

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, JULY 9, 1996  
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 10:13 a.m. The meeting was recessed by Mayor Golding at 12:29 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Golding at 2:11 p.m. with Council Member McCarty and Council Member Vargas not present. Mayor Golding adjourned the meeting at 2:40 p.m. into Closed Session in the twelfth floor conference room to discuss existing and anticipated litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
  - (1) Council Member Mathis-present
  - (2) Council Member Wear-present
  - (3) Council Member Kehoe-present
  - (4) Council Member Stevens-present
  - (5) Council Member Warden-present
  - (6) Council Member Stallings-present
  - (7) Council Member McCarty-present
  - (8) Council Member Vargas-present
- Clerk-Abdelnour/Fishkin (ms/pr)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-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

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO CITY MANAGER

Comment by Don Leichtling regarding motorcycle parking in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A013-047.)

COUNCIL COMMENT:

None

ITEM-330:

SUBJECT: Appeal of Timothy Graves, representing Calprop Corporation, from the decision of the Planning Commission in denying the initiation of an amendment to the East Elliott Community Plan and Progress Guide and General Plan.

(East Elliott Plan Area. District-7.)

(Continued from the meeting of May 7, 1996, Item 334,  
at Councilmember Wear's request, for 60 days to allow  
staff and the applicant to explore options of the East  
Elliott Community Plan Area.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution denying the appeal and denying the  
initiation of the proposed amendment:

(R-97-290)            ADOPTED AS RESOLUTION R-287609 DENYING THE  
APPEAL AND DENYING THE CUP

Adoption of a Resolution granting or denying the appeal  
and granting or denying the initiation of the proposed  
amendment.

OTHER RECOMMENDATIONS:

Planning Commission voted 7-0 to deny.

Ayes: Neils, Anderson, Butler, Quinn, Skorepa, Watson, White  
The East Elliott Planning Advisory Committee has recommended  
approval of this project.

SUPPORTING INFORMATION:

Applicants representing 36 parcels or approximately one-third of  
the East Elliott Community Plan area have applied for a community  
plan amendment to add a landfill site designation to East Elliott  
for the purpose of accommodating a private landfill. The area is  
currently designated Very Low Density, Open Space, and Sanitary  
Fill Site (the existing County landfill) in the Elliott Community  
Plan, adopted on April 29, 1971.

FILE LOCATION:            LAND-East Elliott Community Plan

COUNCIL ACTION:            (Tape location: A304-B040.)

Hearing began at 10:37 a.m. and halted at 10:59 a.m.

Testimony in opposition by Michael Spata and Tim Graves.

MOTION BY McCARTY TO DENY THE APPEAL AND DENY THE REQUEST  
FOR A CUP, BUT TO REQUEST A GENERAL DISCUSSION OF PRIVATE  
LANDFILLS BY THE NR&C COMMITTEE. Second by Mathis. Passed  
by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,

Vargas-yea, Mayor Golding-yea.

ITEM-331:

SUBJECT: Matter of a Coastal Development Permit, La Jolla Planned District Special Use Permit for demolition, remodeling and expansion of portions of the La Jolla Presbyterian Church. Included in this proposal is a request for height, yard and sign variances and an alley right-of-way vacation.

(CDP/LJPD-95-0361. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitems A, C, D and adopt Subitem B to approve the permits and variance:

Subitem-A: (R-96-1626) ADOPTED AS RESOLUTION R-287610

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration DEP-95-0361 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-97-289 COR. COPY) ADOPTED AS RESOLUTION R-287611 GRANTING THE PERMITS AND VARIANCE

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

Subitem-C: (R-96-1590) ADOPTED AS RESOLUTION R-287612

Adoption of a Resolution authorizing the vacation of an alley in Block 32, La Jolla Park, Map-352 as provided for under Section 66499.20-1/2 of the State Map Act.

Subitem-D: (R-96-1591) ADOPTED AS RESOLUTION R-287613

Accepting the easement deed of La Jolla Presbyterian Church, granting to the City an easement for public street purposes in a portion of Lots 29 and 30 of Block 32, La Jolla Park, Map-352.

OTHER RECOMMENDATIONS:

Planning Commission voted 6-0 to approve.  
Ayes: Neils, Anderson, Butler, Quinn, Watson, White  
Not Present: Skorepa

The La Jolla Community Planning Group has recommended approval of the project.

