

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

TUESDAY, SEPTEMBER 9, 1986

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Struiksma at 10:04 a.m. The meeting was recessed by Deputy Mayor Struiksma at 11:59 a.m.

The meeting was reconvened by Deputy Mayor Struiksma at 2:05 p.m. with Mayor O'Connor and Council Members Cleator, McColl, and Martinez not present. Deputy Mayor Struiksma adjourned the meeting at 5:26 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-266447 (City business in Washington, D.C., and Sacramento.)
- (1) Council Member Wolfsheimer-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 McCarty-present
- (8) Council Member Martinez-excused by R-266448 (City business in Washington, D.C, and Sacramento.)  
Clerk-Mutascio (bb, eb)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Mutascio called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-not present

ITEM-330: (R-87-364) ADOPTED AS RESOLUTION R-266554

(Continued from the meeting of May 27, 1986, Item S408; referred to Transportation and Land Use at the meeting of June 9, 1986, Item 201; continued from the meetings of June 23, 1986, Item S406h, and August 19, 1986, Item 331; last continued at the City Manager's request, to allow for completion of the environmental review.)

Certifying that the information contained in revised Environmental Mitigated Negative Declaration EMND-86-0601, in connection with the Via de la Valle Sewer Assessment District No. 4006 (1913 Improvement Act), has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said revised declaration has been reviewed and considered by the Council.

(Undesignated Community Area. District-1.)

COMMITTEE ACTION: Reviewed by TLU on 6/18/86.

Recommendation to forward to the City Council meeting of 6/23/86. Districts 1, 7 and 8 voted yea. Districts 4 and 6 not present.

NOTE: See Item 331 on today's docket for a companion item.

FILE: STRT D-2251

COUNCIL ACTION: (Tape location: F100-235.)

Hearing began 3:34 p.m.

Hearing halted 3:44 p.m.

MOTION BY WOLFSHEIMER TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-not present.

ITEM-331:

(Continued from the meeting of August 19, 1986, Item 332, at the City Manager's request, to allow for completion of the environmental review.)

Eight actions relative to the Via de la Valle Sewer System Assessment District No. 4006 (1913 Improvement Act): (See City Manager Report CMR-86-292. Undesignated Community Area. District-1.)

Subitem-A: (R-87-253) ADOPTED AS RESOLUTION R-266555  
Ordering changes and modifications in the Engineer's Report in a Special Assessment District.

Subitem-B: (R-87-255) ADOPTED AS RESOLUTION R-266556  
Overruling and denying protests and making certain findings.

Subitem-C: (R-87-256) ADOPTED AS RESOLUTION R-266557  
Making findings and determinations and overruling and denying protests.

Subitem-D: (R-87-257) ADOPTED AS RESOLUTION R-266558  
Approving and providing for contribution to pay certain costs and expenses.

Subitem-E: (R-87-258) ADOPTED AS RESOLUTION R-266559  
Confirming the assessment, ordering the improvements made together with appurtenances, and approving the Engineer's Report.

Subitem-F: (R-87-259) ADOPTED AS RESOLUTION R-266560  
Authorizing and providing for the issuance of bonds.

Subitem-G: (R-87-260) ADOPTED AS RESOLUTION R-266561  
Awarding the contract for the construction of certain public works of improvement.

Subitem-H: (R-87-261) ADOPTED AS RESOLUTION R-266562  
Making award for sale of bonds and providing for the establishment of a redemption fund.

NOTE: See Item 330 on today's docket for a companion item.

FILE: STRT D-2251

COUNCIL ACTION: (Tape location: F100-236.)

Hearing began 3:34 p.m.

Hearing halted 3:44 p.m.

Testimony in opposition by John Recht.

MOTION BY WOLFSHEIMER TO ADOPT SUBITEMS-A, B, C, D, E, F, G, and H. Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,

Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present,

Mayor O'Connor-not present.

ITEM-332:

Appeal of Keris L. Kennedy from the decision of the Planning Commission in approving North City West Development Plan Permit NCW PD-86-0426, proposing the construction of a 250-room hotel with associated facilities. The site is located north of Carmel Valley Road, east of I-5 and west of El Camino Real in Zone VC (Visitor Commercial) and within the Employment Center Precise Plan area of the North City West Community Plan. The subject property is further described as a portion of

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Section 19 and a portion of the Northwest Quarter of Section 30, both in Township 14 South, Range 3 West, SBBM, and a portion of Parcel 2 of Parcel Map PM-8042. (NCW PD-86-0426. District-1.)

