

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

TUESDAY, AUGUST 16, 1983

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Cleator at 9:06 a.m. The meeting was recessed by Mayor Hedgecock at 9:16 a.m. The meeting was reconvened by Mayor Hedgecock at 9:34 a.m. with Council Members Cleator and Gotch not present. The meeting was recessed by Mayor Hedgecock at 10:17 a.m. The meeting was reconvened at 10:32 a.m. by Mayor Hedgecock with Council Members Mitchell, Cleator, Struiksma, and Gotch not present. The Meeting was recessed at 10:36 a.m. by Mayor Hedgecock to convene as the Housing Authority and to reconvene as the City Council at 2:00 p.m. The meeting was reconvened by Mayor Hedgecock at 2:03 p.m. with Council Members Mitchell, Cleator, McColl and Martinez not present. The meeting was recessed by Mayor Hedgecock at 2:06 p.m. The meeting was reconvened by Chairperson Gotch at 2:33 p.m. with Mayor Hedgecock and Council Members Cleator and Jones not present. Mayor Hedgecock adjourned the meeting at 4:15 p.m.

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 (mp a.m.; jb p.m.)

FILE LOCATION:

MINUTES

ITEM-300: ROLL CALL

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

Council Member Murphy-present.
Council Member Martinez-not present.

ITEM-310: ACKNOWLEDGED AND WELCOMED

Welcoming the District Attorney Explorer Post which consists of a group of high school visitors, accompanied by Mr. Les Dubow and Ms. Patty O'Mara from the District Attorney's Office. (This group will arrive at 9:30 a.m.)
(District-7.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A122-145).

ITEM-330:
19830816

(Continued from the meetings of July 12, 1983 and July 19, 1983; last continued at the Engineering and Development Department's request.)

Six actions relative to Lopez Canyon Sewer and Retention Basin, Assessment District No. 3990, under Resolution of Intention

R-258560, adopted May 31, 1983 (Municipal Improvement Act of 1913):

(See City Manager Report CMR-83-196. Mira Mesa Community Area. District- 5.)

Subitem-A: (R-84-200) ADOPTED AS RESOLUTION R-259099

Ordering changes and modifications in proceedings and assessments in an assessment district.

Subitem-B: (R-84-30) ADOPTED AS RESOLUTION R-259100

Overruling and denying protests and making certain findings in a special assessment district.

Subitem-C: (R-84-31) ADOPTED AS RESOLUTION R-259101

Finding and determining that the public interest, convenience and necessity require certain acquisition and improvements, and that the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" shall not apply.
(Eight votes required)

Subitem-D: (R-84-32) ADOPTED AS RESOLUTION R-259102

Confirming the assessment, ordering the improvements made, together with appurtenances, and approving the City Engineer's report.

Subitem-E: (R-84-33) ADOPTED AS RESOLUTION R-259103

Awarding a contract to Peter Artukovich for the construction of certain public works of improvements in a special assessment district.

Subitem-F: (R-84-34) ADOPTED AS RESOLUTION R-259104

Accepting proposal and making award for sale of bonds, and providing for the establishment of a redemption fund for the payment of said bonds.

FILE LOCATION: STRT D-2239

COUNCIL ACTION: (Tape location: A050-099).

Hearing began at 9:10 a.m. and halted at 9:14 a.m.

MOTION BY STRUIKSMA TO CLOSE THE HEARING AND ADOPT SUBITEMS

A, B,

C, D, E, AND F. 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-331: (R-84-184) ADOPTED AS RESOLUTION R-259105

Authorizing the expenditure of not to exceed \$20,000 from the General Fund Unallocated Reserve, Fund 100, Department No. 605, Object Account 4947, for advancing funds for the payment of San Diego Unified School District assessments for the Lopez Canyon Assessment District.

(Mira Mesa Community Area. District-5.)

FILE LOCATION:

STRT D-2239

COUNCIL ACTION: (Tape location: A104-115).

