

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, AUGUST 22, 1983
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Hedgecock at 2:04 p.m. Mayor Hedgecock adjourned the meeting at 3:20 p.m. into Closed Session at 9:00 a.m. on Tuesday, August 23, 1983, in the twelfth floor conference room regarding pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present.
 - (1) Council Member Mitchell-present.
 - (2) Council Member Cleator-present.
 - (3) Council Member McColl-present.
 - (4) Council Member Jones-present.
 - (5) Council Member Struiksma-excused by R-259143 (personal illness).
 - (6) Council Member Gotch-present.
 - (7) Council Member Murphy-present.
 - (8) Council Member Martinez-present.
- Clerk-Abdelnour (mp)

FILE LOCATION:
MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:
Mayor Hedgecock-present.
Council Member Mitchell-not present.
Council Member Cleator-present.
Council Member McColl-present.
Council Member Jones-present.
Council Member Struiksma-not present.
Council Member Gotch-present.
Council Member Murphy-present.
Council Member Martinez-not present.

ITEM-10: INVOCATION

Invocation was given by Reverend Louis Prock of the
Clairemont First Assembly of God Church.

FILE LOCATION:

MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Murphy.

FILE LOCATION:

MINUTES

ITEM-30: MINUTES APPROVED

Approval of Council Minutes for the Meetings of:

07/18/83 P.M.

07/19/83 A.M. and P.M.

07/25/83 P.M.

07/26/83 A.M. and P.M.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: A046-048).

MOTION BY JONES TO APPROVE THE MINUTES. Second by Murphy.

Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- yea.

* ITEM-50: (O-83-257) ADOPTED AS ORDINANCE O-16027 (New Series)

Amending Chapter X, Article 1, Division 5, of the San Diego Municipal Code, Section 101.0506, relating to Conditional Use Permits regarding the location of fraternity houses, sorority houses and student dormitories.

(Introduced on 8/9/83. Council voted 9-0.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A564-615).

CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND ADOPT.

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-51: (O-83-266) CONTINUED TO SEPTEMBER 12, 1983

Amending Chapter III, Article 1, Division 3 of the San Diego Municipal Code by amending Section 31.0371, and amending Chapter III, Article 3, Division 8 of the San Diego Municipal Code by repealing Sections 33.0801 through 33.0806, 33.0809,

33.0810 and 33.0811, relating to auctioneers and auction houses.

(Introduced on 8/8/83. Council voted 8-0. District 2 not present.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A074-093).

MOTION BY MARTINEZ TO CONTINUE TO SEPTEMBER 12, 1983 AT HIS REQUEST. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl- yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-52: (O-83-136 Rev.) ADOPTED AS ORDINANCE O-16028 (New Series)

Amending Chapter III, Article 3 of the San Diego Municipal Code by adding Division 40, Sections 33.4000 through 33.4011 relating to towing of motor vehicles from private property.

(Introduced on 8/8/83. Council voted 8-0. District 2 not present.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B226-232).

MOTION BY MARTINEZ TO DISPENSE WITH THE READING AND ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-53: (O-84-8) ADOPTED AS ORDINANCE O-16029 (New Series)

Amending Chapter VI, Articles 4 and 7 of the San Diego Municipal Code by adding Section 64.32.4 and amending Section 67.59.1, relating to sewer and water rate adjustments.

(Introduced on 8/8/83. Council voted 9-0.)

WU-U-83-822.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A564-615).

CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND ADOPT.

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-54: (O-81-186) ADOPTED AS ORDINANCE O-16030 (New Series)

Incorporating Lot 190, Collwood Park Unit No. 2, Map-2495 and a portion of Montezuma Road Closed (approximately .16 acres), located on the south side of Montezuma Road between Rockford Drive and 63rd Street, into R-3 Zone.

(Case-5-80-101. State University Community Area.

District-

7. Introduced on 8/9/83. Council voted 9-0.)

FILE LOCATION:

ZONE 8/22/83

COUNCIL ACTION: (Tape location: A564-615).

CONSENT MOTION BY JONES TO DISPENSE WITH THE READING AND ADOPT.

Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present,

Gotch-

yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-100: (R-84-76) ADOPTED AS RESOLUTION R-259115

Awarding a contract to Ameron Pipe for the purchase of thirty feet ten inches of 72-inch water line with one manhole, for a total cost of \$25,938.20, including tax and terms.

