

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, AUGUST 15, 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 10:05 a.m. Mayor Golding recessed the regular meeting at 10:15 a.m. to convene the Redevelopment Agency. The meeting was reconvened by Mayor Golding at 10:16 a.m. with all members present. Mayor Golding reconvened the Redevelopment Agency Meeting to meet simultaneously with the City Council at 10:49 a.m. The meeting was recessed by Mayor Golding at 11:38 a.m. into Closed Session in the twelfth floor conference room to discuss potential negotiations.

Mayor Golding reconvened the regular meeting and the Redevelopment Agency simultaneously at 2:04 p.m. with Deputy Mayor Vargas and Council Member Stevens not present. Mayor Golding recessed the regular meeting at 3:43 p.m. to convene the Special Council Meeting. The regular meeting was reconvened by Mayor Golding at 4:10 p.m. with all members present. Mayor Golding adjourned the meeting at 4:56 p.m. into Closed Session in the twelfth floor conference room to discuss existing and anticipated litigation matters.

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-Fishkin (pr/mc)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin 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-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-1:

Comment by Don Stillwell regarding Social Security and concern for retirement benefits.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A028-058.)

PUBLIC COMMENT:

ITEM-PC-2:

Comment by Gary Hill regarding boyhood heroes and the death of Mickey Mantel. Mr. Hill asked the Council to promote heroes such as Tony Gwynn for today's impressionable youth.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A059-085.)

COUNCIL COMMENT:

None.

ITEM-113: DEFEATED

SUBJECT: Remodeling of the Waste Management Office Building at  
9601 Ridgehaven Court.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-135 Cor. Copy)

Authorizing the Auditor and Comptroller to expend an additional amount of \$700,000 from the Environmental Services Enterprise Fund 41201, CIP-37-356.0, Waste Management Facility, for the remodeling of the Waste Management office building at 9601 Ridgehaven Court;

Authorizing the City Manager to award a construction contract to Soltek of San Diego, per Base Bid and Additive Alternates 1,2,4,5,6 and Deductive Alternates 2,4,8,9,10,11,12, and 14, in the amount of \$2,361,100, for the remodeling of the office building at 9601 Ridgehaven Court, which is 24 percent above the estimate of \$1,900,000.

CITY MANAGER SUPPORTING INFORMATION:

This action is to authorize the additional expenditure of \$700,000 from the Environmental Services Enterprise Fund. This project will remodel an existing office building to house the Environmental Services Department and Inspection Division of the

Development Services Department, who are now quartered in leased office space. Per City Council Resolution No. R-285970, this project was authorized for construction and related expenditure of \$2,130,000 and contract award to the lowest responsible bidder. All three bids received are significantly higher than estimated.

The project incorporates energy efficiency measures that have been developed in cooperation with San Diego Gas & Electric and the Electric Power Research Institute, who have engaged David Gottfried, cofounder of the U.S. Green Building Council, as consultant.

The project also includes environmentally safe and healthful materials which will enhance productivity, and complies with ADA requirements. The design has been recognized as a "Green Building Demonstration Project," and has received a Certificate of Excellence from the San Diego Chapter of the American Institute of Architects under the San Diego Gas and Electric "Savings Through Design" Program. In response to Mayor Golding's letter to the president of SDG&E dated February 24, 1995, the company has offered incentive payments and incremental financing in an aggregate amount of about \$230,000. In addition, partnering agreements are being negotiated with several manufacturers of advanced building products, within the framework of the City Venture Program and Council Policy 100-2, whereby the City will receive discounts in exchange for publicity resulting from the project. Even with the higher bids, the project is still economical and will produce long-term savings in terms of rental payments and energy costs. The project was discussed with experts on the subject, and it is not expected that the bids would be significantly lower if the project were re-advertised within the given time constraints and specifications to achieve the energy efficiency and environmental objectives. About two-thirds of the total costs are related to the building's mechanical and electrical systems. It is therefore recommended that additional expenditure be authorized and the project awarded to the lowest bidder.

Aud. Cert. 9600103.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G043-171.)

MOTION BY KEHOE TO ADOPT THE CITY MANAGER'S RECOMMENDATION.  
Second by Mathis. Failed by the following vote: Mathis-

yea, Harvey-nay, Kehoe-yea, Stevens-yea, Warden-nay,  
Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-nay.

ITEM-209: CONTINUED - DATE TO BE DETERMINED BY THE MAYOR

SUBJECT: Two actions related to San Diego Stadium Improvements  
Project - San Diego Charger's Training Facility - Phase  
I.

