

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, OCTOBER 20, 1998
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 10:18 a.m. Mayor Golding recessed the regular meeting at 10:37 a.m. to convene the Housing Authority and to convene as the Redevelopment Agency thereafter. Mayor Golding reconvened the regular meeting at 10:45 a.m. with all members present. Mayor Golding adjourned the regular meeting at 1:43 p.m.

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-Fishkin (pr)

FILE LOCATION: MINUTES

ITEM-300: 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

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Roger Scott regarding winter shelter for the homeless and his feeling the police are harassing them.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A018-039.)

ITEM-PC-2:

Comment by Nick Stamon regarding representing MAI (Multilateral Agreement on Investment) a coalition of concerned individuals and organizations, and a charter for global deregulation of investment in the interest of multinational corporations.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A040-065.)

ITEM-PC-3:

Comment by Ron Boshun regarding his remarks about Council Member Wear at the October 19, 1998 Council Meeting.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A066-088.)

ITEM-PC-4:

Comment by Yosef Benzvi regarding the poor not being crazy and seeing a member of CONVIS on television and feeling that he was bragging that when Horton Plaza was built he was able to remove the "crazies," and now he can remove the "crazies" from the proposed ballpark site.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A089-119.)

ITEM-PC-5: REFERRED TO CITY MANAGER

Comment by Edward Rosenthal on ADA issues, accessible areas, and sidewalks on public property being in compliance.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A119-138.)

ITEM-PC-6:

Comment by Remigia Bermudez regarding representing Communities United and their concerns about the proposed ballpark, and the potential negative impact it could have on their community.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A144-167.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Vargas regarding the first two speakers and that the spirit of New York was with us today.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A170-173.)

ITEM-CC-2:

Comment by Mayor Golding regarding the ballot measure for the ballpark, and being questioned that since The Padres are in the World Series, is the ballot measure going to pass? Mayor Golding expressed it is important to note that it is a redevelopment project that has far more benefits that are far beyond the ballpark, and that it will produce many new revenues for the City budget from an area that is a tax drain on the City budget today.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A173-187.)

ITEM-56:

SUBJECT: Language for the Proposed Tobacco Ordinance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as amended on 10/6/98. (Council voted 8-0. Councilmember Warden not present):

(O-99-108 Rev.1) ADOPTED AS ORDINANCE O-18597 (New Series)

Amending Chapter V, Article 8, of the San Diego Municipal Code by adding Division 3, Sections 58.0301, 58.0302, 58.0303, 58.0304, 58.0305, 58.0306, 58.0307, 58.0308, 58.0309, 58.0310, 58.0311 and 58.0312, all pertaining to Restricting the Sale, Advertising and Promotion of Tobacco Products to Minors.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A232-340.)

MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Vargas. 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-330:

SUBJECT: Matter of the appeal of Joan D. Glatthorn, et al, from the decision of the Planning Commission in approving Coastal Development (CDP)/Sensitive Coastal Resource (SCR)-98-0375. The project proposes to remodel an existing 6,000 square-foot single-family residence and to construct a 3,730 square-foot addition. (Miller Residence).

(CDP/SCR-98-0375. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution in Subitem A and adopt the resolution in Subitem B to deny the appeal and approve the permits:

Subitem-A: (R-99-501) ADOPTED AS RESOLUTION R-290892

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration LDR-98-0375 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-99-502) DENIED APPEAL, GRANTED PERMITS, ADOPTED AS RESOLUTION R-290893

Adoption of a Resolution approving/denying the appeal and approving/denying the permits.

SUPPORTING INFORMATION:

The project proposes to remodel an existing 6,000 square-foot single-family residence and to construct a 3,730 square-foot addition. The project site is zoned R1-8000 and covers 0.68 acres. The site is located at 6292 Camino de la Costa, within the La Jolla Community Planning Area.

