

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, NOVEMBER 19, 1990
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:06 p.m.
Mayor O'Connor adjourned the meeting at 5:49 p.m.

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-Fishkin (eb)

FILE LOCATION: MINUTES

Nov-19-1990

ITEM-1: ROLL CALL

- Clerk Fishkin called the roll:
- (M) Mayor O'Connor-present

- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-not 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-not present

Nov-19-1990

ITEM-10: INVOCATION

Invocation was given by Pastor Roger Vaus, Horizon
Christian Fellowship.

FILE LOCATION: MINUTES

Nov-19-1990

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
McCarty.

FILE LOCATION: MINUTES

Nov-19-1990

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

- 9/18/90 Special Meeting
- 9/24/90
- 9/25/90
- 10/1/90
- 10/2/90
- 10/2/90 Special Meeting
- 10/2/90 Special Joint Meeting
- 10/8/90
- 10/8/90 Special Joint Meeting
- 10/9/90
- 10/10/90 Special Night Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A035-040.)

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

Nov-19-1990

ITEM-31: PROCLAIMED

Proclaiming November, 1990, to be Alzheimer's Disease Awareness Month.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A041-048.)

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

ITEM-32: DENIED HEARING

Matter of the request of Paul Newberry, by Joseph A. Howell, for a hearing of an appeal from the decision of the Planning Commission in granting La Jolla Shores Permit LJS-90-0488, proposing to construct an 836 square-foot partial second story addition, deck and new entry foyer. The subject property (approximately 18,507 square-feet) is located at 8320 Calle del Cielo, in the single-family zone, in the La Jolla Shores Community Plan area. The subject property is more particularly described as Lot 9, Circa de la Playa, Map-7957.
(LJS-90-0488. District-1.)
A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM-LJS-90-0488

COUNCIL ACTION: (Tape location: A048-064.)

MOTION BY WOLFSHEIMER TO DENY THE REQUEST FOR A HEARING. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-33: GRANTED HEARING, DECEMBER 11, 1990, 2:00 P.M.

Matter of the request of Alfred C. Strohlein, for a hearing of an appeal from the decision of the Planning Commission in approving Coastal Development Permit CDP-90-0496, proposing the demolition of a single-family home and the construction of a two-story, four-unit condominium. The subject property (approximately 6,250 square-feet) is located at 1644 Thomas Avenue, in Zone R-1500, in the Pacific Beach Community Plan area, and is more particularly described as Lots 29 and 30, Block 251, Pacific Beach Tract 854.

(CDP-90-0496. District-6.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM-CDP-90-0496

COUNCIL ACTION: (Tape location: A065-077.)

MOTION BY HENDERSON TO GRANT THE REQUEST FOR A HEARING BASED ON THE FINDING OF CITYWIDE SIGNIFICANCE. Second by Bernhardt.

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

ITEM-34: DENIED HEARING

Matter of the request of Elizabeth T. Storz, for a hearing of an appeal from the decision of the Planning Commission in granting Coastal Development Permit CDP-90-0237 for the demolition of an existing garage and to construct an approximate 6658-square-foot, two-story, single-family dwelling on a vacant lot. The subject property is located at 6209 Camino de la Costa and is more particularly described as Lot 4, Block 3, La Jolla Hermosa, Map-1810 in Zone R-1-8000 within the La Jolla Community Plan area. (CDP-90-0237. District-1.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM-CDP-90-0237

COUNCIL ACTION: (Tape location: A078-098.)

MOTION BY HENDERSON TO DENY THE REQUEST FOR A HEARING. Second

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

ITEM-35: GRANTED HEARING

Matter of the request of Jacky Feighan, for a hearing of an appeal from the decision of the Planning Commission in granting Coastal Development Permit CDP-90-0494 to construct a three-story, single-family home totaling 1,679 square feet. The subject property, a 2,925-square-foot lot, is located at 7323 Monte Vista Avenue, south of Marine Street, east of Vista Del Mar, north of Sea Lane, and west of Olivetas Avenue and is more particularly described as Lot 10, Block 7, La Jolla Beach, Map No. 893 1/2, in Zone R-1-5000 (Single-Family Residential, minimum lot size of 5,000 square feet) within the La Jolla Community Plan area. (CDP-90-0494. District-1.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM-CDP-90-0494

COUNCIL ACTION: (Tape location: A098-156.)

MOTION BY WOLFSHEIMER TO GRANT THE REQUEST FOR A HEARING BASED ON THE FINDING OF CITYWIDE SIGNIFICANCE. 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-yea.

* ITEM-50: (O-91-67) ADOPTED AS ORDINANCE O-17555 (New Series)

Establishing a parking meter zone on the east side of Park Boulevard between El Cajon Boulevard and Meade Avenue. (Introduced on 11/5/90. Council voted 9-0. Park North-East Community Area. District-3.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A214-224.)

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

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-yea.

* ITEM-100: (R-91-539) ADOPTED AS RESOLUTION R-276865

Awarding a contract to Firearms Training Systems, Inc. for furnishing firearms training simulator (F.A.T.S. II); authorizing the expenditure of an amount not to exceed \$101,375.18 (\$20,275.04 from Department No. 10126, Fund No. 10126, Object Account No. 6010, and Job Order No. 101262; \$37,508.81 from Department No. 10131, Fund No. 10131, Object Account No. 6010, and Job Order No. 010131; and \$43,591.33 from Department No. 10132, Fund No. 10132, Object Account No. 6010 and Job Order No. 000001), for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-I1829/91)
Aud. Cert. 9100331.

