

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, MAY 2, 1995
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 11:05 a.m.
The meeting was recessed by Mayor Golding at 12:16 p.m. to
reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Golding at 2:44 p.m. with all
members present. Mayor Golding simultaneously convened the
Redevelopment Agency with the regular meeting at 3:58 p.m. The
meeting was adjourned by Mayor Golding at 5:53 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-Present
 - (1) Council Member Mathis-present
 - (2) Council Member Harvey-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 (mp;mc)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

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

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding the City Council representing 1.1M people v. 1; Council's opinion at the federal government would be much higher than his; Waco incident and terrorists.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A025-050.)

ITEM-PC-2:

Comments by Darlene Davis regarding statements made at the taxicab meeting that the Mayor wants courtesy extended during the Republican convention in San Diego. She referred to the 5th Amendment and the City Charter.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A051-089.)

ITEM-PC-3: REFERRED TO THE CITY MANAGER

Comments by Al Strohlein regarding his home being burglarized, the people involved being caught and the level of punishment assessed, and the lack of action by the Police Department. He expressed appreciation for the assistance

provided by the city Manager.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A090-137.)

COUNCIL COMMENT:

None.

ITEM-150:

SUBJECT: Transmittal of the Findings and Recommendations of the Development Fee Task Force.

(See City Manager Report P-95-93.)

TODAY'S ACTION IS:

Introduction of either the Ordinance in Subitem A, or one of the Alternatives in Subitems B or C. The Alternative language affects paragraph (B) Deferred Payment in Certain Circumstances.

Subitem-A: (O-95-100) NOTED AND FILED

Introduction of an Ordinance amending Chapter VI, Article 1, Division 22, of the San Diego Municipal Code, by amending Section 61.2210, relating to Payment of Benefit Assessments.

In this Alternative, Paragraph B is as follows:

(b) Deferred Payment in Certain Circumstances
Facilities Benefit Assessments levied on affordable housing developments may be deferred at the applicant's request until final building inspection or water meter hook-up. "Affordable Housing" means a housing unit that has an "affordable housing cost," as that term is defined in Municipal Code Section 98.0502; or
Alternative 1:

Subitem-B: (O-95-100) NOTED AND FILED

Introduction of an Ordinance amending Chapter VI, Article 1, Division 22, of the San Diego Municipal Code, by amending Section 61.2210, relating to Payment of Benefit Assessments.

In this Alternative, Paragraph B is as follows:

(b) Deferred Payment in Certain Circumstances For non-residential developments, Facilities Benefit Assessments may be deferred until a request for final inspection or water meter hook-up. "Non-residential developments," means developments that are not suitable for human occupancy; or Alternative 2:

Subitem-C: (O-95-100) INTRODUCED AS AMENDED, TO BE ADOPTED MAY 15, 1995

Introduction of an Ordinance amending Chapter VI, Article 1, Division 22, of the San Diego Municipal Code, by amending Section 61.2210, relating to Payment of Benefit Assessments.

In this Alternative, Paragraph B is as follows:

(b) Deferred Payment in Certain Circumstances Payment on assessments may be deferred for developments located in Facility Benefit Assessment areas that have sufficient cash balances to fund existing programmed facilities for the next two fiscal years.

CITY MANAGER'S RECOMMENDATION:

- A) Adopt recommendations #2,3,4,5,6,7,8,9,12;
- B) Do not adopt recommendations #1,10,11,13,14,15,16.
- C) Introduce one of the Alternatives in Subitems A, B, or C.

OTHER RECOMMENDATIONS:

Land Use and Housing Committee's Recommendation:

On 2/1/95, LU&H voted 4-0 to support deferring Development Impact Fees/Facilities Benefit Assessment fees in areas where the programs are well funded and no shortage of public improvements would arise from the deferral. In addition, some surety or agreement needs to be provided to guarantee payment in case of default. This would be a pilot program for a one-year period.

Staff was requested to incorporate into the process a case-by-case approach with specific findings. Councilmembers Mathis, Harvey, Kehoe and Warden voted yea. Councilmember McCarty not present.

FILE LOCATION: Subitem-A & B: MEET; Subitem-C: None.

COUNCIL ACTION: (Tape location: G146-361.)

