

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, DECEMBER 5, 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 10:03 a.m. The meeting was recessed by Mayor O'Connor at 12:10 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Wolfsheimer at 2:10 p.m. with Mayor O'Connor and Council Member Pratt not present. Deputy Mayor Wolfsheimer adjourned the meeting at 5:47 p.m. to convene the Redevelopment Agency meeting.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member Hartley-present
 - (4) Council Member Pratt-present
 - (5) Council Member Bernhardt-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (rb,tm)

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 Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Dec-5-1989

ITEM-310: WELCOMED

Welcoming a group of approximately 60 students from Angier Elementary School, who will attend this meeting accompanied by their teachers, Mrs. Wilson and Mr. Freeman. This group will arrive at approximately 10:30 a.m.
(District-5.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A303-310.)

ITEM-330: (R-90-) CONTINUED TO FEBRUARY 13, 1990, AT
10:00 A.M.

Appeal of Sharon L. Davis, the attorney of record for Mondana Corporation, from the decision of the Historical Site Board in designating the El Toreador Motel as a historical site. The attorney of record has now been changed to Maria Burke Lia. The subject property is located at 631 East San Ysidro Boulevard, in the San Ysidro Community Plan area.

(District-8.)

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

FILE LOCATION: GENL - HISTORICAL SITE BOARD DECISIONS &
APPEALS, ETC., EL TOREADOR MOTEL

COUNCIL ACTION: (Tape location: A020-080.)

Testimony by Marie Lia and Andrea Skorepa regarding the continuance.

MOTION BY FILNER TO CONTINUE 60 DAYS FOR APPELLATE AND THE HISTORICAL SITE BOARD TO REVIEW AND RE-ANALYZE THE PROJECT.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: CONTINUED TO DECEMBER 12, 1989, AT 10:00 A.M.

Appeal of Verna M. Quinn, from the decision of the Planning Commission in approving a request to subdivide a 3.04-acre site (Campus Heights) into ten lots for single-family residential development. The subject property is located on the north side of Broadway between Klauber Avenue and Scimitar Drive and is more particularly described as a portion of Lot 8, Block 18 of Tract No. 2 of Encanto Heights, Map-1100, together with the portion of Lot 4-1/2 of Rosemont Addition to Encanto Heights, Map-1133 in Zone SF 10,000 within the Southeast San Diego Community Plan area.

(TM-89-0223. District-3.)

Subitem-A: (R-90-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration DEP. No. 89-0223 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-90-)

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

FILE LOCATION: SUBD - CAMPUS HEIGHTS

COUNCIL ACTION: (Tape location: A081-122.)

Testimony by Gerry Braun in opposition to the continuance.

MOTION BY HARTLEY TO CONTINUE ONE WEEK IN ORDER TO REVIEW THE ISSUE. Second by Bernhardt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: (R-90-1035) ADOPTED AS RESOLUTION R-274819, GRANTED
APPEAL AND DENIED EARLY RELEASE

19891205

Appeal of Barbara Kay Whalen, et al, from the decision of the Planning Director in approving Early Release Single-Family Neighborhood Protection Ordinance ER-89-3082, which requests an early release from this restriction to determine if the property at 1956 Pacific Beach Drive is located within a single-family neighborhood. The subject property is further described as Lots 27 and 28, Block 307, Pacific Beach, Map-922, in Zone Multi-Family R-1500, in the Pacific Beach Community Plan area.

(ER-89-3082. District-6.)

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

FILE LOCATION: ZONE - ER-89-3082

COUNCIL ACTION: (Tape location: A178-B517.)

Hearing began at 10:19 a.m. and halted at 11:25 a.m.

Testimony in favor of the appeal by Barbara Whalen, Glen Bair, Betty Hilbert, and R. E. Hilbert.

Testimony in opposition to the appeal by Thomas Jensen, Bob Fisher, and Mike del Dominico.

