

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, SEPTEMBER 16, 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 10:14 a.m. Mayor Golding recessed the regular meeting at 10:51 a.m. to convene the Housing Authority. Mayor Golding reconvened the regular meeting at 10:52 a.m. with all members present. Mayor Golding recessed the regular meeting at 11:44 a.m. to reconvene the Housing Authority. Chairperson Stallings reconvened the regular meeting at 12:04 p.m. with all members present. The meeting was recessed by Chairperson Stallings at 12:20 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Chairperson Stallings at 2:13 p.m. with Deputy Mayor Warden and Mayor Golding not present. Chairperson Stallings recessed the meeting at 2:17 p.m. Mayor Golding reconvened the meeting at 2:18 p.m. with Deputy Mayor Warden not present.

Mayor Golding adjourned the meeting at 3:42 p.m. into Closed Session on Tuesday, September 23, 1997, at 9:00 a.m. in the twelfth floor conference room to discuss existing litigation, property negotiations, public employee appointment, and meet and confer matters.

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/lw)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin 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

ITEM-10: INVOCATION

Invocation was given by Pastor Wayne Riggs of The United Church of Christ, Plymouth Congregation.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mathis.

CLOSED SESSION ACTION:

City Attorney Casey Gwinn announced that pursuant to Government Code Section 54954.2 that the Council by

unanimous vote determined there was a need to take action in Closed Session today on the case of Jonathan Derringer v. the City of San Diego, and that Council made the finding that the need arose after the posting of the Closed Session Agenda.

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Michael Aguirre regarding the Stadium renovation and his feeling that the City was told the 70 million dollar renovation, the New Chargers Club House, and the 60,000 ticket guarantee would keep the Chargers in San Diego. Mr. Aguirre expressed even though the City met those demands it is not the case due to the blackouts. Mr. Aguirre suggested the Chargers reopen the Stadium Contract to make reasonable adjustments to the ticket guarantee.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A042-068.)

ITEM-PC-2:

Comment by Steven Ferguson regarding the Charger blackout and his feeling that the Mayor and the Council guaranteed 60,000 seats, and as a result of that guarantee there should not be any T.V. blackouts.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A068-074.)

ITEM-PC-3:

Comment by Don Stillwell regarding HR292 before Congress requiring our Legislative Leaders to justify their bills constitutionally.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A075-092.)

ITEM-PC-4:

Comment by Crissy Nguyen, Latasha Monday, and Natasha Tailn from The Public Housing Development thanking the City for helping them by having the San Diego Housing Commissions' Learning Centers and the recently held program "Got No Use For Drugs and Gangs" Poster Contest. Crissy expressed through the Learning Centers they learn about computers, go to fun places and learn how to be Team Players. Mayor Golding was presented with a copy of the Grand Prize Poster. Mayor Golding expressed everyone put their heart and soul into the Poster Contest and the Grand Prize Winner was superb.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A102-141 .)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Mayor Golding that Dr. Cleo Malone was on his way to the Council Chambers today to speak during Public Comment on "A Call To Action," a special research report that he is participating in. Mayor Golding announced that unfortunately Mr. Malone was in a car accident on the way to the Council Meeting and expressed she had no information as to the seriousness of the accident. Mayor Golding further expressed that she wishes him well and is accepting the report from him hoping he can present it at a later date.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A149-155.)

ITEM-CC-2:

Comment by Council Member Kehoe about her attendance at

the "Challenge Riders" at The Del Mar Fair grounds on Sunday. The cyclists at that event were biking from San Diego to Long Beach and back to raise money for AIDS and other health issues. Council member Kehoe further expressed her thanks to one of the cyclist who raised over \$1,000 and works for our San Diego Water Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A156-165.)

ITEM-CC-3:

Council Member Wear commented that next week Council would be hearing from the City Manager on the City's Emergency Operations Plan after his opportunity to monitor Hurricane Linda over the weekend. Mr. Wear asked the City Manager to consider a sandbag distribution plan for the Mission Beach residents as part of the emergency operations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A166-177.)

ITEM-CC-4:

Council Member Warden expressed that she and Council Member Stallings had a very exciting Saturday morning at the northern entrance to Linda Vista on Genesee. Council Member Warden expressed there was an "Enhancement Project" taking place that put in walk-ways, trees, bushes, and street lights. This was an effort done in large part by the private sector; Douglas Barnhart and Company. Council Member Warden and Stallings wished to thank them for their contributions, time and talent, making the project a great success. Council Member Warden also thanked "People for Trees," The Boy Scouts, The Church of the Later Day Saints for their contributions.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A178-185.)

