

19840730

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, JULY 30, 1984

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 3:40 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present
 - (1) Council Member Mitchell-present
 - (2) Council Member Cleator-present
 - (3) Council Member McColl-excused by R-261287 (vacation)
 - (4) Council Member Jones-present
 - (5) Council Member Struiksmma-excused by R-261197 (vacation)
 - (6) Council Member Gotch-present
 - (7) Council Member Murphy-present
 - (8) Council Member Martinez-present
- Clerk-Abdelnour (eb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Hedgecock-present
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-not present
- (4) Council Member Jones-present
- (5) Council Member Struiksmma-not present
- (6) Council Member Gotch-present
- (7) Council Member Murphy-present
- (8) Council Member Martinez-not present

ITEM-10: INVOCATION

Invocation was given by Reverend David Gallop,
Plymouth Congregational Church.

FILE LOCATION: MINUTES

Jul-30-1984

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Murphy.

FILE LOCATION: MINUTES

ITEM-30: ACCEPTED REPORT

The matter of approving the special and routine maintenance programs for San Diego Jack Murphy Stadium stated in City Manager Report CMR-84-274.

(See City Manager Report CMR-84-274.)

COMMITTEE ACTION: Reviewed by RULES on 7/9/84. Recommendation to adopt recommendation of City Manager as stated in his report CMR-84-274 and refer to Council on 7/30/84 with request that any comments by Stadium Authority regarding concerns over playing field be presented at that time. Districts 5, 6, 7 and Mayor voted yea. District 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A030-279.)

MOTION BY MURPHY TO ACCEPT THE REPORT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-50: (O-84-248A) ADOPTED AS ORDINANCE O-16250 (New Series)

Amending Chapter II, Article 6 of the San Diego Municipal Code by adding Section 26.07 relating to the creation of a Public Arts Advisory Board to advise the Mayor, City Council and City Manager on projects and programs designed to promote the exhibition of the arts in public places within the City of San Diego.

(Reintroduced as amended on 7/16/84. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A320-356.)

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

* ITEM-51: (O-84-230) ADOPTED AS ORDINANCE O-16251 (New Series)

Amending Chapter X, Article 1, Division 5 of the San Diego Municipal Code by amending Section 101.0504, relating to

Appeals to allow appeals to the City Council from the decision of the Board of Zoning Appeals.

(Introduced on 7/16/84. Council voted 7-2. Districts 7 and 8 voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A320-356.)

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

Second by Martinez. Passed by the following vote:

Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmas-not present, Gotch-yea, Murphy-nay, Martinez-nay, Mayor Hedgecock-yea.

* ITEM-52: (O-84-256 Rev.) RE-INTRODUCED AS AMENDED TO BE ADOPTED AUGUST 13, 1984

Amending Chapter X of the San Diego Municipal Code to regulate the location of facilities which provide diagnostic, evaluation, treatment, or counseling services to any person charged by criminal complaint or convicted of a sex-related offense if the services are related to the sex-related activity.

(Introduced as amended on 7/17/84. Council voted 9-0.)

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A357-431.)

MOTION BY CLEATOR TO RE-INTRODUCE AS AMENDED. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmas-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-53: (O-84-252) ADOPTED AS ORDINANCE O-16252 (New Series)

Incorporating a portion of Pueblo Lots 1353 and 1355, Miscellaneous Map-36 (approximately 68 acres), located east of and adjacent to I-805, approximately 3/4 mile southeast of the I-5/I-805 interchange, into SR Zone.

(Case-84-0136. Mira Mesa Community Area. District-5.

Introduced on 7/17/84. Council voted 9-0).

FILE LOCATION: ZONE ORDINANCE O-16252

COUNCIL ACTION: (Tape location: A320-356.)

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

Second by Martinez. Passed by the following vote:

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

- * ITEM-54: (O-84-255) ADOPTED AS ORDINANCE O-16253 (New Series)

Incorporating Lots 3 through 6, Concord Square No. 1, Map-9740, and Lots 7 and 8 and Parcel A, Concord Square No. 3, Map-10322 (approximately 20.7 acres), located on the north side of Westmore Road, between Summerdale Road and Garde Street, into R-1500 Zone.

(Case-83-0588. Mira Mesa Community Area. District-5. Introduced on 7/17/84. Council voted 9-0.)

FILE LOCATION: ZONE ORDINANCE O-16253

COUNCIL ACTION: (Tape location: A320-356.)

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

Second by Martinez. Passed by the following vote:

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

- * ITEM-55: (O-84-258) INTRODUCED, TO BE ADOPTED AUGUST 13, 1984

Amending Chapter X, Article 1, Division 9, of the San Diego Municipal Code by amending Section 101.0900, relating to Open Space in Planned Residential Developments.

CITY MANAGER REPORT: On September 13, 1982, the City Council adopted Ordinance O-15814 N.S. regarding the Rural Cluster alternative for PRD development. Paragraph L.2 of Section 101.0900 was amended to incorporate an open space requirement for the rural cluster. At the same time, the lines containing the requirements for the R-1-6 and R-1-5 zones were incorrectly copied and combined. The R-1-6 zone was eliminated and the R-1-5 zone was identified as requiring square feet of open space appropriately required for the R-1-6 zone. This ordinance would correct the open space requirements for the R-1-6 and R-1-5 zones. The open space required at this time for all zones is identical to that required prior to the enactment of O-15814.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A432-438.)

