

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JANUARY 14, 1997
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 10:11 a.m. Mayor Golding recessed the regular meeting at 10:35 a.m. to convene the Redevelopment Agency. Mayor Golding reconvened the regular meeting at 10:38 a.m. with all Council Members present. The meeting was adjourned by Mayor Golding at 10:40 a.m. into Closed Session, in the 12th 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 (pr)

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

PUBLIC COMMENT:

ITEM-PC-1:

Ron Boeiung commented on the Stadium expansion expressing it should go to the ballot for a vote of the people.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A014-033.)

COUNCIL COMMENT:

ITEM-CC-1:

None.

ITEM-330: CONTINUED TO TUESDAY, JANUARY 28, 1997

SUBJECT: A Rezone, Vesting Tentative Map, and Planned
Development Permit and associated street vacation in
the Sabre Springs Community Planning Area.

(Case-RZ/VTM/PRD-96-0442. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitems A and E; introduce Subitem B; and adopt
Subitems C and D to grant the map and the permit:

Subitem-A: (R-97-674)

Adoption of a Resolution certifying that the
information contained in Environmental Mitigated
Negative Declaration DEP-96-0442 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, and Statement of Overriding Considerations,
pursuant to California Public Resources Code Section
21081.

Subitem-B: (O-97-67)

Introduction of an ordinance for R-2000, R-1500,
R1-5000, CA, CN and CO zoning.

Subitem-C: (R-97-)

Adoption of a Resolution granting or denying
VTM-96-0442, with appropriate findings to support
Council action.

Subitem-D: (R-97-)

Adoption of a Resolution granting or denying Permit No. PRD-96-0442, with appropriate findings to support Council action.

Subitem-E: (R-97-673)

Adoption of a Resolution authorizing the vacation of the easterly excess portion of Springbrook Drive as provided for under Section 66499.20-1/2 of the State Map Act.

SUPPORTING INFORMATION:

The project proposes to rezone Parcels 2, 9, 15, 16, 17, 18, 26, 27, and 41 from the R-1000, R-1500, CA-RR, CA, CN, CO and R1-5000 MHP Zones to the R-2000, R-1500, R1-5000, CA, CN and CO Zones; to Development Permit VTM-86-0885 and Planned Residential Development Permit PRD-92-0685 to change development on Parcels 35 and 36 from a multi-family development to a single-family development and on Parcel 41 from a mobile home park development to a single-family development; and to vacate a portion of Springbrook Drive in the Sabre Springs Community Planning Area.

LEGAL DESCRIPTION:

The subject property is more particularly described as portion of Rancho de los Penasquitos, ROS No. 6204; Lot 13, Sabre Springs Industrial Park, Map-12937; Lots 3 and 4, North Creek Unit 1, Map-12937; South Creek Parcels 35-48, Maps-12256, 12257, 12268, 12562, 13007, 13110, 13111 and 13228; and Portion of Sections 21 and 22, Township 14 South, Range 2 West, SBM.

FILE LOCATION: SUBITEM A & D: PERM-PRD-96-0442; SUBITEM B:
NONE; SUBITEM C: Subd-South Creek;
SUBITEM E: STRT-J-2859

COUNCIL ACTION: (Tape location: A081-281.)

Hearing began at 10:14 a.m. and halted at 10:20 a.m.

Testimony in favor by David Poole.

MOTION BY WARDEN TO CONTINUE THIS ITEM TO JANUARY 28, 1997
TO ALLOW FOR TIME TO MEET WITH PARDEE CONSTRUCTION TO
DETERMINE IF SABRE SPRINGS WILL CONTRIBUTE TO ROUTE 56.
Second by Kehoe. 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: Vacating a portion of Gilman Drive south of Villa La
Jolla Drive in connection with La Jolla Serena
LJS-96-0145.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-97-660) ADOPTED AS RESOLUTION R-288259

Adoption of a resolution vacating an excess portion of
Gilman Drive, adjacent to Pueblo Lot 1291 in connection
with the development of La Jolla Serena (LJS-96-0145),
under the procedure for the summary vacation of
streets;

Reserving and excepting from the foregoing vacation the
right, easement and privilege of placing, constructing,
repairing, replacing, maintaining, using and operating
public utilities of any kind or nature;

Declaring that the easements reserved herein are in, under, over, upon, along and across a portion of Gilman Drive.

Subitem-B: (R-97-661) ADOPTED AS RESOLUTION R-288260

Adoption of a resolution declaring that the information contained in Negative Declaration No. LDR-96-0145 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State CEQA guidelines, and that the declaration reflects the independent judgement of the City of San Diego as Lead Agency, pursuant to California Public Resources Code Section 21081.

CITY MANAGER SUPPORTING INFORMATION:

The proposed vacation has been requested in conjunction with the La Jolla Serena condominium development. The area of vacation will be consolidated with the adjacent property which proposes development of a 36-unit detached condominium development. The area is located in the La Jolla Shores Planned Development District located in the La Jolla Community Plan Area. The area of vacation totals 5,335 square feet but will not affect project density. The development was originally approved for 84-attached residential units and has since been redesigned to a 36-unit residential development. The La Jolla Community Planning Association reviewed and recommended the proposed street vacation on October 3, 1996 by a 10-0 vote. The area proposed for vacation is unimproved excess right-of-way that was granted to the City in 1952. The right-of-way is situated on steep slopes and has not been utilized nor is required for future street purposes. The area does contain water facilities for which an easement is to be reserved. Staff review has indicated that the right-of-way to be vacated may be summarily vacated and that the four required findings for vacation can be made.

