

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, NOVEMBER 1, 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 10:10 a.m. Mayor Golding recessed the regular meeting at 10:40 a.m. to convene the Special Joint Meeting with the Redevelopment Agency. Mayor Golding reconvened the regular meeting at 10:42 with Council Member Kehoe not present. The meeting was recessed by Mayor Golding at 11:49 a.m. to meet in Closed Session, in the 12th floor Conference Room, to discuss Item 335 on the docket, the First San Diego River Improvement Project (FSDRIP). Mayor Golding reconvened the regular meeting at 11:51 a.m. with Council Member Kehoe not present. The meeting was recessed by Mayor Golding at 12:11 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Golding at 2:13 p.m. with Council Members Roberts, Kehoe, and Stevens not present. Mayor Golding recessed the regular meeting at 2:15 p.m. to reconvene the Special Joint Council Meeting with the Redevelopment Agency. Mayor Golding reconvened the regular meeting at 2:27 p.m. with Council Members Roberts, Kehoe, and Stevens not present. Mayor Golding adjourned the meeting at 4:09 p.m. to reconvene the Redevelopment Agency and thereafter to meet in Closed Session in the 12th Floor Conference Room to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-Present
- (1) Council Member Mathis-present
- (2) Council Member Roberts-present
- (3) Council Member Kehoe-excused by R-284971
(personal business)
- (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 (rb/ew)

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-present
- (3) Council Member Kehoe-not 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-7:

Comments by David Bieber regarding "Bikers for Babies."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A023-045.)

COUNCIL COMMENT:

None .

ITEM-310: WELCOMED

Mayor Golding to welcome distinguished visitors from Japan External Trade Organization (JETRO).

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A047-131.)

ITEM-311: DENIED HEARING

SUBJECT: Request of Mark Linsky for a hearing of an appeal from the decision of the Planning Commission in approving the request for Coastal Development Permit CDP-94-0162.

(Pacific Beach Community Plan Area. District-2.)

A motion either granting or denying the request for a hearing of the appeal.

SUPPORTING INFORMATION:

The appeal is being requested for a permit for the demolition of a single-family residence and the construction of a two story, four-unit, 7,352-square-foot, condominium development with four attached garages.

The project site is located at 1411 Thomas Avenue and is further described as Lots 4 and 5, Block No. 268, Pacific Beach Subdivision, Map-697, in the R-3000 Zone, within the Pacific Beach Community Plan area.

FILE LOCATION: PERM CDP-94-0162

COUNCIL ACTION: (Tape location: A138-194.)

MOTION BY ROBERTS TO DENY THE APPEAL BASED ON THE FINDING THAT THE PROJECT IS WELL DESIGNED AND HAS ADEQUATE PARKING AND WILL FIT INTO THE COMMUNITY IN THE WAY IN WHICH IT WAS INTENDED BY THE ORDINANCE.

Second by McCarty. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-not present, Stevens-yea, Warden-

yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330:

SUBJECT: Consideration of a Council Policy establishing screening criteria for the acceptance of Mills Act contract proposals.

The Mills Act is a state law which permits the City Council to enter into individual voluntary contracts with the owners of qualifying historic properties in order to foster historic preservation and to encourage neighborhood revitalization.

(Property Tax Reduction. Citywide.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-567) ADOPTED AS RESOLUTION R-284848

Adoption of a Resolution directing the City Manager to prepare and return to Council with a Council Policy with respect to establishment of a City Mills Act Program for preservation of historic properties; and directing the City Manager to prepare an Administrative Regulation consistent with the Council Policy to implement a Mills Act Contract Program.

SUPPORTING INFORMATION:

The Mills Act is a state law which permits the City Council to enter into individual voluntary contracts with the owners of qualifying historic properties in order to foster historic preservation and to encourage neighborhood revitalization. During the life of the contracts, the historic property owner utilizes an alternative method for computing the assessed value of the historic property, thus reducing property taxes by 40-70 percent. The terms of the negotiated contract may require the owner to expend certain dollars for property upkeep and/or restoration, not to exceed the amount of the property tax savings.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A420-C089.)

Hearing began at 10:42 a.m. and halted at 11:43 a.m.

Testimony in opposition by Bruce Nordahl and Caryl Iseman.

Testimony in favor by David Swarens, Dave Odell, Doris Howell, Paul Johnson, Linda Moreland, Ione Stiegler, F. E. Handley, Daniel Laramie, Paul Reed and Leon Herrick.

Motion by Warden to adopt the City Manager's recommendations as amended with the addition of the commercial historical sites and with a graduated filing fee. Second by McCarty. Vote not taken.

Motion by McCarty to amend Warden's motion by eliminating the ten-year schedule of work and expenditures and also the additional CCDC (Centre City Development Corporation) criteria. Second by Roberts. Warden accepts amendment to motion. Vote not taken.

Motion by Roberts to provide a condition of a drive-by, visual inspection of the buildings with the requirement that the exterior of the buildings be maintained and in weather-tight condition. No second.

MOTION BY WARDEN TO ACCEPT THE CITY MANAGER'S RECOMMENDATION, BUT TO INCLUDE COMMERCIAL PROPERTIES WITH GRADUATED FILING FEES; ACCEPT THE DRIVE-BY INSPECTIONS; INCLUDE REDEVELOPMENT AGENCY OPTION PRESENTATION TO COUNCIL WITHIN 180 DAYS. LEAVE OUT THE TEN-YEAR SCHEDULE OF WORK. Second by Second by McCarty. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY ROBERTS TO ADOPT THE RESOLUTION ADDING TO THE MAIN MOTION THAT NO TEN-YEAR SCHEDULE OF WORK WOULD BE REQUIRED, AND THAT THE DRIVE-BY INSPECTION APPROVED IN THE FIRST MOTION IS REQUIRED ONLY TO VERIFY THAT THE BUILDING IS WEATHER-TIGHT AND REMAINS VISIBLE FROM THE PUBLIC RIGHT-OF-WAY. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-not present, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331:

SUBJECT: Two actions related to the Market Street (6th Avenue to 12th Avenue) Underground Utility District.

(Centre City Community Area. Districts-2,3, & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-416) ADOPTED AS RESOLUTION R-284849

Establishing the Market Street (6th Avenue to 12th Avenue) Underground Utility District.

Subitem-B: (R-95-417) ADOPTED AS RESOLUTION R-284850

Authorizing the expenditure of not to exceed \$31,000 from Annual Allocation - Under-grounding of City Utilities, CIP-37-028.0 (\$5,500 from Gas Tax Fund 30219 and \$25,500 from Transnet Fund 30300), for the purpose of administering the Market Street (6th Avenue to 12th Avenue) 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 Market Street between 6th and 12th Avenues. 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. 9500241.

FILE LOCATION: STRT K-226

COUNCIL ACTION: (Tape location: A351-380.)

Hearing began at 10:35 a.m. and halted at 10:40 a.m.

CONSENT MOTION BY ROBERTS TO ADOPT ITEMS 331, 338, AND 339. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: Two actions related to the National Avenue (32nd Street to 43rd Street) Underground Utility District.

(Memorial, Mountain View and Southcrest Community Areas. Districts-4 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-429) ADOPTED AS RESOLUTION R-284851

Establishing the National Avenue (32nd Street to 43rd Street) Underground Utility District.

Subitem-B: (R-95-430 Cor. Copy) ADOPTED AS RESOLUTION