ITEM-CC-5:

Comment by Council Member Vargas regarding the need to be prepared for the El Nino and that he has been undergoing plans to prevent the flooding that we had in the Tijuana River Valley in 1993. Council Member Vargas also expressed he will be meeting with the Tijuana River Valley Coalition Group to figure out what in fact we can do to protect property and homes because it looks like it will be a very, very wet season.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A186-205.)

ITEM-30: REQUEST FOR THE HEARING OF AN APPEAL WITHDRAWN

SUBJECT: Request by Maranatha Chapel for a hearing of an appeal from the decision of the Board of Zoning Appeals regarding an amendment to Conditional Use Permit C-19501 to expand a child care center and primary school at an existing church facility.

(Penasquitos Community Planning Area. District-1.)

TODAY'S ACTION IS:

A motion either granting or denying the request for a hearing of the appeal.

SUPPORTING INFORMATION:

The permit C-19501 was originally approved on May 1, 1987 for the construction of a church where such use is permitted by Conditional Use Permit only; the permit was amended on October 4, 1991 to operate a primary school in the church facility; the permit was amended May 29, 1992 to expand said school to include a preschool and primary school for kindergarten through grade seven for a maximum of 175 students and 10 school employees; and currently to expand to 475 students at 12855 Black Mountain Road, in the Pe asquitos East Community Planning Area.

LEGAL DESCRIPTION:

The project is 4.45-acres, more particularly described as being located at 12855 Black Mountain Road in the Penasquitos Community (Parcel 2 of Map-14569).

FILE LOCATION:           ZONE-C-19501

COUNCIL ACTION:         (Tape location: A207-412.)

\* ITEM-50:

SUBJECT: Agreement for the Lease and Maintenance of Carmel Valley Neighborhood 4 Elementary School and Park Joint Use Areas.

(Carmel Valley Community Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 8/11/97. (Council voted 9-0):

(O-98-21 Cor. Copy)   ADOPTED AS ORDINANCE O-18433  
(New Series)

Authorizing the City Manager to execute a 25-year lease agreement with the Del Mar Union School District for the development, operation, and maintenance of a turfed field, parking lot, and recreation facilities at the Carmel Valley Neighborhood No. 4 Elementary School/Park.

FILE LOCATION:         LEAS-Del Mar Union School District  
                          Carmel Valley Neighborhood No. 4  
                          Elementary School/Park       LEASFY98-1

COUNCIL ACTION:         (Tape location: A207-412.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. 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.

\* ITEM-51:

SUBJECT: Lease and Joint Use Agreement for Monroe Clark Middle School.

(Mid-City Community Area. District-3.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 8/5/97. (Council voted 8-0. Councilmember McCarty not present):

(O-98-11) ADOPTED AS ORDINANCE O-18434 (New Series)

Authorizing a 25-year agreement with the San Diego Unified School District for the construction, operation, maintenance, and lease of a turfed field at Monroe Clark Middle School.

FILE LOCATION: LEAS-San Diego Unified School District  
Monroe Clark Middle School  
LEASFY98-1

COUNCIL ACTION: (Tape location: A207-412.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. 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.

\* ITEM-52:

SUBJECT: First Amendment to the Lease and Joint Use Agreement for Cadman Elementary School.

(Clairemont Community Area. District-6.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 8/5/97. (Council voted 8-0. Councilmember McCarty not present):

(O-98-12) ADOPTED AS ORDINANCE O-18435 (New Series)

Authorizing a first amendment to the lease agreement with the San Diego Unified School District adopted by Ordinance No. O-15131 on 12/3/79, to expand the joint use area at Cadman Elementary School to include a "Padres Little League" regulation field.

FILE LOCATION: LEAS-San Diego Unified School District  
Alcott, Cadman, Juarez & Lewis Schools  
LEASFY98-1

COUNCIL ACTION: (Tape location: A207-412.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. 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.

\* ITEM-100:

SUBJECT: Inviting Bids for Rolling Hills Park Tot-Lot Upgrade.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-20) ADOPTED AS RESOLUTION R-289168

Inviting bids for Rolling Hills Park Tot-Lot Upgrade on Work Order No. 112631;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of \$59,495 from CDBG Fund No. 18531, Dept. No. 4091, Org. No. 9123;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-K98020C)

CITY MANAGER SUPPORTING INFORMATION:

Rolling Hills is a developed 5.74 acre Neighborhood Park located at 11151 Alamazon Street, north of Penasquitos Drive. This project will improve park access and upgrade a children's playground that will be accessible to all children.

Aud. Cert. 9701244.

