

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, SEPTEMBER 22, 1992  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Roberts at 11:09 a.m. The meeting was recessed by Deputy Mayor Roberts at 12:09 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Roberts at 2:08 p.m. with Mayor O'Connor and Council Members Wolfsheimer and Hartley not present. The meeting was recessed by Deputy Mayor Roberts at 2:23 p.m. to convene the Redevelopment Agency and thereafter the Housing Authority. Deputy Mayor Roberts reconvened the meeting at 2:27 p.m. with Mayor O'Connor and Council Members Wolfsheimer and Hartley not present. Deputy Mayor Roberts adjourned the meeting at 2:36 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-280801 (personal)
- (1) Council Member Wolfsheimer-excused by R-280803 (MTDB business in London, England, and vacation)
- (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

FILE LOCATION: Clerk-Abdelnour/Fishkin (ll/mc)  
MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-not 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

PUBLIC COMMENT:

ITEM-PC-16:

Comment by Don Stillwell regarding the San Diego Municipal Code and the time allotment for Public Comment.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A015-034.)

ITEM-PC-17: REFERRED TO PF&R COMMITTEE

Comment by Joseph Leary asking Council to docket and adopt a resolution to have the San Diego Port Commission examine the feasibility of the Floatport Airport Proposal for San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C196-257.)

COUNCIL COMMENT:

ITEM-CC-4:

Comment by Deputy Mayor Roberts regarding the results of the Port Commission Meeting of September 21, 1992 in relation to City Manager Jack McGrory's distribution of the \$13.5 million of potential Port funds that may be available to the City. The City of Chula Vista suggested that the Port funds should be used to fund County programs that are otherwise being cut. Deputy Mayor Roberts felt that there may be a possibility that the City would not be awarded the funds.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C258-331.)

ITEM-310: PRESENTED

Presentation of a \$1,000 donation from the Downtown Kiwanis Club to the Neighborhood Pride and Protection Program. Jay Jeffcoat, Program Chair for the Kiwanis Club, will make the presentation to the City Council.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C010-033.)

ITEM-330: CONTINUED TO OCTOBER 27, 1992

(Continued from the meeting of August 11, 1992, Item 332, at Councilmember McCarty's request, at the request of the Contractor for the County to award this contract to a private Work Furlough Detention Facility operator and to work out the County's responsibilities in areas such as work furlough and other alternative sentencing procedures.)

Matter of an amendment to the Planning Department, "Schedule of Fees and Deposits" (Resolution RR-278367), to include a biannual Correctional Placement Center Monitoring and Enforcement Fee; and to amend the personnel authorization of the Planning Department in the General Fund (Ordinance OO-17667), by adding one Senior Zoning Investigator to monitor and enforce the Correctional Placement Center ordinance and regulations.

(Citywide)

Subitem-A: (R-93-76)

Adoption of a Resolution amending the Planning Department "Schedule of Fees and Deposits."

Subitem-B: (O-93-12)

First public hearing of an Ordinance amending the personnel authorization of the Planning Department in the General Fund to add one Senior Zoning Investigator.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A042-049.)

MOTION BY McCARTY TO CONTINUE TO OCTOBER 27, 1992 AT THE REQUEST OF THE CITY MANAGER. Second by Filner. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-331: (O-92-138) CONTINUED TO OCTOBER 6, 1992 AT 2:00 P.M.

Amending Chapter X, Article 1, Divisions 4 and 5, of the San Diego Municipal Code by amending Sections 101.0406 and 101.0502, relating to Home Occupations in Residential Zones.

(Introduced as amended on 8/4/92. Council voted 5-1. District 4 voted nay. Districts 7, 8 and Mayor not present.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A094-B123.)

MOTION BY HARTLEY TO CONTINUE TO OCTOBER 6, 1992 AT 2:00 P.M. TO ALLOW THE SMALL BUSINESS ADVISORY BOARD TIME TO REVIEW THE NEW PROPOSAL FROM THE CITY MANAGER'S OFFICE, AND TIME TO DISCUSS IT AT THEIR SEPTEMBER 23, 1992 MEETING. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-332: (R-93-254) ADOPTED AS RESOLUTION R-280716

Declaring that City Manager Report P-92-111, entitled Planning Department Procedures Regarding Single-Family Residential Compatibility, dated March 31, 1992, has been reviewed and that the City Council recommends that the draft Planning Department Procedure attached to the report be utilized by the Planning Department.

(See City Manager Report P-92-111.)

COMMITTEE ACTION: Reviewed by TPE on 4/8/92. Recommendation to approve the Planning Department's recommendation in CMR-P-92-111 with the addition of a provision addressing CCR's and Chairperson Wolfsheimer's disapproving the deletion of the front yard averaging standard. The "procedure" was referred to the City Council, with a request that the City Manager prepare quarterly reports on the procedure's effectiveness. Districts 1,4,5 and 6 voted yea. District 7 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B127-201.)

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

ITEM-S401:

Continued from the meetings of August 10, 1992, Item S410 and September 14, 1992, Item 191; last continued at Councilmember McCarty's request to review background materials.)

