

19891017

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, OCTOBER 17, 1989  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:22 a.m. The meeting was recessed by Mayor O'Connor at 12:12 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor McCarty at 2:07 p.m. with Mayor O'Connor and Council Members McColl and Pratt not present. Deputy Mayor McCarty presented a proclamation to Rev. Dr. George McKinney, Chairman of SANDSAC, supporting their efforts during "Red Ribbon Week". The meeting was recessed by Mayor O'Connor at 2:25 p.m. to convene as the Special Joint Council Meeting with the Redevelopment Agency. The meeting was reconvened by Mayor O'Connor at 2:30 p.m. The meeting was recessed by Deputy Mayor McCarty at 4:52 p.m. to convene as the Regular Meeting of the Redevelopment Agency. The meeting was reconvened by Deputy Mayor McCarty at 4:53 p.m. Deputy Mayor McCarty adjourned the meeting at 5:16 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-excused by R-274683  
(vacation)
- (4) Council Member Pratt-excused by R-274676  
(City business in Washington, D. C.)
- (5) Council Member Struiksmma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Clerk-Abdelnour; Fishkin (tm;jb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-not present
- (4) Council Member Pratt-not present
- (5) Council Member Struiksmma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-103: (R-90-618) ADOPTED AS RESOLUTION R-274585

Accepting the low bid in the amount of \$1,203,846 and awarding a contract to Landex Construction Corporation for the construction of the Alvarado and Miramar Filtration Plants - Gas Tanks; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$294,277 within the Water Revenue Fund 41502 from the Unallocated Reserve 70679 to Water Production Construction Program 70392, Alvarado and Miramar Filtration Plants - Gas Tanks, CIP-73-262; authorizing the expenditure of an amount not to exceed \$294,277 to supplement R-274107, approved on July 31, 1989, from CIP-73-262, Alvarado and Miramar Filtration Plants - Gas Tanks, for construction and related purposes; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds to the appropriate reserves.  
(Navajo and Scripps Miramar Ranch Community Areas. Districts-5 and 7.)

CITY MANAGER SUPPORTING INFORMATION: On July 31, 1989, pursuant to Resolutions R-274107 and R-274108, Council approved the Plans and Specifications and authorized advertising for bids for the construction of the Alvarado & Miramar Filtration Plants - Gas Tanks Project. The project will provide two additional complete fueling stations for all City vehicles, thus eliminating many trips to existing operations stations. The

project was advertised on August 3, 1989, and the bid opening occurred on August 31, 1989. A single bid was received from Landex Construction Corporation, a City certified MBE. The bid was \$1,203,846, 25 percent over the cost estimate of \$960,000. City staff contacted all 31 certified MBE/WBE general contractors, and the Project Architect contacted an additional

14 general contractors that perform this type of work. There is no reason to believe additional bids will be received if the project is re-advertised. The bid was high due to a poor bidding climate and additional costs pursuant to new regulatory and plan check fees and requirements: APCD fees, Fire Department requirements, SDG&E fees. It is doubtful that re-advertising would result in a lower bid. Additionally, the project would suffer delays affecting other City projects such as the Alvarado Training Facility. Total MBE participation on this contract is 51 percent.

Aud. Cert. 9000358.

WU-E-90-040.

FILE LOCATION: CONT - Landex Construction Corporation  
CONTFY90-1

COUNCIL ACTION: (Tape location: A506-550.)

MOTION BY FILNER TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-202: (O-90-55) CONTINUED TO OCTOBER 31, 1989 AT  
2:00 P.M.

(Continued from the meeting of October 3, 1989, Item 338, because the first public hearing was continued to October 10, 1989.)

Introduction and adoption of an Ordinance amending Ordinance O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-17326-1 and No. OO-17326-2, as amended and adopted therein, by increasing the General Fund 100 Revenue Estimates by \$105,000; and directing the City Auditor and Comptroller to allocate the \$105,000 to the Treasurer's

Department (052) for the purpose of funding Banking Service Contracts.

(See City Manager Report CMR-89-456.)

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A081-100.)