FILE LOCATION: W.O. 112631 / CONT - Zasueta Contracting Co  
CONTFY98-1

COUNCIL ACTION: (Tape location: A207-412.)

CONSENT MOTION BY STEVENS TO ADOPT. 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.

\* ITEM-101:

SUBJECT: Grant to Reduce Greenhouse Gas Emissions.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-219) ADOPTED AS RESOLUTION R-289169

Pledging participation in the Climate Wise Local Government/Industrial Partnership and the Cities for Climate Change Protection Campaign and authorizing acceptance of grant funding in the amount of \$44,000;

Declaring that as a participant in the Cities for Climate Protection Campaign, the City of San Diego pledges to:

1. Take a leadership role in increasing energy efficiency and thereby reducing greenhouse gas emissions from municipal operations, including implementing the Energy Efficiency and Alternative Transportation Fuel Project;
2. Promote energy efficiency to the private sector by

recruiting a minimum of 12 local industrial and manufacturing companies to participate in the Climate Wise Program;

3. Develop a local action plan to increase energy efficiency and reduce greenhouse gas emissions throughout the community;

Authorizing the City Manager to negotiate and execute an agreement with the International Council for Local Environmental Initiatives (ICLEI) defining ICLEI roles in the project;

Authorizing the expenditure of \$44,000 from the grant proceeds to the agreement with International Council for Local Environmental Initiatives, and \$9,000 in-kind contribution from the City's existing budgeted funds as the City's match.

#### CITY MANAGER SUPPORTING INFORMATION:

This action is requested to approve the acceptance of a \$44,000 grant from the International Council for Local Environmental Initiatives and authorize the City Manager to negotiate and execute an agreement with the ICLEI defining ICLEI and City roles in the project. The grant will be managed by the City of San Diego, in partnership with the San Diego Regional Energy Resources Office (SDRERO), which will take a lead role to implement the program. The Industrial Assessment Center at San Diego University and the Association of Professional Energy Managers are other key participants in the grant program. The City of San Diego will provide an in-kind contribution of \$9,000 in terms of its ongoing energy efficiency improvement efforts. The primary effort will be to provide opportunities for manufacturing companies within the City of San Diego to implement programs reducing greenhouse gas emissions. With a theme of "Improving the Bottom Line Through Economic Productivity, Energy Efficiency and Environmental Performance," local manufacturing companies will be able to receive: 1) no or low cost production process audits which demonstrate manufacturing process improvements, energy efficiency opportunities and waste material elimination options; 2) incentives for companies who choose to use alternative fuel and vehicles; and 3) detailed information on how to prepare for electricity restructuring. The proposed grant will complement the energy efficiency programs already initiated by the City within the framework of the Rebuild America Program

by: 1) implementing energy efficiency retrofits and training employees who operate energy equipment; and 2) developing an alternative fuel plan for vehicles, demonstrating cost-effective opportunities of such options.

Aud. Cert. 9800199.

FILE LOCATION: MEET CONFY98-1

COUNCIL ACTION: (Tape location: A207-412.)

CONSENT MOTION BY STEVENS TO ADOPT. 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.

\* ITEM-102:

SUBJECT: Transferring Funds - Tierrasanta Community Park.

(Tierrasanta Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-220) ADOPTED AS RESOLUTION R-289170

Authorizing the transfer of not to exceed \$80,000 from CIP-29-438.0, Mission Trails Regional Park Western Staging Area, Tierrasanta Facilities Benefit Assessment, Fund No. 79005 to CIP-29-708.0, Tierrasanta Community Swimming Pool;

Authorizing the expenditure of an amount not to exceed \$80,000 from CIP-29-708.0, Tierrasanta Community Swimming Pool, for the construction of a picnic area located immediately north of the Tierrasanta Community Pool and furnishing the pool's snack bar with kitchen equipment;

Approving an amendment to the Tierrasanta Public Facilities Financing Plan Fiscal Year 1997.

CITY MANAGER SUPPORTING INFORMATION:

On May 15, 1995, the City Council adopted Resolution No. R-285706 authorizing a contract with FCC Construction, Inc., for construction of the Tierrasanta Community Pool located at 11238 Clairemont Mesa Blvd., San Diego CA 92124. The pool was completed in July 1996. The contract did not include the kitchen equipment for the pool's snack bar since available funding was not adequate at that time. The Tierrasanta Recreation Council and Community Council have requested a picnic area to be added to the Tierrasanta Community Park. The picnic area which is located immediately north of the pool will be furnished with landscaping, picnic tables and a sprinkler system. Council action is requested to transfer additional funds to the Tierrasanta Community Pool project and to allow these funds to be expended for the design and construction of the picnic area and furnishing the pool's snack bar with kitchen equipment. This action also amends the cover page, pages 8 and 23 of the Tierrasanta Public Facilities Plan Fiscal Year 1997 accompanying this resolution and filed in the City Clerk's office.