Subitem-A: (R-87-495) ADOPTED AS RESOLUTION R-266550  
Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-86-0426 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-87-496) ADOPTED AS RESOLUTION R-266551  
DENYING THE APPEAL AND GRANTING THE 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.

FILE: PERM PD-86-0426

COUNCIL ACTION: (Tape location: A050-290.)

Hearing began at 10:09 a.m. and halted at 10:27 a.m.

Testimony in favor of the appeal by Keris L. Kennedy.

Testimony in opposition of the appeal by Don Warfield.

MOTION BY WOLFSHEIMER TO ADOPT SUBITEMS A AND B DENYING THE APPEAL AND GRANTING THE PERMIT. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotchnay, McCarty-yea, Martinez-not present, Mayor O'Connor-not present.

ITEM-333:

(Continued from the meetings of June 10, 1986, Item 335,

Subitems C-F, and July 1, 1986, Item 335; last continued at the Planning Department's request for review by the Planning Commission prior to Council action.)

Matter of a proposal to amend Chapter X (Planning and Zoning Regulations) of the San Diego Municipal Code by adding a Conditional Use Permit requirement for all

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alcoholic beverage establishments in The City of San Diego or within a specific geographic area; and adding a provision prohibiting or conditioning the concurrent sale of alcoholic beverages and motor vehicle fuel on the same premises, within The City of San Diego. The proposal also

includes establishing a fee for processing of the Conditional Use Permit.

The specific geographic areas recommended by the Planning Commission include the Central and Southeast Police Areas as shown on Map No. C-721.

(Demonstration CUP - Districts 2, 3, 4 and 8.)

(Service Stations - City-wide.)

Subitem-A: (R-87-392) ADOPTED AS RESOLUTION R-266563

Adoption of a Resolution authorizing the establishment of an Alcoholic Beverage Establishment Conditional Use Permit and a fee of \$600 to recover costs of the program.

Subitem-B: (O-87-41) INTRODUCED, TO BE ADOPTED SEPTEMBER 22, 1986

Introduction of an Ordinance establishing a demonstration Conditional Use Permit for Central and Southeast police areas.

Subitem-C: (O-87-42) INTRODUCED, TO BE ADOPTED SEPTEMBER 22, 1986

Introduction of an Ordinance amending the San Diego Municipal Code relating to Alcoholic Beverage Establishments.

Subitem-D: (O-87-43) INTRODUCED, TO BE ADOPTED SEPTEMBER 22, 1986

Introduction of an Ordinance amending the Planning Department's FY 1987 budget to include 1.00 Associate Planner position and related expenses; transferring the funds for the expenses from the Unallocated Reserve.

Subitem-E: (R-87-391) REFERRED TO PLANNING DEPARTMENT

Adoption of a Resolution amending the "Guidelines for Automobile Service Stations".

FILE:

Subitems A and E MEET;

Subitems B, C, and D --.

COUNCIL ACTION: (Tape location: A291-C404, D020-F095.)

Hearing began at 10:28 a.m. and recessed at 11:59 a.m.

Hearing resumed 2:05 p.m. and halted 3:33 p.m.

Council Member Cleator entered 2:15 p.m.

Testimony in favor of the CUP by Verna M. Quinn, Reverend Aaron

Moore, Reverend Marshall A. Sharpe, Jr., Dr. Cleo Malone,

Willard Miller, Karen McCabe, John Karp, Beth Miller, William Crane, Tom Kniebee, Doretha Graham, Monica Vogelmann, Carrol W. Waymon, and Dale Jain.

Testimony in opposition of the CUP by Hal F. Tebbetts, Ramona DeCamara, Nancy Davenport, Joe Gomes, Ray Cox, William H. Thompson, Al Johnson, and Phillip Mascari.

Comments were given by Peter Case from the Alcoholic Beverage Control Commission, and Deputy Police Chief Don Davis of the San Diego Police Department.