FILE LOCATION: CONT-PURCHASE Firearms Training Systems,
Inc. CONTFY91-1

COUNCIL ACTION: (Tape location: A225-250.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. 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-101: (R-91-710) ADOPTED AS RESOLUTION R-276866

Awarding contracts for furnishing paper and related supplies, as may be required for a period of six months beginning November 1, 1990 through April 30, 1991, with options to renew the contract for five additional six month periods, with option period increases not to exceed 5 to 8 percent of the prices in effect in each prior period, for an estimated cost of \$89,014, for primary contracts only:
(BID-P1772/91)

1. Butler Paper Company for the primary contract for Section II - Uncoated Offset Book; Section III - Index, Tag and Bristol; Section VII - Coated Cover and Book; Section X - Bright Text and Cover, with option period increases not to exceed 8 percent of the prices in effect at the end of each prior period.

2. La Salle Paper Company for the secondary contract for Section X - Bright Text and Cover, with option period increases not to exceed 5 percent of prices in effect at the end of each prior period.
3. Nationwide Papers for the primary contract for Section V - Carbonless, 3M-Type; Section VI - Carbonless, Black Print; Section XIII, Item 7 - Padding Adhesive; and for the secondary contracts for Section II - Uncoated Offset Book; and Section III - Index, Tag and Bristol, with option period increases not to exceed 7 percent of the prices in effect at the end of each prior period.
4. Unisource Corporation for the primary contract for Section I - Cut Stock; Section IX - Specialty Text and Cover; Section XII F - Specialty Envelopes; Section XIII, Item 9 - Cut Wires; secondary contract for Section XIII, Items 1-6 - Miscellaneous Supplies, with option period increases not to exceed 5 percent of the prices in effect at the end of each prior period.

5. Noland Paper for the primary contract for Section XIII, Items 1-6, Miscellaneous Supplies, with option period increases not to exceed 5 percent of the prices in effect at the end of each prior period.

FILE LOCATION: CONT-PURCHASE Butler Paper Company, La Salle
Paper Company, Nationwide Papers, Unisource
Corporation, and Noland Paper
CONTFY91-5

COUNCIL ACTION: (Tape location: A225-250.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. 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-102: (R-91-559) ADOPTED AS RESOLUTION R-276867

19901119

Inviting bids for the Point Loma Wastewater Treatment Plant
Maintenance Building Expansion - Asbestos Abatement on Work
Order No. 147213; authorizing the execution of a contract
with the lowest responsible bidder; authorizing the

expenditure of an amount not to exceed \$30,850 from the Sewer Revenue Fund No. 41506, CIP-46-086, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to Sewer Revenue Fund No. 41506, CIP-46-086. (BID-K1878/91)

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This action is the first phase of a two phase construction project for the expansion of the Point Loma Wastewater Treatment Plant Maintenance Building (CIP-46-086). This contract (Phase I) will provide for the removal of the asbestos containing material in the existing maintenance building at Point Loma. An asbestos investigation was performed in December 1988 and verified by Buildings Division in May 1990. In both investigations asbestos containing material was identified. In order to avoid delay in the construction of the building expansion (Phase II) and because of requiring a contractor's specialty, it is recommended to remove all the asbestos containing material from the building with Phase I, before Phase II, building expansion construction

begins. Phase II construction is scheduled to begin November 1990.

Aud. Cert. 9001091.

WU-P-90-180.

FILE LOCATION: W.O. 147213 CONT - CST Environmental, Inc.
CONTFY91-1

COUNCIL ACTION: (Tape location: A225-250.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. 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-103: (R-91-791) ADOPTED AS RESOLUTION R-276868

Authorizing the City Manager to accept a local assistance grant of \$7,570 from the California State Department of Education to supplement adult literacy services provided by the Library Department; authorizing the City Manager or his

representative to perform all acts necessary to secure and administer the grant funds.

(City-wide.)

CITY MANAGER SUPPORTING INFORMATION: The San Diego Public Library has been determined to be eligible to receive a \$7,570 share of available funding under the Federal Adult Education Act P.L. 100-297 which encourages the expansion of basic literacy services. The Library will receive \$3,500 in base funding and an additional \$4,070 based on anticipated client attendance. These funds will assist READ/San Diego, the Library Department's literacy program, to continue to train new volunteer literacy tutors and coordinate citywide literacy instruction.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A225-250.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. 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-104: (R-91-790) ADOPTED AS RESOLUTION R-276869

Authorizing the City Manager to apply for a grant in the amount of \$50,000 from the Los Angeles Times organization to fund a youth literacy computer laboratory; authorizing the City Manager or his representative to perform all acts necessary to secure and administer the grant funds.

(City-wide.)

CITY MANAGER SUPPORTING INFORMATION: READ/San Diego, the Library's adult literacy program has been invited to apply for grant funds in the amount of \$50,000 to fund an at-risk youth literacy instruction computer lab. \$20,000 from the Times Mirror Foundation, \$20,000 from the Los Angeles Times Foundation and \$10,000 from the Los Angeles Times San Diego County Edition, will be requested to fund a computer lab that will replicate the successful Times' Reading Lab in Los Angeles. If funded, the Los Angeles Times Reading Lab which will be located at READ/San Diego, will enable READ/San Diego to increase its capacity to serve additional out-of-school youth, at-risk youth and functionally illiterate adults; provide quality computer-assisted instruction for currently enrolled youth and adults; and heighten the awareness of the illiteracy problem in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A225-250.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. 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-105: (R-91-818) ADOPTED AS RESOLUTION R-276870

A Resolution approved by the City Council in Closed Session on Tuesday, October 16, 1990 by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-not present; Pratt-not present; Bernhardt-not present; Henderson-yea; McCarty-yea; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$39,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Rocio Urena DeAlba (Superior Court Case No. 621099, Rocio Urena DeAlba v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$39,000 made payable to Rocio Urena DeAlba and her attorney, Donald D. Hiney, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of Rocio Urena DeAlba's claim for personal injuries resulting from the incident of September 26, 1989.