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. 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-332:
19830816

Matter of the appeals of Torrey Pines Association, by Jessie

La Grange and Torrey Pines Planning Group, by Maralyn J. Benn from the decision of the Planning Commission in approving: 1) an amendment to add 25 detached single-family dwelling units to previously approved Planned Residential Development Permit PRD-135, which permitted 105 residential units; and 2) a Tentative Map (Sierra del Mar Unit 2) which proposes a two-unit, 115-lot subdivision on Lots 1-90 (excepting Lot 83), Sierra Del Mar, Map-10111, in the R-1-15, R-1-15 (HR), CO and CO (HR) Zones and within the boundaries of the Torrey Pines Community Plan. The subject property is located on the north side of Carmel Valley Road between Portofino Drive and Interstate 5.

(PRD-83-0100 and TM-83-0100. District-1.)

Subitem-A: (R-84-314) ADOPTED AS RESOLUTION R-259106 GRANTING APPEAL AND DENYING PERMIT

Adoption of a Resolution granting the appeal and denying the permit or denying the appeal and granting the permit with appropriate findings to support Council action.

Subitem-B: (R-84-315) ADOPTED AS RESOLUTION R-259107 GRANTING APPEAL AND DENYING MAP

Adoption of a Resolution granting the appeal and denying the map or denying the appeal and granting the map with appropriate findings to support Council action.

FILE LOCATION: Subitem A PERM PRD-83-0100; Subitem B SUBD Sierra del Mar Unit No. 2

COUNCIL ACTION: (Tape location: A147-B084).

Hearing began at 9:37 a.m. and halted at 10:15 a.m.

Testimony in favor of the appeal by Maralyn Benn, Dr. Rodney Phillips, John Bradshaw, Deanna Rich, and Jessie LaGrange.

Testimony in opposition of the appeal by John Thelan and Victor Fargo.

MOTION BY MITCHELL TO CLOSE THE HEARING, ADOPT SUBITEM-A GRANTING

THE APPEAL AND DENYING THE PERMIT, AND ADOPT SUBITEM-B GRANTING THE

APPEAL AND DENYING THE MAP. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-nay, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-333: (O-84-16) INTRODUCED, TO BE ADOPTED SEPTEMBER 12, 1983

Approval of the Regents Park Development Agreement between The City of San Diego and Lomas Santa Fe, Inc.

The development agreement is being proposed to satisfy a condition placed on the approved Tentative Map TM-82-0696. This condition requires that the developer enter into an agreement to provide the subdivision's share of the cost of extending and upgrading an existing gravity sewer system. The development agreement also assures the payment of fees for the Facilities Benefit Assessment (FBA) Program to provide for needed capital facilities in the event that the FBA financing plan becomes inoperative. The developer would also provide public improvements, facilities and services as required by the Subdivision Agreement. Development of the property would be restricted by the existing CN Zone and an approved Planned Commercial Development PCD-82-0696. This agreement would expire on December 31, 2003. Additional provisions are contained in the draft development agreement.

The Regents Park Development Agreement would apply to approximately 27.5 acres in a CN Zone in the University City community. The property is on the north side of La Jolla Village Drive, between Genesee Avenue and Regents Road. A general legal description is as follows: Lots 1-16, Brittany Village Subdivision, Map-10107 (Assessor Parcels 345-160-1 to 16 inclusive). A specific legal description is on file in the Planning Department.

(District-1.)

Today's action is introduction of an Ordinance for the development agreement.

FILE LOCATION:

DEVL Regents Park Development Agreement

COUNCIL ACTION: (Tape location: B085-095).

MOTION BY MITCHELL TO INTRODUCE THE ORDINANCE. 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-334:
19830816

Five actions relative to the final subdivision map of Regents Park, a 19-lot subdivision located northwesterly of Genesee Avenue and La Jolla Village Drive:
(University North Community Area. District-1.)

Subitem-A: (R-84-219) ADOPTED AS RESOLUTION R-259108

Authorizing the execution of an agreement with Lomas Santa

Fe, Inc. for the installation and completion of improvements.
Subitem-B: (R-84-218) ADOPTED AS RESOLUTION R-259109

Approving the final map.
Subitem-C: (R-84-220) ADOPTED AS RESOLUTION R-259110

Terminating the agreement of June 1, 1981 with Lomas Santa Fe, Inc. to complete certain improvements in Brittany Village; releasing Performance Bond No. YS 818-2472 issued by Industrial Indemnity Company, guaranteeing the improvements in the subdivision known as Brittany Village.
Subitem-D: (R-84-237) ADOPTED AS RESOLUTION R-259111

Authorizing the execution of a quitclaim deed, quitclaiming to Lomas Santa Fe, Inc. all the City's right, title and interest in existing drainage, water and general utility easements and abutter's rights of access.
Subitem-E: (R-84-238) ADOPTED AS RESOLUTION R-259112

Authorizing the execution of a quitclaim deed, quitclaiming to Lomas Santa Fe, Inc. all the City's right, title and interest in slope and pedestrian and non-motor easements.

