

19841119

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, NOVEMBER 19, 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 2:09 p.m.
Mayor Hedgecock adjourned the meeting at 3:10 p.m. to meet in Closed
Session on Tuesday, November 20, 1984 at 9:30 a.m. in the twelfth
floor conference room on pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present
 - (1) Council Member Mitchell-present
 - (2) Council Member Cleator-excused by R-261888 (City business)
 - (3) Council Member McColl-present
 - (4) Council Member Jones-present
 - (5) Council Member Struiksmma-present
 - (6) Council Member Gotch-present
 - (7) Council Member Murphy-excused by R-261888 (vacation)
 - (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-not 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-not present
- (8) Council Member Martinez-present

ITEM-10: INVOCATION

Invocation was given by Rev. John H. Pounds, Pastor of
the House of David Church of God in Christ.

FILE LOCATION: MINUTES

Nov-19-1984

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Gotch.

FILE LOCATION: MINUTES

ITEM-30: GRANTED HEARING

Matter of the request of Jaroslaw Maczka for a hearing of an appeal from the decision of the Board of Zoning Appeals in denying the request to convert an existing 1,191 sq. ft. single-family dwelling to a guest house with attached two-car garage and to construct a new two-story 1,993 sq. ft. single-family dwelling at the rear of lot. The subject property is located at 2675 Burgener Boulevard in the R1-5000 Zone and is more particularly described as Lot 89, Clairemont Unit 1, Map-2725.
(Case C-18525. District-6.)

FILE LOCATION: ZONE - Zoning Appeal Case C-18525

COUNCIL ACTION: (Tape location: A020-049.)

MOTION BY GOTCH TO GRANT THE HEARING. Second by Struiksma.

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

ITEM-31: APPROVED

Approval of Council Minutes for the Meetings of:

10/8/84 P.M.

10/9/84 A.M. and P.M.

10/15/84 P.M.

10/16/84 A.M. and P.M.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A050-054.)

MOTION BY McCOLL TO APPROVE THE MINUTES. Second by Martinez.

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

* ITEM-50: (O-85-1) ADOPTED AS ORDINANCE O-16327 (New Series)

Amending Chapter II, Article 6, of the San Diego Municipal Code, by amending Section 26.02, relating to the Historical Site Board, to require written notice to the property owners before property is designated as an historic site.

(Introduced on 11/5/84. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-095.)

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

* ITEM-51: (O-85-61) ADOPTED AS ORDINANCE O-16328 (New Series)

Amending Chapter X, Article 1, Divisions 2, 4, 5, 6, 8, 11, 17 and 18 of the San Diego Municipal Code, by amending Sections 101.0204, 101.0440, 101.0500, 101.0506.3, 101.0507, 101.0601.1, 101.0807, 101.1123 and 101.1801.15, adding Sections 101.0201.1 and 101.0456, and repealing Sections 101.0204.1, 101.0452.6, 101.0459, 101.0510 and 101.1700, relating to Planning and Zoning Regulations, to correct section references, delete out-of-date sections, and move sections to appropriate Divisions.

(Introduced on 11/5/84. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A090-095.)

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

* ITEM-100: (R-85-694) ADOPTED AS RESOLUTION R-261952

Awarding contracts for the purchase of fire apparatuses for a total cost of \$1,127,632.24, for use by the Fire Department, as follows:

- 1) San Diego Fire Equipment Co., Inc. for two Wildland Fire Apparatus at a cost of \$102,871 each, for a total cost of \$205,742; (BID-5601)
- 2) American Bristol Industries, Inc., for one Auxiliary Support Apparatus (Light and Air) at a cost of \$136,742, plus option B at a cost of \$6,000 for a total cost of \$142,742; (BID-5598)
- 3) Oshkosh Truck Corporation for one fire rescue apparatus for a total cost of \$200,236; (BID-5600)
- 4) San Diego Fire Equipment Co., Inc., for four 1500 GPM Triple Combination Fire Apparatus at a cost of \$128,771

each, for a total cost of \$515,084. (BID-5597)

NOTE: See Item 202.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-101:

Four actions relative to awarding contracts:

Subitem-A: (R-85-691) ADOPTED AS RESOLUTION R-261953

John Henry Tree and Landscaping Ltd. for the purchase of tree trimming service on approximately 475 Eucalyptus Trees, and 275 Pinus Halepensis Trees in Mission Bay Park as may be required for a period of nine months beginning December 1, 1984 through August 31, 1985, for a total estimated cost of \$26,250 up to a maximum cost of \$50,000. (BID-5914)

Subitem-B: (R-85-690) ADOPTED AS RESOLUTION R-261954

Perkin-Elmer Corporation for the purchase of one gas chromatograph at an actual cost of \$24,719.20, including tax and terms. (BID-5892)

Subitem-C: (R-85-689) ADOPTED AS RESOLUTION R-261955

Aqua Tek for furnishing routine maintenance to the Bea Evenson Fountain in Balboa Park in Plaza De Balboa as may be required for a period of one year beginning December 1, 1984 through November 30, 1985 for an actual cost of \$13,596, including tax and terms. (BID-5829Q)

Subitem-D: (R-85-688) ADOPTED AS RESOLUTION R-261956

Telelect West for the purchase of one tilt bed tandem axle trailer and one tilt bed utility trailer, for an actual cost of \$10,629.68, including tax and terms. (BID-5848)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-102: (R-85-692) ADOPTED AS RESOLUTION R-261957

19841119

Inviting bids for the construction of the Barrio Youth Center Swimming Pool Facility on Work Order No. 118449; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$8,000 from Capital Outlay Fund Non-Reimbursable Overhead, CIP-58-007, Annual Allocation - Overhead and Other City Costs for Federal Grants, solely and exclusively for providing funds 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; authorizing the expenditure of not to exceed \$300,000 from Community Development Block Grant Fund 185191, CIP-37-175, Barrio Youth Center Swimming Pool, solely and exclusively for providing funds 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-6009)

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

CITY MANAGER REPORT: This project will occupy a 50-foot by 140-foot site and include a 30-foot by 75-foot pool, wading pool, bath house, decking, equipment, walls, fencing, solar heating system and landscaping. Additional recreation facilities are desirable and comply with CDBG Program objectives. This community is now a mixture of older residential development and varied commercial enterprises. Basic utilities, services and streets now exist. Although the community area fronts on San Diego Bay, this Bay area is commercial and offers no access for shore or beach-oriented recreation. This pool addition to the Barrio Youth Center will increase the effectiveness of the recreational programs and serve the community at large as well.