Motion by Jones to approve a demonstration CUP program within the Central and Southeast Police areas for alcoholic beverage establishments as proposed by the Planning Department with the following changes: 1) Include the transfer of ownership as an occurrence which would trigger application of the CUP legislation to an existing establishment, 2) Direct the Planning Department to develop guidelines to be used by the Zoning Administrator in applying certain conditions on the CUP's granted, 3) Direct the Planning Department to develop a specific work plan for extending the CUP legislation citywide where appropriate. This work plan should include specific areas and issues to be addressed and should include specific timelines. 4) A Manager's Report on the progress of the legislation should be given to Council after one year, 5) Specific criteria should be developed to be used for review of the legislation, 6) The Planning Department should consult with industry representatives and neighborhood and community groups during the implementation period and receive input from these groups prior to the one year progress report, 7) Approve the conditions for sale of alcoholic beverages in service stations as proposed by the Planning Department, 8) Refer amending the CN zone citywide back to the Planning Commission for action, 9) Direct the Planning Department to review all present Planned Districts and consider the appropriateness of alcohol establishments within each of the Planned Districts, 10) Direct the Planning Department to consider the appropriateness of alcohol establishments during the development process of future Planned Districts, 11) Direct the Intergovernmental Relations office to pursue alcohol related legislation statewide, 12) Refer the issue of amortization to the Public Services & Safety Committee, 13) Direct the Police Department to continue the Drivers Under the Influence (DUI) study, and 14) Approve staff and fee administration. No second. The motion was divided.

**MOTION BY JONES TO ADOPT SUBITEMS-A, B, C, AND D, DIRECT THE CITY ATTORNEY TO PREPARE LANGUAGE TO AMEND SUBITEM-B TO INCLUDE THE TRANSFER OF OWNERSHIP AS AN OCCURRENCE WHICH WOULD TRIGGER APPLICATION OF THE CUP LEGISLATION TO AN EXISTING ESTABLISHMENT**

AND BRING TO COUNCIL WHEN THE ORDINANCE IS BROUGHT BACK TO COUNCIL FOR ADOPTION, DIRECT THE PLANNING DEPARTMENT TO DEVELOP GUIDELINES TO BE USED BY THE ZONING ADMINISTRATOR IN APPLYING CERTAIN CONDITIONS ON THE CUP'S GRANTED, DIRECT THE CITY MANAGER TO REPORT ON THE PROGRESS OF THE LEGISLATION TO COUNCIL AFTER ONE YEAR AND DEVELOP SPECIFIC CRITERIA TO BE USED FOR THE REVIEW OF THE LEGISLATION, DIRECT THE PLANNING DEPARTMENT TO CONSULT WITH INDUSTRY REPRESENTATIVES AND NEIGHBORHOOD AND COMMUNITY GROUPS DURING THE IMPLEMENTATION PERIOD AND RECEIVE INPUT FROM THESE GROUPS PRIOR TO THE ONE YEAR PROGRESS REPORT, AND APPROVE STAFF AND FEE ADMINISTRATION. Second by Gotch. Passed by the

following vote: Wolfsheimer-yea, Cleator-nay, McColl-ineligible, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-not present. Motion by Jones to approve SUBITEM-E and direct the Planning Department to develop a specific work plan for extending the CUP legislation citywide where appropriate. Second by McCarty.

Failed by the following vote: Wolfsheimer-yea, Cleator-nay, McColl-ineligible, Jones-yea, Struiksma-nay, Gotch-nay, McCarty-yea, Martinez-not present. Mayor O'Connor-not present. Motion by McCarty to direct the Planning Department to develop a specific work plan to extend the CUP citywide to be adopted after consideration of the one-year test program, and continue the study of the current sale of gasoline products wherever alcohol is sold and report back to the Council. Second by Wolfsheimer. Failed by the following vote: Wolfsheimer-yea, Cleator-nay, McColl-ineligible, Jones-yea, Struiksma-nay, Gotch-nay, McCarty-yea, Martinez-not present, Mayor-O'Connor-not present.

MOTION BY JONES TO REFER THE MATTER OF AMENDING THE CN ZONE CITYWIDE BACK TO THE PLANNING COMMISSION, DIRECT THE PLANNING DEPARTMENT TO REVIEW ALL PRESENT PLANNED DISTRICTS AND CONSIDER THE APPROPRIATENESS OF ALCOHOL ESTABLISHMENTS WITHIN EACH OF THE PLANNED DISTRICTS, DIRECT THE PLANNING DEPARTMENT TO CONSIDER THE APPROPRIATENESS OF ALCOHOL ESTABLISHMENTS DURING THE DEVELOPMENT PROCESS OF FUTURE PLANNED DISTRICTS, DIRECT THE INTERGOVERNMENTAL RELATIONS OFFICE TO PURSUE ALCOHOL RELATED LEGISLATION STATEWIDE, REFER THE ISSUE OF AMORTIZATION TO PUBLIC SERVICES AND SAFETY COMMITTEE, AND DIRECT THE POLICE DEPARTMENT TO CONTINUE DUI STUDY. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-ineligible, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-not present.