CITY MANAGER REPORT:

Regents Park is resubdividing Brittany Village subdivision which involves the quitclaim of water, drainage, general utilities, slope, abutters rights of access, and pedestrian and non-motor vehicular easements, termination of the subdivision agreement for Brittany Village and release of the subdivision surety. No work has been done under the subdivision agreement for Brittany Village. A new bond has been posted to cover the work under the new agreement. All easements being abandoned were acquired at no cost and are no longer needed. The map of Regents Park will grant the City new easements as required. The developer will finance and construct a traffic signal system on Genesee Avenue between La Jolla Village Drive and Executive Drive at the private street intersection and modify the traffic signal systems at the intersection of Genesee Avenue and La Jolla Village Drive and at the intersection of La Jolla Village Drive and Regents Road.

FILE LOCATION: SUBD Regents Park; Subitem D DEED F-2017;
Subitem E DEED F-2018

COUNCIL ACTION: (Tape location: B098-105).

MOTION BY MARTINEZ TO ADOPT SUBITEMS A, B, C, D, AND E. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-335: (R-84-236) ADOPTED AS RESOLUTION R-259113

Adding to the San Diego Open Space Park Facilities District No. 1 the area designated as Mission Gorge Reorganization No. 2, which area was annexed to the City of San Diego by Resolution R-258862, adopted July 11, 1983, pursuant to Section 61.2070 of the San Diego Municipal Code.

(District-7.)

CITY MANAGER REPORT:

The reorganization public hearing to annex all that portion of Lot 6 in Block H of Fanita Rancho as described in Exhibit 'A' and as shown on the map Exhibit 'B', to the City of San Diego was held on July 11, 1983. It is appropriate to annex this territory to the San Diego Open Space Park Facilities District 1 as the boundaries are coterminous with those of the City of San Diego.

FILE LOCATION:

ANNEX Mission Gorge Reorganization No. 2

COUNCIL ACTION: (Tape location: B111-118).

Hearing began at 10:33 a.m. and halted at 10:34 a.m.

MOTION BY MURPHY TO CLOSE THE HEARING AND ADOPT THE RESOLUTION.

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

ITEM-336: (O-83-262) INTRODUCED, TO BE ADOPTED SEPTEMBER 12, 1983

Introduction of an Ordinance amending Chapter X (Planning and Zoning Regulations) of the Municipal Code of The City of San Diego by amending Article 1, Division 4, Section 101.0455 (Small Lot Overlay Zone) to permit detached single-family dwelling units as well as attached single-family dwelling units.

FILE LOCATION:

COUNCIL ACTION: (Tape location: C015-040).

Hearing began at 2:04 p.m. and halted at 2:06 p.m.

MOTION BY JONES TO CLOSE THE HEARING AND INTRODUCE THE ORDINANCE.

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

ITEM-337: (O-84-5) INTRODUCED, TO BE ADOPTED SEPTEMBER 12, 1983

Introduction of an Ordinance amending Ordinance O-15213 (New Series), which granted to American Television and Communications Corporation the nonexclusive right, privilege and franchise to lay and use lines, wires, coaxial cable and appurtenances for transmitting, distributing and supplying radio and cable television service along, across and upon the public streets, ways, alleys and places within certain areas of San Diego, by amending paragraph (b) of Section 7 concerning the term of this franchise to extend the franchise for an additional ten years.

(See City Manager Report CMR-83-253 and Committee Consultant Analysis TLU- 83-14.)

COMMITTEE ACTION: Reviewed by TLU on 6/27/83. Recommendation to introduce the Ordinance. Districts 2, 3, 4, 5 and 8 voted yea.