FILE LOCATION: W.O. 118449 T. P. Pennick & Sons CONTFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-103: (R-85-693) ADOPTED AS RESOLUTION R-261958

Inviting bids for the repainting of the Old Globe Administration Building on Work Order No. 117815;

authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$42,500 from General Services Department 532, Organization 205, Object Account 4222, Job Order 2796, Fiscal Year 1985 Budget, for said project and related costs. (BID-6008)

(Balboa Park Community Area. District-8.)

CITY MANAGER REPORT: The paint on the exterior of the Old Globe Administration Building and one 40-foot wall of the Cassius Carter Theater is deteriorated and no longer adequately protects the building. The stucco and trim are being damaged by the exposure to the weather. This repainting will help preserve and protect the capital investment in these major Balboa Park buildings. It will also enhance their appearance.

FILE LOCATION: W.O. 117815 CONFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-104: (R-85-822) ADOPTED AS RESOLUTION R-261959

Authorizing the Purchasing Agent to advertise for sale nineteen vehicles, which are so used, obsolete or depreciated as to be unfit or undesirable for use or retention by the City; declaring that expenses in connection with the sale of said vehicles shall be deducted from the proceeds received from the sale thereof.

(BID-6012L)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-105: (R-85-695) ADOPTED AS RESOLUTION R-261960

Authorizing the Purchasing Agent to advertise for sale eight tons of scrap brass, which are so used, obsolete or depreciated as to be unfit or undesirable for use or retention by the City; declaring that expenses in connection with the sale of said of scrap brass shall be deducted from the proceeds received from the sale thereof.

(BID-6011L)

FILE LOCATION: MEET
COUNCIL ACTION: (Tape location: A096-112.)
CONSENT MOTION BY GOTCH TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-not present, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-106:

Three actions relative to the final subdivision map of Marbella Unit No. 2, a 105-lot subdivision located northeasterly of Paseo Del Verano Norte and Avenida Alozdra:
(Rancho Bernardo Community Area. District-1.)

Subitem-A: (R-85-423) ADOPTED AS RESOLUTION R-261961
Authorizing the execution of an agreement with Rancho Bernardo Development Company for the installation and completion of certain public improvements.

Subitem-B: (R-85-422) ADOPTED AS RESOLUTION R-261962
Approving the final map.

Subitem-C: (R-85-424) ADOPTED AS RESOLUTION R-261963
Authorizing the execution of a quitclaim deed, quitclaiming to Rancho Bernardo Development Company all the City's right, title and interest in a water easement.

FILE LOCATION:

Subitems A-B SUBD - Marbella Unit No. 2;

Subitem C DEED F-2618 CONTFY85-1; DEEDFY85-1
COUNCIL ACTION: (Tape location: A096-112.)
CONSENT MOTION BY GOTCH TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-not present, Martinez-yea, Mayor Hedgecock-yea.

* ITEM-107: (R-85-808) ADOPTED AS RESOLUTION R-261964

Approving the final subdivision map of Sierra Del Mar Unit No. 2, a 19-lot subdivision located northwesterly of Carmel Valley Road and Interstate 5.
(Torrey Pines Community Area. District-1.)

FILE LOCATION: SUBD - Sierra Del Mar Unit No. 2

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-108: (R-85-794) ADOPTED AS RESOLUTION R-261965

Granting an extension of time to May 25, 1985 to Pardee Construction Company, subdivider, to complete the improvements required in Employment Center Development Unit No. 2A.

(North City West Community Area. District-1.)

CITY MANAGER REPORT: On May 25, 1982, the City entered into an agreement with Pardee Construction Company, a California Corporation, for the construction of public improvements for Employment Center Development Unit No. 2A. The agreement expired on May 25, 1984. The subdivider has requested a time extension to May 25, 1985. It is recommended that the time extension be granted since the incomplete improvements are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - Employment Center Development Unit No. 2A

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-109: (R-85-753) ADOPTED AS RESOLUTION R-261966

Authorizing the execution of an amendment to the subdivision agreement for High Country West Unit No. 9, to provide for the substitution of Home Capital Corporation, a subsidiary of Home Federal Savings and Loan Association, for Avco Community Developers, Inc., as subdivider; declaring that the public improvements to be constructed shall be completed by July 19, 1986; accepting Bond No. BD-30577, issued by Aid Insurance Company (Mutual), in the amount of \$210,678 as the surety for the required improvements in said subdivision; releasing Bond No. YS-843-7185, issued by Industrial Indemnity Company, in the amount of \$210,678.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER REPORT: On July 19, 1982, the City entered into

an agreement with Avco Community Developers, Inc. for the construction of public improvements for High Country West Unit No. 9. The agreement expired on July 19, 1984. The property is now owned by Home Capital Corporation (a subsidiary of Home Federal Savings and Loan Association). The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to July 19, 1986. The subdivider has provided a performance bond for \$210,678. The amended agreement and time extension are in accordance with Council Policy 600-21. 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 - High Country West Unit No. 9
CONTFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-110: (R-85-754) ADOPTED AS RESOLUTION R-261967

Authorizing the execution of an amendment to the subdivision agreement for High Country West Unit No. 10, to provide for the substitution of Home Capital Corporation, a subsidiary of Home Federal Savings and Loan Association, for Avco Community Developers, Inc., as subdivider; declaring that the public improvements to be constructed shall be completed by July 19, 1986; accepting Bond No. BD-30578, issued by Aid Insurance Company (Mutual), in the amount of \$39,422 as the surety for the required improvements in said subdivision; releasing Bond No. YS-843-7186, issued by Industrial Indemnity Company, in the amount of \$39,422.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER REPORT: On July 19, 1982, the City entered into an agreement with Avco Community Developers, Inc. for the construction of public improvements for High Country West Unit No. 10. The agreement expired on July 19, 1984. The property is now owned by Home Federal Savings and Loan Association. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to July 19, 1986. The new subdivider

has provided a performance bond for \$39,422. The amended agreement and time extension are in accordance with Council Policy 600-21. 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 - High Country West Unit No. 10
CONTFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-111: (R-85-755) ADOPTED AS RESOLUTION R-261968