FILE LOCATION: STRT-J-2858 DEEDFY97-1

COUNCIL ACTION: (Tape location: A081-281.)

Hearing began at 10:20 a.m. and halted at 10:34 a.m.

CONSENT MOTION BY MATHIS TO ADOPT THE RESOLUTIONS. Second by Warden. 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: Sewer Bond Financing - Ordinance authorizing the execution and delivery of a 1997-1 Supplement to the Master Installment Purchase Agreement.

(See City Manager Report CMR-96-253.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/10/96.

(Council voted 6-3. Councilmembers Kehoe, McCarty, and Vargas voted nay):

(O-97-66) ADOPTED AS ORDINANCE O-18375 (New Series)

Approving the form of a Third Supplemental Indenture and approving the form of and authorizing the execution and delivery of a 1997-1 Supplement to the Master Installment Purchase Agreement relating to an installment purchase financing and approving certain other agreements and actions, pursuant to Section 99 of the City Charter.

NOTE: 6 votes required. Pursuant to Section 99 of the City Charter this hearing was noticed in the Daily Transcript on 1/6/97.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A081-281.)

Hearing began at 10:20 a.m. and halted at 10:34 a.m.

CONSENT MOTION BY MATHIS TO DISPENSE WITH THE READING, AND ADOPT THE ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-nay, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-nay, Mayor Golding-yea.

ITEM-333:

SUBJECT: Sewer Bond Financing - Resolution authorizing the execution and delivery of financing documents.

(See City Manager Report CMR-97-03.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-720) ADOPTED AS RESOLUTION R-288261

Approving the form of and authorizing the execution and delivery of a Purchase Contract, a Continuing Disclosure Agreement and an Official Statement relating to an installment purchase financing and approving certain actions related to the issuance of Sewer Bonds.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A081-281.)

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

ITEM-334:

SUBJECT: Amending the Annual Budget in connection with the
Fiscal Year 1997 Animal Control Contract.

(See City Manager Report CMR-96-165; Councilmember
Kehoe's 7/30/96 memorandum.)

TODAY'S ACTION IS:

Introduction and adoption of the following ordinance:

(O-97-68) INTRODUCED AND ADOPTED AS ORDINANCE O-18376
(New Series)

Amending Ordinance No. O-18328 (New Series), entitled
"An Ordinance Adopting the Annual Budget for the Fiscal
Year 1996-97 and Appropriating the Necessary Money to
Operate the City of San Diego for Said Fiscal Year," by
amending Document No. OO-18328 to increase
appropriations to the General Fund Citywide Program
Expenditures (601/2800) by \$427,803.60 of Unanticipated
Refund by the County of San Diego of Election Services
Billings.

NOTE: See Item 100 on the docket of Monday, January 13, 1997 for
the first public hearing. Today's action is the second public
hearing for the introduction and adoption of the ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A081-281.)

Consent Motion by McCarty to direct the City Manager to allocate \$100,000 to the City Clerk's office for the purpose of upgrading their computer systems. Second by Kehoe. No vote taken.

CONSENT MOTION BY MATHIS TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE WITH DIRECTION TO THE CITY MANAGER TO ALLOCATE \$100,000 FROM THE APPROPRIATE FUNDS TO THE CITY CLERK'S OFFICE TO FACILITATE THE UPGRADING OF THEIR COMPUTER SYSTEMS. Second by Warden. 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: Request to Bid for the Linear Park Extension from "F" Street to Cedar Street.

(See CCDC's memorandum dated 12/11/96. Centre City Community Area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-97-690) ADOPTED AS RESOLUTION R-288262

Making certain findings with respect to the payments for the construction of improvements for the Linear Park Extension from "F" Street to Cedar Street in the Columbia Sub Area and the Little Italy Redevelopment District of the Centre City Redevelopment Project;

Making certain findings with respect to the payments for these improvements, and authorizing Centre City Development Corporation to bid and construct the improvements.

NOTE: See the Redevelopment Agency Agenda of 1/14/97 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A081-281.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Warden. 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: Fiscal Year 1996-97 Central Imperial Redevelopment Project Budget Amendment.

(See memorandum from SEDC. District-4.)

SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-97-701) ADOPTED AS RESOLUTION R-288263

Accepting as a loan payment from the Southcrest Redevelopment Project, \$263,632 in Community Development Block Grant (CDBG) funds and appropriating and transferring \$263,632 to be loaned back to the Redevelopment Agency to be used in Fiscal Year 1996-97 Project Budget implementation of the following projects:

FUND NO.	FUND NAME	AMOUNT
98870	Central Imperial (General)	\$153,632
98778	Lincoln High Site	56,000
98779	Potter Tract	21,000
98780	North Creek	33,000
	TOTAL	\$263,632

Directing the Auditor and Comptroller to amend the Fiscal Year 1996-1997 budget in accordance with the above loan payment and subsequent reallocations;

Directing the Auditor and Comptroller to record the above mentioned loan of \$263,632 as an interest bearing loan to the Redevelopment Agency, to be repaid as soon as practicable from tax increment or other appropriate revenues;

Reprogramming \$13,296 from the Ozark Street Improvements Phase II (Fund 18528, Dept. No. 4022) to the Central Imperial Budget (General Fund No. 98770) for project implementation costs.

Aud. Cert. 9700599.

NOTE: See the Redevelopment Agency Agenda of 1/14/97 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A081-281.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Warden. 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 10:40 a.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A333.)