COMMITTEE REPORT:

On June 27, 1983 the Transportation and Land Use Committee conducted a noticed public hearing on the application of American Television and Communication (ATC) Corporation's application for extension of the term of its Southwestern CATV Franchise by 10 years. The Southwestern Cable Franchise, approved by Council on March 10, 1980, consolidated five previously separate franchises into one and standardized the provisions and terms. It includes a three year probationary period after which, upon application by the Cable Co. and upon approval by the City Council, the term of the Franchise may be extended for 10 years. The Committee heard a presentation by ATC, City Staff, and public testimony. There was no opposition. Following Committee discussion, and agreements by Southwestern Cable Co. to extend hours of operations for Customer Service, the Committee recommended approval of the application for a ten-year extension of the franchise.

FILE LOCATION: FRAN - Television Southwestern Cable

COUNCIL ACTION: (Tape location: C045-065).

Hearing began at 2:33 p.m. and halted at 2:34 p.m.

MOTION BY STRUIKSMA TO CLOSE THE HEARING AND INTRODUCE THE ORDINANCE. Second by Martinez. Passed by the following vote: Mitchell-not present, Cleator-not present, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

ITEM-338: CONTINUED TO SEPTEMBER 20, 1983 AT 2:00 P.M., TIME CERTAIN
19830816

(Continued from the meetings of August 3, 1982, September 28, 1982, July 19, 1983, July 26, 1983 and August 1, 1983; last continued at Mayor Hedgecock'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.

Subitems-B to Z: (O-83-1 Rev. to O-83-30 Rev. and O-83-258 to O-83-261)

Ordinances amending the San Diego Municipal Code for zoning and other related items intended to implement a substantial portion of the City's proposed Local Coastal Program, which will be introduced after certification of the Local Coastal Program by the Coastal Commission.

Hearing open, no testimony taken on 8/3/82.

Hearing open, no testimony taken on 9/28/82. Continued at Council Member Struiksma's request until the matter of the La Jolla plan is resolved.

Hearing open, testimony taken on 7/19/83. Districts 1 and 5 not present. Motion by Council Member Gotch to approve the Coastal Commission language regarding the 100-year flood plan for the North City segment in Attachment A- 2a, Page 2, Item 1, in Planning Department Report PDR-83-292 of July 5, 1983. Second by Council Member Mitchell. Passed by the following vote: Districts 1, 6, 7, 8 and Mayor voted yea. Districts 2, 3, 4 and 5 voted nay.

Motion by Council Member Mitchell to approve the Coastal Commission language regarding grading and development of slopes in Attachment A-2a, Page 7, Item 9 in Planning Department Report PDR-83-292, dated July 5, 1983. Second by Council Member Martinez. Passed by the following vote: Districts 1, 3, 4, 5, 6, 7, 8 and Mayor voted yea. District 2 voted nay.

Hearing open, testimony taken on 7/26/83. Districts 5 and 6 not present.

On 7/26/83 Council voted on the following motions:

Ocean Beach - Motion by Council Member Cleator - Second by Council Member Martinez to approve the Ocean Beach segment of the Plan, but exclude the area west of Sunset Cliffs, including all the

area indicated in Attachment N (Planning Report PDR-83-292, dated July 5, 1983). Refer this section of the Plan back to the community planning board for a hearing on August 10, 1983 and bring back to Council after that time. Passed by the following vote: Districts 1, 2, 3, 6, 7, 8 and Mayor voted yea. Districts 4 and 5 not present.

Peninsula - Motion by Council Member Cleator - Second by Council Member Martinez to direct staff to amend the C-1 zoning requirements as they relate to newspaper plants by prohibiting such plants in the Coastal Zone only where they exceed a certain square footage (e.g. 5,000 sq. ft.). Passed by the following vote: Districts 1, 2, 3, 7, 8 and Mayor voted yea. Districts 4, 5 and 6 not present.

La Jolla - Motion by Council Member Mitchell - Second by Council Member Martinez to continue to August 1, 1983, 3:00 p.m., Time Certain for further discussion of the La Jolla Plan. Passed by the following vote: Districts 1, 2, 3, 4, 7, 8 and Mayor voted yea. Districts 5 and 6 not present.