Authorizing the execution of an amendment to the subdivision agreement for Sycamore Canyon Unit No. 1, to provide for the substitution of Pacific Scene, Inc., for Avco Community Developers, Inc., as subdivider; declaring that the public improvements to be constructed shall be completed by July 26, 1985; accepting Bond No. SC-731-39-43, issued by The American Insurance Company, in the amount of \$880,838 as the surety for the required improvements in said subdivision; releasing Bond No. YS-817-8546, issued by Industrial Indemnity Company, in the amount of \$880,838.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER REPORT: On January 26, 1981, the City entered into an agreement with Avco Community Developers, Inc., for the construction of public improvements for Sycamore Canyon Unit No. 1. On March 5, 1984, a time extension was granted to January 26, 1985 by Resolution R-260219. The property is now owned by Pacific Scene, Inc. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to July 26, 1985. The new subdivider has provided a performance bond for \$880,838. The amended agreement and time extension are in accordance with Council Policy 600-21. 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 - Sycamore Canyon Unit No. 1
CONTFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McColl. Passed by

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

* ITEM-112: (R-85-756) ADOPTED AS RESOLUTION R-261969

Authorizing the execution of an amendment to the subdivision agreement for Sycamore Canyon Unit No. 2, to provide for the substitution of Pacific Scene, Inc., for Avco Community Developers, Inc., as subdivider; declaring that the public improvements to be constructed shall be completed by August 10, 1985; accepting Bond No. SC-731-39-44, issued by The American Insurance Company, in the amount of \$231,200 as the surety for the required improvements in said subdivision; releasing Bond No. YS-840-4721, issued by Industrial Indemnity Company, in the amount of \$231,200.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER REPORT: On August 10, 1981, the City entered into an agreement with Avco Community Developers, Inc., for the construction of public improvements for Sycamore Canyon Unit No. 2. The agreement expired on August 10, 1983. On March 5, 1984, a time extension was granted to August 10, 1984. The property is now owned by Pacific Scene, Inc. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to August 10, 1985. The new subdivider has provided a performance bond for \$231,200. The amended agreement and time extension are in accordance with Council Policy 600-21. 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 - Sycamore Canyon Unit No. 2
CONTFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-113: (R-85-757) ADOPTED AS RESOLUTION R-261970

Authorizing the execution of an amendment to the subdivision agreement for Sycamore Canyon Unit No. 3, to provide for the substitution of Pacific Scene, Inc., for

Avco Community Developers, Inc., as subdivider; declaring that the public improvements to be constructed shall be completed by November 16, 1985; accepting Bond No. SC-731-39-45, issued by The American Insurance Company, in the amount of \$681,603, as the surety for the required improvements in said subdivision; releasing Bond No. YS-842-7258, issued by Industrial Indemnity Company, in the amount of \$681,603.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER REPORT: On November 16, 1981, the City entered into an agreement with Avco Community Developers, Inc., for the construction of public improvements for Sycamore Canyon Unit No.

3. On March 5, 1984, a time extension was granted to November 16, 1984. The property is now owned by Pacific Scene, Inc. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to November 16, 1985. The new subdivider has provided a performance bond for \$681,603. The amended agreement and time extension are in accordance with Council Policy 600-21. 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 - Sycamore Canyon Unit No. 3
CONTFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-114: (R-85-758) ADOPTED AS RESOLUTION R-261971

Authorizing the execution of an amendment to the subdivision agreement for Sycamore Canyon Unit No. 4, to provide for the substitution of Pacific Scene, Inc., for Avco Community Developers, Inc., as subdivider; declaring that the public improvements to be constructed shall be completed by November 16, 1985; accepting Bond No. SC-731-39-46, issued by The American Insurance Company, in the amount of \$42,616 as the surety for the required improvements in said subdivision; releasing Bond No. YS-842-7259, issued by Industrial Indemnity Company, in the amount of \$42,616.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER REPORT: On November 16, 1981, the City entered

into an agreement with Avco Community Developers, Inc., for the construction of public improvements for Sycamore Canyon Unit No. 4. On March 5, 1984, a time extension was granted to November 16, 1984. The property is now owned by Pacific Scene, Inc. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to November 16, 1985. The new subdivider has provided a performance bond for \$42,616. The amended agreement and time extension are in accordance with Council Policy 600-21. 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 - Sycamore Canyon Unit No. 4
CONTFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-115: (R-85-759) ADOPTED AS RESOLUTION R-261972

Authorizing the execution of an amendment to the subdivision agreement for Tennis Ranch Unit No. 6, to provide for the substitution of R. B. McComic, Inc. for Avco Community Developers, Inc., as subdivider; declaring that the public improvements to be constructed shall be completed by April 20, 1986; accepting Bond No. 13-13-79, issued by Insurance Company of the West, in the amount of \$433,455 as the surety for the required improvements in said subdivision; releasing Bond No. YS-819-6520, issued by Industrial Indemnity Company, in the amount of \$322,650. (Rancho Bernardo Community Area. District-1.)

CITY MANAGER REPORT: On April 20, 1981, the City entered into an agreement with Avco Community Developers, Inc., for the construction of public improvements for Tennis Ranch Unit No. 6. The agreement expired on April 20, 1983. The property is now owned by R. B. McComic, Inc. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to April 20, 1986. The new subdivider has provided a performance bond for \$433,455. The amended agreement and time extension are in accordance with Council Policy 600-21. 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 - Tennis Ranch Unit No. 6 CONFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-116: (R-85-777) ADOPTED AS RESOLUTION R-261973

Authorizing the execution of a partial release for a portion of the surety issued by Fidelity and Deposit Company of Maryland (Performance Bond No. 60454-51), for construction of public improvements for University Canyon, in the form of a Notice of Partial Release.

(Linda Vista Community Area. District-5.)