BID-

5218L

CITY MANAGER REPORT:

On July 8th the 72-inch transmission main coming off the California Water Authority feed line burst at one of the seams, severely damaging two sections of pipe located in the Sheppard Canyon area of Tierrasanta. The immediate effect was a loss of water pressure in the surrounding communities. Due to the increased usage of water during the hot weather and the anticipated disruption of services should the demand increase, this material was sought from the most expedient source of fabrication. Only one vendor was capable of responding immediately to the specifications of the pipe to be fabricated.

WU-P-84-009.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-

yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-101: (R-84-230) ADOPTED AS RESOLUTION R-259116

Awarding a contract to Burns and Sons Trucking for the rental of demolition body end dumps as may be required during the period of August 1, 1983 through September 30, 1983 for an estimated cost of \$18,967.90 including terms. BID- 5203

CITY MANAGER REPORT:

This equipment is requested by General Services, Street Division for use at the Rose Creek clearance site. These end dumps are for hauling silt and sand from the Rose Creek bed in order to clear the channel before the seasonal rains. It is estimated that the City's requirement will be approximately 400 hours.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-102: (R-84-222) ADOPTED AS RESOLUTION R-259117

Awarding a contract to Ford Wholesale Co. Inc. for the purchase of roofing materials, for an actual cost of \$14,729.09, including tax and terms. BID-5169

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-103:
19830822

Two actions relative to the construction of Sewer and Water Main Replacement Group 62:
(Peninsula Community Area. District-2.)

Subitem-A: (R-84-227) ADOPTED AS RESOLUTION R-259118

Inviting bids for the construction of Sewer and Water Main Replacement Group 62 on Work Order Nos. 147166 and 148161; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of

funds not to exceed \$136,525 from Water Revenue Fund 41502, CIP- 73-083, Water Main Replacements, and \$620,100 from Sewer Revenue Fund 41506, CIP-44-001, Sewer Main Replacements, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-5229

Subitem-B: (R-84-228) ADOPTED AS RESOLUTION R-259119

Authorizing the use of City Forces to do all the work necessary to make connections and perform operational checks as required in connection with the construction of Sewer and Water Main Replacement Group 62, pursuant to the recommendation of the City Manager and submission of estimates by him indicating that said work can be done by City Forces more economically than if let by contract; declaring that the cost of said work shall not exceed \$34,025.

CITY MANAGER REPORT:

This project consists of constructing sewer and water mains to replace existing deteriorating concrete and cast iron mains in the Point Loma area. Replacement lengths are as follows: 2,430 feet of 8-inch and 6-inch water mains; and 9,745 feet of 8-inch and 6-inch gravity sewer mains.

WU-P-83-816.

FILE LOCATION: W.O. 147166

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-104: (R-84-226) CONTINUED TO SEPTEMBER 12, 1983

Authorizing the Purchasing Agent to advertise for sale 3,000 surplus bleacher seats which are no longer needed for City purposes; all expenses in connection with the sale of said bleacher seats shall be deducted from the proceeds received from the sale thereof. BID-5231L

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A074-093).

MOTION BY MARTINEZ TO CONTINUE TO SEPTEMBER 12, 1983, AT HIS REQUEST BECAUSE HE MAY BE ABLE TO FIND USE FOR THE BLEACHERS IN DISTRICT 8. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones- yea, Struiksma-not

present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-105: (R-84-223) ADOPTED AS RESOLUTION R-259120

Authorizing the Purchasing Agent to advertise for sale fourteen San Diego Police Department undercover vehicles, which are so used, obsolete or depreciated as to be unfit or undesirable for use or retention by the City; expenses in connection with the sale of said vehicles shall be deducted from the proceeds received from the sale thereof. BID-5225

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-106: (R-84-255) ADOPTED AS RESOLUTION R-259121

Approving the final subdivision map of Juniper Views, a one-lot subdivision located northerly of Home Avenue and I-805. (Mid-City Community Area. District-8.)

FILE LOCATION:

SUBD Juniper Views

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-107:
19830822

Three actions relative to the final subdivision map of Paradise Gardens West Unit No. 6, a 243-lot subdivision located northerly of Paradise Valley Road and Woodman Street: (South Bay Terraces Community Area. District-4.)

Subitem-A: (R-84-257) ADOPTED AS RESOLUTION R-259122

Authorizing the execution of an agreement with Sunburst Homes Company for the installation and completion of

improvements.