Aud. Cert. 9800202.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A207-412.)

CONSENT MOTION BY STEVENS TO ADOPT. 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.

\* ITEM-103: CONTINUED TO SEPTEMBER 30, 1997

SUBJECT: North Bay Redevelopment Project.

(See City Manager Report. Linda Vista, Peninsula, Midway, Uptown, Clairemont Mesa, Mission Valley and Old Town Community Areas. Districts-2 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-268)

Calling for the formation of a Project Area Committee for the proposed North Bay Redevelopment Project and adopting a procedure for the formation of the Project Area Committee.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A207-412.)

CONSENT MOTION BY STEVENS TO CONTINUE THIS ITEM AT THE REQUEST OF THE CITY MANAGER TO TUESDAY, SEPTEMBER 30, 1997 TO MEET NOTICING REQUIREMENTS. 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.

\* ITEM-104:

SUBJECT: Gary Karnopp 1997 JOHNS' Distinguished Service Award.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-98-260) ADOPTED AS RESOLUTION R-289171

Congratulating Gary Karnopp, the Financial Secretary of the Carpenters Union, Local 547, on his receipt of the "1997 JOHNS Distinguished Service Award" in recognition of his outstanding record of contributions to the enhancement of the quality of life in San Diego, and extending him best wishes for continued success.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A207-412.)

CONSENT MOTION BY STEVENS TO ADOPT. 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.

\* ITEM-105:

SUBJECT: Congratulating Senator Edward M. Lawson for the 1997  
JOHNS Fellowship Award.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-98-261) ADOPTED AS RESOLUTION R-289172

Congratulating Senator Edward M. Lawson on his receipt  
of the 1997 JOHNS Fellowship Award in recognition of  
his outstanding record of contributions to the  
enhancement of the quality of life in both the United  
States and Canada, and extending to him best wishes for  
continued success.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A207-412.)

CONSENT MOTION BY STEVENS TO ADOPT. 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.

\* ITEM-106:

SUBJECT: Jack N. Ward - 1997 Labor Leader of the Year Award.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-98-262) ADOPTED AS RESOLUTION R-289173

Congratulating Jack N. Ward on his receipt of the 1997  
Labor Leader of the Year Award in recognition of his  
outstanding contributions to the enhancement of the  
quality of life in San Diego, and extending him the  
best wishes for continued success.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A207-412.)

CONSENT MOTION BY STEVENS TO ADOPT. 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.

\* ITEM-107:

SUBJECT: Mr. and Mrs. Robert and Ardelle Matthews Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-98-226) ADOPTED AS RESOLUTION R-289174

Commending Mr. and Mrs. Robert and Ardelle Matthews for 45 years of love, commitment, and devotion. Their marriage is a living legacy for others to emulate;

Proclaiming August 26, 1997 to be "Mr. and Mrs. Robert and Ardelle Matthews Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A207-412.)

CONSENT MOTION BY STEVENS TO ADOPT. 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.

\* ITEM-108:

SUBJECT: Lawsuit Abuse Awareness Week.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-98-248) ADOPTED AS RESOLUTION R-289175

Recognizing and commending the San Diego County

Citizens Against Lawsuit Abuse for its commitment to public education regarding the impact of lawsuit abuse on California's economy and consumers;

Proclaiming September 22 through 26, 1997 to be "Lawsuit Abuse Awareness Week" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A207-412.)

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

\* ITEM-109:

SUBJECT: Amendment No. 1 to the Operating Agreement with Kids' Copy.

(Lincoln Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-234) ADOPTED AS RESOLUTION R-289176

Authorizing Amendment No. 1 to the Agreement with Kids' Copy for neighborhood development activities and the operation of the Tubman/Chavez Community Center;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$50,000 from Community Development Block Grant (CDBG) Fund 18531, Dept. 4088, Org. 8816, from the previously approved recipient of San Diego Youth and Audit Coalition, to CDBG Fund 18532, Dept. 4121, Org. 2105;

Authorizing an additional expenditure of an amount not to exceed \$50,000 from CDBG Fund 18532, Dept. 4121, Org. 2105.