ITEM-334: CONTINUED TO NOVEMBER 25, 1986, 10:00 A.M. TIME  
CERTAIN

Matters of:

- 1) A proposal to rezone certain properties along the rim of Tecolote Canyon into the Hillside Review Overlay Zone. The proposed rezonings will apply the Hillside Review Overlay Zone to those properties adjacent to Tecolote Canyon Natural Park where redevelopment or continued new development is likely to occur. These properties are either zoned for multi-family development or are owned by institutions or governmental agencies. The subject properties are located within the Clairemont Mesa and Linda Vista community plans.
- 2) A proposal to amend the Tecolote Canyon Natural Park Master Plan, the Clairemont Mesa Community Plan, and the Linda Vista Community Plan to include development guidelines for property within the Hillside Review Overlay Zone adjacent to Tecolote Canyon Natural Park. The proposed amendments will provide development guidelines which will be used to evaluate discretionary permits for proposed projects within the Hillside Review Overlay Zone along the rim of Tecolote Canyon in order to help ensure sensitive development adjacent to the Tecolote Canyon open space system. The affected area is located within the Clairemont Mesa and Linda Vista community plans.  
(Districts-5 and 6.)

Subitem-A: (O-86-226)

Introduction of an Ordinance for Hillside Review (HR) Overlay Zoning.

Subitem-B: (R-86-2578)

Adoption of a Resolution approving the amendments to the Tecolote Canyon Natural Park Master Plan, Clairemont Mesa Community Plan, and Linda Vista Community Plan.

Subitem-C: (R-86-2579)

Adoption of a Resolution directing that the Planning Department focus environmental review of all discretionary permits within the Hillside Review Overlay Zone adjacent to Tecolote Canyon on the issues of runoff and erosion control.

FILE:

Subitems B and C LAND Tecolote Canyon  
Natural Park Master Plan, LAND Clairemont  
Mesa Community Plan, and LAND Linda Vista

Community Plan.

COUNCIL ACTION: (Tape location: F236-H336.)

Hearing began 3:45 p.m. and halted 5:14 p.m.

Testimony in favor by Eloise Battle, Jane Griffith, Nan Valerio, Tim Graves, Charles Kokes, Sherlie Miller, and Joseph Marciano.

Testimony in opposition by Felix George, Jeff Johnson, Mrs.

Harry McAllister, Edward Hatch, John Boone, Leona Daily, Aline Watkins, William Gairing, and Brian Lovell.

The hearing was closed.

MOTION BY GOTCH TO CONTINUE TO NOVEMBER 25, 1986, 10:00 A.M., TIME CERTAIN, AND DIRECT THE CITY ATTORNEY AND PLANNING DEPARTMENT TO PREPARE A FACT SHEET IN RESPONSE TO THE LETTERS FROM MR. MARCIANO, THE UNIVERSITY OF SAN DIEGO, THE POINTS RAISED BY MRS. BATTLE IN HER TESTIMONY, AND OTHER LETTERS RECEIVED IN THE MEETING, INCLUDE A DEFINITION OF THE ZONE AS IT AFFECTS THE CANYON RIM AND SLOPE SENSITIVITY, STATING WHAT IT DOES AND DOES NOT DO, AND MAIL IT TO THE PEOPLE WHO TESTIFIED AT THE COUNCIL HEARING. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-not present.

ITEM-335: (R-87- ) CONTINUED TO SEPTEMBER 23, 1986

(Continued from the meeting of July 29, 1986, Item 335, at Robert Mosher's request, for consideration by full Council.)

Appeal of Hillyer & Irwin, Attorneys, by William Hillyer, from the decision of the Historical Site Board in their historical designation of the buildings and landscaping that comprises the Green Dragon Colony Site. The subject property is located at 1258-74 Prospect Street, in the La Jolla Community Plan area, and is more particularly described as Lots 30, 31 and 32, Block 59, La Jolla Park, Map-352.

(District-1.)

Adoption of a Resolution approving or denying the historical designation of the Green Dragon Colony Site, with appropriate findings to support Council action.

FILE: --

COUNCIL ACTION: (Tape location: A029-049.)

Hearing began at 10:06 a.m. and halted at 10:08 a.m.

Council Member Cleator entered at 10:07 a.m.