CITY MANAGER REPORT: On August 1, 1983, the City entered into an agreement with Collins Development Company for the construction of public improvements for University Canyon, and Performance Bond No. 604-54-51 issued by Fidelity and Deposit Company of Maryland in the amount of \$1,238,040 was provided by the subdivider. The agreement expires August 1, 1985. The subdivider has requested a partial release of surety. Ninety percent of the work has been completed to the satisfaction of the City Engineer. The job order account has sufficient funds to cover the anticipated costs to complete the work. There are no mechanic's liens filed against the surety, and there has not been a previous partial release. In accordance with Council Policy 800-11, it is recommended that the surety be reduced (approximately 68 percent) to \$396,172.80.

FILE LOCATION: SUBD - University Canyon

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-117: (R-85-841) ADOPTED AS RESOLUTION R-261974

Declaring that Skyview Associates (Degen Development Company) is in default of the terms and conditions of the agreement filed in the office of the City Clerk on June 21, 1979 as Document No. 766597, relating to the improvement of Sky View Estates Unit No. 1 subdivision; declaring that the City Attorney shall cause notice of this declaration of

default to be given to Skyview Associates and to Surety Insurance Company of California; authorizing the City Manager to complete, or cause to be completed, said public work and improvements in accordance with the terms of said agreement.

(Located southerly of Jamacha Road and Cadman Street. Skyline-Paradise Hills Community Area. District-4.)

CITY MANAGER REPORT: On June 18, 1979, the City entered into an agreement with Skyview Associates for the construction of public improvements for Sky View Estates subdivision.

Performance Bonds issued by Surety Insurance Company of California were posed as subdivision surety. The agreement has expired with approximately 10 percent of the work remaining to be completed. The City has received notice that the Insurance Commissioner of the State of California has been appointed liquidator of Surety Insurance Company of California and that, as of August 20, 1984, the bonds posted as surety for Sky View Estates have been cancelled. Since cancellation leaves the remaining public improvements unsecured, the developer was notified on September 7, 1984 that a new surety must be posted immediately. To date, the new surety has not been provided. It is therefore recommended that the Degen Development Company be declared in default.

FILE LOCATION: SUBD - Sky View Estates Unit No. 1

COUNCIL ACTION: (Tape location: A113-128.)

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

* ITEM-118: (R-85-803) ADOPTED AS RESOLUTION R-261975

Vacating a portion of Walnut Avenue adjacent to Lot 1 and a portion of Lot 2, Glenwood Terrace, Map-1169, under the procedure for the summary vacation of an excess right-of-way of a street or highway not required for street or highway purposes; declaring that this resolution shall not become effective unless and until a building permit to construct retaining walls within the proposed vacation has been issued; in the event the building permit is not issued by December 1, 1990, this resolution shall become void and be of no further force or effect; directing the City Engineer to advise the City Clerk of the issuance of the the aforementioned building permit.

(Uptown Community Area. District-2.)

CITY MANAGER REPORT: Walnut Avenue was dedicated by

subdivision in 1871. The abutting property owners have petitioned for the vacation to facilitate development of their property as a seven-unit condominium project. The 80-foot-wide Walnut Avenue is classified as a local residential street and has been improved to its ultimate width in accordance with City Design Standards which require only 50 feet of right-of-way. The petitioners are seeking a closure of the excess right-of-way adjacent to their property which is excess to any street needs. Because of the steep slope and the extensive amount of grading that would otherwise be required to develop the site, the street vacation is conditioned upon a building permit being obtained to construct retaining walls as necessary to limit the grading to the closure area and to eliminate potential sloughing. The retaining walls will be bonded for and constructed with the land development permit for the project.

Staff has concluded that the right-of-way proposed to be vacated is no longer needed for present or prospective public use and may be summarily vacated conditioned upon the issuance of a building permit to construct the required retaining walls. The application has been processed in accordance with Council Policy 600-15.

FILE LOCATION: STRT J-2541; DEED F-2615 DEEDFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-119: (R-85-796) ADOPTED AS RESOLUTION R-261976

Authorizing the acceptance by the City Manager of a grant deed of The Christiana Companies, granting to City Lot 151, Villa Barbados North Unit No. 1, Map-7236.

(Located north of Clairemont Mesa Boulevard, between Interstate 15 and Santo Road. Tierrasanta Community Area. District-7.)

CITY MANAGER REPORT: Lot 151 of Villa Barbados North Unit No. 1 was encumbered by an open space easement in 1972 when the subdivision map was recorded. The area, which is approximately 29 acres in size, lies north of Clairemont Mesa Boulevard between Interstate 15 and Santo Road, in Tierrasanta. The owner of the property, The Christiana Companies, has submitted a grant deed, transferring without cost, fee title of Lot 151 to the City of San Diego. The Park and Recreation Department wishes to acquire this parcel in fee in order to include it within the Tierrasanta Open Space Maintenance District. It is therefore

recommended that the Council adopt a resolution accepting the deed.

FILE LOCATION: DEED F-2616 DEEDFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-120: (R-85-764) ADOPTED AS RESOLUTION R-261977

Authorizing the expenditure of an amount not to exceed \$65,000 from Open Space Park District Bond Fund 79102 to supplement the funds authorized by Resolution R-260240, adopted March 5, 1984, to purchase a portion of Lots "B" and "C" in a portion of Lot 70 of Rancho Mission of San Diego for open space for Mission Trails Regional Park; accepting the grant deed executed by Mission Gorge Development Co., bearing the date of August 3, 1984. (Tierrasanta Community Area. District-7.)

CITY MANAGER REPORT: This acquisition consists of 76.4 acres of open space land within the conceptual boundaries of Mission Trails Regional Park approved the by City Council on June 19, 1978. The additional acreage, which is a vital missing piece, has been a high-priority acquisition. It will increase the present size of the City-owned portion of the park to 4,513.13 acres. On March 5, 1984, the City Council authorized the City Manager to purchase the property and approved the expenditure of \$950,000 as payment and related costs. However, an updated appraisal revealed an increase in market value and a need to increase the authorized amount by \$65,000 to \$1.015 million.