MOTION BY HENDERSON TO GRANT THE APPEAL OF THE HOMEOWNERS AND DENY THE EARLY RELEASE OF 1956 PACIFIC BEACH DRIVE FROM SINGLE-FAMILY HOME PRESERVATION ORDINANCE; AND TO DIRECT THE PLANNING DEPARTMENT NOT TO TREAT 3,000 SQUARE FOOT LOTS WITH SINGLE-FAMILY HOMES AS "SUBSTANDARD" OR MULTI-FAMILY FOR PURPOSES OF THIS ORDINANCE IN THE FUTURE. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-333: (R-90-1036) ADOPTED AS RESOLUTION R-274820, GRANTED
APPEAL, DENIED PERMIT

19891205

Appeal of Lawrence Haber, et al, by Lawrence R. Keller, Attorney, for a hearing of an appeal from the decision of the Planning Commission in approving La Jolla Shores Permit LJS-89-0384, proposing construction of a 3,363 square-foot single-family residence. The property is located at 7975 St. Louis Terrace, on the north side of St. Louis Terrace between Spindrift and Hypatia, in a single-family zone, in the La Jolla Shores Community Plan area. The subject property is more particularly described as the northwesterly half of Lot 85 and all of Lot 86 of La Jolla Vista, Map-1762.

(LJS-89-0384. 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: PERM - LJS-89-0384

COUNCIL ACTION: (Tape location: B518-D045.)

Hearing began at 11:25 a.m. and halted at 12:10 p.m.

Testimony in favor of appeal by Larry Keller, Lawrence Harber, Dr. Ten Eyck, Peter Charlton, Robert Hamilton, and Martin Colby.

Testimony in opposition to appeal by Leo Sullivan and Brian Malk.

Mayor O'Connor closed the hearing.

MOTION BY WOLFSHEIMER TO GRANT THE APPEAL BASED ON THE FACT THAT IT DOES NOT CONFORM TO THE NEIGHBORHOOD UNDER THE CRITERIA STATED, THAT IS THE BULK, THE SCALE, THE CHARACTER, THE MASS, AND LEGALLY ALSO, BECAUSE OF THE NON-COMPLIANCE WITH THE LA JOLLA ARCHITECTURAL DESIGN MANUAL. Second by Bernhardt.

Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Pratt-nay, Bernhardt-yea, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-334:

Two actions relative to the Poway Road Cost Reimbursement District:

(Sabre Springs Community Area. District-1.)
Subitem-A: (R-90-755) ADOPTED AS RESOLUTION R-274822

Establishing the Poway Road Cost Reimbursement District; declaring that the public improvements to be paid for by the district are those described in the Poway Road Cost Reimbursement District cost estimate; that the cost distribution for the district shall be apportioned and assessed against each parcel as described in the Reimbursement Cost Distribution Table; setting the limiting period for when assessed costs are due and payable at 20 years.

Subitem-B: (R-90-756) ADOPTED AS RESOLUTION R-274823

Authorizing the execution of a Cost Reimbursement Agreement with Pardee Construction Company, relative to the Poway Road Cost Reimbursement District.

CITY MANAGER SUPPORTING INFORMATION: In April 1989, the Council authorized the initiation of proceedings for the formation of a Cost Reimbursement District for the developer of North Creek Unit No. 6, Pardee Construction Company. The improvements proposed to be included in the district include roadway improvements for Poway Road from Springbrook Drive to 1,364 feet westerly of Springbrook Drive and a traffic signal at the intersection of Poway Road and Springbrook Drive. These improvements were required as a threshold improvement identified in the Sabre Springs Transportation Phasing Plan. The estimated cost of these improvements is \$620,934. These improvements generally benefit those parcels on the north and south side of Poway Road between Springbrook Drive and 1,364 feet west of Springbrook Drive. Therefore, the cost of these improvements should be the responsibility of these parcels. Pardee owns that property on the south side and Shea homes the property on the north side. Because Pardee is constructing the district's improvements, their responsibility has been satisfied. The cost of those improvements that are found to be the responsibility of Shea Home's parcel will be levied against that parcel and will be collected as a condition of any final map or building permit application. A proposed reimbursement district plat and cost breakdown table has been filed in the office of the City Clerk. The affected property owner has been notified of today's hearing.