MOTION BY WOLFSHEIMER TO CONTINUE TO SEPTEMBER 23, 1986, AT THE REQUEST OF ATTORNEY DONALD WORLEY, IN ORDER THAT WILLIAM RICK, CHAIRMAN OF THE HISTORIC SITES BOARD FROM 1970 THROUGH 1977, CAN

PRESENT TESTIMONY BEFORE THE COUNCIL. MR. RICK IS PRESENTLY OUT OF TOWN. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-not present.

ITEM-336: (R-87-282) CONTINUED TO SEPTEMBER 16, 1986

Authorizing the execution of a Memorandum of Understanding with the Redevelopment Agency of the City of San Diego, and the California Department of Commerce, regarding the City's intent to implement the Southeast/Barrio Logan Enterprise Zone.

(Southeast San Diego, Barrio Logan and Centre City Community Areas. Districts-4 and 8.)

CITY MANAGER REPORT: On March 26, 1986, the California Department of Commerce conditionally designated the Southeast/Barrio Logan Enterprise Zone under AB40 (Nolan) of 1984. Final designation will be made upon the City's fulfilling a variety of conditions which must be met by September 24, 1986. Most of these conditions involve providing updated documentation on various City or Redevelopment Agency activities within the Zone, and these updates have been compiled. Additionally, the State is requiring a Memorandum of Understanding (MOU) regarding certain aspects of the City's long-term efforts in the Zone. The operative clauses of the MOU state the City's intent to continue the Project First Class project, to implement the Barrio Educational Cultural Activities program, and to continue to provide building development fee reimbursements for industrial and commercial projects within the Zone; plus the Redevelopment Agency's intent to complete the Gateway Center Redevelopment Project. All of the clauses are made subject to the availability of funding and satisfactory program performance. The City cannot legally pre-commit to the expenditure of funds without the yearly public hearing on the budget, but it may state its intent to perform certain long-term goals. The MOU is a statement of that intent. This Resolution would authorize the City Manager to execute the MOU.

NOTE: See the Redevelopment Agency Agenda of September 9, 1986 for a companion item.

FILE: --

COUNCIL ACTION: (Tape location: A025-028.)

Hearing began at 10:05 a.m. and halted at 10:05 a.m.

MOTION BY McCOLL TO CONTINUE TO SEPTEMBER 16, 1986, AT THE REQUEST OF COUNCIL MEMBER MARTINEZ WHO IS IN WASHINGTON, D.C. WITH MAYOR O'CONNOR FROM SEPTEMBER 8-11, 1986, TO DISCUSS

VARIOUS CITY ISSUES WITH FEDERAL GOVERNMENTAL AGENCIES AND REQUESTED THAT THIS ITEM BE CONTINUED UNTIL HE ARRIVES BACK IN TOWN. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-not present.

ITEM-337: (O-87-45) CONTINUED TO SEPTEMBER 30, 1986

Introduction and adoption of an Ordinance amending Ordinance O-16678 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1986-87 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16678-1 and 00-16678-2, as amended and adopted therein, by amending the personnel authorization of the Planning Department (065), in General Fund 100, by adding three Principal Planner positions and deleting one Senior Planner, one Associate Planner, and one Community Development Specialist IV; exempting said three Principal Planner positions from the Classified Service; establishing a salary rate therefor; changing the titles of one existing Principal Planner position to Assistant to the Planning Director, one existing Assistant Zoning Administrator to Deputy Director and one existing Assistant to the Planning Director to Principal Planner.

PLANNING DIRECTOR REPORT: This Ordinance will exempt three Principal Planners from the Classified Service and change the titles of three existing Unclassified positions. This action will facilitate implementation of the Fiscal 1987 Planning Department Budget and Work Program including the functional reorganization of the four existing operating divisions into six divisions. Proposed title changes include changing a Principal Planner to an Assistant to the Planning Director to head the new General Planning and Research Division; changing an Assistant Zoning Administrator to a Deputy Director to head the new Regulatory Division; changing an Assistant to the Planning Director to Principal Planner to coordinate the Urban Design Program; and adding and exempting from the Classified Service 3.0 Principal Planners to: (1) administer the Centre City Planning effort, (2) administer the Urban Conservation program, and (3) administer the General Plan program. Each of these positions represent managerial employees having significant responsibilities for administering departmental programs.

NOTE: See Item 207 on the docket of Monday, September 8, 1986. Today's action is the second public hearing for the introduction

and adoption of the Ordinance.