(Mission Valley and Kearny Mesa Community Areas.  
District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-15)

Inviting bids for Construction of San Diego Chargers  
Training Facility, Phase I on Work Order No. 341211;

Authorizing a contract with Robbins Jorgensen  
Christopher Architects (RJC), for an amount not to  
exceed \$998,000 from Fund 10332, CIP-34-121.0, San  
Diego Jack Murphy Stadium Improvements, for  
professional services required for the design of the  
San Diego Chargers Training Facility;

Authorizing the transfer and appropriation of  
\$3,000,000 from Fund 10226, Trolley Extension Reserve,  
to CIP-34-121.0, Fund 10332, San Diego Jack Murphy  
Stadium Improvements, to provide interim project  
funding with the transfer to be repaid from bond  
proceeds;

Authorizing the expenditure of \$1,300,000 from CIP-34-  
121.0, Fund 10332, San Diego Jack Murphy Stadium  
Improvements, for a site preparation contract for the  
San Diego Chargers Training Facility, and authorizing  
the expenditure of \$808,000 from Fund 10332, CIP-34-  
121.0, San Diego Jack Murphy Stadium Improvements, for  
professional services required for the design of the  
San Diego Chargers Training Facility;

Authorizing the addition of CIP-34-121.0, San Diego

Jack Murphy Stadium Improvements, to the FY 96 Budget in the amount of \$60,000,000;

Authorizing a contract with the lowest responsible bidder for the site preparation of the San Diego Chargers Training Facility, based on the actual low bid received for an amount not to exceed \$1,300,000 from CIP-34-121.0, San Diego Jack Murphy Stadium Improvements, Fund 10332;

Stating for the record that the final Mitigated Negative Declaration DEP-95-0261, has been reviewed and considered prior to approving the project;

Adopting the Mitigation Monitoring and Reporting Program.

(BID-K96000)

Subitem-B: (R-96-16)

Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program DEP-95-0261, dated July 5, 1995, has been completed in compliance with the California Environmental Quality Act of 1970 and State CEQA Guidelines, and reflects the independent judgement of the City of San Diego as Lead Agency.

CITY MANAGER SUPPORTING INFORMATION:

On May 15th, the City Council authorized and subsequently adopted an ordinance for the 1995 Agreement for the Partial Use and Occupancy of San Diego Jack Murphy Stadium between the Chargers Football Company and the City (the "1995 Agreement"). The 1995 Agreement provided for \$60,000,000 in Stadium and related improvements, including: additional seating at the Stadium, renovation and construction of skybox suites, improved public amenities at the Stadium, new scoreboards, and a training facility. The San Diego Chargers Training Facility will provide administrative, player, public relations, and ticket facilities. Some of the building functions include weight training, auditorium, steam rooms, locker rooms, staff lounge, offices, conference room, and media rooms. The site will also include practice fields. In accordance with Council Policy 300-7 and Administrative Regulation 25.60 four (4) firms were selected by the Consultant Nominating Committee. Interviews were conducted

on March 27, 1995 with Robbins Jorgensen Christopher being recommended for professional services. Fee negotiations were consummated on July 10, 1995, resulting in mutually acceptable terms and conditions including a base fee of \$861,188, miscellaneous expenses of \$34,682, and additional services (if needed) of \$102,130. In order to adhere to the construction time-line as imposed by the 1995 agreement, it was necessary to enter into an interim agreement with Robbins Jorgensen Christopher Architects (RJC). In July 1995, the City Manager authorized an interim agreement with RJC in the amount of \$190,000 for professional services required for the design of the San Diego Chargers Training Facility. Authorization is requested for the City Manager to enter into a contract with RJC, for the balance of \$808,000, for a total not-to-exceed amount of \$998,000. Additionally, authorization is requested for the City Manager to enter into a site preparation contract, with the lowest responsible bidder, for the San Diego Chargers Training Facility, for a not-to-exceed amount of \$1,300,000. Authorization of the transfer of funds from Fund 10226, Trolley Extension Reserve, is requested to fund interim project costs to be repaid from bond proceeds and must be repaid prior to fiscal year-end to fund required Trolley Extension debt services reserves.

Aud. Cert. 9600080.

FILE LOCATION: W.O. 341211 CONFY96-1 CCONFY96-1

COUNCIL ACTION: (Tape location: G172-248.)

MOTION BY McCARTY TO CONTINUE THIS ITEM UNTIL SUCH TIME AS MAYOR GOLDING AND THE CITY MANAGER HAVE COMPLETED NEGOTIATIONS WITH SDG&E. Second by Kehoe. 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-214: PRESENTED

A Special Presentation by the City Manager regarding City-Wide Restructuring. This is an information item only.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: G249-H106.)

