

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JULY 18, 2000
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:07 a.m. Mayor Golding recessed the regular meeting at 10:45 a.m. to convene the Redevelopment Agency and the Housing Authority thereafter. Mayor Golding reconvened the regular meeting at 10:50 a.m. with all members present. Mayor Golding recessed the regular meeting at 12:10 p.m. to reconvene the Redevelopment Agency. Mayor Golding reconvened the regular meeting at 12:12 p.m. with all members present. The meeting was recessed by Mayor Golding at 12:15 p.m. into Closed Session at 2:00 p.m. in the twelfth floor conference room to discuss existing and anticipated litigation.

The meeting was reconvened by Deputy Mayor Mathis at 2:55 p.m. with Mayor Golding not present. Deputy Mayor Mathis reconvened the Redevelopment Agency to meet simultaneously with the City Council meeting at 3:43 p.m. City Attorney Leslie Devaney announced that in Closed Session, Council authorized an additional \$15,000 in attorney's fees for Valerie Stallings' defense in the investigation into participation in the IPO for Neon Systems, subject to all previous conditions. Deputy Mayor Mathis adjourned the meeting at 5:01 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-Abdelnour (pr/er)

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

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comment by Don Stillwell regarding the City funding projects, his concern for the retirement system, and the increase in values of certain investments.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A020-041.)

PUBLIC COMMENT-2:

Comment by Joan Taylor regarding the De Anza Community and her feeling that there are many qualified people willing to run De Anza Park for the City, eliminating a middle-man.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A042-056.)

PUBLIC COMMENT-3:

Comment by Barbara MacKenzie regarding the use of marijuana for medical purposes. Ms. MacKenzie showed Council a video of a previous Council Meeting where that topic was commented on during Non-Agenda Comment.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A057-089.)

PUBLIC COMMENT-4: REFERRED TO THE CITY MANAGER

Comment by Steve McWilliams referring to a recent newspaper article in the Union Tribune where a Federal Judge in San Francisco allowed the medical use and sale of marijuana for patients with serious conditions.

Council Member Stevens requested the City Manager provide information regarding the State Attorney General opinion as well as the reading from the 9th Circuit Court of Appeal. Council Member Kehoe requested this matter be docketed in the future for Council discussion.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A090-118.)

PUBLIC COMMENT-5:

Comment by Ken Loch regarding the theory of relativity and his feelings on that subject.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A120-146.)

COUNCIL COMMENT:

NONE.

ITEM-153: Three actions related to Water Department Billing and Collection Policies and Fire Hydrant Meter Program.

(See City Manager Reports CMR-00-135, CMR-00-92, CMR-00-93, CMR-00-94.)

TODAY'S ACTION IS:

Adopt the resolutions in Subitems A and B and introduce the ordinance in Subitem C:

Subitem-A: (R-2000-1669) ADOPTED AS AMENDED AS RESOLUTION R-293483

Authorizing the changes to the Water Department Fees and Charges Schedule for Billing and Collections;

Authorizing the changes to the Water Department Fees and Charges Schedule for the Fire Hydrant Meter Program.

Subitem-B: (R-2000-1670) FILED

Authorizing the City Manager to approve future changes to the fees in the Water Department Fees and Charges Schedule for Billing and Collections;

Authorizing the City Manager to approve future changes to the fees in the Water Department Fees and Charges Schedule for the Fire Hydrant Meter Program.

Subitem-C: (O-2000-194) INTRODUCED, TO BE ADOPTED JULY 31, 2000

Introduction of an Ordinance amending an Ordinance amending Chapter VI, Article 4, Division 4, of the San Diego Municipal Code; by amending Sections 64.0408 and 64.0409; by amending Chapter VI, Article 7, by adding a new Division 1, titled General Provisions, and by renumbering Section 67.00 to Section 67.0101; by amending and renumbering Section 67.01 to 67.0102; by adding new Sections 67.0103, 67.0104, 67.0105 and 67.0106; by adding a new Division 2, titled Regulation of Water System, and by renumbering Section 67.02 to Section 67.0201; by repealing Section 67.03; by renumbering Section 67.04 to Section 67.0202; by amending and renumbering Section 67.05 to Section 67.0203; by renumbering Section 67.06 to Section 67.0204; by amending and renumbering Section 67.07 to Section 67.0205; by renumbering Sections 67.08 and 67.09 to Sections 67.0206 and 67.0207; by amending and renumbering Sections 67.10, 67.11, 67.12, 67.13, 67.14, 67.15 and 67.16 to Sections 67.0208, 67.0209, 67.0210, 67.0211, 67.0212, 67.0213 and 67.0214; by renumbering Sections 67.17, 67.18, and 67.19 to Sections 67.0215, 67.0216 and 67.0217; by amending and renumbering Sections 67.20, 67.21, 67.22 and 67.23 to Sections 67.0218, 67.0219, 67.0220 and 67.0221; by repealing Section 67.24; by adding a new Section 67.0222; by amending and renumbering Sections 67.25 and 67.25.1 to Sections 67.0223 and 67.0224; by repealing Section 67.26; by amending and renumbering Section 67.27 to Section 67.0225; by repealing Sections 67.28 and 67.29; by amending and renumbering Sections 67.30, 67.31 and 67.32 to Sections 67.0226, 67.0227 and 67.0228; by adding a new Section 67.0229; by renumbering Sections 67.33, 67.34, 67.35 and 67.36 to Sections 67.0230, 67.0231, 67.0232 and 67.0233; by repealing Section 67.37; by adding a new Division 3, titled Water Impounding System, and by renumbering Sections 67.40, 67.40.1, 67.41, 67.42, 67.43, 67.44 and 67.45 to Sections 67.0301, 67.0302, 67.0303, 67.0304, 67.0305, 67.0306 and 67.0307; by adding a new Division 4, titled Water Main Extension, and by renumbering Sections 67.46, 67.47 and 67.48 to Sections 67.0401, 67.0402 and 67.0403; by amending and renumbering Section 67.48.1 to Section 67.0404; by renumbering Sections 67.49, 67.50, 67.51 and 67.52 to Sections 67.0405, 67.0406, 67.0407 and 67.0408; by amending and renumbering Section 67.52.1 to Section 67.0409; by renumbering Sections 67.53 and 67.70 to Sections 67.0410 and 67.0411; by adding a new Division 5, titled Water Rates and