LEGAL DESCRIPTION:

The project site is more particularly described as located at 6292 Camino de la Costa in the La Jolla Community Planning Area

Lot 12, Block 1, Hermosa Terrace Map-2353; R1-8000 Zone (single-family residential); Coastal Zone, Sensitive Coastal Resource Overlay Zone.

FILE LOCATION: SUBITEMS A & B: LUP - Miller Residence

COUNCIL ACTION: (Tape location: A346-B135.)

Hearing began at 10:46 a.m. and halted at 11:10 a.m.

Testimony in opposition by Joan Glatthorn, James Snody, and Marie Mazzo.

Testimony in favor by Matt Peterson, and Don Edson.

MOTION BY MATHIS TO DENY THE APPEAL AND TO APPROVE THE PERMITS. 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-331:

SUBJECT: The Lodge at Torrey Pines - California Coastal Commission's Suggested Modifications.

(Case-96-7358. District-1.)

CITY MANAGER'S RECOMMENDATIONS:

Adopt the following resolution:

(R-99-284) ADOPTED AS RESOLUTION R-290894

Adoption of a Resolution accepting the California Coastal Commission's suggested modifications to the University Community Plan Amendment for the Lodge at Torrey Pines.

CITY MANAGER SUPPORTING INFORMATION:

On May 12, 1998, the City Council approved the Lodge at Torrey Pines project which included an amendment to the University Community Plan and North City Local Coastal Program (LCP). All amendments to LCP's do not become final until certification by the California Coastal Commission. On August 12, 1998, the California Coastal Commission certified the LCP amendment for the Lodge at Torrey Pines project with minor modifications. These modifications include incorporating into the University Community Plan's Development Intensity Element a footnote requiring existing public parking to be maintained for Torrey Pines golf course use.

The City's lease with the Lodge at Torrey Pines currently requires the hotel to set aside public parking for users of the Torrey Pines Golf Course, and the Coastal Commission's modifications would simply incorporate this requirement into the University Community Plan. The specific modifications require the retention of 187 parking spaces at the Torrey Pines Golf Course. In addition, the Lodge at Torrey Pines would maintain 40 public spaces to be reserved for daily golfers, and 93 spaces to be reserved during tournaments.

FILE LOCATION: LAND-Univ Com Plan - Lodge at Torrey Pines (10)

COUNCIL ACTION: (Tape location: A190-232.)

Mayor Golding opened the hearing at 10:39 a.m. and closed the hearing at 10:42 a.m.

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

ITEM-332:

SUBJECT: Matter of a Tentative Map, La Jolla Planned District Permit, Special Use, Coastal Development Permit, General Utility and Emergency Access Easement Abandonment with a Variance to Municipal Code Section 103.1206C in the La Jolla Community Plan Area. (464 & 476 Prospect Street).

(TM/LJPD/CDP/EA/VAR-96-7888. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem A; adopt Subitem B to grant the permits and adopt Subitem C to grant the map and easement abandonment:

Subitem-A: (R-99-416) ADOPTED AS RESOLUTION R-290895

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration LDR-96-7888 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 reflects the independent judgment of the City of San Diego as Lead Agency; adopting appropriate findings of Mitigation, Monitoring and Reporting Program pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-99-946 COR.COPY) GRANTED PERMITS, ADOPTED AS RESOLUTION R-290896

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

Subitem-C: (R-99-747) GRANTED MAP, ADOPTED AS RESOLUTION
R-290897

Adoption of a Resolution granting or denying the map and the abandonment of a General Utility and Emergency Access Easement, with appropriate findings to support Council action.

CITY MANAGER SUPPORTING INFORMATION:

The 464 & 476 Prospect Street project proposes a General Utility and Emergency Access Easement Abandonment, Tentative Map, La Jolla Planned District, Coastal Development Permit No. 96-7888, with a Variance to Municipal Code Section 103.1206C to develop an adaptive reuse of the historic Scripps Clinic-Copley Building for thirty-three (33) condominiums and fourteen (14) town homes above the existing garage, site landscaping and other improvements both public and private.