Subitem-B: (R-84-256) ADOPTED AS RESOLUTION R-259123

Approving the final map.

Subitem-C: (R-84-262) ADOPTED AS RESOLUTION R-259124

Approving the acceptance by the City Manager of that deed of Sunburst Homes Company granting to the City that real property known as Lot 243 of Paradise Gardens West Unit No. 6.

FILE LOCATION: SUBD Paradise Gardens West Unit No. 6; Subitem C DEED F-2022

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmas-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-108: CONTINUED TO SEPTEMBER 12, 1983
19830822

Three actions relative to the final subdivision map of Victoria Manor, a 13-lot subdivision located northeasterly of Tonawanda Drive and Marmil Way:

(South Bay Terraces Community Area. District-4.)

Subitem-A: (R-84-251)

Authorizing the execution of an agreement with Victoria Manor for the installation and completion of improvements.

Subitem-B: (R-84-250)

Approving the final map.

Subitem-C: (R-84-253)

Dedicating a portion of Parcel B reserved for future street on the Map of Marmil Terrace, Map-5180 as and for a public street and naming the same Cameron Court.

FILE LOCATION: SUBD Victoria Manor; Subitem C DEED F-2023

COUNCIL ACTION: (Tape location: A050-063).

MOTION BY JONES TO CONTINUE TO SEPTEMBER 12, 1983, AT THE CITY MANAGER'S REQUEST FOR TIME TO SEE WHETHER THE PUBLIC IMPROVEMENTS

HAVE BEEN MADE. Second by Murphy. Passed by the following vote:

Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea,

Struiksmas-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor

Hedgecock-yea.

* ITEM-109: (R-84-247) ADOPTED AS RESOLUTION R-259125

Granting an extension of time to June 22, 1985 to Harry L. Summers, Inc., subdivider, to complete the improvements required in Governor Drive Business Park Unit No. 2. (Located southwesterly of Governor Drive and I-805. University City Community Area. District-1.)

FILE LOCATION:

SUBD Governor Drive Business Park Unit No. 2

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-110: (R-84-249) ADOPTED AS RESOLUTION R-259126

Authorizing the execution of a deed conveying to San Diego Gas & Electric Company an easement for underground electrical facilities and appurtenances, affecting a portion of Lot 109 of Eagle Ridge Estates.

(Located at Wing Span Drive and Tommy Street. San Carlos Community Area. District-7.)

CITY MANAGER REPORT:

As a requirement of tentative map approval (TM-77- 288), the subdivider of Eagle Ridge Estates granted the City at no cost four lots for open space totaling 2.22 acres. The property is located adjacent to the southerly boundary of Mission Trails Regional Park in San Carlos. To extend electrical service to Eagle Ridge Estates, the subdivider needs the City to grant SDG&E an easement to allow underground electrical lines to cross a small portion of one of these open space lots.

The proposed easement is a strip of land 10 feet wide and 22 feet long and has been cleared with the Park and Recreation Department, Open Space Division. The electrical installation consists of underground conduits with wires placed therein. The developer is responsible for any restoration of the premises to the satisfaction of the City.

The developer will pay a \$225 processing fee plus \$100 nominal fair market value for the 220-square-foot easement, as determined by a City staff appraiser.

FILE LOCATION:

DEED F-2024

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-111: (R-84-194) ADOPTED AS RESOLUTION R-259127

Authorizing the execution of an amendment to the master agreement with CH2M Hill, Inc. for engineering services in connection with the South Bay Wastewater and related facilities, from a cost not to exceed \$8,696,419 to a cost not to exceed \$8,748,767 (a total increase of \$52,348); authorizing the expenditure of the sum of \$52,348 from Sewer Revenue Fund 41506, CIP-46-009, South Bay-Point Loma Sewage Treatment Plant, for the above purpose; authorizing Amendment No. 7 to Task Order No. 9 of the agreement with CH2M Hill, et al, in connection with the Point Loma Accelerated Projects, for the sum of \$52,348.

(Point Loma Community Area. District-2.)