CITY MANAGER SUPPORTING INFORMATION:

This action authorizes Amendment No. 1 to the CDBG allocation for Kids' Copy Administration and the operation of the center at 415 Euclid Avenue. The funding is a CDBG transfer from San Diego Youth and Adult Coalition to Kids' Copy administration of the Tubman/Chavez Center and Triple Crown activities. The center is staffed and administered by the tenant, Kids' Copy, and this agency's budget and scope of service agreement includes building renovation and Project Gold Star's responsibilities, etc.

Aud. Cert. 9800216.

FILE LOCATION: MEET CONFY98-1

COUNCIL ACTION: (Tape location: A207-412.)

CONSENT MOTION BY STEVENS TO ADOPT. 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.

\* ITEM-110: RETURNED TO THE CITY MANAGER

SUBJECT: Amending Council Policy 200-08 (Criteria for the Installation of Stop Signs).

(See City Manager Report CMR-97-137.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-208)

Amending Council Policy 200-08 entitled "Criteria for the Installation of Stop Signs."

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 7/30/97, LU&H voted 4-0 to approve amendments to Council Policy 200-08. (Councilmembers Wear, Mathis, Kehoe and Vargas voted yea. Councilmember Stevens not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A207-412.)

CONSENT MOTION BY STEVENS TO RETURN THIS ITEM AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. 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.

ITEM-200:

SUBJECT: Amendment to the Annual Appropriation Ordinance for FY 1997-98.

(See City Manager Report CMR-97-153.)

TODAY'S ACTION IS:

(O-98-22) INTRODUCED AND ADOPTED AS ORDINANCE  
O-18436 (New Series)

Introduction and adoption of an Ordinance amending Ordinance No. O-18424, entitled "An Ordinance Adopting the Annual Budget for Fiscal Year 1997-98 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year," to add Fire Truck Company No. 10 from savings resulting from the Deferred Retirement Option Plan as identified by the City Manager.

CITY MANAGER'S RECOMMENDATION:

Do not amend the Fiscal Year 1997-98 Annual Appropriation Ordinance as proposed.

Aud. Cert. 9800153.

NOTE: The first public hearing of the ordinance was held on 8/12/97. Today's action is the second public hearing and introduction and adoption of the ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A516-C052.)

MOTION BY VARGAS TO INTRODUCE, DISPENSE WITH THE READING, AND ADOPT THE ORDINANCE TO RESTORE TRUCK COMPANY TEN BY TAKING MONIES REQUIRED FROM THE DROP PROGRAM. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Brown Field Airport Improvements Project.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-19) CONTINUED TO SEPTEMBER 23, 1997

Accepting the low bid and authorizing a contract with Sim J. Harris Construction Company, for the Brown Field Airport Improvements Project, Taxiway "Alpha" Extension and Runway 8L/26R Rehabilitation (2-week schedule), plus Alternate One, Runway 26L Extension, in the amount of \$1,490,462.22, which is 0.2 percent under the estimate of \$1,492,874.25;

Authorizing the City Auditor and Comptroller to transfer \$90,000 to CIP-31-166.0 and \$150,000 to CIP-31-167.0 from the unappropriated fund balance in Fund 41100;

Authorizing the additional expenditure of \$90,000 from CIP-31-166.0, and \$150,000 from CIP-31-167.0, to supplement funds previously authorized by Resolution R-288898 for Brown Field Airport Improvements Project, adopted on June 30, 1997;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-K97221C)

CITY MANAGER SUPPORTING INFORMATION:

These actions would appropriate funds from the Airport Enterprise Fund for runway improvement work at Brown Field Airport. Existing capital improvement projects at Brown Field will construct a taxiway extension and rehabilitate the main runway using State and Federal grant funds. However, as part of the CIP design process, additional improvements were identified which should be constructed in conjunction with the existing CIP projects. These additional improvements include additional pavement and rehabilitation on the main runway, which does not qualify for grant funding, and improvements to the airport's secondary runway in order to reduce disruption of operations while the primary runway is closed for construction. The airport staff wishes to consolidate this additional work with the current CIP projects, which are ready to begin construction, in order to achieve a savings through economy of scale. Approval and construction of these needed additional improvements will improve safety and operations and will enhance the overall efficiency of the airport.

Aud. Cert. 9800230.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C320-432/D012-057.)

MOTION BY STEVENS TO CONTINUE TO NEXT TUESDAY TO ALLOW TIME FOR STAFF TO OBTAIN INFORMATION FROM THE OFFICE OF FEDERAL CONTRACT COMPLIANCE. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-330:

SUBJECT: Matter of Street Vacation on 29th Street between Laurel Street and Maple Street.

(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-256) ADOPTED AS RESOLUTION R-289177

Authorizing the vacation of 29th Street between Laurel Street and Maple Street as provided for under Section 66499.20-1/2 of the State Map Act.

