

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

MONDAY, OCTOBER 29, 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 2:06 p.m.

Mayor Hedgecock adjourned the meeting at 3:26 p.m.

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 Struiksmma-present
 - (6) Council Member Gotch-present
 - (7) Council Member Murphy-present
 - (8) Council Member Martinez-present
- Clerk-Abdelnour (jb)

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-present
- (4) Council Member Jones-not present
- (5) Council Member Struiksmma-not present
- (6) Council Member Gotch-present
- (7) Council Member Murphy-present
- (8) Council Member Martinez-present

ITEM-10: INVOCATION

Invocation was given by Rev. Larry Wells, pastor of
the First Southern Baptist Church of Clairemont.

FILE LOCATION: MINUTES

Oct-29-1984

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by City Manager Ray T. Blair, Jr.

FILE LOCATION: MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

09/17/84 P.M.

09/18/84 A.M. and P.M.

09/24/84 P.M. Adjourned

09/25/84 A.M. and P.M. Adjourned

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A110-118.)

MOTION BY GOTCH TO APPROVE. Second by McColl. 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-50: (O-85-12 Rev.) ADOPTED AS ORDINANCE O-16311 (New Series)

Amending Chapter VII, Article 5, Divisions 1, 2, 3, 4, 5, and 6 of the San Diego Municipal Code regarding Paratransit Vehicles, including Taxicabs, Vehicles for Hire, Jitney Vehicles, Non-emergency Medical Vehicles and Sightseeing Vehicles to strengthen operating regulations, establish vehicle and driver standards and provide for transfer of permits five years after issuance, or upon death or permanent disability, by amending Sections 75.0101, 75.0103, 75.0104 and 75.0105; by repealing Section 75.0106; by amending Section 75.0107; by consolidating and renumbering Sections 75.0115, 75.0116 and 75.0117; by renumbering Sections 75.0108, 75.0109, 75.0110, 75.0111, 75.0112, 75.0113, 75.0114, 75.0118, 75.0119 and 75.0120; by changing the titles of newly renumbered Sections 75.0108, 75.0110, 75.0111, 75.0114 and 75.0115; by amending newly renumbered Sections 75.0108, 75.0109, 75.0110, 75.0111, 75.0112, 75.0113, 75.0114, 75.0115, 75.0116, and 75.0117; by adding new Section 75.0118; by amending newly renumbered Section 75.0119; by adding new Section 75.0120; and by amending Sections 75.0201, 75.0202, 75.0203, 75.0204, 75.0205, 75.0302, 75.0402, 75.0501, 75.0502, 75.0602, 75.0603, 75.0604 and 75.0605.

(Introduced on 10/15/84. Council voted 7-0. Districts 4 and 5 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A161-167.)

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

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.

19841029

* ITEM-51: (O-85-53) ADOPTED AS ORDINANCE O-16312 (New Series)

Amending Chapter X, Article 3 of the San Diego Municipal Code by adding Sections 103.1201 through 103.1209 relating to the La Jolla Commercial Areas Planned District Ordinance.

(Introduced on 10/15/84. Council voted 7-0. Districts 4 and 5 not present.)

FILE LOCATION: LAND - La Jolla Planned District

COUNCIL ACTION: (Tape location: A161-167.)

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

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-100:

Three actions relative to awarding contracts:

Subitem-A: (R-85-535) ADOPTED AS RESOLUTION R-261802

Aztec Landscape Co. for furnishing complete landscape maintenance of six selected sites (Eastern Division, Park and Recreation Department) as may be required for a period of twelve months beginning December 1, 1984 through November 30, 1985 for an estimated cost of \$71,789.56, including terms, with an option to renew the contract for three additional one-year periods, with price escalation each year not to exceed 10 percent of unit prices in effect at the end of each prior year.
(BID-5884)

Subitem-B: (R-85-533) ADOPTED AS RESOLUTION R-261803

Aztec Landscape Co. for furnishing complete landscape maintenance of thirty-two selected sites (Eastern Division, Park and Recreation Department) as may be required for a period of twelve months beginning October 16, 1984 through October 15, 1985, for an estimated cost of \$56,183.38, including terms, with options to renew

contract for two additional twelve-month periods, with price escalation each option year not to exceed 12 percent of bid price. (BID-5861)

Subitem-C: (R-85-534) ADOPTED AS RESOLUTION R-261804

Kilsby-Roberts for the purchase of 800 aluminum posts for an actual cost of \$15,531.12, including tax and a contingency of not to exceed \$1,411.92, in the event of an over run. (BID-5872)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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-85-538) ADOPTED AS RESOLUTION R-261805

Inviting bids for the cleaning of Digesters C-2-S and N-2-P at Point Loma Wastewater Treatment Plant on Work Order No. 147208; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$1,054,000 from Sewer Revenue Fund 41506 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-5973) (Harbor Community Area. District-2.)

CITY MANAGER REPORT: This contract is for the cleaning of Digesters C-2-S and N-2-P at Point Loma Wastewater Treatment Plant starting early in Fiscal Year 1985. Periodic cleaning of the digesters is necessary to remove sludge and digestion by-products which accumulate over a period of time. The prospective bidders will submit a proposal containing the cost of cleaning each digester and emergency sludge trucking if required. All proposals will be evaluated and an award will be made based on the impact on plant operations and cost. WU-U-84-181.