CITY MANAGER REPORT:

On May 12, 1980, the Council authorized Task Order No. 9 of the master agreement with CH2M Hill, et al, a joint venture, for design services during construction in connection with the Point Loma Accelerated Projects and West Point Loma Interceptor. The initial authorization and Amendments No. 1 and 2 were for a total of \$892,788 and were to cover the period up to December 31, 1982. Amendments No. 3, 4 and 5 were for a total of \$788,874 and were for engineering, design work, and corrective design work due to the discovery of the old sea cave beneath the engine generator facilities. Amendment No. 6 authorized an additional \$216,791 to maintain managerial, clerical and administrative services, shop drawings, "as built" drawings, training, start-up costs and expenses.

Amendment No. 7 authorizes an additional \$52,348 to further maintain managerial, clerical and administrative services, shop drawings, "as built" drawings, training, start-up costs, and expenses. Approximately 50 percent of the cost of Amendment No. 7 is for the additional effort required for necessary permits for the engine generator facility, the pedestal settlement problems due to the sea cave, and the collapse of the digester roof and related problems. Amendment No. 7 also extends the Task Order completion date to September 30, 1983.

WU-U-83-814.

FILE LOCATION:

CONT CH2M Hill Amend No. 7 to Task Order No. 9
COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-112: (R-84-246) ADOPTED AS RESOLUTION R-259128

Authorizing the execution of an agreement with McMillin Development, Inc., to provide for the completion of the design of Jerabek Park; authorizing the City Manager to grant future park fee credits to McMillin Development, Inc. for park improvements completed to date.

(Scripps Miramar Ranch Community Area. District-5.)

CITY MANAGER REPORT:

In October of 1979, the City purchased this 10 acre park site from McMillin Development Inc., concurrent with their filing of a subdivision map. The purchase price included the land, initial site grading, a storm drain system, curb, sidewalk and street paving adjacent to the park. In response to community pressure, the subdivider agreed to provide turfing and irrigation of a Little League field in advance of the City's development schedule. The work was done in conjunction with their subdivision development at a cost less than the City's cost under a normal City contract. The subdivider provided a plan for the park with all necessary construction documents to insure the work was accomplished to City Standards. This agreement provides a method to reimburse the developer for the value of the work accomplished to date and to complete the design drawings for the remainder of the park. The City will utilize these completed design drawings to construct the remainder of the park by normal City contract using park fee funds identified in FY 84 CIP-29-456. Construction could begin early in calendar year 1984. The actual reimbursement will be park fee credits granted to the developer for future subdivision maps to be filed within the Scripps Ranch Community Area from the date of this agreement until the amount of credit is reached. This agreement has the enthusiastic support of the Scripps Ranch Planning Group and Civic Association.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-

yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-113: (R-84-252) ADOPTED AS RESOLUTION R-259129

Authorizing the execution of an agreement with San Diego Data Processing Corporation and the County of San Diego for library circulation system information processing services; authorizing the expenditure of a sum not to exceed \$470,000 from Fund 10001/100, Dept 901/310, Account 4222/4133; authorizing San Diego Data Processing Corporation to provide library circulation system information processing services to the City, the County and other public agencies who may request such services.

(See City Manager Report CMR-83-192 and Committee Consultant Analysis PSS- 83-21.)

COMMITTEE ACTION: Reviewed by PSS on 6/8/83. Recommendation to adopt the Resolution. Districts 1, 3, 4, 6 and 8 voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-114: (R-83-2133) ADOPTED AS RESOLUTION R-259130

Authorizing the execution of a fourth amendment to lease agreement with Associated Mobile Estates for property located at North Mission Bay Park west of Rose Creek Inlet, known as Campland on the Bay.

(Mission Bay Community Area. District-6. See City Manager Report CMR-83- 264 and Committee Consultant Analysis

PSS-

83-30.)

COMMITTEE ACTION: Reviewed by PSS on 8/10/83. Recommendation to adopt the Resolution. Districts 1, 3, 4, 6 and 8 voted yea.

FILE LOCATION:

LEAS Associated Mobile Estates

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea,

Mayor Hedgecock-yea.

* ITEM-115: (R-84-167) ADOPTED AS RESOLUTION R-259131

Requesting CalTrans to include in their Statewide planning program a study of the access to the existing truck crossing between Mexico and the United States located in San Ysidro, including an analysis of the extension of State Route 125 from the Second Border Crossing at Otay Mesa to State Route 94; requesting CalTrans to include in the study the possibility of Federal Interstate Funding for improvements to the truck crossing.

(Otay Mesa and San Ysidro Community Planning Areas. District-8.)