CITY MANAGER SUPPORTING INFORMATION:

The Street Vacation is being processed under the Public Streets, Highways and Service Easement Vacation Law and qualifies for summary proceedings under 8334 (a) and (b). This portion of 29th Street is an undeveloped ("paper") street which has never been used for street purposes. It is bordered on three (3) sides by Switzer Canyon, which is City-owned open-space land (Lots 1, 24 and 25), and on the remaining side by the applicant's property (Lots 25-27). The applicant is requesting the vacation in order to eliminate the encroachment of a deck and staircase. The encroachment was discovered after the house was purchased. Seventy-five percent (75%) of the area to be vacated will be added to the open space lots. The vacated area totals 0.58 acres and is zoned R1-40000. In a letter dated February 27, 1997 the Greater North Park Community Planning Committee stated that they had voted unanimously to support the street vacation.

Community Planning and Development has determined that the vacation is consistent with the Community Plan. The street contains an 8" VC sewer for which a sewer easement will be reserved. Staff review of the vacation indicates that the required four (4) findings of vacation can be made and recommends that the right-of-way be summarily vacated and the sewer easement reserved.

Findings:

1. There is no present or prospective use for the street, either for the public street system for which the right-of-way was acquired or for any other public use of like nature.
2. The public will benefit from the vacation through improved utilization of the land.
3. The vacation is consistent with the approved Community Plan.
4. The public street system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation.

FILE LOCATION:            STRT-J-2873            DEEDFY98-1

COUNCIL ACTION: (Tape location: A207-412.)

Hearing began at 10:34 a.m. and halted at 10:50 a.m.

CONSENT MOTION BY STEVENS TO ADOPT. 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.

ITEM-331:

SUBJECT: Matter of summarily vacating the Street Reservation of Lot A of Map-6571 and Parcel A of Map-7400, in the Mira Mesa Community.

(SA-95-519. Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-171) ADOPTED AS RESOLUTION R-289178

Authorizing the vacation of the Street Reservation of Lot A of Map-6571 and Parcel A of Map-7400 in accordance with the Public Streets, Highways and Service Easement Vacation Law and qualifies for summary proceedings under 8334(a).

CITY MANAGER SUPPORTING INFORMATION:

The owners have requested the street reservation vacation of Lot A, Map-6571 and Parcel A, Map-7400 in order to combine their reversions and construct one single family residence on the resulting parcel. The street reservation was to provide an extension of Westonhill Drive into Carroll Canyon. This extension has since been removed from the circulation element of the community plan and a trail planned in its place. This trail will eventually go from Westonhill Drive through future and mixed-use development on the Calmat and Fenton mining sites. In order to accommodate the proposed trail, an 8.5 foot-wide easement for pedestrian and non-motor vehicle access purposes is being reserved from the east half of the area-of-vacation. An existing drainage easement is also being reserved from the east

half of the area-of-vacation. The area-of-vacation totals 6,011 square feet (.138 acres) and is situated in the R1-5000 zone. The area-of-vacation will revert to the underlying fee owners and is subject to public easement reservations. The Mira Mesa Community Planning Group voted on October 16, 1995 to unanimously support this street reservation vacation contingent upon the applicants providing an irrevocable offer of dedication for trail access to Carroll Canyon from Jade Coast Drive. Staff review of the vacation indicates that the required four findings of vacation can be made in accordance with Council Policy 600-15 and State Law and that the street reservation may be summarily vacated.

FILE LOCATION: STRT-J-2874 DEEDFY98-1

COUNCIL ACTION: (Tape location: A207-412.)

Hearing began at 10:34 a.m. and halted at 10:50 a.m.

CONSENT MOTION BY STEVENS TO ADOPT. 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.

ITEM-332:

SUBJECT: Matter of a Conditional Use Permit and Coastal Development Permit Amendment 96-0472 for the Dunaway Building in the C-1 zone of the Pacific Beach Community Planning area.

(CUP/CDP(AM)-96-0472. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem A; adopt Subitem B to grant the permit.

Subitem-A: (R-98-235) ADOPTED AS RESOLUTION R-289179

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration LDR-96-0472 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 pursuant to California Public Resources Code  
Section 21081.