Aud. Cert. 9100338.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A225-250.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. 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-106: (R-91-819) ADOPTED AS RESOLUTION R-276871

A Resolution approved by the City Council in Closed Session on Tuesday, October 16, 1990 by the following vote: Wolfsheimer-yea; Roberts-not present; Hartley-not present; Pratt-not present; Bernhardt-not present; Henderson-yea; McCarty-yea; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$100,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Ronald Herlihy (Superior Court Case No. 600301, Ronald Herlihy v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$100,000 made payable to Ronald Herlihy and his attorney, G. Gordon Madison, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claim of

Ronald Herlihy against the City of San Diego as a result of the incident of June 18, 1987.

Aud. Cert. 9100363.

WU-RM-91-056.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A225-250.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. 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-107: (R-91-768) ADOPTED AS RESOLUTION R-276872

Authorizing the execution of a revised Joint Powers Agreement (JPA) for the Automated Regional Justice Information System (ARJIS).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A225-250.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. 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-108: (R-91-796) ADOPTED AS RESOLUTION R-276873

Approving the 1991 annual update of the Housing Assistance Plan; authorizing and directing the City Manager to submit the 1991 Plan to the U.S. Department of Housing and Urban Development (HUD) as part of the City of San Diego's Community Development Block Grant Application.

(See Housing Commission Report HCR-90-013CC.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A225-250.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. 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-150: (R-91-693) ADOPTED AS RESOLUTION R-276874

Accepting City Manager Report CMR-90-437, entitled "Landfill Siting Search"; authorizing the City Manager to:

- A) Proceed with further geotechnical design and environmental evaluation of the three sites identified within the City of San Diego as potential landfill sites;
- B) Execute a third amendment to the Joint Exercise of Powers Agreement between The City of San Diego and the County of San Diego for a Landfill Siting Study in the Southwest Quadrant of the County, to fund and conduct geotechnical, preliminary design and environmental reports on the three sites; and
- C) Continue the City's participation on the Citizen's Advisory Committee.

(See City Manager Report CMR-90-437; and 11/1/90 PS&S Actions. Current Districts-1, 5, and 7. New Districts-1 and 7.)

COMMITTEE ACTION: Initiated by PSS on 10/17/90.

Recommendation to forward to Council without recommendation. Districts 2, 3, 4, 5, and 7 voted yea.

FILE LOCATION: MEET CCONFY91-1

COUNCIL ACTION: (Tape location: E258-548.)

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

ITEM-200: CONTINUED TO DECEMBER 10, 1990, 2:00 P.M. TIME CERTAIN

Discussion in the matter of the enactment of an ordinance

establishing a Human Relations Commission for the City of San Diego.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A156-174.)

MOTION BY PRATT TO CONTINUE TO DECEMBER 10, 1990, 2:00 P.M. TIME CERTAIN AT HIS REQUEST FOR FURTHER REVIEW. 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-yea.

ITEM-201: (R-91-769) ADOPTED AS RESOLUTION R-276875

Authorizing the City Manager to implement a revised fee schedule for the Convention and Performing Arts Center's Civic Theatre, effective July 1, 1991, as set forth in Attachment A to City Manager Report CMR-90-456. (See City Manager Report CMR-90-456.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E560-F180.)

MOTION BY HENDERSON TO ADOPT AND DIRECT THE CITY MANAGER TO BRING BACK IN THE TOT ALLOCATIONS A RECOMMENDATION THAT SHOWS THE ORGANIZATIONS THAT USE THE CIVIC THEATRE ARE GETTING INDIRECTLY SUBSIDIZED BY TOT, GROSSED UP WITH JUST A FOOTNOTE, AND NOT SHOWING THE TOT SUPPORT AS ACTUALLY BEING INCREASED, AND REFER TO PFR THE MATTER OF THE ARTS COMMISSION FUNDING AND TO RESPOND TO THE REQUEST OF THE LA JOLLA CHAMBER MUSIC SOCIETY TO REVIEW THE QUESTION WHETHER OR NOT COLLECTING AS A PERCENTAGE OF GROSS IS A FAIR WAY TO DO COST RECOVERY FOR CERTAIN ORGANIZATIONS MAKING COSTLY TYPES OF PRESENTATIONS. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-202: (R-91-656) ADOPTED AS RESOLUTION R-276876

(Continued from the meeting of November 5, 1990, Item 127, at the City Manager's request, at the request of the City Attorney's Office, for further review.)

Approving the Conflict of Interest Code for the Transportation Demand Management Appeals Board.

CITY MANAGER SUPPORTING INFORMATION: On September 26, 1989, the City Council adopted the Transportation Demand Management Ordinance. The Ordinance created an Appeals Board consisting of seven members, balanced among affected businesses, property interest and community representatives. The majority of the membership is representative of the employment sector. The Council appointed the members of the Board on March 19, 1990. The Appeals Board has discussed and approved a Conflict of Interest Code as required by law. This resolution will formally adopt the Conflict of Interest Code for the Transportation Demand Management Appeals Board.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A225-250.)

MOTION BY HENDERSON TO ADOPT. Second by Pratt. 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-203: (R-91-823) ADOPTED AS RESOLUTION R-276877

Council confirmation of the following appointments by the Mayor to serve as members of the Senior Citizen Advisory Board, for terms expiring July 1, 1992:

(See memorandum from Mayor O'Connor dated 11/8/90.)

