

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JULY 28, 1992
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 10:30 a.m. The meeting was recessed by Mayor O'Connor at 12:15 p.m. to meet in Closed Session at 2:00 p.m. in the twelfth floor conference room to discuss whether to initiate appropriate adjudicatory proceedings under the Hart/Scott/Rodino Act in regard to the proposed acquisition of the General Dynamics Missile Division by Hughes Aircraft, and to reconvene the Council meeting immediately thereafter.

The meeting was reconvened by Mayor O'Connor at 2:10 p.m. with Council Members Roberts, Behr, Stallings and Filner not present. Mayor O'Connor recessed the meeting at 2:14 p.m. to meet in Closed Session in the 12th floor conference room to discuss whether to initiate appropriate adjudicatory proceedings in regard to the proposed acquisition of the General Dynamics Missile Division by Hughes Aircraft. The meeting was reconvened by Mayor O'Connor at 2:55 p.m. with Council Member Roberts not present. Mayor O'Connor recessed the meeting at 5:45 p.m. to convene the Special Joint Meeting with the Redevelopment Agency. The meeting was reconvened at 5:51 p.m. with Council Members Wolfsheimer, Hartley and Behr not present. Mayor O'Connor adjourned the meeting at 5:52 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 Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present

- (8) Council Member Filner-present
Clerk-Abdelnour/Fishkin (mp/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-present
(3) Council Member Hartley-not present
(4) Council Member Stevens-present
(5) Council Member Behr-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Council Member Filner-present

PUBLIC COMMENT:

ITEM-PC-1:

Dana Quittner, Chief of Staff for County Supervisor George Bailey, reported to Council on behalf of Supervisor Bailey that the Board of Supervisors moved on July 28, 1992 to place on the November Ballot a 1/2 cent increase in the sales tax to provide for the provision, construction and operation of justice-related facilities and for local law enforcement and crime prevention programs.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D267-496.)

COUNCIL COMMENT:

None.

ITEM-204: (R-93-) CONTINUED TO AUGUST 4, 1992 AT 2:00 P.M.

(Continued from the meeting of June 23, 1992, Item 333b, and July 8, 1992, Item 601; last continued at the Council's request, for a report from the City Manager.)

Consider amending certain currently effective water and/or sewer rate structures in response to recommendations of the Citizens' Water and Sewer Review Committee.

NOTE: On 7/8/92, Council took the following actions:

WATER:

Council approved a single tier water commodity rate. Yeas-1,4,5,6,7. Nays-3,8. Not present-2,Mayor.

Council directed the City Manager and Staff to come back to Council on 7/27/92 with a report on the following concepts:

Options on base rates from 0-8 in \$1.00 increments. Unanimous vote. Not present-2 and Mayor.

Instituting a low income assistance program. Unanimous vote. Not present-2 and Mayor.

To apply the same provisions to multi-family dwellings that are being recommended for single-family dwellings. Unanimous vote. Not present-2 and Mayor.

Bring forward a policy to use meters as a goal for single-family and multi-family residences. Yeas-1,3,4,6,8. Nays-5,7. Not present-2 and Mayor.

SEWER:

To approve the Committee's recommendation based on consumption in winter months. Yeas-3,4,6,7,8.

Nays-1,5. Not present-2 and Mayor.

Direct the City Manager to come back to Council on 7/27/92 with a report on the background and history of caps. Unanimous vote. Not present-2 and Mayor.

FILE LOCATION: -

COUNCIL ACTION: (Tape location: A013-C260.)

Motion by Behr to keep the present flat rate at \$20.39 for single-family residences plus institute a low-income assistance program to this sewer rate structure at a 25

percent discount which would be 18 cents on the bill.
Second by Mayor O'Connor. Failed by the following vote:
Yeas-2,5,7,M. Nays-1,4,6,8. Not Present-3.

Motion by McCarty to approve the water rates that the Council conceptually agreed to previously with the commodity rate with the \$6.00 base fee (Attachment 1 and 2 of CMR-92-341). Second by Wolfsheimer. Second withdrawn.

MOTION BY BEHR TO CONTINUE ONE WEEK AT THE MAYOR'S REQUEST.
Second by Mayor O'Connor. Passed by the following vote:
Wolfsheimer-yea, Roberts-not present, Hartley-not present,
Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-330: (R-92-1766) NOTED AND FILED

(Continued from the meetings of June 29, 1992, Item 117, July 6, 1992, Item S405 and July 13, 1992, Item S402; last continued at the City Manager's request, to contact the National League of Cities, to review concerns of the City Manager and City Attorney, and to discuss with other large cities to be sure of any possible implications to this City.)