CONSENT MOTION BY MARTINEZ TO INTRODUCE. Second by Murphy.

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

- * ITEM-100: (R-84-2210) ADOPTED AS RESOLUTION R-261254

Awarding a contract to Kirby L. Pray, dba Horizons

Construction, for the construction of Playa Del Norte and Playa Del Sur Seepage Lines for the sum of \$74,554.80; authorizing the expenditure of \$21,000 from CIP-17-003, Annual Allocation-Seepage Problems to supplement funds previously authorized by Resolution R-260782. (BID-5676) (La Jolla Community Area. District-1.)

CITY MANAGER REPORT: This project will construct seepage lines in Playa del Norte and Playa Del Sur, easterly of Neptune Place. The seepage line project will include intercepting existing sidewalk underdrains and the replacement of concrete pavement. This project will alleviate an existing problem of underground water causing premature failure in the concrete pavement and will prevent the buildup of algae in the street gutters. The low bid of \$74,554.80 from Horizons Construction, the lower of two bids received, is 25.7 percent above the City's estimate of \$59,300. The drainage pipe installation for this project was apparently bid higher than usual because of the difficulty in control of local traffic in very narrow streets, dewatering requirements necessary for pipe installation, and difficulty of material storage. After reviewing the bids for this project, it is believed that rejecting the bids received and re-advertising this contract would not produce a lower bid. Therefore, it is recommended that Horizons Construction be awarded this contract.

FILE LOCATION: CONT-Horizons Construction CONFY85-1

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-101:

Three actions relative to awarding contracts:

Subitem-A: (R-84-2208) ADOPTED AS RESOLUTION R-261255

Awarding a contract to Aztec Landscape Company for furnishing complete landscape maintenance within the Gaslamp Quarter as may be required for a period of 12 months beginning August 9, 1984 through August 8, 1985 for a total cost of \$21,045.60, including terms, with an option to renew the contract for two additional 12-month periods, with price increases not to exceed 10 percent for the first option year and 13 percent for the second option year. (BID-5756)

Subitem-B: (R-84-2209) ADOPTED AS RESOLUTION R-261256
Awarding a contract to Don's Backhoe for the rental of a
Vactor for a period of 16 days, for a total cost of
\$16,399.07. (BID-5791L)

Subitem-C: (R-84-2207) ADOPTED AS RESOLUTION R-261257
Awarding a contract to Buckeye Gas Products Company, Inc.
for the purchase of propane gas in bulk deliveries as may
be required for a period of one year beginning July 16,
1984 through July 15, 1985 for an estimated cost of
\$14,182.80, including tax and terms, with an option to
renew the contract for an additional one-year period.
(BID-5766)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-102: (R-85-90) ADOPTED AS RESOLUTION R-261258

Approving the final subdivision map of San Diego Beach
Club, a one-lot subdivision located northeasterly of Lamont
Street and Oliver Avenue.

(Pacific Beach Community Area. District-6.

FILE LOCATION: SUBD San Diego Beach Club

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-103: (R-85-91) ADOPTED AS RESOLUTION R-261259

Approving the final subdivision map of Siner Subdivision, a
one-lot subdivision located southwesterly of I-8 and I-805.

(Mission Valley Community Area. District-5.)

FILE LOCATION: SUBD Siner Subdivision

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-104: (R-85-89) ADOPTED AS RESOLUTION R-261260

Approving the final subdivision map of 3336-3338 44th Street, a one-lot subdivision located northwesterly of Thorn Street and 44th Street.

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

FILE LOCATION: SUBD 3336-3338 44th Street

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-105: (R-84-2253) ADOPTED AS RESOLUTION R-261261

Granting an extension of time to May 25, 1986 to LNC/Gentry, subdivider, to complete the improvements required in Miramar Point Industrial Park Unit No. 3. (Located westerly of Arjons Drive and Dowdy Drive. Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT: On May 25, 1982, the City entered into an agreement with LNC/Gentry for the construction of public improvements for Miramar Point Industrial Park Unit No. 3. None of the work has been started. The agreement expires on May 25, 1984. The developer has requested a time extension to May 25, 1986. It is recommended that the time extension be granted since the incomplete improvements are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD Miramar Point Industrial Park Unit No.

3

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-106: (R-85-95) ADOPTED AS RESOLUTION R-261262

Authorizing the release of a portion of the surety issued by the Fidelity and Deposit Company of Maryland in the form of Surety Bond No. 6045438 so that the same is reduced to the sum of \$51,880 for Miramar Home Improvement Center.

(Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT: The subject project (Work Order No. 700125) has an Engineering Permit for land development and public improvements (W25814) which are secured by Bond No. 6045438 through Fidelity and Deposit Company of Maryland in the amount of \$163,400. The Engineering Permit expires on February

16, 1985. The Engineering Permit Applicant has requested a partial release of surety for the Surety Bond. Ninety-one percent of the construction is completed. The Work Order Account has sufficient funds to cover the anticipated City costs to complete the work. There are no mechanics' liens filed against the surety, and there has not been a previous release on this project. In conformance with Council Policy 800-11, it is recommended that for Engineering Permit W25814, the Surety be reduced by seventy-five percent of the value of work completed to \$51,880.

FILE LOCATION: SUBD Miramar Home Improvement Center

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-107: (R-84-2303) ADOPTED AS RESOLUTION R-261263

Granting the request of the property owners in the area to initiate assessment district proceedings for the improvement of Black Mountain Road - Galvin Street to Penasquitos Canyon Preserve under the Municipal Improvement Act of 1913; directing the City Manager to retain a consultant to conduct the appropriate preliminary studies related to the assessment district; accepting the letter of interest and the \$50,000 cash advance from the property owners to finance the preliminary study and related costs. (See City Manager Report CMR-84-259. Mira Mesa Community Area. District-5.)

COMMITTEE ACTION: Reviewed by TLU on 7/16/84. Recommendation to adopt the Resolution. Districts 1, 3 and 5 voted yea. Districts 2 and 4 not present.

FILE LOCATION: STRT D-2248

COUNCIL ACTION: (Tape location: A438-481.)

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

ITEM-108:

Two actions relative to the vacation of alleys adjacent to Lot 1, Fairmount Commercial Tract, Map-6740: (Mid-City Community Area. District-3.)

Subitem-A: (R-85-84) ADOPTED AS RESOLUTION R-261264

Vacating the north/south and east/west alleys adjacent to Lot 1 of Fairmount Commercial Tract, Map-6740, and Parcel One of Parcel Map PM-13324, under the procedure for the summary vacation of streets by City Council resolution where the portion of street to be vacated consists of a portion of a street or highway that lies within property under one ownership and that does not continue through such ownership or end touching property of another; reserving and excepting the right, easement, and privilege of placing, constructing, repairing, replacing, maintaining, using, and operating public utilities of any kind or nature; reserving and excepting from vacation and abandonment, easements, and rights of any public utility pursuant to any existing franchise or renewals thereof; the easement reserved herein is in, under, over, upon, along, and across the north/south and east/west alleys adjacent to Lot 1 of Fairmount Tract, Map-6740, and Parcel One of Parcel Map PM-13324.

Subitem-B: (R-85-97) ADOPTED AS RESOLUTION R-261265

Approving the acceptance by the City Manager of an alley easement deed of John G. Walls and Carol L. Walls, conveying to the City of San Diego the permanent easement and right-of-way for public alley purposes in Parcel 1 of Parcel Map-13324; dedicating the same as and for a public alley.

CITY MANAGER REPORT: The north/south alley was dedicated by subdivision in 1906 to provide rear-lot access and local traffic circulation for Block 46 between University and Polk Avenues. In 1970, the section between University Avenue and the southerly boundary of the proposed vacation was vacated by Council action and incorporated into the Fairmount Commercial Tract subdivision, which resubdivided the southerly portion of Block 46. The east/west alley was dedicated by that subdivision to maintain traffic circulation and access to adjacent properties north of the subdivision. The abutting property owners have petitioned for the closing to recover the land to provide additional offstreet parking for their business, the Lucky Food Store. The petitioners have proposed to dedicate and improve a new east/west alley approximately 50 feet north of the existing location.

The alleys to be vacated are improved and contain sewer, water, telephone, cable TV, gas and electric utilities. A general utility easement has been reserved to service and maintain these utilities. The acceptance and dedication of the accompanying

alley easement deed will maintain local traffic circulation between University and Fairmount Avenues for those properties abutting the alley to the north. The petitioners have obtained and bonded for an Engineering Permit to construct the alley and other street improvements required by the closing. Staff has concluded that the subject alley rights-of-way to be vacated are no longer needed for present or prospective public use and can be summarily vacated. This application was processed in accordance with Council Policy 600-15.

FILE LOCATION: STRT J-2529

Subitem-A DEED F-2475 DEEDFY85-1

Subitem-B DEED F-2476 DEEDFY85-1

COUNCIL ACTION: (Tape location: A482-488.)

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

ITEM-109:

Two actions relative to the vacation of the alley in Block 155, University Heights:
(Park Northeast Community Area. District-3.)

Subitem-A: (R-84-2336) ADOPTED AS RESOLUTION R-261266

Vacating the alley adjacent to Lots 1-16 and 33-48 in Block 155 of University Heights, south of Howard Avenue, under the procedure for the summary vacation of streets by City Council resolution where the portion of street to be vacated consists of a portion of a street or highway that lies within property under one ownership and that does not continue through such ownership or end touching property of another; reserving and excepting the right, easement, and privilege of placing, constructing, repairing, replacing, maintaining, using, and operating public utilities of any kind or nature; reserving and excepting from vacation and abandonment, easements, and rights of any public utility pursuant to any existing franchise or renewals thereof; the easement reserved herein is in, under, over, upon, along, and across the alley adjacent to Lots 1-5 and 44-48, Block 155 of University Heights, south of Howard Avenue.