Charges, and by renumbering Sections 67.54 and 67.55 to Sections 67.0501 and 67.0502; by amending and renumbering Section 67.56 to Section 67.0503; by renumbering Section 67.57 to Section 67.0504; by amending and renumbering Section 67.57.1 to Section 67.0505; by renumbering Sections 67.58, 67.59, 67.59.1, 67.60, 67.61 and 67.62 to Sections 67.0506, 67.0507, 67.0508, 67.0509, 67.0510 and 67.0511; by amending and renumbering Sections 67.63 to Section 67.0512; by renumbering Section 67.72 to Section 67.0513; all relating to the Water System.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

Item 1 - Water Department Billing and Collections Policies

On 5/10/2000, NR&C voted 3-2 to accept the recommendations of the City Manager, but to remove the \$8.83 Application for Service Fee from the schedule of fees. The City Manager was directed to return to the Natural Resources and Culture Committee with a report on the institution of a late fee. (Councilmembers Mathis, Stallings, Vargas voted yea. Councilmembers Kehoe and McCarty voted nay.)

Item 2 - Fire Hydrant Program

On 5/10/2000, NR&C voted 4-0 to approve the recommendations of the City Manager. (Councilmembers Mathis, Stallings, McCarty, and Vargas voted yea. Councilmember Kehoe not present.)

Item 3 - Water Department Billing and Collection Policies and Changes to the Fire Hydrant Program

On 5/10/2000, NR&C voted 3-1 to accept the recommendations of the City Manager. (Councilmembers Mathis, Stallings, and Vargas voted yea. Councilmember McCarty voted nay. Councilmember Kehoe not present.)

Note: Due to the approved motion in Item 1: Water Department Billing Policies, which removed the \$8.83 Application for Service Fee, the proposed Municipal Code revisions in Section 67.32(1) should be revised accordingly.

FILE LOCATION:

SUBITEMS A & B: Gen'l-Fees Charges Water
Department; SUBITEM C: NONE

COUNCIL ACTION: (Tape location: A158-400; D010-174)

CONSENT MOTION BY MATHIS TO INTRODUCE THE ORDINANCE AND TO ADOPT THE RESOLUTIONS; AND TO ACCEPT AS PART OF THE MOTION THAT NEW FEES WILL COME BACK TO COMMITTEE AS REQUESTED BY COUNCIL MEMBER VARGAS. 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.

MOTION BY McCARTY TO RECONSIDER THE ITEM. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

MOTION BY VARGAS TO INTRODUCE THE ORDINANCE AND ADOPT THE RESOLUTION IN SUBITEM A AS AMENDED WITH THE EXCEPTION OF THE \$8.83 FEE FOR WATER SERVICE SIGN-UP/TURN ON. FILE THE RESOLUTION IN SUBITEM B AND ANY NEW ADJUSTMENTS TO THE FEES LISTED IN THE MANAGER'S REPORT WOULD BE REFERRED TO COMMITTEE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea (nay on Item 1 and Item 3), Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea (nay on Item 1 and Item 3), Vargas-yea, Mayor Golding-not present.

ITEM-330: Burgener Boulevard (from Field Street to Jellet Street) Underground Utility District.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1411) ADOPTED AS RESOLUTION R-293485

Establishing the Burgener Boulevard (from Field Street to Jellet Street) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Burgener Boulevard (from Field Street to Jellet Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost \$332,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding is available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2001159.

Hearing began at 10:21 a.m. and halted at 10:44 a.m.

FILE LOCATION: STRT-K-279 (38)

COUNCIL ACTION: (Tape location: A158-400.)

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

ITEM-331: Zion Avenue (from Mission Gorge Road to Waring Road) Underground Utility District.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1393) ADOPTED AS RESOLUTION R-293486

Establishing the Zion Avenue (from Mission Gorge Road to Waring Road) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Zion Avenue (from Mission Gorge Road to Waring Road) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 Funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service.

Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost \$257,847 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light

replacement. Cost estimated at \$1,000. Funding is available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2001158.

Hearing began at 10:21 a.m. and halted at 10:44 a.m.

FILE LOCATION: STRT-K-278 (38)

COUNCIL ACTION: (Tape location: A158-400.)

CONSENT MOTION BY MATHIS 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: Midway Business Improvement District (BID) Formation.

(See City Manager Report CMR-00-91. Midway & Peninsula Community Areas. District-2.)