FILE LOCATION: W.O. NO. 147208 CONTFY85-1

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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:

Two actions relative to the construction of East Mission Bay Storm Drain Interceptor System, Phase II:
(Mission Bay Park-East Shore Community Area. District-6.)

Subitem-A: (R-85-539) ADOPTED AS RESOLUTION R-261806

Rejecting all bids received on July 24, 1984, pursuant to publication of notice calling for bids on East Mission Bay Storm Drain Interceptor System, Phase II; inviting bids for the East Mission Bay Storm Drain Interceptor System, Phase II on Work Order No. 164062; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of \$43,000 from Environmental Growth Fund 10505, CIP-22-050, Mission Bay Water Quality to supplement funds previously authorized by Resolution R-260996, adopted on June 25, 1984, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain any excess budgeted funds, if any, in CIP-22-050, Mission Bay Water Quality. (BID-5744A)

Subitem-B: (R-85-540) ADOPTED AS RESOLUTION R-261807

Certifying that the information contained in Environmental Negative Declaration END-84-0108 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines and that said declaration has been reviewed and considered by the Council.

CITY MANAGER REPORT: City Council action of June 25, 1984 authorized the Purchasing Agent to advertise for bids for East Mission Bay Storm Drain Interceptor System-Phase II. During bid opening on July 24, 1984, it was discovered that the published Public Notice Construction Cost was the total project cost of \$317,000 and not the engineer's estimate of \$255,000. The published cost of \$317,000 had an influence on the contractors estimating a higher price. The low bid received was \$318,437. Subsequent to bid opening, changes were made to the plans and higher cost for Santa Fe Railway Co. work was received which effect a (new) higher engineer's estimate. Re-advertising the project will provide a proper engineer's construction estimate. This Council action rejects all bids and authorizes such re-advertisement.

WU-P-84-186.

FILE LOCATION: W.O. NO. 164062 CONTFY85-1

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT 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-103: (R-85-537) ADOPTED AS RESOLUTION R-261808

Inviting bids for the installation of Central Library
elevator ventilation systems on Work Order No. 118121;
authorizing the execution of a contract with the lowest
responsible and reliable bidder; authorizing the
expenditure of funds not to exceed \$6,390 from CIP-27-402,
Central Library Elevators Upgrading (Contingency Reserve)
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-5972M)

(Centre City Community Area. District-8.)

CITY MANAGER REPORT: This project will supply ventilation
systems to the Elevator Penthouse Mechanical Rooms at the
Central Library. Ventilation fans will provide filtered outside
air to two rooms that contain new elevator control equipment
which have recently been installed. This will allow the
equipment to stay cool, thus increasing their life and
serviceability.

FILE LOCATION: W.O. NO. 118121 CONTFY85-1

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT 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-104:

Two actions relative to the final subdivision map of N.C.W.
Neighborhood 7 Unit No. 4, a 90-lot subdivision located
northeasterly of El Camino Real and Black Mountain Road:
(North City West Community Area. District-1.)

Subitem-A: (R-85-635) ADOPTED AS RESOLUTION R-261809

Authorizing the execution of an agreement with Pardee
Construction Company for the installation and completion of
certain public improvements.

Subitem-B: (R-85-634) ADOPTED AS RESOLUTION R-261810

Approving the final map.

FILE LOCATION: SUBD - N.C.W. Neighborhood 7 Unit No. 4
CONTFY85-1

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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-105:

Five actions relative to extensions of time for Mira Mesa West Unit Nos. 2, 4, 5, 6 and 7:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-85-623) ADOPTED AS RESOLUTION R-261811
Granting an extension of time to July 30, 1985 to Pardee Construction Company, subdivider, to complete the improvements required in Mira Mesa West Unit No. 2.

Subitem-B: (R-85-624) ADOPTED AS RESOLUTION R-261812
Granting an extension of time to July 30, 1985 to Pardee Construction Company, subdivider, to complete the improvements required in Mira Mesa West Unit No. 4.

Subitem-C: (R-85-625) ADOPTED AS RESOLUTION R-261813
Granting an extension of time to July 30, 1985 to Pardee Construction Company, subdivider, to complete the improvements required in Mira Mesa West Unit No. 5.

Subitem-D: (R-85-626) ADOPTED AS RESOLUTION R-261814
Granting an extension of time to July 30, 1985 to Pardee Construction Company, subdivider, to complete the improvements required in Mira Mesa West Unit No. 6.

Subitem-E: (R-85-627) ADOPTED AS RESOLUTION R-261815
Granting an extension of time to July 30, 1985 to Pardee Construction Company, subdivider, to complete the improvements required in Mira Mesa West Unit No. 7.

CITY MANAGER REPORT: On January 2, 1979, the City entered into an agreement with Pardee Construction Company, a California Corporation, for the construction of public improvements for Mira Mesa West Unit No. 2. Also in that same year, the City entered into agreements with Pardee Construction for public improvements for Units No. 4, 5, 6 and 7. On August 24, 1981, the City Council granted a time extension for all of these units, which expired on July 7, 1982. On December 6, 1982, the City Council granted a second time extension for Mira Mesa Unit No. 2, which expired July 7, 1984. The developer has requested

a third time extension for Unit No. 2 and a second time extension for the other units. All of the agreements will be extended to July 30, 1985. It is recommended that the extension be granted, since the incomplete improvements are not necessary to serve adjacent development or the general public.