FILE LOCATION: STRT-CR-9 CONTFY90-1

COUNCIL ACTION: (Tape location: A008-019; A159-170; E006-072.)

Testimony by Tom Noone requesting a 30-day continuance.

Testimony by a member from the public in opposition to the continuance.

Hearing began at 2:12 p.m. and halted at 2:24 p.m.

Testimony in favor by David Poole.

Testimony in opposition by Tom Noone.

MOTION BY McCARTY TO ESTABLISH THE REIMBURSEMENT DISTRICT.

Second by Henderson. Passed by the following vote:

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

ITEM-335:

Proposal to amend the North City West Planned District Ordinance to delete private balconies, patios and decks from the calculation of usable open space and to quantify the usable open space requirement. To ensure that the required usable open space is functional, a minimum area of 100 square feet with a minimum dimension of 6 feet on one side is also proposed.

Since this proposed amendment will apply to areas within the coastal zone, it will also constitute an amendment to the City of San Diego's Local Coastal Program (LCP). If adopted by the City, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The LCP amendment would not become effective until after approval by the California Coastal Commission.

(District-1.)

Subitem-A: (R-90-649) ADOPTED AS RESOLUTION R-274824

Adoption of a Resolution certifying that the amendment to the North City West Planned District Ordinance is exempt from environmental review pursuant to Section 150.61(b)(3) of the State of California Environmental Quality Act (CEQA).

Subitem-B: (O-90-72) INTRODUCED, TO BE ADOPTED
JANUARY 8, 1990

Introduction of an Ordinance amending the Municipal Code relating to the North City West Planned District.

FILE LOCATION: LAND - North City West Planned District

COUNCIL ACTION: (Tape location: E072-200.)

Hearing began at 2:24 p.m. and halted at 2:27 p.m.

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

ITEM-336:

Proposed amendment to the Planned Residential Developments Ordinance to:

- 1) Exclude streets and other common access areas from the calculation for residential density; and,
- 2) Require the usable open space area to have a minimum area of 100 square feet with a minimum dimension of six feet on one side to satisfy the calculation for usable open space.

Since this proposed amendment will apply to areas within the coastal zone, it will also constitute an amendment to the City of San Diego's Local Coastal Program (LCP). If adopted by the City, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The LCP amendment would not become effective until after approval by the California Coastal Commission.

(Citywide.)

Subitem-A: (R-90-651) ADOPTED AS RESOLUTION R-274825

Adoption of a Resolution certifying that the amendment to the Planned Residential Developments Ordinance is exempt from review pursuant to Section 150161(b)(3) of the State of California Quality Act (CEQA).

Subitem-B: (O-90-73) INTRODUCED, TO BE ADOPTED JANUARY 8, 1990

Introduction of an Ordinance amending the Municipal Code relating to Planned Residential Developments.

FILE LOCATION: Subitem-A - MEET; Subitem-B --

COUNCIL ACTION: (Tape location: E200-254.)

Hearing began at 2:27 p.m and halted at 2:31 p.m.

Council Member Pratt entered at 2:30 p.m.

Testimony in favor by Dave Odell.

MOTION BY McCARTY TO APPROVE AND TO DIRECT THE TRANSPORTATION AND LAND USE COMMITTEE TO LOOK INTO THE FEASIBILITY OF ADOPTING A SIMILAR ACTION FOR OPEN SPACE ON HILLSIDES. CURRENT REGULATIONS ALLOW FOR ENCROACHMENTS ON (A) INTERIOR ROADS AS ADDITIONAL ENCROACHMENTS; AND (B) BRUSH MANAGEMENT ENCROACHMENTS. DIRECT THE TRANSPORTATION AND LAND USE COMMITTEE

TO LOOK INTO THE FEASIBILITY OF SUBTRACTING THESE ENCROACHMENTS.

Second by Bernhardt. Passed by the following vote:

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

ITEM-337:

1. Request to subdivide a 15.4-acre site into four parcels for commercial use. The subject property is located on the northwest side of Mission Valley Road and I-163 and is described as Lots 17 through 23 of Mission Valley Heights, Map-11034, in Zone M1-B (Mission Valley Heights Specific Plan) in the Mission Valley Community Plan area.