Subitem-B: (R-84-2273) ADOPTED AS RESOLUTION R-261267

Approving the acceptance by the City Manager of that alley easement deed of Safeway Stores Incorporated, granting to the City the permanent easement and right-of-way for public alley purposes in Lots 31 and 32, Block 155 of University Heights; dedicating said land as and for a public alley.

CITY MANAGER REPORT: The subject alley to be vacated was dedicated by subdivision in 1888 to provide rear lot access and local traffic circulation for Block 155 between Howard and Polk Avenues. Safeway Stores, the abutting property owners, have petitioned for the vacation to facilitate the development of their property as a Planned Commercial Development (PCD-82-0209). The 20-foot wide section of alley to be vacated begins 200 feet north of Polk Avenue and extends north to Howard Avenue. The closure is improved and contains sewer, gas, electrical, and cable television facilities. A general utility easement has been reserved to service and maintain these facilities. The acceptance and dedication of the 40-foot wide alley in Lots 31 and 32 of Block 155 will maintain local traffic circulation for the properties abutting the alley between the southerly boundary of the closure and Polk Avenue. The petitioner has obtained and bonded for an engineering permit to construct the alley and other street improvements required by the closing. Staff has concluded that the subject right-of-way is no longer needed for present or prospective public use and can be summarily vacated. This application was processed in accordance with Council Policy 600-15.

FILE LOCATION: STRT J-2530

Subitem-A DEED F-2477

DEEDFY85-1

Subitem-B DEED F-2478

DEEDFY85-1

COUNCIL ACTION: (Tape location: A489-616, C100-108.)

Motion by Cleator to continue two weeks. No second.

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

* ITEM-110: (R-85-109) ADOPTED AS RESOLUTION R-261268

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 the Southwest Quarter of Quarter Section 53 of Rancho de

la Nacion - Paradise Mesa Standpipe.

(Located northeast of Woodman Street and Paradise Valley Road. Paradise Hills Community Area. District-4.)

CITY MANAGER REPORT: SDG&E seeks this easement to realign and underground the existing overhead electrical line serving the City's Paradise Mesa Standpipe. The present alignment conflicts with several building pads of an adjacent new residential subdivision, Paradise Gardens West Unit No. 6, which is being developed by Sunburst Homes Company. The new underground alignment has been approved by the Water Utilities Department and will be in harmony with the underground system in the subdivision. The present overhead line was installed in 1979 on the basis of an unrecorded permit; hence, no quitclaim from SDG&E is necessary. The proposed underground easement contains about 1,546 square feet. The subdivider has paid the City a \$225 processing fee, but since the easement is to serve a City-owned structure and since undergrounding the overhead line is beneficial, no further compensation was asked of the developer.

WU-PR-84-149.

FILE LOCATION: DEED F-2479 DEEDFY85-1

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-111:

Two actions relative to Lot 4 of Daley Booth Business Park, Map-9680:

(Located on the north side of Balboa Avenue, west of the interchange with I-15. Kearny Mesa Business Park Community Area. District-5.)

Subitem-A: (R-85-110) ADOPTED AS RESOLUTION R-261269

Approving the acceptance by the City Manager of that drainage easement deed of San Diego Electrical Pension Trust granting to the City an easement for drainage purposes in a portion of Lot 4 of Daley Booth Business Park, Map-9680.

Subitem-B: (R-85-111) ADOPTED AS RESOLUTION R-261270

Authorizing the sale by negotiation of a slope easement in Lot 4 of Daley Booth Business Park to San Diego Electrical Pension Trust; authorizing the execution of a quitclaim

deed to San Diego Electrical Pension Trust, quitclaiming that certain slope easement in Lot 4 of Daley Booth Business Park; declaring that no broker's commission shall be paid by the City on said negotiated sale.

CITY MANAGER REPORT: The owner of Lot 4 in Daley Booth Business Park has applied to the Engineering and Development Department for removal of the slope easement which encumbers this property. The property is located northwest of the Balboa Avenue and I-15 interchange, in the Kearny Mesa area. The easement was acquired by the City of San Diego without cost by the filing of the subdivision map in 1980. Completion of the interchange at I-15 has eliminated the requirement for Balboa Avenue slope easements. However, an inspection of the property by City staff did reveal the inadequacy of an existing 15-foot-wide drainage easement to maintain a 60-inch drain line. The storm drain directly adjoins this property in the neighboring Lot 3. The owner of Lot 4, therefore, agreed to grant to the City without cost a 10-foot-wide easement for drainage purposes. The fully executed deed is herewith submitted for acceptance by the City Manager. The Property and Engineering and Development Departments recommend both acceptance of the new easement deed and also issuance of a quitclaim deed for the obsolete slope easement.