The City Manager recommends certification of the Mitigated Negative Declaration and adoption of the Mitigation Monitoring and Reporting Program; approval of the General Utility and Emergency Access Easement Abandonment, Tentative Map, La Jolla Planned District, Coastal Development Permit No. 96-7888, with a Variance to Municipal Code Section 103.1206C.

On September 17, 1998, the Planning Commission voted unanimously (5:0:0) to recommend to City Council support of the City Manager's recommendation, subject to the conditions of approval described in the draft Tentative Map Resolution and draft Permit 96-7888.

Three (3) corrections are required to Planning Report No. P-98-168. The project proposes a variance to Municipal Code Section 103.1206C, not 103.1209C as indicated, thirty-three (33) condominiums and fourteen (14) town homes are proposed, not thirty (30) and seventeen (17), and a Special Use Permit (SUP) is not required.

LEGAL DESCRIPTION:

The 2.75-acre site is located at 464 and 476 Prospect Street, between Cuvier Street and La Jolla Boulevard, in the La Jolla Community Planning Area and is more particularly described as Lots 34-47, 13-26, portions of Lots 33 and 48, and a portion of the vacated alley in Block 17, La Jolla Park, Map-352.

FILE LOCATION: SUBITEMS A, B, & C: PERM-96-7888 (65)

COUNCIL ACTION: (Tape location: A190-232.)

Mayor Golding opened the hearing at 10:39 a.m. and closed the hearing at 10:42 a.m.

CONSENT MOTION BY WARDEN TO ADOPT THE RESOLUTIONS TO APPROVE THE PERMITS AND MAP. 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: Unclassified Position of Associate Counsel to the Retirement Board.

RETIREMENT SYSTEM'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-99-59) INTRODUCED AND ADOPTED AS ORDINANCE O-18598
(New Series)

Introduction and adoption of an Ordinance amending Ordinance No. O-18551 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1998-99 and Appropriating the Necessary

Money to Operate the City of San Diego for Said Fiscal Year" by amending Document No. 00-18551, to add the position of Associate Counsel to the Retirement Board and exempting said position from the Classified Service.

NOTE: See Item 204 on the regular docket of Monday, October 19, 1998 for the first public hearing. Today's action is the second public hearing and the introduction and adoption of the ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A190-232.)

CONSENT MOTION BY WARDEN TO INTRODUCE, 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-334:

SUBJECT: Exempting Three Program Manager Positions in the Water Department from the Classified Service.

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-99-53) INTRODUCED AND ADOPTED AS ORDINANCE O-18599
(New Series)

Amending Ordinance O-18551 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1998-99 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-18551, to create the

positions of Construction Operations Program Manager, Engineering Program Manager and Systems Operations Manager in the Water Department and exempting said positions from the Classified Service.

NOTE: The first public hearing of this ordinance was held Monday, October 19, 1998, Item 205. Today's action is the second public hearing and the introduction and adoption of the ordinance.

CITY MANAGER SUPPORTING INFORMATION:

The Water Department as part of a broad based internal re-engineering effort, redefined the Department's operational and organizational structure. As a result of this re-engineering effort, the Water Department requested that the following three current classifications, Senior Civil Engineer, Water Superintendent, and General Water Utility Supervisor be exempted as Program Managers from the Classified Service. These positions will comprise an operational and system management team within the Department and, in a collaborative effort, will provide specialized construction engineering, and systems expertise in the management of daily and emergency operations.

<u>Working Title</u> <u>Department</u>	<u>No. of Positions</u>	<u>Classification</u>
Construction Operations Program Manager Water	1	Program Manager
Engineering Program Manager Water	1	Program Manager
Systems Operations Manager Water	1	Program Manager

On August 6, 1998, the Civil Service Commission reviewed this recommendation and voted unanimously in support of exempting these three positions from the Classified Service.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A190-232.)