ITEM-330:

SUBJECT: Two actions related to the Old Town Business Improvement District (BID).

(Old Town Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance and adopt the resolution:

Subitem-A: (O-96-25) INTRODUCED AS AMENDED, TO BE  
ADOPTED ON SEPTEMBER 11, 1995

Introduction of an Ordinance establishing the Old Town Business Improvement District pursuant to the Parking and Business Improvement Area Law of 1989 and levying an assessment and charge for upgrading and promoting the area.

Subitem-B: (R-96-139) ADOPTED AS RESOLUTION R-286250

Authorizing an agreement with the Old Town Chamber of Commerce to operate and administer the Old Town Business Improvement District.

CITY MANAGER SUPPORTING INFORMATION:

The City Council recognizes the usefulness of Business Improvement Districts (BIDs) in the revitalization of older commercial neighborhoods.

The City of San Diego currently has eleven such BIDs where merchants assess themselves to provide for business development and marketing activities as well as streetscaping and other physical improvements in their respective areas. Pursuant to Council Policy 900-7, the Old Town Business Improvement District Formation Committee has garnered approximately 45 percent support for establishment of the district from the affected businesses. Not having met the 50 percent requirement of the Council Policy, the Committee requests a waiver and Council action to establish the district. The Small Business Advisory Board has heard the

issue and recommends establishment.

FILE LOCATION:               STRT-L-13     CONT FY96-1

COUNCIL ACTION:             (Tape location:   A168-280.)

Hearing began at 10:16 a.m. and halted at 10:25 a.m.

Testimony in opposition by Elaine Zembrycki.

MOTION BY HARVEY TO INTRODUCE THE ORDINANCE FOR SUBITEM A; WAIVE COUNCIL POLICY 900-7 AND ESTABLISH OLD TOWN BUSINESS AS AMENDED TO TEMPORARILY HOLD THE ASSESSMENTS FOR HAIRDRESSERS AND LIKE ESTABLISHMENTS UNTIL THIS ISSUE IS RESOLVED IN RULES COMMITTEE.

REQUEST THIS ISSUE BE DOCKETED FOR RULES COMMITTEE AND ADOPT THE RESOLUTION FOR SUBITEM B. Second by Kehoe. 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-331:

SUBJECT: Matter of a Tentative Map (TM), Planned Residential Development (PRD), and Resource Protection Ordinance (RPO) permits to subdivide a 17.1-acre property into five lots (four residential and one open space) and the development of four two-story single family homes, each approximately 4,500 to 6,700 square feet in gross floor area. BAME project.

(TM/PRD/RPO-94-0623. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem A and adopt Subitem B and Subitem C to approve the map and permits.

Subitem-A: (R-96-261)           ADOPTED AS RESOLUTION R-286251

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration DEP-94-0623 has been completed in compliance with the California Environmental Quality

Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-96-262) ADOPTED AS RESOLUTION R-286252  
GRANTING THE MAP AS AMENDED

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

Subitem-C: (R-96-263) ADOPTED AS RESOLUTION R-286253  
GRANTING THE PERMITS

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

SUPPORTING INFORMATION:

The TM/PRD/RPO-94-0623, proposes to subdivide a 17.1-acre property into five lots (four residential and one open space) and the development of four two-story single family homes, each approximately 4,500 to 6,700 square feet in gross floor area. Consideration is being given to alternative Compliance to the Resource Protection/Brush Management Ordinance. The project is located at 13843 Old El Camino Real, south of San Dieguito Road, within the A1-10 Zone and the Future Urbanizing Area (Parcel 3 of Map-5254).

FILE LOCATION: SUBITEM A & C: PERM-PRD/RPO 94-0623;  
SUBITEM B: SUBD-TM-94-0623

COUNCIL ACTION: (Tape location: A282-401.)

Hearing began at 10:26 a.m. and halted at 10:34 a.m.

MOTION BY MATHIS TO APPROVE THE CITY MANAGER'S RECOMMENDATION AS AMENDED TO DELETE NUMBER SEVEN, ATTACHMENT 4 OF THE REPORT TO THE PLANNING COMMISSION REQUIRING NO GATES. CLARIFICATION BY STAFF OF THE MAP TO REFLECT THE DELETION OF C AND D OF CONDITION 18 OF ATTACHMENT 5, PAGE 4, AS REQUESTED BY THE APPLICANT AND THE ENGINEERING DEPARTMENT; AND TO ADD THE WORD PRIVATE IN FRONT OF THE

WORD EASEMENT IN CONDITION 25 OF ATTACHMENT 5, PAGE 6.  
Second by Stevens. 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: Two actions related to Scripps Miramar Ranch Public  
Facilities Financing Plan and Facilities Benefit  
Assessment.