CITY MANAGER REPORT:

The proposed resolution asks CalTrans to include in its Statewide planning program: 1) The extension of State Route (SR) 125 from the soon to be built Second Border Crossing northerly of SR 94; and 2) A study of improving access to the existing truck crossing in San Ysidro to include the possibility of using Federal Interstate Funding. Because of the pending construction of the Second Border Crossing in Otay Mesa and because of anticipated increases in nearby development activity, it is timely to request that CalTrans study the extension of SR 125 from the new border crossing to a logical connection with SR 94 in the Spring Valley area.

The existing truck crossing from the U.S. into Mexico does not function well. Funds for improvement of the crossing are apparently in short supply. This resolution will request CalTrans to investigate the expenditure of Federal Interstate Funds to support an upgrading of the truck crossing. Similar resolutions were adopted by the San Diego County Board of Supervisors on June 14, 1983.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-

yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-116: (R-84-242) ADOPTED AS RESOLUTION R-259132

Urging the State of California to post signs at Torrey Pines State Beach stating that the beach is not staffed with lifeguards, if it is the intention of the State not to provide

lifeguard service.

(District-1.)

COMMITTEE ACTION: Initiated by PSS on 7/27/83. Recommendation to adopt the Resolution. Districts 1, 3, 6 and 8 voted yea. District 4 not present.

COMMITTEE REPORT:

During a discussion at the Public Services and Safety Committee meeting regarding safety at Black's Beach, City lifeguards stationed at that beach indicated that they have made numerous rescues at the adjacent Torrey Pines State Beach which does not have lifeguards at this time. The lack of lifeguards is not posted and the Committee felt that if the State continues to not provide lifeguards at the beach, signs so notifying the public should be installed. The resolution before Council today urges the State to post such signs.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-150: (R-84-287) ADOPTED AS AMENDED AS RESOLUTION R-259133

Directing the Mayor of the City of San Diego to send a letter to the U.S. State Department regarding termination of sewage services for the Republic of Mexico in 1985 when the current agreement for the provision of such services expires; directing the above cited letter to the U.S. State Department to include a request for the federal government to begin planning with San Diego officials and the Mexican government to define roles and responsibilities to be instituted upon expiration of the current agreement.

(See Intergovernmental Relations Department Report

IRD-

83-58.)

COMMITTEE ACTION: Reviewed by RULES on 8/1/83. Recommendation to adopt the Resolution. Districts 2, 7 and Mayor voted yea. Districts 5 and 6 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B102-223).

MOTION BY MURPHY TO ADOPT THE RESOLUTION AS AMENDED DIRECTING THE CITY MANAGER TO FURNISH A STATUS REPORT TO THE RULES COMMITTEE ON

THE PAYMENTS THAT HAVE ACTUALLY BEEN MADE VERSUS THOSE AT OR EVEN UNDER THE SLIDING SCALE. THE CITY MANAGER, IN PREPARING A DRAFT OF THE LETTER FOR THE MAYOR, WILL INCLUDE AN OFFER OF ASSISTANCE FROM THE CITY OF SAN DIEGO TO TIJUANA TO DEVELOP A SYSTEM THAT WILL BE ABLE TO TAKE CARE OF TIJUANA AND PUT THEM ON THEIR OWN. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-151: (R-84-288) ADOPTED AS AMENDED AS RESOLUTION R-259134

Declaring that the City Council expresses its support of Assembly Bill 1909 (Campbell) provided it is amended to delete the provisions on recyclable materials; directing the Department of Intergovernmental Relations to support the efforts of the County of San Diego to amend Assembly Bill 1909 to include an alternate payment option based on 90 percent of the retail rate for electricity.

(See Intergovernmental Relations Department Report IRD-83-54.)

COMMITTEE ACTION: Reviewed by RULES on 8/1/83. Recommendation to adopt the Resolution. Districts 2, 7 and Mayor voted yea. Districts 5 and 6 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B234-254).

MOTION BY MURPHY TO ADOPT AS AMENDED DELETING ALL REFERENCES TO

THE QUALIFIERS INASMUCH AS THE BILL HAS ALREADY PASSED THE ASSEMBLY.

Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-152: (R-84-182) ADOPTED AS RESOLUTION R-259135

Approving the recommendations, after discussion and deliberation, of the Intergovernmental Relations Department concerning Local Gas Tax Revenue - SCA 37 (Foran) as set forth in Intergovernmental Relations Department Report IRD- 83-55 and expressing support for SCA 37 if it is amended to remove the concerns set forth in said report.