FILE LOCATION:

Subitem-A DEED F-2480 DEEDFY85-1

Subitem-B DEED F-2481 DEEDFY85-1

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-112: (R-85-98) ADOPTED AS RESOLUTION R-261271

Authorizing the sale by negotiation of a drainage easement in Parcel 2 of Parcel Map PM-12734 to Pacific Scene Properties of San Diego, Inc.; authorizing the execution of a quitclaim deed, quitclaiming to Pacific Scene Properties of San Diego, Inc. that certain drainage easement in Parcel 2 of Parcel Map PM-12734; declaring that no broker's commission shall be paid by the City on said negotiated sale.

(Located north of Miramar Road. Carroll Canyon Business

Park Community Area. District-5.)

CITY MANAGER REPORT: The owners of Parcel 2 of Parcel Map PM-12734 have submitted a request to the Engineering and Development Department for abandonment of a drainage easement. Parcel Map PM-12734 is located north of Miramar Road in the Carroll Canyon area. The easement was acquired without cost by the City of San Diego in 1982 to provide developers of the adjoining Carroll Ridge Business Park III with necessary offsite drainage. When the latter subdivision recently consolidated into a new Parcel Map, the owners agreed to assume responsibility for maintenance of their own drainage structures; the City of San Diego, therefore, approved abandonment of the public drain easement which had encumbered the property. The owners of Parcel 2 of Parcel Map PM-12734 now wish to remove the encumbrance of the offsite easement; the drainage structure is a part of the same privately maintained system. Both the Engineering and Property Departments therefore recommend that a quitclaim deed be issued, as the City has no possible present or future need to retain the easement.

FILE LOCATION: DEED F-2482 DEEDFY85-1

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-113: (R-85-57) ADOPTED AS RESOLUTION R-261272

Declaring that after due consideration and discussion of the information contained in Intergovernmental Relations Department Report IRD-84-39 the Council does hereby express support for the recommendations set forth therein to the extent that: 1) the funds described in said report not be allocated pending the outcome of the Jarvis initiative on the November 1984 ballot; 2) the City continue to pursue, through the Legislature, a constitutional amendment which would eliminate the Legislature's ability to alter funding formulas for various local subventions, such as vehicle license fees, cigarette taxes, and allocation of all property tax revenues; directing the Auditor and Comptroller to place the sum of \$1,700,000 anticipated as a net fiscal gain for Fiscal Year 1985 as a result of the proposed legislation and as may be directly attributable thereto, in the Capital Improvement Program Reserve Fund. (See Intergovernmental Relations Department Report IRD-84-39.)

COMMITTEE ACTION: Reviewed by RULES on 7/9/84. Recommendation to adopt staff recommendation with additional direction that potential net revenue gain to the City of \$1.7 million be assigned to the CIP Reserve. Districts 6, 7, 8 and Mayor voted yea. District 5 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-114: (R-85-104) ADOPTED AS RESOLUTION R-261273

Approving the Railroad Crossing Repair Proposal set forth in Intergovernmental Relations Department Report IRD-84-38 and including said proposal in the City's 1985 Legislative Program.

(See Intergovernmental Relations Department Report IRD-84-38.)

COMMITTEE ACTION: Reviewed by RULES on 7/9/84. Recommendation to adopt the Resolution. Districts 6, 7, 8 and Mayor voted yea. District 5 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-115: (R-85-143) ADOPTED AS RESOLUTION R-261274

A Resolution approved by the City Council in Closed Session on Monday, July 9, 1984 by the following vote: Mitchell-yea; Cleator-yea; McColl-yea; Jones-yea; Struiksma-not present; Gotch-yea; Murphy-yea; Martinez-yea; Mayor Hedgecock-not present.

Authorizing the City Manager to pay the total sum of \$30,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Kenneth K. Becker, Jr. (Superior Court Case No. 467667, Kenneth K. Becker v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$30,000 made payable to Kenneth K. Becker, Jr. and his attorney, Leland S. Aids, in full settlement of all claims.

CITY MANAGER REPORT: This constitutes complete and final settlement of all claims by Kenneth K. Becker, Jr. resulting from the accident of October 19, 1980.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-116: (R-85-100) ADOPTED AS RESOLUTION R-261275

A Resolution approved by the City Council in Closed Session on Monday, July 9, 1984 by the following vote: Mitchell-nay; 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 \$11,110.50, plus costs of \$185.55, in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Karon E. Fisher (Superior Court Case No. 468498, Karon E. Fisher v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue a check in the amount of \$11,110.50, plus costs of \$185.55, made payable to Karon E. Fisher and her attorney, Gary Powell, in full settlement of the lawsuit and all claims.

CITY MANAGER REPORT: This payment constitutes complete and final settlement of Karon E. Fisher's claim resulting from the incident of May 28, 1980.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-117: (R-85-144) ADOPTED AS RESOLUTION R-261276

A Resolution approved by the City Council in Closed Session on Tuesday, November 15, 1983 by the following vote: Mitchell-yea; Cleator-yea; McColl-yea; Jones-not present; Struiksma-not present; Gotch-yea; Murphy-yea; Martinez-yea; Mayor Hedgecock-not present.

