

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JUNE 13, 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 10:02 a.m. The meeting was recessed by Mayor Golding at 12:11 p.m. The meeting was reconvened by Mayor Golding at 2:07 p.m. with Deputy Mayor Vargas and Council Members Kehoe, Stallings and McCarty not present. The meeting was adjourned by Mayor Golding at 4:01 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
 - (1) Council Member Mathis-present
 - (2) Council Member Harvey-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-excused by R-285994 (no reason given)
- Clerk-Abdelnour (ew/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-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-not present

PUBLIC COMMENT:

ITEM-PC-4:

Comment by Don Stillwell regarding the subject HR896.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A015-037.)

ITEM-PC-5:

Comment by Maureen Cassidy regarding the Maya Apartments in Mira Mesa.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A038-055.)

COUNCIL COMMENT:

None.

ITEM-330: HEARING HELD

SUBJECT: A preliminary hearing to allow public testimony relating to establishing the annual assessments for the

Downtown Maintenance District. Council will take action at the subsequent hearing scheduled for July 18, 1995 at 10:00 a.m.

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

CITY MANAGER'S RECOMMENDATION:

Hold the public hearing.

CITY MANAGER SUPPORTING INFORMATION:

This is the first public hearing to establish the annual assessments for the Downtown Maintenance Assessment District which was formed in January of 1972 by Council resolution. The district provides specialized services such as litter and graffiti control, street tree maintenance and sidewalk cleaning to five zones within the district as well as maintaining a system of open space/parks (zone 6) for the benefit of all properties within the boundaries of the district. The total amount proposed to be assessed to the district for FY '96 is \$685,491, compared with \$689,141 for FY '95. A current and prior year cost breakdown for each of the six zones is as follows:

	Street Trees	C St. Mall	Litter/ Graffiti	Horton Plaza	East Broadway	Open/Space Parks	Zone
(1)	(2)	(3)	(4)	(5)	(6)	Total	
FY96	\$108,036	\$117,215	\$346,548	\$39,941	\$27,051	\$46,700	\$685,491
FY95	\$108,066	\$131,914	\$348,476	\$51,729	\$34,388	\$14,568	\$689,141

Five of the six zone cost estimates have decreased from FY '95. The one zone with an estimated cost increase in FY '96 is the open space/parks zone. The estimated cost to this zone is higher than in FY '95 as a result of community requested additional landscaping improvements in the "linear park" adjacent to the Metropolitan Transit Development Board (MTDB) and Santa Fe right-of-way along Harbor Drive between "G" Street and Eighth Avenue. This area also includes the Martin Luther King Promenade which is now maintained by the District. The Gaslamp Square Park, which was incorporated into the open space/parks zone in FY '95, is not expected to be functional until May of 1995. Therefore, the estimated FY '96 costs of \$12,017 for this facility have been reduced by \$11,371 to reflect the amount of benefit which the district paid for but did not receive in FY '95.

FILE LOCATION: STRT M-342

COUNCIL ACTION: (Tape location: A195-301.)

Hearing began at 10:19 a.m. and halted at 10:27 a.m.
Testimony in opposition by Melvin Kirsner and Kay Davis.
Mayor Golding closed the hearing.

MOTION BY HARVEY TO CLOSE THE HEARING AND SET THE PUBLIC HEARING FOR JULY 18, 1995. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-331: HEARING HELD

SUBJECT: A preliminary hearing to allow public testimony relating to establishing the annual assessments for the Mira Mesa Landscape Maintenance District. Council will take action at the subsequent hearing scheduled for July 18, 1995 at 10:00 a.m.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Hold the public hearing.

CITY MANAGER SUPPORTING INFORMATION:

This is the first public hearing to establish the FY 1996 assessments for the Mira Mesa Landscape Maintenance District (LMD). The District was established in July 1983 to provide maintenance of landscaped medians, slopes and streetscapes for Zones 1 and 3. Zone 2 assessments will start in FY '96. The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

	Zones 1,2 & 3	Zone 3 Only	Total
Contractual Maintenance	\$ 550,000	\$ 50,000	\$ 600,000
Personnel	53,770	10,242	64,012
Utilities	38,500	26,500	65,000
Incidentals	193,482	20,843	214,325
Total Expenses	\$835,752	\$107,585	\$943,337
Reserve	586,958	251,359	838,317
Total	\$1,422,710	\$358,944	\$1,781,654
Less Carry-Over & Interest (107,109)		(234,751)	(341,860)
Less City Contribution (40,354)		0	(40,354)
Assessed to District	\$1,275,247	\$124,193	\$1,399,440

The FY '95 and FY '96 assessments per equivalent dwelling unit are tabulated below:

	Zone 1	Zone 2	Zone 3
FY '96	\$52.00	\$52.00	\$125.18
FY '95	\$ 3.83	\$ 0.00	\$ 77.01

Table 1 in the Engineer's Report includes assessment methodology regarding residential, commercial, and industrial property for each zone. The total assessment to the district in FY '95 was \$250,901, and will be \$1,399,440 in FY '96.