Hearing open, testimony taken on 8/1/83. District 5 not present.

On 8/1/83 Council voted on the following motions:

Motion by Council Member Martinez and seconded by Council Member Cleator to adopt the resolution. No vote taken.

Motion by Council Member Mitchell and seconded by Council Member Gotch 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 setting a public hearing. Passed by the following vote: Districts 1, 2, 3, 4, 6 and Mayor Hedgecock voted yea; Districts 7 and 8 voted nay; District 5 not present.

Motion by Council Member Martinez and seconded by Council Member Cleator to reconsider the North City segment of the 100 year flood plain fringe development issue and the 25 percent slope issue. Passed by the following vote: Districts 1, 2, 3, 4, 6, 7, 8 and Mayor Hedgecock voted yea; District 5 not present.

Motion by Council Member Cleator and seconded by Council Member Jones to approve staff's recommendations with regard to the 100 year flood plain and the 25 percent slope issue (attachment A2a, pp. 2-4, Planning Department Memorandum of 7/5/83). Vote on the flood plain: Districts 1, 2, 3, 4, 6, 7, 8 voted yea; Mayor Hedgecock voted nay; District 5 not present. Vote on the 25 percent slope issue: Districts 1, 2, 3, 4, 6, 7, 8 voted yea; Mayor Hedgecock voted nay; District 5 not present.

Mayor Hedgecock announced that the item would be rescheduled to 8/16/83 at 3:00 p.m.

FILE LOCATION: LAND Local Coastal Program

COUNCIL ACTION: (Tape location: D403-E230).

Hearing began at 3:44 p.m. and halted at 4:14 p.m.

Testimony in favor by Julie Dillon.

Testimony in opposition to the La Jolla Plan by William Fell,

Karen Clark and Virginia Ulrich.

Testimony in opposition to the Pacific Beach Plan by Keith Behner.

Motion by Martinez to tentatively approve the Coastal Plan, excluding the geographic areas of La Jolla and Ocean Beach for referral back to the community planning groups, and hold submittal of the plan to the Coastal Commission until the problems associated with these areas have been resolved. Second by Gotch. Passed. Yeas: 2,3,4,5,6,7,8,M. Not present: 1.

Motion by Gotch to suspend the rules, reconsider Council's previous action taken regarding the C4A zone in Pacific Beach and direct staff to set a noticed hearing on the issue of conformance to the zone. Second by Martinez. Passed. Yeas: 2,3,4,5,6,7,8,M. Not present: 1.

MOTION BY MARTINEZ TO DIRECT STAFF TO MEET WITH THE LA JOLLANS, INC. REGARDING DESIGNATION AND IMPLEMENTING ORDINANCES AND COME BACK TO COUNCIL WITH RECOMMENDATIONS AT A PUBLIC HEARING ON SEPTEMBER 20, 1983, AT 2:00 P.M. ALSO BRING BACK RECOMMENDATIONS AT THAT TIME REGARDING THE PACIFIC BEACH C4A MATTER AND THE GENERAL CONCERNS WITH RESPECT TO THE OCEAN BEACH PLAN. Second by Murphy. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-339: (O-84-17) ADOPTED AS ORDINANCE O-16026 (NEW SERIES)

Introduction, dispense with the reading, and adoption of an Ordinance, amending Ordinance O-16007 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1983-84 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-16007-1, as amended and adopted therein, by adding to the personnel authorization of the City Manager's Department (0400), one Management Assistant to the City Manager (UC) position; establishing a salary rate therefore; transferring the sum of \$36,577 for said position to the General Fund 100, City Manager's Department (0400), from the New Convention Center Facility Fund 10025.

CITY MANAGER REPORT:

This action proposes funding for one limited Management Assistant to the City Manager position to provide planning, coordination, and analytical functions during the peak workload associated with the

San Diego convention center program. This position would coordinate and provide analyses for the following activities: City-Port Operating Agreement; format for a convention center operating entity; development of a convention center design and operations program; financial analyses, including Transient Occupancy Tax flow, convention center operating costs and public improvement costs; transportation analyses, including transportation improvements, trolley extension, bus route adjustments and pedestrian bridge; relocation of the Market Street police station; and processing documentation regarding various legal and environmental issues.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B121-148).