(See Intergovernmental Relations Department Report

IRD-

83-55.)

COMMITTEE ACTION: Reviewed by RULES on 8/1/83. Recommendation to adopt the Resolution. Districts 2, 7 and Mayor voted yea. Districts 5 and 6 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B255-276).

MOTION BY CLEATOR TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksmá-not present, Gotch-yea, Murphy-yea, Martínez-yea, Mayor Hedgecock-yea.

ITEM-153: (R-84-181) ADOPTED AS RESOLUTION R-259136

Declaring that the City Council supports suspension of the Assembly Bill 8 deflator, effective October 1, 1983; urging the Legislature to restore local governments' subventions so that the statewide loss does not exceed \$348 million.

(See Intergovernmental Relations Department Report

IRD-83-57.)

COMMITTEE ACTION: Reviewed by RULES on 8/1/83. Recommendation to adopt the Resolution. Districts 2, 7 and Mayor voted yea. Districts 5 and 6 not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B277-294).

MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmá-not present, Gotch-yea, Murphy-yea, Martínez-yea, Mayor Hedgecock-yea.

ITEM-200: (O-84-15) ADOPTED AS ORDINANCE O-16031 (New Series)

Fixing the tax rates and levying taxes for the Fiscal Year 1983-84, pursuant to Section 17 of the San Diego City Charter.

(See City Manager Report CMR-83-344.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B296-307).

MOTION BY JONES TO INTRODUCE, DISPENSE WITH THE READING, AND ADOPT THE ORDINANCE. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmá-not present, Gotch-yea, Murphy-yea, Martínez-yea, Mayor Hedgecock-yea.

ITEM-201: (R-84-229) ADOPTED AS RESOLUTION R-259137

Inviting bids for the construction of Otay Mesa Road on Work Order No. 122163; authorizing a contract with the lowest responsible and reliable bidder; authorizing the expenditure of not to exceed \$7,829,249 from Capital Outlay Fund 30245, CIP-52-140, Otay Mesa Road-Harvest Road - 1.3 Miles East of I-805 to the International Border, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. BID-5237

CITY MANAGER REPORT:

This project provides for reconstruction of Otay Mesa Road from the temporary terminus of State Highway 117 (east of I-805) to Harvest Road, and construction of a new road as State Highway 125 southerly from Otay Mesa Road to the Second International Border Station, a total distance of 5.5 miles. The road will consist of four lanes with shoulders and drainage facilities. The north-south road will also contain a 14-foot paved center median.

The City has designed, and will construct, the entire contract in cooperation with the County and CalTrans. Construction timing is such that the road will be available to service the border facility upon its completion about April 1, 1984. Upon project completion, operation and maintenance will be the responsibility of all three jurisdictions: the City, County and State, within their respective boundaries. Financing is by State grant, GSA funds, County FAS funds, City FAU and matching funds, with right-of-way from a City-initiated assessment district.

FILE LOCATION:

W.O. 122163

COUNCIL ACTION: (Tape location: B309-320).

MOTION BY MARTINEZ TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmas-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S400: (O-84-32) and (R-84-324)

**ORDINANCE INTRODUCED, TO BE ADOPTED SEPTEMBER 12, 1983
RESOLUTION ADOPTED AS RESOLUTION R-259138**

The matter of introduction of an Ordinance and adoption of a Resolution revising Municipal Code Section 22.0101 titled "Permanent Rules of the Council."

(See Committee Consultant Analysis RULES-83-6.)

COMMITTEE ACTION: Reviewed by RULES on 8/15/83. Recommendation to adopt the draft revision of Municipal Code Section 22.0101, dated 7/29/83, as amended by

Committee, and adopt a Resolution changing the starting time of Rules Committee meetings from 8:30 a.m. to 9:00 a.m. Districts 2, 5, 6, 7, and Mayor voted yea.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A620-B085).

MOTION BY JONES TO INTRODUCE THE ORDINANCE AND ADOPT THE RESOLUTION. Second by Murphy. Passed by the following vote: Mitchell-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S401: (R-84-215) ADOPTED AS RESOLUTION R-259139

Approving the recommendations of the Otay Mesa Annexation Task Force as contained in City Manager Report CMR-83-335; authorizing and directing the City Manager and his staff to proceed with the preparation of proposed amendments to the City's Otay Mesa Annexation application and the preparation of other proposed agreements as required, and to process such amendments and other agreements to the City Council for approval as soon as practicable.

