

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR THE REGULAR COUNCIL MEETING
OF
TUESDAY, OCTOBER 4, 1994
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:07 a.m. Mayor Golding welcomed Dr. Ken Widder, President of the San Diego Biomedical Industry Council and Mr. Carl Feldbaum, President of the Biotechnology Industry Organization. Mayor Golding recessed the meeting at 10:23 a.m. to convene the Redevelopment Agency. The meeting was reconvened by Mayor Golding at 10:24 a.m. with Council Member Roberts not present. The meeting was recessed by Mayor Golding at 11:58 p.m. to reconvene in Closed Session at 2:00 p.m. in the 12th floor conference room to discuss potential negotiations and pending litigation matters and to reconvene the regular meeting thereafter.

The meeting was reconvened by Deputy Mayor Stevens at 3:35 p.m. with all members of the Council present. Deputy Mayor Stevens adjourned the meeting at 4:28 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Roberts-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present

(8) Council Member Vargas-present
Clerk-Abdelnour/Fishkin (mc;mp)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor Golding-present
(1) Council Member Mathis-present
(2) Council Member Roberts-not present
(3) Council Member Kehoe-present
(4) Council Member Stevens-present
(5) Council Member Warden-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Council Member Vargas-present

PUBLIC COMMENT:

ITEM-PC-6:

Comment by David Bieber regarding the March of Dimes "Bikers for Babies" Program.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A019-041.)

ITEM-PC-7:

Comments by Don Stillwell regarding several articles published in the Spotlight newspaper and on the General Agreement on Tariffs and Trade (GATT).

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A043-066.)

COUNCIL COMMENT:

ITEM-CC-2:

Comment by Council Member Vargas urging everyone to buy the Kids' Newsday.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A067-072.)

ITEM-124:

SUBJECT: Comprehensive Homeless Policy.
(See City Manager Report CMR-93-265 and the "Continuum of Care" description.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-185) RETURNED TO CITY MANAGER

Establishing Council Policy No. 000-51 regarding the Comprehensive Homeless Policy.

CITY MANAGER SUPPORTING INFORMATION:

In March of 1993, the newly formed Homeless Advisory Committee identified the need for the City of San Diego to adopt a comprehensive homeless policy. Sub-committees were formed to 1) Research existing city policies pertaining to homeless issues, and 2) Research what other cities throughout the United States had developed in the way of homeless policies. City Manager Report CMR-93-265 dated 9/7/93 describes, in detail, the process the committee used in developing a draft policy which was submitted to the Public Services and Safety Committee (PS&S) on 9/15/93. The PS&S Committee directed that the draft policy proceed to Council without delay for consideration. Council considered the draft on 11/30/93 and directed its return to the City Manager to allow for Mayor and Council comments.

Subsequent to its return to the Manager, the Clinton Administration announced the new "Federal Plan to Break the Cycle of Homelessness." The plan describes a "Continuum of Care"

approach along with substantial increases in federal funding. As the original draft policy contained major portions of the Federal Plan already, the Homeless Advisory Committee believed that the opportunity existed to not only review and consider the Mayor's and Councilmembers' comments, but to also insure that the policy presented was consistent with the Federal Plan. An Advisory subcommittee examined input from a number of sources, designed a local "Continuum of Care" and reorganized the policy recommendation to reflect a model designed for San Diego. On July 11, 1994, the full Homeless Advisory Committee reviewed and unanimously endorsed the final version of the policy.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D014-E123.)

MOTION BY McCARTY TO DIRECT THE CITY MANAGER TO BRING BACK LANGUAGE WHICH TAKES INTO CONSIDERATION THE COUNCIL'S CONCERNS. REMOVE ITEM 23 AND 27 FROM THE POLICY AND ADD A STATEMENT TO REFLECT THAT THE USE OF SURPLUS LANDS WOULD BE CONSISTENT WITH THE COMMUNITY PLANS. CONSIDER MAYOR GOLDING'S SUGGESTION TO HAVE THE CITY MOVE INTO THE DIRECTION THAT PORTLAND HAS WHICH WOULD INCLUDE SERIOUS COMMITMENT FROM THE COUNTY. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-126:

SUBJECT: Agreement with the County of San Diego and San Dieguito Ambulance District CSA-17 for Mutual Aid Paramedic Services.