TODAY'S ACTIONS ARE:

Introduce the ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A (0-2000-168) INTRODUCED, TO BE ADOPTED JULY 31,
2000

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

Subitem-B (R-2000-1251) ADOPTED AS RESOLUTION R-293487

Adoption of a Resolution authorizing the City Manager to execute an agreement with Midway Community Development Corporation, to operate and administer the Midway Business Improvement District.

filing of avigation easements with the San Diego Unified Port District and to the requirement to attenuate for aircraft noise impacts. The City is also proposing to apply the Airport Environs Overlay Zone to property surrounding Lindbergh Field.

The City Council will consider approving the following:

1. Amendment to the Airport Environs Overlay Zone to reference Lindbergh Field, thereby requiring that property owners provide avigation easements to the Port District when requesting certain forms of construction.

Ordinance O-2000-126 (Alternative I - Subitem A) would require property owners to file easements when proposing new residential construction within the area defined by the 65 decibel CNEL noise contour as mapped in 1999.

Ordinance O-2000-154 (Alternative II - Subitem C) would require property owners to file easements when proposing new residential construction, as well as substantial rehabilitation of existing residential structures, within the area defined by the 65 decibel CNEL noise contour **as mapped in 1990**.

In both alternatives, property owners proposing residential construction within the 60+ decibel noise contour will also be required to attenuate for aircraft noise to achieve an interior noise level not exceeding 45 decibels. The cost of the required noise attenuation shall not exceed 10 percent of construction costs.

2. Adoption of an ordinance applying the Airport Environs Overlay Zone to the area shown on Zone Map Drawing C-885, which approximates the 60 decibel CNEL aircraft noise contour.

Ordinance O-2000-129 (Alternative I - Subitem B) would adopt Zone Map Drawing C-885, **Version A**, which reflects the 1999 contour.

Ordinance O-2000-199 (Alternative II - Subitem D) would adopt Zone Map Drawing C-885, **Version B** which reflects the 1990 contour.

(Districts-2, 3, 4, & 8.)

NOTE: Hearing open. No testimony taken on 2/8/2000.
Hearing open. No testimony taken on 3/14/2000.

CITY MANAGER'S RECOMMENDATION:

Introduction of **either pair** of the following ordinances in subitems A and B or subitems C and D; (with City Manager's recommendation to introduce the ordinances in Subitems A and B and note and file the ordinances in subitems C and D):

Subitem-A: (O-2000-126 Cor. Copy) INTRODUCED, NOT TO BE ADOPTED
PRIOR TO SEPTEMBER 2000

Introduction of an Ordinance amending the Airport Environs Overlay Zone
(Municipal Code Sections 132.0301, 132.0302, 132.0303, 132.0306, 132.0308,
and 132.0309).

Subitem-B: (O-2000-129 Cor. Copy) INTRODUCED, NOT TO BE ADOPTED
PRIOR TO SEPTEMBER 2000

Introduction of an Ordinance applying the Airport Environs Overlay Zone to
properties surrounding Lindbergh Field (Zone Map Drawing C-885, Version A,
reflecting the 1999 contours).

or

Subitem-C: (O-2000-154 Cor. Copy) NOTED AND FILED

Introduction of an Ordinance amending the Airport Environs Overlay Zone
(Municipal Code Sections 132.0301, 132.0302, 132.0303, 132.0306, 132.0308,
and 132.0309). (Alternative II.)

Subitem-D: (O-2000-199) NOTED AND FILED

Introduction of an Ordinance applying the Airport Environs Overlay Zone to
properties surrounding Lindbergh Field (Zone Map Drawing C-885, Version B,
reflecting the 1990 contours). (Alternative II.)

OTHER RECOMMENDATIONS:

Planning Commission voted 4 - 0 to recommend approval of a third alternative, which
would apply the Airport Environs Overlay Zone properties as shown in Zone Map
Drawing C-885, Version B, reflecting the 1990 contours, but would require aviation

easements within the 65 and higher decibel contours as mapped in that year; was opposition.

Ayes: Brown, Skorepa, Stryker, White

Abstaining: Anderson, Butler

Not present: Steele

The Golden Hill, Mission Beach, Southeastern San Diego, Peninsula, Midway/Pacific Highway Corridor, Ocean Beach, and Uptown Community Planning Groups have been notified of this item and have not submitted a recommendation.

SUPPORTING INFORMATION:

In 1992, SANDAG (acting as the region's Airport Land Use Commission) approved the Lindbergh Field Comprehensive Land Use Plan (CLUP). The CLUP contains recommendations to improve compatibility between the airport and surrounding residential land uses. The CLUP calls for the City of San Diego, under certain circumstances, to require property owners to include noise attenuation in new residential construction projects, and to provide the Port District with "avigation easements." Noise attenuation is intended to ensure that noise levels interior to the home do not exceed 45 decibels. The avigation easement is a written acknowledgment of the noise, inconvenience, and property value impacts caused by aircraft noise. The proposed Airport Environs Overlay Zone is a Municipal Code amendment that would implement these CLUP recommendations. The zone would be applied to properties by an overlay zone that would be reflected on the City's zoning maps.

