

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, OCTOBER 22, 1991
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 10:25 a.m. The meeting was recessed by Mayor O'Connor at 12:34 p.m. to reconvene at 2:00 p.m. The meeting was reconvened by Mayor O'Connor at 2:05 p.m. with no quorum present. A quorum was present at 2:09 p.m. with Council Members Roberts, Pratt and McCarty not present. Mayor O'Connor recessed the meeting at 4:44p.m. to convene the Redevelopment Agency and thereafter the Housing Authority. Mayor O'Connor reconvened the meeting at 7:18 p.m. with Council Member Robert not present. Mayor O'Connor adjourned the meeting at 7:23 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-excused by R-279005
(To testify at Port Commission)
 - (3) Council Member Hartley-present
 - (4) Council Member Pratt-present
 - (5) Council Member Behr-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour/Fishkin (ll/mc)

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-not present
- (3) Council Member Hartley-not present
- (4) Council Member Pratt-present
- (5) Council Member Behr-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-present

FILE LOCATION: MINUTES

ITEM-125: (R-92-520) CONTINUED TO NOVEMBER 4, 1991

Confirming the contractual and administrative cost of \$34,378.46 to abate the public nuisance of the burnt construction project at 6201 El Cajon Boulevard, and levying these costs as a special assessment; authorizing the County Tax Assessor to place an assessment on the tax roll to collect these costs in the same manner as municipal property taxes, and then reimburse the City.

(District-7.)

CITY MANAGER SUPPORTING INFORMATION: On April 23, 1991, the City declared the burnt construction project at 6201 El Cajon Boulevard a public nuisance and authorized the City manager to abate administratively by demolition. (Resolution R-277773). Demolition work at this site has been completed; debris has been removed; and the contractor has been paid from the City's Nuisance Abatement Superfund as previously authorized. A record of contractual and related administrative costs is hereby transmitted for confirmation by Council and for authorization to levy these costs as a special assessment:

Contractual	\$33,031.00
Administrative	\$ 1,347.46
Totals Assessed	\$34,378.46

Upon authorization by the City Council, the County Auditor will be notified to place an assessment on the tax roll and these costs will be collected in the same manner as municipal property taxes, and then reimbursed to the City.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A538-553.)

MOTION BY PRATT TO CONTINUE TO NOVEMBER 4, 1991 AT THE REQUEST OF THE CITY MANAGER TO FURTHER REVIEW LEGAL ISSUES. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-130: (R-92-583) ADOPTED AS RESOLUTION R-278882

Authorizing the execution of an agreement with the San Diego County Office of Education to produce 3/4-inch broadcast quality videotapes of Monday afternoon City Council meetings from the Council Chambers and to transmit the program via the County of Education's ITFS microwave transmission system to Southwestern and Cox cable systems which cablecast the programs to subscribers Monday evenings on their government access channels.

(See City Manager Report CMR-91-441.)

Aud. Cert. 9200265.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A124-198.)

MOTION BY FILNER TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-yea, Behr-nay, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-310: WELCOMED

Welcoming a group of eleven government officials from

Spain who are in San Diego as part of a United States Information Service sponsored tour.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A022-079.)

ITEM-311: (R-92-489) ADOPTED AS RESOLUTION R-278883

Recognizing the extraordinary achievements of Patrick A. Richardson and wishing him continued success in future national and international kayak competition.

(Docketed at the request of the Park and Recreation Department.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A085-117.)

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

ITEM-330: (O-92-48) INTRODUCED, TO BE ADOPTED
NOVEMBER 4, 1991

Proposal to amend Chapter X, Article 5, Division 2, Section 105.0209 of the San Diego Municipal Code, to require payment of escrow fees for development permits associated with the Los Penasquitos Watershed Restoration and Enhancement Fund.

The proposed amendments to the Municipal Code also constitute amendments to the City of San Diego Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendments must be submitted to the California Coastal Commission for review and certification. The LCP amendment is not effective until after approval by the California Coastal Commission.

(District-1.)

Introduction of an Ordinance amending the Municipal Code.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D087-098.)

Hearing began 12:14 p.m. and halted 12:14 p.m.

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

ITEM-331: CONTINUED TO OCTOBER 29, 1991

In the matter of the Metropolitan Water District of Southern California (MWD) and the San Diego County Water Authority (CWA).