FILE LOCATION: SUBD - Mira Mesa West Unit Nos. 2,4,5,6 & 7

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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-85-622) ADOPTED AS RESOLUTION R-261816

Granting an extension of time to May 8, 1986 to Fredricks Development Corporation, subdivider, to complete the improvements required in Scripps Mesa Vista.

(Located easterly of Scripps Mesa Boulevard and I-15.

Scripps Ranch Community Area. District-5.)

CITY MANAGER REPORT: On June 2, 1980, the City entered into an agreement with Fredricks Development Corporation for the construction of public improvements for Scripps Mesa Vista.

Approximately 6 percent of the work has been completed. The agreement expired on June 2, 1982. A time extension was granted by Resolution R-258680, to May 8, 1984. The developer has requested an additional time extension to May 8, 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 - Scripps Mesa Vista

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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: (R-85-661) ADOPTED AS RESOLUTION R-261817

Authorizing and directing the City Engineer to issue a special permit to Westana Builders/Developers to commence grading work in the subdivision known as Penasquitos Park Unit No. 1, located within the Hillside Review Overlay Zone, prior to the filing of the subdivision map, upon payment of all fees and presentation of full surety to cover all improvements which will be included in the Subdivision Improvement Agreement for Penasquitos Park Unit

No. 1.

(Located westerly of Black Mountain Road and Park Village Road. Penasquitos East Community Area. District-1.)

CITY MANAGER REPORT: Section 102.0318 of the San Diego Municipal Code authorizes the City Engineer to issue Special Permits to do work prior to filing of a final subdivision map, except when the subdivision is located within the Hillside Review (HR) Overlay Zone. Since this subdivision is in the HR Zone, a Special Permit cannot be issued unless authorized by the City Council. The subdivider has requested a Special Permit in order to start work prior to the filing of the subdivision map.

The tentative map was approved August 6, 1984. Before a special permit will be issued by the City Engineer, if so authorized by Council, the subdivider will be required to pay all fees and provide full surety to cover all improvements which will be included in the Subdivision Improvement Agreement.

FILE LOCATION: SUBD - Penasquitos Park Unit No. 1

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT 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-108: (R-85-628) ADOPTED AS RESOLUTION R-261818

Approving the acceptance by the City Manager of that street easement deed of Ralph W. Tresser, Jr. and Josephine Tresser, granting to said City an easement for public street purposes in Lots 8 and 9 of El Paso Tract, Map-1410; dedicating said land as and for a public street and naming the same Otsego Drive.

(Located on Otsego Drive west of Curlew Street. Uptown Community Area. District-2.)

FILE LOCATION: DEED F-2604 DEEDFY85-1

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT 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-109: (R-85-631) ADOPTED AS RESOLUTION R-261819

Authorizing the execution of a quitclaim deed, quitclaiming to GAB Partnership and Kathal Corporation, all the City's right, title and interest in the sewer easements in portions of Lot 10 of Horton's Purchase of Ex-Mission Lands

of San Diego, Map-283 and in Parcel 2 of Parcel Map PM-12040.

(Located westerly of Home Avenue and 39th Street. Mid-City Community Area. District-8.)

FILE LOCATION: DEED F-2605 DEEDFY85-1

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ TO ADOPT. 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-110: (R-85-629) ADOPTED AS RESOLUTION R-261820

Declaring that the names of Camino Bancario, Avenida Del Negocio, Avenida Rancho Carmel and Calle De La Fabrica, located in the Rancho Carmel Community, northerly of Carmel Mountain Road and Interstate 15, are changed as follows:

Camino Bancario to Innovation Drive

Avenida Del Negocio to Avenue of Science

Avenida Rancho Carmel to Rancho Carmel Drive

Calle De La Fabrica to Avenue of Industry

(Rancho Carmel Community Area. District-1.)

FILE LOCATION: DEED F-2606 DEEDFY85-1

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ TO ADOPT. 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-111: (R-85-707) ADOPTED AS RESOLUTION R-261821

Amending Council Policy 000-13, regarding Procedure for Mayor and Council Appointments, to ensure that appointees to commissions, boards, committees, authorities, districts, and councils, pursuant to this Policy, have taken the oath of office before entering upon the duties of office, to ensure that appointees have been formally advised of any filing requirements of the Conflict of Interest Code adopted by the agency to which the appointment was made, and to provide for continuing notification and follow-up on required economic interests disclosures.

(See Memorandum from the City Clerk dated 8/7/84.)

COMMITTEE ACTION: Reviewed by RULES on 10/8/84. Recommendation to adopt the Resolution. Districts 5, 6, 7, 8 and Mayor voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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-112: (R-85-697) ADOPTED AS RESOLUTION R-261822

Accepting the Intergovernmental Relations Department Report IRD-84-58, dated September 19, 1984 and entitled, "State Funding for an International Sewage Treatment Plant/AB 3544 (Costa)".

(See Intergovernmental Relations Department Report IRD-84-58.)

COMMITTEE ACTION: Reviewed by RULES on 10/8/84. Recommendation to accept IRD-84-58. Districts 5, 6, 7, 8 and Mayor voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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-85-573) ADOPTED AS RESOLUTION R-261823

Authorizing the addition of CIP-29-551, City Heights Mini Park Improvements, to the Fiscal Year 1985 Capital Improvements Program; authorizing the Auditor and Comptroller to transfer an amount not to exceed \$8,000 from PSD Fund 15640 to CIP-29-551, City Heights Mini Park Improvements; authorizing the expenditure of an amount not to exceed \$8,000 from CIP-29-551, City Heights Mini Park Improvements, for the purpose of financing the construction of City Heights Mini Park Improvements; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

(Mid-City Community Area. District-8.)