FILE LOCATION: STRT - OS4; DEED F-2617 DEEDFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-121: (R-85-817) ADOPTED AS RESOLUTION R-261978

Adopting the five-year schedule of San Diego Gas and Electric allocations to the City's Utilities Undergrounding Program shown on Attachment A of City Manager Report CMR-84-417, dated October 10, 1984; amending the Fiscal Year 1985 CIP-37-028.0 to reflect a revised undergrounding program as shown on Attachment B of City Manager Report

CMR-84-417, dated October 10, 1984; directing the City Manager to prepare an agreement with San Diego Gas and Electric providing for the systematic acquisition of street lights as undergrounding is accomplished; directing the City Manager to prepare a revision to Council Policy 600-8 governing the undergrounding program to incorporate the following basic criteria:

A) No. 69 KV lines shall be included in the undergrounding program until all 12 KV lines have been undergrounded;

B) Undergrounding shall be uniformly accomplished throughout the City;

directing the City Manager to formulate a Council Policy on the use of P.U.C. Case No. 8209 Funds for underground conversion work on private property.

(See City Manager Report CMR-84-417. City-wide Community Areas.)

COMMITTEE ACTION: Reviewed by TLU on 10/15/84. Recommendation to adopt the Resolution. Districts 1, 2, 3 and 5 voted yea.

District 4 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-122: (R-85-816) ADOPTED AS RESOLUTION R-261979

Authorizing the addition of CIP-29-546, Villa La Jolla Neighborhood Park Play Equipment, to the Fiscal Year 1985 Capital Improvement Program; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$10,000 from PSD Fund No. 11482 to CIP-29-546, Villa La Jolla Neighborhood Park Play Equipment; authorizing the expenditure of an amount not to exceed \$10,000 from CIP-29-546, Villa La Jolla Neighborhood Park Play Equipment, for the purchase and installation of play equipment and related costs.

(University Community Area. District-1.)

CITY MANAGER REPORT: This project will provide three Tiny-Tot apparatuses for the Villa La Jolla Neighborhood Park located at the northeast corner of Via Mallorca and Via Marin. This park was completed according to the park development plan which did not include play equipment. The community has requested that, in response to the changing needs of the neighborhood, the park now be equipped with facilities for small

children. The requested actions will provide the funding mechanisms necessary to purchase and install the required play equipment.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-123: (R-85-858) ADOPTED AS RESOLUTION R-261980

A Resolution approved by the City Council in Closed Session on Monday, November 5, 1984 by the following vote: Mitchell-yea; Cleator-not present; McColl-yea; Jones-yea; Struiksmayea; Gotch-yea; Murphy-not present; Martinez-yea; Mayor Hedgecock-yea.

Authorizing the City Manager to pay the total sum of \$20,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Betty Ann LeBrun; authorizing the City Auditor and Comptroller to issue a warrant check in the amount of \$20,000 made payable to Betty Ann LeBrun and her attorney, James Miller, in full settlement of the lawsuit and all claims.

CITY MANAGER REPORT: This constitutes complete and final settlement of Betty Ann LeBrun's claim resulting from the incident of June 14, 1983.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-124 (R-85-847) ADOPTED AS RESOLUTION R-261981

Approving the Public Facilities and Recreation Committee's recommendations on those City-owned sites numbered 81, 84A, 85, 659 and 917; declaring that by making the above designation, the City Council in no way intends to bind itself to utilize the property in accordance with the designation, and the Council specifically intends to be able to change the designation at any time or utilize the property for any purpose determined to be in the best interest of the City at the sole discretion of the Council;

declaring that this designation serves simply and exclusively as a tentative guide to the City staff with regard to potential use of vacant City-owned land, and that it is the Council's intent that this designation and past designations of this nature have no legal or binding effect whatsoever beyond serving as a tentative guide to such staff.

(See City Manager Report CMR-84-397. La Jolla, Mid-City and Greater Golden Hill Community Areas. Districts 1, 3 and 8.)

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

CITY MANAGER REPORT: The Public Facilities and Recreation Committee, at its meeting of October 17, 1984, recommended uses of certain City-owned vacant land. These sites and Committee's recommendations are as follows:

City Council

Site No.	District No.	Recommendations
81	3	Designate for Public Facility - Park (Residentially Zoned)
84A	3	Designate for Public Facility - Park (Residentially Zoned)
85	3	Designate for Public Facility - Park (Residentially Zoned)
659	1	Designate for Open Space (Residentially Zoned)
917	8	Designate for Open Space (Residentially Zoned)

The full Council's adoption of these recommendations will constitute the City's present use determination of these properties and will aid in establishing a land inventory of previously undesignated vacant City-owned land.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-125: (R-85-767) ADOPTED AS RESOLUTION R-261982

Establishing a Truck Parking Prohibition Zone in Rancho Penasquitos Boulevard, west of I-15 to its terminus; Bernardo Center Drive, west of I-15 to the intersection of Camino Del Norte; West Bernardo Drive northerly of Rancho

Bernardo Drive to its terminus, all pursuant to authority conferred by and in accordance with the provisions of Section 85.02 of the San Diego Municipal Code; authorizing the installation of the necessary signs and markings to be made on said streets; declaring that the regulations hereinabove imposed shall become effective upon the installation of such signs.

(Penasquitos and Rancho Bernardo Community Areas.
District-1.)

COMMITTEE ACTION: Initiated by TLU on 10/15/84. Recommendation to adopt the Resolution. Districts 1, 2 and 3 voted yea.

Districts 4 and 5 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-126: (R-85-698) ADOPTED AS RESOLUTION R-261983

Authorizing the execution of a three-year operating contract with Ace Parking, Inc. for the operation of the Community Concourse parking facility, at a cost to the City of \$321,455 for the three-year period, assuming an annual 5 percent Consumer Price Index increase.

(See City Manager Report CMR-84-425. Centre City Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 10/31/84. Recommendation to adopt the Resolution. Districts 1, 2, 4 and 7 voted yea.

District 3 not present.

FILE LOCATION: LEAS - Ace Parking, Inc. LEASFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-127: (R-85-801) ADOPTED AS RESOLUTION R-261984

Authorizing the execution of an agreement with Ralph Andersen and Associates to provide executive search services to recruit and recommend qualified candidates for Deputy Director positions.