MOTION BY HENDERSON TO CONTINUE TO OCTOBER 31, 1989. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (O-90-25) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17375 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-17326-1 and No. 00-17326-2, as amended and adopted therein, by amending and adding to the personnel authorization of the Planning Department (065) Program Element 06533, 2.00 Senior Planners, 4.00 Associate Planners, 2.00 Junior Planners, 1.00 Clerical Assistant II and related nonpersonnel expenses for purposes of administering the Landscape Technical Manual; authorizing the Auditor and Comptroller to increase the Planning Department (065) Fiscal Year 1990 appropriation and increase the General Fund 100 Appropriation and Revenue Estimates by \$379,272; authorizing the Auditor and Comptroller to transfer within the General Fund 100 the sum of \$59,016 from the Unallocated Reserve (605) to the Planning Department (065).

PLANNING DEPARTMENT SUPPORTING INFORMATION: Complete project  
design review will be assumed by the Planning Department when the Landscape Technical Manual is adopted in the following areas: Slope Revegetation; Discretionary Plan Check; and Brush Management. Fees for these functions are currently deposited with applications for land development and/or discretionary permits. This appropriation is for project plan check and field inspections, and will be 90 percent fee-recovered. The hours represented include review and evaluation of concept plans, final submittals, working drawings, and quality assurance of

final installation. These hours do not include administrative time, leave/vacation, miscellaneous functions including route slips, miscellaneous related assignments and public contact. Slope Revegetation/Land Development Permit -- plan check and field inspection functions will be transferred from the Engineering and Development department (currently authorized) to the Planning Department. Currently 150 applications for permits

are processed. The 16,500 hours estimated to perform these functions is based on data from Building Inspection and Engineering and Development departments. Discretionary Plan Check -- An average of 1,100 discretionary permit applications are submitted each year. The 16,500 hours estimated for plan check, field inspection and follow-up are based on staff time-cards and FY89 intake records. Brush Management -- An average of 1,100 discretionary permit applications are submitted each year. The 16,500 hours estimated for plan check, field inspection and follow-up are based on staff time-cards and FY89 intake records. Brush Management -- An average of 150 large development proposals requiring Brush Management plans are submitted each year. The 2,388 hours estimated for Brush Management plan check, field inspection and follow-up are based on FY89 time cards.

Aud. Cert. 9000132.

NOTE: The first public hearing was held on Tuesday, October 3, 1989, Item 337K. See Item 54 on today's docket for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A550-553;D050-065.)

MOTION BY FILNER TO DISPENSE WITH THE READING AND ADOPT. Second by Struiksma. Trailed to the afternoon session.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-not present.

ITEM-310: PROCLAIMED

Proclaiming October 1989 to be "Spina Bifida Month" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A013-081.)

MOTION BY STRUIKSMA TO APPROVE ITEMS 310 AND S506. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-330: TRAILED AS UNFINISHED BUSINESS TO OCTOBER 30,

1989

In the matter of a workshop with the Redevelopment Agency regarding redevelopment projects.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: H293-294.)

ITEM-331: (R-90-928) ADOPTED AS RESOLUTION R-274595, GRANTED THE APPEAL, DENIED THE EARLY RELEASE

(Continued from the meeting of September 26, 1989, Item 332, at Council Member Filner's request, to allow time for the Golden Hill Planning Group to review the matter.)  
Appeal of Margaret Palmer Gordon-Espe, from the decision of the Planning Director in granting Early Release Single-Family Neighborhood Protection Ordinance Case-89-3043, which requests an early release from this restriction to determine if the property located at 1304 24th Street is located within a single-family neighborhood. The subject property is further described as Lot 1, Vista de Oro, Map-11934, in Zone Multi-Family Subarea 1, in the Golden Hill Community Plan area. (ER-89-3043. District-8.)  
Adoption of a Resolution granting or denying the appeal and granting or denying the early release, with appropriate findings to support Council action.

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FILE LOCATION: ZONE ERSFNPO ER-89-3043

COUNCIL ACTION: (Tape location: A081-100; E521-F311.)

Motion by Filner to trail to the afternoon session at the request of Matt Peterson. Second by Roberts.  
Passed: Yeas-1,2,5,6,7,8,M. Nays-None. Not present-3,4.  
Hearing began at 3:29 p.m. and halted at 3:57 p.m.  
Testimony in favor of the appeal by Margaret Gordon-Espe, Michele McDougell, Gail MacLeod and Christopher Celentino.  
Testimony in opposition to the appeal by Matt Peterson and Bruce Daman.