The proposed Airport Environs Overlay Zone (AEOZ) will require noise attenuation for all residential construction in the 60 decibel and higher noise contour. This is consistent with the City's adopted noise ordinance. The AEOZ would require avigation easements from property owners when proposing the addition of new dwelling units in the 65 decibel and higher noise contours. Easements would not be required for building additions or renovations. This approach is consistent with various provisions of the CLUP and would implement the requirements of State law. However, Port District staff recommend that easements be required for renovation of multifamily units, and that easements be required in the broader 60+ decibel contour. City staff propose to use the 1999 noise contour maps to form the boundaries of the overlay zone, while Port District staff recommend the use of 1990 noise contour maps. The CLUP recommends using the 1990 contours; however, the 1999 maps more accurately reflect current conditions (the 1999 noise environment is quieter than 1990 due to the phase-out of Stage 2 aircraft).

In September 1999, the Land Use and Housing Committee directed staff to proceed with public hearings on the overlay zone. The Committee recommended that easements be required in the

65+ contour for construction of new (additional) dwelling units, and that the overlay zone be based on 1999 contours. In December 1999, the Planning Commission recommended approval of the draft AEOZ, but recommended that the 1990 contours be used to establish the overlay zone boundaries.

FISCAL IMPACT: None.

Culbreth-Graft/Goldberg/MBK

NOTE: This project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061.b.3

Hearing began at 10:21 a.m. and halted at 10:44 a.m.

Testimony in favor by Admiral Paul Speer.

Testimony in opposition by Robert Burdette and Pepper Coffee.

FILE LOCATION: SUBITEMS A, B, C, & D: NONE

COUNCIL ACTION: (Tape location: A158-400.)

CONSENT MOTION BY MATHIS TO INTRODUCE THE ORDINANCES IN SUBITEMS A AND B, TO NOTE AND FILE THE ORDINANCES IN SUBITEMS C AND D, AND TO NOT BRING BACK THE ORDINANCES FOR THE SECOND READING PRIOR TO SEPTEMBER 2000 TO ALLOW TIME FOR ASSURANCES REGARDING THE ISSUES OF NTC AND McMILLIAN. 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: Stonecrest Specific Plan Amendment.

Matter of Stonecrest Specific Plan Amendment to allow all uses permitted in the M-IP (Manufactured Industrial Park) Zone on Lots 13 and 16 of Stonecrest Planning Area 1, where the Specific Plan is currently more restrictive by not allowing office use. The subject property is located on the north side of Granite Ridge Drive between West Canyon Avenue and Daley Center Drive (the two interior parcels).

(SPA-99-0567. Kearny Mesa Community Planning area. District 6).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions in subitems A and B:

Subitem-A: (R-2000-1684) ADOPTED AS RESOLUTION R-293495

Adoption of a Resolution certifying that the information contained in LDR File No. 99-0809 has been completed in compliance with the California Environmental Quality Act and state CEQA Guidelines, and that said Negative Declaration reflects the independent judgement of the City of San Diego as Lead Agency, and that the final Negative Declaration has been reviewed and considered by the Council prior to approving the project pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-2000-1685) ADOPTED AS RESOLUTION R-293496

Adoption of a Resolution amending the Stonecrest Specific Plan to allow all uses permitted in the M-IP (Manufacturing - Industrial Park) Zone, including office use, on lots 13 and 16 of Stonecrest Planning Area 1 where office use is not now permitted.

OTHER RECOMMENDATIONS:

Planning Commission voted 7-0 to approve; no opposition.

Ayes: Steele, Anderson, Brown, Butler, Skorepa, Stryker, White
Nays: None
Abstaining: None

The Kearny Mesa Community Planning Group has recommended approval of the project.

SUPPORTING INFORMATION:

Lots 13 and 16 of Planning Area 1 of the Stonecrest Specific Plan are developed with two, two-story structures with 110,000 square feet of floor area, and are currently restricted to research and development/light industrial uses. The lots together are comprised of 4.92 acres and are zoned IL-2-1 (formerly M-1B). The request is to permit all uses permitted in M-IP (Manufacturing-

Industrial Park) Zone, including office use, where office use is not now permitted. The applicant will be required to contribute \$37,333 toward a planned auxiliary lane on southbound I-15 to mitigate projected impacts at the southbound ramps caused by this change in permitted uses.

On April 19, 2000 the Kearny Mesa Community Planning Group voted 13-0-0 to recommend approval of the Stonecrest Specific Plan amendment. On May 11, 2000, the Planning Commission voted 7-0 to recommend approval of the Stonecrest Specific Plan amendment.

FISCAL IMPACT: None.

Loveland/Goldberg/jw

LEGAL DESCRIPTION:

The Manufacturing Industrial Park is located at 9640 and 9660 Granite Ridge Drive and is more particularly described as Lots 13 & 16, Stonecrest Unit 1, Map No. 12453 within the Kearny Mesa Community Planning Area.

Hearing began at 3:11 p.m. and halted at 3:22 p.m.

Testimony in favor by Jannet Walts.

FILE LOCATION: SUBITEMS A & B: LAND-Stonecrest Specific Plan (10)

COUNCIL ACTION: (Tape location: A158-400; D178-337.)

MOTION BY VARGAS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-335: Revisions to Solid Waste Local Enforcement Agency (LEA) Fee Schedule and Amendments to the Municipal Code.

Matter of adopting the revised fee schedule and ordinance amending the Municipal Code, resulting in:

(1) a reduction of the regulatory annual fees for closed solid waste disposal sites;

(2) the elimination of fees assessed to certain types of facilities and operations involved in recycling;

(3) a reduction in fees charged to delinquent accounts; and

(4) new and amended regulatory definitions and fees based on the quantity of solid wastes received and the need for consistency with state regulations.