FILE LOCATION: STRT M-343

COUNCIL ACTION: (Tape location: A302-C634.)

Hearing began at 10:27 a.m. and halted at 12:10 p.m.

Testimony in favor by Brenda Bowman, Marvin Miles, Joe Frichtel, Jeff Stevens, J. Allan Ruhman, Tom Farar, Kevin McNamara, Mitchell Lizar, and Mary Jane Hubbard.

Testimony in opposition by Deyan Petackovich, Maryann Mixon, Mike Fagan, Horst Moehrke, Loyd Fox, Orlando Vernacchia, Pacifico Jose, George Robbins, Clayton Wong, Alvin Quenomoen, David Wheeler, Roger Williamson, Richard Fierro, Marjorie Liu, Michelle Morano, Pam Kuhns, George Macartie, Fred Buenavista, Oliver Cromwell, Jeanie Scott, Mr. Colet, Robert Libert, Dorothy Johnson, James Campbell, Gillian Buchan, Carol Campbell, Louis Simon, Craig Lorenz, Troya Montgomery, and Karen Flores.

Mayor Golding closed the hearing.

MOTION BY WARDEN TO CLOSE THE HEARING AND SET THE PUBLIC HEARING FOR JULY 18, 1995. Second by Stevens. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-not present, Mayor Golding-yea.

ITEM-332: HEARING HELD

SUBJECT: A preliminary hearing to allow public testimony relating to establishing the annual assessments for the San Diego Street Light Maintenance District No. 1. Council will take action at the subsequent hearing scheduled for July 18, 1995 at 10:00 a.m.

CITY MANAGER'S RECOMMENDATION:

Hold the public hearing.

CITY MANAGER SUPPORTING INFORMATION:

This is the first public hearing to establish the FY 1996 assessments for the San Diego Street Light Maintenance District No. 1 (District). The District provides funding for the energy and maintenance costs for lighting levels above standard "City safety" lighting to 55 subdistricts. New areas are added to the District by annexation. Approximately 40 percent of the street lights within the District are required for safety lighting. The City pays for this obligation by providing in-kind maintenance service and cash to the District. As a part of this action it is proposed to annex the following into the District:

- property to be known as the Robinhood Creek subdistrict;
- property to be known as the Ocean Beach #2 subdistrict;
- property to be known as the Plaza Boulevard subdistrict.

All property owners in the above areas to be annexed will be notified of the proposed annexation hearings and their rights regarding protest of the proposed actions. The proposed assessment to the District for FY '96 is \$564,144 compared with \$420,000 for FY '95. The increase is a result of:

- a) an electrical energy rate increase of approximately 7 percent;
- b) higher energy usage due to the use of high pressure sodium vapor (HPSV) street lights and increased levels of lighting in certain subdistricts;
- c) a smaller City contribution of in-kind services and Gas Tax funds; and
- d) the operation and maintenance of more street lights in areas annexed in FY'95.

Assessment costs vary for each subdistrict depending on the number and type of lights. Subdistrict costs are divided by the amount of assessable street frontage within each subdistrict to calculate a rate for each subdistrict.

FILE LOCATION: STRT M-344

COUNCIL ACTION: (Tape location: D007-D159.)

Hearing began at 2:08 p.m. and halted at 2:23 p.m.
Testimony in opposition by Eleni Gagon and Mel Kinsner.

ITEM-333: HEARING HELD

SUBJECT: A preliminary hearing to allow public testimony relating to establishing the annual assessments for the Miramar Ranch North Landscape Maintenance District. Council will take action at the subsequent hearing scheduled for July 18, 1995 at 10:00 a.m.

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

CITY MANAGER'S RECOMMENDATION:

Hold the public hearing.

CITY MANAGER SUPPORTING INFORMATION:

This is the first public hearing to establish the annual assessments for FY 1996 through FY 2000 for the Miramar Ranch North Landscape Maintenance District (LMD). The district was established in 1987 but maintenance of landscaped medians, slopes and streetscapes has been provided by the developer through FY 1995. The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$85,000
Personnel	12,803
Utilities	26,500
Incidentals	37,400
Total Expenses	161,703
Reserve	15,178
Total	\$176,881
Less Carry-over and Interest	(7,079)
Less City Contribution	(2,024)
Assessed to District	\$167,778

The proposed assessment for Fiscal Year 1996 is \$31.95 per equivalent dwelling unit (EDU). Substantial landscape maintenance of slopes and medians will be added to the LMD after FY 1996. Property owner assessments are projected not to exceed \$150 per dwelling unit through FY 2000. If assessments are proposed to exceed the \$150 amount, then all affected property owners would be noticed and a public hearing would be set.

FILE LOCATION: STRT M-345

COUNCIL ACTION: (Tape location: A056-194.)

Hearing began at 10:05 a.m. and halted at 10:18 a.m.

