

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JUNE 11, 1996
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:20 a.m. Mayor Golding recessed the regular meeting at 10:31 a.m. to convene the Redevelopment Agency. The meeting was reconvened by Mayor Golding at 10:34 a.m. with all members present. Mayor Golding introduced and welcomed a group of International Officers led by Lieutenant Sarah Alt who were undergoing training at the Fleet Intelligence Training Center in Point Loma.

Mayor Golding convened the Special Joint Council Meeting with the Redevelopment Agency and the Redevelopment Agency Meeting simultaneously with the regular meeting at 11:49 a.m. Mayor Golding adjourned the meeting at 11:55 a.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)

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: REFERRED TO CITY MANAGER

Comment by Esther Lee Writer regarding invasion of her privacy and being attacked by people she didn't know at her apartment.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A006-040.)

COUNCIL COMMENT:

None.

ITEM-310: HEARING OF THE APPEAL DENIED

SUBJECT: Request by John Kern, appellant, for a hearing of an appeal from the decision of the Planning Commission in approving Barrio Logan Planned District Permit BLP-95-0350-49 (Hydro-Agri) including a Height Limit Exception. The Planning Commission voted 3-1 to approve the project. Due to a lack of 4 affirmative votes, the decision of the Hearing Officer to grant the

permit with conditions stands.

(BLP-95-0350-49. Barrio Logan Community Plan Area.
District-8.)

TODAY'S ACTION IS:

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

NOTE: Pursuant to the requirements of the San Diego Municipal Code, no oral presentations shall be made to the Council by either the proponents or opponents of the project.

If the request to allow an appeal is granted, time has been reserved for the project to be heard on Tuesday, July 2, 1996, at 10:00 a.m.

OTHER RECOMMENDATION:

The Planning Commission voted 3-1 to approve the permit. Due to a lack of 4 affirmative votes, the decision of the Hearing Officer stands.

Ayes: Watson, White, Anderson
Nays: Skorepa
Abstaining: Quinn
Not Present: Neils, Butler

The decision of the Hearing Officer was to grant the permit with conditions.

There is no officially recognized community planning group for this area.

The application was reviewed by the Neighborhood and Community Services Department and found to conform with requirements of the Barrio Logan Community Plan.

FILE LOCATION: PERM-BLP-95-0350-49

COUNCIL ACTION: (Tape location: A041-097.)

MOTION BY VARGAS TO DENY THE REQUEST FOR A HEARING OF THE APPEAL. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330: CONTINUED TO JULY 9, 1996

SUBJECT: This is the second of two public hearings regarding the annual assessments for the North Park Lighting and Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

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

(R-96-1221)

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

CITY MANAGER SUPPORTING INFORMATION:

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

Additional lighting is also proposed to be incorporated. If the district is formed, construction of the landscaping improvements and additional street lights will be installed as part of CIP-39-2070. The lighting and landscape improvements currently under construction will be completed by September 1996. Property owners within the district would pay for the annual maintenance of the landscape and street lights on the basis of benefit. A letter with postcard survey was sent to all affected property owners asking if they favor the proposed district. In response, property owners representing 13 percent of the assessable area indicated support for the district; property owners representing 11 percent of the assessable area indicated opposition. This action proposes to: a) incorporate the areas on El Cajon Boulevard between Park Boulevard and Texas Street and between 30th Street and Boundary Street (existing Mid-City Zones 5 and 9); b) incorporate the area on University Avenue between 30th Street and Ohio Street (existing Mid-City Zone 6); and c) incorporate the

street light district along 30th Street and University Avenue (University Avenue Subdistrict No. 1 of the City of San Diego Street Light Maintenance District No. 1). The proposed FY '97 budget (maintenance costs) for the North Park LLD is as follows:

ESTIMATED REVENUE		ESTIMATED EXPENSES	
Carryover	\$ 37,492	Personnel	\$ 18,847
Assessed to District	203,512	Contractual	
		Maintenance	132,398
Interest	1,146	Incidental	44,924
City Contribution/ Gas Tax	2,853	Utilities	28,500
TOTAL REVENUES	\$245,003	TOTAL EXPENSES	\$224,669
Reserve/Balance:		\$ 20,334	
Total Expense/Reserve/Balance:		\$245,003	