SUPPORTING INFORMATION:

The La Jolla Presbyterian Church is located at 7715 Draper Avenue on a 1.87-acre site bordered by Draper Avenue on the west, Kline Street on the south, Eads Avenue on the east, and the La Jolla Bed and Breakfast Inn on the north. The property is located in the La Jolla Planned District Zones 5 and 6. The portion of the project site containing Zone 5 consists of .85 acres and is designated medium-density residential, while the portion containing Zone 6 consists of .78 acres, and is designated "Cultural". Adjacent land uses to the east and south include multi-family residential apartments and condominiums, and single-family homes.

LEGAL DESCRIPTION:

The project site is more particularly described as Lots 9-30, Block 32, La Jolla Park Subdivision Map-0352; alley adjacent to lots 9-28, Block 32, La Jolla Subdivision Map-352 in the La Jolla Community.

FILE LOCATION: SUBITEMS A AND B: PERM-CDP/LJPD-95-0361;  
SUBITEMS C AND D: STRT-J-2847, DEED F-6794  
DEEDFY97-2

COUNCIL ACTION: (Tape location: A271-302.)

Hearing began at 10:35 a.m. and halted at 10:37 a.m.

CONSENT MOTION BY WARDEN TO ADOPT SUBITEMS A, C, AND D AND

ADOPT SUBITEM B TO GRANT THE PERMITS AND VARIANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: Public meeting regarding the annual assessments for the Tierrasanta Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Tierrasanta Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1387) ADOPTED AS RESOLUTION R-287614

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

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for Tierrasanta Landscape Maintenance District (LMD). The district was established in 1972 to provide maintenance for 232,150 square feet of landscaped center medians, and 856 acres of open space. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$228,967	\$ 228,967
REVENUE:			
Assessments	\$ 376,532	0	376,532
Interest	0	12,797	12,797

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City Contribution	49,258	0	49,258
TOTAL REVENUE	\$ 425,790	\$ 12,797	\$ 438,587
TRANSFER	176,211	(176,211)	0
EXPENSE:			
Personnel	\$ 53,848	\$ 0	\$ 53,848
Contractual	392,000	0	392,000
Incidental	65,503	0	65,503
Utilities	90,650	0	90,650
TOTAL EXPENSE	\$ 602,001	\$ 0	\$ 602,001
ENDING BALANCE	\$ 0	\$ 65,553	\$ 65,553

The proposed assessment for Fiscal Year 1997 is \$44.46 per equivalent dwelling unit (EDU). This is the same as Fiscal Year 1996. The district contains 8,469 equivalent dwelling units.

FILE LOCATION: STRT-M-403

COUNCIL ACTION: (Tape location: A271-302.)

Hearing began at 10:35 a.m. and halted at 10:37 a.m.

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: Public meeting regarding the annual assessments for the Scripps-Miramar Ranch Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

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

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1425) ADOPTED AS RESOLUTION R-287615

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Scripps-Miramar Ranch Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for Scripps-Miramar Ranch Landscape Maintenance District (LMD). The district was established in May 1981 to provide maintenance for landscaped medians and open space within the district. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$158,785	\$ 158,785
REVENUE:			
Assessments	\$ 533,393	0	533,393
Interest	0	4,400	4,400
City Contribution	188,198	0	188,198
TOTAL REVENUE	\$ 721,591	\$ 4,400	\$ 725,991
TRANSFER	41,535	( 41,535)	0
EXPENSE:			
Personnel	\$ 53,473	\$ 0	\$ 53,473
Contractual	558,400	0	558,400
Incidental	67,053	0	67,053
Utilities	84,200	0	84,200
TOTAL EXPENSE	\$ 763,126	\$ 0	\$ 763,126
ENDING BALANCE	\$ 0	\$121,650	\$ 121,650

The proposed assessment for Fiscal Year 1997 is \$73 per equivalent dwelling unit (EDU) in Zones 1 and 3 and \$35.98 in Zone 2. The assessment is the same as Fiscal Year 1996. The district contains a total of 8,627.4 equivalent dwelling units. Zone 1 contains 5,373.6 equivalent dwelling units, Zone 2 contains 2,604.2 equivalent dwelling units, and Zone 3 contains 649.6 equivalent dwelling units (EDU's).

FILE LOCATION: STRT-M-402

COUNCIL ACTION: (Tape location: A271-302.)

Hearing began at 10:35 a.m. and halted at 10:37 a.m.

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334:

SUBJECT: Public meeting regarding the annual assessments for the  
Sabre Springs Landscape Maintenance District.  
Following public testimony at today's meeting, the  
Council will consider and may confirm the proposed  
assessments.