Subitem-B: (R-98- ) ADOPTED AS RESOLUTION R-289180  
GRANTING THE PERMIT AS AMENDED

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

SUPPORTING INFORMATION:

The requested Conditional Use Permit/Coastal Development Permit  
Amendment is to allow the change of use in an existing 8,974  
square-foot historic building from retail and residential to  
restaurant, the expansion of an existing sidewalk cafe and a  
comprehensive sign program. The historically designated "Dunaway  
Pharmacy" building occupies a 12,500 square-foot lot in the C-1  
Zone and Coastal Overlay Zone of the Pacific Beach Community  
Planning Area. The land use designation for the site in the  
Pacific Beach Community Plan is "Community Commercial".  
Commercial development surrounds the property on all sides.

LEGAL DESCRIPTION:

The project site is located on the northwest corner of Garnet  
Avenue and Cass Street within an existing historic building  
(designated Historic Site #252) and is more particularly  
described as a portion of lots 21-24, Block 195, Pacific Beach,  
Map-697 and Map-854.

FILE LOCATION: SUBITEM A & E: PERM-CUP/CDP (AM)-96-0472

COUNCIL ACTION: (Tape location: A207-412.)

Hearing began at 10:34 a.m. and halted at 10:50 a.m.

CONSENT MOTION BY STEVENS TO ADOPT THE RESOLUTION FOR  
SUBITEM A, AND ADOPT THE RESOLUTION FOR SUBITEM B TO GRANT  
THE PERMIT AS AMENDED WITH THE FOLLOWING LANGUAGE TO BE  
ADDED AT THE END OF CONDITION 2.A AND 2.B: WITH THE  
EXCEPTION THAT, SUBJECT ONLY TO LEASEHOLD INTERESTS OF  
PREEXISTING TENANTS, NO NEW TATTOO PARLOR, BODY PIERCING, OR  
BODY PAINTING STUDIO SHALL BE ALLOWED TO OPERATE AT THE  
PREMISES. 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.

ITEM-333:

SUBJECT: Matter of consideration of the Dunham Summit Project:

1) Amendments to the Progress Guide and General Plan, the Carmel Valley Community Plan, the Carmel Valley Neighborhood Four-A and Seven Precise Plans; 2) An amendment to the Carmel Valley Planned District Ordinance; 3) A Tentative Subdivision Map; 4) A Carmel Valley Planned District Permit and Resource Protection Ordinance Permit.

(TM/CVPDP/RPO-35-0394/96-0312. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitems A and C; introduce Subitem B; adopt Subitems D,E,F to approve the map and permits:

Subitem-A: (R-98-254) ADOPTED AS RESOLUTION R-289181

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration LDR-96-0312/35-0394 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, that the Mitigated Negative Declaration reflects the independent judgement of the City of San Diego as Lead Agency, and that the information contained in the report has been reviewed and considered by Council in connection with the approval of the actions for the Dunham Summit Project; adopting the Mitigation, Monitoring and Reporting Program.

Subitem-B: (O-98-26) INTRODUCED, TO BE ADOPTED  
SEPTEMBER 29, 1997

Introduction of an Ordinance to amend the Carmel Valley Planned District Ordinance.

Subitem-C: (R-98-255) ADOPTED AS RESOLUTION R-289182

Adoption of a Resolution amending the Progress Guide and General Plan, Carmel Valley Community Plan, and the

Neighborhood 4A and 7 Precise Plan.

Subitem-D: (R-98- ) ADOPTED AS RESOLUTION R-289183  
GRANTING THE MAP

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

Subitem-E: (R-98- ) ADOPTED AS RESOLUTION R-289184  
GRANTING THE PERMIT

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

Subitem-F: (R-98- ) ADOPTED AS RESOLUTION R-289185  
GRANTING THE PERMIT

Adoption of a Resolution granting or denying the  
Resource Protection Ordinance Permit, with appropriate  
findings to support Council action.

#### SUPPORTING INFORMATION:

The Dunham Summit project includes: 1) Amendments to  
Progress Guide and General Plan, the Carmel Valley Community  
Plan, the Carmel Valley Neighborhood Four-A and Seven  
Precise Plans to designate .8 acres from undesignated to  
low-density detached residential and open space located in  
Neighborhood Four-A and to re-designate .1 acres of open  
space to low-density detached residential located in  
Neighborhood Seven.

- 2) An amendment to the Carmel Valley Planned District  
Ordinance to rezone .92 acres from A1-10 to SF-3 and OS.
- 3) A Tentative Subdivision Map to subdivide 2.5 acres into  
four single-family lots.
- 4) A Carmel Valley Planned District Permit and Resource  
Protection Ordinance Permit.

#### LEGAL DESCRIPTION:

The subject property is more particularly described as being  
located at the southern portion of Dunham Way street  
frontage between Del Mar Heights Road and Lansdale Drive  
legally described as the Westerly 1/2 of the Westerly 880  
feet of the Southerly 257.50 feet of the Southeast 1/4 of

the Northwest 1/4 of Section 17, Township 14 South, Range 3 West, SBBM.