MOTION BY WARDEN TO INTRODUCE THE ORDINANCE FOR SUBITEM-C, ALTERNATIVE NUMBER 2, OF THE CITY MANAGER'S RECOMMENDATION. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ADDITIONAL BUSINESS: (R-95-1813) ADOPTED AS RESOLUTION R-285795
During consideration of the above regular business item, a resolution was adopted for the following motions:

MOTION BY WARDEN TO DIRECT THE CITY MANAGER TO DRAFT A RESOLUTION TO IMPLEMENT THE LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION TO DEFER DEVELOPMENT IMPACT FEES AND FBA ASSESSMENT FEES IN AREAS WHERE THE PROGRAMS ARE WELL FUNDED AND NO STORAGE OF PUBLIC IMPROVEMENTS WOULD ARISE FROM THE DEFERRAL. IN ADDITION, A SURETY OR AGREEMENT NEEDS TO BE PROVIDED TO GUARANTEE PAYMENT IN CASE OF DEFAULT. THIS WOULD BE A ONE YEAR PILOT PROGRAM AND APPROACHED ON A CASE-BY-CASE BASIS FOR 1995'S LAND USE AND HOUSING. IN ADDITION, FROM THE LAND USE AND HOUSING FOR 1994, DEFER THE FBA/DIF FEES UNTIL WATER METER HOOK-UP FOR AFFORDABLE HOUSING. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY WARDEN TO APPROVE ITEM NUMBERS 2,3,4,5,6,7,8,9, AND 12 OF THE DEVELOPMENT FEE TASK FORCE'S ISSUES AND RECOMMENDATIONS AS RECOMMENDED BY THE CITY MANAGER. ITEM 11 IS TO BE PHASED OVER THE NEXT THREE ANNUAL UPDATES AS RECOMMENDED BY T&LU IN 1994. WITH RESPECT TO ITEM NUMBER 16, NO ACTION IS REQUIRED IN AS MUCH AS THE LAND USE AND HOUSING COMMITTEE HAS ALREADY ADOPTED THIS ITEM AND A TASK FORCE HAS ALREADY BEEN FORMED FOR THE HOUSING TRUST FUND.

DO NOT ADOPT ITEM NUMBERS 1,10,13,14, AND 15. ACCEPT COUNCIL MEMBER KEHOE'S RECOMMENDATION TO APPROVE ITEM 13B ON A CITY-WIDE BASIS FOR THE TWO-YEAR FUNDED FBA COMMUNITIES.

ACCEPT MAYOR GOLDING'S RECOMMENDATION TO REFER ITEM 14 TO THE LAND USE AND HOUSING COMMITTEE FOR REVIEW FROM THE STANDPOINT OF THE REDUCTION THAT WAS RECENTLY PUT INTO PLACE FOR THE TARGETED INDUSTRIES AND FROM THE STANDPOINT OF RESTRUCTURING TO DETERMINE WHETHER WE WANT TO CONTINUE DOING IT THAT WAY.

ACCEPT COUNCIL MEMBER MATHIS' RECOMMENDATION TO GIVE STAFF AUTHORITY TO DEFER THE FEES UNDER THE WELL-FUNDED CRITERIA, RATHER THAN HEARING EACH RESIDENTIAL AND NON-RESIDENTIAL CASE AT THE COUNCIL LEVEL.

Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

FILE LOCATION: MEET

ITEM-330:

SUBJECT: Coral Gate Landscape Maintenance District.

(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1172) ADOPTED AS RESOLUTION R-285686

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the Coral Gate Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

A petition for this Landscape Maintenance District was signed by the owner-developer of 100 percent of the property area involved. This landscaping is proposed by the owner-developer of the Coral Gate subdivision along Camino de la Plaza and Bibler Drive and includes four open space lots to be maintained with trees, low growth and low maintenance shrubs. These improvements will be installed by the owner-developer. In order to provide for the continued maintenance of the proposed landscaping, this project

will depend on the establishment of a Landscape Maintenance District. Property owners within this district will pay for the annual maintenance on the basis of benefit to the 444 single family dwelling units. The present action is only for the establishment of the district. After the landscape construction is approved and accepted by the City, the landscaping improvements will be maintained by the developer for approximately two years or until January 1998. Consequently, we anticipate assessments will be levied during Fiscal Year 1998. The annual maintenance cost for the proposed landscaping improvements is estimated at \$72,234. The estimated annual assessment is approximately \$162.00 per dwelling unit. The property owners' assessments would not occur until Fiscal Year 1998.