Briefing by the Department of Legislative Services:

Subitem-A: (R-93-244) ADOPTED AS RESOLUTION R-280712 ON SEPTEMBER 21, 1992

Endorsing HR 2056, Shipbuilding Trade Reform Act, and its companion Senate Bill, S. 1361, and urging Senate approval of HR 2056 in order to preserve and protect the shipbuilding and repair business in San Diego and the rest of the nation.

(See Department of Legislative Services Report DLS-92-28.)

Subitem-B: (R-93-245) CONTINUED TO SEPTEMBER 29, 1992

Supporting AB 3825 (Brown): California Civil Rights Restoration Act of 1992; directing the Department of Legislative Services and the City's Sacramento advocates to communicate the City's support to appropriate members of the State Legislature and the Governor.

(See Department of Legislative Services Report DLS-92-29.)

COMMITTEE ACTION: Forwarded to full Council due to the canceled Committee meeting of 8/5/92 (Agenda Item 5).

FILE LOCATION:

COUNCIL ACTION: (Tape location: A050-062.)

MOTION BY HARTLEY TO CONTINUE SUBITEM-B TO SEPTEMBER 29, 1992 AT THE REQUEST OF THE CITY MANAGER FOR A FULL COUNCIL. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S500: (R-93-218) CONTINUED TO SEPTEMBER 29, 1992,

2:00 P.M. TIME CERTAIN

(Continued from the meetings of August 4, 1992, Item S503, August 11, 1992, Item S503 and September 15, 1992, Item 340; last continued at Councilmember Behr's request, to allow Mayor O'Connor to be present.)

Determining that the use of funds from the Marina Redevelopment Project Low and Moderate Income Housing Fund toward the construction of a development, Horton Fourth Avenue, within the Horton Plaza Redevelopment Project, will be of benefit to the Marina Redevelopment Project.

(See memorandum from CCDC Executive Vice President dated 7/28/92. District-2.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A064-089.)

MOTION BY STALLINGS TO CONTINUE TO SEPTEMBER 29, 1992 AT 2:00 P.M. TIME CERTAIN, AT THE REQUEST OF MAYOR O'CONNOR FOR HER TO BE PRESENT. Second by Behr. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S501: (R-93-353) CONTINUED TO SEPTEMBER 29, 1992

(Continued from the meeting of September 15, 1992, Item 339, at Councilmember Behr's request.)

Approving the issuance by the Redevelopment Agency of the City of San Diego of approximately \$38,000,000 aggregate principal amount of tax allocation refunding bonds to refinance a portion of the cost of the Centre City Redevelopment Project.

(See CCDC memo dated 8/26/92. Centre City Community Area. District-2)

FILE LOCATION:

COUNCIL ACTION: (Tape location: C034-045.)

MOTION BY McCARTY TO CONTINUE TO SEPTEMBER 29, 1992 AT THE REQUEST OF THE CITY MANAGER FOR THE CENTRE CITY DEVELOPMENT CORPORATION. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S502: (R-93-268) ADOPTED AS AMENDED AS RESOLUTION R-280718

(Continued from the meeting of September 15, 1992, Item 342, at Councilmember McCarty's request, to allow the public to speak after the workshop has been held.)

Calling for the formation of a Project Area Committee for the proposed College Community Redevelopment Project and adopting a procedure for the formation of the Project Area Committee.

(See City Manager Report CMR-92-274. District-7.)

NOTE: On 9/15/92 Councilmember McCarty made the motion that the hearing be opened and closed for public testimony, and to signify the Council's intention to reopen the hearing on 9/22/92 for anyone interested in speaking after the workshop, which was scheduled for 9/17/92. (Council voted 7-0. District 8 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-147.)

MOTION BY McCARTY TO ADOPT AS AMENDED WITH THE FOLLOWING AMENDMENTS TO THE PROPOSED PAC COMPOSITION: 1) THAT THE TWO STUDENT REPRESENTATIVES BE SHIFTED TO THE COMMUNITY ORGANIZATION HEADING AND THAT ALL SDSU STUDENTS WILL BE ELIGIBLE TO VOTE FOR THESE STUDENT REPRESENTATIVES DURING THE PAC ELECTION; AND 2) THAT THE COLLEGE AREA COMMUNITY COUNCIL RECEIVE TWO SEATS, INCREASING THE PAC TO 14 SEATS. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.



NON-DOCKET ITEMS:

None.

ITEM-CS-1: (R-93-548) ADOPTED AS RESOLUTION R-280717

A Resolution adopted by the City Council in Closed Session on Tuesday, September 22, 1992:

Authorizing the City Manager to pay the total sum of \$50,000 in the settlement of each and every claim against the City, its agents and employees resulting from personal injury to Kevin Black;

authorizing the City Auditor and Comptroller to issue one check in the amount of \$50,000 made payable to Kevin Black and his attorney Malcolm Schick.

A.C. 9300301.

FILE LOCATION: MEET

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Roberts at 2:36 p.m. in honor of the memory of Jean "Cheesy" Neil.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B212; C332.)