(See City Manager Report CMR-95-147. Scripps Miramar  
Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1926) ADOPTED AS RESOLUTION R-286254

Designating an area of benefit in Scripps Miramar  
Ranch; confirming the description of 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  
Scripps Miramar Ranch Facilities Benefit Assessment  
Area.

Subitem-B: (R-95-1927) ADOPTED AS RESOLUTION R-286255

Declaring the assessment fee schedule contained in the  
Scripps Miramar Ranch Public Facilities Financing Plan,  
Fiscal Year 1996, June 1995, as adopted in Resolution  
No. R-286163, to be an appropriate and applicable  
Development Impact Fee for all properties within the  
Scripps Miramar Ranch Community that have either never  
been assessed under the Scripps Miramar Ranch Public  
Facilities Financing Plan or have not otherwise agreed

to the payment of Facilities Benefit Assessment fees as prescribed by the City Council.

OTHER RECOMMENDATIONS:

Land Use and Housing Committee's Recommendation:

On 7/5/95, LU&H voted 4-0 to approve the City Manager's recommendation to adopt the Resolution of Designation and approve the setting of Development Impact Fees. (Councilmembers Mathis, Harvey, Warden and McCarty voted yea. Councilmember Stevens not present).

FILE LOCATION: STRT-FB-11

COUNCIL ACTION: (Tape location: A095-144.)

Hearing began at 10:09 a.m. and halted at 10:15 a.m.

CONSENT MOTION BY KEHOE TO ADOPT. 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.

ITEM-333:

SUBJECT: Route 252 - Phase 1 Residential. Approving a proposal by the Southeastern Economic Development Corporation (SEDC) for a Southeast Development Permit No. 94-0622; a grant deed for an easement to dedicate and name Alpha Street and Beta Street; a street vacation of portions of Beta Street, Alpha Street, and Alley in Block F, Map-1793, and approval of a Tentative Map

(TM-94-0622).

(Case-94-0622. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-118) ADOPTED AS RESOLUTION R-286256

Adoption of a Resolution authorizing the vacation of portions of Beta Street, portion of Alpha Street, and a

portion of Alley in Block F, Map-1793, as provided for under Section 66499.20-1/2 of the State Map Act.

Subitem-B: (R-96-119 COR. COPY) ADOPTED AS  
RESOLUTION R-286257

Adoption of a Resolution accepting a grant deed of Southeastern Economic Development Corporation for a street dedication for the new configurations of Alpha Street and Beta Street.

Subitem-C: (R-96-205) ADOPTED AS RESOLUTION R-286258

Adoption of a Resolution approving the Tentative Map (TM-94-0622), with appropriate findings to support Council action.

Subitem-D: (R-96-206) ADOPTED AS RESOLUTION R-286259

Adoption of a Resolution granting the Southeast Development Permit (SEDP-94-0622), with appropriate findings to support Council action.

Subitem-E: (R-96-207) ADOPTED AS RESOLUTION R-286260

Stating for the record that the City of San Diego, as a Responsible Agency under CEQA, has reviewed and considered the Environmental Secondary Study for the residential component of the proposed 252 corridor project prepared by SEDC, dated July 22, 1994, DEP-94-0622, SCH-93101067.

#### SUPPORTING INFORMATION:

The project site is located within the State Route 252 corridor property, which lies in the southern portion of the Southcrest Redevelopment Project area, between I-5 and I-805, just north of National City's boundary.

The project proposes to implement a 33-lot single family subdivision and associated site improvements on a vacant seven-acre site located north of Beta Street between 38th Street and 41st Street, in the SF-5000 Zone of the Southeast Community Planning Area.

The Tentative Map, Route 252 - Phase 1 Residential (TM-94-0622) and the San Diego City Schools site are two development projects

which require the vacation and dedication of certain streets in the 252 corridor to accommodate redevelopment of this area. The map will resubdivide the area (bounded by 41st Street on the east, 40th Street on the west and boundaries of the 252 corridor on the north and south) into 33 lots for residential development. The map will terminate Beta Street as a cul-de-sac and will accommodate the eastern half of the realignment of Alpha Street. This resubdivision proposes the vacation of Beta Street, a portion of Alpha Street and a segment of Alley in Block F, Map-1793, and includes dedications for the new configurations of Alpha Street and Beta Street. The proposed street system negates the necessity of retaining those portions of Beta Street, Alpha Street and Alley in Block F, Map-1793 which are proposed for vacation. The vacation of Beta Street, Alpha Street and Alley in Block F, Map-1793 with the respective dedications for the new configurations of Alpha Street and Beta Street should only be approved if TM-94-0622 is approved. The future elementary school site to the west of the Tentative Map is bounded on the north by the dedication for the new alignment of Alpha Street and contains no longer needed portions of Alpha Street to be vacated. The streets to be vacated both within the TM-94-0622 boundary, and those portions of streets outside of the map, contain facilities that will either be relocated or have easements reserved.