Supporting the Massachusetts Water Resources Authority's position in Associated Builders and Contractors of Massachusetts/Rhode Island, et al. v. Massachusetts Water Resources Authority, et al. and the filing of a brief in support of that position by the National League of Cities and the National Conference of Mayors.

FILE LOCATION: WATER - Massachusetts Water Resources Authority

COUNCIL ACTION: (Tape location: H212-220.)

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

ITEM-331:

Two actions relative to the San Diego Street Light
Maintenance District No. 1:

Subitem-A: (R-92-2057) ADOPTED AS RESOLUTION R-280436

Considering the protests, approving the modified map,
confirming the assessments, and ordering the proposed
maintenance, in the matter of the San Diego Street
Light Maintenance District No. 1.

Subitem-B: (R-92-2058) ADOPTED AS RESOLUTION R-280437

Authorizing the execution of an agreement with San
Diego Gas and Electric Company for furnishing
electrical energy for San Diego Street Light
Maintenance District No. 1.

CITY MANAGER SUPPORTING INFORMATION: This action establishes
the annual assessments for the San Diego Street Lighting
Maintenance District No. 1. The district provides street light
energy and maintenance for areas with lighting levels above the
standard City-wide "safety" lighting. As part of this action, it
is proposed to annex the following area to the San Diego Street
Lighting Maintenance District No. 1 - Easgate Technology Park Lot
4. The Fiscal Year 1993 proposed maintenance costs for the
district are as follows:

Electrical Energy	\$224,640
Maintenance - Operation	300,000
Maintenance - Major Repair and Paint	300,000
Centre City Maintenance Program	11,500
Engineering & Miscellaneous	147,651
Total Expenses	\$983,791
Total Fund Balance	500,373
Total Fund Balance & Expenses	\$1,484,164
Less Carry-over & Interest	827,205
Less City Contribution	332,960
Assessed to District	\$ 324,000

The amount assessed to the district for Fiscal Year 1993 is
\$324,000 compared to \$200,000 for Fiscal Year 1992. The increase
in assessments is due to the decrease in carry-over from the
previous year and increase in maintenance costs due to annexation
of more areas to the San Diego Lighting District No. 1.

FILE LOCATION: STRT M-276 CONFY93-1

COUNCIL ACTION: (Tape location: C261-290.)

Hearing began at 12:10 p.m. and halted at 12:14 p.m.

MOTION BY STALLINGS TO ADOPT ITEMS 331 AND 332. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: (R-92-2024) ADOPTED AS RESOLUTION R-280438

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Coronado View Landscape Maintenance District.
(South Encanto Neighborhood. District-4.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Coronado View Landscape Maintenance District. The district provides maintenance for landscaping within street right-of-ways.

The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 5,400
Personnel	4,906
Utilities	1,740
Incidentals	4,442*
Total Expenses	\$16,488
Reserve	2,362
Total	\$18,850
Less Carry-over & Interest	4,850
Less City Contribution	0
Assessed to District	\$14,000

* Includes Assessment District Management Fee of \$1,033.

The proposed unit annual assessment for Fiscal Year 1993 is \$120.69 per dwelling unit as compared to \$117.04 per dwelling unit for Fiscal Year 1992.

FILE LOCATION: STRT M-273

COUNCIL ACTION: (Tape location: C261-290.)

Hearing began at 12:10 p.m. and halted at 12:14 p.m.

MOTION BY STALLINGS TO ADOPT ITEMS 331 AND 332. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-333: REPORT ACCEPTED

Matter of an informational item relating to a 5-acre off-site mitigation area for the development of the Lomas del Lago Golf Course, Conditional Use Permit CUP-89-0183. The golf course was approved by the San Diego City Council on November 21, 1989, with a requirement that the applicant mitigate for the loss of coastal sage scrub habitat for the California gnat catcher. The subject property, a 40-acre parcel, is located approximately one-half mile north of Lake Hodges, three-quarters of a mile east of Bear Valley Parkway and south of San Pasqual Road and is described as a portion of the south one-half of Section 1, Township 13 South, Range 2 West, SBBM. The A1-10 zoned site is within the San Pasqual Valley Community Planning area.
(CUP-89-0183. District-5.)