(Districts-1 and 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-418) ADOPTED AS RESOLUTION R-284727

Authorizing an agreement with the County of San Diego, San Dieguito Ambulance District CSA-17, and its authorized paramedic provider, for mutual aid paramedic services.

CITY MANAGER SUPPORTING INFORMATION:

Section 3.B(10) of the Agreement for EMT-Paramedic Services between the County and City of San Diego (Document No. RR-278270), executed in August, 1991, establishes as a responsibility of the City the development of mutual aid with adjoining EMT-Paramedic services, whenever practical and in the best interest of patient care. The proposed agreement authorizes the City of San Diego, and its paramedic service provider, to implement mutual aid for paramedic services with the County of San Diego, San Dieguito Ambulance District, and its paramedic service providers. The agreement clarifies the roles and responsibilities of each agency in the provision of paramedic services between these adjacent jurisdictions.

FILE LOCATION: MEET CONFY95-2

COUNCIL ACTION: (Tape location: C198-290.)

MOTION BY VARGAS TO ADOPT ITEMS 126 AND 127 WITH DIRECTION TO STAFF TO PROVIDE HIM WITH THE NUMBER OF MUTUAL AID RUNS THAT HAVE BEEN MADE DURING THE PAST TWO YEARS TO SEE IF THERE HAS BEEN AN INCREASE. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-127:

SUBJECT: Agreement with the County of San Diego, Heartland Paramedic District CSA-69 for Mutual Aid Paramedic Services.
(Districts-1 & 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-319) ADOPTED AS RESOLUTION R-284728

Authorizing an agreement with the County of San Diego, Heartland Paramedic District CSA-69, and its authorized paramedic provider, for mutual aid paramedic services.

CITY MANAGER SUPPORTING INFORMATION:

Section 3.B(10) of the Agreement for EMT-Paramedic Services between the County and City of San Diego (Document RR-278270), executed in August, 1991, establishes as a responsibility of the City the development of mutual aid with adjoining EMT-Paramedic services, whenever practical and in the best interest of patient care. The proposed agreement authorizes the City of San Diego, and its paramedic service provider, to implement mutual aid for paramedic services with the County of San Diego, Heartland Paramedic District, and its paramedic service providers. The Agreement clarifies the roles and responsibilities of each agency in the provision of paramedic services between these adjacent jurisdictions.

FILE LOCATION: MEET CONFY95-2

COUNCIL ACTION: (Tape location: C198-290.)

MOTION BY VARGAS TO ADOPT ITEMS 126 AND 127 WITH DIRECTION TO STAFF TO PROVIDE HIM WITH THE NUMBER OF MUTUAL AID RUNS THAT HAVE BEEN MADE DURING THE PAST TWO YEARS TO SEE IF THERE HAS BEEN AN INCREASE. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330: CONTINUED TO NOVEMBER 1, 1994

SUBJECT: Two actions related to the Mira Mesa Facilities Benefit Assessment.

(See City Manager Report P-94-098. Mira Mesa Community Area. District-5.)

(Continued from the meetings of July 5, 1994, Item 339, and August 2, 1994, Item 332; last continued at Councilmember Warden's request, to allow the Mira Mesa Planning Group and the Mira Mesa FBA Committee to meet.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1830)

Designating an area of benefit in Mira Mesa;

Confirming the description of the Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to the Public Facilities Projects, the method for apportioning the costs of the Public Facilities Projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each parcel, the basis and methodology for assessing and levying discretionary automatic annual increases in Facilities Benefit Assessments; and

Ordering the proposed Public Facilities Project in the matter of the Mira Mesa Facilities Benefit Assessment Area.

Subitem-B: (R-94-1832)

Declaring the assessment fee schedule contained in the Mira Mesa Public Facilities Financing Plan, to be an appropriate and applicable development impact fee for all properties within the Mira Mesa Community that have either never been assessed under the Mira Mesa Public Facilities Financing Plan or have not otherwise agreed to the payment of Facilities Benefit Assessment fees as prescribed by the City Council.

FILE LOCATION: STRT FB-12

COUNCIL ACTION: (Tape location: A157-194.)