FILE LOCATION: --

COUNCIL ACTION: (Tape location: I603-J028.)

MOTION BY MCCARTY TO CONTINUE TO OCTOBER 29, 1991 AT THE REQUEST OF MAYOR O'CONNOR DUE TO LACK OF TIME. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: (R-92-513) ADOPTED AS RESOLUTION R-278892

Approving the Planning Department report regarding City vernal pool acquisition; authorizing the City Manager to expend not to exceed \$528,000 from Vernal Pool Preservation Program Fund No. 10570, Account 9544, for the acquisition of property when identified, in the order set forth in said report; authorizing the City Manager to negotiate for the acquisition of property and to accept a grant deed to any or all parcels,

provided purchase can be made within the limitations authorized for expenditure; authorizing the Auditor and Comptroller to return unexpended funds to the appropriate reserves upon the advice of the administering department.

(See Planning Department Report. North City Future Urbanizing Area and Mira Mesa Community Area.

Districts-1 and 5.)

Aud. Cert. 9200224.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G501-550.)

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

ITEM-333: (R-92-416) REFERRED TO PLANNING COMMISSION

Directing the Planning Department to prepare and submit to the Planning Commission an amendment of the San Diego Municipal Code to provide that methadone treatment facilities shall be a use for which a Conditional Use Permit is required and to provide development and locational standards to be applied to such facilities; declaring that an amendment of the San Diego Municipal Code shall be prepared and submitted to the Planning Commission which would provide that existing methadone treatment facilities shall cease to operate after a specified period (to be determined as a result of public hearings in the matter by the Planning Commission and City Council) unless a Conditional Use Permit is obtained; directing the Planning Commission to conduct a noticed public hearing at which it shall consider the amendments of the San Diego Municipal Code and make a recommendation to the City Council concerning the matter.

SUPPORTING INFORMATION: At the Public Services and Safety Committee meeting on February 6, 1991, a discussion was held

about amending the San Diego Municipal Code to require conditional use permits for methadone treatment facilities in certain zones. The discussion came about as a result of the establishment of a methadone treatment center in Serra Mesa, sited adjacent to single family residences and near a school site. The presence of the treatment center has generated considerable community concern. The matter was discussed again at a Special Workshop of the City Council Budget Review Committee on June 20, 1991. The matter was set for hearing on September 10, 1991 at 2:00 p.m.; however, the community stated they needed additional time to study the issues and requested a continuance to work toward a resolution with the methadone clinic owner.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A569-D080.)

MOTION BY HENDERSON TO REFER TO THE PLANNING COMMISSION TO LOOK INTO THE PROCESS OF PROHIBITING METHADONE CLINICS FROM LOCATING IN RESIDENTIAL ZONES; PERMITTING THEM TO BE PLACED IN COMMERCIAL AND INDUSTRIAL ZONES THROUGH A MINISTERIAL PERMIT PROCESS, SUBJECT TO SOME LOCATIONAL CRITERIA THAT WILL ADDRESS SPACING BUFFERS FOR CHURCHES, LIBRARIES, SCHOOLS AND MEDICAL INSTITUTIONS. THE COMMISSION TO COME BACK TO COUNCIL WITH RECOMMENDATIONS AND ALTERNATIVES SHOULD THEY NOT AGREE WITH THE ABOVE PROCESS. Second by McCarty withdrawn. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-nay, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-334: NOTED AND FILED

(Continued from the meetings of September 16, 1991, Item 200, and October 8, 1991, Item 215; last continued at the City Manager's request, due to lack of time.)

In the matter of the selection process of the Planning Director.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F135-136.)

MOTION BY HENDERSON TO NOTE AND FILE. Second by McCarty.

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

ITEM-335: (R-92-395 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-278893

(Continued from the meetings of September 24, 1991, Item 330 and October 8, 1991, Item 332; last continued at the City Manager's request, due to lack of time.)

Accepting the City Manager's and Auditor's recommendations on the management audit of the Planning Department as provided for in City Manager Report-91-404; and referring the recommendations to the City Manager and/or Planning Director for further analysis and implementation and return to City Council with any necessary action. See City Manager Report CMR-91-404.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E129-F135.)