Bill Hansen (Council District 1) (To replace Irving R. Perkin, whose term has expired.)

Arthur E. Gutman (Council District 3) (To replace Dorothea Edmiston, whose term has expired.)

Merlin Osterhaus (Council District 6) (Reappointment)

Dorothea Edmiston (Council District 7) (To replace Vera Armstrong, whose term has expired.)

Joyce Abrams (Council District 8) (Reappointment)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A225-250.)

MOTION BY HENDERSON TO ADOPT. Second by Pratt. 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-204: (R-91-824) ADOPTED AS RESOLUTION R-276878

Confirming the following appointment and reappointment to

the Horton Plaza Theatres Foundation:
(See memorandum from Mayor O'Connor dated 11/8/90 with
resume attached.)

Term Expires
Barbara Cox July 26, 1993
(To replace Paula Siegel,
whose term has expired.)

Francie Mortenson (Reappointment) January 12, 1991

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A225-250.)

MOTION BY HENDERSON TO ADOPT. Second by Pratt. 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-205: CONTINUED TO NOVEMBER 26, 1990.

Two actions relative to the FY 1992 San Diego Arts
Festival:

(See City Manager Report CMR-90-475.)

Subitem-A: (R-91-678)

Approving the City Manager's recommendation to allocate
\$2.5 million in City Transient Occupancy Tax (TOT) funds in
approximately equal amounts from Fiscal Years 1992 and 1993
to support the proposed 1992 San Diego Arts Festival;
approving the San Diego Arts Festival Inc.'s proposed
budget in the amount of \$3.5 million; authorizing the
appropriation of any donations or other revenues in excess
of the estimated revenues of \$3.5 million by the
Corporation's Board of Directors for the 1992 San Diego
Arts Festival; authorizing the transfer of \$500,000,
appropriated in the City's budget for Fiscal Year 1991 from
the City's TOT Fund No. 10224, to the Corporation's Fund
for the 1992 San Diego Arts Festival; approving the City
Manager's recommendation for the 1992 San Diego Arts
Festival theme; approving the following City Manager's
recommendations arising out of recommendations from the
Commission for Arts and Culture:

1. That the 21-day Arts Festival be scheduled between
October 1, 1992 to November 15, 1992.
2. That the Corporation receive City funding to produce,
manage, and raise funds for the Arts Festival. That
the Corporation have an executive director and appoint

a program committee and community advisory board.
3. That the Arts Festival have a statement of vision,
goals, objectives and targets.
Authorizing the Corporation to select the title of the
Festival.

Subitem-B: (R-91-680)

Authorizing San Diego Festivals, Inc. to execute
agreements, as described in its Articles of Incorporation,
and as authorized by the Corporation's program budgets
approved by the City Council; waiving the provisions of
Council Policy 100-2 ("City Receipt of Donations"), and
authorizing the Corporation to accept and deposit private
donations, as described in its Articles of Incorporation;
waiving any and all City policies, rules and regulations
pertaining to expenditures of funds, including but not
limited to bidding requirements and expenditures of TOT
funds (C.P. 100-3); authorizing the appropriation of any
donations or other revenues received by the Corporation in
excess of revenues reflected in Council-approved budgets,
by the Corporation's Board of Directors for the 1992 San
Diego Arts Festival.
Aud. Cert. 9100351.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A174-196.)

MOTION BY ROBERTS TO CONTINUE TO NOVEMBER 26, 1990, AT MAYOR
O'CONNOR'S REQUEST TO REVIEW THE STRUCTURE OF THE ARTS
CORPORATION. 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-206: CONTINUED TO NOVEMBER 26, 1990

(Continued from the meetings of August 7, 1990, Item 338,
September 18, 1990, Item 342, September 25, 1990, Item
S500; Trailed as Unfinished Business from the meeting of
October 16, 1990, Item 343; Continued from the meetings of
October 30, 1990, Item 218 and November 5, 1990, Item S406;
last continued at Councilmember Wolfsheimer's request, for
a report from the City Attorney for further review of legal
questions.)

In the matter of Vesting Tentative Map (Fairbanks
Highlands), Planned Residential Development Permit and

Resource Protection Overlay Zone Permit VTM, PRD & RPZ-88-1041, proposing a 109-lot subdivision of this site for each of the proposed residential development parcels,

seven open space lots, one private recreation lot, and necessary public facilities to serve the site; and construction of 92 single-family detached residences (including site landscaping, brush management and off-street parking) on a vacant 391-acre site.

Street Vacation of portions of Black Mountain Road, Road Survey 57, Old Survey 80, Old Survey 124, and Old Survey 451 as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the proposed vesting tentative map for Fairbanks Highlands (VTM-88-1041).

The subject property is located generally north of Black Mountain Road and immediately west of the Penasquitos community in Zone A-1-10 (portions Hillside Review) and within the boundaries of the future urbanization area as identified by the City's General Plan. The subject property is more particularly described as portions of the northeast quarter and the east half of the northwest quarter of Section 11, the northwest quarter of Section 12, Township 14 South, Range 3 West, SBBM, Parcel Map PM-8133. (VTM, PRD & RPZ-88-1041. District-1.)

Subitem-A: (R-90-2220)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-88-1041 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 and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-91-)

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

Subitem-C: (R-91-)

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

Subitem-D: (R-91-)

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

Subitem-E: (R-90-2219)

Adoption of a Resolution authorizing the vacation of portions of Black Mountain Road, Road Survey 57, Old Survey 80, Old Survey 124, and Old Survey 451 as provided for under Section 66499.20-1/2 of the State Map Act.