CONSENT MOTION BY VARGAS TO CONTINUE THIS ITEM TO TUESDAY, NOVEMBER 1, 1994, AT THE REQUEST OF THE CITY MANAGER. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331: CONTINUED TO NOVEMBER 1, 1994

SUBJECT: Public Hearing - Treasurer's Notice to the City Council Regarding a Danger of Ultimate Loss to Bondholders of the First San Diego River Improvement Project (FSDRIP). (See City Manager Report for the Council Docket of 10/4/94.District-6.)

TODAY'S ACTION IS:

A public hearing to determine whether there will be an ultimate loss occurring to the bondholders of Assessment District 4007, First San Diego River Improvement Project (FSDRIP).

CITY MANAGER'S RECOMMENDATION:

The City Council:

- (1) Conduct the public hearing for public testimony and consideration of facts;
- (2) Close the public hearing;
- (3) Continue the matter until November 1, 1994 to enable staff to prepare responses to unanswered Council and public questions, evaluate the outcome of the judicial foreclosure trial set for the Superior Court on October 28, 1994 and to provide the Manager the opportunity to seek additional alternatives in order to resolve the delinquent property situation.

FILE LOCATION: STRT D-2256

COUNCIL ACTION: (Tape location: A209-322.)

Hearing began at 10:25 a.m. and halted at 10:33 a.m.

Testimony in favor by Earle Gary Goodman.

MOTION BY STALLINGS TO CLOSE THE HEARING AND CONTINUE THIS ITEM TO NOVEMBER 1, 1994 PER THE CITY MANAGER'S RECOMMENDATION. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: Matter of amending the San Diego Municipal Code Section 103.1102 (the Otay Mesa Development District Ordinance) to include permitted activities as development projects or projects to operate facilities and to enable the charging of Development Impact Fees for development

projects.

(Otay Mesa Development District Ordinance. District-8.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-95-20) INTRODUCED, TO BE ADOPTED OCTOBER 17, 1994

Introduction of an Ordinance amending the San Diego
Municipal Code Section 103.1102.

SUPPORTING INFORMATION:

This item is to provide statutory authority for the City to impose Development Impact Fees on interim land uses in the Otay Mesa Community. Defining such uses as development activities as well as operational activities is necessary to meet the requirements of the Government Code Section 66000.

CITY MANAGER SUPPORTING INFORMATION:

On August 2, 1994 the City Council adopted the City Manager's recommendation to impose Development Impact Fees (DIFs) on interim uses in the Otay Mesa Community. In order to implement this policy, the Otay Mesa Development District (OMDD) Ordinance (Municipal Code Section 103.1102) must be amended to define permitted activities as development projects or projects to operate facilities and to enable charging of DIFs on development projects. Government Code Section 66000, which enables local agencies to impose DIFs on development projects, defines a development project as any project undertaken for the purpose of development, and includes a project involving the issuance of a permit for construction or reconstruction but not a permit to operate. By clarifying the meaning of land development in the OMDD Ordinance, projects requiring OMDD permits can be considered as development projects and therefore subject to the imposition and collection of DIFs.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A157-194.)

Hearing began at 10:21 a.m. and halted at 10:22 a.m.

CONSENT MOTION BY VARGAS TO INTRODUCE. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: Two actions related to the Clairemont Mesa Boulevard
(Missile Road to Ruffin Road) Underground Utility
District.
(Kearny Mesa Community Area. District-6.)

(Continued from the meeting of September 13, 1994, Item
330, at the City Manager's request, for further
review.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-120) ADOPTED AS RESOLUTION R-284729

Establishing the Clairemont Mesa Boulevard (Missile
Road to Ruffin Road) Underground Utility District.

Subitem-B: (R-95-131) ADOPTED AS RESOLUTION R-284730

Authorizing the expenditure of not to exceed \$26,000
from the Annual Allocation - Undergrounding of City
Utilities, CIP-37-028.0 (\$22,500 from TransNet Fund
30300 and \$3,500 from the Gas Tax Fund 30219), for
administering the Clairemont Mesa Boulevard (Missile
Road to Ruffin Road) Underground Utility District,
minor City Force work, and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district will underground the overhead utility
facilities on Clairemont Mesa Boulevard between Missile Road and
Ruffin Road. The formation of this district will require the
affected property owners to underground the portion of their
utilities on their parcel prior to removal of the overhead
utilities. Council Policy 800-2 provides for the use of San
Diego Gas and Electric Company's Annual Allocation Funds (Case-
8209) to make reimbursement payments to affected property owners
based on the length of their electrical service trench. A future
resolution will establish the date for removal of overhead
utilities as the undergrounding work approaches completion.