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 injuries to Raymond W. Doucette (Superior Court Case No. 470750/470751, Raymond W. Doucette, et al. v. Nielsen Construction Co., et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$10,000 made payable to Employee Benefits Insurance Company, in full settlement of all claims.

CITY MANAGER REPORT: This constitutes complete and final settlement of Raymond W. Doucette's claim resulting from the incident of September 9, 1980.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-118: (R-85-94) ADOPTED AS RESOLUTION R-261277

Authorizing the execution of an agreement with the County of San Diego for safeguarding property of the mentally deficient; authorizing the expenditure in the amount not to exceed \$51,240 for Fiscal Year 1985, from Fund No. 100, Job Order No. 111242.

CITY MANAGER REPORT: Section 5150 of the Welfare and Institutions Code requires that a peace officer taking a mentally deficient person into custody take "reasonable precaution to preserve and safeguard the personal property in the possession of or on the premises occupied by the person." The City assumes this safeguarding responsibility whenever its police officers transport a prisoner to a mental facility. The City has contracted with the County to perform this service since 1973 (prior to which the County had the responsibility). Analysis done at that time and again in 1982 showed that the cost of performing the service with City employees would be greater than the cost of contracting with the County. In addition, a 1982 survey conducted by the Police Department and the Patients Advocate Group failed to identify any private company willing to perform this service. The present agreement is identical to the previous agreement with the exception of dates and costs. It is recommended that this agreement be adopted.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A438-481.)

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not

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

* ITEM-119: (R-85-44) ADOPTED AS RESOLUTION R-261278

Authorizing the execution of an agreement with the San Diego Regional Employment and Training Consortium (RETC), to continue a training and employment program for youth 16 to 21 years of age through January 31, 1985; authorizing the expenditure in the amount not to exceed \$346,378 from Fund No. 18430.

CITY MANAGER REPORT: The RETC Policy Board has recommended that the current contract through the City's Regional Youth Employment Program (REGY) be extended for a seven month period.

The REGY Program provides job training and placement for unemployed economically disadvantaged youth. The contract extension will run from July 1, 1984 to January 31, 1985. This extension will allow the Regional Employment and Training Consortium (RETC) to develop a "request for proposal" to seek a program operator through the competitive bid process. There has not been a competitive bid process for youth contractors for some time due to the changeover from the Comprehensive Employment and Training Act (CETA) to the Job Training Partnership Act (JTPA), which funds this program.

This contract extension will serve 143 youth for a total cost of \$346,378. The City will be reimbursed for expenditures through a fixed-fee performance contract. Under this concept, costs will be reimbursed based on the successful completion of predetermined bench-marks such as recruitment and enrollment, pre-employment training and placement. The proposed contract represents approximately 10 percent less than funds received in previous years. The reduction is due to fewer federal dollars being available in the San Diego region. The reduction will mean some staffing modifications in order to stay within the contracted dollars.

FILE LOCATION: MEET CONFY85-1

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-120: (R-85-99) ADOPTED AS RESOLUTION R-261279

Authorizing the execution of a first amendment to lease agreement with the County of San Diego to extend the use by

the County of City-owned property located at the entrance to the Sycamore Landfill for an additional five years.

(East Elliott Community Area. District-7.)

CITY MANAGER REPORT: In August of 1982, the County of San Diego signed a two-year lease agreement for approximately 18,670 square feet of City-owned land at the entrance of the Sycamore Landfill for a buy-back recycling center. The County constructed the center at an estimated cost of \$60,000 from State Grant Funds. The County subleases the premises to a private recycler who accepts various recyclable materials such as aluminum, newspaper, used oil, glass and ferrous metals from City and County residents. The property is heavily encumbered with easements and is not considered marketable for alternate uses. The recycling program has been successful and the County requests that the lease be extended on the same terms and conditions, including rental, for an additional 5 years.

WU-PR-84-148.

FILE LOCATION: LEAS-County of San Diego, Sycamore Landfill
LEASFY85-1

COUNCIL ACTION: (Tape location: A438-481.)

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

* ITEM-121: (R-85-108) ADOPTED AS RESOLUTION R-261280

Authorizing the execution of a lease agreement with San Diego Pipeline Company for a refined petroleum and certain liquid fuel products pipeline easement on a portion of Pueblo Lot 1355.

(Torrey Pines Community Area. District-1.)

CITY MANAGER REPORT: The proposed lessee has constructed a fuel pipeline extending from Los Angeles to its terminal facilities in Mission Valley. It has obtained easements and other rights-of-way for its line across private and other public lands. The pipeline lies along and within the northern perimeter of Corporate Research Park, a 106-acre parcel zoned for scientific research, soon to be offered for lease or sale by the City. San Diego Pipeline Company presently leases this site on a month-to-month tenancy under a 15-year agreement which expired in 1981. Negotiations were delayed because of problems in appraising the property and difficulties with the lessee in reaching an agreement on new lease terms and conditions. It is proposed to enter into an agreement containing the following basic provisions: 1) Term - A number of years

terminating January 5, 2003, which coincides with the termination of its pipeline franchise; terminable if not used for a period of six consecutive months. 2) Purpose - A 10-foot easement, approximately 3,800 feet long, containing a pipeline for the transmission of refined petroleum and certain liquid fuel products. 3) Rent - \$1,800 annually, plus periodic Consumer Price Index adjustments (previously \$500 annual rent). 4) Special Provision - City can use and also grant easements for utilities or thoroughfares deemed to be in the public interest.
FILE LOCATION: LEAS-San Diego Pipeline Company
LEASFY85-1

COUNCIL ACTION: (Tape location: A438-481.)