MOTION BY WARDEN TO APPROVE THE HEARINGS FOR ITEMS-333, -334, AND -335; ADOPT ITEMS -337, -338, -339, -341, -342, -343, -347, AND -348; INTRODUCE ITEM 345; AND CONTINUE ITEM 349 TO JUNE 27, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-334: HEARING HELD

SUBJECT: A preliminary hearing to allow public testimony relating to establishing the annual assessments for the Mid-City Landscape and Lighting Maintenance District. Council will take action at the subsequent hearing scheduled for July 18, 1995 at 10:00 a.m.

(Mid-City and Greater North Park Community Areas. Districts-2 and 3.)

CITY MANAGER'S RECOMMENDATION:

Hold the public hearing.

CITY MANAGER SUPPORTING INFORMATION:

This is the first public hearing to establish the Fiscal Year 1996 assessments for the ten subdistricts in the Mid-City Landscape and Lighting Maintenance District. The district provides for maintenance of street trees, landscaped medians, benches and street lights. The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$86,050
Personnel	24,585
Utilities	14,780
Incidentals	42,392
Total Expenses	\$167,807
Reserve	57,878
Total	\$225,685
Less Carry-over and Interest	(100,256)

Less City Contribution (3,279)
 Assessed to District \$122,150

The assessments per frontage foot of parcel for each subdistrict are tabulated below:

Zone	1	2	3	4	5	6	7	8	9	10
FY96	\$9.34	\$6.99	\$18.78	\$5.14	\$5.25	\$22.65	\$10.53	\$9.44	\$4.31	\$0.00
FY95	\$9.34	\$6.99	\$18.78	\$5.14	\$5.25	\$22.65	\$10.53	\$6.74	\$4.31	\$4.60
% increase	0	0	0	0	0	0	0	40.0	0	0

The increase of assessment in Zone 8 is due to providing energy for additional street lights requested by area constituents for crime prevention and safety.

FILE LOCATION: STRT M-355

COUNCIL ACTION: (Tape location: A056-194.)

Hearing began at 10:05 a.m. and halted at 10:18 a.m.

MOTION BY WARDEN TO APPROVE THE HEARINGS FOR ITEMS -333,-334, AND -335; ADOPT ITEMS -337, -338, -339, -341, -342, -343, -347, AND -348; INTRODUCE ITEM 345; AND CONTINUE ITEM 349 TO JUNE 27, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-335: HEARING HELD

SUBJECT: A preliminary hearing to allow public testimony relating to establishing the annual assessments for the San Ysidro Boulevard Landscape Maintenance District No. 2. Council will take action at the subsequent hearing scheduled for July 18, 1995 at 10:00 a.m.

(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Hold the public hearing.

CITY MANAGER SUPPORTING INFORMATION:

This is the first public hearing to establish the Fiscal Year 1996 assessment for the San Ysidro Boulevard Landscape Maintenance District No. 2. The district was established in July 1994 to provide maintenance for the streetscapes along San Ysidro Boulevard between I-805 and Front Street. The improvement of the streetscapes along this section of San Ysidro Boulevard is currently under way. Completion of construction is scheduled for mid-July 1995. The contractor will be responsible for maintenance of the landscaping for a 90-day period following its acceptance by the City. The San Ysidro Boulevard Landscape Maintenance District will assume maintenance responsibility after this period. Fiscal Year 1996 is the first year assessments are being levied for this district. The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$17,500
Personnel	5,120
Utilities	2,175
Incidentals	11,009
Total Expenses	\$35,804
Reserve	4,184
Total	\$39,988
Less Carry-Over & Interest	(996)
Less City Contribution	(32)
Assessed to District	\$38,960

The proposed amount to be assessed to the district for Fiscal Year 1996 is \$7.86 per frontage foot.

FILE LOCATION: STRT M-357

COUNCIL ACTION: (Tape location: A056-194.)

Hearing began at 10:05 a.m. and halted at 10:18 a.m.

MOTION BY WARDEN TO APPROVE THE HEARINGS FOR ITEMS-333,-334, AND -335; ADOPT ITEMS-337, -338, -339, -341, -342, -343, -347, AND -348; INTRODUCE ITEM 345; AND CONTINUE ITEM 349 TO JUNE 27, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea,

Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present,
Mayor Golding-yea.

ITEM-336: HEARING HELD - SUBSEQUENT HEARING TENTATIVELY SET FOR JULY 18, 1995 AT 10:00 A.M., PENDING THE CITY ATTORNEY'S CLARIFICATION OF THE NOTICING SUBJECT: A preliminary hearing to allow public testimony relating to establishing the annual assessments for the Washington Street Landscape Maintenance District. Council will take action at the subsequent hearing scheduled for July 18, 1995 at 10:00 a.m.

(Mission Hills Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Hold the public hearing.

