

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, SEPTEMBER 28, 1993
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Behr at 10:05 a.m. The meeting was recessed by Deputy Mayor Behr at 10:06 a.m. to meet in Closed Session in the 12th floor conference room to discuss pending litigation.

The meeting was reconvened by Deputy Mayor Behr at 10:19 a.m. with Mayor Golding, Council Members Stevens and Stallings not present. Deputy Mayor Behr recognized Tom Blair of the Union Tribune who commented on selling a special edition of the Union Tribune, "Kids' News Day," with all funds going to Children's Hospital. The regular meeting was recessed by Deputy Mayor Behr at 11:31 a.m. to convene the Special Joint Council Meeting with the Redevelopment Agency and to reconvene at 2:00 p.m. Mayor Golding reconvened the Council meeting at 4:49 p.m. with all Council members present. Mayor Golding adjourned the meeting at 6:51 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-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 Vargas-present
- Clerk-Fishkin (rb/ll)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:
(M) Mayor Golding-not present
(1) Council Member Wolfsheimer-present
(2) Council Member Roberts-present
(3) Council Member Hartley-not present
(4) Council Member Stevens-not present
(5) Council Member Behr-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Council Member Vargas-present

PUBLIC COMMENT:

None.

COUNCIL COMMENT:

None.

ITEM-112:

SUBJECT: Two actions related to Improvements of the Fiesta
Island Sludge De-watering Facility.

(Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-335) ADOPTED AS RESOLUTION R-282698

Inviting bids for the purchase and installation of
seven belt filter presses and ancillary equipment for
the Fiesta Island Sludge De-watering Facility on Work
Order No. 030045. (BID-K94035)

Subitem-B: (R-94-334) ADOPTED AS RESOLUTION R-282699

Inviting bids for the construction and installation of
a 10-inch water line on Work Order No. 030045. (BID-K94034)

CITY MANAGER SUPPORTING INFORMATION:

During the wet weather periods of 1992-1993, the City's Fiesta Island Sludge Dewatering Facility was incapable of treating all of the sludge produced by the Point Loma Wastewater Treatment Plant. When this occurred, sludge pumped to Fiesta Island for de-watering was returned to Point Loma with little or no de-watering accomplished. The high percentage of solids in this return flow to Point Loma caused overloading of the treatment plant and periodic noncompliance with Regional Water Quality Board Cease and Desist Order No. 87-113 and Order No. 90-32 regarding suspended solids removal rates at the treatment plant.

The City has pledged to the Regional Board that necessary improvements to the existing facilities will be made as soon as possible to assure that Fiesta Island has sufficient capacity to treat Point Loma sludge year round.

The City evaluated several options and determined that the best course of action would be to go to an all mechanical de-watering operation as the primary means to reliably de-water the sludge. The City, therefore, plans to install seven additional belt filter presses and ancillary equipment and utilities at Fiesta Island. This action would allow for the advertisement of the contracts necessary for the installation of the seven new belt filter presses and ancillary equipment and construction of the needed utilities.

FISCAL IMPACT:

None with this action. The estimated cost of constructing the belt filter presses is \$1,734,000 and the water pipeline is \$310,000. The Clean Water Program will return to Council at a later date to request these funds.

Funds are available for this purpose in CIP-46-119, Annual Allocation for the Point Loma Treatment Plant.

WU-CWP-94-039.

FILE LOCATION: W.O. 030045 WATER - Fiesta Island Facility
Improvement and Fiesta Island Reclaimed Water
Pipeline CONT FY94-1

COUNCIL ACTION: (Tape location: A221-578.)

Motion by Roberts to adopt, accepting the City Manager's report as amended, to include a requirement that the eastern six beds, decant pond p-6, and the eastern storage area be shut down immediately and that portion of the island be returned to public use as soon as possible. The City Manager is directed to return to Council in six months with a status report on that work and with a plan and a schedule for phasing out the remaining ponds between that period and the anticipated transfer of the entire facility off Fiesta Island, which is to occur in the 1996-1998 time frame. Second by Stevens. Motion amended.