(See City Manager Report CMR-83-335.)

COMMITTEE ACTION: Reviewed by RULES on 8/15/83. Recommendation to adopt the Resolution. Districts 2, 5, 6, 7 and Mayor voted yea.

FILE LOCATION:

ANNX

COUNCIL ACTION: (Tape location: A094-563).

MOTION BY MARTINEZ TO ADOPT THE RESOLUTION AND TO DIRECT THE CITY

MANAGER TO FORM A COORDINATING COMMITTEE COMPOSED OF MEMBERS OF THE

MAYOR'S OFFICE, DISTRICT 8'S OFFICE, AND CITY MANAGER'S STAFF, TO WORK WITH THE SIGNATORIES TO OVERCOME SOME OF THE

APPREHENSION

CONCERNING THE ANNEXATION. THE CITY MANAGER IS ALSO ASKED TO CLARIFY LANGUAGE IN THE SEWER AGREEMENT TO ANSWER THE QUESTION,

I.E., "DOES IT PREEMPT ANY DEVELOPMENT TO TAKE PLACE IN THE COUNTY?"

Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-

yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-S402: (R-84-204) ADOPTED AS RESOLUTION R-259140.

A Resolution adopted by the City Council in Closed Session on Tuesday, July 19, 1983 by the following vote:

Mitchell-

yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

Authorizing the City Manager to pay the total sum of \$10,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Michele and Radondo Colbert (Municipal Court Case No. 318858, Michele Colbert and Radondo Colbert v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue a warrant check in the amount of \$10,000 made payable to Michele Colbert and Radondo Colbert and their attorney of record, Robert D. Wood, in full settlement of the lawsuit and all claims.

CITY MANAGER REPORT:

This constitutes complete and final settlement of Michele and Radondo Colbert's personal injuries of July 20, 1981.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B086-099).

CONSENT MOTION BY JONES TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-

yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S403: (R-84-313) CONTINUED TO SEPTEMBER 12, 1983

Approving the acceptance by the City Manager of that grant deed executed by the San Diego Housing Commission, affecting a portion of Lot 1 of Horton's Purchase in the Ex-Mission Lands of San Diego, according to Map-283; authorizing the expenditure of an amount not to exceed \$834,283 from Capital Outlay Fund 30245, CIP-39-080, Euclid Avenue, and \$236,203 from General Fund 100, Department 605, Unallocated Reserve for the Euclid Avenue site acquisition; authorizing the City Manager to solicit bids for the purchase of the Euclid Avenue site and bring the high bid to the City Council for approval.

(See City Manager Report CMR-83-359. Mid-City Community Area. District-3.)

FILE LOCATION:

DEED F-2026

COUNCIL ACTION: (Tape location: A064-073).

MOTION BY JONES TO CONTINUE TO SEPTEMBER 12, 1983, AT THE CITY

MANAGER'S REQUEST, TO ASSURE THAT USE OF THE UNALLOCATED RESERVE IS

APPROPRIATE. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl- yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S404: (R-84-319) ADOPTED AS RESOLUTION R-259141

Authorizing the execution of an agreement with Science Applications, Inc., for professional services to perform a water column and sediment monitoring program in Mission Bay Park and nearby creeks and rivers; authorizing the City Manager to waive Council Policy 300-7 regarding Consultant Services Selection due to time constraints with the project; authorizing and approving the expenditure of an amount not to exceed \$48,415 from the General Fund (100), General Services Department/Solid Waste Division (533), for such professional services; authorizing the City Manager to coordinate any matters related to the water column and sediment monitoring program approval and execution with the County, State and other regulatory agencies, as appropriate.

(Mission Bay Community Area. District-6.)

CITY MANAGER REPORT:

On August 1, 1983, Council waived Council Policy 300-7 for the hiring of consultants to determine the possibility of toxic waste hazards resulting from the former Mission Bay Landfill. The County Health Department has requested the immediate implementation of an ongoing water column and sediment monitoring program for the bodies of water adjacent to and near the former landfill site. Of prime concern is the testing for all priority pollutants. The sampling and analysis of samples requires techniques and equipment not presently available to City staff.