MOTION BY FILNER TO GRANT THE APPEAL AND DENY THE EARLY RELEASE.

Second by Wolfsheimer. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: (R-90-923) ADOPTED AS RESOLUTION R-274596, GRANTED  
THE APPEAL, GRANTED THE PERMIT

Appeal of Symphony Towers, Knightsbridge Associates and London & Edinburgh Trust, by Michael B. Williams and David C. Sherwood, from the decision of the Planning Commission in voting 2-5 to approve the appeal and the permit. Due to a lack of 4 affirmative votes, this was deemed a denial of the appeal and the decision of the Planning Director is upheld, granting, with conditions, Comprehensive Sign Plan CSP-89-0417, for a site located at 750 "B" Street, on the block bounded by A and B Streets, Seventh and Eighth Avenues, in the Central Business District zoned site, within the Centre City Community Plan area. The subject property is more particularly described as Lots A through L, Block 7 of Horton's Addition, Maps of L. L. Lockling 14009 and 15166.

(CSP-89-0417. District-8.)

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

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FILE LOCATION: PERM - CSP-89-0417

COUNCIL ACTION: (Tape location: H071-100.)

Hearing began at 5:01 p.m. and halted at 5:04 p.m.

MOTION BY FILNER TO GRANT THE APPEAL AND PERMIT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-333: CONTINUED TO NOVEMBER 21, 1989

(Continued from the meetings of September 13, 1988, Item 339, October 31, 1988, Item 203, December 12, 1988, Item 205, January 23, 1989, Item 206, February 27, 1989, Item 205, May 30, 1989, Item 330 and July 25, 1989, Item 343; last continued at Council Member Struiksma's request, for further review.)

An amendment to the Scripps Miramar Ranch Community Plan to designate seventeen acres south of Pomerado Road in Carroll Canyon on the United States International University (USIU) Campus for a resource-based park.

(District-5.)

Subitem-A: (R-90- )

Adoption of a Resolution certifying that the information

contained in Environmental Negative Declaration END-88-0129 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-90- )

Adoption of a Resolution amending the community plan.

FILE LOCATION: LAND - Scripps Miramar Ranch Community Plan

COUNCIL ACTION: (Tape location: H102-292.)

Testimony in favor of the continuance by Eric Switzenberg and Charles Ebinhaus.

Testimony in opposition to the continuance by Peter Kauffman.

MOTION BY STRUIKSMA TO CONTINUE TO NOVEMBER 21, 1989 SO THAT THE ENVIRONMENTAL ASSESSMENT CAN BE PREPARED DURING THE ENSUING WEEKS OF THE CONTINUANCE TO MORE APPROPRIATELY IDENTIFY WHAT THE ENVIRONMENTAL IMPACT WOULD BE. REQUEST THAT USIU (UNITED STATES INTERNATIONAL UNIVERSITY) PROVIDE THE CITY WITH THE PRELIMINARY SITE PLANS AND PRESENT COPIES OF THE SITE PLANS TO THE PLANNING GROUP AND THE RECREATION COUNCIL IN TWO WEEKS FOR REVIEW. BRING THE MATTER BACK TO THE CITY COUNCIL ON NOVEMBER 21ST FOR A DECISION. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-334: (R-90- ) TRAILED AS UNFINISHED BUSINESS TO OCTOBER 30, 1989

Appeal of Dennis William Bilden, by Lawrence R. Keller, Attorney at Law, from the Board of Zoning Appeals failure to overturn the Zoning Administrator's decision to deny requested Conditional Use Permit. Due to a lack of three affirmative votes on any of three motions, the Board was unable to reach a decision. Therefore, the decision of the Zoning Administrator to deny the request remains in effect. Case C-20303 requested 1) to construct a guest house above an existing garage where such use is permitted by Conditional Use Permit only; and, 2) said second-story guest house to observe 5'0" to 7'0" front yard abutting Mar Avenue where a 15'0" front yard is required (existing garage observes 5'0" to 7'0" front yard). The applicant has modified the plans submitted previously and is no longer requesting a new second garage observing a 0'0"



front yard abutting Olivet Street where a 15'0" front yard is required. The subject property, 7650 Exchange Place, in Zone R1-5000, in the Coastal Zone, Proposition "D" Height Limitation Zone, in the La Jolla Community Plan area, is more particularly described as Lots 1 through 3, Block 77, Villa Tract, La Jolla Park, Map-976, and a 10 ft. vacated portion of Mar Avenue.  
(Case C-20303. District-1.)