MOTION BY ROBERTS TO AMEND THE MOTION TO ADOPT THE CITY MANAGER'S RECOMMENDATION AND PROCEED ON THE BASIS THAT MARCH 1, 1994 IS THE DEADLINE TO BEGIN REMOVAL OF THE EASTERN 6 BEDS, THE DECANT POND P-6, AND THE EASTERN STORAGE AREAS. Second by Stevens. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-113:

SUBJECT: Awarding contracts for Removal and Disposal of Digested Sludge.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-205) ADOPTED AS AMENDED AS RESOLUTION R-282700

Awarding contracts to Shrecka Technology Park, Western Advanced Systems and Technologies for the Environment, and Greenfield Environmental/Falcon Disposal for furnishing removal and disposal of an estimated 300,000 tons of digested sludge, as may be required for a period of one year beginning August 10, 1993 through August 9, 1994, for a total estimated cost of \$9,048,480, including terms. (BID-B3937/94)

(Twelve bids received. Requested by the Water Utilities Department, Metro Wastewater Division.)

FILE LOCATION: CONT-PURCHASE-Western Advanced Systems and Technologies for the Environment and Greenfield Environmental/Falcon Disposal
CONT FY94-3

COUNCIL ACTION: (Tape location: A584-B147.)

MOTION BY WOLFSHEIMER TO ADOPT AS AMENDED, APPROVING STAFF RECOMMENDATION NOT TO AWARD THE CONTRACT TO SHRECKA TECHNOLOGY PARK AND TO GO FORWARD WITH AWARD OF CONTRACTS TO WESTERN ADVANCED SYSTEMS AND TECHNOLOGIES AND GREENFIELD ENVIRONMENTAL/FALCON DISPOSAL. Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-310: REFERRED TO THE PLANNING COMMISSION

SUBJECT: Request by Matthew A. Peterson, Attorney for Russell and Angela Preisendorfer, for a hearing of an appeal from the decision of the Planning Commission in denying the request for a La Jolla Shores Development Permit No. 93-0198.

(LJSDP-93-0198. La Jolla Shores Plan Area.
District-1.)

SUPPORTING INFORMATION:

The appeal is being requested for a permit to construct a 1,594-square-foot second story addition to an existing single-family residence at 8721 Glenwick Lane in the Single-Family zone of the La Jolla Shores Planned District, within the La Jolla Community Plan Area.

The subject property is more particularly described as Lot 35 of La Jolla Highlands Unit No. 2, according to Map-3361.

FILE LOCATION: PERM-LJSDP-93-0198

COUNCIL ACTION: (Tape location: A044-091.)

MOTION BY WOLFSHEIMER TO REFER THE MATTER TO THE PLANNING COMMISSION. SINCE IT IS A NEWLY DESIGNED PROJECT AND HAS NOT YET BEEN REVIEWED BY THE COMMISSION, THE PROJECT IS TO BE RETURNED TO COUNCIL AS A RULE 4 AFTER THE COMMISSION HEARING. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-330: CONTINUED TO NOVEMBER 9, 1993

SUBJECT: Appeal of James Milch, Attorney, for Manuel A. & Mary Silva (Applicants) from the decision of the Board of Zoning Appeals in partially approving the request to maintain retaining walls/open fences, currently in violation, at 1311 Plum Street, in the R1-5000 Zone, within the Peninsula Community Plan area.

(C-21018. District-2.)

(Continued from the meetings of May 18, 1993, Item 332, and June 15, 1993, Item 342; last continued at Councilmember Roberts' request, for further review.)

(R-94-)

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

ZONING ADMINISTRATOR'S RECOMMENDATION:

On 11/30/92 the Zoning Administrator denied the variance as sought by the applicants, but approved a modified variance subject to conditions.