MOTION BY PRATT TO ACCEPT THE REPORT IN CONCEPT AND DIRECT THE CITY MANAGER TO IMPLEMENT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-nay, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY HENDERSON TO ADOPT WITH THE AMENDMENT TO MAKE THE NECESSARY CHANGES TO THE ORDINANCE TO PLACE THE PLANNING DIRECTOR WITHIN THE ORGANIZATIONAL CHART UNDER THE OPERATIONAL CONTROL OF THE MANAGER, WITH THE RESULT THAT THE MANAGER WOULD CHOOSE, HIRE AND FIRE THE PLANNING DIRECTOR. COUNCIL MEMBER FILNER'S REQUEST TO HAVE THE PLANNING DIRECTOR BE AT THE EQUIVALENT LEVEL OF A DEPUTY CITY MANAGER TO BE INCLUDED IN THE MOTION WAS ACCEPTED. Second by Filner. Passed by the following vote: Wolfsheimer-nay, Roberts-not present, Hartley-nay, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-336: (O-92-34) INTRODUCED AND ADOPTED AS ORDINANCE
O-17703 (New Series)

Introduction and adoption of an Ordinance amending Ordinance No. O-17667 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1991-92 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending the personnel authorization of the Park and Recreation Department (441) to exempt a new Deputy Director position for the Lifeguard Services Division (44700) from the Classified Service; and establishing a salary rate therefor.

(See memorandum from George Loveland dated 7/25/91.)

NOTE: See Item 206 on the docket of Monday, October 21, 1991 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: A523-538.)

MOTION BY PRATT TO INTRODUCE AND DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-337: (O-92-53) INTRODUCED AND ADOPTED AS ORDINANCE
O-17704 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-17667 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1991-92 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year," by amending the personnel authorization of the Park and Recreation Golf Course Operations Program 10530, Enterprise Fund 10530, to exempt a new Deputy Director position for the Golf Course Operations Program from the Classified Service; and establishing a salary rate.

CITY MANAGER SUPPORTING INFORMATION: Effective July 1, 1991, a

new Golf Course Operations Enterprise Fund was created within the Park and Recreation Department. The Fiscal Year 1992 Budget included a position to administer the new division. The Civil Service Commission and Personnel Director have subsequently reviewed this position and recommended that the position be exempted from the classified service.

NOTE: See Item 207 on the docket of Monday, October 21, 1991, 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: A523-538.)

MOTION BY PRATT TO INTRODUCE AND DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-338: (R-92-) DEEMED DENIED

Matter of the appeals of William M. Nelson, et al, from the decision of the Planning Commission in granting Coastal Development Permit, CDP-90-0695, Markus Residence, proposing the demolition of an existing home and the construction of a new two-story single-family home with a floor area of 3,916 square feet. (The Plans have been corrected to clarify intended measurements and scale.) The subject property is a 6,557-square-foot lot located at 7257 Dunemere Drive on the east side of Dunemere Drive, south of Sea Lane, west of Monte Vista Avenue, and north of Vista de la Playa and is described as a portion of Playa de Las Arenas, First Addition of South La Jolla, Map-891. The R1-5000 zoned site is within the La Jolla community planning area.

(CDP-90-0695. District-1.)

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

FILE LOCATION: PERM CDP-90-0695 RUTHFILE

COUNCIL ACTION: (Tape location: G555-I592, not including H.)

Hearing began at 3:50 p.m. and halted at 4:42 p.m.

Testimony in favor by Bill Nelson, Gloria Lynch, Linda Crouse.

Testimony in opposition by Lynne Heidel, Bill Hedenkamp and Dick Smith.

MOTION BY WOLFSHEIMER TO GRANT THE APPEAL. Second by Hartley. Failed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-nay, Behr-nay, Henderson-nay, McCarty-yea, Filner-nay, Mayor O'Connor-ineligible.

ITEM-339:

Two actions relative to the acquisition of 25.6 acres of open space for Los Penasquitos Canyon Preserve:

(See City Manager Report CMR-91-439. Urban Reserve Area. District-1.)

Subitem-A: (R-92-345) ADOPTED AS RESOLUTION
R-278894

FINDINGS MUST BE MADE AS A PART OF COUNCIL ADOPTION Determining and declaring that the public interest, convenience and necessity of the City of San Diego require the acquisition of property known as Los Penasquitos Canyon Preserve for open space purposes on Del Mar Mesa, located in the northern area of the Los Penasquitos Canyon Preserve near Rancho Penasquitos Community; and that the public interest, convenience and necessity demand the acquisition of fee simple absolute title to the property for the Los Penasquitos Canyon Preserve Open Space Project; that the property is deemed necessary for the retention of open space and extension of the Los Penasquitos Canyon Preserve; declaring the intention of the City to acquire the property under eminent domain proceedings; declaring that an offer to purchase the property pursuant to Government Code Section 7267.2 has been made to the

record owners of the property; directing the City Attorney to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning and acquiring the property.