FILE LOCATION: STRT - M-341

COUNCIL ACTION: (Tape location: A139-165.)

Hearing began at 11:16 a.m. and halted at 11:18 a.m.

MOTION BY KEHOE TO ADOPT ITEM-330, -331, -332, AND -334. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-nay, Mayor Golding-yea.

ITEM-331:

SUBJECT: Amendment to the Carmel Valley Neighborhood 10 Precise Plan to incorporate minor modifications recommended by the California Coastal Commission.

(District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1458) ADOPTED AS RESOLUTION R-285687

Adoption of a Resolution modifying the Carmel Valley Neighborhood 10 Precise Plan per California Coastal Commission recommendations.

SUPPORTING INFORMATION:

Portions of the Neighborhood 10 Precise Plan are located in the Coastal Zone, therefore, certification of the precise plan by the California Coastal Commission is required before coastal zoned portions of the precise plan become effective. On February 9, 1995, the Coastal Commission approved the Neighborhood 10 Precise Plan and its related Local Coastal Program amendment subject to the advertised modifications. City Council adoption of these suggested modifications is necessary in order to obtain final certification by the California Coastal Commission.

LEGAL DESCRIPTION:

Neighborhood 10 is located south of Carmel Valley Road (SR-56) and east of I-5, in the Carmel Valley Community.

FILE LOCATION: LAND - Carmel Valley Neighborhood 10 Precise Plan

COUNCIL ACTION: (Tape location: A139-165.)

Hearing began at 11:16 a.m. and halted at 11:18 a.m.

MOTION BY KEHOE TO ADOPT ITEM-330, -331, -332, AND -334. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: Matter of Minor Modifications to the Sorrento Hills Community Plan and Implementation Plan as suggested by the California Coastal Commission.

(Sorrento Hills Community Plan. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1416) ADOPTED AS RESOLUTION R-285688

Adoption of a Resolution approving the California Coastal Commission's suggested modifications to the

Sorrento Hills Community Plan and Implementation Plan.

SUPPORTING INFORMATION:

Portions of the Sorrento Hills community are within the Coastal Zone. Therefore, certification of the Community Plan by the California's Coastal Commission is needed before the plan is effective within the Coastal Zone.

On March 8, 1995, the Coastal Commission approved the Sorrento Hills Community Plan and North City Local Coastal Program amendment subject to modifications. City Council adoption of these suggested modifications is necessary in order to obtain final certification by the California Coastal Commission.

ENVIRONMENTAL IMPACT: The City Council has reviewed, considered and certified Environmental Impact Reports DEP-91-0361 and DEP-93-0142 on December 6, 1994.

FILE LOCATION: LAND - Sorrento Hills Community Plan

COUNCIL ACTION: (Tape location: A139-165.)

Hearing began at 11:16 a.m. and halted at 11:18 a.m.

MOTION BY KEHOE TO ADOPT ITEM-330, -331, -332, AND -334. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: Seven actions related to Cost Reimbursement District Formation - Miramar Ranch North.

(Miramar Ranch North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions (Subitems A - F) and introduce the following ordinance (Subitem G):

Subitem-A: (R-95-1507) ADOPTED AS RESOLUTION R-285689

Establishing the Miramar Ranch North Cost Reimbursement District;

Setting the limiting period for when assessed costs are due and payable at 20 years;

Approving Plat No. 4068 (CR-24-6) which identifies all parcels being assessed within the Reimbursement District;

Approving the description of public improvements, estimated cost of the improvements, excess costs, and apportionment of improvement costs to the parcels within the district, as contained in Document No. CR-24-5-1;

Declaring that approval of this resolution represents and establishes a lawful lien enacted against each parcel.

Subitem-B: (R-95-1508) ADOPTED AS RESOLUTION R-285690

Authorizing a Cost Reimbursement Agreement with McMillin/BCED, developer, relative to the Miramar Ranch North Cost Reimbursement District, and setting the term of the reimbursement agreement at 20 years.