CITY MANAGER SUPPORTING INFORMATION: The proposed vacations of portions of Black Mountain Road, Road Survey 57, Old Survey 80, Old Survey 124 and Old Survey 451 have been initiated by the submission of the tentative map for Fairbanks Highlands (VTM-88-1041). The tentative map proposes subdivision of a 391-acre site for the purpose of creating 92 single-family residential lots. Development of the site will be controlled by the associated Planned Residential Development (PRD). The subject vacation is located in an area designated as a Future Urbanizing area immediately west of the Penasquitos East Community. The proposed vacation was reviewed by the adjacent designated Community Planning Groups (North City West Planning Board and Rancho Penasquitos Planning Board) as part of the tentative map. There were no apparent concerns from the North City West Planning Board, and the Rancho Penasquitos Planning Board supported the project in concept. On May 24, 1990, the Planning Commission upheld an appeal to the Subdivision Board's recommendation of approval and recommended denial of the Fairbanks Highlands project by a 7-0 vote.

The subject vacation consists of portions of Black Mountain Road, which is an unimproved travelway that has an assumed width of 40 feet, three road surveys which are unplotable, and one road survey which is partially utilized as a private road. The rights-of-way to be vacated will not be required for easement rights-of-way for access or traffic circulation since they will be replaced if the map is approved. The tentative map conditions provide for the dedication of half-width improvements for Carmel Valley Road with off-site transitions, the dedication of Camino Ruiz with a deferred six-year agreement for full-width improvements, and a system of private streets for access within the subdivision boundaries. The public benefits to be accrued with this vacation are an improved road system and improved utilization of the land.

Upon Council approval of the Planned Residential Development Permit (PRD-88-1041) and the Vesting Tentative Map (VTM-88-1041) for Fairbanks Highlands, the rights-of-way to be vacated would no longer be required for present or prospective use, as indicated by staff review. It is therefore recommended that, if

the vacation is approved, it be conditioned upon the approval and recordation of the final map for Fairbanks Highlands (VTM-88-1041).

FILE LOCATION: Subitems A and B PERM PRD 88-1041, Subitem-C
PERM RPZ 88-1041, Subitem-D SUBD Fairbanks
Highlands, Subitem-E DEED F-5411 STRT J-2745

COUNCIL ACTION: (Tape location: E225-258.)

MOTION BY HENDERSON TO CONTINUE TO NOVEMBER 26, 1990, AT THE REQUEST OF THE CITY ATTORNEY FOR FURTHER REVIEW. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-S400:

(Continued from the meeting of November 13, 1990, Item S506, at the City Manager's request, for further review.)

Two actions relative to the Construction Public Safety Communications Project/Pre-Engineered Buildings:
(BID-K1831/91)

Subitem-A: (R-91-717 REV. 1) ADOPTED AS AMENDED AS
RESOLUTION R-276879

Approving the plans and specifications for Construction of Public Safety Communications Project - Pre Engineered Buildings/Various Locations on Work Order No. 119637; accepting the sole acceptable bid of \$381,753 and awarding a contract to Tower Structures, Inc. for the project; authorizing the expenditure of an amount not to exceed \$444,000 from CIP-33-395.0, Police and Fire Communications Project, Capital Outlay - Other 302453, for the project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Subitem-B: (R-91-722) ADOPTED AS RESOLUTION R-276880

Certifying that the information contained in Environmental Negative Declaration DEP No's 90-0846, 90-0847, 90-0848, 90-0849, 90-0850, and 90-0873, dated October 12, 1990, in connection with Construction of Public Safety Communications Project - Pre-Engineered Buildings/Various Locations, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Declaration has been reviewed and

considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: City Manager's Report, dated October 2, 1989, described to Council the imperative nature of the communications system and the elements comprising this multi-phased Public Safety Communications Project. In order to expedite the project, prior Council authorization to advertise for bids was not requested. The project was advertised in the City's newspaper of record, the San Diego Daily Transcript, on 10/4/90. Seeking Council approval after the fact saves three weeks in the overall project schedule. The specifications for which approval is requested are the same as those advertised. Fifteen bid packages were distributed, however, only one complete bid was received. That bid is

acceptable and award of the project is recommended. There are three major components of the Site Development Phase: (1) the assembly and then installation of the pre-engineered radio equipment buildings (2) the shop production and then site construction of towers and monopoles and (3) the construction of site improvements. Each of these components is a separate contract and will be advertised and awarded separately. This allows ordering and partial or complete fabrication of towers, monopoles, and pre-engineered buildings to proceed concurrently with the advertising and awarding of the site improvements - a savings of one to two months. All site construction will be done under the supervision of the Contractor awarded the site improvements contract. This component portion of the project will provide radio equipment shelters (pre-engineered buildings) for Mount Soledad, Black Mountain, Cowles Mountain, Encanto, Mary Lane and Brown Field. These buildings will be equipped with electrical power for operation of the radio equipment, lights, and air-conditioning (required for the radio equipment). Emergency power to fully operate the facility for 24 hours will be provided under another contract.

Aud. Cert. 9100336.

FILE LOCATION: Subitems A and B W.O.119637 & CONT-Tower Structures, Inc. CONFY91-1

COUNCIL ACTION: (Tape location: A294-340.)

MOTION BY McCARTY TO ADOPT ITEMS S400 AND S401 AS AMENDED TO DIRECT THE CITY MANAGER TO WORK WITH THE MISSION TRAILS REGIONAL PARK TASK FORCE TO DEVELOP ALTERNATIVE PLANS FOR UTILIZING EXISTING, MODIFIED, OR NEW FACILITIES AT THE CURRENT COWLES MOUNTAIN COMMUNICATIONS SITE AT THE TERMINATION OF THE EXISTING LEASE WITH COX CABLE. THESE ALTERNATIVES SHALL PROVIDE FUTURE

FACILITIES WHICH SHALL ACCOMMODATE ESSENTIAL PUBLIC COMMUNICATIONS REQUIREMENTS WHILE MINIMIZING ENVIRONMENTAL EFFECT AND SHALL ALSO CONSIDER THE IMPACT OF ALLOWING THE CONTINUED OCCUPANCY OF COMMERCIAL BROADCASTING INTERESTS AT THE

COWLES MOUNTAIN COMMUNICATION SITE. 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-yea.