LEGAL DESCRIPTION:

Portion of Lots 3-9, 32-36, 38-42 and 44-48 of Parcel Map PM-2208; and portions of Alpha Street (as dedicated) and Beta Street (as dedicated).

FILE LOCATION:                   SUBITEM A: STRT-J-2825 DEED F-6553;  
                                  SUBITEM B: DEED F-6554; SUBITEM C:  
                                  SUBD-TM-94-0622; SUBITEM D & E: PERM  
                                  SEDP 94-0622       DEEDFY96-2

COUNCIL ACTION:                   (Tape location: A095-144.)

Hearing began at 10:09 a.m. and halted at 10:15 a.m.

CONSENT MOTION BY KEHOE TO ADOPT. 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.

ITEM-334:

SUBJECT: San Diego Mercado Commercial Project - Property Acquisition.

(See City Manager Report CMR-95-169. Barrio Logan Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-66) ADOPTED AS RESOLUTION R-286261

Accepting an Urban Development Action Grant in the amount of \$875,000, an Economic Development Incentive Grant in the amount of \$720,000, and Housing and Urban Development Loan Funds in the amount of \$7,200,000, for property acquisition for the San Diego Mercado Commercial Project;

Declaring that the monies shall be loaned to the Redevelopment Agency of the City of San Diego, as an interest bearing loan for purposes of carrying out the property acquisition for the San Diego Mercado Commercial Project.

Aud. Cert. 9600057.

NOTE: See the Redevelopment Agency Agenda of August 15, 1995 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A408-B180.)

Hearing began at 10:34 a.m. and halted at 10:49 a.m.

Testimony in opposition by Louise Goebel.

MOTION BY VARGAS TO ADOPT THE CITY MANAGER'S RECOMMENDATION. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-335:

SUBJECT: Matter of approval of the Sherman Heights  
Revitalization Action Program.

(District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-137) ADOPTED AS RESOLUTION R-286262

Adoption of a Resolution approving the Sherman Heights  
Revitalization Action Program.

SUPPORTING INFORMATION:

This Revitalization Action Program is a statement of intent and policy which will help implement existing City Council Policy embodied in the City's Progress Guide and General Plan, Southeast San Diego Community Plan, Sherman Heights Historic District, the Sherman Heights Historic District Design and Development Guidelines, and related implementing documents. Sherman Heights is generally located south of Dr. Martin Luther King Jr. Freeway (SR-94), east of Freeway I-5, and north of Commercial Street within the Southeast San Diego Community Plan Area. The Sherman Heights Revitalization Action Program provides a strategy and action program that implements previously adopted Council documents and policy. To update conditions, the City Manager established a Revitalization Team which included representation from community members, neighborhood nonprofit organizations, the Sherman School principal, SEDC, Planning Commission and City Departments (Police, Neighborhood Code Compliance, Environmental Services, Park and Recreation, Library, Engineering and Planning). The Team sponsored community workshops, forums, business meetings and held biweekly meetings in the community. The Revitalization Program provides a "Vision" for development supplemented by five Action Programs in the areas of: (1) Neighborhood Organization; (2) Public Safety; (3) Public Facilities and Services; (4) Neighborhood Rehabilitation and Historic Preservation; and (5) Commercial Revitalization. The Action Programs are prioritized and organized. Funding sources are identified. Upon Council adoption, grant funds will be sought from identified and other available funding sources.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A184-365.)

Hearing began at 10:58 a.m. and halted at 11:12 a.m.

Testimony in favor by David Swarens and Juan Ulloa.

MOTION BY VARGAS TO ADOPT THE CITY MANAGER'S RECOMMENDATION APPROVING THE SHERMAN HEIGHTS REVITALIZATION ACTION PROGRAM. Second by Stallings. 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: Matter of a proposal to construct a self-serve gasoline station, mini-mart and carwash facility on a vacant 22,845-square-foot site.

(CPA-93-0368, Rezone-94-0157, CUP/SESD-94-0618. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions and introduce the ordinances:

Subitem-A: (R-96-158) ADOPTED AS RESOLUTION R-286263

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration DEP-94-0618 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-96-27) INTRODUCED, TO BE ADOPTED ON SEPTEMBER 11, 1995

Introduction of an Ordinance rezoning a 0.2-acre parcel, located at the northwest corner of Imperial

Avenue and Escuela Street, in the Southeast San Diego Planned District from the MF-2500 Zone to the CSR-1 Zone.