CITY MANAGER REPORT: This request is to authorize the use of PSD Funds to finance the installation of fencing, guard railing and other minor improvements in the City Heights Mini Park. The installation of the park improvements will be accomplished by the competitive bid, purchase requisition process to reduce project costs.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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-85-653) ADOPTED AS RESOLUTION R-261824

A Resolution approved by the City Council in Closed Session on Tuesday, October 2, 1984 by the following vote: Mitchell-yea; Cleator-yea; McColl-yea; Jones-not present; Struiksma-not present; Gotch-yea; Murphy-yea; Martinez-yea; Mayor Hedgecock-yea.

Authorizing the City Manager to pay the total sum of \$12,500 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Theresa Ann Jennings (Superior Court Case No. 461480, Theresa Ann Jennings, v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$12,500 made payable to Patricia Jennings, Theresa Ann Jennings and their attorney, Charles Roseman, in full settlement of the lawsuit and all claims.

CITY MANAGER REPORT: This constitutes complete and final settlement of Theresa Ann Jennings' claim resulting from the incident of August 1, 1980.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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-85-662) ADOPTED AS RESOLUTION R-261825

A Resolution approved by the City Council in Closed Session on Tuesday, October 2, 1984 by the following vote: Mitchell-yea; Cleator-yea; McColl-yea; Jones-not present; Struiksma-not present; Gotch-yea; Murphy-yea; Martinez-yea; Mayor Hedgecock-yea.

Authorizing the City Manager to pay the total sum of \$9,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Mark Ragonese (Superior Court Case No. 491887, Mark Ragonese v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$9,000 made payable to Mark Ragonese and

his Attorney of Record, Randall Brian Schwartz, in full settlement of the lawsuit and all claims.

CITY MANAGER REPORT: This constitutes complete and final settlement of Mark Frank Ragonese's claim resulting from the incident of June 12, 1982.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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-85-644) ADOPTED AS RESOLUTION R-261826

Authorizing the execution of an agreement with Brown/Zammit/Enyeart Engineering, Inc. to provide professional services for the upgrading of the Central Plant Control Board in the Community Concourse; authorizing the expenditure of not to exceed \$29,000 from Capital Outlay Fund 30245, CIP-37-412, for the above project. (Centre City Community Area. District-8.)

CITY MANAGER REPORT: This proposed agreement with Brown/Zammit/Enyeart Engineering, Inc. will provide the professional services required to install a new upgraded Control Panel in the Central Plant at the Charles C. Dail Community Concourse. The existing panel serving the Civic Theatre, Administration Building, Golden Hall, Plaza Hall, and the Central Plant, is twenty years old. The Operations Building Panel is fifteen years old, and many of the components required to keep these Control Panels in reliable condition are no longer available. The board is frequently under repair, which limits the use of the monitoring and temperature readout features. An Energy Management System will be part of the new Control Panel, which will incorporate advanced computer technology including microprocessors and a graphic data base with a capacity for including all necessary building energy management, monitoring and control functions for the Community Concourse Complex. The selection of this consultant was made in accordance with Council Policy 300-7 and has been reviewed by Contract Compliance and Personnel Management.

FILE LOCATION: MEET CCONFY85-1

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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-117: (R-85-388) ADOPTED AS RESOLUTION R-261827

Authorizing and empowering the City Manager to execute a five year Concession Agreement with Steven Clark, dba Sunshine Pedicab Company of San Diego/Long Beach, for the operation and maintenance of a pedicab concession in Balboa Park, at a minimum annual rent of \$2,500 or ten percent of gross sales, whichever is greater.
(Balboa Park Community Area. District-8. See City Manager Report CMR-84-405.)

COMMITTEE ACTION: Reviewed by PFR on 10/17/84. Recommendation to adopt the Resolution. Districts 1, 2, 3, and 7 voted yeas. District 4 not present.

FILE LOCATION: LEAS- Sunshine Pedicab Company of San Diego/Long Beach LEASFY85-1

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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-118: (R-85-668) ADOPTED AS RESOLUTION R-261828

Authorizing the execution of a one-year lease agreement with two one-year extension options, with Joseph R. and Agnes T. Mawhinney for office space at 6973 Linda Vista Road, Suite C, for use as a Police Department Community Relations Office at a monthly rental of \$350.
(Linda Vista Community Area. District-5.)

CITY MANAGER REPORT: Since 1971, the Police Department has leased 486 square feet of office space at 6973 Linda Vista Road, Suite B, for use as a community relations office, known as the Western Area (Linda Vista) Storefront. The present lease is at \$220 per month (45.2[per square foot). The Police Department now wishes to relocate to Suite C of the same building, consisting of approximately 539 square feet. The new lease is for one year with two one-year options to renew at \$350 per month (64.9[per square foot). The landlord will continue to pay water utilities. This new office is needed to accommodate the Police Department's two additional staff persons at Linda Vista Storefront. Suite C also provides three enclosed areas offering privacy for counseling, referrals, etc., not available in the existing Suite B.