19891205

2. Proposal to vacate Mission Valley Court northwest of Mission Valley Road as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the proposed Tentative Parcel Map TM-89-0844. (TM-89-0844. District-5.)

Subitem-A: (R-90-1028) ADOPTED AS RESOLUTION R-274826
GRANTING THE MAP

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

Subitem-B: (R-90-668) ADOPTED AS RESOLUTION R-274827

Adoption of a Resolution authorizing the vacation of Mission Valley Court northwest of Mission Valley Road as provided for under Section 66499.20-1/2 of the State Map Act.

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation has been initiated by the submission of Tentative Parcel Map TM-89-0844. The tentative map proposes subdivision of 15.4 acres into four parcels, which includes the vacation area which totals approximately 26,000 square feet. The street vacation and adjacent properties are located within the Mission Valley Specific Plan and situated in an M1-B Zone. The future development of the site is controlled by Planned Industrial Development Permit PID-40-0118-0. The proposed vacation and tentative parcel map are consistent with the General Plan and the Mission Valley Community Plan. The Subdivision Board recommended approval of Tentative Parcel Map TM-89-0844 on September 11, 1989, by a 3-0 vote.

The subject right-of-way is 75 feet wide and extends approximately 320 feet northwest of Mission Valley Road. The street is unimproved and does not contain public utilities or franchise facilities. The area-of-vacation was originally dedicated as a cul-de-sac to provide access to Lots 18-20 of Mission Valley Heights. Upon resubdivision, all of the proposed parcels will obtain their access from Mission Valley Road. Therefore, the right-of-way will no longer be required for access.

Staff review has indicated that the right-of-way to be vacated will no longer be required for present or prospective public use when the Final Parcel Map (TM-89-0844) is approved. It is, therefore, recommended that the vacation be approved, conditioned upon the recordation of Parcel Map TM-89-0844.

FILE LOCATION: Subitem-A - SUBD - Parcel Map No. 11034,
Lots 17-23, Portion;
Subitem-B - STRT J-2729 DEED F-5119
DEEDFY90-1

COUNCIL ACTION: (Tape location: E254-264.)

Hearing began at 2:31 p.m. and halted at 2:31 p.m.

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

ITEM-338:

Appeals of Richard E. Stern and George R. Macartie, from the decision of the Planning Commission in approving Conditional Use Permit CUP-89-0524, proposing to operate a correctional/rehabilitation program for 42 residents within an existing 6,000 square-foot two story building to be renovated. The subject property is a 5,000 square-foot lot and is located at 502 Tenth Avenue on the northwest corner of Tenth and Island Avenues, east of Ninth Avenue and south of Market Street, in Zone CSX, in the Centre City Community Plan area. The subject property is more particularly described as Lot "C", Block 100, Horton's Addition. (CUP-89-0524. District-8.)

Subitem-A: (R-90-1030) ADOPTED AS RESOLUTION R-274828

19891205

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-89-0524 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-90-1031) ADOPTED AS RESOLUTION R-274829
DENYING THE APPEAL AND GRANTING
THE PERMIT

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

FILE LOCATION: PERM - CUP-89-0524

COUNCIL ACTION: (Tape location: E265-G139.)

Hearing began at 2:31 p.m. and halted at 3:48 p.m.

Testimony in favor by Richard Stern, George Macartie, Juliet Mondot, James Hughes and David Duea.

Testimony in opposition by Mary Lankamp, Lula Porter, Nora Donahoo, Jerry Cliff, Robbie Edwards, Tina Faulk, Mildred Hawkins, Essex Luekett and Dee Dee McClure.

Motion by Filner to grant the appeal and deny the permit.

Second by McCarty. Failed: Yeas-7,8. Nays-1,2,3,4,5,6.

Not present-M.