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

FILE LOCATION: STRT - M-378

COUNCIL ACTION: (Tape location: A099-126.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO JULY 9, 1996, AT THE CITY MANAGER'S REQUEST. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331: HEARING HELD

SUBJECT: This is the first of two scheduled public hearings regarding the annual assessments for Kings Row Landscape Maintenance District. Council will take action at the subsequent hearing scheduled for July 16, 1996 at 10:00 a.m. Public testimony will also be taken at that meeting.

(Kings Row Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Accept testimony from members of the public and refer the matter to the second public hearing which has been scheduled for July 16, 1996 at 10:00 a.m.

CITY MANAGER SUPPORTING INFORMATION:

The district was established in March 1994 to provide maintenance of the landscaping between the development's noise abatement wall and Euclid Avenue. The landscaping was installed to create a more pleasing and attractive environment. The subdivision's owner-developer was required to maintain the landscaping for the first two years after installation and approval by the City of San Diego. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 0	\$ 0
REVENUE:			
Assessments	\$ 5,186	0	\$ 5,186
Interest	0	0	0
TOTAL REVENUE	\$ 5,186	\$ 0	\$ 5,186
TRANSFER	(333)	(333)	0
EXPENSE:			
Personnel	\$ 1,616	\$ 0	\$ 1,616
Contractual	1,200	0	1,200
Incidental	1,182	0	1,182
Utilities	855	0	855
TOTAL EXPENSE	\$ 4,853	\$ 0	\$ 4,853
ENDING BALANCE	\$ 0	\$ 333	\$ 333

The proposed assessment for Fiscal Year 1997 is \$120.60 per equivalent dwelling unit (EDU). This is the first year the property owners will be assessed for this maintenance. The proposed 1997 assessment represents a reduction of \$116.40 (49

percent) from the original estimated initial assessment of \$237 per EDU. This reduction is due to the fact that the actual cost to maintain the district is less than the original estimate. The district contains 43 equivalent dwelling units.

FILE LOCATION: STRT - M-383

COUNCIL ACTION: (Tape location: A099-126.)

Hearing began at 10:29 a.m. and halted at 10:31 a.m.

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

ITEM-332: HEARING HELD

SUBJECT: This is the first of two scheduled public hearings regarding the annual assessments for the Linda Vista Road Landscape Maintenance District. Council will take action at the subsequent hearing scheduled for July 16, 1996 at 10:00 a.m. Public testimony will also be taken at that meeting.

(Linda Vista Community Area. Districts-5 and 6.)

CITY MANAGER'S RECOMMENDATION:

Accept testimony from members of the public and refer the matter to the second public hearing which has been scheduled for July 16, 1996 at 10:00 a.m.

CITY MANAGER SUPPORTING INFORMATION:

The district was established in April 1990 to provide maintenance for landscaping improvements on the raised medians and parkway areas along each side of Linda Vista Road within the public right-of-way. The landscaping improvements were part of the street enhancement project for Linda Vista Road. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

FUND

DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 25,884	\$ 25,884
REVENUE:			
Assessments	\$ 59,998	0	\$ 59,998
Interest	0	1,058	1,058
City Contribution	\$ 2,292	0	\$ 2,292
TOTAL REVENUE	\$ 62,290	\$ 1,058	\$ 63,348
TRANSFER	6,311	(6,311)	0
EXPENSE:			
Personnel	\$ 5,385	\$ 0	\$ 5,385
Contractual	40,000	(0)	40,000
Incidental	12,336	0	12,336
Utilities	10,880	0	10,880
TOTAL EXPENSE	\$ 68,601	\$ 0	\$ 68,601
ENDING BALANCE	\$ 0	\$ 20,631	\$ 20,631

The proposed assessment for Fiscal Year 1997 is \$6.90 per equivalent dwelling unit (EDU). This is the first year the property owners will be assessed for the improvements in the District. This is an increase of \$6.90 from the Fiscal Year 1996 assessment of \$0.00 per EDU. This is also a decrease of \$5.10 (a 42.5 percent reduction) from the estimated assessment of \$12 per EDU when the District was originally formed in 1990. The district contains 8,695.40 equivalent dwelling units (EDU's).