Subitem-C: (R-95-1509) ADOPTED AS RESOLUTION R-285691

Authorizing a Second Amendment to the Consultant Agreement with Willdan Associates, in the amount of \$34,220, for additional cost reimbursement engineering services required for the proposed Miramar Ranch North Cost Reimbursement District.

Subitem-D: (R-95-1510) ADOPTED AS RESOLUTION R-285692

Authorizing the Auditor and Comptroller to accept a cash advance of \$60,000 from McMillin/BCED to pay for additional consultant services and City administrative costs associated with the cost reimbursement district.

Subitem-E: (R-95-1511) ADOPTED AS RESOLUTION R-285693

Approving the document entitled "Miramar Ranch North Public Facilities Financing Plan, July 20, 1988, Revised July 28, 1988, Amended April 25, 1995."

Subitem-F: (R-95-1512) ADOPTED AS RESOLUTION R-285694

Authorizing the Auditor and Comptroller to transfer an amount not to exceed \$1,349,663, plus accrued interest from Miramar Ranch North Facility Development Fund No. 39050 to newly-formed Miramar Ranch North Cost Reimbursement District Fund No. 72015, established for the deposit of reimbursement charges for the district;

Authorizing the Auditor and Comptroller to transfer an amount not to exceed \$30,600, plus accrued interest from Park Service District Fund No. 11230 to newly-formed Miramar Ranch North Cost Reimbursement District Fund No. 72015.

Subitem-G: (O-95-104) INTRODUCED, TO BE ADOPTED ON
MAY 15, 1995

Introduction of an Ordinance amending Cost Reimbursement District Procedural Ordinance O-17013, relating to Interest Accrual on Lien Amounts.

CITY MANAGER SUPPORTING INFORMATION:

On April 18, 1994, the City accepted McMillin-BCED's application to initiate proceedings for the proposed Miramar Ranch North Cost Reimbursement District. The proceedings allow McMillin-BCED to seek partial reimbursement from other property owners that receive benefit from the construction of public improvements which benefit other property owners in the Miramar Ranch North Community. An engineer's report for the proposed cost reimbursement district has been prepared as part of the public hearing process. The report identifies each individual public improvement project being constructed by McMillin-BCED, determines the fair share of the public improvement costs allocated to benefitting properties, and establishes reimbursement charges against benefitting properties. The improvements include: construction of new streets, parks, storm drains, sewers, traffic signals, recreation building, and fire station. The estimated total cost of constructing the public improvements is approximately \$64.3 million, of which \$13,576,136 is subject to reimbursement. During the last eight months, the City scheduled and facilitated four property owners meetings, as well as numerous meetings with individual property owners. The four property owners meetings were held to explain the district proceedings and to discuss revisions to the engineer's report

based on the property owners questions and concerns. Meetings were held with individual property owners to address specific concerns related to their properties. The second amendment to the consultant agreement was necessary to incorporate the property owners issues in the district formation process. This second amendment will allow the consultant to provide these additional services. A notice of public hearing was sent to all affected property owners a minimum of twenty days prior to today's scheduled hearing. The current financing plan allocates funding from Development Agreement Nos. 00-16075 and 00-16744 for five specific facilities. This amendment would allow funds from the development agreements to be used for any facilities identified in the current financing plan.
Aud. Cert. 9501058.

FILE LOCATION: STRT - CR-24 CCONFY95-1 CONTFY95-1

COUNCIL ACTION: (Tape location: A168-B136.)

Hearing began at 11:19 a.m. and halted at 11:57 a.m.

Testimony in opposition by Alan Perry, Peter Safino, Robert Merrell, Gregg Huffy, and Samuel Safino.

Testimony in favor by Paul Robinson.

MOTION BY WARDEN TO APPROVE THE CITY MANAGER'S RECOMMENDATION TO ADOPT THE RESOLUTIONS AND INTRODUCE THE ORDINANCE. Second by Vargas. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334:

SUBJECT: Three actions related to Black Mountain Road Widening from Mira Mesa Boulevard to Gemini Avenue.