MOTION BY ROBERTS TO DENY THE APPEAL AND GRANT THE PERMIT WITH THE FOLLOWING CONDITIONS: (1) ONE YEAR REVIEWS; AND (2) A FIVE YEAR SUNSET CLAUSE (WITH REAPPLICATION); AND TO DIRECT STAFF TO REPORT TO THE PUBLIC SERVICES AND SAFETY COMMITTEE WITH (A) STANDARDS FOR CORRECTION FACILITIES AS OPPOSED TO SOCIAL SERVICE FACILITIES; AND (B) A SELECTION PROCESS FOR DETERMINING

LOCATIONS FOR THESE FACILITIES. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-not present.

ITEM-339: (R-90-) CONTINUED TO FEBRUARY 6, 1990

(Continued from the meetings of October 10, 1989, Item 330, and October 31, 1989, Item 333; last continued at Council Member Wolfsheimer's request, for further review.)

Appeal of James H. N. Hudnall, Jr. by Procopio, Cory, Hargreaves & Savitch and Althea D. Lucic, et al, for a hearing of an appeal from the decision of the Planning Commission in granting Coastal Development Permit CDP-89-0393 for the demolition of an existing single-family dwelling on Lots 2 and 3 and the construction of a new single-family dwelling unit consisting of 2,921 square feet of floor area to be located on one of the existing two lots

(Lot 3). The subject property is located at 1447 Park Row and is further described as Lots 2 and 3, Block 47 of La Jolla Park, Map-352 in Zone R1-5000 within the La Jolla Community Plan Area.

(CDP-89-0393. 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: PERM - CDP-89-0393

COUNCIL ACTION: (Tape location: G139-H600.)

Hearing began at 3:48 p.m. and halted at 5:02 p.m.

Testimony in favor by James Hudnall, Peter Lucic, Rob Wittemore and William Eigner.

Testimony in opposition by Jim Crawford, Lynne Heidel and A. C. Pierson.

MOTION BY BERNHARDT TO CONTINUE TO FEBRUARY 6, 1990 SO THAT THE MATTER MAY BE HEARD AFTER THE MATTER IS HEARD AT THE HISTORICAL SITE BOARD MEETING ON JANUARY 24, 1990. Second by Wolfsheimer.

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

ITEM-340: (O-90-98) INTRODUCED, TO BE ADOPTED JANUARY 8, 1990

Consideration of an amendment to the Golden Hill Planned District Ordinance O-17382 N.S. (O-90-56), amending Section 3, that was adopted October 30, 1989. This amendment would delete Golden Hill Planned District permits from the list of permits subject to the provisions of the Ordinance.

This proposed amendment may affect the ability to proceed with the projects listed below in the existing Golden Hill Planned District Ordinance area. If approved, this amendment would require not only the obtainment of a Golden Hill PDO Permit from the Planning Department prior to the introduction date of the ordinance to be exempt from the new regulations, but also require a complete building permit application to have been submitted prior to October

17, 1989, in order to be exempt from the provisions of the revised Golden Hill Planned District Ordinance (including, but not limited to, density levels, setbacks, floor area ratios, parking standards, etc.)

G.H. Permit No.	Property Address
88-0064	1045 23rd Street
88-0727	1124 21st Street
88-1227	2761 A Street
89-0517	940 20th Street
89-0573	1304 24th Street
89-0788	2102 Broadway
89-1100	806 27th Street

(Districts-4 & 8.)

Introduction of an Ordinance amending the planned district ordinance.

FILE LOCATION: LAND - Golden Hill Planned District

COUNCIL ACTION: (Tape location: I001-637.)

Hearing began at 5:02 p.m. and halted at 5:47 p.m.

Testimony in favor by Kennon Baldwin, Mark Prost and Margaret Gordon-Espe.

Testimony in opposition by Matt Peterson, William Drummond and Ereni Gagon.

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

ITEM-CS-1: (R-90-901) ADOPTED AS RESOLUTION R-274821

A Resolution adopted by the City Council in Closed Session

on December 5, 1989:

Authorizing the City Manager to pay the sum of \$359,241.66 in the partial settlement of each and every claim against the City, its agents and employees, resulting from property damage to the residence of Julie McKellar, et al. The City Auditor is authorized to issue one check in the amount of \$94,241.66 made payable to Luth and Turley in partial settlement of all claims.

Aud. Cert: 9000535

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy Mayor Wolfsheimer at 5:47 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I637).