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

FILE LOCATION: ZONE - ZONING APPEALS Case C-20303

COUNCIL ACTION: (Tape location: H293-294)

ITEM-335:

Consideration of the Golden Hill Community Plan Implementation Program which includes the following:

- 1) Amendments to the Golden Hill Community Plan;
- 2) Adoption of a revised Planned District Ordinance (PDO);
- 3) Adoption of a revised Design Criteria and Guidelines;
- 4) Rezoning of areas within the Golden Hill Community Plan area; and
- 5) Application of the Hillside Review Overlay Zone (HR) to certain properties described below.

The City Council may approve: 1) the property to be changed to the proposed zone; 2) the property to remain in its present zone; 3) the property to be placed in a zone that has restrictions within the range between the proposed zone and the existing zone which in the judgement of the City Council may best serve the public interest.

The subject property to be placed within the Hillside Review Overlay Zone is located between Russ Boulevard and A Street, west of 24th Street. The City Council may approve 1) the HR to be applied to the property; 2) the HR not to be applied to the property; or 3) the property be placed in a zone that accomplishes the goals of the Hillside Review Overlay Zone which in the judgement of the City Council may best serve the public interest.

Map No. C-785 and Map No. B-3932, available at the Planning Department, should be consulted for more detail.

Other related actions to be considered by the City Council are as follows:

a) Various amendments to the Golden Hill Community Plan map and text, including density reductions and land use boundary adjustments.

b) Revisions to the Golden Hill Planned District Ordinance including expansion of the boundary to include all multi-family and commercially zoned property within the Golden Hill Community Plan area, density reductions west of 28th Street and added development and design regulations.

c) Repealing the interim ordinance now in effect in Golden Hill. Most provisions of this interim ordinance have been incorporated into the proposed Planned District Ordinance.

(Districts-4 and 8.)

Subitem-A: (R-90-524) ADOPTED AS RESOLUTION R-274597  
Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-89-0346 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-90-523) ADOPTED AS RESOLUTION R-274598

Adoption of a Resolution approving the design criteria and guidelines.

Subitem-C: (O-90-56) INTRODUCED, TO BE ADOPTED OCTOBER 30, 1989

Introduction of an Ordinance amending the Planned District and rezoning of various properties.

Subitem-D: (O-90-57) REFERRED TO PLANNING DEPARTMENT

Introduction of an Ordinance applying the HRO Zoning.

Subitem-E: (R-90-565) ADOPTED AS RESOLUTION R-274599

Adoption of a Resolution approving the community plan amendment.

Subitem-F: (O-90-58) HEARING APPROVED AS AMENDED

First public hearing in the matter of amending Ordinance O-17326 (New Series) as amended, entitled "An Ordinance Adopting the Annual Budget for Fiscal Year 1989-90 and

Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending and adding to the personnel authorization of the Planning Department (065), Program Element 06532, by adding 1.0 Associate Planner position and 0.33 Clerical Assistant II position;

authorizing the Auditor and Comptroller to increase the revenue estimates (Revenue Account 71981) and also increase the General Fund 100 appropriation by \$23,300 for Planning Department use; authorizing the increase of the non-departmental expenditures (100/601) by \$4,200 for office lease space as a result of the 46 percent cost recoverable portion of the program; authorizing the Auditor and Comptroller to transfer the sum of \$33,509 within the General Fund 100 from the Unallocated Reserve (605) to the Planning Department (065); authorizing the Auditor and Comptroller to allocate \$51,931 to personnel services and \$4,872 to non-personnel expense.  
Aud. Cert. 9000336.

FILE LOCATION: Subitems A, B, E LAND - Golden Hill  
Community Plan; Subitems C, D, F--

COUNCIL ACTION: (Tape location: F312-G520.)

Hearing began at 3:58 p.m. and halted at 4:51 p.m.

Testimony in favor by Connie McDonough, Gail MacLeod, Bill McDonough, Marjonj Squire and Christopher Celentino.

Testimony in opposition by Michael Campbell, Gerald Fox, Richard Esposito and Bruce Daman, Carl Hoeger, Norm DeWitt and Mary McDonald.