(On November 21, 1989, City Council voted 8-0 to approve the permit, community plan amendment, and environmental report for this project with an added condition that prior to obtaining the grading permit, the mitigations will come back for review at an advertised public hearing.)

FILE LOCATION: PERM - CUP-89-0183

COUNCIL ACTION: (Tape location: D081-263.)

Hearing began at 2:57 p.m. and halted at 3:08 p.m.

Testimony in favor by Jack Anderson and Cliff Metzner.

Testimony in opposition by Christina Buckingham.

MOTION BY BEHR TO ACCEPT REPORT. Second by McCarty. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-334: (R-92-2033) ADOPTED AS RESOLUTION R-280439

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Penasquitos East Landscape Maintenance District.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Penasquitos East Landscape Maintenance District. The district provides for the maintenance of landscaped medians and open space within the district.

The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$105,000
Personnel	12,263
Utilities	18,600
Incidentals	40,394*
Total Expenses	\$176,257
Reserve	16,845
Total	\$193,102
Less Carry-over & Interest	19,631
Less City Contribution	16,310
Assessed to District	\$157,161

* Includes Assessment District Management Fee of \$10,760.

The total amount assessed to the district in Fiscal Year 1993 will be approximately \$11.75 per dwelling unit, compared to \$6.05 for Fiscal Year 1992. The increase in assessments is due to approximately 4.0 acres of additional landscaping to be maintained by the district and other maintenance services requested by the community for FY '93.

FILE LOCATION: STRT M-275

COUNCIL ACTION: (Tape location: D065-075.)

Hearing began at 2:56 p.m. and halted at 2:57 p.m.

MOTION BY WOLFSHEIMER TO ADOPT ITEMS 334, 335, 336 AND S502.
Second by Filner. Passed by the following vote:
Wolfsheimer-yea, Roberts-not present, Hartley-yea,
Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-335: (R-92-2027) ADOPTED AS RESOLUTION R-280440

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Eastgate Technology Park Landscape Maintenance District.
(University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Eastgate Technology Park Landscape Maintenance District. The district maintains landscaped center islands, streetscapes and open space areas within the district. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$92,000
Personnel	17,169
Utilities	23,350
Incidentals	23,345*
Total Expenses	\$155,864
Reserve	31,252
Total	\$187,116
Less Carry-over & Interest	60,000
Less City Contribution	3,430
Assessed to District	\$123,686

* Includes Assessment District Management Fee of \$8,178.

Assessments for FY '93 are \$1,120 per net acre compared to \$1,070 per net acre in FY '92. The increase is due to \$50,000 sq. ft. of additional landscaping to be maintained by the district starting in FY '93.

FILE LOCATION: STRT M-274

COUNCIL ACTION: (Tape location: D065-075.)

Hearing began at 2:56 p.m. and halted at 2:57 p.m.

MOTION BY WOLFSHEIMER TO ADOPT ITEMS 334, 335, 336 AND S502.
Second by Filner. Passed by the following vote:
Wolfsheimer-yea, Roberts-not present, Hartley-yea,
Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-336: (R-92-2030) ADOPTED AS RESOLUTION R-280441

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed

maintenance, in the matter of the San Ysidro Boulevard
Landscape Maintenance District.
(San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes
the annual assessments for the San Ysidro Boulevard Landscape
Maintenance District. The district provides maintenance for the
landscaping, decorative pavement, decorative sidewalk and street
amenities such as bollards, benches and planter boxes. The
Fiscal Year 1993 proposed maintenance costs for the district are
as follows:

Contractual Maintenance	\$13,864
Personnel	7,358
Utilities	1,325
Incidentals	8,737*
Total Expenses	\$31,284
Reserve	18,250
Total	\$49,534
Less Carry-over & Interest	17,950
Less City Contribution	343
Assessed to District	\$31,241

* Includes Assessment District Management Fee of \$1,911.

The assessments are based on the frontage along San Ysidro
Boulevard. The proposed unit assessment for Fiscal Year 1993 is
\$1.70 per frontage foot of parcel. The assessment amount in
Fiscal Year 1992 was \$1.59 per frontage foot.

FILE LOCATION: STRT M-277

COUNCIL ACTION: (Tape location: D065-075.)

Hearing began at 2:56 p.m. and halted at 2:57 p.m.