FILE LOCATION: LEAS - Joseph R. & Agnes T. Mawhinney LEASFY85-1

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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-119: (R-85-647) ADOPTED AS RESOLUTION R-261829

Authorizing the execution of an 18-month lease agreement with Reynaldo Z. and Maria L. Simon, for the operation of the Community Concourse Gift Shop, at a minimum annual rent of \$4,500.

(Centre City Community Area. District-8.)

CITY MANAGER REPORT: Reynaldo and Maria Simon, the present lessees, operate the subject concession shop under a 5-year agreement which has been on a monthly lease since January 1983.

The concession was offered for lease in a Request for Proposals (RFP), and the current lessees were the only respondents. They offered the City the minimum terms and conditions specified in the RFP. Before a lease could be negotiated, the City Council ordered a study of the City's convention facilities, of which the gift shop is a part. The lessees' offer was then rejected and a short-term lease was negotiated with them, containing the following basic provisions:

1. Term - 18 months
2. Purpose - Concession Shop
3. Rent- Minimum annual of \$4,500 versus 7 percent of gross income (increased from \$3,300 versus 6 percent gross).
4. Maintenance - Lessee performs interior - City, exterior.
5. Utilities - City provides reasonable amounts of water, electricity, heating and air conditioning.

It is expected that the use study will be completed prior to this agreement's termination date, which will determine the final disposition of this area.

FILE LOCATION: LEAS- Reynaldo Z. & Maria L. Simon
LEASFY85-1

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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-120: (R-85-696) ADOPTED AS RESOLUTION R-261830

Authorizing the execution of Amendment No. 1 to the

agreement with the U.S. Fish and Wildlife Service and the State of California, Department of Transportation, which revises the boundary of the wetland habitat located northeasterly of the intersection of Morena Boulevard and Interstate 8 in the Mission Valley area.

(Mission Valley Community Area. Districts-5 and 7.)

CITY MANAGER REPORT: In July of 1983, the City Council, by Resolution R-258938, approved the execution of an agreement with the U.S. Fish and Wildlife Service and the State of California Department of Transportation, to restrict 8.41 acres of City land as wetland habitat. This environmental mitigation was necessary to offset wetlands losses caused by the construction of Camino del Rio North between Interstate 15 and Mission Gorge Road by the State of California as a City street. This restricted wetland habitat area is within the floodway (FW) of the San Diego River and is in a Federal flood channel.

During the design of an excavation and revegetation plan for the wetland habitat, the State has determined that: 1) limitations on grading near an existing sewer line removes a 0.57 acre from use for revegetation; 2) existing wetland habitat and slopes within the site removes 0.75 acre from use for revegetation; 3) improvements and vegetation removal by the Sefton Little League requires a shift in the boundary of the wetland habitat. This amendment revises the boundary of the wetland habitat to delete the portion currently being used by the Sefton Little League and adds 1.32 acres of usable revegetation area to replace those areas which have been determined to be unusable.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A168-176.)

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

* ITEM-121: (R-85-646) ADOPTED AS RESOLUTION R-261831

Approving Change Order No. 1, issued in connection with the contract between the City of San Diego and Ramm Contracting Company, Inc.; authorizing the City Auditor and Comptroller to transfer \$75,000 from the FY 1985 Capital Outlay Reserve (\$40,000 for construction and \$35,000 for furnishings and equipment) to Capital Outlay Fund 30245, CIP-35-049, Otay Mesa Branch Library; authorizing the expenditure in the amount not to exceed \$75,000 from Capital Outlay Fund 30245, CIP-35-049, Otay Mesa Branch Library as follows: \$40,000 for funding Change Order No. 1, and \$35,000 for

furnishings and equipment for the newly constructed Otay Mesa Branch Library.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER REPORT: This is a request to transfer \$75,000 from the FY 1985 Capital Outlay Reserve to the Otay Mesa Branch Library construction project budget (CIP-35-049). Of the funds transferred, \$40,000 will be added to the construction contract with Ramm Contracting Company, Inc., for the purchase and installation of book stacks (\$36,000) and tempered glass in the windows (\$4,000). The existing construction budget was sufficient to cover the basic construction contract, but did not permit the inclusion of these two additive items at the time the contract was awarded. The other \$35,000 will be added to the furnishings and equipment budget, increasing the authorized amount to \$120,000. The most recent quote on the cost of furnishings for the library was \$114,300, and did not include items such as microfiche readers and book trucks, which must also be purchased.

The need for additional funds is in part due to inflation over the past two years, and in part due to late design changes. The existing total project budget of \$1,731,000 was authorized in Fiscal Years 1982 and 1983, and construction was scheduled to begin during FY 1983. However, construction was delayed for over a year, pending a decision on the use of Site 132, the large parcel of City-owned land which includes the library site. A second delay resulted from the application for Federal Library Services and Construction Act (LSCA) funds. The application was successful in obtaining a \$286,000 LSCA grant for the Otay Mesa project. However, as a condition of the grant, design changes in the parking lot and building entrance were required, increasing design and construction costs by approximately \$40,000.

Aud. Cert. 85276.

FILE LOCATION: CONT - Ramm Contracting Company, Inc.

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT 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-122: (R-85-641) ADOPTED AS RESOLUTION R-261832

Approving Change Order No. 4, dated July 9, 1984, issued in connection with the contract between the City of San Diego and W.F. Maxwell, Inc. for the replacement of the 32nd Street Bridge Crossing, Las Chollas Creek; authorizing the

expenditure of not to exceed \$62,000 from the Sewer Revenue Fund 41506, Sewer Main Replacement Program, CIP-44-001 for said change order; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserve.