FILE LOCATION: STRT - M-332

COUNCIL ACTION: (Tape location: A144-514.)

Hearing Began at 10:32 a.m. and halted at 10:58 a.m.

Testimony in opposition by Ed Farley, Wilhelmine Walser, Ed Roth, and Elfreda Reese.

Testimony in favor by Pat Buckmaster.

MOTION BY McCARTY TO APPROVE THE HEARING WITH THE FOLLOWING DIRECTIONS TO THE CITY MANAGER TO: 1) INVESTIGATE THE

POSSIBILITY OF PUTTING A COMPANY INTO THE COMPETITIVE PROCESS THAT PRESENTED A PROPOSAL TO THE MAYOR'S OFFICE CLAIMING THEY COULD MAINTAIN ALL CITY ASSESSMENT DISTRICTS FOR APPROXIMATELY \$200,000 PER YEAR; 2) ASCERTAIN WHAT USD OWNS IN THE LINDA VISTA ROAD MAINTENANCE DISTRICT AND WHAT THEY CURRENTLY MAINTAIN AT THEIR OWN EXPENSE; 3) DETERMINE WHAT USD ASSESSMENTS WOULD BE SHOULD THE CITY CHOOSE TO RESCIND THEIR 1990 DECISION TO NOT ASSESS USD; AND 4) COME BACK TO COUNCIL WITH THOSE FINDINGS. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333: HEARING HELD

SUBJECT: This is the first of two scheduled public hearings regarding the annual assessments for the Park Village Landscape Maintenance District. Council will take action at the subsequent hearing scheduled for July 16, 1996 at 10:00 a.m. Public testimony will also be taken at that meeting.

(Rancho Pegasus Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Accept testimony from members of the public and refer the matter to the second public hearing which has been scheduled for July 16, 1996 at 10:00 a.m.

CITY MANAGER SUPPORTING INFORMATION:

The district was established in 1987 to provide maintenance for 764,310 square feet of right of way including 89,750 square feet of landscaped medians and 21 acres of open space. In addition to maintaining the improvements, the district will make capital improvements totaling \$300,000 as follows: \$90,000 to extend the median improvements along Black Mountain Road in Zone 1 and \$210,000 of capital improvements in Zone 2. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

FUND

DESCRIPTION	ZONE 1	ZONE 2	TOTAL
BEGINNING BALANCE	\$ 33,605	\$134,422	\$168,027
REVENUE:			
District Assessments:			
Assessments (FY1997-2002)	\$ 33,879	\$135,514	\$169,393
Improvements (FY1997 only)	57,324	75,296	132,620
Interest	0	0	0
City Contribution	2,259	9,036	11,295
TOTAL REVENUE	\$ 93,462	\$219,846	\$313,308
EXPENSE:			
Personnel	3,769	15,078	18,847
Contractual	18,800	71,200	90,000
Incidental	5,138	20,550	25,688
Utilities	4,360	17,440	21,800
Capital Improvements	90,000	210,000	300,000
TOTAL EXPENSE	\$122,067	\$334,268	\$456,335
ENDING BALANCE	\$ 5,000	\$ 20,000	\$ 25,000

The proposed assessment for Fiscal Year 1997 in Zone 1 is \$25.50 per equivalent dwelling unit (EDU). Zone 1 is an overlay zone that consists of all dwelling units in the district. These dwelling units are determined to benefit equally from the Black Mountain Road landscaping and capital improvements and therefore will be assessed \$25.50 per equivalent dwelling unit for Fiscal Year 1997. This is an increase of \$18.00 per equivalent dwelling unit from Fiscal Year 1996. This increase represents a one-time assessment to fund \$90,000 for capital improvements in Zone 1. For Fiscal Years 1998 to 2002 we will reduce this assessment to \$9.47 per equivalent dwelling unit. Zone 2 lies to the west of Black Mountain Road and includes the landscaped medians and adjacent landscaped slopes along Park Village Road. Dwelling units in Zone 2 are assessed \$73.76 for maintenance of the landscaping and capital improvements in Zone 2, plus \$25.50 for overlay Zone 1 for a total assessment of \$99.26. This is an increase of \$60.26 per equivalent dwelling unit from Fiscal Year 1996. This increase represents a one-time assessment to fund \$210,000 for capital improvements in Zone 2. For fiscal years 1998 to 2002 we will reduce this assessment to \$56.89 per equivalent dwelling unit.