MOTION BY WOLFSHEIMER TO ADOPT ITEMS 334, 335, 336 AND S502.
Second by Filner. Passed by the following vote:
Wolfsheimer-yea, Roberts-not present, Hartley-yea,
Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-337: CONTINUED TO SEPTEMBER 15, 1992, 10:00 A.M. TIME
CERTAIN, DUE TO LACK OF TIME

An appeal of Philip Chodur from the decision of the
Planning Commission in denying Coastal Development
Permit CDP-90-1092 (Ladybird Lane). The project
proposes to construct a single-family detached

residence consisting of a total of 5,125 square feet of gross floor area (including an attached three car garage) with related site landscaping, decorative paving and a swimming pool on a portion of the 0.65-acre site. The subject property is located at the southwest terminus of Ladybird Lane, between La Jolla Mesa Drive and Warbler Way and is more particularly described as Lot 15 of La Jolla Mesa Vista Map-3650, Zone R1-8000 (portions in the Hillside Review Zone) within the La Jolla Community Plan area. (CDP-90-1092. District-1.)

Subitem-A: (R-93-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-90-1092 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-93-)

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

FILE LOCATION:

COUNCIL ACTION: (Tape location: D010-040.)

MOTION BY WOLFSHEIMER TO CONTINUE ITEMS 337 AND 338 TO SEPTEMBER 15, 1992 AT 10:00 A.M. TIME CERTAIN DUE TO LACK OF TIME. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-338: CONTINUED TO SEPTEMBER 15, 1992, 10:00 A.M. TIME CERTAIN, DUE TO LACK OF TIME

Appeal of Jennifer Sparks, et al, from the decision of the Planning Commission. Due to a lack of affirmative votes, the decision of the Planning Director to approve Coastal Development Permit/Hillside Review Permit/Planned Infill Residential Development Permit

and Tentative Map 91-0335 (Palomar) stands. The project proposes the subdivision of a seven acre site for the construction of six detached, single-family units. The subject property is located at the eastern extent of Palomar Avenue, east of the Fay Avenue Bike Path and is more particularly described as Lot 1 of SANDS P.R.D. Map-9842 in the R-1-8000 Zone in the La Jolla Community Plan area.
(CDP/HRP/PIRD/TM-91-0335. District-1.)

Subitem-A: (R-93-)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-91-0335 has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-93-)

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

Subitem-C: (R-93-)

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

Subitem-D: (R-93-)

Adoption of a Resolution granting or denying the appeal and granting or denying the Planned Infill Residential Development Permit, with appropriate findings to support Council action.

Subitem-E: (R-93-)

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

NOTE: On July 13, 1992 Council voted unanimously to hear the appeal. District 6 and the Mayor not present.

FILE LOCATION:

COUNCIL ACTION: (Tape location: D010-040.)

MOTION BY WOLFSHEIMER TO CONTINUE ITEMS 337 AND 338 TO SEPTEMBER 15, 1992 AT 10:00 A.M. TIME CERTAIN DUE TO LACK OF TIME. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S401: CONTINUED TO AUGUST 4, 1992

(Continued from the meeting of July 21, 1992, Item S405, at the request of Councilmember Behr and Councilmember Stallings, to allow them to be present to vote on this item.)

In the matter of local criminal justice issues.
(See City Manager Report CMR-92-219.)

COMMITTEE ACTION: Reviewed by PSS on 7/15/92. Recommendation to approve the City Manager's report and request that it be docketed as soon as possible for a discussion of a November ballot initiative. Districts 1,2,3,4 and 8 voted yea.

FILE LOCATION:

COUNCIL ACTION: (Tape location: H208-212.)

MOTION BY STEVENS TO CONTINUE TO AUGUST 4, 1992 AT THE REQUEST OF THE CITY MANAGER. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S500:

(Continued from the meeting of July 21, 1992, Item 335, at the Southeast Development Committee's request for further review.)

A proposal to amend Chapter X, Article 3, Division 1, and Article 4, Division 1 of the San Diego Municipal Code by amending Sections 103.0101 and 104.0100.10 to change the public noticing requirements for Planned

Districts and Special Sign Districts. This amendment would reduce the number of mailed public notices for future amendments to planned district ordinances and special sign districts by allowing the City to use only newspaper notices whenever the number of mail notices would exceed 1,000.
(City-wide.)

Subitem-A: (O-93-10) INTRODUCED AS AMENDED, TO BE
ADOPTED AUGUST 10, 1992

Introduction of an Ordinance amending Section 103.0101
of the San Diego Municipal Code.