ITEM-S401:

(Continued from the meeting of November 13, 1990, Item S507, at the City Manager's Request, for further review.)

Two actions relative to Construction of Public Safety Communications Project/Radio Towers and Monopoles:
(BID-K1830/91)

Subitem-A: (R-91-716 REV. 1) ADOPTED AS AMENDED AS
RESOLUTION R-276881

Approving the specifications for Construction of Public Safety Communications - Project Radio Towers and Monopoles/Various Locations on Work Order No. 119636; accepting the sole acceptable bid of \$309,001 and awarding a contract to Tower Structures, Inc. for the project; authorizing the expenditure of an amount not to exceed \$553,000 from CIP-33-395.0, Police and Fire Communications Project, Capital Outlay - Other 302453, for the project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Subitem-B: (R-91-721) ADOPTED AS RESOLUTION R-276882

Certifying that the information contained in Environmental Negative Declaration DEP No's 90-0846, 90-0847, 90-0848, 90-0849, 90-0850, and 90-0873, dated October 12, 1990 in connection with Construction of Public Safety Communications Project - Project Radio Towers and Monopoles/Various Locations, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: City Manager's Report, dated October 2, 1989, described to Council the imperative nature of the communications system and the elements comprising

this multi-phased Public Safety Communications Project. In order to expedite the project, prior Council authorization to advertise for bids was not requested. The project was advertised in the City's newspaper of record, The Daily Transcript, on 10/4/90. Seeking Council approval after the fact saves three weeks in the overall project schedule. The specifications for which approval is requested are the same as those advertised. Thirty-one bid packages were distributed, however, only one complete bid was received. That bid is acceptable and award of the project is recommended. There are three major components of the Site Development Phase: (1) the assembly and then installation of the pre-engineered radio equipment buildings (2) the shop production and then site construction of towers and monopoles and (3) the construction of site improvements. Each of these components is a separate contract and will be advertised and awarded separately. This

will allow ordering and partial or complete fabrication of towers, monopoles, and pre-engineered buildings to proceed concurrently with the advertising and awarding of the site improvements - a savings of one to two months. All site construction will be done under the supervision of the Contractor awarded the site improvements contract. This component portion of the project will provide the towers for San Ysidro View Park and Black Mountain, and the monopoles for Mount Soledad, Cowles Mountain, Encanto, and Mary Lane.
Aud. Cert. 9100335.

FILE LOCATION: Subitems A and B W.O.119636 & CONT-Tower Structures, Inc. CONFY91-1

COUNCIL ACTION: (Tape location: A294-340.)

MOTION BY McCARTY TO ADOPT ITEMS S400 AND S401 AS AMENDED TO DIRECT THE CITY MANAGER TO WORK WITH THE MISSION TRAILS REGIONAL PARK TASK FORCE TO DEVELOP ALTERNATIVE PLANS FOR UTILIZING EXISTING, MODIFIED, OR NEW FACILITIES AT THE CURRENT COWLES MOUNTAIN COMMUNICATIONS SITE AT THE TERMINATION OF THE EXISTING LEASE WITH COX CABLE. THESE ALTERNATIVES SHALL PROVIDE FUTURE FACILITIES WHICH SHALL ACCOMMODATE ESSENTIAL PUBLIC COMMUNICATIONS REQUIREMENTS WHILE MINIMIZING ENVIRONMENTAL EFFECT AND SHALL ALSO CONSIDER THE IMPACT OF ALLOWING THE CONTINUED OCCUPANCY OF COMMERCIAL BROADCASTING INTERESTS AT THE

COWLES MOUNTAIN COMMUNICATION SITE. 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-yea.

ITEM-S402:

(Continued from the meetings of July 30, 1990, Item 51, September 17, 1990, Item 200, September 24, 1990, Item S404, October 8, 1990, Item 200, October 15, 1990, Item S407, and November 13, 1990, Item 200; last continued at Councilmember Henderson's request, to allow Mayor O'Connor to be present.)

Five actions relative to development in the Future Urbanizing Area:

Subitem-A: (O-90-215) FAILED

Amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code, by amending Section 101.0404, relating to the A-1 (Agricultural) Zones.

(Introduced on 7/17/90. Council voted 5-3. Districts 2, 4, and 7 voted nay. Mayor not present.)

Subitem-B: (O-90-217) FAILED

Amending Chapter X, Article 1, Division 9 of the San Diego Municipal Code, by amending Section 101.0901, relating to Planned Residential Developments.

(Introduced on 7/17/90. Council voted 5-3. Districts 2, 4, and 7 voted nay. Mayor not present.)

Subitem-C: (O-90-219 Rev. 1) FAILED

Amending Chapter X, Article 1, Division 5 of the San Diego Municipal Code, by amending Section 101.0510, relating to Conditional Use Permits.

(Introduced as amended on 7/17/90. Council voted 5-3. Districts 2, 4, and 7 voted nay. Mayor not present.)

Subitem-D: (O-90-221) FAILED

Amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code, by amending Section 101.0403, relating to the FW (Floodway) Zone.

(Introduced on 7/17/90. Council voted 5-3. Districts 2, 4, and 7 voted nay. Mayor not present.)