Subitem-C: (O-96-28) INTRODUCED, TO BE ADOPTED ON  
SEPTEMBER 11, 1995

Introduction of an Ordinance amending Zone Map Drawing No. C-732 to reflect the change in land use designation of Parcels 7-11 of Sunshine Gardens Subdivision, Map-1804, from the MF-2500 Zone to the CSR-1 Zone.

Subitem-D: (O-96-29) INTRODUCED, TO BE ADOPTED ON  
SEPTEMBER 11, 1995

Introduction of an Ordinance approving and adopting the First Amendment to the Redevelopment Plan for the Central Imperial Redevelopment Project.

Subitem-E: (R-96-214) ADOPTED AS RESOLUTION R-286264

Adoption of a Resolution approving Conditional Use/Southeast Development Permit 94-0618, with appropriate findings to support Council action.

SUPPORTING INFORMATION:

The project site is located on the north side of Imperial Avenue between 47th and Escuela Streets in the Southeast San Diego Community. The project also proposes amendments to the adopted Southeast San Diego Planned District Ordinance, the Southeast San Diego Community Plan, the Central Imperial Redevelopment Plan, and a corresponding rezone from residential to neighborhood commercial over half the subject property to accommodate the proposed commercial uses on this site.

On July 6, 1995, the Planning Commission voted to recommend to the City Council approval of the proposed development, including the proposed change of zone on a portion of the subject property (parcels 7-11) and corresponding amendments to the Southeast San Diego Community Plan, the Central Imperial Redevelopment Plan and the Southeast San Diego Planned District Ordinance.

FILE LOCATION: SUBITEM A & E: PERM-CUP/SEDP 94-0618;  
SUBITEM B: LAND-SESDPD; SUBITEM C:  
SUBD-SUNSHINE GARDENS; SUBITEM D: NONE

COUNCIL ACTION: (Tape location: A095-144.)

Hearing began at 10:09 a.m. and halted at 10:15 a.m.

CONSENT MOTION BY KEHOE TO INTRODUCE THE ORDINANCES FOR SUBITEMS B, C, AND D, AND ADOPT THE RESOLUTIONS FOR SUBITEMS A AND E. 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.

ITEM-337:

SUBJECT: Matter of amendments to the La Jolla Community Plan and Local Coastal Program Land Use Plan.

(District-1.)

(Continued from the meeting of August 1, 1995, Item 332, at Councilmember Mathis' request, for further review of one of the changes requested by the Coastal Commission and the La Jolla Community Plan Update which has created a significant change in access requirements for both visual and vertical access.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1917) ADOPTED AS RESOLUTION R-286265

Adoption of a Resolution declaring that Environmental Impact Report DEP-92-0199 and Addendum DEP-94-0625 have been previously reviewed and certified by Council in connection with the La Jolla Community Plan.

Subitem-B: (R-95-1916 REV.1) ADOPTED AS AMENDED AS RESOLUTION R-286266

Adoption of a Resolution approving the amendments to the La Jolla Community Plan and Local Coastal Program Land Use Plan.

SUPPORTING INFORMATION:

The La Jolla Community Plan and Local Coastal Program Land Use

Plan (LCP), a consolidation and comprehensive revision of the 1972 La Jolla Precise Plan, 1975 La Jolla Community Plan, and 1983 La Jolla-La Jolla Shores Local Coastal Program, was adopted by the San Diego City Council in January 1995.

Portions of the community are within the coastal zone. The plan does not become effective in the coastal zone until certified by the California Coastal Commission. On May 11, the California Coastal Commission denied the plan as submitted, but adopted the plan with modifications. If the City Council accepts these modifications, the Coastal Commission will then certify the plan, rendering the plan effective within the coastal zone. The modifications add detail to the plan to guide the future application of development regulations. The following amendments are proposed to meet the Coastal Commission's requirements for certification:

1. Addition of references to coastal access points.
2. Addition of references to the Sensitive Coastal Resources Overlay Zone.
3. Restrictions on the use of coastal bluff protective devices.
4. Addition of language encouraging the retention of on-street parking which provides for beach access.
5. Addition of language promoting pedestrian-oriented uses in the La Jolla village area.
6. Restrictions on construction on and adjacent to coastal bluffs.
7. Other changes providing more specificity or clarity.

FILE LOCATION: LAND-LA JOLLA COMMUNITY PLAN

COUNCIL ACTION: (Tape location: B398-599.)