Subitem-B: (O-93-11) INTRODUCED AS AMENDED, TO BE
ADOPTED AUGUST 10, 1992

Introduction of an Ordinance amending Section
104.0100.10 of the San Diego Municipal Code.

FILE LOCATION: -

COUNCIL ACTION: (Tape location: C261-290.)

Hearing began at 12:10 p.m. and halted at 12:14 p.m.

Testimony by Reynaldo Pisano to amend the Ordinance.

MOTION BY STALLINGS TO INTRODUCE THE ORDINANCES AS AMENDED TO REQUIRE ADDITIONAL PRESS NOTICES IN COMMUNITY-BASED NEWSPAPERS AND TO PRINT IN ETHNIC LANGUAGES OF THE COMMUNITY. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S501:

Seven actions relative to the November 3, 1992
Municipal Election:

Subitem-A: (O-93-16) INTRODUCED AND ADOPTED AS ORDINANCE
O-17808 (New Series)

Introduction and adoption of an Ordinance calling a
General Municipal Election in the City of San Diego on
Tuesday, November 3, 1992.

Subitem-B: (R-93-188) NOTED AND FILED

Adoption of a Resolution determining that the public interest and necessity demand the acquisition and construction of a new central or regional library and improvements to other library branches and other facilities and making certain other findings and determinations.

Subitem-C: (O-93-28) NOTED AND FILED

Introduction and adoption of an Ordinance ordering, calling, providing for and giving notice of a Special Municipal Bond Election to be held in the City of San Diego on November 3, 1992, for the purpose of submitting to the qualified voters of the City of San Diego a proposition to incur general obligation bonded indebtedness by the City for certain municipal improvements, consisting of the acquisition and construction of a new central or regional library and improvements to other library branches and other facilities, and consolidating the Special Municipal Bond Election with the Statewide General Election to be held on the same date.

Subitem-D: (O-93-17 Rev.1) INTRODUCED AND ADOPTED AS
AMENDED AS ORDINANCE O-17809
(New Series)

Introduction and adoption of an Ordinance ordering, calling, providing for and giving notice of a Special Municipal Election to be held in the City of San Diego on November 3, 1992, for the purpose of submitting to the qualified voters of the City of San Diego:

One proposition amending the Charter of the City of San Diego by amending Charter Sections 10 and 12 to move the elections for City Council to the statewide elections held in even numbered years;

One proposition amending Charter Section 55, Park and Recreation;

Two propositions amending Charter Section 66 to elect trustees to the San Diego Unified School District by District only; and to increase the Trustee area from 5 to 7;

And one proposition amending the Charter of the City of

San Diego by adding Article VI A, Section 67.1 to specify the number of the members of the San Diego Community College District Board of Trustees as five; and, consolidating the Special Municipal Election with the Statewide General Election to be held in the City on Tuesday, November 3, 1992.

Subitem-E: (O-93-21) INTRODUCED AND ADOPTED AS ORDINANCE
O-17810 (New Series)

Introduction and adoption of an Ordinance submitting to the qualified voters of the City of San Diego one proposition amending San Diego City Ordinance Numbers 10465 and 10466, pertaining to Franchises Granted by the City to San Diego Gas & Electric Company, and amending San Diego City Charter Section 103 pertaining to franchises granted by the City, to be submitted at a Special Municipal Election to be held with the Statewide General Election in the City on Tuesday, November 3, 1992.

Subitem-F: (O-93-24) NOTED AND FILED

Introduction and adoption of an Ordinance submitting to the qualified voters of the City of San Diego, one proposition amending People's Ordinance No. 7691, as codified in Section 66.0123 of the San Diego Municipal Code relating to the collection and disposal of City refuse; authorizing and requiring the imposition of full cost recovery user fees and permanent reallocation of certain general fund monies to provide for additional police officers for the San Diego Police Department, to be submitted at a Special Municipal Election to be held with the Statewide General Election in the City on Tuesday, November 3, 1992.

Subitem-G: (R-93-168 Rev.1) ADOPTED AS AMENDED AS R-280444

Adoption of a Resolution requesting the consolidation of a General Municipal Election, a Special Municipal Bond Election; and, a Special Municipal Election to be held in the City of San Diego on November 3, 1992, with the Statewide General Election to be held on the same date.