FILE LOCATION: STRT - M-384

COUNCIL ACTION: (Tape location: A099-126.)

Hearing began at 10:29 a.m. and halted at 10:31 a.m.

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

ITEM-334:

SUBJECT: This is the public hearing regarding the annual assessments for San Ysidro Boulevard Landscape Maintenance District No. 1. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

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

(R-96-1330) ADOPTED AS RESOLUTION R-287497

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the San Ysidro Boulevard Landscape Maintenance District No. 1.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for the San Ysidro Boulevard Landscape Maintenance District No. 1. The district was established in July 1988 to provide maintenance for the landscaped medians, decorative sidewalk and street amenities such as bollards, benches and planter boxes on San Ysidro Boulevard from I-805 to 100 feet west of Via de San Ysidro, a distance of 1,417.8 feet. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

FUND

DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 30,198	\$ 30,198
REVENUE:			
Assessments	\$ 23,819	0	\$ 23,819
Interest	0	1,533	1,533
City Contribution	515	0	515
TOTAL REVENUE	\$ 24,334	\$ 1,533	\$ 25,867
TRANSFER	12,326	(12,326)	0
EXPENSE:			
Personnel	\$ 8,077	\$ 0	\$ 8,077
Contractual	17,500	0	17,500
Incidental	9,758	0	9,758
Utilities	1,325	0	1,325
TOTAL EXPENSE	\$ 36,660	\$ 0	\$ 36,660
ENDING BALANCE	\$ 0	\$ 19,405	\$ 19,405

The assessments are based on the frontage along San Ysidro Boulevard. The proposed unit assessment for Fiscal Year 1997 is \$16.80 per front foot, the same as for Fiscal Year 1996. The total frontage along San Ysidro Boulevard is 1,417.8 feet.

FILE LOCATION: STRT - M-391

COUNCIL ACTION: (Tape location: A099-126.)

Hearing began at 10:29 a.m. and halted at 10:31 a.m.

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

ITEM-335:

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

(South Encanto Neighborhood. District-4.)

CITY MANAGER'S RECOMMENDATION:

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

(R-96-1334) ADOPTED AS RESOLUTION R-287498

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

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for the Coronado View Landscape Maintenance District. The district was established in July 1983 to provide maintenance for one acre of landscaped street slope within the district. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

FUND

DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 5,300	\$ 5,300
REVENUE:			
Assessments	\$15,783	\$ 0	\$15,783
Interest	0	111	111
TOTAL REVENUE	\$15,783	\$ 111	\$15,894
TRANSFER	816	(816)	0

EXPENSE:

Personnel	5,385	0	5,385
Contractual	5,000	0	5,000
Incidental	4,474	0	4,474
Utilities	1,740	0	1,740
TOTAL EXPENSE	\$16,599	\$ 0	\$16,599
ENDING BALANCE	\$ 0	\$ 4,595	\$ 4,595

The proposed assessment for Fiscal Year 1997 is \$136.06 per equivalent dwelling unit (EDU). This is the same amount as Fiscal Year 1996. The district contains 116 equivalent dwelling units.

FILE LOCATION: STRT - M-335

COUNCIL ACTION: (Tape location: A099-126.)

Hearing began at 10:29 a.m. and halted at 10:31 a.m.