(Southeast San Diego Community Area. District-8.)

CITY MANAGER REPORT: On January 3, 1984, City Council, by Resolution R-259868, authorized advertising for bids and funds for replacement of the 32nd Street Bridge over Las Chollas Creek. Five bids were received on February 7, 1984 with W.F. Maxwell, Inc. being the low bidder at \$782,202 (8 percent below estimate). This project has qualified under the Federal Bridge Replacement and Rehabilitation Program and approximately 80 percent of the project costs will be reimbursed by the Federal Government.

During bridge construction it was discovered that approximately 70 lineal feet of existing 24-inch ductile iron sewer main has settled. Due to this settlement and the age of the sewer main (approximately 55 years) the Utility Department has requested the replacement of this segment of the sewer main at its expense. This replacement will cost far less by doing the work before completion of the bridge than if attempted at a later date.

WU-M-84-182.

FILE LOCATION: CONT - W.F. Maxwell, Inc.

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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-123: (R-85-663) ADOPTED AS RESOLUTION R-261833

Approving the application for grant funds under the Roberti-Z'Berg Urban Open Space and Recreation Program for Sail Bay Phase II Development.

(See City Manager Report CMR-84-412. Mission Bay Community Area. District-6.)

COMMITTEE ACTION: Reviewed by PSS on 10/10/84. Recommendation to adopt the Resolution. Districts 3, 4, 6 and 8 voted yea. District 5 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT MOTION BY MARTINEZ 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-150: (O-85-63) CONTINUED TO NOVEMBER 19, 1984

Introduction of an Ordinance amending Chapter III,
Article 5, Division 1 of the San Diego Municipal Code by
amending Section 35.0104, relating to Exemptions, by
increasing the minimum overnight charge upon which no
Transient Occupancy Tax will be imposed from \$4 to \$8.

COMMITTEE ACTION: Reviewed by RULES on 10/8/84.

Recommendation to introduce the Ordinance. Districts 6,
8 and Mayor voted yea. Districts 5 and 7 voted nay.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A119-127.)

MOTION BY MARTINEZ TO CONTINUE TO NOVEMBER 19, 1984, AT THE CITY
MANAGER'S REQUEST FOR LOCAL 127. 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-151: (R-85-708) ADOPTED AS AMENDED AS RESOLUTION
R-261834

Adopting the recommendations in City Manager Report
CMR-84-334, dated August 8, 1984, relating to televising
Monday Council meetings on a trial basis, at a cost not to
exceed \$31,500, said funds having been heretofore budgeted
in Non-Departmental Expenditures; authorizing the Auditor
and Comptroller to expend the sum of \$31,500 out of
Non-Departmental Expenditures, General Fund 100, Department
601 for said purpose.

(See City Manager Reports CMR-84-334 and CMR-84-258.)

COMMITTEE ACTION: Reviewed by RULES on 10/8/84.

Recommendation to adopt the Resolution. Districts 6, 7 and
Mayor voted yea. Districts 5 and 8 voted nay.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A177-324.)

MOTION BY GOTCH TO ADOPT AS AMENDED WITH THE PROVISIO THAT THE
TELEVISING OF THE COUNCIL MEETINGS NOT BE CONTINUED AFTER THE
SIX-MONTH TRIAL PERIOD UNLESS THE COSTS ARE PICKED UP BY PRIVATE
FUNDING. Second by Murphy. Passed by the following vote:
Mitchell-yea, Cleator-nay, McColl-nay, Jones-yea, Struiksma-yea,
Gotch-yea, Murphy-yea, Martinez-nay, Mayor Hedgecock-yea.

ITEM-200: (O-85-55) ADOPTED AS ORDINANCE O-16313 (New

Series)

Authorizing the sale of not to exceed \$34,744,000 aggregate principal amount of City of San Diego Single Family Mortgage Revenue Bonds, 1984 Issue B; authorizing the execution and delivery of an indenture, bond purchase contract, origination, servicing and administration agreements, developer agreements, delegation agreement and official statement; adopting rules and regulations and approving other related actions in connection therewith.

(Introduced on 10/15/84. Council voted 6-1. District 7 voted nay. Districts 4 and 5 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A325-340.)

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, Struiksmayea, Gotch-yea, Murphy-nay, Martinez-yea, Mayor Hedgecock-yea.

ITEM-201: (O-84-223) INTRODUCED, TO BE ADOPTED NOVEMBER 13, 1984

(Continued from the meetings of May 21, 1984, June 18, 1984, August 20, 1984 and October 15, 1984; last continued at Council Member Murphy's request.)

Introduction of an Ordinance amending Section 1 of Ordinance O-15742 (New Series), adopted May 3, 1982, incorporating portions of Parcels 4 and 5, Parcel Map PM-8547, located on the south side of Antigua Boulevard between Santo Road and Via Valarta, into R-1-5 Zone; extension of time to June 2, 1986.

(See Planning Department Report PDR-84-181. Case-84-0202/EOT1. Tierrasanta Community Area. District-7.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A481-618.)