Subitem-B: (R-92-335) ADOPTED AS RESOLUTION
R-278895

Authorizing the expenditure of an amount not to exceed \$107,000 from Open Space Bond Fund 79104 to supplement the \$193,000 previously authorized by Resolution R-272096, adopted October 11, 1988, for the acquisition of open space parcel LPCP North #3 for Penasquitos Canyon Preserve; authorizing the expenditure of an amount not to exceed \$200,000 from Open Space Bond Fund 79104 to supplement the \$700,000 previously authorized by Resolution R-275892, adopted June 12, 1990, for the acquisition of open space parcel LPCP North #7 for Penasquitos Canyon Preserve.

Aud. Cert. 9200122.

FILE LOCATION: STRT OS-23

COUNCIL ACTION: (Tape location: G550-554.)

Hearing began at 3:59 p.m. and halted at 3:59 p.m.

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

ITEM-340:

(Continued from the meeting of September 24, 1991, Item 337, at Rebecca Michael's request, to renote one of the property owners.)

Three actions relative to the Romero Drive Extension Cost Reimbursement District: (La Jolla Community Area. District-1.)

Subitem-A: (R-92-267) ADOPTED AS RESOLUTION R-278896

Establishing the Romero Drive Extension Cost Reimbursement District; setting 20 years as the limiting period when assessed costs are due and payable; declaring that the liens are due and payable in accordance with the provisions of the San Diego Municipal Code; declaring that this resolution represents a lawful lien enacted against each parcel.

Subitem-B: (R-92-268) ADOPTED AS RESOLUTION
R-278897

Authorizing the execution of a Cost Reimbursement Agreement with Frederick C. Liebhardt, developer, relative to the Romero Drive Extension Cost Reimbursement District; authorizing the expenditure of an amount not to exceed \$1,000 from Cost Reimbursement District Fund No. 63020, Dept. No.6320, Job Order No. 139027, for the purpose of providing funds to pay for additional consultant services.

Subitem-C: (R-92-269) ADOPTED AS RESOLUTION
R-278898

Authorizing the execution of a first amendment to the consultant agreement with Jaykim Engineers, Inc. relative to the Romero Drive Extension Cost Reimbursement District.

CITY MANAGER SUPPORTING INFORMATION: On January 14, 1991, the City Council authorized the execution of a District Formation Cost Agreement with the developer, Frederick C. Liebhardt, for the Romero Drive Extension Cost Reimbursement District. The public improvements for which the developer is seeking partial reimbursement include right-of-way acquisition, grading, public utilities, and related work associated with the construction of Romero Drive Extension, per improvement drawings 25374-D. These improvements were part of the Romero Drive Extension engineering permit No. W-38665 requirements. The public improvements will benefit other properties adjacent to this developer's property. It is proposed that all property owners benefitting from the improvements pay their fair share of the project costs. The total estimated cost of the improvements is \$547,315. Of this amount, \$312,373.73 is the responsibility of Liebhardt and the remaining \$234,941.27 would be paid by the benefitting property owners if they develop/redevelop within a 20 year period. A

proposed reimbursement district plat and cost distribution report have been filed in the office of the City Clerk as Document No. CR-17-1 and CR-17-2. A notice of today's public hearing was sent to all affected property owners a minimum of 20 days prior to the hearing.

Aud. Cert. 9200124.

FILE LOCATION: STRT CR-17 CONTFY92-1;
 CCONTFY92-1

COUNCIL ACTION: (Tape location: G550-554.)

Hearing began at 3:59 p.m. and halted at 3:59 p.m.

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

ITEM-341: (O-92-49) INTRODUCED, TO BE ADOPTED
 NOVEMBER 4, 1991

(Continued from the meeting of October 8, 1991, Item 341, at the Planning Department's request.)