CITY MANAGER SUPPORTING INFORMATION:

This is the first public hearing to establish the Fiscal Year 1996 assessments for the Washington Street Landscape Maintenance District. The maintenance district was established in July 1993 for the purpose of maintaining the landscaping improvements on the Washington Street center islands approximately 380 feet west of the University Avenue overpass to Hawk Street. The landscaping improvements will consist of various types of trees, shrubs and ground cover. Fiscal Year 1996 is the first year that assessments are being levied for this district. The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 8,000
Personnel	5,120
Utilities	3,350
Incidentals	8,265
Total Expenses	\$24,735
Reserve	12,339
Total	\$37,074
Less Carry-over & Interest	(664)
Less City Contribution	(1,080)
Assessed to District	\$35,330

The proposed amount to be assessed to the district for Fiscal Year 1996 is \$10 per equivalent dwelling unit.

FILE LOCATION: STRT M-353

COUNCIL ACTION: (Tape location: D160-538.)

Hearing began at 2:24 p.m. and halted at 2:47 p.m.
Testimony in favor by Arlene Cichan and John Lomac.

Testimony in opposition by John Nevara, Mary Crabtree, and
Barbara Nevara.

ITEM-337:

SUBJECT: Adams Avenue (Felton Street to Mansfield Street)
Landscape Maintenance District.

(Normal Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1496) ADOPTED AS RESOLUTION R-285954

Considering the protests, approving the modified map,
confirming the assessments, and ordering the proposed
maintenance, in the matter of the Adams Avenue (Felton
Street to Mansfield Street) Landscape Maintenance
District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the FY 1996 assessments for the Adams
Avenue (Felton Street to Mansfield Street) Landscape Maintenance
District. The district was established in May 1994. The
facilities to be maintained by the district include street trees
and irrigation facilities on Adams Avenue between Felton Street
and Mansfield Street. The district will be administered by the
Adams Avenue Business Association (AABA) in accordance with
Section 65.0209.5 of the San Diego Municipal Code, with an
agreement between the City and the AABA which was approved in
June 1994. The Fiscal Year 1996 proposed maintenance costs for
the district are as follows:

Contractual Maintenance	\$ 3,000
Utilities	900
Incidentals	3,600*
Total Expenses	\$ 7,500
Reserve	3,000
Total	\$10,500
Less FY '96 Carry-over	(3,000)
Less AABA Contribution	(3,000)**
Assessed to District	\$ 4,500

The assessments are based on the assessable frontage of benefitting property owners along Adams Avenue. The total frontage along Adams Avenue in the Landscape Maintenance District is 2,050 linear feet. The proposed unit assessment for FY '96 is \$2.20 per frontage foot of parcel, the same as for FY '95.

*Incidentals include \$500 Adams Avenue Business Association administration fees, \$600 nursery stock, and \$2,500 for administration costs by the City's Special Districts Section.

**This amount to be financed through Business License Fees within the Adams Avenue Business Improvement District.

FILE LOCATION: STRT M-346

COUNCIL ACTION: (Tape location: A056-194.)

Hearing began at 10:05 a.m. and halted at 10:18 a.m.

MOTION BY WARDEN TO APPROVE THE HEARINGS FOR ITEMS-333,-334, AND -335; ADOPT ITEMS-337, -338, -339, -341, -342, -343, -347, AND -348; INTRODUCE ITEM 345; AND CONTINUE ITEM 349 TO JUNE 27, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-338:

SUBJECT: Bay Terraces Landscape Maintenance District Areas 1 and 5.

(Skyline/Paradise Hills Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1574) ADOPTED AS RESOLUTION R-285955

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Bay Terraces Landscape Maintenance District Areas 1 and 5.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the FY 1996 assessments for the Bay Terraces Landscape Maintenance District (LMD) Areas 1 and 5. The district was established on December 14, 1982 to provide the maintenance of four acres of open space. There are two noncontiguous areas in this LMD, with two acres in Area 1 and two acres in Area 5. The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

	Area 1	Area 5	Total
Contractual Maintenance	\$13,500	\$ 4,300	\$17,800
Personnel	2,561	2,561	5,122
Utilities	2,575	0	2,575
Incidentals	4,031	3,313	7,344
Total Expenses	\$22,667	\$10,174	\$32,841
Reserve	8,117	10,647	18,764
Total	\$30,784	\$20,821	\$51,605
Less Carry-over & Interest	(10,631)	(10,631)	(21,262)
Less City Contribution	(50)	(50)	(100)
Assessed to District	\$20,103	\$10,140	\$30,243

For Area 1, the annual assessment for Fiscal Year 1996 is \$65.91 per dwelling unit, the same as for Fiscal Year 1995. For Area 5, the annual assessment for Fiscal Year 1996 is \$105.62 per dwelling unit, the same as for Fiscal Year 1995. The district consists of Areas 1 and 5 only.

FILE LOCATION: STRT M-347

COUNCIL ACTION: (Tape location: A056-194.)

Hearing began at 10:05 a.m. and halted at 10:18 a.m.