MOTION BY FILNER TO APPROVE SUBITEMS A, B, C, AND E. REFER SUBITEM D TO THE PLANNING DEPARTMENT TO CORRECT SOME PROCEDURAL PROBLEMS AND APPROVE SUBITEM F AS AMENDED FOR 0.5 ASSOCIATE PLANNER AND 0.33 CLERICAL ASSISTANT II POSITIONS AS APPROPRIATE STAFF FOR THIS UNDERTAKING. REFER TO THE CLERK'S OFFICE, FOR NOTICING AND DISCUSSION, THE AMENDMENT REFERRED TO IN THE PIPELINE PROVISION AS FOLLOWS: PAGE 80, SECTION 3, "PROJECTS PERMITTED UNDER PLANNED RESIDENTIAL DEVELOPMENT PERMITS, PLANNED

COMMERCIAL DEVELOPMENT PERMITS, OR CONDITIONAL USE PERMITS APPROVED PRIOR TO THE EFFECTIVE DATE OF THIS ORDINANCE MAY DEVELOP IN ACCORDANCE WITH THE PROVISIONS OF THE APPROVED PERMIT; PROVIDED, HOWEVER, THAT ANY REQUESTED AMENDMENTS TO APPROVED PERMITS SHALL BE SUBJECT TO THE PROVISIONS OF THIS ORDINANCE"; PAGE 81, SECTION 6, "THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE ON THE THIRTIETH DAY FROM AND AFTER ITS PASSAGE, AND NO BUILDING PERMITS FOR DEVELOPMENT INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE EXCEPT AS PROVIDED IN

SECTION 3 SHALL BE ISSUED UNLESS APPLICATION THEREFORE WAS MADE PRIOR TO (THE INTRODUCTION DATE OF THE ORDINANCE).

Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-336: (R-89-2379) ADOPTED AS RESOLUTION R-274600

Authorizing the execution of an agreement with the Redevelopment Agency of The City of San Diego for replacement of water and sewer mains; authorizing the expenditure of an amount not to exceed \$543,711, consisting of \$295,711 from the Water Revenue Fund (No. 41502), CIP-73-083, Annual Allocation for Water Main Replacements, \$93,210 from the Sewer Revenue Fund (No. 41506), CIP-44-001, Annual Allocation for Sewer Main Replacements, and \$154,850 from the Sewer Revenue Fund (No. 41506), CIP-43-093, Island Avenue Interceptor, for the purpose of providing funds for the above project.

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The Centre City Development Corporation (CCDC) has recently constructed public improvements in the Marina Redevelopment area. Portions of these improvements are included in the City's Capital Improvement Program. Approximately 2,300 feet of old cast iron water main, 700 feet of old concrete sewer main, and 900 feet of 24-inch trunk sewer will be replaced with upgraded sizes with this project. The trunk sewer was realigned to improve flow conditions and necessitated the installation of approximately 700 feet of new 8-inch sewer main to maintain existing services. These water and sewer improvements will benefit the City as a whole. At no cost to the City, CCDC has provided the design and inspection for this project. This is an estimated savings of \$75,000 to the City. The City will reimburse CCDC for 100 percent of the actual construction cost of these improvements. Reimbursement, in any case, shall not exceed \$543,771.

Aud. Cert. 9000019.

WU-U-89-141.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: D041-049.)

MOTION BY FILNER TO APPROVE. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S403:

(Continued from the meetings of October 2, 1989, Item 200 and October 10, 1989, Item S407; last continued at Council Member Pratt's request, for further review.)

Three actions relative to Banking Service Agreements:

(See City Manager Reports CMR-89-483 and CMR-89-456.)

Subitem-A: (O-90-55) HEARING APPROVED

First public hearing in the matter of:

An Ordinance amending Ordinance O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. OO-17326-1 and No. OO-17326-2, as amended and adopted therein, by increasing the General Fund 100 Revenue Estimates by \$105,000; and directing the City Auditor and Comptroller to allocate the \$105,000 to the Treasurer's Department (052) for the purpose of funding Banking Service Contracts.