MOTION BY MARTINEZ TO INTRODUCE, DISPENSE WITH THE READING,
AND

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

ITEM-S400: (R-84-231) ADOPTED AS RESOLUTION R-259114

Rejecting all bids received on August 3, 1983 for the construction of Mission Beach Park Phase I Development; reinviting bids for the construction of Mission Beach Park Phase I Development on Work Order No. 117560. BID-5143A (Mission Beach Community Area. District-6.)

CITY MANAGER REPORT:

Bids for construction of Mission Beach Park Phase I Development were opened on August 3, 1983. On August 4th, the City received telephonic notice that federal grant funds in the amount of \$109,174 have been authorized for this project, which on August 8th was confirmed by written notification. The funds for this Land and Water Conservation Fund Program grant are provided by the Federal Emergency Supplemental Appropriation and Jobs Act of 1983 (PL 98-8).

Although the City applied for this grant in April 1983, the bidding documents were prepared and processed and Council authorized advertising for bids on June 27, 1983. Inadvertently, specific Federal and State contract requirements were not included with the bid documents during contract processing and the bidding period. In order to accept the federal grant money and previously authorized SB 174 and Proposition I Funds, the contract documents must be amended to include appropriate federal specifications and State minimum wage scales. Bids received on August 3rd will not permit acceptance of grant funds and the contract must be rebid. It is anticipated that rebidding the contract will result in a new bid opening in

September. Award of contract and start of construction should occur in mid-October, a delay of approximately five or six weeks from the previous schedule. Construction will still be completed prior to May of 1984.

FILE LOCATION:

W.O. 117560

COUNCIL ACTION: (Tape location: A010-041).

MOTION BY GOTCH TO ADOPT. Second by Murphy. 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-S500: (O-84-23) INTRODUCED, TO BE ADOPTED SEPTEMBER 12, 1983
19830816

An Ordinance to establish a building moratorium applicable to all new development in the commercial zones of La Jolla which exceeds a floor area ratio of 1.0. The ordinance, as proposed, would permit the construction of structures with a floor area ratio which exceeds 1.0 but does not exceed 2.0 provided a Planned Commercial Development Permit has been obtained.

The Ordinance would apply to all property zoned CS, CC, CO and CP within the La Jolla Community Plan area. This area includes: 1) The central business area generally bounded by and inclusive of Prospect St. to the north, Ivanhoe Ave. to the east, La Jolla Blvd. to the south and Fay Ave. to the west. 2) The Nautilus St. commercial district along La Jolla Blvd. between Westbourne St. and Gravilla St. 3) The Birdrock commercial district along La Jolla Blvd. between Camino de la Costa and Colima St.

(District-1.)

The Ordinance exempts all buildings which have received permit approval by the California Coastal Commission prior to the effective date of the ordinance and projects which have received final ministerial or discretionary approval from The City of San Diego prior to that date.

The provisions of the ordinance would be in effect for a period of one year.

COMMITTEE ACTION:

Initiated by TLU on 8/8/83. Recommendation to introduce the Ordinance. Districts 2, 3, 4 and 8 voted yea. District 5 not present.

(O-84-23)

Today's action is introduction of an Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C066-D402).

Hearing began at 2:35 p.m. and halted at 3:43 p.m.

Mayor Hedgecock entered at 2:36 p.m.

Council Member Jones entered at 2:37 p.m.

Council Member Cleator entered at 2:45 p.m.

Testimony in favor by Edward Lawrence, Nancy Ward, Louis Besbeck, Michael Wagner, Littleton Waller and Joseph Martinez.

Testimony in opposition by John Thelan, Joe Martinez, Michael Wilkes and Jim Williams.

Amendment to the motion by Mitchell to add a restriction of a 25,000 sq. ft. limit to that which would be permitted under the PCD process and under 2.0 F.A.R. Second by Cleator. Failed. Yeas: 6, M. Nays: 1,2,3,4,5,7,8.

MOTION BY MITCHELL TO APPROVE THE TRANSPORTATION AND LAND USE COMMITTEE'S RECOMMENDATION TO INTRODUCE THE ORDINANCE. 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.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor Hedgecock at 4:15 p.m.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: E231-232).