MOTION BY WARDEN TO APPROVE THE HEARINGS FOR ITEMS-333,-334, AND -335; ADOPT ITEMS-337, -338, -339, -341, -342, -343, -347, AND -348; INTRODUCE ITEM 345; AND CONTINUE ITEM 349 TO

JUNE 27, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-339:

SUBJECT: Campus Point Landscape Maintenance District.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1529) ADOPTED AS RESOLUTION R-285956

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Campus Point Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the FY 1996 assessments for the Campus Point Landscape Maintenance District (LMD). The district was established in May 1981 to provide the maintenance of twenty-five acres of open space. The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$15,000
Personnel	5,120
Utilities	6,125
Incidentals	6,850
Total Expenses	\$33,095
Reserve	20,263
Total	\$53,358
Less Carry-over & Interest	(27,881)
Less City Contribution	(625)
Assessed to District	\$24,852

The proposed amount to be assessed to the district in Fiscal Year 1996 is \$425 per net acre. The assessment amount per acre in Fiscal Year 1995 was also \$425. The thirteen parcels in the

district range in size from 2.2 to 10.2 acres.

FILE LOCATION: STRT M-339

COUNCIL ACTION: (Tape location: A056-194.)

Hearing began at 10:05 a.m. and halted at 10:18 a.m.

MOTION BY WARDEN TO APPROVE THE HEARINGS FOR ITEMS -333,-334, AND -335; ADOPT ITEMS -337, -338, -339, -341, -342, -343, -347, AND -348; INTRODUCE ITEM 345; AND CONTINUE ITEM 349 TO JUNE 27, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-340:

SUBJECT: Kings Row Subdivision Landscape Maintenance District.

(Lincoln Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1534) ADOPTED AS RESOLUTION R-285963

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Kings Row Subdivision Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

The Kings Row Subdivision Landscape Maintenance District was established in January 1994. The maintenance district was established for the purpose of maintaining the landscaping improvements on the westerly side of Euclid Avenue from approximately 125 feet south of Holly Drive to Ocean View Boulevard. The landscaping improvements will consist of trees and low growth and low maintenance shrubs. The landscaping improvements will be maintained by the developer until July 1996. Consequently, there will be no assessment to the district for FY

'96, but assessments will be levied during FY '97. The annual maintenance cost for the proposed landscaping improvements is estimated at \$10,194. The assessments are spread to the benefitting properties within the district boundaries. There are 10 lots in the Kings Row Subdivision that are not included in this LMD since they front on Ocean View Boulevard and receive no direct benefit from the landscaping. The estimated annual assessment is approximately \$237 per lot. The property owner's assessments will not begin until FY '97.

FILE LOCATION: STRT M-349

COUNCIL ACTION: (Tape location: F271-362.)

Hearing began at 3:55 p.m. and halted at 4:00 p.m.

MOTION BY STEVENS TO ADOPT THE RESOLUTION CONFIRMING AN ASSESSMENT OF ZERO. DIRECT THE CITY MANAGER TO SEE IF THERE IS ANOTHER WAY TO HANDLE THE LANDSCAPING MAINTENANCE OF THIS DISTRICT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-341:

SUBJECT: Del Mar Terrace Street Repair and Maintenance District.
(Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1691) ADOPTED AS RESOLUTION R-285957

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Del Mar Terrace Street Repair and Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1996 assessments for the Del Mar Terrace Street Repair and Maintenance District that was established in Fiscal Year 1995. The District provides funding for the repair and maintenance of streets within the boundaries of the district. Assessments in future years will provide funds

to seal coat and overlay the streets when needed. The costs for this repair and maintenance are "spread" to property owners in the district based on each parcel's benefit. This benefit is determined by a parcel's existing use and corresponding "equivalent dwelling unit" (EDU) factor. Current parcel land uses and corresponding EDU factors for this District are as follows:

Single Family Dwelling: 1 EDU
Multi-Family Dwelling: .7 EDU per unit
Commercial: 15 EDU per acre

The District contains 339 EDU's. The repair work which was completed in Fiscal Year 1995 was done at a cost less than what was originally estimated, and this will result in a reserve balance carry-over estimated to be \$90,000. In Fiscal Year 1996, no street maintenance repairs are anticipated except for incidental costs to monitor the completed repair work and administration of the District. It is proposed that the reserve and interest account pay for the annual District monitoring and administration costs which are estimated to be \$6,000. This will result in zero (\$0) assessments to all parcels within the District for Fiscal Year 1996.

FILE LOCATION: STRT M-341

COUNCIL ACTION: (Tape location: A056-194.)

Hearing began at 10:05 a.m. and halted at 10:18 a.m.

MOTION BY WARDEN TO APPROVE THE HEARINGS FOR ITEMS -333,-334, AND -335; ADOPT ITEMS -337, -338, -339, -341, -342, -343, -347, AND -348; INTRODUCE ITEM 345; AND CONTINUE ITEM 349 TO JUNE 27, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-342:

SUBJECT: Penasquitos East Landscape Maintenance District.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1636) ADOPTED AS RESOLUTION R-285958

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Penasquitos East Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1996 assessments for the Penasquitos East Landscape Maintenance District. The district was established in 1983 to provide maintenance for seven miles of landscaped medians, and 87 acres of open space. The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$117,660
Personnel	15,364
Utilities	19,500
Incidentals	43,214
Total Expenses	\$195,738
Reserve	78,786
Total	\$274,524
Less Carry-over and Interest	(93,538)
Less City Contribution	(25,660)
Assessed to District	\$155,326

The amount assessed to the district in Fiscal Year 1996 will be \$11.85 per dwelling unit, the same as the assessment for Fiscal Year 1995.

