitem-R: (O-83-18)

Introduction of an Ordinance amending the Municipal Code relating to conditional use permits.

Subitem-S: (O-83-19 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to planned residential developments.

Subitem-T: (O-83-20 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to off- street parking.

Subitem-U: (O-83-21 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to on- premises signs.

Subitem-V: (O-83-30 Rev.)

Introduction of an Ordinance amending the Municipal Code relating to lot design within the coastal zone.

Subitem-W: (O-83-258)

Introduction of an Ordinance amending the Municipal Code relating to geologic reports within the coastal zone.

Subitem-X: (O-83-259)

Introduction of an Ordinance amending the Municipal Code relating to the La Jolla Shores Planned District Ordinance.

Subitem-Y: (O-83-260)

Introduction of an Ordinance amending the Municipal Code relating to the R Zones.

Subitem-Z: (O-83-261)

Introduction of an Ordinance amending the Municipal Code relating to coastal development permits.

FILE LOCATION: LAND Local Coastal Program

COUNCIL ACTION: (Tape location: B285-E116).

Hearing began at 3:06 p.m. and halted at 5:04 p.m.

Testimony on a plan for La Jolla by Mr. Zobell.

Testimony in opposition of Mr. Zobell's plan by Robert Collins and Thomas Derrman.

Testimony in favor of the La Jolla Community Plan by Paul Peterson.

Motion by Martinez to adopt the resolution. Second by Cleator.

No vote taken.

Motion by Mitchell to continue to August 23, 1983, at 2:00 p.m., the matter of the discrepancy of the HR zone in the La Jolla Community Plan, and to set a public hearing. Second by Gotch.

Passed. Yeas: 1,2,3,4,6,M. Nays: 7,8. Not present: 5.

Motion by Martinez to reconsider the North City segment of the 100-year flood plain fringe development issue and the 25 percent slope issue. Second by Cleator. Passed. Yeas: 1,2,3,4,6,7,8,M.

Nays: None. Not present: 5.

Testimony in favor of the reconsideration by Doug Boyd, Max Strobel, Julie

Dillon, Bruce Warren, John Cook, Shi Hughes, William Kennedy, Bruce Henderson, Doug Alred, Bob Richardson, and Roger Woolley.

Testimony in opposition of the reconsideration by Tom Crandall and Harry Compton.

Motion by Cleator to approve staff's recommendations with regard to the 100-year flood plain fringe development and the 25 percent slope issues. Second by Jones. Each issue voted on separately. Flood plain issue passed. Yeas: 1,2,3,4,6,7,8. Nays: M. Not present: 5. Slope issue passed. Yeas: 1,2,3,4,6,7,8. Nays: M. Not present: 5.

Mayor Hedgecock announced that the item would be rescheduled for August 16, 1983, at 3:00 p.m. time certain.

* ITEM-S407: (R-84-186) ADOPTED AS RESOLUTION R-258960

Authorizing the City Manager to pay the total sum of \$273,831.10 in satisfaction of the judgement entered against the City of San Diego in *Metromedia, Inc. v. City of San Diego*, Superior Court Case No. 332881 including interest thereon from July 1, 1983; authorizing the City Auditor and Comptroller to issue a check in the total amount of \$273,831.10 made payable to Metromedia Inc. from the Public Liability Operating Fund No. 60106.

CITY MANAGER REPORT:

This payment will satisfy the judgement against the City of San Diego in *Metromedia, Inc. v. City of San Diego*, Superior Court Case No. 332881. As the prevailing party, the Court has awarded Metromedia, Inc. attorneys' fees totalling \$271,525 plus interest from July 1, 1983. The interest as of August 1, 1983 is \$2,306.10, resulting in a total payment of \$273,831.10.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A481-509).

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-S408: (R-84-187) ADOPTED AS RESOLUTION R-258961

Authorizing the City Manager to pay the total sum of \$230,415.47 in satisfaction of the judgement entered against the City of San Diego in *Pacific Outdoor Advertising Co., Inc. v. City of San Diego*, Superior Court Case No. 333292, including interest thereon from July 1, 1983; authorizing the City

Auditor and Comptroller to issue a check in the total amount of \$230,415.47 made payable to Gannett Outdoor Co., Inc. of Southern California (successor-in-interest to Pacific Outdoor Advertising Co., Inc.) from the Public Liability Operating Fund No. 60106.

CITY MANAGER REPORT:

This payment will satisfy the judgement against the City of San Diego in Pacific Outdoor Advertising Co., Inc. v. City of San Diego, Superior Court Case No. 333292. Gannett Outdoor, Co., Inc. of Southern California is the successor-in-interest to Pacific Outdoor Advertising Co., Inc. As the prevailing party, the Court has awarded Gannett Outdoor Co., Inc. of Southern California attorneys' fees totalling \$228,475 plus interest from July 1, 1983. The interest as of August 1, 1983 is \$1,940.47, resulting in a total payment of \$230,415.47.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A481-509)

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor Hedgecock at 5:20 p.m.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: E251).