Subitem-E: (R-90-) FAILED

Adoption of further amendments to Council Policy 600-29 (amended July 17, 1990) entitled "Maintenance of the Future Urbanizing Area as an Urban Reserve."

NOTE: Subitem E is docketed per Council direction at the

September 17, 1990 Council meeting.

NOTE: Hearing closed. No testimony taken on 11/13/90.

NOTE: See Item S403 for a companion item.

FILE LOCATION: Subitems A, B, C, D, E MEET

COUNCIL ACTION: (Tape location: A340-E225.)

The Council considered Items S402 and S403 at the same time.

Motion by Wolfsheimer to adopt Item-S402 and file Item-S403.

Second by Filner. Failed by the following vote: Yeas-1,3,5,8.

Nays-2,4,6,7,M.

MOTION BY PRATT TO INTRODUCE THE ORDINANCES FOR ITEM-S403, SUBITEMS A, B, C, AND D, AS AMENDED TO RETAIN THE PROVISIONS FOR CHURCHES TO BUILD BY RIGHT, AND TO MODIFY THE PROPOSED PROVISIONS REGARDING AFFORDABLE HOUSING TO PROVIDE THAT 20 PERCENT OF UNITS WOULD BE AFFORDABLE TO HOUSEHOLDS WHICH MEET 65 PERCENT OR LESS OF AREA WIDE MEDIAN INCOME AND TO BE DEVELOPED ON SITE, OR AS AN ALTERNATIVE, THE DEVELOPER COULD DEDICATE LAND ON SITE THAT COULD BE USED FOR AFFORDABLE HOUSING, AND THE PROJECT COULD USE WHATEVER HOUSING INCENTIVE PROGRAMS THAT WOULD BE AVAILABLE, ADOPT THE RESOLUTION FOR SUBITEM-E, ADOPT A RESOLUTION FOR SUBITEM-G TO ADD JIM MADAFFER AND VERNA QUINN TO THE FUTURE URBANIZING TASK FORCE, AND TO REFER TO TLU ITEMS 2, 3, 4, AND 5 ON PAGE 5 OF PLANNING REPORT NO. 90-359. Second by Henderson. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-nay, Pratt-yea, Bernhardt-nay, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

MOTION BY ROBERTS TO INTRODUCE THE ORDINANCE FOR ITEM-S403, SUBITEM-F AS AMENDED TO DELETE THE EMERGENCY MEASURE. Second by Filner. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-S403:

(Continued from the meeting of November 13, 1990, Item S505, at Councilmember Henderson's request, to allow Mayor O'Connor to be present.)

Seven actions relative to development in the Future Urbanizing Area:

Subitem-A: (O-90-215 Rev. 2) INTRODUCED AS AMENDED, TO BE ADOPTED DECEMBER 10, 1990

Introduction of an Ordinance amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code, by amending

Section 101.0404, relating to the A-1 (Agricultural Zones).

(Revised as directed by Council on 10/16/90, Item S407.)

Subitem-B: (O-90-217 Rev. 2) INTRODUCED AS AMENDED, TO BE
ADOPTED DECEMBER 10, 1990

Introduction of an Ordinance amending Chapter X, Article 1,
Division 9 of the San Diego Municipal Code, by amending
Section 101.0901, relating to Planned Residential
Developments.

(Revised as directed by Council on 10/16/90, Item S407.)

Subitem-C: (O-90-219 Rev. 2) INTRODUCED, TO BE ADOPTED
DECEMBER 10, 1990

Introduction of an Ordinance amending Chapter X, Article 1,
Division 5 of the San Diego Municipal Code, by amending
Section 101.0510, relating to Conditional Use Permits.

(Revised as directed by Council on 10/16/90, Item S407.)

Subitem-D: (O-90-221 Rev. 1) INTRODUCED, TO BE ADOPTED
DECEMBER 10, 1990

Introduction of an Ordinance amending Chapter X, Article 1,
Division 4 of the San Diego Municipal Code, by amending
Section 101.0403, relating to the FW (Floodway) Zone.

(Revised as directed by Council on 10/16/90, Item S407.)

Subitem-E: (R-91-800) ADOPTED AS RESOLUTION R-276883

Adoption of a Resolution amending Council Policy 600-29
entitled "Maintenance of the Future Urbanizing Area as an
Urban Reserve".

(Revised as directed by Council on 10/16/90, Item S407.)

Subitem-F: (O-91-76) INTRODUCED AS AMENDED, TO BE
ADOPTED DECEMBER 10, 1990

Introduction and adoption, as an emergency measure, of an
Interim Zoning Ordinance pursuant to Section 101.0203.1 of
the San Diego Municipal Code, relating to the suspension of
discretionary development approvals in the North City
Future Urbanizing Area until necessary amendments to the
above listed policies and regulations become effective and

the Council approves the preliminary delineation of the
Environmental Tier within the North City area, or for one
year, whichever occurs first.

(NOTE: Subitem F requires six votes.)
Subitem-G: (R-91-905) ADOPTED AS RESOLUTION R-276884

In the matter of appointments to the Future Urbanizing Task Force.

NOTE: See Item S402 for a companion item.

FILE LOCATION: Subitems A, B, C, D, F --, Subitems E and G
MEET

COUNCIL ACTION: (Tape location: A340-E225.)

The Council considered Items S402 and S403 at the same time.

Motion by Wolfsheimer to adopt Item-S402 and file Item-S403.

Second by Filner. Failed by the following vote: Yeas-1,3,5,8,

Nays-2,4,6,7,M.