Aud. Cert. 9500066.

FILE LOCATION: STRT K-223

COUNCIL ACTION: (Tape location: A157-194.)

Hearing began at 10:21 a.m. and halted at 10:22 a.m.

CONSENT MOTION BY VARGAS TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Roberts-not
present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334:

SUBJECT: Street Vacation - An Excess Portion of Murphy Canyon
Road.
(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-380) ADOPTED AS RESOLUTION R-284731

Vacating the excess portion of Murphy Canyon Road
adjacent to Lot 42 of Rosedale Tract, Map-825, under
the procedure for the summary vacation of streets;

Declaring that the City reserves and excepts from the
vacation easements for public and franchise facilities.

CITY MANAGER SUPPORTING INFORMATION:

The proposed vacation has been requested by the abutting property
owner in order to facilitate development. The applicant intends
to utilize the vacation area with the adjacent property to
construct a mini-storage facility similar to the one that exists
to the north of the subject property. The area-of-vacation is
located in the Kearny Mesa Community Plan area and is situated in
an M-1A Zone. The area-of-vacation would provide an additional
20,000 square feet to the adjacent parcel, which would then total
approximately 12.31 acres. This vacation was recommended for
approval by the Subdivision Board on December 12, 1989, when it
was initiated as part of Tentative Map TM-89-1210. The tentative

map was approved by the City Council on May 15, 1990; however, the vacation was continued indefinitely due to an alignment study for the Light Rail Transit. Since that time, the Metropolitan Transit Development Board (MTDB) has withdrawn their request for the City to retain the right-of-way and MTDB has indicated they have no objection to the subject vacation. The area-of-vacation is unimproved excess right-of-way that was created when Murphy Canyon Road was realigned and angled to the southwest in 1987. The old alignment was then redesigned to intersect at a right-angle with the new alignment. The right-of-way does contain public and franchise facilities for which easements are to be reserved.

FINDINGS:

Staff review has indicated that the vacation of the excess right-of-way may be summarily vacated. The findings for vacation can be made in that: the vacation is consistent with the General Plan and the community plan, the right-of-way is not required for present or prospective public use, the facilities for which the right-of-way was originally acquired will not be detrimentally affected, and the public will benefit through improved utilization of the land.

FILE LOCATION: STRT - DEED F-6378; J-2810 DEED FY 95-1

COUNCIL ACTION: (Tape location: A157-194.)

Hearing began at 10:21 a.m. and halted at 10:22 a.m.

CONSENT MOTION BY VARGAS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335:

SUBJECT: Two actions related to University Avenue/Lincoln Avenue Two-Way Couplet System.
(See City Manager Report CMR-94-259. North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-342) ADOPTED AS RESOLUTION R-284732

FINDINGS MUST BE MADE AS PART OF COUNCIL ADOPTION.

Determining and declaring that the public interest, convenience and necessity of the City of San Diego require the construction, improvement, operation and maintenance of a public street or streets, together with the right-of-way for the right of ingress and egress over, under, along, and across portions of Lots 11, 12, 35 and 36 in Block 50 of Park Villas, including that portion of the alley in Block 50 vacated by Resolution R-195744; and that the public interest, convenience and necessity demand the acquisition of fee title to the property for the University Avenue/Lincoln Avenue Two-way Couplet System;

Declaring the intention of the City of San Diego to acquire the property and easement under eminent domain proceedings;

Directing the City Attorney to commence an action in Superior Court, for the purpose of condemning and acquiring the property and easements and acquiring immediate possession.

Subitem-B: (R-95-343) ADOPTED AS RESOLUTION R-284733

Authorizing the expenditure of not to exceed \$75,000 from Transnet Fund 30300, Org. 107, Object Account 4638, Job Order 119688, CIP-52-462.0, for costs related to condemnation of fee title and easement interests in connection with the University Avenue/Lincoln Avenue Two-way Couplet System.