SUPPORTING INFORMATION:

The applicants are requesting to maintain the following combination of retaining walls and open/solid fences, currently in violation:

(1) a maximum 14'-0" high combination retaining wall/open fence within the 15'-0" front yard where a maximum combined height of 9'-0" is permitted, provided that no single plane exceeds 6'-0" in height and that horizontal separations are provided in compliance with design criteria;

(2) portions of said retaining wall/open fence within driveway visibility area where 3'-0" is the maximum height permitted;

(3) a maximum 15'-2" high combination retaining wall/open fence within the interior side yard where a maximum combined height of 12'-0" is permitted, provided that no single plane exceeds 6'-0" in height and that horizontal separations are provided in compliance with design criteria;

(4) a maximum 9'-10" high combination retaining wall/open fence within the 4'-0" rear yard where a maximum combined

height of 12'-0" is permitted provided that no single plane exceeds 6'-0" in height and that horizontal separations are provided in compliance with design criteria;

(5) a maximum 7'-2" high wrought iron gate within the 15'-0" front yard where a maximum 6'-0" high gate is permitted provided that the bottom 3'-0" is solid and the top 3'-0" is 50% open in compliance with design criteria;

(6) a maximum 6'-9" column with a 2'-3" light fixture on top located within the required front yard where a maximum 3'-0" height is permitted;

(7) said column also located within the driveway visibility area where a maximum 3'-0" height is permitted;

(8) a maximum 9'-0" high column located within the required front yard where a maximum height of 3'-0" is permitted;

(9) portion of said column located within the driveway visibility area;

(10) maximum 4'-0" high combination open fence/solid wall located within the driveway visibility area where a maximum 3'-0" height is permitted;

(11) a maximum 10'-4" high combination retaining wall and solid/open fence located within the required front yard where a maximum 9'-0" height is permitted provided that no single plane exceeds 6'-0" in height and the fence/wall meets design criteria for fences.

LEGAL DESCRIPTION:

Lots 1, 2, and 3, Block 39, Roseville, Map-305.

FILE LOCATION: ZONE ZONING APPEALS-C-21018

COUNCIL ACTION: (Tape location: A097-218.)

MOTION BY ROBERTS TO CONTINUE THE ITEM TO NOVEMBER 9, 1993 TO PROVIDE AN OPPORTUNITY FOR THE PARTIES INVOLVED TO REACH AN AGREEABLE SOLUTION. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-331:

SUBJECT: Revisions to Civil Service Rules IX and X, relating to
Transfer, Annual Leave, and Court Leave.

CIVIL SERVICE COMMISSION'S RECOMMENDATION:

Introduce the following Ordinance:

(O-94-1) INTRODUCED, TO BE ADOPTED OCTOBER 11, 1993

Amending Chapter II, Article 3, Divisions 10 and 11 of
the San Diego Municipal Code by amending Sections
23.1001, 23.1103(c) and 23.1110, relating to Transfer,
Annual Leave, and Court Leave.

SUPPORTING INFORMATION:

On June 17, 1993, the Civil Service Commission approved the
revisions to the Civil Service Rules IX and X, to ratify
agreements between Management and Employee Representation Units
during the FY 1993-94 Meet and Confer process:

1. Rule IX, Section 1, Transfers (Municipal Code Section 23.1001) will allow transfer requests by employees without first securing the approval of appointing authorities. This streamlines the transfer process.
2. Rule X, Section 3(1)(c), Annual Leave (Municipal Code Section 23.1103(c)) changes the name of the Management "Bonus" plan to Management "Benefits" Plan. This does not represent a procedural or policy change.
3. Rule X, Section 10, Court Leave (Municipal Code Section 23.1110) no longer requires employees to deposit with the City Auditor fees received from courts for service as juror or witness. Fees collected do not justify the administrative expenses associated with the implementation of the current provision.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A097-218.)

Hearing began at 10:30 a.m. and halted at 10:40 p.m.

MOTION BY ROBERTS TO INTRODUCE. Second by Stallings.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-332:

SUBJECT: Revision to Civil Service Rule XI, Section 3, relating
to Cause for Removal or Suspension.