Proposal to approve the third amendment to Development Agreement with Catellus Development Corporation (formerly Santa Fe Land Improvement Company) and the City Council to provide: A process for the comprehensive redesign of the site bounded approximately by Ash Street, Kettner Boulevard, "E" Street and Pacific Highway and which includes realignment of the rail and trolley tracks to accommodate the Metropolitan Transit Development Board's Old Town Line, and For a revised schedule of performance for the first 350,000 square feet of development by Catellus Development Corporation.

THE SUBJECT PROPERTY IS DESCRIBED AS: Parcel A Lots 1 through 6, Block 294 of Middletown, according to map made by J. E. Jackson. Parcel AA A portion of Lot 7, Block 294 of Middletown, according to map made by J. E. Jackson. Parcel B Lots 11 and 12, Block 295 of Middletown, according to map made by J. E. Jackson. Parcel C Lots 1 through 6, Block 295 and Lots 1, 2, 11 and 12, Block 300

of Middletown, according to map made by J. E. Jackson, being a portion of the depot grounds together with a portion of "B" Street closed to public use, including that certain tract of land commonly known as Summers and Tremain Tract. Parcel F All of Block 50 and those portions of Lots A through F inclusive in Block 51 of New San Diego, Map 456 by Gray and Johns and that portion of California Street lying between said Block 50 and 51. Parcel G H Parcel 1 Portion of Block 296 of Middletown, according to map made by J. E. Jackson and a portion of vacated "B" Street. Parcel 2 Portions of Block 299, Middletown, according to map made by J. E. Jackson and that tract of land commonly known as Gardner and Bleeker Tract, including a portion of "B" Street closed to public use. Parcel I Lots 7 and 8, Block 293, Middletown, according to map made by J. E. Jackson. Parcel J Parcel 1 Lots 1 to 5 inclusive and Lots 9 to 12 inclusive, Block 293, Middletown, according to map made by J. E. Jackson. Parcel 2 Lot 6, Block 293, Middletown, according to map made by J. E. Jackson. A more particular description is on file with the Centre City Development Corporation.
(District-2.)

Introduction of an Ordinance approving the Third Amendment to Development Agreement.

FILE LOCATION: DEVL-Santa Fe Development Agreement

COUNCIL ACTION: (Tape location: J029-150.)

Hearing began at 4:44 p.m. and halted at 4:56 p.m.

Testimony in favor by Steve Hess.

MOTION BY HENDERSON TO INTRODUCE AND INCLUDE IN THE MOTION MAYOR O'CONNOR'S DIRECTIVE THAT CATELLUS DEVELOPMENT CORP. SUBMIT THE FINAL PLANS NO LATER THAN OCTOBER 1, 1992 FOR COUNCIL'S REVIEW. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-342: (R-92-522) ADOPTED AS RESOLUTION R-278899

Redesignating the use of \$140,000 of Community Development Block Grant Funds for the City Heights Redevelopment Plan.

(Mid-City Community Area. Districts-3, 4 and 7.)

CITY MANAGER SUPPORTING INFORMATION: In April, 1991, Council adopted the Fiscal Year 1991-1992 Community Development Block Grant (CDBG) Budget. Included in that budget was \$140,000 granted for the City Heights Redevelopment Project in response to an application submitted by City Heights Redevelopment Project Area Committee (PAC). The PAC had requested funds to establish and operate a new community-based corporation or commission to implement the City Heights Redevelopment Plan following its adoption. City staff and consultants are currently preparing the City Heights Redevelopment Plan and attendant documents for adoption at the end of this fiscal year. However, since no FY 1991-92 funds were granted for the Redevelopment Plan adoption process, there are insufficient funds to complete the redevelopment plan adoption process. It is recommended that the \$140,000 currently budgeted for implementation of the City Heights Redevelopment Plan be allocated for meeting necessary expenses to complete plan adoption. Implementation cannot proceed without adoption of the plan. Other Recommendation: The City Heights Redevelopment Project Area Committee, at their October 1, 1991 meeting, voted to recommend that the funds not be transferred. The Committee recommends that either other funds be used to have the City complete the redevelopment plan adoption process or have a community-based organization immediately formed to use the funds to complete the adoption process.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J150-185.)

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

ITEM-343: (R-92-488) ADOPTED AS RESOLUTION R-278900

(Continued from the meeting of October 8, 1991, Item 344, at Deputy Mayor Filner's request, to be heard as a companion item to the Housing Authority agenda.)