Aud. Cert. 9401252.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A157-194.)

Hearing began at 10:21 a.m. and halted at 10:22 a.m.

CONSENT MOTION BY VARGAS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-336:

SUBJECT: Two actions related to the Home Avenue Trunk Sewer Project.

(See City Manager Report CMR-94-254. Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-340 Rev.1) ADOPTED AS RESOLUTION R-284734

FINDINGS MUST BE MADE AS PART OF COUNCIL ADOPTION

Determining and declaring that the public interest, convenience and necessity of the City of San Diego require the construction, operation and maintenance of the Home Avenue Trunk Sewer Project to provide additional sewer capacity and relief for the existing lines, and to enable the City to provide for ultimate sewage conveyance needs for the Mid-City Community Area in the City of San Diego; that the public sewer or sewers will require the acquisition of a permanent sewer easement and a temporary right-of-entry permit over, under, along and across portions of Lot 17, Block "F" of Oak Park, according to Map-1732;

Declaring the intention of the City of San Diego to acquire the easements under eminent domain proceedings; Directing the City Attorney to commence an action in Superior Court for condemning the easements and acquiring immediate possession.

Subitem-B: (R-95-393) ADOPTED AS RESOLUTION R-284735

Stating for the record that the City of San Diego as Lead Agency has reviewed and considered the information contained in Mitigated Negative Declaration DEP-88-0234.

Adopting the Mitigation, Monitoring, and Reporting Program, or alterations to implement the changes to the

project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A157-194.)

Hearing began at 10:21 a.m. and halted at 10:22 a.m.

CONSENT MOTION BY VARGAS TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Roberts-not
present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-337:

SUBJECT: Exempting an Assistant Deputy Director Position from
the Classified Service.

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-95-22) INTRODUCED AND ADOPTED AS ORDINANCE O-18104
(New Series)

Introduction and adoption of an Ordinance amending
Ordinance O-18089 (New Series), as amended, entitled
"An Ordinance Adopting the Annual Budget for the Fiscal
Year 1994-95 and Appropriating the Necessary Money to
Operate the City of San Diego for said Fiscal Year" by
amending Document No. 00-18089-1, by amending the
personnel authorization of the Park and Recreation
Department (441) to exempt a new assistant Deputy
Director position from the Classified Service, and
establishing a salary rate for the position.

CITY MANAGER SUPPORTING INFORMATION:

In November 1979, the voters approved an amendment to Charter
Section 117 to allow for additional positions in the unclassified
service. This Charter Section now reads, "The Unclassified
Service shall include: Managerial employees having significant
responsibilities for formulating or administering departmental
policies and programs. Each such position shall be exempted from
the Classified Service by ordinance, upon the initiation of the
appropriate appointing authority and after receiving the advisory

review and comment of the Civil Service Commission and the approval of the City Council."

The requested position, which was included in the FY '95 budget for Landscape Maintenance Assessment Districts, has significant management level responsibilities which fall well within the managerial definition contained in Charter Section 117 (a) 17. This position, which will manage landscape maintenance assessment districts with budgets totalling over \$6.3 million, has duties and responsibilities comparable in level of difficulty and independence to other Assistant Deputy Director positions in the City. On August 11, 1994 the Civil Service Commission reviewed this recommendation and voted unanimously in support of exempting this position from the Classified Service.

NOTE: See Item 208 on the docket of Monday, October 3, 1994, for the first public hearing.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A157-194.)

CONSENT MOTION BY VARGAS TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-338:

SUBJECT: Two actions related to the Provision of Affordable Housing Through Use of City-Owned Sites in La Jolla. (See San Diego Housing Commission Report HCR-94-009CC and San Diego Housing Commission Report dated 7/8/94. District-1.)