CONSENT MOTION BY WARDEN TO INTRODUCE, 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-335:

SUBJECT: Loan Repayment from the Linda Vista Redevelopment Project and Authorizing Reloan to the San Ysidro Redevelopment Project.

(Linda Vista and San Ysidro Community Areas.
Districts-5, 6 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-410) ADOPTED AS RESOLUTION R-290898

Accepting \$30,000 from the Redevelopment Agency Fund 98501, representing payment of interest on loans made by the City to the Agency in the Linda Vista Redevelopment Project;

Authorizing the Auditor and Comptroller to deposit and appropriate \$30,000 to Fund 18502, Community Development Block Grant Fund (CDBG Program Income Fund), and amending the FY 1999 budget for the CDBG Program Income Fund 18502 to include the \$30,000;

Authorizing the Auditor and Comptroller to transfer \$30,000 from CDBG Program Income Fund 18502 to FY 1999 CDBG Fund 18534, and to disburse \$30,000 from Fund 18534 to the Redevelopment Agency for use in the San Ysidro Redevelopment Project Fund 98570.

CITY MANAGER SUPPORTING INFORMATION:

The Redevelopment Program is proposing to repay the City \$30,000 for CDBG loans to the Agency for the Linda Vista Project Area. The repayment will be made from Linda Vista tax increment revenue. The total amount of \$30,000 would then be borrowed back by the Agency for the San Ysidro Project Area. In Fiscal Year 1998, the San Ysidro Project Area's Total Assessed Valuation decreased below the Base Valuation, and the project area generated no tax increment revenue. The \$30,000 to the San Ysidro Project Area would be recorded as an interest-bearing loan to the Agency. Repayment of loans is a financing mechanism allowed by the Redevelopment Law.

Aud. Cert. 9900360.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A190-232.)

CONSENT MOTION BY WARDEN 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-336:

SUBJECT: Awarding a Contract to Rehrig Pacific Company for Furnishing Recycling Collection Containers.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-42) ADOPTED AS RESOLUTION R-290899

Accepting the low bid and awarding a contract to Rehrig Pacific Company (Los Angeles, CA), for furnishing recycling collection containers, as may be required for a period of one year beginning October 1, 1998 through September 30, 1999, at an estimated cost of \$3,897,400, including tax and terms, with options to renew the contract for three additional one year periods, with price escalations not to exceed 15 percent of prices in effect at the end of each prior contract year;

Authorizing the City Manager to award the contract to the next low bidder meeting specifications, in the event Rehrig Pacific Company is unable to furnish the product required;

Authorizing the City Manager to finance the acquisition under the Master Lease Program over a period of seven years;

Authorizing the estimated Fiscal Year 1999 expenditure of \$476,900, from Fund No. 41210, Department No. 755, Organization No. 2212, Object Account No. 6019, and Job Order No. 7761;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-P128/99)

CITY MANAGER SUPPORTING INFORMATION:

The proposed contract is for the acquisition of recycling collection containers for the Environmental Services Department. At the June 29, 1998 City Council meeting, the City Council

directed the Environmental Services Department to convert the City's existing curbside recycling program from a three bin manual collection system, to a single stream automated collection system, serviced every other week. This was done to reduce program costs and increase collection efficiencies. Approximately 83,000 households received curbside recycling service. Residents currently participating in the program will automatically receive a blue, 95-gallon recycling container in which to place designated recyclables. Residents who prefer a smaller container, may choose either a 65-gallon or 35-gallon container. Implementation of the conversion program is scheduled to begin in December 1998 and continue through February 1999. Thirteen potential bidders were contacted. Five bids were received. Options 1 through 4 were for containers with different types of wheels and included the delivery of educational materials to households. Option 5 was for Bar Code Labels and Option 6 for RFID Transponders. The recommendation is to award only Options 2 and 5, as these will meet all the City's requirements, to Rehrig Pacific Company (Los Angeles, CA), the low responsive and responsible bidder meeting specifications for these options.