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

ITEM-336:

SUBJECT: This is the public hearing regarding the annual assessments for Bay Terraces Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Skyline/Paradise Hills Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

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

(R-96-1325) ADOPTED AS RESOLUTION R-287499

Considering the protests, approving the modified map,

confirming the assessments, and ordering the proposed maintenance in the matter of the Bay Terraces Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for Bay Terraces Landscape Maintenance District (LMD). The district was established on December 14, 1982 to provide maintenance of 4 acres of open space. There are two noncontiguous areas in this LMD, with two acres in Area 1 and two acres in Area 5. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 19,097	\$ 19,097
 REVENUE:			
Assessments	\$ 30,243	0	\$ 30,243
Interest	0	662	662
City Contribution	\$ 100	0	\$ 100
TOTAL REVENUE	\$ 30,343	\$ 662	\$ 31,005
 TRANSFER			
	2,754	(2,754)	0
 EXPENSE:			
Personnel	\$ 5,380	\$ 0	\$ 5,380
Contractual	17,800	(0)	17,800
Incidental	7,342	0	7,342
Utilities	2,575	0	2,575
TOTAL EXPENSE	\$ 33,097	\$ 0	\$ 33,097
 ENDING BALANCE			
	\$ 0	\$ 17,005	\$ 17,005

The proposed assessment for Fiscal Year 1997 is \$65.91 for Zone 1 per equivalent dwelling unit (EDU). The assessment is the same as Fiscal Year 1996. The proposed assessment for Fiscal Year 1997 is \$105.62 for Zone 5 per equivalent dwelling unit (EDU). The assessment is the same as Fiscal Year 1996. The district

contains a total of 401 equivalent dwelling units (EDU's). Zone 1 contains 305 equivalent dwelling units. Zone 5 contains 96 equivalent dwelling units (EDU's).

FILE LOCATION: STRT - M-407

COUNCIL ACTION: (Tape location: A099-126.)

Hearing began at 10:29 a.m. and halted at 10:31 a.m.

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

ITEM-337:

SUBJECT: This is the public meeting regarding the annual assessment for the Calle Cristobal Landscape Maintenance District. Following public testimony at today's meeting, Council will consider and may confirm the proposed assessments.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

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

(R-96-1321) ADOPTED AS RESOLUTION R-287500

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

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for the Calle Cristobal Landscape Maintenance District (LMD). The district was established in 1987 to provide maintenance for the street side of the sound attenuator wall along Calle Cristobal, 56,391 square feet of median (of which 27,992 contains landscaping) and 173,893 square feet of streetscape. The Fiscal Year 1997 proposed maintenance costs for the district

are as follows:

FUND

DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 44,296	\$ 44,296
REVENUE:			
Assessments	\$ 77,358	0	\$ 77,358
Interest	0	2,507	2,507
City Contribution	\$ 3,359	0	\$ 3,359
TOTAL REVENUE	\$ 80,717	\$ 2,507	\$ 83,224
TRANSFER			
	27,254	(27,254)	0
EXPENSE:			
Personnel	\$ 13,460	\$ 0	\$ 13,460
Contractual	40,000	(0)	40,000
Incidental	32,961	0	32,961
Utilities	21,550	0	21,550
TOTAL EXPENSE	\$ 107,971	\$ 0	\$ 107,971
ENDING BALANCE	\$ 0	\$ 19,549	\$ 19,549

The proposed assessment for Fiscal Year 1997 in Zone 1 is \$62.02 per equivalent dwelling unit (EDU). This is the same amount as Fiscal Year 1996. Zone 1 contains 1,247.3 equivalent dwelling units. No assessments are levied in Zone 2 for Fiscal Year 1997.

FILE LOCATION: STRT - M-405

COUNCIL ACTION: (Tape location: A099-126.)

Hearing began at 10:29 a.m. and halted at 10:31 a.m.