Hearing began at 11:14 a.m. and halted at 11:25 a.m.

Testimony in favor by Dave Odell and Joanne Pearson.

MOTION BY MATHIS TO ADOPT THE RESOLUTION DECLARING THAT THE ENVIRONMENTAL IMPACT REPORT DEP-92-0199 AND ADDENDUM DEP-94-0625 HAVE BEEN PREVIOUSLY REVIEWED AND CERTIFIED BY CITY COUNCIL IN CONNECTION WITH THE LA JOLLA COMMUNITY PLAN. ADOPT THE MODIFICATION TO THE LA JOLLA COMMUNITY PLAN, THE LOCAL COASTAL PROGRAM LAND USE PLAN AS PROPOSED BY THE CALIFORNIA COASTAL COMMISSION WITH EXCEPTION OF ITEM NUMBER 5. ITEM NUMBER 5 IS AMENDING THE PLAN RECOMMENDATION 2.E. ON PAGE 44, WHICH IS AT ISSUE FROM THE LEGAL STANDPOINT.

DIRECTING PLANNING DEPARTMENT STAFF, AND CITY ATTORNEY TO WORK WITH COASTAL COMMISSION STAFF TO REVISE THE PLAN RECOMMENDATION 2.E. ON PAGE 44 IN A MANNER THAT IS MUTUALLY ACCEPTABLE, AND TO BRING THOSE REVISIONS BACK TO CITY COUNCIL FOR ADOPTION AND NOTICED PUBLIC HEARING. Second by Stallings. 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-338:

SUBJECT: Two actions related to Park De La Cruz-Condensation.

(See City Manager Report CMR-95-190. Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-153) ADOPTED AS RESOLUTION R-286267

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 acquisition of property for the expansion of a project known as Park De La Cruz, in Lots 36, 37 and 38 of Block 65 of City Heights, and that the public interest, convenience and necessity demand the acquisition of fee simple absolute to the property;

Declaring that the property is deemed necessary for completion of the Park De La Cruz project;

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: Six votes required for Subitem A.

Subitem-B: (R-96-154) ADOPTED AS RESOLUTION R-286268

Authorizing the expenditure of an amount not to exceed \$63,000 from Open Space District Bond Fund 79104, Organization 101, Object Account 4638, Job Order 028309, for costs related to condemnation of fee title in connection with the acquisition of property and expansion of Park De La Cruz;

The amount of \$63,000 supplements funds in the amount of \$929,000 previously authorized by Resolution R-285281 dated 1/31/95 for the Park De La Cruz Project.

Aud. Cert. 9600101.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A095-144.)

Hearing began at 10:09 a.m. and halted at 10:15 a.m.

CONSENT MOTION BY KEHOE TO ADOPT. 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.

ITEM-339:

SUBJECT: Two actions related to Support for Tax-Exempt Bond Financing for Delimex and Johanson Dielectrics.

(Southeast San Diego and Otay Mesa Community Areas. Districts-4 & 8.)

CITY MANAGER'S RECOMMENDATION:

Hold the required public hearing and adopt the following resolutions:

Subitem-A: (R-96-85 COR. COPY 9/28/95) ADOPTED AS  
RESOLUTION  
R-286269

Approving the issuance of not to exceed \$6,000,000 aggregate principal amount of Industrial Development Revenue Bonds (O.R.A. Corporation D.B.A. Delimex

Project).

Subitem-B: (R-96-86 COR. COPY 9/28/95) ADOPTED AS  
RESOLUTION  
R-286270

Approving the issuance of not to exceed \$4,000,000  
aggregate principal amount of Industrial Development  
Revenue Bonds (Johanson Dielectrics, Inc., Project).

CITY MANAGER SUPPORTING INFORMATION:

The City Council is requested to hold a public hearing supporting issuance of separate tax-exempt private activity conduit revenue bonds by the California Statewide Communities Development Authority Joint Powers Agency (the JPA) of up to \$6 million for Delimex and up to \$4 million for Johanson Dielectrics. Delimex will use bond proceeds to finance its 68,000 square foot frozen foods manufacturing facility to be located on Lots 1-4 and 1-9 of the Brown Field Business Park in the Otay Mesa Enterprise Zone. Johanson Dielectrics will use bond proceeds to purchase and renovate a 32,000 square foot facility located at 823 Gateway Center Way in the Southeast/Barrrio Logan Enterprise Zone for the manufacture of ceramic chip capacitors. The JPA, which will be the Issuer, has previously issued bonds for various City-approved projects, including financing for: Carvin Corp., Howard Leight Industries; the Salk Institute; the San Diego State University Foundation; Figi Graphics, Inc; and the Institute for Defense Analysis.