(See City Manager Report CMR-95-83. Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1459) ADOPTED AS RESOLUTION R-285695

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 with right-of-way for the right of ingress and egress over, under, along, and across, a portion of Lot 11 of Larwin Mesa View Unit No. 1, Map-6605, and portions of Parcels 3 and 4 of Parcel Map PM-5847, and a portion of Lot 1 of Larwin Square West Unit No. 1, Map-7928;

Declaring that the public interest, convenience and necessity demand the acquisition of fee title to the property for the widening of Black Mountain Road from Mira Mesa Boulevard to Gemini Avenue;

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

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

Subitem-B: (R-95-1460) ADOPTED AS RESOLUTION R-285696

Authorizing the expenditure of not to exceed \$145,000 from Fund 30244, Org. 107, Object Account 4638, Job Order 521786, CIP-52-522.0, for costs related to condemnation of fee title interests in connection with the Black Mountain Road Widening from Mira Mesa Boulevard to Gemini Avenue Project.

Subitem-C: (R-95-1432) ADOPTED AS RESOLUTION R-285697

Certifying that the information contained in Negative Declaration DEP-94-0667, in connection with the approval of the widening of Black Mountain Road, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency, and that the Declaration has been reviewed and considered by Council;

Finding that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and approving the Negative Declaration.

Aud. Cert. 9501005.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A139-165.)

Hearing began at 11:16 a.m. and halted at 11:18 a.m.

MOTION BY KEHOE TO ADOPT ITEM-330, -331, -332, AND -334. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335: CONTINUED TO MAY 23, 1995

SUBJECT: Four actions related to Carroll Canyon Road Widening - Interstate 15 to Maya Linda Road.

(See City Manager Report CMR-95-84. Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolutions in Subitems A, B and C; introduce the ordinance in Subitem D:

Subitem-A: (R-95-1475)

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 with right-of-way for the right of ingress and egress over, under, along, and across, that portion of Lot 1 of Silver Oaks Unit No. 1, Map-10513;

Declaring that the public interest, convenience and

necessity demand the acquisition of fee title to the property for the widening of Carroll Canyon Road from I-15 to Maya Linda Road;

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

Directing the City Attorney to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning and acquiring the property and acquiring immediate possession.

Subitem-B: (R-95-1476)

Authorizing the expenditure of an amount not to exceed \$50,350 from Fund 30244, Org. 107, Object Account 4638, Job Order 521775, CIP-52-421.0, for costs related to condemnation of fee title interests in connection with the Carroll Canyon Road Widening between Interstate 15 and Maya Linda Road Project.

Subitem-C: (R-95-1431)

Certifying that the information contained in Negative Declaration DEP-94-0666, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that the declaration reflects the independent judgement of the City as Lead Agency;

Finding that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study, and approving the Negative Declaration.

Subitem-D: (O-95-101)

Introduction of an Ordinance establishing a 10-foot setback line along the south side of Carroll Canyon Road between Interstate 15 and Maya Linda Road.

Aud. Cert. 9501004.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B140-395.)

Hearing began at 11:57 a.m. and halted at 12:16 p.m.

Testimony in opposition by Tom Turner.

MOTION BY WARDEN TO CONTINUE THIS ITEM TO MAY 23, 1995, TO ALLOW HER TIME TO WORK WITH STAFF. Second by Vargas. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-336:

SUBJECT: Construction of a New Central Library and Improvements to Branch Libraries to Implement Proposition N.

(Continued from the meeting of March 21, 1995, Item 331, at Councilmember McCarty's request, for further information from the City Manager. See City Manager Reports CMR-95-94 and CMR-95-62.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1041 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-285698

- 1) Approving the proposed financing and construction of a new Central Library and improvements to certain branch libraries to implement Proposition N;
- 2) Financing the project through the issuance of General Obligation Bonds;
- 3) Directing the City Attorney and City Manager to take such action as is necessary, including the selection of bond counsel and financial advisors, to prepare the necessary documentation for Council consideration at the time the election ordinance for the September 1995 election is considered; and
- 4) Approving the contribution of \$10 million from the Redevelopment Agency for a Central Library to be sited downtown.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C034-D069.)