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

ITEM-338:

SUBJECT: This is the public hearing regarding the annual assessments for Pegasquitos East Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Rancho Pegasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

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

(R-96-1371) ADOPTED AS RESOLUTION R-287501

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

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1997 assessments for the Pegasquitos East Landscape Maintenance District. The district was established in 1983 to provide maintenance for seven miles of medians, of which 176,687 square feet contains landscaping and 87 acres of open space. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

FUND

DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$136,024	\$ 134,024
REVENUE:			
Assessments	\$ 155,284	0	\$ 155,284
Interest	0	4,419	4,419
City Contribution	32,728	0	32,728
TOTAL REVENUE	\$ 188,012	\$ 4,419	\$ 192,431
TRANSFER	2,139	(2,139)	0

EXPENSE:

Personnel	\$ 16,156	\$ 0	\$ 16,156
Contractual	111,000	0	111,000
Incidental	43,245	0	43,245
Utilities	19,750	0	19,750
TOTAL EXPENSE	\$ 190,151	\$ 0	\$ 190,151

ENDING BALANCE	\$ 0	\$ 138,304	\$ 138,304
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The proposed assessment for Fiscal Year 1997 is \$11.86 per equivalent dwelling unit (EDU). This is the same amount as Fiscal Year 1996. The district contains 13,093.1 equivalent dwelling units.

FILE LOCATION: STRT - M-389

COUNCIL ACTION: (Tape location: A099-126.)

Hearing began at 10:29 a.m. and halted at 10:31 a.m.

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

ITEM-339:

SUBJECT: Resolution of Intention - Arroyo Sorrento Assessment District No. 4077.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1524 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-287502

Resolution of Intention to order improvements in the

proposed Arroyo Sorrento Assessment District No. 4077
and approving certain matters as follows:

- 1) Approving the proposed boundary map;
- 2) Appointing the Engineer of Work;
- 3) Appointing Bond Counsel;
- 4) Appointing the Design Engineer;
- 5) Authorizing the expenditure of \$34,050 from Fund No. 41500, Annual Allocation for Water Main Replacement for the purpose of making a contribution to the Assessment District and authorizing the expenditure of \$65,000 from Fund No. 30245, Capital Outlay Revolving Fund, Org. 102 for the purpose of executing a contract to obtain the services of an independent appraiser for the proposed assessment district;
- 6) Authorizing publication of notice of a public meeting and a public hearing.

Aud. Cert. 9601229.

FILE LOCATION: STRT - D-2289

COUNCIL ACTION: (Tape location: A528-572.)

Hearing began at 10:58 a.m. and halted at 11:01 a.m.

Council Member Warden left at 10:59 a.m. and returned at 11:02 a.m.

Testimony in favor by Lynne Heidel.

MOTION BY MATHIS TO ADOPT THE RESOLUTION AS AMENDED TO DELETE THE UNDERGROUND UTILITY PORTION AND TO CONTINUE THE ROAD PAVING. Second by Stevens. 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-340:

SUBJECT: Year End Budget Adjustments.

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-96-165) INTRODUCED AND ADOPTED AS ORDINANCE O-18313
 (New Series)

Amending Ordinance No. O-18193 (New Series), entitled
"An Ordinance Amending the Adopted Annual Budget for
the Fiscal Year 1995-96 and Appropriating the Necessary
Money to Operate the City of San Diego for Said Fiscal
Year."

NOTE: See Item 202 on the regular docket of Monday, June 10,
1996 for the first public hearing. Today's action is the second
public hearing for the introduction and adoption of the
ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A099-126.)

CONSENT MOTION BY STALLINGS TO INTRODUCE, DISPENSE WITH THE
READING AND ADOPT THE ORDINANCE. Second by Kehoe. 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-341:

SUBJECT: Regulatory Relief Proposals.

Two ordinance amendments to portions of the San Diego
Municipal Code that address landscape regulations, the
demolition of structures in the Coastal Zone, and
construction of new single unit residential development
in the Non-Appealable portion of the Coastal Zone.
These items were previously considered by both the
Planning Commission and City Council and have been
directed to come back for reconsideration of
alternatives.

(Citywide.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution and introduce the ordinances:
Item 4. Coastal Development Permit Exclusion

Subitem-A-1: (R-96-1030) ADOPTED AS RESOLUTION R-287503

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration DEP-95-0691 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting appropriate findings pursuant to California Public Resources Code Section 21081.