MOTION BY MURPHY TO INTRODUCE THE ORDINANCE TO EXTEND THE REZONE

AND DIRECT STAFF TO MAKE THE FIVE CONDITIONS REFERRED TO IN THE MEMORANDUM FROM ENGINEERING AND DEVELOPMENT DEPARTMENT DATED

OCTOBER 26, 1984 REQUIREMENTS FOR ANY TENTATIVE MAP SUBSEQUENTLY APPROVED. ALSO, DIRECT THE CITY ATTORNEY TO REVIEW THE LEGALITY OF THE APPLICABILITY OF THOSE FIVE CONDITIONS TO THE SUBSEQUENT

MAP PROCESS. Second by Martinez. Passed by the following vote:

Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea,

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

ITEM-202:

Two actions relative to multifamily rental housing bond documents - Lincoln Property Company:
(See Housing Commission Report HCR-84-028CC. Located on Charmant Drive west of Regents Road. University Community Area. District-1.)

Subitem-A: (O-85-66) INTRODUCED, TO BE ADOPTED NOVEMBER 13, 1984

Introduction of an Ordinance authorizing the issuance, sale and delivery of multifamily housing revenue bonds in a principal amount not to exceed \$32,000,000 for the purpose of making a lender loan to provide funds to provide the interim and permanent financing of the cost of developing a multifamily rental project; determining and prescribing certain matters relating thereto; approving and authorizing the execution of related documents, agreements and actions.
NOTE: Six votes required.

Subitem-B: (R-85-713) ADOPTED AS RESOLUTION R-261835

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0620, issued in connection with the 312-unit project proposed for financing by the Lincoln Property Company, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said Declaration has been reviewed and considered by this Council.

FILE LOCATION:

Subitem-B MEET

COUNCIL ACTION: (Tape location: A341-480.)

MOTION BY MARTINEZ TO ADOPT SUBITEM-A, AND INTRODUCE SUBITEM-B.

Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-203: (O-85-65) APPROVED

First public hearing in the matter of:
Amending Ordinance O-16249 (New Series), as amended, entitled "An Ordinance adopting the Annual Budget for the Fiscal Year 1984-85 and Appropriating the Necessary Money

to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16249-1, as amended and adopted therein, by adding to the personnel authorization of the Financial Management Department (055), one Associate Administrative Analyst position; transferring the sum of \$27,179 within the General Fund 100, from Unallocated Reserve (605), to the Financial Management Department (055) for the purpose of fully funding the above authorized position for the remainder of Fiscal Year 1985.

(See City Manager Reports CMR-84-404 and CMR-84-356.)

COMMITTEE ACTION: Reviewed by RULES 10/8/84. Recommendation to adopt Alternative No. 2 in CMR-84-404, which will provide for full review and analysis of City Agency budgets with the addition of a staff person (\$40,000). Districts 5, 6, 7, 8 and Mayor voted yea.

NOTE: See Item 334.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A620-657.)

MOTION BY MURPHY TO APPROVE. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-204: (R-85-479) ADOPTED AS AMENDED AS RESOLUTION
R-261836, GRANTING THE APPEAL AND
HEARING

(Continued from the meeting of October 1, 1984, at the request of McDonald, Hecht and Solberg, Attorneys at law.)
Matter of the appeal of the owners of property adjacent to Coolidge and Burton Streets from the denial of their request for a vacation of Coolidge and Burton Streets adjacent to Lots 3 and 4, Block 63, and Lots 6 and 8 through 10, Block 59; the north/south/ alley adjacent to Lots 2 through 5, Block 63; and east/west alley adjacent to Lots 1, 2, 5, 6 and 7, Block 63; and the walk adjacent to Lots 8 and 9, Block 59, all in Linda Vista Unit 4, Map-3256.

(See City Manager Report CMR-84-384. Kearny Vista Community Area. District-5.)

FILE LOCATION: STRT J-2537

COUNCIL ACTION: (Tape location: A658-B059.)

MOTION BY STRUIKSMA TO GRANT THE APPEAL AND HEARING AND DIRECT THE CITY CLERK TO SET THE HEARING FOR JANUARY, 1985. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,

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

ITEM-205: (R-85-651) ADOPTED AS RESOLUTION R-261837

The Annual Meeting of the Member of the San Diego Data Processing Corporation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B087-177.)

MOTION BY MARTINEZ TO ACCEPT THE CHECK AND REPORT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-206: (R-85-327) ADOPTED AS RESOLUTION R-261838

Approving the proposed FY 1985 budget for the San Diego Data Processing Corporation, pursuant to Section 3(a) of the Operating Agreement between the City of San Diego and the Corporation.

CITY MANAGER REPORT: The operating agreement between the City and the San Diego Data Processing Corporation requires that an annual budget be submitted to and approved by the City Council. The Corporation has submitted a budget for FY 1985 totaling \$10,502,215. Of this amount \$8,658,667 reflects expenditures for services to City departments which were reviewed as part of the annual budget process and funded in department appropriations. The remaining amount of \$1,843,548 primarily reflects Automated Regional Justice Information System (ARJIS) related costs to be recovered from other participating cities, the City/County Library Circulation System and the County contribution to the Regional Urban Information System.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B059-086.)

MOTION BY MARTINEZ TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-207: (R-85-618) ADOPTED AS RESOLUTION R-261839

Authorizing the execution of a Third Amendment to Agreement with Rice, Hall, James and Associates for investment counseling services for the Cemetery Perpetuity Fund and the Edwin A. Benjamin Memorial Fund, extending the agreement for one year from July 1, 1984 through June 30, 1985.