(Districts-Citywide.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution in subitem A; and introduce the ordinance in subitem B:

Subitem-A: (R-2000-1606) ADOPTED AS RESOLUTION R-293488

Adoption of a Resolution revising the LEA fee schedule set forth in Attachment A.

Subitem-B: (O-2000-190) INTRODUCED, TO BE ADOPTED JULY 31, 2000

Introduction of an Ordinance amending Chapter VI, Article 6 of the San Diego Municipal Code by amending the title of Article 6; and by amending Section 66.0502; all relating to the Solid Waste Local Enforcement Agency.

COMMITTEE ACTION:

Reviewed by Natural Resources and Culture Committee on 6/7/2000. Motion to Accept the recommendation of the City Manager on consent. Districts 1, 3, 6, 7, & 8 voted yea.

SUPPORTING INFORMATION:

BACKGROUND

The California Public Resources Code authorizes the LEA to establish fees to cover the costs of implementing the program mandates. The current fees were also necessary for start-up costs and were to have no impacts on the general fund. On April 7, 1998, after adopting the initial fee schedule the City Council directed the LEA to return at a later date with recommendations for revisions to the fee schedule.

On September 14, 1999, the City Council approved the LEA's reduction of the annual Standardized Composting Permit fee from \$10,560 to \$5,600; and the elimination of the quarterly reporting requirements for quarterly tonnage fees on waste haulers. These fees were changed to be more equitable to the regulated community and to reflect the actual costs associated with the LEA's regulatory duties and state certification requirements. Municipal Code Section 66.0503(c) specifies that the LEA fee schedule be reviewed periodically and revised as appropriate. After incurring program start-up costs, the LEA has now established an expenditure history of actual costs that serves as the basis for the proposed fee reductions.

DISCUSSION

The fees currently charged to closed landfill owners were established to provide for start up costs for the new LEA program and were based on estimated program costs. The City's LEA program began in November 1997, at which time expenditures were necessary for equipment and supplies. Recent cost analysis indicates that the LEA will be able to carry out its state-mandated regulatory duties with the reduced fees.

The \$0.13 per ton quarterly fee is charged to facilities that generate disposal tonnages such as active landfills and transfer/processing stations. The current fee schedule identifies composting facilities and non-hazardous petroleum contaminated soil processors as businesses which are subject to this fee when in fact these are recycling operations that do not generate significant disposal tonnages. For this reason the LEA has determined that these types of facilities should not be subject to the \$0.13 per ton quarterly fee.

The LEA currently levies a 20% penalty against delinquent accounts, whereas the industry standard is a 10% late fee. In the interest of fairness and equity, the LEA is proposing to reduce the late penalty fee to 10%.

On March 5, 1999, the California Integrated Waste Management Board (CIWMB) promulgated new regulatory requirements for Transfer/Processing Operations and Facilities. California Code of Regulations, Title 14, Division 7, Chapter 3, Article 6 provided updated definitions and permitting requirements for Transfer/Processing Stations that are subject to the LEA's regulatory authority. The LEA is seeking to update the San Diego Municipal Code to be consistent with state regulations.

Based on the above reasons, the LEA is proposing the following changes:

- C reduce closed site fees;
 - C update the types of facilities that are charged the \$0.13 per ton quarterly fee;
 - C make the penalty levied against delinquent accounts consistent with the industry standard;
 - C Amend the Municipal Code to have consistency with state regulations.
- The benefits of these proposed changes to the fee structure include:
- C More equitable and fair treatment of the regulated community: As noted in the above

discussion.

- C Cost savings to other City Programs: Although not the intent of the proposed changes, a reduction of fees charged to government agencies responsible for overseeing closed landfills would provide a cost savings to other City programs. Currently City departments outlay \$135,000 for LEA annual permit fees. The revised fee schedule would lower the City's fees to \$56,280 annually; a reduction of nearly 58%.

The LEA has contacted members of the regulated industry regarding these proposed changes and has received their support as indicated by comments and letters to the LEA.

CONCLUSION:

The LEA has proposed changes to its fee schedule that specifically address two of the major concerns raised by members of the industry and the City Council during the public hearings in March and April 1998. Industry supports these changes and the City Manager recommends that the Council adopt the proposed revisions to the LEA fee schedule and ordinance amending the Municipal Code.

ALTERNATIVE

Do not approve proposed changes and retain existing LEA fee schedule and Municipal Code Sections.

FISCAL IMPACT: None.

The overall reduction in LEA revenue base will be minimal and consistent with the figures represented in the proposed FY 2001 budget. Although not the intent of the proposed changes, these fee reductions will have a positive impact on other City departments such as Environmental Services and Parks, which maintain several closed landfills throughout the City.

NOTE: This activity is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15061(b)(1).

Hearing began at 10:21 a.m. and halted at 10:44 a.m.

FILE LOCATION: SUBITEM A: Gen'l - Fees & Charges - Solid Waste Local Enforcement Agency; SUBITEM B: NONE

COUNCIL ACTION: (Tape location: A158-400.)

CONSENT MOTION BY MATHIS TO INTRODUCE THE ORDINANCE AND ADOPT THE RESOLUTION. 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: Business Improvement District Budgets FY 2001.