FILE LOCATION: STRT M-354

COUNCIL ACTION: (Tape location: A056-194.)

Hearing began at 10:05 a.m. and halted at 10:18 a.m.

MOTION BY WARDEN TO APPROVE THE HEARINGS FOR ITEMS -333,-334, AND -335; ADOPT ITEMS -337, -338, -339, -341, -342, -343, -347, AND -348; INTRODUCE ITEM 345; AND CONTINUE ITEM 349 TO JUNE 27, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-343:

SUBJECT: Eastgate Technology Park Landscape Maintenance
District.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1688) ADOPTED AS RESOLUTION R-285959

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Eastgate Technology Park Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1996 assessments for the Eastgate Technology Park Landscape Maintenance District. The district was formed in August 1986 to maintain landscaped center islands, streetscapes and open space areas within the district. The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 95,000
Personnel	25,604
Utilities	25,350
Incidentals	26,461
Total Expenses	\$172,415
Reserve	33,835
Total	\$206,250
Less Carry-over & Interest	(79,150)
Less City Contribution	(3,430)
Assessed to District	\$123,670

The Assessment for Fiscal Year 1996 is \$1,169 per net acre. The assessment in Fiscal Year 1995 was also \$1,169 per net acre. (Net acreage is defined as the buildable area within a parcel).

FILE LOCATION: STRT M-365

COUNCIL ACTION: (Tape location: A056-194.)

Hearing began at 10:05 a.m. and halted at 10:18 a.m.
MOTION BY WARDEN TO APPROVE THE HEARINGS FOR ITEMS -333,-
334, AND -335; ADOPT ITEMS -337, -338, -339, -341, -342, -
343, -347, AND -348; INTRODUCE ITEM 345; AND CONTINUE ITEM
349 TO JUNE 27, 1995 AT THE CITY MANAGER'S REQUEST FOR
FURTHER REVIEW. Second by Mathis. Passed by the following
vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-
yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not
present, Mayor Golding-yea.

ITEM-344: TRAILED TO TUESDAY, JUNE 27, 1995, DUE TO A LACK
 OF FIVE AFFIRMATIVE VOTES

SUBJECT: Two actions related to the Federal Boulevard (60th
 Street to MacArthur Drive) Underground Utility
 District.

(Encanto Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1607)

 Establishing the Federal Boulevard (60th Street to
 MacArthur Drive) Underground Utility District.

Subitem-B: (R-95-1608)

 Authorizing the expenditure of not to exceed \$30,000
 from Annual Allocation - Undergrounding of City
 Utilities, CIP-37-028.0, TransNet Fund 30300, for
 providing funds for the improvement of the Federal
 Boulevard (60th Street to MacArthur Drive) Underground
 Utility District and related costs.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual
Allocation - Undergrounding of City Utilities," and will
underground the overhead utility facilities on Federal Boulevard
between 60th Street and MacArthur Drive. The formation of this
district will require the affected property owners to underground
the utilities which provide service to their property prior to

removal of the overhead utilities in the street. 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 for a portion of the cost of their required undergrounding. Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum \$1,800 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box. This cost typically ranges from \$300 - \$1,500. A future request for a resolution will establish the date for removal of overhead electrical services to all customers and will be submitted as the undergrounding work approaches completion. Included in that resolution will be a request for authorization to fund, with budgeted CIP funds, the replacement of existing wood pole mounted street lights with new street lights having underground electrical service at an estimated cost of \$23,000.

Aud. Cert. 9501083.

FILE LOCATION: STRT K-231

COUNCIL ACTION: (Tape location: D539-E201.)

Hearing began at 2:48 p.m. and halted at 3:07 p.m.

Testimony in opposition by Mary Green and George Riha.

Motion by McCarty to adopt. Second by Mathis. Failed.
Yeas-1,2,5,7. Nays-4,M. Not present-3,6,8.

Mayor Golding announced that this item will trail to Tuesday, June 27, 1995, due to a lack of five affirmative votes.

ITEM-345:

SUBJECT: Proposal to modify the Mid-City Communities Planned District Ordinance by amending Chapter X, Article 3, Division 15, of the San Diego Municipal Code (Section 103.1504) to permanently reinstate a demolition review procedure. This provision allows the Development Services Department to determine if the properties

proposed for demolition in the Mid-City Communities have a historic significance. Potentially historic resources are referred to the Historical Site Board for a final determination regarding historic designation.

(Districts-2, 3 and 7.)