Subitem-A-2: (O-96-120 Rev. 1) INTRODUCED AS AMENDED, TO
BE ADOPTED JUNE 24, 1996

Introduction of an Ordinance amending the San Diego Municipal Code relating to Coastal Development Permit Exemptions.

Item 7. Landscape Regulations

Subitem-B: (O-96-123 Rev. 1) RETURNED TO CITY MANAGER

Introduction of an Ordinance amending the San Diego Municipal Code relating to Citywide Landscape Regulations.

OTHER RECOMMENDATIONS:

Planning Commission voted 6-0 to recommend approval/denial.

Ayes: Neils, Anderson, Quinn, Skorepa, Watson, White
Not present: Butler

The Peninsula Community Planning Board, Inc. agreed with some amendments for Item No. 4, but objected to the requirement that residences 45 years or older would not qualify for the CDP exclusion.

SUPPORTING INFORMATION:

Following are the items proposed for amendment:

1. Regulatory Relief Item No. 4 - Amend the San Diego Municipal Code Sections 62.0106, 101.0407, 101.0642 and 105.0204 to exclude demolition of structures in the Coastal Zone, and construction of single unit residential development on an R-

- 1 Zoned lot in the non-appealable portion of the Coastal Zone from the requirements of a Coastal Development Permit.
2. Regulatory Relief Item No. 7 - Amend the San Diego Municipal Code Sections 101.0710, 101.0711, 101.0712 and 101.0713 to simplify citywide landscape regulations.

This project is located in the Coastal Zone, therefore the City Council's decision requires amending the City's Local Coastal Program. As a result, the final decision on this project will be with the California Coastal Commission. The City of San Diego must submit this as an amendment for certification to the Coastal Commission. The amendment is not effective in the Coastal Zone until the Coastal Commission unconditionally certifies the amendment.

FILE LOCATION: SUBITEM-A-1: MEET; SUBITEM-A-2 & B: NONE

COUNCIL ACTION: (Tape location: A576-C010.)

Hearing began at 11:01 a.m. and halted at 11:47 a.m.

Council Member Stevens left at 11:30 a.m.
Testimony in opposition by Opal Trueblood, Nancy Marincovich, and Robert Lewis.

Testimony in favor by Joseph Hall, Dick Smith, Kirk O'Brien, Mark Lyon, and Al Johnson.

Motion by Kehoe to continue Subitem B for 30 days to allow for additional community review. No second.

MOTION BY MATHIS TO ADOPT THE RESOLUTION AND INTRODUCE THE ORDINANCE AS AMENDED TO LIMIT THE EXCLUSION WITHIN THE LA JOLLA AND TORREY PINES COMMUNITY PLAN AREAS TO THOSE AREAS SHOWN ON MAPS C-866 AND C-867.1, AND TO REQUIRE APPLICANTS WITHIN THE CATEGORICAL EXCLUSION AREAS TO PROVIDE A INFORMATIONAL COURTESY NOTICE TO PROPERTY OWNERS WITHIN 300 FEET AND TO THE LOCAL COMMUNITY PLANNING AREA AS REQUIRED BY THE COMMUNITY PLAN. ACCEPT COUNCIL MEMBER KEHOE'S MOTION TO CONTINUE SUBITEM B REGARDING LANDSCAPE REGULATIONS TO ALLOW FOR ADDITIONAL COMMUNITY REVIEW. Second by Stallings.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-CS-1: (R-96-1603) ADOPTED AS RESOLUTION R-287506

A Resolution adopted by the City Council in Closed Session on June 11, 1996.

Authorizing the City Manager to pay to plaintiffs the sum of \$550,000 towards the settlement of the San Dieguito Partnership, L.P., et al. v. City of San Diego, et al., Superior Court Case No. 675245, from the San Dieguito Valley Trust Fund; authorizing the City Auditor and Comptroller to issue one check in the amount of \$550,000, made payable to San Dieguito Partnership L.P., c/o Roy Collins at R.B. Collins and Associates, 5963 La Place Court, Suite 109, Carlsbad, California 92008, towards settlement of the Litigation.

Aud. Cert. #9601274

FILE LOCATION: MEET; C-07217

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 11:55 a.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C060.)