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

ITEM-150: (R-85-58) CONTINUED TO AUGUST 6, 1984

Declaring that after review and discussion of the information contained in City Manager Report CMR-84-273, dated July 3, 1984, the Council hereby expresses opposition by the City of San Diego to the Jarvis IV initiative which will appear on the November 1984 ballot.

(See City Manager Report CMR-84-273.)

COMMITTEE ACTION: Reviewed by RULES on 7/9/84. Recommendation to adopt staff recommendation (CMR-84-273) to oppose Jarvis IV initiative. Also, directed City Manager and City Attorney to report at Council on 7/30/84 on impact of Jarvis IV on the Growth Management Plan; the court case on Facilities Benefit Assessments; and the prospective vs. retroactive impacts of Jarvis IV on the City. Districts 6, 7, 8 and Mayor voted yea. District 5 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A279-283.)

MOTION BY JONES TO CONTINUE TO AUGUST 6, 1984, AT ASSISTANT CITY ATTORNEY FITZPATRICK'S REQUEST FOR FURTHER REVIEW. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-200: (O-85-4 Rev.) ADOPTED AS ORDINANCE O-16254 (New Series)

Authorizing the issuance, sale and delivery of Multi-family

Mortgage Revenue Bonds in a principal amount not to exceed \$4,725,000 for the purpose of making a project loan to provide funds for the construction and permanent financing of the cost of developing the Zigman Multi-family Rental Housing Project; determining and prescribing certain matters relating thereto; and approving and authorizing the execution of related documents, agreements and actions.
(Six votes required.)

(Introduced on 7/16/84. Council voted 9-0. Otay Mesa Community Area. District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A623-B051.)

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

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ADDITIONAL BUSINESS: (R-85-820) ADOPTED AS RESOLUTION
R-261288

During consideration of ITEM-200, Council adopted the following resolution:

Directing the Housing Commission to include a provision in the Zigman Multi-family Rental Housing Project for an optional children's tot-lot to be added at a future date.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A623-B051.)

MOTION BY MARTINEZ TO DIRECT THE HOUSING COMMISSION TO INCLUDE A PROVISION IN THE ZIGMAN MULTI-FAMILY RENTAL HOUSING PROJECT FOR AN OPTIONAL CHILDREN'S TOT-LOT TO BE ADDED AT A FUTURE DATE.

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

ITEM-201: (R-85-60) ADOPTED AS AMENDED AS RESOLUTION R-261281

Confirming the appointments by the Mayor of the following persons to serve as members of the Senior Advisory Board, representing areas of the City as shown and for terms expiring as indicated:

NAME	REPRESENTING	TERM EXPIRES
Muriel Fleischman	District 1	July 1, 1986
Stuart Harder	District 2	July 1, 1985
Dorothea Edmiston	District 3	July 1, 1986

Ruby Fowler	District 4	July 1, 1985
Gaye Martin Dingeman	District 5	July 1, 1985
Dale Cobb	District 6	July 1, 1986
Vera Armstrong	District 7	July 1, 1986
Laura Rodriguez	District 8	July 1, 1986
Arthur Deutsch	City at Large	July 1, 1985
Marguerite Brodeur	City at Large	July 1, 1986
Verne Goodwin	City at Large	July 1, 1985

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B051-063.)

MOTION BY MURPHY TO ADOPT AS AMENDED TO ADD APPOINTING COUNCIL MEMBER McCOLL AS COUNCIL LIAISON TO THE BOARD. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-202:

Two actions relative to the Police Administrative and Technical Center Financing:
(See City Manager Report CMR-84-298. Center City Community Area. District-8.)

Subitem-A: (R-85-131 Rev.2) ADOPTED AS RESOLUTION
R-261282

Approving the form of the Preliminary Official Statement dated July 23, 1984 concerning the proposed sale of not to exceed \$44,010,000 of Certificates of Participation with regard to the proposed Police Administration and Technical Center, and authorizing the City Manager to execute an Official Statement substantially in the form of said Preliminary Official Statement; authorizing the City Manager to execute a Certificate Purchase Agreement relating to the sale of the above described Certificates of Participation to E. F. Hutton and Company, Inc.; authorizing the City Manager to execute an Investment Agreement with E. F. Hutton and Company, Inc. providing for the investment of certain funds received from the sale of said Certificates of Participation; granting the City Manager and the City Attorney the authority to approve non-substantive changes in the above three documents prior to their execution on condition that such changes do not adversely affect the City's rights nor increase the City's obligations.