CIVIL SERVICE COMMISSION'S RECOMMENDATION:

Introduce the following Ordinance:

(O-94-30) INTRODUCED, TO BE ADOPTED OCTOBER 11, 1993

Amending Chapter 11, Article 3, Division 11 of the San
Diego Municipal Code, by amending Section 23.1203
relating to Cause for Removal or Suspension.

SUPPORTING INFORMATION:

The Civil Service Commission approved the revision to Civil
Service Rule XI, Section 3 (Municipal Code Section 23.1203) to
indicate that employees who are exempt from the Fair Labor
Standards Act may only be suspended from work without pay for a
violation of a safety rule of major significance. This was done
in order to ensure compliance with recent Court interpretations
of the Fair Labor Standards Act.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A097-218.)

Hearing began at 10:30 a.m. and halted at 10:40 a.m.

MOTION BY ROBERTS TO INTRODUCE. Second by Stallings.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-333: REFERRED TO THE CITY MANAGER

SUBJECT: Council Referral of July 13, 1993 regarding the
Affordable Housing Density Bonus Program/Inclusionary
Zoning Incentive Program.

(See Report from the Housing Commission.)

CITY MANAGER'S RECOMMENDATION:

Refer the matter back to the City Manager to be re-docketed when
the environmental work is complete.

SUPPORTING INFORMATION:

On 7/13/93 the City Council voted 9-0 on the following motion by Councilmember Stevens (second by Councilmember Wolfsheimer), regarding the Affordable Housing Density Bonus Program/Inclusionary Zoning Incentive Program:

Refer the item to the City Manager, as recommended by Mayor Golding, directing the City Manager to develop a financial package and return to Council on September 28, 1993 with a series of alternatives that will provide financial incentives to developers to produce, whether through purchase, rehab, or building, affordable housing in this City;

Refer to the City Manager comments by Councilmembers during the hearing to include Councilmember Vargas' suggestion to look into mechanisms to provide funds for the inner city such as an in-lieu fee.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A097-218.)

Council Member Hartley requested staff to return to Council on November 9, 1993 with a status report on the matter.

MOTION BY ROBERTS TO REFER THE MATTER TO THE CITY MANAGER. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-334:

SUBJECT: Revising the Rental Unit Business Tax Rate Structure.

(Continued from the meeting of July 27, 1993, Item 50, at Councilmember Hartley's request, on behalf of the San Diego Association of Realtors, for further review.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on 7/6/93 (Council voted 9-0):

(O-93-203) ADOPTED AS ORDINANCE O-17993 (New Series)

Amending Chapter III, Article 1, Division 3, of the San Diego Municipal Code, by amending Section 31.0305,

relating to Business Taxes, to provide relief to medium-sized to large rental establishments and establishing a separate Rental Unit Business Tax rate structure to apply only to hotels and motels.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B152-243.)

MOTION BY ROBERTS TO DISPENSE WITH THE READING AND ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-335:

SUBJECT: City Roadway Improvements to Support GSA 5-Year Improvement Program at Otay Mesa.

(See City Manager Report CMR-93-273. Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-358) ADOPTED AS AMENDED AS RESOLUTION R-282701

Directing the City Manager and Legislative Services to work with the region's Congressional delegation to obtain federal funding for street and highway improvements in the vicinity of the Otay Mesa Border Crossing.

NOTE: See Item 336 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B248-374.)