Rescinding Resolution R-275565, dated April 24, 1990; declaring that all final funding commitments of the

Housing Trust Fund must be approved by the Housing Commission with recommendations from the Housing Trust Fund Board of Trustees.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J186-K098.)

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

ITEM-S403:

Seven actions relative to Downtown Office Space Leases:

(Centre City Community Area. District-2.)

Subitem-A: (O-92-58) INTRODUCED, TO BE ADOPTED NOVEMBER 4, 1991

Introduction of an Ordinance authorizing the City Manager to enter into a 10-year lease with Pacific Southwest Realty for office space in the Security Pacific Plaza at 1200 Third Avenue.

Subitem-B: (O-92-59) INTRODUCED, TO BE ADOPTED NOVEMBER 4, 1991

Introduction of an Ordinance authorizing the City Manager to enter into a 10-year lease with the Executive One Associates for office space in the Executive Complex at 1010 Second Avenue.

Subitem-C: (O-92-60) INTRODUCED, TO BE ADOPTED NOVEMBER 4, 1991

Introduction of an Ordinance authorizing the City Manager to enter into a 10-year lease with Kowa Real Estate California, Inc., for office space in the 600 "B" Street Building.

Subitem-D: (R-92-671) ADOPTED AS RESOLUTION R-278884

Adoption of a Resolution authorizing the City Auditor and Comptroller to transfer \$710,147 of lease expense savings from the General Fund Nondepartmental Outside Office Space Rental to the General Fund Allocated Reserve for the purpose of funding moves and transition costs.

Subitem-E: (R-92-672) ADOPTED AS RESOLUTION R-278885

Adoption of a Resolution authorizing the City Auditor and Comptroller to carry forward \$51,743 of various enterprise fund lease savings for the purpose of funding moves and transition costs.

Subitem-F: (R-92-673) ADOPTED AS RESOLUTION R-278886

Adoption of a Resolution authorizing the amendment of the Donovan/Irving Group, Inc., contract to provide space planning services for the City Administration Building and the City Operations Building at a cost not to exceed \$35,000.

Subitem-G: (R-92-674) ADOPTED AS RESOLUTION R-278887

Adoption of a Resolution authorizing the City Manager to enter into an agreement to reimburse the lessors of the above three properties in an amount not to exceed a total of \$20,000 for any costs incurred during the period following introduction of the ordinances authorizing the leases and ending upon the effective date of such ordinances, in the event for any reason the ordinances do not become effective.

FILE LOCATION: MEET CONT FY92-1; CCONT FY92-1

COUNCIL ACTION: (Tape location: A202-518.)

MOTION BY ROBERTS TO INTRODUCE SUBITEMS-A, B&C AND ADOPT SUBITEMS-D THROUGH G. STAFF WAS DIRECTED TO CONVENE A TASK FORCE TO DEVELOP INFORMATION COMPARABLE TO THE INFORMATION DEVELOPED FOR THE 12TH AND BROADWAY SITE AND COMPARE OTHER POTENTIAL SITES THAT HAVE NOT BEEN DISCUSSED BEFORE IN AN EFFORT TO DETERMINE WHAT LONG TERM NEEDS THE CITY REQUIRES, AND THE POSSIBILITY OF PURCHASING THESE OR OTHER BUILDINGS

AND BRING BACK TO COUNCIL IN VIEW OF THE LEASES AUTHORIZED AT THIS COUNCIL MEETING. THE COUNTY IS TO BE INCLUDED IN THESE DISCUSSIONS AS TO COURTS AND JAIL SPACE. STAFF TO PROVIDE THE STATUS OF AN EIR REQUESTED TWO TO THREE YEARS AGO ON THE DOWNTOWN JAIL SITE. Second by Behr. Passed by the following vote: Wolfsheimer-ineligible, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-ineligible, McCarty-yea, Filner-yea, Mayor O'Connor-ineligible.

ITEM-S500: NOTE AND FILE

A Notice of Hearing for an appeal of MCD-91-0459 (Centre for Social Services) was inadvertently published. However, on October 7, 1991, the request for a hearing was denied by the City Council. The City Attorney's Office has advised that the action to be taken today is to Note and File this item.

FILE LOCATION: PERM-MCD-91-0459

COUNCIL ACTION: (Tape location: A558-562.)

Hearing Began 11:01 a.m. and halted 11:01 a.m.