Subitem-B: (R-90-467) ADOPTED AS RESOLUTION R-274586

Adoption of a Resolution authorizing the execution of an agreement with the Bank of America to provide deposit and other optional banking services to the City of San Diego, together with reasonably necessary modifications or amendments which do not increase the agreement's scope or cost, which the City Manager shall deem necessary to carry out the purposes and intent of the agreement.

Subitem-C: (R-90-468) ADOPTED AS RESOLUTION R-274587

Adoption of a Resolution authorizing the execution of an agreement with Security Pacific National Bank to provide

disbursement and other optional banking services to the City of San Diego, together with any reasonably necessary modifications or amendments which do not increase the agreement's scope or cost, which the City Manager shall deem necessary to carry out the purpose and intent of the agreement.

FILE LOCATION: Subitem-A --; Subitems B&C - MEET  
CONFY90-2

COUNCIL ACTION: (Tape location: A109-506.)

MOTION BY FILNER TO APPROVE THE CONTRACTS WITH AN EVALUATION REGARDING COMPLIANCE WITH A NEW CRITERIA POLICY IN ONE YEAR FROM

ADOPTION DATE OF THE NEW CRITERIA POLICY; AND TO DIRECT THE RULES COMMITTEE TO COORDINATE WITH THE CITY/COUNTY REINVESTMENT TASK FORCE IN EVALUATING THE CRITERIA POLICY FOR ALL CONTRACTS WITH FINANCIAL INSTITUTIONS AND RETURN TO COUNCIL WITH A NEW CRITERIA POLICY TO BE ADOPTED BY COUNCIL. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S409: TRAILED AS UNFINISHED BUSINESS TO OCTOBER 30, 1989

(Continued from the meeting of October 10, 1989, Item S410, at Council Member Roberts' request, for further review.)

In the matter of the clarification of certain Council action taken by Resolution R-274001 on July 17, 1989, relative to water and sewer service and capacity charges and whether to exempt from such charges projects in designated redevelopment districts and SROs not within designated redevelopment districts, and to refer such issues regarding exemptions to the Public Services and Safety Committee for further consideration.

(See Memorandums from PSS Committee Consultant dated 10/5/89 and 10/4/89; Memorandum from the City Manager dated 10/6/89; and City Manager Report CMR-89-477.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: H293-294.)

ITEM-S411: (R-90-641 Rev.1) ADOPTED AS AMENDED AS RESOLUTION R-274601

Authorizing the City Manager to initiate and conduct a design/build competition for the proposed new Civic Center, and expenditures of funds not to exceed \$693,000 for honoraria and for competition support expenses from Fund 41300, Org. 106, Acct. 4279, CIP-37-220; declaring that the honoraria is contingent upon the sale of bonds in connection with the project and shall be reimbursed from bond proceeds.

(See City Manager Report CMR-89-484.)  
Aud. Cert. 9000385.

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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A553-C345;D246-E520.)

Motion by Wolfsheimer to adopt. No second.

MOTION BY ROBERTS TO APPROVE WITH THE PROVISION THAT ONE-THIRD OR 30% OF THOSE FIRMS SELECTED WILL BE FROM FIRMS WITH 15 PEOPLE OR LESS. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-S414:

Three actions relative to the final subdivision map of Rancho Del Sol Unit 1, a 32-lot subdivision located southeasterly of El Camino Real and Black Mountain Road: (District-1.)

Subitem-A: (R-90-636) ADOPTED AS RESOLUTION R-274588

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Authorizing the execution of a Subdivision Improvement Agreement with Robert D. Barczewski and Zero Energy Systems, Inc., for the installation and completion of public improvements.

Subitem-B: (R-90-635) ADOPTED AS RESOLUTION R-274589

Approving the final map.

Subitem-C: (R-90-637) ADOPTED AS RESOLUTION R-274590

Authorizing the execution of an agreement with Pacific Solar Properties for the payment of fees for public facilities.

FILE LOCATION: SUBD - Rancho Del Sol Unit 1

COUNCIL ACTION: (Tape location: A100-109.)

MOTION BY HENDERSON TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT ITEM S501 AND ADOPT ITEMS S414, S505 AND S507. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S500: (R-90-640) TRAILED AS UNFINISHED BUSINESS TO OCTOBER 30, 1989

Authorizing the City Manager to prepare an analysis of each proposed redevelopment project, utilizing legal, fiscal and social criteria by City staff; including the analysis

of each proposed redevelopment project in the Report of the Redevelopment Agency to the Council, which is prepared pursuant to State Health and Safety Code requirements.