CITY MANAGER REPORT: Pursuant to Charter Section 41(a), the Funds Commission administers the following funds:

1. The Benjamin Memorial - Created by Ordinance in February, 1964 to receive the bulk of Mr. Benjamin's estate to be used to improve library resources and services (Market value at 6/30/84 \$475,933).

2. The Cemetery Perpetuity Fund - Established in 1919 by Charter Amendment to ensure perpetual maintenance of the Cemetery grounds (market value at 6/30/84 - \$2,665,578).

Presently serving as members of the Funds Commission are the following: Betty J. Foster, Chairperson, Vice President-Loan Administration, California First Bank; Raymond Mercado, Home Federal Savings and Loan; Richard R. Tartre, a Principal of Eden Financial Group, Inc.; Stuart H. Swett, Ex-officio member, Chief Deputy City Attorney; and Conny M. Jamison, Ex-officio member, City Treasurer. On June 1, 1981, based on their superior response to a request for proposals and seven years of outstanding services, the Commission voted unanimously to request approval of an agreement with Rice, Hall, James and Associates for an additional three years.

The agreement was approved for only one year, and later extended for an additional six months, and then for an additional one and one-half years. The agreement expired June 30, 1984. The Funds Commission intends to ask for competitive bids for contractual investment services in the immediate future. In view of the fact that the current contract has expired, and based on the superb management of Rice, Hall, James and their willingness to continue the services at the same rate, the Funds Commission voted to recommend a one-year extension of the current agreement until new bids can be received and acted upon.

FILE LOCATION: MEET CCONFY85-1

COUNCIL ACTION: (Tape location: B178-183.)

MOTION BY MARTINEZ TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-S400: (R-85-723) ADOPTED AS RESOLUTION R-261840

Expressing City Council Support for the San Diego Supercomputer Center Consortium proposal and urging the National Science Foundation to grant the necessary approval and funding for the establishment of a Supercomputer Center on the campus of the University of California at San Diego. (See Intergovernmental Relations Department Report IRD-84-62.)

COMMITTEE ACTION: Reviewed by RULES on 10/22/84.

Recommendation to adopt the Resolution. Districts 6, 7, 8 and Mayor voted yea. District 5 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A168-176.)

CONSENT 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-S401: (R-85-700) ADOPTED AS RESOLUTION R-261841

(Continued from the meeting of October 23, 1984 at Council Member Cleator's request.)

Approving the proposed Oak Park Commercial Revitalization Work Program; authorizing the funding in an amount not to exceed \$57,000 for the proposed Work Program from any equivalent or greater amount of 1985 CDBG funds which might be allocated for Mid-City commercial revitalization; authorizing the establishment of a full-time staff position to manage the Oak Park project in conjunction with other Mid-City commercial revitalization efforts, and the expenditure of an amount not to exceed \$32,000 for such purpose from the 1984 Mid-City Commercial Revitalization Project.

(See City Manager Report CMR-84-427. Mid-City Community Area. District-3.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B184-204.)

MOTION BY MARTINEZ TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-ineligible, Jones-yea, Struiksmas-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

19841029

ITEM-S402: (R-85-852) ADOPTED AS RESOLUTION R-261842

A report from the Intergovernmental Relations Department on Proposition A.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B205-560.)

Motion by Mitchell to table the item. Second by Cleator.

Failed. Yea: 1,6,M. Nay: 2,3,4,5,7,8.

MOTION BY JONES TO APPROVE CITY COUNCIL'S SUPPORT FOR THE ENDORSEMENT OF PROPOSITION A. Second by Struiksmas. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-yea, Struiksmayea, Gotchnay, Murphyyea, Martinezyea,
Mayor Hedgecockyea.

ITEM-S403: CONTINUED TO NOVEMBER 5, 1984

A report from the City Manager on a complaint by Local 127
regarding a violation of Council Policy 300-6.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A119-127.)

MOTION BY MARTINEZ TO CONTINUE TO NOVEMBER 5, 1984, AT CITY
MANAGER'S REQUEST. Second by Murphy. Passed by the following
vote: Mitchellyea, Cleatoryea, McCollyea, Jonesyea,
Struiksmayea-not present, Gotchyea, Murphyyea, Martinezyea,
Mayor Hedgecockyea.

ITEM-S404: (O-85-74) INTRODUCED, TO BE ADOPTED NOVEMBER 13,
1984

Introduction of an Ordinance amending Chapter III,
Article 5, of the San Diego Municipal Code, by amending
Section 35.0116 relating to the Transient Occupancy Tax.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B561-567.)

MOTION BY MARTINEZ TO INTRODUCE THE ORDINANCE. Second by
Struiksmayea. Passed by the following vote: Mitchellyea,
Cleatoryea, McCollyea, Jonesyea, Struiksmayea, Gotchyea,
Murphyyea, Martinezyea, Mayor Hedgecockyea.

ITEM-UC-1: (R-85-761) ADOPTED AS RESOLUTION R-261801

A Resolution presented to the City Council with UNANIMOUS
CONSENT:

Commending Assistant City Manager John Lockwood for his
service to the City during the absence of the City Manager.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A010-108.)

MOTION BY MITCHELL TO ADOPT. Second by Gotch. Passed by the
following vote: Mitchellyea, Cleatoryea, McCollyea,
Jonesyea, Struiksmayea-not present, Gotchyea, Murphyyea,
Martinezyea, Mayor Hedgecockyea.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor
Hedgecock at 3:26 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B568-569).