(Sabre Springs Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt  
the following Resolution:

(R-96-1419) ADOPTED AS RESOLUTION R-287616

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

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for  
Sabre Springs Landscape Maintenance District (LMD). The district  
was established in 1982 to provide maintenance for landscaped  
medians, improved open space, streetscapes, and natural open  
space. For Fiscal Year 1997, the district will maintain 235,063  
sq. ft. of landscaped medians, and 458 acres of natural open  
space. The Fiscal Year 1997 proposed maintenance costs for the  
district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 54,662	\$ 54,662
REVENUE:			
Assessments	\$ 86,689	0	86,689
Interest	0	2,753	2,753
City Contribution	39,657	0	39,657
TOTAL REVENUE	\$ 126,346	\$ 2,753	\$ 129,099
TRANSFER	10,204	( 10,204)	0
EXPENSE:			
Personnel	\$ 26,925	\$ 0	\$ 26,925
Contractual	70,000	0	70,000
Incidental	29,925	0	29,925
Utilities	9,700	0	9,700
TOTAL EXPENSE	\$ 136,550	\$ 0	\$ 136,550
ENDING BALANCE	\$ 0	\$ 47,211	\$ 47,211

The proposed assessment for Fiscal Year 1997 is \$15.56 per equivalent dwelling unit (EDU). The assessment is the same as Fiscal Year 1996. The district contains 5,571.3 equivalent dwelling units.

FILE LOCATION: STRT-M-401

COUNCIL ACTION: (Tape location: A271-302.)

Hearing began at 10:35 a.m. and halted at 10:37 a.m.

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335:

SUBJECT: Public meeting regarding the annual assessments for the Rancho Bernardo Landscape Maintenance District.  
Following public testimony at today's meeting, the

Council will consider and may confirm the proposed assessments.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1428) ADOPTED AS RESOLUTION R-287617

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

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for the Rancho Bernardo Landscape Maintenance District. The district was established in July 1983 to provide maintenance of landscaped and paved street medians plus streetscapes within the district boundaries. For Fiscal Year 1997, the District will maintain 165,265 sq. ft. of landscaped medians, 270,414 sq. ft. of unpaved medians, and 539,805 sq. ft. of streetscape. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

FUND			
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0.00	\$ 59,076.00	\$ 59,076.00
REVENUE:			
Assessments	\$ 140,462.00	0.00	140,462.00
Interest	0.00	4,403.00	4,403.00
City Contribution	\$ 19,832.00	0.00	\$ 19,832.00
TOTAL REVENUE	\$ 160,294.00	\$ 4,403.00	\$ 164,697.00
TRANSFER	21,622.00	( 21,622.00)	0.00
EXPENSE:			
Personnel	\$ 12,902.00	\$ 0.00	\$ 12,902.00
Contractual	105,000.00	0.00	105,000.00
Incidental	33,514.00	0.00	33,514.00

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Utilities	30,500.00	0.00	30,500.00
TOTAL EXPENSE	\$ 181,916.00	\$ 0.00	\$ 181,916.00
ENDING BALANCE	\$ 0.00	\$ 41,857.00	\$ 41,857.00

The proposed assessment for Fiscal Year 1997 is \$7.70 per equivalent dwelling unit (EDU). This is the same amount as Fiscal Year 1996. The district contains 18,241.8 equivalent dwelling units.

FILE LOCATION: STRT-M-400

COUNCIL ACTION: (Tape location: A271-302.)

Hearing began at 10:35 a.m. and halted at 10:37 a.m.

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-336:

SUBJECT: Public meeting regarding the annual assessments for the Otay International Center Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1401) ADOPTED AS RESOLUTION R-287618

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

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for Otay International Center Landscape Maintenance District (LMD). The district was established in July 1994 to provide maintenance for streetscapes and landscaped medians along major arterial streets and the corridors along State Highway 905 from the north end of the Otay International Center project to the border station property. The district maintains 111,250 sq. ft. of landscaped center medians. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 99,758	\$ 99,758
REVENUE:			
Assessments	\$ 307,296	0	307,296
Interest	0	2,779	2,779
City Contribution	13,350	0	13,350
TOTAL REVENUE	\$ 320,646	\$ 2,779	\$ 323,425
TRANSFER	25,401	( 25,401)	0
EXPENSE:			
Personnel	\$ 40,385	\$ 0	\$ 40,385
Contractual	186,500	0	186,500
Incidental	39,062	0	39,062
Utilities	80,100	0	80,100
TOTAL EXPENSE	\$ 346,047	\$ 0	\$ 346,047
ENDING BALANCE	\$ 0	\$ 77,136	\$ 77,136

The proposed assessment for Fiscal Year 1997 is \$970 per net acre. This is a reduction of \$315 per net acre from the Fiscal Year 1996 assessment of \$1,285 per net acre. This 24.5 percent reduction is a result of savings in Contractual Maintenance (\$13,500), Incidental Expense (\$8,097) and Utilities (\$20,000). This district contains 316.8 net acres.