CITY MANAGER'S RECOMMENDATION:

Recommend that City Council reinstate the Mid-City Planned District Ordinance demolition provision on a permanent basis until the Zoning Code is updated and new zoning is in place. Introduce the following ordinance:

(O-95-108) INTRODUCED, TO BE ADOPTED JUNE 26, 1995

Introduction of an Ordinance to reinstate the provisions of Section 103.1504 of the San Diego Municipal Code, subsection J that sunset on January 31, 1995.

DOCKET SUPPORTING INFORMATION:

The Planning Department is proposing an amendment to Section 103.1504 of the San Diego Municipal Code. This amendment would reinstate the demolition review procedure which allows the Planning Director to analyze properties proposed for demolition in the Mid-City Communities PDO for historic significance. Potentially significant properties are referred to the Historical Site Board (HSB) for a determination regarding whether these properties should be designated on the local historical register. This procedure expired on January 31, 1995. The Department proposes to make this procedure permanent and the community groups in the affected area support this action. This amendment is needed because the Mid-City Communities historical resource inventory has not been completed and the HSB has not yet made determinations regarding which properties or districts should be placed on the local historical register. Eventually area specific demolition review procedures in effect in various parts of the City will be replaced by a simple, streamlined citywide demolition review procedure that would require historic significance review of all older buildings (45 years or older) that have not previously been considered for designation by the Historical Site Board.

FILE LOCATION: LAND - Mid-City Planned District Ordinance

COUNCIL ACTION: (Tape location: A056-194.)

Hearing began at 10:05 a.m. and halted at 10:18 a.m.

MOTION BY WARDEN TO APPROVE THE HEARINGS FOR ITEMS -333,-334, AND -335; ADOPT ITEMS -337, -338, -339, -341, -342, -343, -347, AND -348; INTRODUCE ITEM 345; AND CONTINUE ITEM 349 TO JUNE 27, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-346:

SUBJECT: Update on the draft Carmel Valley Neighborhood 8A Precise Plan process to include: initiation of a Development Agreement; report on an acquisition plan for Parcels "A" and "B", including timing, financing and eminent domain discussion; identification of Planning Commission workshop and hearing dates; and a discussion of development transfer for Del Mar Highlands Estates and the FSLIC and Lorenz parcels.

(District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1825 Rev.1) ADOPTED AS RESOLUTION R-285964, WITH DIRECTIONS TO THE CITY MANAGER

Adoption of a Resolution initiating the processing of a Development Agreement between the City of San Diego and Pardee Construction Company.

SUPPORTING INFORMATION:

Pursuant to the City Council's direction to the City Manager on April 11, 1995, the 8A Precise Plan was to return to Council within 60 days for purposes of reviewing an acquisition plan for portions of the Precise Plan area and to consider initiating a Development Agreement between the City and Pardee Construction Company.

FILE LOCATION: LAND - Carmel Valley Neighborhood 8A Precise Plan

COUNCIL ACTION: (Tape location: E202-F270.)

Hearing began at 3:08 p.m. and halted at 3:54 p.m.

Testimony in favor by Doug Boyd, Tom Steinke, Mike Maddigan, Bruce Beaton, and Michael Beck.

Testimony in opposition by Jack Ingber and Keris Kennedy.

MOTION BY MATHIS TO ACCEPT THE CITY MANAGER'S RECOMMENDATION TO APPROVE THE RESOLUTION INITIATING THE PROCESSING OF A PROPOSED DEVELOPMENT AGREEMENT FOR THE CARMEL VALLEY NEIGHBORHOOD 8A. DIRECT THE CITY MANAGER TO: 1) CONTINUE TO PROCESS A PLAN TO FACILITATE THE ACQUISITION OF PARCELS A AND B; 2) REVIEW THE WHITE HOLING ISSUE AND ENTER INTO DISCUSSIONS WITH THE AFFECTED PROPERTY OWNERS. INCLUDE IN THE DISCUSSIONS, THE WIDE RANGE OF ISSUES ASSOCIATED WITH THE WHITE HOLING OF THOSE PROPERTIES. RETURN TO COUNCIL IN OCTOBER, 1995 WITH A SET OF OPTIONS ON HOW TO DEAL WITH THE PROPERTIES; AND 3) HAVE THE PRECISE PLAN PROPOSAL READY IN TIME TO PRESENT IT TO THE CARMEL MOUNTAIN PLANNING BOARD AT THEIR SEPTEMBER 14, 1995 MEETING. REITERATE THAT THE ORIGINAL DIRECTION WAS TO ENSURE THAT STAFF RETURNED TO COUNCIL WITH A FINANCING PLAN FOR ACQUIRING ALL THE AFFECTED PROPERTIES, WHEN THIS ISSUE COMES BACK TO COUNCIL IN OCTOBER FOR FINAL RESOLUTION OF THE 8A ISSUE. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-347:

SUBJECT: Two actions related to Reconstruction of Fire Station No. 11.