(Mid-City, Centre City, Uptown, Greater North Park, Old San Diego, Ocean Beach, La Jolla, College Area, Mission Beach, Pacific Beach, San Ysidro and Diamond Neighborhood Community Areas. Districts-1, 2, 3, 4, 6, 7, and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1299) ADOPTED AS RESOLUTION R-293489

Levying an annual assessment within previously established Business Improvement Districts for July 1, 2000, through June 30, 2001 (FY 2001).

CITY MANAGER SUPPORTING INFORMATION:

Business Improvement Districts (BIDS) are authorized by State law to assess benefitted businesses for the cost for certain activities. These activities are generally promotional in nature. Once a BID is established the City collects the assessments and disburses them to an appropriate entity representing the district pursuant to an annual operating agreement. There are currently 17 active districts in the City of San Diego: Adams Avenue, City Heights, College Area, Diamond, Downtown, El Cajon Boulevard Central, El Cajon Boulevard Gateway, Gaslamp, Hillcrest, La Jolla, Little Italy, Mission Hills, North Park, Ocean Beach, Old Town, Pacific Beach and San Ysidro. State law requires that the City Council annually adopt a budget for each BID and hold a public hearing to levy appropriate assessments. The action being taken today is the public hearing to levy the proposed assessment for each BID for FY 2001.

FISCAL IMPACT:

Approximately \$1.1 million of BID assessments will be collected in FY 2001 by City on behalf

of BIDs and disbursed back to the BIDs. There is no net fiscal impact.
Loveland/Cunningham/JVK

Hearing began at 10:21 a.m. and halted at 10:44 a.m.

FILE LOCATION: STRT-L-1, L-2, L-3, L-4, L-5, L-6, L-7, L-8, L-9, L-11,
L-12, L-13, L-14, L-15, L-16, L-17, L-20 (32)

COUNCIL ACTION: (Tape location: A158-400.)

CONSENT MOTION BY MATHIS 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-337: North Embarcadero Visionary Plan: Proposed Plan and Ordinance Amendments (Centre City Community Plan, Centre City Planned District Ordinance, Marina Planned District Ordinance (Companion Item to Redevelopment Agency).

(Continued from the meeting of June 27, 2000, Item 336, at Council Member Kehoe's request, to allow the Assistant City Attorney to meet with CCDC to draft Language for the Resolution for clarification regarding the North Embarcadero Alliance Final Master EIR.)

(See memorandum from CCDC. Marina Community Plan area. District-2.)

NOTE: Hearing Closed. Testimony taken on 6/27/2000.

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolutions in subitems A and D; and introduce the ordinances in subitems B and C:

Subitem-A: (R-2000-1534) ADOPTED AS AMENDED AS RESOLUTION
R-293497

Adoption of a Resolution approving and adopting the amendments to the Centre City Community Plan pertaining to the North Embarcadero Visionary Plan.

Subitem-B: (O-2000-184) INTRODUCED, TO BE ADOPTED ON JULY 31, 2000

Introduction of an Ordinance amending Chapter X, Article 3, Division 20, of the San Diego Municipal Code by amending Section 103.2012 relating to property development regulations.

Subitem-C: (O-2000-185) INTRODUCED, TO BE ADOPTED ON JULY 31, 2000

Introduction of an Ordinance amending Chapter X, Article 3, Division 19, of the San Diego Municipal Code by amending Sections 103.1903, 103.1904, 103.1910, 103.1915, 103.1918, 103.1925, 103.1933, and 103.1936; by replacing the existing base map for existing figures 1 through 3 with a revised base map; by replacing the existing base map for existing figures 4 through 7 with a revised base map and by renumbering existing figures 4 through 7 to read figures 5 through 8; by amending, replacing the existing base map with a revised base map, and renumbering existing figure 8 to read figure 9; by replacing the existing base map for existing figures 9 through 11 with a revised base map and by renumbering existing figures 9 through 11 to read figures 10 through 12; and by adding new figures 4 and 13; all relating to the Centre City Planned District Regulations.

Subitem-D: (R-2000-1535 Cor. Copy 08/11/00) ADOPTED AS AMENDED AS
RESOLUTION R-293490

Adoption of a Resolution certifying that the City Council has reviewed and considered information contained in the North Embarcadero Alliance Final Master Environmental Impact Report as a supplement to the Final Master Environmental Impact report for the Centre City Redevelopment project as also supplemented by the Final Subsequent Environmental Impact Report for the Ballpark and ancillary development projects, and making certain findings and determinations regarding the environmental impacts of the North Embarcadero Alliance Visionary Plan, and adopting a Mitigation, Monitoring and Reporting Program with respect only to the approval and adoption of the amendments to the Centre City Community Plan, the introduction and approval of the Ordinance amending Chapter X, Article 3, Division 20, of the San Diego Municipal Code, the introduction and approval of the Ordinance amending Chapter X, Article 3, Division 19 of the San Diego Municipal Code, and the related implementing activities within the jurisdiction of the City of San Diego.

NOTE: See the Redevelopment Agency agenda of July 18, 2000 for companion item.

Hearing began at 3:43 p.m. and halted at 4:27 p.m.

FILE LOCATION: SUBITEMS A & D: MEET (64)
 SUBITEMS B & C: NONE

COUNCIL ACTION: (Tape location: A158-400; E069-F108.)