FILE LOCATION: STRT-M-399

COUNCIL ACTION: (Tape location: A271-302.)

Hearing began at 10:35 a.m. and halted at 10:37 a.m.

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.

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

ITEM-337:

SUBJECT: Public meeting regarding the annual assessments for the Mira Mesa Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-96-1422) ADOPTED AS RESOLUTION R-287619

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

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for Mira Mesa Landscape Maintenance District (LMD). The district was established in July 1983 to provide maintenance of landscaped medians, slopes and streetscapes along major arterial streets and corridors within the district. The district maintains 160,958.3 square feet of landscaped medians. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

FUND			
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$457,326	\$ 457,326
REVENUE:			
Assessments	\$ 299,137	0	299,137
Interest	0	14,786	14,786
City Contribution	\$ 46,792	0	\$ 46,792

TOTAL REVENUE	\$ 345,929	\$ 14,786	\$ 360,715
TRANSFER	25,746	( 25,746)	0
EXPENSE:			
Personnel	\$ 43,081	\$ 0	\$ 43,081
Contractual	180,000	( 0)	180,000
Incidental	61,994	0	61,994
Utilities	86,600	0	86,600
TOTAL EXPENSE	\$ 371,675	\$ 0	\$ 371,675
ENDING BALANCE	\$ 0	\$446,366	\$ 446,366

The proposed assessment for Fiscal Year 1997 is \$3.82 in Zones 1, 2, 5 and 6 and \$77 in Zones 3 and 4. The assessment is the same as Fiscal Year 1996. The district contains 37,771.5 equivalent dwelling units. Zones 1, 2, 5 and 6 contain 35,655.5 equivalent dwelling units. Zones 3 and 4 contain 2,116 equivalent dwelling units.

FILE LOCATION: STRT-M-404

COUNCIL ACTION: (Tape location: A271-302.)

Hearing began at 10:35 a.m. and halted at 10:37 a.m.

CONSENT MOTION BY WARDEN TO ADOPT. Second by Mathis.  
Passed by the following vote: Mathis-yea, Wear-yea,  
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-338: HEARING HELD

SUBJECT: This is the first of two scheduled public hearings regarding the proposed Arroyo Sorrento Assessment District No. 4077. Council will take action at the subsequent hearing which has been scheduled on August 6, 1996 at 10:00 a.m. Public testimony will also be taken at that meeting. (1913 Improvement Act).

(See City Manager Report CMR-96-118. Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Accept testimony from members of the public and refer the matter to the second public hearing which has been scheduled for August 6, 1996 at 10:00 a.m.

SUPPORTING INFORMATION:

Arroyo Sorrento Road, Via Del Mar, Tierra Del Sur, and Arroyo Sorrento Place are unpaved streets that serve an area of the City located east of Interstate 5 and south of Carmel Valley Road. This area was annexed to the City from the County in 1958. A petition to construct street improvements by means of a 1913 Act Assessment District was signed by the owners of 89.4% of the land area subject to assessment. A second petition was circulated and filed to specifically request that the street improvement project include the undergrounding of overhead utility lines. On June 11, 1996, the City Council adopted Resolution of Intention R-287502 to order improvements, as amended, to delete the underground utility portion and to continue with the remainder focusing on the road paving portion.

FILE LOCATION: STRT-D-2289

COUNCIL ACTION: (Tape location: B040-594.)

Hearing began at 11:00 a.m. and halted at 11:39 a.m.

Testimony in opposition by Donna Dean, John Dean, Jill McCarty, Anne Harvey, David Antin, Terry Rodgers and Cecelia Kempers-Mayo.

Testimony in favor by John Day, Morton O'Grady, Rudi Sutherland, Bill Schuenkien and Leon Perl.

Mayor Golding stated that this item will be heard first at the second public hearing.

ITEM-339: HEARING HELD

SUBJECT: This is the first of two scheduled public hearings regarding the annual assessments for the North Park Lighting and Landscape Maintenance District. Council

will take action at the subsequent hearing scheduled for July 30, 1996 at 10:00 a.m. Public testimony will also be taken at that meeting.

(North Park Community Area. District-3.)

(Continued from the meeting of June 11, 1996, Item 330, at the City Manager's request, for further review.)