MOTION BY VARGAS TO ADOPT ITEMS 335 AND 336 WITH AMENDMENTS AS STATED BY DAVE NIELSEN: 1.) DIRECT THE CITY MANAGER, IN ADDITION TO TRANSMITTING THE REPORTS TO THE CONGRESSIONAL DELEGATION, TO TRANSMIT THEM TO THE FEDERAL AGENCIES INVOLVED AS WELL. 2.) TO ADOPT THE PROPOSED SOUTHBOUND TRUCK ROUTE AND DIRECT THE CITY MANAGER TO SEND A LETTER TO CUSTOMS SAYING THAT THE CITY WANTS SOUTHBOUND TRUCK TRAFFIC

TO BE RECEIVED INTO THE PORT OF ENTRY COMPLEX IN THE 150 FOOT BORDER STRIP. 3.) REGARDING THE VIRGINIA STREET CLOSURE, DIRECT THE CITY MANAGER TO WORK WITH THE COMMUNITY AND WITH THE FEDERAL AND STATE AGENCIES TO IDENTIFY INTERIM MEASURES, THINGS THAT CAN BE DONE BETWEEN NOW AND MAY OR JUNE OF NEXT YEAR, AND COME BACK TO COUNCIL IN APPROXIMATELY SIX WEEKS. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-336:

SUBJECT: Otay Mesa Truck Route Study.

(See City Manager Report CMR-93-274. Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-313) ADOPTED AS AMENDED AS RESOLUTION R-282702

Endorsing the southbound truck route as shown on Attachment 1 of the City Manager's report;

Requesting CalTrans to pursue federal and/or state funding for the design and construction of the proposed improvements.

NOTE: See Item 335 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B248-374.)

MOTION BY VARGAS TO ADOPT ITEMS 335 AND 336 WITH AMENDMENTS AS STATED BY DAVE NIELSEN: 1.) DIRECT THE CITY MANAGER, IN ADDITION TO TRANSMITTING THE REPORTS TO THE CONGRESSIONAL DELEGATION, TO TRANSMIT THEM TO THE FEDERAL AGENCIES INVOLVED AS WELL. 2.) TO ADOPT THE PROPOSED SOUTHBOUND TRUCK ROUTE AND DIRECT THE CITY MANAGER TO SEND A LETTER TO CUSTOMS SAYING THAT THE CITY WANTS SOUTHBOUND TRUCK TRAFFIC TO BE RECEIVED INTO THE PORT OF ENTRY COMPLEX IN THE 150 FOOT BORDER STRIP. 3.) REGARDING THE VIRGINIA STREET CLOSURE, DIRECT THE CITY MANAGER TO WORK WITH THE COMMUNITY AND WITH THE FEDERAL AND STATE AGENCIES TO IDENTIFY INTERIM

MEASURES, THINGS THAT CAN BE DONE BETWEEN NOW AND MAY OR JUNE OF NEXT YEAR, AND COME BACK TO COUNCIL IN APPROXIMATELY SIX WEEKS. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-337:

SUBJECT: Amendment to the Fiscal Year 1993-94 Capital Improvements Program.

(See CCDC Memorandum dated 9/8/93. Centre City Community Area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-94-400) ADOPTED AS RESOLUTION R-282703

Amending the Fiscal Year 1993-94 Capital Improvements Program establishing CIP-39-801 described as "Centre City Redevelopment Project" in the amount of \$900,000.

Aud. Cert. 9400285.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B396-424.)

MOTION BY HARTLEY TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-338: RETURNED TO CENTRE CITY DEVELOPMENT CORPORATION

SUBJECT: Four actions related to Implementation of Social Issues Strategy.

(See memo from CCDC Executive Vice President dated 9/2/93. Centre City Community Area. District-2.)
(Continued from the meeting of June 29, 1993, Item 343, at the request of Councilmembers McCarty, Wolfsheimer and Roberts', for further review.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Return the following resolutions back to CCDC:

Subitem-A: (R-93-2071)

Determining the benefit of the use of funds from the Centre City Redevelopment Project Low and Moderate Income Housing Fund to pay part of the cost of acquisition and/or rehabilitation of a single-family home to house persons recovering from alcohol and drug abuse, under a proposed Acquisition and Rehabilitation Loan Agreement with HomeQuest.