CITY MANAGER REPORT: In May, 1984, the City Council, at the City Manager's request, authorized the Auditor and Comptroller

to encumber money (not to exceed \$20,000) for the purposes of hiring an executive search firm to recruit and recommend candidates for Deputy Director positions. A Request for Proposal was issued and a number of executive search firms responded. Three finalists were interviewed by the Consultant Nominating Committee appointed by the City Manager. Ralph Andersen and Associates was selected because of their extensive experience in the recruiting for governmental personnel. In addition, Ralph Andersen and Associates offered innovative approaches for recruiting minority and female candidates. The pool of candidates developed by the executive search, as well as those City employees identified through an internal selection process this summer, will become the candidate population from which the City Manager will make selections to "generalist" management level positions over the next six to twelve months. The Manager is seeking additional candidates because we are concerned that vacancies may occur at the mid and upper management levels at a rate greater than the City's ability to develop management skills in the available pool of City employees. This is primarily due to the age of our managerial workforce as well as normal attrition.

FILE LOCATION: MEET CCONFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-128: (R-85-743) ADOPTED AS RESOLUTION R-261985

Authorizing the execution of an agreement with the County Water Authority for the design and construction of Drought Resistant Demonstration Gardens.

(See City Manager Report CMR-84-430.)

COMMITTEE ACTION: Reviewed by PFR on 10/31/84. Recommendation to adopt the Resolution. Districts 3, 4 and 7 voted yea. Districts 1 and 2 not present.

WU-U-84-194.

FILE LOCATION: MEET CONFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-129: (R-85-768) ADOPTED AS RESOLUTION R-261986

Authorizing the execution of an agreement with Land Studio for a design study of El Cajon Boulevard as part of the Mid-City Commercial Revitalization Project; authorizing the expenditure of an amount not to exceed \$15,000 from Fund 18519, Dept. 5713, Org. 1301, for the above purpose. (Park Northeast, State University, and Mid-City Community Areas. Districts-3, 7, 8.)

CITY MANAGER REPORT: The El Cajon Boulevard Design Study is proposed as an activity of the Mid-City Commercial Revitalization Project. This project was initiated in 1982 and includes such activities as a low interest loan program, public improvements, organization of business associations, and urban design studies. The study area consists of the entire length of El Cajon Boulevard from Park Boulevard to the eastern City boundary. The consultant will develop a design booklet which can be used by City staff and the private sector to plan and promote revitalization. The booklet shall contain ideas and recommendations regarding public and private improvements and development regulations which will improve the physical attractiveness and business climate on the strip, add a sense of cohesion and identity to the strip, and make El Cajon Boulevard a unique vehicular experience. The consultant will work closely with a community design committee regarding development of a design booklet. The study will serve as a guideline for the expenditure of CDBG funds for public and private improvements on El Cajon Boulevard.

FILE LOCATION: MEET CCONFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-130: (R-85-797) ADOPTED AS RESOLUTION R-261987

Authorizing the execution of an agreement with Roesling, Nakamura and Partners for professional design services concerning public improvements within the Golden Hill community area; authorizing the expenditure in the amount not to exceed \$14,500 from the 25th Street Revitalization Community Development Block Grant Fund 18519, Department 5713, Organization 1310 for the purpose of providing funds for the above project.

(See Planning Department Report PDR-84-544. Greater Golden Hill Community Area. District-8.)

FILE LOCATION: MEET CCONFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-131: (R-85-854) ADOPTED AS RESOLUTION R-261988

Authorizing the execution of an agreement with Sickels, McLaren Development Company for the payment of Development Impact Fees in accordance with the Penasquitos East Public Facilities Financing Plan.

(Penasquitos East Community Area. District-1.)

CITY MANAGER REPORT: Prior to approval of the final map for Parcel Map TM-83-0838, it is required by the tentative map conditions that the subdivider agree to pay Development Impact Fees at the time of building permit issuance in accordance with the Penasquitos East Public Facilities Financing Plan. Approval of this agreement will satisfy the last remaining condition of the tentative map and allow approval of the final map.

FILE LOCATION: MEET CONFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-132: (R-85-749) ADOPTED AS RESOLUTION R-261989

Authorizing the execution of an agreement with Stafford Gardner Development No. 3, for the construction of drainage facilities at Palm Avenue and Beyer Boulevard; authorizing the expenditure in the amount not to exceed \$23,300 from Capital Outlay Fund 30245, Annual-Allocation New Developments, CIP-58-001, solely and exclusively for the purpose of providing funds for the above project.

(Located at the intersection of Palm Avenue and Beyer Boulevard. Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER REPORT: The property at the northeast corner of Palm Avenue and Beyer Boulevard is being subdivided by Palm Pacifica Subdivision. The subdivider is required to construct a storm drain system that carries offsite drainage from the intersection through his development and to widen both streets to provide full-width improvements. Most of the runoff water involved comes from Luckie Waller Park, a City-owned park site on the south side of Palm Avenue. It is proposed that the City

finance the cost of the offsite drainage facilities required to convey the runoff up to the Palm Pacifica site in accordance with established standards and that the developer pay all costs associated with conveying the runoff water through the development. The City-financed improvements include replacing an existing cross gutter with a curb inlet at the intersection of Beyer Boulevard and Palm Avenue, construction of a storm drain across Palm Avenue, plus replacement of an existing undersized culvert under Beyer Boulevard. The total cost for the City-financed improvements is \$23,300. The City participation is in accordance with the "Cooperative Drainage Projects Section" of Council Policy 800-4.

FILE LOCATION: MEET CONFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-133: (R-85-804) ADOPTED AS RESOLUTION R-261990

Authorizing the execution of an agreement with The State of California (CalTrans) for joint participation in reconstruction of the Del Mar Heights Road Bridge over Route I-5; authorizing the Auditor and Comptroller to transfer an amount not to exceed \$150,000 from Facilities Benefit Assessment Fund 079002, Revenue Account No. 072622 to CIP-52-326.0, Del Mar Heights Road Bridge over Route I-5; authorizing the expenditure in the amount not to exceed \$150,000 from CIP-52-326.0, Del Mar Heights Road Bridge over Route I-5, solely and exclusively for the purpose of providing funds for the above program.