FILE LOCATION:           SUBITEM A: LAND-Carmel Valley; SUBITEM  
                          B: NONE; SUBITEM C: LAND-Carmel Valley  
                          Community Plan; SUBITEM D: SUBD-Dunham  
                          Summit; SUBITEM E: PERM-CVPDP-96-0312;  
                          SUBITEM F: PERM-RPO-96-0312

COUNCIL ACTION:         (Tape location:  A207-412.)

Hearing began at 10:34 a.m. and halted at 10:50 a.m.

CONSENT MOTION BY STEVENS TO INTRODUCE THE ORDINANCE FOR  
SUBITEM B, ADOPT THE RESOLUTIONS FOR SUBITEMS A AND C, ADOPT  
THE RESOLUTION FOR SUBITEM D GRANTING THE MAP, AND ADOPT THE  
RESOLUTIONS FOR SUBITEMS E, AND F GRANTING THE PERMITS.  
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.

ITEM-334: CONTINUED TO SEPTEMBER 23, 1997

(Trailed from the meeting of Tuesday, August 5, 1997,  
Item 330a & b, and continued from the meeting of  
Monday, August 11, 1997, Item S406b; last continued at  
Councilmember Mathis's request, for further review.)

(District-1.)

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

NOTE:  The Resolution certifying Addendum DEP-96-7580 to  
Environmental Impact Report EIR-92-0199 was certified by  
Council on 8/12/97 by Resolution R-289096; the ordinance for  
rezoning was approved by Council on 9/8/97 by Ordinance  
O-18430.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-93)

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

NOTE: The public testimony portion of the hearing is open.

CITY MANAGER SUPPORTING INFORMATION:

On January 17, 1995, the City Council approved the La Jolla Community Plan and Local Coastal Program Land Use Plan. On May 11, 1995, the California Coastal Commission denied the Plan as submitted, but adopted the Plan with modifications. On August 15, 1995, the City Council approved the modifications, with the exception of one item which proposed to amend the Community Plan recommendation 2.e. on page 44 of the January, 1995 draft of the Plan, regarding the physical and visual access to the coast. The Council directed the City Attorney and Community Planning staff to work with California Coastal Commission staff to revise the recommendation in a manner that is legal and mutually acceptable, and to bring the revisions back to the Council for adoption.

FILE LOCATION: LAND-La Jolla Community Plan

COUNCIL ACTION: (Tape location: A207-412.)

CONSENT MOTION BY STEVENS TO CONTINUE THIS ITEM TO  
SEPTEMBER 23, 1997 AT THE REQUEST OF COUNCIL MEMBER MATHIS  
TO ALLOW TIME FOR FINAL RESOLUTIONS. 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.

ITEM-335:

SUBJECT: Regional Economic Development Strategy.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-98-283) ADOPTED AS RESOLUTION R-289190

Approving Mayor Susan Golding's proposed new economic  
development strategy entitled "Charting a Course for

the 21st Century - a Strategic Economic Plan for San Diego's 'New Economy'," as described in Mayor Golding's memo dated September 5, 1997.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D086-F037.)

MOTION BY WEAR TO ADOPT THE MAYOR'S RECOMMENDATIONS 1A THROUGH F. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S400:

SUBJECT: Coastweeks and Adopt-A-Beach Coastal Cleanup Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-98-294) ADOPTED AS RESOLUTION R-289187

Proclaiming the weeks of September 20, 1997 through October 13, 1997 as "Coastweeks" and "Adopt-A-Beach Coastal Cleanup Day" in San Diego;

Encouraging individual citizens, businesses, groups and public institutions to observe this event and to participate in appropriate activities designed to promote a healthy and productive coastal environment for the benefit of the people of San Diego and the Nation.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A417-488.)

MOTION BY STALLINGS TO ADOPT. 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.

ITEM-CS-1: (R-98-176) ADOPTED AS RESOLUTION R-289188

A Resolution adopted by the City Council in Closed Session on September 16, 1997:

Authorizing the City Manager to pay the sum of \$35,000.00 in the settlement of each and every claim against The City of San Diego, its agents and employees resulting from personal injury to Monica Esser; authorizing the City Auditor and Comptroller to issue one check, in the amount of \$35,000.00, made payable to Monica Esser and John E. Kalin, her attorney of record, in full settlement of all claims.

Aud. Cert. 9800149

FILE LOCATION: MEET

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 3:42 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: F038-039).