PUBLIC FACILITIES AND RECREATION COMMITTEE'S RECOMMENDATION:
On 7/13/94 PF&R voted 5-0 (Councilmembers Mathis, Kehoe, Warden, Stallings and McCarty voted yea) to recommend adoption of the following resolutions:

Subitem-A: (R-95-394) ADOPTED AS AMENDED AS RESOLUTION R-284736

Approving the transfer of title to the Fay Avenue site,

between Genter Street and West Muirlands Drive, La Jolla, from the City of San Diego to the San Diego Housing Commission in support of affordable housing in La Jolla;

Authorizing the City Real Estate Assets Department to negotiate the sale of the parking lot adjacent to the affordable housing site exclusively with representatives of the Seville Homeowners' Association and the Chateau Girard, with proceeds from the sale, after reimbursement of Real Estate Assets Department expenses, to be deposited in the City's Low Income Housing Capital Outlay Fund.

Subitem-B: (R-95-395) ADOPTED AS RESOLUTION R-284737

Approving the continued renting of City-owned homes located at 6216 Beaumont Avenue, 801 Nautilus Street, and 7021 and 7023 Fay Avenue as affordable housing under management of the San Diego Housing Commission;

Approving the reimbursement to the San Diego Housing Commission for the cost of renovating the specified units, up to a total cost of \$80,000, through payment of tenant rents;

Declaring that if the City opts to sell one or more of these homes before the San Diego Housing Commission is fully reimbursed for completed repairs, the balance required for reimbursement will be provided from sales proceeds.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A323-C197.)

Hearing began at 10:34 a.m. and halted at 11:50 a.m.

Testimony in favor by Robert Prendergast, Lynn La Chapelle, Laura Ducharme Conboy and Marsha Ingersoll.

Testimony in opposition by James Fitzgerald, Robert Vallera, Mel Shapiro, Bruce Minter, Maria Comunale and Sara Phelps.

MOTION BY MATHIS TO ADOPT AS AMENDED SUPPORTING THE TRANSFER OF TITLE TO THE HOUSING COMMISSION AND HAVE THE HOUSING COMMISSION MAKE RECOMMENDATIONS FOR THE USE OF THE PROPERTY

FOR AFFORDABLE HOUSING IN LA JOLLA. THE COUNCIL ULTIMATELY WILL HAVE TO LOOK AT THE OPTIONS ASSOCIATED WITH THAT PROPERTY AND MAKE A JUDGEMENT AS TO THE BEST USE FOR IT. SUPPORT THE HOUSING COMMISSION'S RECOMMENDATION THAT THE PARKING LOT BE SOLD AND THE PROCEEDS FROM THE SALE, AFTER REIMBURSEMENT OF THE CITY'S REAL ESTATE ASSETS DEPARTMENT FOR EXPENSES, BE DEPOSITED IN THE CITY'S LOW INCOME HOUSING CAPITAL OUTLAY FUND TO SUPPORT AFFORDABLE HOUSING IN LA JOLLA. CONTINUE TO RENT THE REMAINING OCCUPIED CITY-OWNED HOMES AND TO RENOVATE THOSE HOMES AT ABOUT \$20,000 EACH. Second by Stevens.

Motion by Roberts to approve the transfer of title with the requirement that the property be sold and that the Housing Commission use the funds in the most appropriate way to provide housing designated to occur within the greater area of La Jolla. Failed. Yeas-2,7,M. Nays-1,3,4,5,6,8. Not present-none.

Vote taken to transfer title to the Housing Commission and have the Housing Commission make recommendations for the use of that property for affordable housing in La Jolla. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

Vote taken for the proceeds of the sale, after reimbursement to the City's Real Estate Assets Department for expenses, to be deposited in the City's Low Income Housing Capital Outlay Fund to support affordable housing in La Jolla. Passed by the following vote: Mathis-yea, Roberts-nay, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-nay.

Vote taken to support the Housing Commission's recommendation that the City continue to rent the remaining occupied City-owned homes. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ITEM-CS-1: (R-95-544) ADOPTED AS RESOLUTION R-284738

A Resolution adopted by the City Council in Closed Session on October 4, 1994:

Authorizing the City Manager to pay the sum of \$42,562.69 in the settlement of each and every claim against the City, its agents and employees, resulting from the property damage to Julian Anchorage; authorizing the City Auditor and Comptroller to issue one check in the amount of \$42,562.69, made payable to Luth & Turley, Inc., in full settlement of all claims.

FILE LOCATION: MEET

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Stevens at 4:28 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: E125).