Science Applications, Inc., has been selected by the City Manager on the basis of their experience in such testing, their proposal to the City and because they will be assisting Woodward-Clyde Consultants in the full scale Site Assessment Project for the former landfill. The monitoring program is needed in the immediate future to establish base line data for the Site Assessment Project and to indicate to the County Health Department whether or not any contaminants from the landfill are posing a health risk to the public. Measurements will be taken at seven stations in Mission Bay, the Flood Control Channel, and in Tecolote and Rose Creeks. This proposed agreement covers a one-time monitoring program. However, if additional monitoring is required, City Council approval will be requested for subsequent agreements.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B324-343).

MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmas-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S405: (R-83-2103 Rev.) ADOPTED AS RESOLUTION R-259142

(Continued from the meetings of July 18, 1983, August 1, 1983 and August 15, 1983; last continued at the City Manager's request.)

Approving certain financing pursuant to the City of San Diego Economic Development Revenue Bond Law; authorizing and providing for the issuance of its City of San Diego, Industrial Development Revenue Bonds, Series 1983A (Driver Insurance Building Project), for the purpose of providing funds for the acquisition and construction of such project; approving a certain trust indenture which creates a trust estate and makes certain provisions therefor and for the bonds; approving a certain loan agreement with Robert F. Driver Company, Inc.; approving a bond purchase agreement and authorizing its execution; approving a preliminary official statement and authorizing its use and execution when in final form; approving a letter of credit and authorizing its execution; declaring its election to have the \$10,000,000 limitation of Section 103(b) (6)(D) of the Internal Revenue Code of 1954, as amended, applied to the issuance of the bonds; authorizing such further action as may be necessary to conclude the issuance, sale and delivery of such bonds; making certain findings and determinations in connection therewith.

(Project location is bounded by Fourth and Fifth Avenues, Cedar Street and I-5. Centre City Community Area.

District-8.)

CITY MANAGER REPORT:

This is the final action required by the City Council to authorize execution of documentation and sale of bonds for the Robert F. Driver Company. Bond proceeds will finance construction of an insurance center (9-story office building and 6-story parking facility) on the block bounded by Fourth and Fifth Avenues, Cedar Street and I-5. The City Council adopted Inducement Resolution R-257642 on December 13, 1982. After consideration of a staff evaluation report and a presentation by the applicant, the City Council adopted Resolution R-258200 on April 4, 1983 authorizing the City Manager to continue preparations for the issuance of bonds.

The bonds, not to exceed \$9,000,000, at an average interest rate

not to exceed 12 percent, mature on July 1, 1988. The bonds will be secured by a Deed of Trust (first lien on the real property), by a security interest in furnishings and equipment, by assignment of revenues received from the project, and by an unconditional guarantee of the Robert F. Driver Co. Sale will be by private placement by Rauscher Pierce Refsnes, Inc. The indenture prohibits resale of the bonds without City consent. The indenture also specifies that the bonds, and interest thereon, are payable solely by the Robert F. Driver Co., through the trustee, and further that "neither the faith and credit, nor the taxing power of the City is pledged to the payment of principal or interest on the bonds."

Documents, drafts of which are on file with the City Clerk, include a loan agreement between the City and Robert F. Driver Company, trust indenture between the City and Security Pacific National Bank, bond purchase agreement between the City and the bond purchaser(s), and a private offering memorandum.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B346-384).

Hearing began at 3:09 p.m. and halted at 3:14 p.m.

MOTION BY MARTINEZ TO CLOSE THE HEARING AND ADOPT THE RESOLUTION.

Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-UC-1: (R-84-301) ADOPTED AS RESOLUTION R-259143

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member Ed Struiksma from the regular Council Meeting of Monday, August 22, 1983, due to personal illness.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B385-387).

MOTION BY JONES TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Hedgecock at 3:20 p.m.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: B388-425).

MOTION BY CLEATOR TO ADJOURN IN HONOR OF THE MEMORY OF JOHN S.

GHIO. Second by Martinez. Passed by the following vote:

Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor

Hedgecock-yea.

MOTION BY MARTINEZ TO ADJOURN IN HONOR OF THE MEMORY OF JUDGE

THOMAS IREDALE. Second by Murphy. Passed by the following vote:

Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor

Hedgecock-yea.

MOTION BY MITCHELL TO ADJOURN IN HONOR OF THE MEMORY OF KAY

DAVEY. Second by Jones. Passed by the following vote:

Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor

Hedgecock-yea.