The contract is for furnishing recycling containers and bar code labels, as may be required for a period of one year for the period of October 1, 1998 through September 30, 1999, with options to renew for three additional one-year periods, with option period increases not to exceed 15 percent of the prices in effect at the end of the previous contract period.

Aud. Cert. 9900336.

FILE LOCATION: PURCHASE

COUNCIL ACTION: (Tape location: B136-C406.)

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

ITEM-337:

SUBJECT: Two actions related to San Diego Naval Training Center (NTC) Reuse Plan.

(See City Manager Report. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-436 REV.) ADOPTED AS RESOLUTION R-290900

Approving and adopting the Naval Training Center San Diego Reuse Plan;

Authorizing the City Manager to submit the approved Reuse Plan to the Department of Housing and Urban Development and the Department of Defense for continued processing in conformance with federal base closure procedures;

Authorizing the City Manager to complete the preparation of a Business Plan and an Economic Development Conveyance Application in accordance with the Reuse Plan.

Subitem-B: (R-99-437 REV.) ADOPTED AS AMENDED AS
RESOLUTION R-290901

Certifying that Environmental Impact Report EIR-96-0255 in connection with the San Diego Naval Training Center Reuse Plan, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines; that the report reflects the independent judgement of the City of San Diego as Lead Agency; that the information contained in the

report, together with any comments received during the public review process, has been reviewed and considered by Council; adopting the findings made with respect to the project; adopting a Mitigation and Reporting Program, and a Statement of Overriding Considerations.

FILE LOCATION: SUBITEMS A & B: LAND-Naval Training Center (NTC) (67)

COUNCIL ACTION: (Tape location: C413-E632.)

Hearing began at 12:11 p.m. and halted at 1:42 p.m.

Testimony in opposition by Art Salzberg, John McNab, Mischa Perria, A.P. Weber, and Ron Boshun.

Testimony in favor by Sister Ray Monda Duvall, Daniel Wolf, John Ihrig, Perry Dealy, William Tuchscher, Wayne Rafflesberger, Kirk O'Brien, Irene Lawrence, Melanie Nickel, Damon Schamu, and Mel Roop.

MOTION BY WEAR TO APPROVE THE REUSE PLAN, CERTIFY THE EIS/EIR AND ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM, FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND AUTHORIZE THE CITY MANAGER TO PREPARE, IN ACCORDANCE WITH THE REUSE PLAN, THE BUSINESS PLAN AND ECONOMIC DEVELOPMENT CONVEYANCE APPLICATION AND FURTHER, THAT THE CITY ESTABLISH A LOCAL CITIZEN BASED IMPLEMENTATION ADVISORY COMMITTEE TO REVIEW, AND MAKE RECOMMENDATIONS TO THE CITY MANAGER AND/OR CITY COUNCIL REGARDING, IMPLEMENTATION OF THE NTC MASTER PLAN. THE COMMITTEE SHOULD BE UPDATED REGARDING NEGOTIATIONS WITH ANY POTENTIAL MASTER DEVELOPERS AND PROVIDE A PUBLIC FORUM REGARDING ALL ASPECTS OF IMPLEMENTATION.

TO ACCEPT AS PART OF THE MOTION AT THE REQUEST OF SAN DIEGO CITY SCHOOLS REGARDING THE ENVIRONMENTAL IMPACT REPORT TO REMOVE THE WORDS "IN CONJUNCTION WITH OTHER MIDDLE SCHOOLS" IN FINDING G, THE SECTION TITLED IMPACT, COMMUNITY SERVICES

AND FACILITIES FOR FURTHER CLARIFICATION. TO ADD THE WORDS "AT NO COST" AFTER THE WORDS "MAKE AVAILABLE" IN THE SECOND SENTENCE OF THE FINDINGS ON PAGE 16 SO THAT IT READS AS FOLLOWS: IN ADDITION, ON JUNE 30, 1998 THE NAVY ENTERED INTO AN AGREEMENT WITH THE CITY OF SAN DIEGO WHEREBY THE NAVY WOULD MAKE AVAILABLE AT NO COST TO THE SAN DIEGO UNIFIED SCHOOL DISTRICT A SEVEN ACRE ELEMENTARY SCHOOL SITE.