It is endorsed by the League of California Cities and the County Supervisors' Association of California. The City has been a member since 1991. The JPA issues only investment grade bonds. As with previous JPA issues, the City's name will not appear on the bonds and there will be no further City involvement in the financing. Delimex will retain 280 jobs in San Diego and expects to create an additional 80 jobs over the next two years. Johanson Dielectrics is expected to bring 100 transfers and new hires to the Southeast/Barrrio Logan Enterprise Zone. By authorizing these bond issues by the JPA, the Council will be providing a significant business incentive: assisting Delimex and Johanson Dielectrics in obtaining the most cost-effective financing for their San Diego manufacturing facilities.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A095-144.)

Hearing began at 10:09 a.m. and halted at 10:15 a.m.

CONSENT MOTION BY KEHOE TO ADOPT. 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.

ITEM-340:

SUBJECT: Assessment District No. 4084 - Neighborhood 8A Open Space Acquisition.

(See City Manager Report CMR-95-196. Carmel Valley, Sorrento Hills, and Torrey Pines Community Areas. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-161) ADOPTED AS RESOLUTION R-286273

Preliminarily approving the Investigation Report for Assessment District No. 4084;

Setting a public meeting and a public hearing to determine whether the public convenience and necessity require the acquisition of open space in Assessment District No. 4084, Neighborhood 8A Open Space Acquisition.

FILE LOCATION: STRT OS-39

COUNCIL ACTION: (Tape location: D315-F206.)

MOTION BY MATHIS TO ADOPT THE CITY MANAGER'S RECOMMENDATION. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-341:

SUBJECT: Civic Pond and Park Improvements (Children's Park) in the Marina Sub Area of the Centre City Redevelopment Project.

(See Centre City Development Corporation's Memorandum dated 7/5/95. District-2.)

(Continued from the meeting of August 1, 1995, Item 336, at Councilmember Harvey's request, for more information about refining the way in which the assessment may be made.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-96-64 REV.1) ADOPTED AS AMENDED AS RESOLUTION R-286274

Making certain findings with respect to the payments for construction of the Children's Park improvements in the Marina Sub Area of the Centre City Redevelopment Project.

NOTE: See the Redevelopment Agency Agenda of August 15, 1995 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B-600-C150; D025-309.)

MOTION BY HARVEY TO ACCEPT STAFF'S RECOMMENDATION. Second by Vargas. Trail to afternoon session.

MOTION BY HARVEY TO ADOPT THE RESOLUTION AS AMENDED TO ACCEPT COUNCIL MEMBER WARDEN'S RECOMMENDATION THAT A CAP OF \$60,000 OR HALF THE COST OF THE MAINTENANCE, WHICHEVER IS LESS, BE ESTABLISHED AS THE CITY'S PARTICIPATION IN THE FUNDING IN ORDER TO HAVE A BUDGET LINE ITEM THAT COUNCIL CAN LOOK AT DURING THE NEXT THREE YEARS. Second by Vargas. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-nay, Stevens-yea, Warden-yea, Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-342:

SUBJECT: Lincoln High Site - 49th and Imperial.

(See City Manager Report CMR-95-193. Lincoln Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-160) ADOPTED AS RESOLUTION R-286271

Authorizing an amendment of the agreement to Purchase Real Property, authorized by Resolution R-278863, including the cancellation of the Note;

Authorizing the City Manager to sign the amendment to the agreement, and the Deed of Trust, which reconveys the Lincoln High Site to the Redevelopment Agency of the City of San Diego.

NOTE: See the Redevelopment Agency Agenda of August 15, 1995 for a companion item.

FILE LOCATION: DEED F-6552 DEEDFY96-1

COUNCIL ACTION: (Tape location: A095-144.)

Hearing began at 10:09 a.m. and halted at 10:15 a.m.

CONSENT MOTION BY KEHOE TO ADOPT. 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.

ITEM-CS-1: (R-96-179) ADOPTED AS RESOLUTION R-286272

A Resolution adopted by the City Council in Closed Session on August 15, 1995.

Authorizing the City Manager to pay the total sum of \$105,000.00 in the settlement of each and every claim against the City of San Diego, its agents and employees, in Superior Court Case No. 686450, Theodore and Mabel Wapnowski v. City of San Diego, et al., resulting from the personal injuries to Theodore and Mabel Wapnowski; authorizing the

City Auditor and Comptroller to issue one check in the amount of \$105,000.00, made payable to Theodore and Mabel Wapnowski and James J. Cunningham, their attorney of record, in full settlement of all claims.

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:56 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: H107.)