FILE: --

COUNCIL ACTION: (Tape location: A013-021.)

MOTION BY McCOLL TO CONTINUE TO SEPTEMBER 30, 1986, AT THE REQUEST OF DEPUTY MAYOR STRUIKSMA, IN ORDER FOR THE ITEM TO BE REVIEWED BY THE TRANSPORTATION AND LAND USE COMMITTEE PRIOR TO COUNCIL ACTION. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-not present.

ITEM-S400: (O-87-32 Rev) INTRODUCED AS AMENDED, TO BE ADOPTED  
SEPTEMBER 22, 1986

Introduction of an Ordinance amending Chapter V, Article 6, of the San Diego Municipal Code, by amending Section 56.54, relating to Alcoholic Beverage Consumption and Possession Prohibited in Certain Areas.

(See City Manager Report CMR-86-419.)

FILE: --

COUNCIL ACTION: (Tape location: H350-500.)

MOTION BY GOTCH TO INTRODUCE AS AMENDED. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-not present.

ADDITIONAL BUSINESS: (O-87-48) INTRODUCED AND ADOPTED AS  
ORDINANCE O-16711 (New Series)

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During consideration of the above regular business item, the following ordinance was introduced, read in full, and adopted.

An emergency ordinance pursuant to Section 17 of the Charter of The City of San Diego amending Chapter V, Article 6, of the San Diego Municipal Code by amending Section 56.54 prohibiting alcoholic beverage consumption and possession in certain areas of The City of San Diego.

FILE: MEET

COUNCIL ACTION: (Tape location: H350-500.)

MOTION BY GOTCH TO INTRODUCE AND ADOPT AND REFER TO PUBLIC SERVICES AND SAFETY COMMITTEE FOR REVIEW PROPOSED AMENDMENTS TO INCLUDE AREAS IN LA JOLLA. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-not present.

ITEM-UC-3: (R-87-499) ADOPTED AS RESOLUTION R-266564

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A Resolution presented to the City Council with UNANIMOUS CONSENT:

Authorizing the City Manager to permit the use of the City's 16X20 ft. stage, 300 chairs, and 40 rectangular tables by the Multiple Sclerosis Society at a fund raiser in Old Town the weekend of September 13, 14, 1986.

FILE: MEET

COUNCIL ACTION: (Tape location: H510-530.)

MOTION BY CLEATOR TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-not present.

ITEM-UC-4: (R-87-472) ADOPTED AS RESOLUTION R-266565

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Commending and congratulating the Video Products Group for their outstanding achievements.

FILE: MEET

COUNCIL ACTION: (Tape location: H531-550.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-not present.

ITEM-CS-1: (R-87-459) ADOPTED AS RESOLUTION R-266552

A Resolution adopted by the City Council in Closed Session on September 9, 1986:

Authorizing the City Manager to pay the sum of \$7,500.00 in the settlement of each and every claim against The City of San Diego, its agents and employees resulting from personal injuries to David Thelton Amerson; authorizing the City Auditor and Comptroller to issue one check in the amount of \$7,500.00 made payable to David Thelton Amerson and his attorney Norman Finkelstein in full settlement of all claims.

ITEM-CS-2: (R-87-460) ADOPTED AS RESOLUTION R-266553

A Resolution adopted by the City Council in Closed Session on September 9, 1986:

Authorizing the City Manager to pay the sum of \$21,600 in the settlement of each and every claim against The City of San Diego, its agents and employees resulting from property damage and personal injuries to Sandra Lynn Sabo. authorizing the City Auditor and Comptroller to issue two checks, one in the amount of \$9,600 made payable to Sandra Lynn Sabo and her attorney Randall Koenig and Marketing Assistance Corporation for the property damage portion of this claim, and one in the amount of \$12,000 made payable to Sandra Lynn Sabo and her attorney Randall Koenig for the personal injury portion of this claim in full settlement of all claims.

**ADJOURNMENT:**

The meeting was adjourned by Deputy Mayor Struiksma at 5:26 p.m.

**FILE: MEET**

**COUNCIL ACTION:** (Tape location: H501-510).

**MOTION BY WOLFSHEIMER TO ADJOURN IN HONOR OF THE MEMORY OF MRS. KALA SINGH.** Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-not present.

**MOTION BY WOLFSHEIMER TO ADJOURN IN HONOR OF THE MEMORY OF BRUCE**

**KELLEY.** Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-not present.