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

ITEM-S501: (R-92-626) ADOPTED AS RESOLUTION R-278901

Approving the Planning Department recommendation for Special Projects and Referrals within the Planning Department as set forth in Planning Department Report PDR-91-349 as follows:

1. Accept the listing of Special Projects and Referrals as outlined in Planning Department Report PDR-91-349, Attachment 1.
2. Accept the prioritization of the Special Projects and Referrals for the Department as included in

Planning Department Report PDR-91-349.

3. Direct staff to return with a report which provides recommendations on how to proceed with projects listed for reconsideration in Category 5.

4. Accept the process for handling new or future special projects or referrals.

NOTE: See Item 335 on the docket of October 22, 1991 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F-136-G489.)

MOTION BY WOLFSHEIMER TO ADOPT THE PLANNING DEPARTMENT RECOMMENDATIONS AS PROPOSED BY THE ACTING PLANNING DIRECTOR WITH THE FOLLOWING MODIFICATIONS IDENTIFIED IN HER MEMO TO THE MAYOR AND COUNCIL MEMBERS DATED OCTOBER 21, 1991: THE FOLLOWING PROJECTS SHOULD BE SHIFTED FROM CATEGORIES 4 & 5 TO CATEGORY 1 BECAUSE THEY ARE COMPLETED AND/OR ALMOST READY FOR A CITY COUNCIL HEARING:

1. ENVIRONMENTAL QUALITY ANALYSIS ORDINANCE * READY TO DOCKET FOR A CITY COUNCIL HEARING.

THIS ORDINANCE WAS APPROVED BY TLU IN FINAL FORM WITH MINOR MODIFICATIONS ON MAY 6, 1991.

2. RESIDENTIAL USE DEFINITION UPDATE * READY TO DOCKET FOR A CITY COUNCIL HEARING. * THIS ITEM WAS REFERRED TO TLU BY CITY COUNCIL FOR DEVELOPMENT OF THE "HOUSEKEEPING UNIT" DEFINITION.

* THE FINAL LANGUAGE WAS APPROVED BY TLU ON JULY 22, 1991 AND REFERRED TO THE CITY COUNCIL FOR ACTION.

3. ENVIRONMENTAL QUALITY THREE PARTY AGREEMENT * READY TO DOCKET FOR A CITY COUNCIL HEARING, HOWEVER THERE IS A QUESTION AS TO THE LEGALITY OF THE AGREEMENT. CITY ATTORNEY WAS DIRECTED TO ADVISE COUNCIL AS TO WHY HE MIGHT DEEM IT TO BE ILLEGAL.

* THIS ITEM WAS APPROVED BY TLU IN ITS FINAL FORM ON MARCH 26, 1990.

4. LA JOLLA SHORES PDO UPDATE * ALMOST READY TO DOCKET FOR A CITY COUNCIL HEARING. * THE AMENDED FINAL DRAFT IS SCHEDULED FOR A SECOND PUBLIC HEARING BEFORE THE PLANNING COMMISSION.

* THIS PDO UPDATE HAS BEEN FUNDED BY THE COMMUNITY AT NO COST TO THE CITY OF SAN DIEGO. * THE ADOPTION OF THIS ORDINANCE WOULD CORRECT MANY OF THE INEQUITIES OF THE PRESENT LA JOLLA SHORES PDO.

* ADOPTION OF THIS ORDINANCE WOULD SUBSTANTIALLY REDUCE THE NUMBER OF LA JOLLA PDO APPEALS HEARD BY THE CITY COUNCIL.

5. SAN DIEGUITO DESIGN ORDINANCE * NEEDS PROMPT DOCKETING FOR A CITY COUNCIL HEARING.

* THE TLU COMMITTEE DIRECTED STAFF TO ADAPT THE COUNTY OF SAN DIEGO "D" DESIGNATOR (DESIGN ORDINANCE) TO MATCH THE COUNTY'S PROGRAM, APPROVE THE ORDINANCE, AND INITIATE REZONINGS TO IMPLEMENT IT.

* THE COUNTY IS PRESENTLY COMPLETING REZONINGS TO IMPLEMENT ITS ORDINANCE. * IT IS CRITICAL THAT CITY AND COUNTY DESIGN/PROCESS STANDARDS FOR SAN DIEGUITO BE CONSISTENT THROUGHOUT THE PARK BOUNDARIES.