MOTION BY PRATT TO INTRODUCE THE ORDINANCES FOR ITEM-S403 SUBITEMS A, B, C, AND D, AS AMENDED TO RETAIN THE PROVISIONS FOR CHURCHES TO BUILD BY RIGHT, AND TO MODIFY THE PROPOSED PROVISIONS REGARDING AFFORDABLE HOUSING TO PROVIDE THAT 20 PERCENT OF UNITS WOULD BE AFFORDABLE TO HOUSEHOLDS WHICH MEET 65 PERCENT OR LESS OF AREA WIDE MEDIAN INCOME AND TO BE DEVELOPED ON SITE, OR AS AN ALTERNATIVE, THE DEVELOPER COULD DEDICATE LAND ON SITE THAT COULD BE USED FOR AFFORDABLE HOUSING, AND THE PROJECT COULD USE WHATEVER HOUSING INCENTIVE PROGRAMS THAT WOULD BE AVAILABLE, ADOPT THE RESOLUTION FOR SUBITEM-E, ADOPT A RESOLUTION FOR SUBITEM-G TO ADD JIM MADAFFER AND VERNA QUINN TO THE FUTURE URBANIZING TASK FORCE, AND TO REFER TO TLU ITEMS 2, 3, 4, AND 5 ON PAGE 5 OF PLANNING REPORT NO. 90-359. Second by Henderson. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-nay, Pratt-yea, Bernhardt-nay, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

MOTION BY ROBERTS TO INTRODUCE THE ORDINANCE FOR ITEM-S403 SUBITEM-F AS AMENDED TO DELETE THE EMERGENCY MEASURE. Second by Filner. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-S404: (O-91-85) INTRODUCED, TO BE ADOPTED DECEMBER 10, 1990

(Continued from the meetings of September 24, 1990, Item 203, Subitem G, and November 13, 1990, Item 335; last continued at Councilmember Henderson's request, to direct the City Attorney to prepare Ordinances for Council

approval of the Task Force's recommendations for Pacific Beach and Clairemont.)

The proposed City-Wide Multi-Family Design Regulations, which address the issues of bulk, scale, parking, landscaping, and the quality of new multi-family residential development projects. The proposed regulations would amend the R zones (Multiple Family Residential), the City-Wide Landscape Ordinance and the Multi-Family Parking Requirements by establishing:

- Thresholds for discretionary review;
 - Lot consolidation prohibition;
 - Street facade requirements regarding entries, windows, pedestrian access, garages and carports;
 - Flexible building envelope requirements, including front of lot height restrictions, offsetting planes variable yard setbacks, permitted encroachments, and private exterior area;
 - Requirements for refuse and general storage areas;
 - Screening requirements for utility and refuse areas;
 - Alley access parking requirements;
 - Parking space size requirements and curb cut limitations;
- and
- Preservation of large tree(s) in front of lot.

The following sections of the San Diego Municipal Code would be amended:

- 101.0410 R Zones (Multiple Family Residential);
- 101.0713 Measures Compliance (City-Wide Landscape Regulations);
- 101.0835 Multi-Family Parking requirements.

These regulations would apply to Multi-Family Residential Ministerial Permit applications City-wide, except in areas governed by Planned District Ordinances.

These proposed regulations were discussed at previous City Council hearings on July 10, 1990 and on July 24, 1990. (District-6.)

This item, if adopted, will require amendments to the Local Coastal Program which must be submitted for review and final approval to the California Coastal Commission. Introduction of an Ordinance amending the San Diego Municipal Code relating to the Multi-Family Design Regulations for the Pacific Beach and Clairemont Community Areas.

NOTE: On 11/13/90 the portion regarding City-Wide Multi-Family Design Regulations was continued to 1/8/91 at 2:00 p.m.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A253-293.)

Hearing began 2:29 p.m. and halted 2:32 p.m.

MOTION BY HENDERSON TO INTRODUCE AND DIRECT THE CITY ATTORNEY TO BRING BACK TO COUNCIL FOR VOTE ON MONDAY, NOVEMBER 26, 1990, THE SAME ORDINANCE FOR THE COMMUNITIES OF SERRA MESA, KEARNY MESA, AND LINDA VISTA. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-ineligible, Mayor O'Connor-yea.

Nov-19-1990

* ITEM-S405: (R-91-848) ADOPTED AS RESOLUTION R-276885

Proclaiming Saturday, November 17, 1990, as Friends of Penasquitos Canyon Preserve Day.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A225-250.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. 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-S406: (R-91-840) ADOPTED AS RESOLUTION R-276886

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company an easement for power lines over and under portions of Campus Point Subdivision, Pueblo Lot 1321 and Lot D of Sorrento Lands and Townsites. (University City Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The University of California, San Diego (UCSD), is preparing to install a Cray III computer and has requested that SDG&E construct a 69 KV substation on campus to satisfy its electrical needs. In order to bring this power to UCSD's campus, easements over City-owned land are required. This action would grant three of the four required easements. The fourth easement, which is in Penasquitos Canyon Park Preserve, will be processed at a later date when the environmental review is completed. One of the easements will affect a lot in Campus Point Subdivision which is leased to Nissan Design International (NDI). Under an agreement reached with NDI, it is proposed that

the City and NDI split equally the compensation for the easement affecting their leasehold premises. The value of that area, 7,500 square feet, is \$60,000 therefore, \$30,000 will be conveyed to NDI. The other two easement areas which encumber approximately 1,240 square feet, in the undevelopable portions of the canyon between Campus Point and Eastgate technology Park, are valued at \$2,700.

FILE LOCATION: DEED F-5445 DEEDFY91-1

COUNCIL ACTION: (Tape location: A225-250.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Pratt. 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.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 5:49 p.m. in honor of the memory of Morris Taubman.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F185).