SUPPORTING INFORMATION: This is to request that the City Council adopt ordinances calling the Municipal General Election and a Special Municipal Election, and a resolution requesting the consolidation of this election with the Statewide primary to be

held November 3, 1992.

The Municipal General Election will be held for the purpose of conducting elections for Mayor, as well as any and all propositions the Council approves for placement on the Ballot. The resolution requesting consolidation includes a request for the services of the Registrar of Voters. The estimated cost of this election, including ballot proposals being considered by Council is \$500,000.

FILE LOCATION: Subitems A-D,F-G: MEET; Subitem E:
FRAN - SDG&E

COUNCIL ACTION: (Tape location: D497-H148.)

SUBITEM A:

MOTION BY STEVENS TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

SUBITEMS B & C:

Motion by Wolfsheimer to put the bond issue for the branch libraries on the ballot. Second by Hartley. No vote.

Motion by Stevens to direct the City Manager to: 1) take the issue of the central library back to the Port Commissioners and come back with a Memorandum of Understanding; and 2) to come back with a status report by next week. Passed. Yeas-1,3,4,5,6,7,8,M. Nays-none. Not present-2.

MOTION BY McCARTY TO NOTE AND FILE SUBITEMS B AND C, RELUCTANTLY WITHDRAWING THE BOND ISSUE FOR A NEW CENTRAL OR REGIONAL LIBRARY AT THIS TIME, AND TO PUT IT ON THE BALLOT FOR THE NEXT GENERAL ELECTION. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-nay, Stevens-yea, Behr-nay, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

SUBITEM D:

INTRODUCE, DISPENSE WITH THE READING AND ADOPT AS AMENDED AS FOLLOWS: MOTION BY McCARTY TO PLACE ALL THE SCHOOL DISTRICT PROPOSITIONS ON THE BALLOT. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY HARTLEY TO MOVE THE ELECTIONS FOR CITY COUNCIL TO THE STATEWIDE ELECTIONS HELD IN EVEN NUMBERED YEARS. Second by Stevens. Passed by the following vote: Wolfsheimer-not present, Roberts-nay, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

Motion by Roberts to place a rule on the ballot prohibiting anyone to run for office during the time he/she is holding a Council or Mayoral seat. Second by Hartley. Failed. Yeas-2,3,5,M. Nays-4,6,7,8. Not present-1.

Motion by McCarty to place the Charter Section 55, Park and Recreation, on the ballot with the following two amendments: 1) amend language to reflect "the majority vote of the qualified electors of the city voting at an election for such purpose"; and 2) amend language to reflect "Specific language is added to require a majority vote of those voting in order to establish new non-park roads through dedicated parks except where called out in City's general plan, parks general development plan or specific community plan. Second by Behr. No vote.

Substitute Motion:

MOTION BY HARTLEY TO PLACE THE ORIGINAL LANGUAGE THAT CAME FROM PARK AND RECREATION WHICH REFLECTS THE LANGUAGE "MAJORITY VOTE OF THOSE VOTING AT THE ELECTION" ON THE BALLOT. Second by Stevens. Passed by the following vote: Wolfsheimer-not present, Roberts-nay, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

SUBITEM E:

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

SUBITEM F:

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

SUBITEM G:

MOTION BY STALLINGS TO ADOPT AS AMENDED OMITTING LANGUAGE RELATING TO THE LIBRARY AND TRASH ISSUES. Second by

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

ITEM-S502: (R-93-176) ADOPTED AS RESOLUTION R-280435

Authorizing the execution of a second amendment to the agreement with Sharp Rees-Stealy Medical Group, Inc. to extend the term and conditions of the contract by forty-five days.

CITY MANAGER SUPPORTING INFORMATION: This second amendment to the agreement with Sharp Rees-Stealy Medical Group (SRSMG) would extend the terms and conditions of the agreement through September 14, 1992. The City of San Diego entered into a contractual agreement, pursuant to Resolution R-275628, on May 1, 1990 for a two year period with SRSMG to provide medical treatment to the City's industrially injured and ill employees. The contract was extended for a ninety-two day period pursuant to Resolution R-279839. This ninety-two day extension will terminate on July 31, 1992. The City Manager is presently conducting negotiations with SRSMG. The forty-five day extension is required due to the need for additional time to conclude the negotiations with SRSMG.

Aud. Cert. 9300074.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D065-075.)

MOTION BY WOLFSHEIMER TO ADOPT ITEMS 334, 335, 336 AND S502. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 5:52 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: H219.)