MOTION BY STEVENS TO AUTHORIZE THE CITY MANAGER AND THE REDEVELOPMENT AGENCY, THROUGH CCDC, TO ENTER INTO NEGOTIATIONS WITH SCP INC., FOR PARCEL NUMBER 5 OF AMERICAN PLAZA, LOCATED AT 600 W. BROADWAY, AS A POSSIBLE SITE FOR A NEW MAIN LIBRARY. REPORT BACK TO COUNCIL WITH THE COST AND FINANCIAL ARRANGEMENTS WITHIN THE NEXT TWO WEEKS. ACCEPT MAYOR GOLDING'S RECOMMENDATION TO DIRECT THE CITY MANAGER AND CCDC TO CONTINUE TO WORK ON THE OTHER POSSIBILITIES, PARTICULARLY WITH MR. MCCOMMICK AND THE NAVY, AND TO CONTINUE THE DISCUSSIONS WITH THE PORT. ACCEPT MAYOR GOLDING'S RECOMMENDATION TO INCLUDE JIM DAWE'S SUGGESTION TO ANNUALLY UPDATE THE LIST OF BRANCHES, BOTH FOR COUNCIL CONSIDERATION, AS WELL AS FOR A BOND MEASURE, SHOULD THE COUNCIL DESIRE TO ACT ON A BOND MEASURE. ACCEPT COUNCIL MEMBER MCCARTY'S REQUEST TO DIRECT STAFF TO PROVIDE COPIES OF THE RELEVANT STUDIES, SUCH AS THE SPLIT AND THE WATER STUDY, TO THE COUNCIL MEMBERS WHO HAVE NOT HAD THE BENEFIT OF THE PAST STUDIES. Second by McCarty. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY McCARTY TO APPROVE THE CONTRIBUTION OF \$10 MILLION FROM THE REDEVELOPMENT AGENCY FOR A CENTRAL LIBRARY TO BE SITED DOWNTOWN. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY McCARTY TO SEND THE ISSUE OF THE VARIOUS BRANCHES TO THE PS&NS COMMITTEE TO: 1) HOLD PUBLIC HEARINGS AND HAVE A THOROUGH DISCUSSION TO DETERMINE THE FUNDS TO PROVIDE AND PAY FOR THE TECHNOLOGY, FURNITURES, FIXTURES, BOOKS, OPERATIONS, AND THE MAINTENANCE FOR THE BRANCHES. THE COMMITTEE IS TO ALSO WORK WITH THE COUNCIL MEMBERS AND WITH THE COMMUNITIES ON THIS ISSUE SO THAT COUNCIL WILL BE PREPARED TO PUT SOMETHING ON THE MARCH 1996 BALLOT; 2) EVALUATE THE CRITERIA FOR DETERMINING THE LIST AND PERHAPS ALTER IT; AND 3) CAREFULLY EXAMINE THE LIST AND INCLUDE OVERSIGHTS IN THE LIBRARY DISTRICTS. Second by Harvey. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-337:

SUBJECT: 35 Percent Design Development and Approval of the Tent/Garden Theme for the Convention Center Expansion Project.

(See City Manager Report CMR-95-78. Centre City Community Area. District-2.)

(Continued from the meeting of April 11, 1995, Item 202C, at Deputy Mayor Vargas' request, to allow the architects to work on the best possible design after hearing the opinions of the City Council.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1531) ADOPTED AS RESOLUTION R-285699

Approving the 35 Percent Design Development Drawings for the Convention Center expansion;

Approving the Final Proposed Exterior Design Theme for the Convention Center expansion;

Directing the City Manager to develop additional funding options for an anticipated Convention Center design and report back within thirty days;

Directing the City Manager to transmit a copy of the 35 Percent Design Development Drawings and Final Proposed Exterior Design Theme for the expansion of the San Diego Convention Center to the San Diego Unified Port District for its consideration.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E040-G045.)

MOTION BY WARDEN TO ADOPT THE RESOLUTION AND TO DIRECT THE CITY MANAGER TO BEGIN THE NEGOTIATIONS WITH THE PORT DISTRICT ON THE FINANCING OF THE DESIGN. APPROVE THE DESIGN CONCEPT AND THE ALTERNATIVES THAT THE MANAGER HAS PUT FORTH.

Second by Vargas. Passed by the following vote: Mathis-yea, Harvey-ineligible, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 5:53 p.m. in honor of the memory of Robert Lozano, as requested by City Manager Jack McGrory, and Patrick McLoughlin, as requested by Council Member Kehoe.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G363-394.)