Subitem-B: (R-93-2072)

Determining the benefit of the use of funds from the Centre City Redevelopment Project Low and Moderate Income Housing Fund to pay part of the cost of acquisition and/or rehabilitation of a 32-unit apartment complex, located at 5252 El Cajon Boulevard, to house approximately 40 homeless and runaway youth, under a proposed Acquisition Loan Agreement with San Diego Youth and Community Services.

Subitem-C: (R-93-2073)

Determining the benefit of the use of funds from the Centre City Redevelopment Project Low and Moderate Income Housing Fund to pay part of the cost of acquisition and/or rehabilitation of a single-family home, located at 4696 Mt. Laudo, to house persons recovering from alcohol and drug abuse, under the proposed Acquisition Loan Agreement with the Salvation Army.

Subitem-D: (R-93-2074)

Determining the benefit of the use of funds from the Centre City Redevelopment Project Low and Moderate Income Housing Fund to pay part of the cost of acquisition and/or rehabilitation of a 147-room hotel located at 2223 El Cajon Boulevard (formerly LaFayette Hotel) to provide up to 93 beds to house homeless and formerly homeless men and women, under a proposed Acquisition Loan Agreement with Saint Vincent De Paul Village, Inc., dba Marillac Homes.

NOTE: On 6/29/93 Council directed staff to 1) review this matter with the residents of the community and

solicit their input; 2) forward to the T&LU Committee the Affordable Housing Policy, the locations of affordable housing, and the possibility of designating the Lafayette Hotel as an historical site; and 3) explain the process used by CCDC for this type of action.

NOTE: See the Redevelopment Agency Agenda of September 28, 1993 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A097-218.)

MOTION BY ROBERTS TO RETURN THE ITEM TO CCDC (CENTRE CITY DEVELOPMENT CORPORATION). Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-339:

SUBJECT: City Street Lights.

(Continued from the meeting of June 15, 1993, Item 345, at Councilmember Hartley's request, to allow him to be present.)

PUBLIC SERVICES AND SAFETY COMMITTEE'S RECOMMENDATION:

On 3/31/93 PS&S voted 5-0 to recommend adoption of the following resolution (Councilmembers Wolfsheimer, Roberts, Hartley, Stevens and Vargas voted yea):

(R-93-1704) ADOPTED AS AMENDED AS RESOLUTION R-282704

Declaring that following areas may be converted from low pressure sodium street lights to high pressure sodium or other white spectrum light, provided such street lights are on public property:

1. All property contained within the boundaries of the Centre City Redevelopment Project, including those properties which are not part of that Redevelopment Project.
2. All other redevelopment projects adopted pursuant to the California Community Redevelopment Law.

3. All "high crime" areas, with that term being defined as those census tracts in which the crimes against persons rate is greater than or equal to twice the City-wide average.

4. The Golden Hill revitalization areas, which are the 29th Street and 30th Street and Fern Street commercial areas.

5. All areas which have a business improvement district as set up and adopted pursuant to the Parking and Business Improvement Area Law of 1989.

6. All major activity centers that provide nighttime commercial recreation and tourist oriented facilities, with an aggregate square footage of more than 200,000 square feet, such as the Golden Triangle in University City and the central La Jolla commercial area.

Directing the City Manager to form a task force made up of astronomers from the Palomar and Mt. Laguna observatories, other persons from the scientific community as may be necessary, citizens groups and other interested persons to investigate light pollution issues relating to public and private outdoor lighting, including but not limited to reassessing existing rules and regulations, and enforcement;

Requesting the task force to report back to the Council in one year with the results of its investigation and provide any recommendations it might have on issues such as shielding, light intensity and direction, and reflective qualities of the different types of lighting.

SUPPORTING INFORMATION:

(See memorandum from Councilmember Hartley dated 3/30/93; City Manager Reports CMR-92-207, CMR-92-130, CMR-92-90.)

ADDITIONAL BUSINESS: (O-94-40) INTRODUCED

Enacting revisions to the Light Pollution Law: Section 101.1303 F. Definitions: Full Shielding - a technique or method of construction which causes all light emitted from an outdoor fixture to be projected below an imaginary horizontal plane passing through the lowest point on the fixtures from which light is emitted.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G452-J147.)