Subitem-B: (R-85-145 Rev.) ADOPTED AS AMENDED AS
RESOLUTION R-261283

Directing the Pueblo Land sales/lease revenue proceeds derived from the sale or lease of those Pueblo Lands described in Ordinance O-12685 (NS), which proceeds exceed annual lease payments for police facilities and costs of construction of currently planned police facilities, to be placed in a special Capital Outlay Fund and invested for the purpose of accumulating monies for the early retirement of Certificates of Participation issued in connection with police decentralization; declaring that this resolution is subject to review and potential amendment by future Council action and shall not have the effect of subjecting the above described revenues to arbitrage regulations or restrictions.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B066-C100.)

MOTION BY CLEATOR TO ADOPT SUBITEM-A AND ADOPT SUBITEM-B AS AMENDED TO DIRECT THE CITY MANAGER TO APPLY, AT HIS JUDGMENT, THE PROCEEDS OF PUEBLO LANDS SALES AND LEASES TO AN EARLY PAYOFF AS RAPIDLY AS POSSIBLE. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-S400:

Two actions relative to the improvement of Logan Heights Block Grant Alleys and Sewer Main Replacement - Contract No. 3:
(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-85-112) ADOPTED AS RESOLUTION R-261284

Authorizing the City Manager to initiate a Resolution of Intention for the improvement of Logan Heights Block Grant Alleys and Sewer Main Replacement - Contract No. 3 under the provisions of the Housing and Urban Development Block Grant Program B-81-MC-06-0542, the San Diego Municipal Code, and the Improvement Act of 1911; directing the City Manager to prepare plans, drawings, typical cross-sections, profiles and specifications for Logan Heights Block Grant Alleys and Sewer Main Replacement - Contract No. 3 in the City of San Diego, together with estimates of the costs and expenses of such work and to furnish this Council with a description of the district to be included in the assessment for the work and improvements hereinabove

mentioned.

Subitem-B: (R-85-113) ADOPTED AS RESOLUTION R-261285

Adoption of a Resolution of Intention for the improvement of Logan Heights Block Grant Alleys and Sewer Main Replacement - Contract No. 3 under the provisions of the San Diego Municipal Code and the Improvement Act of 1911.

CITY MANAGER REPORT: Logan Heights Block Grant Alleys and Sewer Main Replacement - Contract No. 3 is the third project in the Logan Heights area to be considered by Council under the CDBG - Assessment District cost sharing concept. The cost sharing concept is based on CDBG funds being used to finance 50 percent of the alley improvements regardless of the income or residency status of the benefitting property owners. The remaining 50 percent of the alley improvement costs will be assessed to the benefitting parcels with CDBG funds being utilized to pay the assessments for owner-occupants who meet HUD income guidelines.

The improvements for the six alleys in this project consist of clearing and grubbing, and paving. All of the alleys will also have the existing sewer main replaced because of poor condition and inadequate capacity. The sewer main replacements are to be funded with Water Utilities Department CIP funds. All property owners have been notified of the proposed improvements and given information regarding the assessment payment program.

FILE LOCATION: STRT D-2247

COUNCIL ACTION: (Tape location: A238-481.)

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

* ITEM-S401: (R-85-155) ADOPTED AS RESOLUTION R-261286

Authorizing the City Auditor and Comptroller to transfer the sum of \$80,000 from the 1984 CDBG Allocation to the Redevelopment Agency of the City of San Diego for execution of the Fiscal Year 1984/1985 Redevelopment Agency/Gaslamp Quarter Council Operating Agreement.

(Centre City/Gaslamp Quarter Historic District Community Area. District-8.)

CITY MANAGER REPORT: On July 16, 1984, the City Council executed the 1984 CDBG grant agreement for receipt of funds. Included in the agreement is an allocation of \$80,000 for execution of the Redevelopment Agency's FY 1984-85 Operating Agreement with the Gaslamp Quarter Council (GQC). This action

will transfer the \$80,000 to the Agency for execution of the GQC Agreement. A Supplemental allocation of \$104,500 for the balance of FY 1984-85 has been requested by the GQC. This application will be reviewed during the forthcoming 1985 CDBG Application process.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A438-481.)

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

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ITEM-S402: (O-85-22) INTRODUCED AND ADOPTED AS ORDINANCE
O-16255 (New Series)

Introduction and adoption of an Emergency Interim Zoning Ordinance rezoning certain property within the Uptown Community Plan area in the City of San Diego. (West Lewis Street Emergency Ordinance.) (District-2) Case-84-0568. (Six votes required.)

NOTE: This item was initiated at the July 17, 1984 Council hearing to amend Chapter X of the San Diego Municipal Code regarding the location of facilities that treat sex offenders.

(See Item 52 on the Regular Docket of July 30, 1984.)

FILE LOCATION: LAND Uptown Community Plan

COUNCIL ACTION: (Tape location: A423-425.)

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

ITEM-UC-1: (R-85-248) ADOPTED AS RESOLUTION R-261287

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member Gloria D. McColl from attending the Council meeting of July 30, 1984, and the morning portion of July 31, 1984, for the purpose of vacation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C109-111.)

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

Martinez-yea, Mayor Hedgecock-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Hedgecock at 3:40 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: C112.)