TO ALSO ACCEPT COUNCIL MEMBER KEHOE'S REQUEST TO:

1) SPECIFICALLY CALL OUT ART IN THE MIXED USE SECTION, 3/LAND USE-2, OF THE NTC REUSE PLAN, TO READ AS FOLLOWS: MIXED USE IS PROPOSED IN THE NORTHERN HALF OF THE SITE IN AN AREA DESIGNATED AN HISTORIC DISTRICT BY THE FEDERAL GOVERNMENT. GIVEN THE AGE OF STRUCTURES WITHIN THE DISTRICT AND THE HIGH AIRCRAFT NOISE LEVEL, BUILDING REHABILITATION COSTS MAY EXCEED \$125 SF TO FULLY MITIGATE NOISE IMPACTS. "MIXED USE" THEREFORE ALLOWS MAXIMUM OPPORTUNITY TO FIND USES THAT CAN ADAPT TO THE SETTING AND CIRCUMSTANCE. COMMERCIAL AND CIVIC USES, AND ESTABLISHMENT OF A REGIONAL ART AND CULTURE CENTER ARE CONSIDERED TO BE AMONG THE MOST PROMISING, BUT MANY OTHER USES ARE CONSIDERED APPROPRIATE, E.G., OFFICES, RETAIL, MUSEUMS, ART STUDIOS, LIVE/WORK SPACES, AND RESTAURANTS AND;

2) SPECIFY ART UNDER USES IN THE HISTORIC CORE/PRIORITY USES SECTION, EXECUTIVE SUMMARY-V, AND 3/LAND USE-8 OF THE NTC REUSE PLAN, TO READ AS FOLLOWS: OFFICE AND ADMINISTRATION, COMMERCIAL, FOR-PROFIT AND NON-PROFIT INSTITUTIONAL, LOW/NO ENVIRONMENTAL IMPACT RESEARCH AND DEVELOPMENT, MUSEUM, ARTS, AND CULTURAL ACTIVITIES, PUBLIC USE AREAS.

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.

CLOSED SECTION ITEMS

ITEM-CS-1: (R-99-605) ADOPTED AS RESOLUTION R-290960

A Resolution adopted by the City Council in Closed Session on October 20, 1998:

Authorizing the City Manager to execute a Settlement Agreement by and between San Dieguito Partnership and San Dieguito Valley, Inc. (Plaintiffs) and City Council of the City of San Diego and City of San Diego (Defendants). To make the Settlement Agreement effective the City Manager is authorized to execute a Memorandum of Agreement between City of San Diego, Southern California Edison Company and San Diego regional River Valley Open Space Park Joint Powers Authority under the terms and conditions set forth in the Agreement; and to authorize the City Manager to execute all documents and take any actions necessary to implement the terms and conditions of the Settlement Agreement and the Memorandum of Agreement.

FILE LOCATION: MEET

ITEM-CS-2:

Resolutions adopted by the City Council in Closed Session on October 20, 1998:

Subitem-A: (R-99-648) ADOPTED AS RESOLUTION R-291005

Authorizing the amendment of the Retainer Agreement between The City of San Diego and Long, Aldridge and Norman, for consulting services concerning a proposed new ballpark by \$150,000.00.

Subitem-B: (R-99-649) ADOPTED AS RESOLUTION R-291006

Authorizing the amendment of the Retainer Agreement between The City of San Diego and Jacobs, Chase, Frick, Kleinkopf and Kelley, for consulting services concerning a proposed new ballpark byu \$150,000.00.

Aud. Cert. 9900415 & 9900416

FILE LOCATION: MEET

NON-DOCKET ITEMS:

NONE.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 1:43 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: E633.)