Motion by McCarty to continue for full council. Second by Stallings. Failed. Yea-6,7; Nay-1,2,3,4,5,8; Not present-M.

Motion by Wolfsheimer to set policy that would begin to phase out the low pressure lights and phase in, as money becomes available, the high pressure shielded lights, starting with the downtown area. To form a task force consisting of a group of people who will agree to spend a specific period of time to look at the question areas. No Second.

MOTION BY HARTLEY TO ADOPT WITH THE FOLLOWING AMENDMENTS: THAT THE FOLLOWING GEOGRAPHIC AREAS BE MADE AVAILABLE FOR CONVERSION FROM LOW PRESSURE SODIUM (LPS) STREET LIGHTS TO HIGH PRESSURE SODIUM (HPS) STREET LIGHTS. (ALL LIGHT FIXTURES CONVERTED SHALL BE SHIELDED TO THE FULLEST EXTENT TECHNICALLY POSSIBLE.)

- A) HIGH CRIME AREAS SOUTH OF I-8 - ALL CENSUS TRACTS, SOUTH OF I-8 WITH CRIMES AGAINST PERSONS WITH RATES AT LEAST 1.5 TIMES THE CITYWIDE AVERAGE.
- B) GOLDEN HILL REVITALIZATION AREAS - THESE ARE THE 29TH STREET, 30TH STREET, AND FERN STREET COMMERCIAL AREAS. (THIS PROJECT IS CURRENTLY FUNDED AND WILL REQUIRE NO ADDITIONAL EXPENDITURES.)
- C) IMPERIAL AVENUE FROM EUCLID TO 69TH STREET - THIS CONVERSION WILL TAKE PLACE AS THE FUNDING BECOMES AVAILABLE AND WILL BE PROVIDED BY THE FOLLOWING SOURCES:

- 1) EXISTING LIGHTING MAINTENANCE DISTRICT.
- 2) CCDC WILL COVER ALL COSTS DOWNTOWN NOT COVERED BY THE MAINTENANCE DISTRICT.
- 3) GAS TAX FUNDS CURRENTLY ALLOCATED FOR CIP PROJECT #68-012.0. (THIS CIP PROJECT STARTS IN FY 94 AND PROVIDES \$200,000 PER YEAR OVER A SIX YEAR PERIOD TO INCREASE LIGHTING IN HIGH-CRIME AREAS.)
- 4) CDBG DISTRICT ALLOCATION.

DIRECT THE CITY MANAGER TO CONVENE A SPECIAL TASK FORCE THAT WOULD INCLUDE REPRESENTATION FROM THE OBSERVATORIES, THE COMMUNITY, AND LIGHTING SPECIALISTS (ALL THOSE LISTED ON THE SAN DIEGO LIGHTING POLICY TASK FORCE SUGGESTED PARTICIPANTS LIST PRESENTED TO THE COUNCIL).