(See City Manager Report CMR-89-485.)

NOTE: This action is a companion to Item 330 on the regular docket.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: H293-294.)

ITEM-S501: (O-90-71) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17374 (New Series)

Introduction and adoption of an Ordinance amending the Annual Appropriation Ordinance No. O-17326, by directing the Auditor and Comptroller to transfer the sum of \$9 million between and within the various funds of the City of San Diego; authorizing the City Manager and the Auditor to expend said funds for the purpose of satisfaction and full settlement of litigation matters in the case of Woolrich v. City of San Diego.

NOTE: See Item S404 on the docket of Monday, October 16, 1989 for the first public hearing. Today's action is the second public hearing for the introduction and adoption of the ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A100-109.)

MOTION BY HENDERSON TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT ITEM S501 AND ADOPT ITEMS S414, S505 AND S507. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S502: (R-90-643) TRAILED AS UNFINISHED BUSINESS TO  
OCTOBER 30, 1989

Approving the restructuring of the primary loan for the Horton Grand Saddlery Hotel.

(See CCDC Report dated 10/9/89. Centre City Community Area. District-8.)



FILE LOCATION: --

COUNCIL ACTION: (Tape location: H293-294.)

ITEM-S503: COMMENDED  
Commending Larry Upp for dedicated service to the school districts of the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D146-190.)  
MOTION BY WOLFSHEIMER TO APPROVE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S504: (R-90-621) ADOPTED AS RESOLUTION R-274603  
Expressing Council support of the concept of SANDAG studying a multiple-airport alternative as a part of its airport relocation subcommittee work, as more fully described in the letter dated September 7, 1989, from Council Members Roberts and Filner to the chairman of the SANDAG Policy Advisory Committee.  
(See letter from Council Members Roberts and Filner dated 9/7/89.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G532-H070.)  
MOTION BY ROBERTS TO ENDORSE THE CONCEPT BEFORE THE COUNCIL TODAY AND REFER THE ISSUE REGARDING RISK COLLISION ANALYSIS TO THE (T&LU) TRANSPORTATION AND LAND USE COMMITTEE TO BE HEARD AT THE EARLIEST DATE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmay-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S505: (R-90-657) ADOPTED AS RESOLUTION R-274591

Authorizing the approval of sale of Sea World stock to Busch Entertainment Corporation.  
(Mission Bay Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The City Manager has been approached by representatives of Busch Entertainment Corporation (Busch), a wholly owned subsidiary of Anheuser-Busch companies, concerning the purchase of Sea World's stock. Under the purchase agreement Busch would acquire for the sum of \$1.1 billion all the outstanding shares of the four Sea World parks from Harcourt, Brace, & Jovanovich, Inc., which will continue to operate under the Sea World name. The purchase includes two other theme parks and other assorted HBJ subsidiary corporations (29 in all), plus 1,200 acres of land. Busch has advised the City Manager that it does not have any immediate plans for changes to the park, its operation or personnel. Busch brings a good background and wealth of experience in the operation of theme parks to San Diego. It was incorporated in 1966 and operates four theme parks which cater to families: two in Tampa, Florida; one in Williamsburg, Virginia; and the other in St. Louis, Missouri. A review of the latest annual statement indicates that Anheuser-Busch has assets exceeding \$7 billion. Busch is under the direction of W. Randolph Baker, who is also a vice-president of Anheuser-Busch Companies, Inc., and a member of the Policy Committee of the parent corporation. The City Manager has reviewed the transfer and recommends approval of the stock sale to Busch. The current Sea World lease expires in 2035.

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: A100-109.)

MOTION BY HENDERSON TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT ITEM S501 AND ADOPT ITEMS S414, S505 AND S507. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S506: PROCLAIMED

Proclaiming October 16-22, 1989 to be "Magic Week" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A013-081;D120-145.)