(See City Manager Report CMR-95-120. Located at 935-937 25th Street, near the southeast corner of 25th and Broadway. Greater Golden Hills Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1645) ADOPTED AS RESOLUTION R-285960

FINDINGS MUST BE MADE AS A PART OF COUNCIL ADOPTION.

Determining and declaring that the public interest, convenience and necessity of the City of San Diego requires the reconstruction and expansion of Fire Station No. 11 in order to construct a new facility which will have enough space to allow additional engine trucks and paramedics to be housed at this crucial location; that the expansion will enable the City to provide for the health and safety needs for the Greater Golden Hills Area; that the expansion will necessarily require the acquisition of real property located at 935-937 25th Street; and that the public interest, convenience and necessity demand the acquisition;

Declaring the intention of the City 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.

NOTE: 6 votes required for Subitem A.

Subitem-B: (R-95-1646) ADOPTED AS RESOLUTION R-285961

Authorizing the expenditure of not to exceed \$250,000 from Private and Others Contributions CIP-33-082.0, Fund No. 63022, Org. 106, Object Account 4639, Job Order 330820, for costs related to condemnation of fee title in connection with the Reconstruction of Fire Station No. 11.

Aud. Cert. 9501009.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A056-194.)

Hearing began at 10:05 a.m. and halted at 10:18 a.m.

MOTION BY WARDEN TO APPROVE THE HEARINGS FOR ITEMS -333,-334, AND -335; ADOPT ITEMS -337, -338, -339, -341, -342, -343, -347, AND -348; INTRODUCE ITEM 345; AND CONTINUE ITEM 349 TO JUNE 27, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-348:

SUBJECT: Street Vacation - Pomerado Road.

(Scripps Miramar Ranch Community Area.

District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1755) ADOPTED AS RESOLUTION R-285962

Vacating a segment of Pomerado Road adjacent to Lot 102 of Scripps Eastview Unit 4, Map-12394, and a portion of the Southwest 1/4, of the Northeast 1/4 of Section 26, Township 14 South, Row 3 West, San Bernardino Meridian, under the procedure for the summary vacation of streets.

CITY MANAGER SUPPORTING INFORMATION:

The proposed vacation of a remnant segment of the old alignment of Pomerado Road has been requested by the abutting property owners. Previous vacation requests in conjunction with the Scripps Eastview and Scripps Sunburst projects immediately to the south which were finalized in 1991 created the remnant portion of Pomerado Road proposed for vacation. The area-of-vacation abuts City-owned property designated as open space on the west side, and several privately-owned properties located in the City of Poway on the east side. The properties located in the City of Poway are currently developed with single family residences. Any development plan for the future use of the additional properties would require annexation action.

The proposed vacation is located in the Scripps Miramar Ranch Community and is situated in the RI-6 Zone. The area-of vacation

totals approximately 1.55 acres half of which would revert to the City of San Diego. The remaining area would revert to the other seven abutting property owners, based on their lot frontage on the old alignment. The vacation has been reviewed by the City of Poway, which indicated no objection to the proposal. The Scripps Ranch Planning Group also reviewed the proposed street vacation and voted 18-0 to approve the proposal on April 5, 1994. The area-of-vacation is partially improved. However, it is not being utilized for access nor circulation since it has been superseded by the realignment and improvement of Pomerado Road. The right-of-way does not contain public or franchise utilities. Staff review of the proposed vacation has indicated that the four findings required for vacation can be made and that the right-of-way may be summarily vacated pursuant to the Municipal Code and state law.

FILE LOCATION: DEED F-6507 STRT J-2824 DEEDFY95-1

COUNCIL ACTION: (Tape location: A056-194.)

Hearing began at 10:05 a.m. and halted at 10:18 a.m.

MOTION BY WARDEN TO APPROVE THE HEARINGS FOR ITEMS -333,-334, AND -335; ADOPT ITEMS -337, -338, -339, -341, -342, -343, -347, AND -348; INTRODUCE ITEM 345; AND CONTINUE ITEM 349 TO JUNE 27, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-349: CONTINUED TO JUNE 27, 1995

SUBJECT: Year End Budget Adjustments.

(See City Manager Report CMR-95-126.)

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-95-114)

Amending Ordinance No. O-18089 (New Series), as amended, entitled "An Ordinance Amending the Adopted

Annual Budget for the Fiscal Year 1994-95 and
Appropriating the Necessary Money to Operate the City
of San Diego for Said Fiscal Year."

NOTE: See Item 200-B on the regular docket of Monday, June 12,
1995 for the first public hearing.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A056-194.)

Hearing began at 10:05 a.m. and halted at 10:18 a.m.

MOTION BY WARDEN TO APPROVE THE HEARINGS FOR ITEMS -333,-
334, AND -335; ADOPT ITEMS -337, -338, -339, -341, -342, -
343, -347, AND -348; INTRODUCE ITEM 345; AND CONTINUE ITEM
349 TO JUNE 27, 1995 AT THE CITY MANAGER'S REQUEST FOR
FURTHER REVIEW. Second by Mathis. Passed by the following
vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-
yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not
present, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:01 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: F363.)