DIRECT THE PARTICIPANTS TO STUDY AND REVIEW ALL CITY LIGHTING ISSUES, BOTH PUBLIC AND PRIVATE, INCLUDING BUT NOT LIMITED TO LIGHT POLLUTION, STREET LIGHTING, GLARE, LIGHT TRESPASS, NEIGHBORHOOD DISPUTES OVER LIGHTING, ENERGY CONSUMPTION AND CONSERVATION, SHIELDING OF ALL LIGHTING SOURCES, FEASIBILITY AND METHODS OF REGULATION AND CONTROL OF LIGHTING FIXTURES SOLD AND/OR INSTALLED WITHIN THE CITY LIMITS; REVIEW THE CITY'S LIGHT POLLUTION LAW, INCLUDING OFF-PREMISE SIGNS, AND RECOMMEND FURTHER REVISIONS FOR THE PURPOSES OF REDUCING LIGHT POLLUTION IN AND FROM THE CITY OF SAN DIEGO; STUDY AND RECOMMEND METHODS FOR REQUIRING PRIVATE OUTDOOR LIGHTING TO BE FULLY SHIELDED, OR FOR CREATING INCENTIVES WHICH WILL RESULT IN THE FULL SHIELDING THEREOF; REPORT INITIAL FINDINGS AND RECOMMENDATIONS TO THE CITY COUNCIL WITHIN SIX MONTHS, WITH SUBSEQUENT REPORTS AT LEAST EVERY 12 MONTHS UNTIL DIRECTED OTHERWISE BY THE COUNCIL. IMMEDIATELY ENACT THE FOLLOWING REVISIONS TO THE LIGHT POLLUTION LAW - SEC. 101.1303 F. DEFINITIONS - FULL SHIELDING -- A TECHNIQUE OR METHOD OF CONSTRUCTION WHICH CAUSES ALL LIGHT EMITTED FROM AN OUTDOOR FIXTURE TO BE PROJECTED BELOW AN IMAGINARY HORIZONTAL PLANE PASSING THROUGH THE LOWEST POINT ON THE FIXTURES FROM WHICH LIGHT IS EMITTED. TO ACCEPT COUNCIL MEMBER STEVENS AMENDMENT TO INCLUDE SKYLINE DRIVE, 58TH STREET FROM EAST SKYLINE AND VALENCIA PARK AS PART OF THE HIGH CRIME AREAS; AND COUNCIL MEMBER ROBERTS AMENDMENT TO REFER THE TASK OF REQUIRING THAT WHITE LIGHTS ON PRIVATE PROPERTY BE PROPERLY SHIELDED AS WELL AS THE STREET LIGHTS, AND THAT SHIELDING OF THE HISTORIC-TYPE LIGHT FIXTURES IN THE GASLAMP AREA AND THE ACORN-TYPE LIGHTS IN OTHER AREAS ALSO BE INCLUDED IF POSSIBLE. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-nay.

MOTION BY HARTLEY TO CONVERT FROM LOW PRESSURE SODIUM STREET LIGHTS TO HIGH PRESSURE SODIUM STREET LIGHTS IN THE DOWNTOWN AREA WHICH WOULD INCLUDE ALL AREAS CONTAINED WITHIN THE CENTRE CITY COMMUNITY PLANNING AREA TO BE AVAILABLE FOR IMMEDIATE CONVERSION TO HPS OR OTHER FULL SPECTRUM STREET LIGHTS. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-340:

SUBJECT: San Diego River Mission Bay Weir.
(Ocean Beach Community Area. District-2.)

(Continued from the meeting of September 13, 1993, Item 207, at Councilmember Roberts' request, to inform the community of this project.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-365) ADOPTED AS RESOLUTION R-282705

Authorizing the expenditure of an amount not to exceed \$325,000 from "Mission Bay Park - Shoreline Restoration Phase I," CIP-21-8372 for providing funds for the San Diego River Flood Control Weir Project.

CITY MANAGER SUPPORTING INFORMATION:

On June 29, 1993, the Council authorized the execution of an Agreement with the U.S. Army Corps of Engineers providing for the construction of the San Diego River-Mission Bay Weir (CIP-11-280.0). This weir is necessary to preclude impacting a portion of Ocean Beach in the event of the San Diego River flooding. At that time, this project was funded with Capital Outlay Funds. During the final Council deliberations, it was necessary for Council to utilize the project's funding for general fund purposes. Because not providing City funds for the project would cause this \$1.3 million project not to go forward and jeopardize federal funding, staff has investigated other potential fund sources and recommend that TOT funds that are budgeted for Mission Bay Shoreline Reclamation Phase I projects be utilized. It is hoped that this money will be recaptured or not necessary due to construction bids being relatively low in the current bidding climate.
Aud. Cert. 9400236.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J150-355.)
MOTION BY ROBERTS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 6:51 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: J355.)