6. DEFINITION OF COMPATIBILITY * NEEDS PROMPT DOCKETING FOR A CITY COUNCIL HEARING. * ACCORDING TO STAFF RESPONSE TO COUNCIL QUESTIONS ON APRIL 9, 1991, THIS PROGRAM WAS ALREADY UNDER DEVELOPMENT BY THE PLANNING DEPARTMENT AT THAT TIME.

* AT PRESENT, THE CITY ARCHITECT'S OFFICE IS WORKING WITH THE COMMUNITY AND DEVELOPMENT INDUSTRY ON THIS PROGRAM. * CONSENSUS IS BEING REACHED AND SOLUTIONS DRAFTED. * EXPEDITIOUS ADOPTION OF THIS PROGRAM WOULD SUBSTANTIALLY REDUCE CITY COUNCIL APPEALS BASED ON QUESTIONS OF NEIGHBORHOOD COMPATIBILITY. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S502:

Four actions relative to executive agreement for

consultant services and appointment of Citizens
Advisory Group:
(District-1.)

Subitem-A: (R-92-621) ADOPTED AS RESOLUTION R-278888

Accepting the generous gift of \$100,000 from the Alliance of Property Owners, directs its deposit into the General Fund Allocated Reserve, and directs its disbursement for the purpose of preparing a Framework Plan for the Future Urbanizing Area.

Subitem-B: (R-92-622) ADOPTED AS RESOLUTION R-278889

Authorizing the execution of an agreement with Blayney Dyett and Greenberg, for an amount of \$199,000 to prepare the North City Future Urbanizing Framework Plan, in a period of approximately nine months, for adoption by the City Council.

Subitem-C: (R-92-623) ADOPTED AS RESOLUTION R-278890

Directing the City Manager to establish a citizens' advisory group of not more than 11 members for the purpose of advising City staff and the Framework Plan consultant on specific issues brought before them for review during the preparation of the Framework Plan; declaring that the City Manager shall consider the following categories to be representative of the broadest public interest in the Future Urbanizing Area, although the City Manager, at his discretion, may consolidate, add, or substitute a different category if he finds the need: Environmental, Housing, Large Property Owner, Small Property Owner, Park Planning, Non-motorized Transportation, Academician, Urban Designer, Economist, Civic, Community.

Subitem-D: (R-92-624) ADOPTED AS RESOLUTION R-278891

Authorizing the return of \$34,000 of working capital advances from the Central Garage and Machine Shop Equipment Fund (50031) to the General Fund and appropriate to the General Fund Allocated Reserve; authorizing the expenditure of funds from the following accounts: \$33,000 from the Engineering and Development Department, Fund 100, Account 601651; \$18,883 from

Water Utilities Fund 41500, Account 032335; \$13,652
from Water Utilities Fund 41506, Account 039031; \$465
from Water Utilities Fund 41509, Account 039041; and
\$134,000 from the General Fund Allocated Reserve.

CITY MANAGER SUPPORTING INFORMATION: On July 8, 1991, upon adoption of the final report of the North City Future Urbanizing Advisory Committee, the Council directed the Planning Department to contract with an outside consultant to prepare a Framework Plan for the North City Future Urbanizing Area. This plan will delineate generalized land use, major open space and transit corridors and will make specific recommendations regarding implementation. The Planning Department issued a Request for Proposals in August 1991, and received responses from ten interested firms and subconsultants. A screening committee, made up of City staff, reviewed the proposals and selected the five top candidates. A selection committee then interviewed the finalists and selected Blayne Dyett Greenberg (BDG), as their first choice to be awarded the contract. This firm was chosen because of its extensive experience in preparation of general plans, open space planning, and managing public participation and consensus building. The firm's subconsultants, which include Gast and Hillmer (urban design), Dowling Associates (transportation) and Mundie and Associates (fiscal impact), were also evaluated for their experience and expertise. Subsequent negotiations with Blayne Dyett Greenberg have yielded a contract whereby the firm agrees to complete the framework plan and EIR, within the allotted time frame of approximately nine months and budget of \$199,000. Blayne Dyett Greenberg complies with the City of San Diego Equal Opportunity Program and exceeds the Minority (MBE) and Woman (WBE) Business Enterprise contracting goals (12 percent MBE and 3 percent WBE) with 17 percent MBE and 10 percent WBE participation of the firm's subconsultants.

Aud. Cert. 9200290.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: D087-098.)

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

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 7:23 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: M525.)