CITY MANAGER'S RECOMMENDATION:

Accept testimony from members of the public and refer the matter to the second public hearing which has been scheduled for July 30, 1996 at 10:00 a.m.

CITY MANAGER SUPPORTING INFORMATION:

The proposed lighting and landscape district (LLD) consists of landscaped medians and parkway along major streets in the North Park Community.

Additional lighting is also proposed to be incorporated. If the district is formed, construction of the landscaping improvements and additional street lights will be installed as part of CIP-39-2070. The lighting and landscape improvements currently under construction will be completed by September 1996. Property owners within the district would pay for the annual maintenance of the landscape and street lights on the basis of benefit. A letter with postcard survey was sent to all affected property owners asking if they favor the proposed district. In response, property owners representing 13 percent of the assessable area indicated support for the district; property owners representing 11 percent of the assessable area indicated opposition (see table). This action proposes to: a) incorporate the areas on El Cajon Boulevard between Park Boulevard and Texas Street and between 30th Street and Boundary Street (existing Mid-City Zones 5 and 9); b) incorporate the area on University Avenue between 30th Street and Ohio Street (existing Mid-City Zone 6); and c) incorporate the street light district along 30th Street and University Avenue (University Avenue Subdistrict No. 1 of the City of San Diego Street Light Maintenance District No. 1). The proposed FY '97 budget (maintenance costs) for the North Park LLD is as follows:

REVENUE	Estimated	EXPENSES	Estimated
Carryover	\$ 37,492	Personnel	\$ 18,847

Assessed to District	203,512	Contractual Maintenance	
			132,398
Interest	1,146	Incidental	44,924
City Contribution/Gas Tax	2,853	Utilities	28,500
TOTAL REVENUES	\$245,003	TOTAL EXPENSES	\$224,669
Reserve/Balance:		\$ 20,334	
Total Expense/Reserve/Balance:		\$245,003	

The proposed assessments are on an Equivalent Dwelling Unit (EDU) basis. The commercial properties will be assessed at 40 EDUs/acre = \$460/acre, or \$920/acre if immediately adjacent to improvements. Single-family homes will be assessed \$11.50 each, and condominiums will be assessed \$8.05 each or \$23 and \$16.10 if adjacent to improvements.

FILE LOCATION: STRT-M-378

COUNCIL ACTION: (Tape location: A065-144; C137-D066;  
E005-320.)

Hearing began at 11:50 and recessed at 12:29 p.m.

Testimony in opposition by John Drehner, Irene Corey, Wallace Underwood, William Stack, Joyce Adkins, C. Michael Grasso, Larry Kelly, Quentin Laywell and Elaine Chaffin.

Testimony in favor by Craig Roberts, Ray DiCiccia, Don Leichtling, Aida Mancillas, Christine Pemberton, Brad Sandstrom, Stephen Hill and Dan Driscoll.

Hearing resumed at 2:12 p.m. and halted at 2:38 p.m.

Testimony in opposition by Dr. Eugene Chamberlin, and Robert Dinnegar.

Testimony in favor by Steve Russell, Joey Perry, Jay Turner, Nan Hoback, Vicki Granowitz, and Joan Campbell.

Mayor Golding stated that this item will be heard first at the second public hearing.

ITEM-340:

SUBJECT: Regulatory Relief Ordinance - Coastal Development  
Permit Exemptions (Categorical Exclusion).

(Continued by common consent from the meeting of June  
24, 1996, Item 54, for further review.)

CITY ATTORNEY'S RECOMMENDATION:

Reintroduce the following ordinance which was introduced as  
amended on 6/11/96. (Council voted 8-0. District 4 not  
present):

(O-96-120 Rev.1)                      ORDINANCE REINTRODUCED, TO BE  
ADOPTED JULY 29, 1996

Introduction of an Ordinance amending Chapter VI,  
Article 2, Division 1; Chapter X, Article 1, Division  
4; and Chapter X, Article 5, Division 2, of the San  
Diego Municipal Code by amending Sections 62.0106,  
101.0407, 101.0462 and 105.0204, relating to Coastal  
Development Permit Exemptions; this ordinance  
supersedes Ordinance O-18169 adopted on March 20, 1995,  
Ordinance O-18156 adopted on January 31, 1995 and  
Ordinance O-18056 adopted on April 11, 1994.

FILE LOCATION:                      NONE

COUNCIL ACTION:                      (Tape location: A145-270; C013-136.)

MOTION BY MATHIS TO REINTRODUCE. Second by Wear. Passed by  
the following vote: Mathis-yea, Wear-yea, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 2:40 p.m.

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FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: E331).