MOTION BY STRUIKSMA TO APPROVE ITEMS 310 AND S506. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, McColl-not present, Pratt-not present,  
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

MOTION BY ROBERTS TO APPROVE THE PROCLAMATION PRESENTED TO LOCH  
CRANE DURING THE AFTERNOON SESSION. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
McColl-not present, Pratt-not present, Struiksma-yea,  
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S507: (R-90-665) ADOPTED AS RESOLUTION R-274592

A Resolution approved by the City Council in Closed Session  
on Tuesday, October 3, 1989 by the following vote:

Wolfsheimer-yea; Roberts-yea; McColl-yea; Pratt-yea;  
Struiksma-not present; Henderson-not present; McCarty-yea;  
Filner-not present; Mayor-not present.

Authorizing the City Manager to pay the total sum of  
\$9 million in the settlement of each and every claim  
against the City, its agents and employees, resulting from  
flood damage to real and personal properties of Michael F.  
Woolrich (Superior Court Case No. 599215, Michael F.  
Woolrich, et al.v. City of San Diego, et al.); authorizing  
the City Auditor and Comptroller to issue a warrant check  
in the amount of \$6,800,000 to come from the Public  
Liability Reserve Fund 81140, payable to Gary S. Elster,  
Client Trust Account, and to issue warrant checks in an  
amount not to exceed \$2,200,000, to come from CIP-39-109.0,  
payable to escrow accounts to be set up for the transfer of  
fifteen real properties from the plaintiffs' owners in the  
Woolrich case to the City of San Diego described as  
Assessors Parcel Nos.: 630-160-37 (1218 Lauriston Dr.);  
630-160-38 (1228 Lauriston Dr.); 630-160-39 (1236 Lauriston  
Dr.); 630-160-40 (1244 Lauriston Dr.); 630-160-41 (1252  
Lauriston Dr.); 630-160-42 (1260 Lauriston Dr.); 630-160-44  
(1245 Lauriston Dr.); 630-160-45 (1235 Lauriston Dr.);  
630-160-46 (1225 Lauriston Dr.); 630-160-47 (1215 Lauriston  
Dr.) 630-060-11 (2853 Elrose Dr.); 630-060-12 (1211 Paxton  
Dr.); 630-060-13 (1221 Paxton Dr.); 630-060-14 (1224 Paxton  
Dr.); 630-060-15 (1214 Paxton Dr.); in full settlement of  
the lawsuit and all claims; authorizing the City Auditor  
and Comptroller and the City Manager to open escrow  
accounts for the transfer of title of the fifteen real

properties to the City of San Diego and to accept title to  
them.

(See City Manager Report CMR-89-487.)

Aud. Cert. 9000389.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A100-109.)

MOTION BY HENDERSON TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT ITEM S501 AND ADOPT ITEMS S414, S505 AND S507. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-CS-1: (R-90-676) ADOPTED AS RESOLUTION R-274593

A Resolution adopted by the City Council in Closed Session on October 17, 1989:

Authorizing the City Manager to pay the sum of \$45,000.00 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. 557855, Scheryl Wade v. Charles Mattingly, et al. resulting from personal injuries of plaintiff; Authorizing the City Auditor and Comptroller to issue one check in the amount of \$45,000.00 made payable to Scheryl Wade and her attorney of record, George Heppner in full settlement of all claims.

Aud.Cert. 9000368

FILE LOCATION: MEET

ITEM-CS-2: (R-90-675) ADOPTED AS RESOLUTION R-274594

A Resolution adopted by the City Council in Closed Session on October 17, 1989:

Authorizing the City Manager to pay the total sum of \$435,000.00 to Charles C. Tillinghast, III, in settlement of a property damage claim, Superior Court Case No. 536350,

Charles C. Tillinghast, III v. City of San Diego;  
Authorizing the City Auditor and Comptroller to issue one check in the amount of \$435,000.00 made payable to Charles C. Tillinghast, III and his attorney of record McInnis, Fitzgerald, Rees, Sharkey and McIntyre in full settlement of all claims.

Aud. Cert. 9000366

FILE LOCATION: MEET

NON-DOCKET ITEMS:

ITEM-ND-1: (R-90-693) ADOPTED AS RESOLUTION R-274607

Designating George Story to represent the City Council at the Southern California Hazardous Waste Management Authority Board meeting in Los Angeles, California on October 26, 1989.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D030-040.)

BY COMMON CONSENT, THE COUNCIL ACCEPTED THE ITEM FOR CONSIDERATION.

MOTION BY STRUIKSMA TO APPROVE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy Mayor McCarty at 5:16 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: H293).