MOTION BY WEAR TO INTRODUCE THE ORDINANCES AND ADOPT THE RESOLUTIONS APPROVING THE CITY MANAGER'S RECOMMENDATION. ACCEPT COUNCIL MEMBER McCARTY'S AMENDMENT TO ENCOURAGE AND RECOMMEND SERIOUS CONSIDERATION OF THE MAXIMUM OPEN SPACE ALTERNATIVE AND ALLOWANCE FOR AN OPERA HOUSE TO BE PLACED SOMEWHERE ON THE BAY FRONT. ENSURE THAT ADEQUATE ENVIRONMENTAL HABITAT MITIGATION BE A PART OF THE PROCESS FOR ITEM NO. 2. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-nay, Stevens-nay, Warden-yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-not present.

Substitute motion by Kehoe that the agency certify that the information contained in the 1992 MEIR and the North Embarcadero EIR has been reviewed and considered by the agency. The Council finds and determines, concerning the Midway, that additional environmental analysis should be conducted for potential visual impacts and specific wildlife mitigation for the project. Further, the Council determines that the project's financial feasibility and potential future requests for financial support from the City be part of the evaluation. Second by McCarty. Failed. Yeas-3, 4, 6, 7. Nays-1, 8, 5, 2. Not Present-M.

ITEM-338: Proposed Amendments to the City's Elections Code, Chapter 2, Article 7 of the Municipal Code.

(See City Clerk Report CCR-00-03.)

CITY CLERK'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-2000-193) INTRODUCED, ADOPTED AS ORDINANCE O-18826
(New Series)

Introduction and adoption of an Ordinance amending Chapter II, Article 7, Division 1 of the San Diego Municipal Code, by adding Section 27.0120; by amending Division 2, Sections 27.0208, 27.0212, and 27.0220; by amending Division 3, Sections 27.0309, 27.0313, and 27.0321; by amending Division 5, Section 27.0509 and repealing Section 27.0510; by amending Division 6, Sections 27.0620, 27.0621, and 27.0624; by amending Division 10, Sections 27.1003 and 27.1004; by amending Division 11, Section 27.1102; and by amending Division 40, Section 27.4028, all relating to the Election Code.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A158-400.)

CONSENT MOTION BY MATHIS 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-339: Ballot Proposal Submitted by The Charter Change Committee and The Committee of 2000 to Change the City Charter for the City of San Diego to a Mayor-Council form of Government.

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2001-17) NOTED AND FILED

Directing the City Attorney to prepare an Ordinance to change the City Charter for the City of San Diego to a Mayor-Council form of government, to appear on the November 7, 2000 ballot.

RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S RECOMMENDATION:

On 6/5/2000, RULES voted 5-0 to return to City Council in July 2000 following a series of public meetings co-ordinated by the Chamber of Commerce and the Labor Council. (Councilmembers Mathis, Wear, Warden, Vargas and Mayor Golding voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A518-C546.)

Motion by Wear to place the issue of the City of San Diego being a Mayor-Council form of Government on the ballot for voter approval. Second by McCarty. No vote taken.

SUBSTITUTE MOTION BY MATHIS TO NOT PLACE THE ISSUE OF THE CITY OF SAN DIEGO BEING A MAYOR-COUNCIL FORM OF GOVERNMENT ON THE BALLOT, AND TO DIRECT THE CITY MANAGER TO COME BACK TO COUNCIL WITH A RECOMMENDED PROCESS TO ESTABLISH A CHARTER CHANGE COMMISSION. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-nay, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-340: Memorandum of Understanding with the City of Imperial Beach and the San Diego Unified Port District regarding Pond 20.

(See City Manager Report CMR-00-137. Otay/Nestor Community Area. District-2.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2000-1435) ADOPTED AS RESOLUTION R-293500

Authorizing the execution of a Memorandum of Understanding with the City of Imperial Beach, and the San Diego Unified Port District for the purpose of allowing each jurisdiction, at its sole expense, to investigate the feasibility of developing the Pond 20 site as well as to determine its highest and best use.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 6/7/2000, LU&H voted 5-0 to authorize the City Manager to execute the M.O.U. to include the Port language of 6/7/2000. (Councilmembers Wear, Kehoe, Stevens, Warden, and McCarty voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A158-400; D346-E065.)

MOTION BY WEAR TO ADOPT. 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-not present.

ITEM-341: Acquisition of Property Located at 4141 Pacific Highway.

(See memorandum from Centre City Development Corporation dated 6/13/2000.
Centre City Redevelopment Project Area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1642) ADOPTED AS RESOLUTION R-293491

Determining that the use of funds from the Horton Plaza Redevelopment Project
Low and Moderate Income Housing Fund to purchase property in the North Bay
Redevelopment Project Area will be of benefit to the Horton Plaza
Redevelopment Project;

Accepting from the Redevelopment Agency and authorizing the expenditure of an
amount not to exceed \$1 million from the Horton Plaza Redevelopment Project
Low and Moderate Income Housing Fund for the purchase of property at 4141
Pacific Highway.

NOTE: See the Redevelopment Agency Agenda of 7/18/2000 for a companion
item.

FILE LOCATION: MEET (66)

COUNCIL ACTION: (Tape location: A158-400.)

CONSENT MOTION BY MATHIS 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-342: Approval of the proposed FY 2000/2001 Budget for the Southeastern Economic Development Corporation.

(See Southeastern Economic Development Corporation Report No. SEDC-00-019.)

**SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S
RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1527) ADOPTED AS RESOLUTION R-293492

Approving the Southeastern Economic Development Corporation's Annual Administrative Budget for Fiscal Year 2000-2001;

Accepting the payment of \$106,360 from the Mount Hope Redevelopment Project, of monies previously loaned to the Redevelopment Agency of the City of San Diego by the City;

Authorizing the transfer of \$106,360 to the Redevelopment Agency as an interest bearing loan to be used in the proposed Fiscal Year 2000-2001 Southeastern Economic Development Corporation Project Budget for the Central Imperial and Southcrest Redevelopment Project areas;

Directing the City Auditor and Comptroller to record the abovementioned loan as an interest bearing loan to the Agency to be repaid as soon as is practicable from tax increment or other appropriate and available revenues;

Authorizing reprogramming of CDBG funds for a total of \$84,000 from Fund 18532/4114/1413/098782 (\$50,000) to Fund 18532/4114/1413/098770 and from Fund 18533/4132/3239/098782 (\$34,000) to Fund 18533/4130/3003/098770 and

authorizing the expenditure of the CDBG Fund for the Central Imperial
Redevelopment Project.

NOTE: See the Redevelopment Agency Agenda of 7/18/2000 for a companion item.

SUPPORTING INFORMATION:

SEDC FY 2000-01 Reloans

<u>USES</u>	<u>FUND NO.</u>	<u>DEPT.</u>	<u>AMOUNT</u>
Central Imperial - General	98770	98761	\$ 16,000
Central Imperial - Commercial Rehabilitation	98770	987703	\$ 45,360
Southcrest - 252 Residential	983302	97173	<u>\$ 45,000</u>
Total Reloans			<u>\$106,360</u>

The funding sources for the CDBG loan repayment of \$106,360 are derived from disposition proceeds, tax allocation bond proceeds, interest income and tax increment generated in Mt. Hope Redevelopment Project Area. The proposed loan of \$106,360 would partially reimburse outstanding CDBG loans to the Mt. Hope Redevelopment Project Area. The Agency will borrow back the total amount of \$106,360 to augment the Central Imperial and Southcrest Redevelopment Project Areas. It should be noted that whenever SEDC received CDBG funds from the City of San Diego CDBG Annual Allocation, the funding is recorded as debt by the Agency. Repayment of CDBG loans is a financing mechanism allowed by the Redevelopment law. The above-mentioned funds will be used in the FY 2000-2001 Program Budget for project implementation costs, planning and administration, redevelopment, legal services, environmental, financial services and rehabilitation. The reprogramming of \$84,000 CDBG funds will be used to augment the Central Imperial Redevelopment Project Area (Fund No. 98770).

Loveland/Smith/DD

Aud. Cert. 2001254.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A158-400.)

CONSENT MOTION BY MATHIS 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-S500: Establishment of a Reward Fund for information leading to arrest(s) in the NCFUA Hate Crime.

COUNCILMEMBERS MATHIS, WEAR AND VARGAS'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-117 REV.1) ADOPTED AS AMENDED AS RESOLUTION R-293501

Establishing a reward fund for information leading to the arrest of persons responsible for the hate crime committed in the North City Future Urbanizing Area on Wednesday, July 5, 2000, to be distributed in the same manner as the Crime Stoppers reward being offered for the same incident.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A158-400; F143- 622.)

Substitute motion by Stallings that \$10,000 be put into a common pot to be used as part of a reward fund and every year at budget time consider whether that is something that should be continued and perhaps augmented. Second by Stevens. Motion withdrawn.

MOTION BY WEAR TO ADOPT THE RESOLUTION AS AMENDED TO ESTABLISH A REWARD FUND TO RECEIVE MONIES FOR INFORMATION LEADING TO ARRESTS FOR HATE CRIMES AND REFER THE ISSUE TO THE PS&NS COMMITTEE TO SET UP A LONG TERM POLICY. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-not present.

Motion by Wear to allocate \$10,000 from the Police Department's general fund as a reward for information leading to arrests in the NCFUA hate crime. Second by Vargas. Failed. Yeas-2, 3, 5, 8. Nays-1, 4, 6, 7. Not present-M.

Motion trailed as unfinished business to Monday, July 24, 2000.

ITEM-S501: Imperial Market Place Public Improvements Expenditure.

(Central Imperial Redevelopment Project Area. District-4.)

**SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S
RECOMMENDATION:**

Adopt the following resolution:

(R-2001-116 Cor.Copy 07/18/00) ADOPTED AS RESOLUTION R-293493

Authorizing the expenditure of the City's obligations for the Imperial Market Place Project already allocated by Resolution No. R-292483, adopted on November 23, 1999, which is approved up to the amounts on deposit in the City Treasury;

Declaring that all previous actions of the City Council with respect to this Project are re-validated.

Directing the City Auditor to issue an Auditor's Certificate consistent with this action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A158-400.)

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

CLOSED SESSION ACTION:

ITEM-CS-1: (R-2001-137) ADOPTED AS RESOLUTION R-293494

A Resolution adopted by the City Council in Closed Session on June 18, 2000:

Authorizing the City Manager to pay an amount up to \$500,000 for expert witness fees in the property damage claim of De La Fuente Business Park, Inc., in Superior Court Case No. 692794, Border Business Park, Inc., formerly known as De La Fuente Business Park, Inc. v. City of San Diego.

Aud. Cert. 2100068

FILE LOCATION: MEET

NON-DOCKET ITEMS:

NONE.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Mathis at 5:01 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: F622-624).