(North City West Community Area. District-1.)

CITY MANAGER REPORT: Reconstruction of the Del Mar Heights Road Bridge Over I-5 is a cooperative project between the City of San Diego and the State of California Department of Transportation (CalTrans). The City requires a wider bridge to mitigate the impact of increased traffic volumes generated by the development of North City West. CalTrans desires to construct additional freeway lanes on I-5 to accommodate projected traffic demands. These future CalTrans improvements on I-5 require a bridge of greater length at Del Mar Heights Road than the existing structure. This agreement with the State of California provides joint participation in the design and construction of this project. In addition, this agreement defines areas of responsibility and financial obligation for the

project. The requested funds of \$150,000 will cover necessary preparation and processing costs for CalTrans (\$115,000) and City staff (\$35,000) through award of a construction contract.

FILE LOCATION: MEET CONFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-134: (R-85-818) ADOPTED AS RESOLUTION R-261991

Authorizing the execution of an agreement with Union of Pan Asian Communities of San Diego County, Inc., to provide for renovation work to the existing building; authorizing the expenditure in the amount not to exceed \$42,275 from CDBG Fund 18519, Department 5712, Organization 1209 for providing funds for the above project.

(Greater Golden Hill Community Area. District-8.)

CITY MANAGER REPORT: The Union of Pan Asian Communities of San Diego County, Inc., (UPAC), is a tax-exempt, non-profit, multi-service agency located at 1031 25th Street, San Diego, in the heart of the Greater Golden Hills area. UPAC was incorporated in December, 1974, and since that time, has been providing charitable social services to low-income, limited English-speaking Pan Asians. This project provides for renovation work to the building housing UPAC, located at 1031 25th Street. Proposed improvements include lowered ceilings, new light fixtures, replacement of glass display windows and sliding glass doors with stucco walls and vandal-proof windows, remodeled bathrooms, air conditioning and exterior painting in accordance with all current Code requirements. Under the terms of the agreement, the Agency will provide the services of a licensed architect to plan, prepare plans and specifications, take bids and administer the construction contract for all work required by the agreement.

FILE LOCATION: MEET CONFY85-1

COUNCIL ACTION: (Tape location: A096-112.)

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

* ITEM-135: (R-85-850) ADOPTED AS RESOLUTION R-261992

Authorizing the City Engineer to submit an amended

application to the Public Utilities Commission for approval to construct Kenamar Drive across the Atchison Topeka and Santa Fe Railway Company's right-of-way; authorizing the execution of a maintenance agreement with the Atchison Topeka and Santa Fe Railway Company for the Kenamar Drive and Carroll Road crossings; authorizing the execution of an assumption agreement with Santa Fe Land Improvement Company for Kenamar Drive and Carroll Road.

(Located northerly of Miramar Road and Carroll Road. Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT: The Santa Fe Improvement Company has an approved tentative map, Santa Fe Industrial Park (TM-83-0130).

The proposed development requires the subdivider to construct a new street, Kenamar Drive, and to widen an existing street, Carroll Road, both of which cross the Atchison, Topeka and Santa Fe Railroad Company right-of-way. Council has previously authorized the submittal of applications to the P.U.C for both of these crossings. As a result of the P.U.C. review process, however, it is necessary that the City amend the Kenamar Drive application to change the type of crossing protection and to include a City requirement for use of rubber material at the tracks. It is also necessary to enter into a cost and maintenance agreement with the Santa Fe Railroad for each crossing and to enter into an assumption agreement with the Santa Fe Land Improvement Company.

The cost and maintenance agreements stipulate that the City will construct and maintain certain work and will pay the Railroad Company a total of \$221,940 for work which Santa Fe will perform (\$183,170, Kenamar Drive and \$38,770, Carroll Road). The assumption agreement stipulates that the developer will assume all of the City's obligations as stated in the cost and maintenance agreements including, without limitation, the payment of all costs and expenses with regard to the work stated in the agreements. The developer has posted a bond with the City in the amount of \$221,940 to assure payment as required by the agreements.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A096-112.)

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

ITEM-150: (O-85-63) CONTINUED TO DECEMBER 3, 1984

(Continued from the meeting of October 29, 1984 at the

City Manager's request.)

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: A055-089.)

MOTION BY GOTCH TO CONTINUE FOR THREE WEEKS, AT CITY MANAGER'S REQUEST. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-not present, Martinez-yea, Mayor Hedgecock-yea.

ITEM-151: TRAILED TO TUESDAY, NOVEMBER 20, 1984, AT 10:00 A.M.

The matter of the 1985 Community Development Block Grant Program.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A302-B170.)

MOTION BY JONES TO TRAIL TO TUESDAY, AT 10:00 A.M. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-not present, Martinez-yea, Mayor Hedgecock-yea.

ITEM-200: (O-85-72 Rev. 3) ADOPTED AS ORDINANCE O-16329 (New Series)

Adoption of an Ordinance, pursuant to City Charter Section 99, authorizing a lease agreement (San Diego Police Department Heavy Vehicle Maintenance Facility) with Rauscher Pierce Refsnes Leasing, Inc., a trust agreement with Bank of America National Trust and Savings Association, and a fee schedule for trust services relating to the issuance of Certificates of Participation in an aggregate principal amount not to exceed \$5,220,000 for a term not to exceed 30 years; rescinding Ordinance O-16200 adopted May 7, 1984.

(Centre City Community Area. District-8. Introduced on 11/5/84. Council voted 9-0.)

Six votes required.

FILE LOCATION: LEAS - Rauscher Pierce Refsnes Leasing, Inc.
LEASFY85-1; CONTFY85-1

COUNCIL ACTION: (Tape location: A138-148.)

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

ITEM-201: (O-85-80 Rev.) ADOPTED AS ORDINANCE O-16330 (New Series)

Adoption of an Ordinance, pursuant to Section 99 of the City Charter, authorizing a loan agreement (Horton Grand Saddlery Hotel) with Bank of America National Trust and Savings Association, an indenture of trust with Security Pacific National Bank, a program agreement with Horton Grand Saddlery Hotel, Bank of America National Trust and Savings Association and Security Pacific National Bank, an official statement and a purchase contract relating to the issuance of Industrial Development Revenue Bonds of the City of San Diego in an aggregate principal amount of not to exceed \$8,100,000 for a term not exceeding 30 years.

(Six votes required)

(Marina Redevelopment Project. Centre City Community Area.

District-8. Introduced on 11/5/84. Council voted 9-0.)

CITY MANAGER REPORT: Adoption of this Ordinance is the final action required by the City Council to authorize a Marks Historical Rehabilitation bond issue of up to \$9,000,000 for Horton Grand Saddlery Hotel, the developer. The bond issue will finance the construction of two hotels which includes the re-use of historic fabric salvaged from the Horton Grand and Kahle Saddlery Hotels. After consideration of City staff evaluation reports, the City Council adopted Inducement Resolution R-255547 on December 15, 1981, R-259802 on December 12, 1983 and R-260644 on May 7, 1984.

Bonds: The bonds will be underwritten by Paine Webber with proceeds loaned to Bank of America under the Loan Agreement and subsequently loaned to the developer for the construction of the project. The interest cost to the developer is projected at 11.5 percent over a thirty-year period. The payment of principal and interest on the bonds will be made by Bank of America through the Loan Agreement representing a general obligation of the bank. The indenture specifies that "neither the faith and credit nor the taxing power of the City of San Diego is pledged to the payment of the principle, or premium, or

interest on the bonds."

Documentation: Documentation includes a Loan Agreement between the City and Bank of America and an Indenture of Trust Agreement between the City and Security Pacific National Bank. Jones Hall Hill and White have agreed to provide bond counsel services for the proposed transaction.

Economic Feasibility: The Centre City Development Corporation has evaluated the project, including the financing requirements under UDAG, and has concluded that the Horton Grand Saddlery Hotel development project is economically feasible.

FILE LOCATION: MEET CONTFY85-3

COUNCIL ACTION: (Tape location: A149-166.)

Hearing began at 2:21 p.m. and halted at 2:22 p.m.

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

ITEM-202: (O-85-81) INTRODUCED, TO BE ADOPTED DECEMBER 3, 1984

Introduction of an Ordinance accepting the bid and authorizing the execution of a Lease Option Agreement with Fiscal Funding Co., Inc., for the leasing of fire apparatus for the period of sixty months from the date of the acceptance of delivery of each piece of equipment, for an annual rental of \$502,246.80. (BID-5596)
(See City Manager Report CMR-84-239.)
(Six votes required.)

CITY MANAGER REPORT: On June 11, 1984, the City Council approved in concept the lease with an option to purchase various items of fire apparatus. Each item of equipment would be leased for a term of sixty months; however, delivery times will cause the agreement to extend beyond five years. City Charter Section 99 requires a Council Ordinance and Noticed Hearing to authorize an agreement extending beyond five years.

The equipment proposed for lease includes:

ANNUAL FIVE-YEAR

LEASE/LEASE/

QNTY.	APPARATUS	PURCHASE COST	PURCHASE COST	PURCHASE COST
1	Rescue Body	\$63,295.78	\$15,396.00	\$76,981.00
1	Light/Air	\$151,306.52	\$36,804.00	\$184,020.00
12	Triple Comb. Pumps	\$1,637,967.12	\$398,418.00	\$1,992,092.00

1 Crash/Fire/ \$212,250.16 \$51,628.00 \$258,138.00
Rescue
TOTAL \$2,064,819.58 \$502,246.80 \$2,511,234.00

* Lease/Purchase Cost is \$20.27 per \$1,000 per month.

A companion item on this docket (Bids 5597, 5598, 5599, 5600 and 5601) authorizes the purchase of the balance of equipment for which Council approved specifications on June 11, 1984.

FISCAL IMPACT: None to the current budget. Lease payments will be budgeted each fiscal year for the term of the contract.

Conrad/Thorpe/RS

NOTE: See Item 100.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A167-205.)

Hearing began at 2:23 p.m. and halted at 2:25 p.m.

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

ITEM-S400: (O-85-59) INTRODUCED, TO BE ADOPTED DECEMBER 3, 1984

(Continued from the meeting of November 13, 1984, at Council Member Jones' request.)

Introduction of an Ordinance amending Section 1 of Ordinance O-15752 (New Series), adopted May 25, 1982, incorporating Lots 17 through 20, 26, 160 and portions of Lots 25, 27, 33, 34, 155 through 159 and 161, Encima de San Diego Addition No. 1, Map-1546, located east of Woodman Drive between Cielo Drive and Aviation Drive, into R-1500 Zone; extension of time to June 24, 1987.

(See Planning Department Report PDR-84-479.

Case-84-0511/EOT1. Skyline-Paradise Hills Community Area. District-4.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A206-270.)

MOTION BY JONES TO INTRODUCE THE ORDINANCE AND DIRECT THE PLANNING DEPARTMENT THAT IF THE PRD (PLANNED RESIDENTIAL DEVELOPMENT) PERMIT IS EVER PULLED, TO IMMEDIATELY INSTITUTE REZONING BACK TO THE ORIGINAL ZONE (R-5000). Second by Gotch.

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

ITEM-S401: (O-85-68) INTRODUCED, TO BE ADOPTED DECEMBER 3, 1984

(Continued from the meeting of November 13, 1984, at

Council Member Jones' request.)

Introduction of an Ordinance amending Section 1 of Ordinance O-15842 (New Series), adopted October 25, 1982, incorporating Lot B and a portion of Lot C, Encima de San Diego Addition No. 1, Map-1546, Lots 32, 35, 36, 43 through 60, 62 through 78, 80 through 93, 157, 158 and a portion of Lot 161, Encima de San Diego, Map-1546, and a portion of Lot 18, Encanto, Map-749, located at the northeast corner of Skyline Drive and Woodman Street, into R1-5000 (Small Lot Overlay) and CN Zones; extension of time to October 11, 1985.

(See Planning Department Report PDR-84-485.

Case-84-0544/EOT1. South Bay Terraces Community Area. District-4.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A206-270.)

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

ITEM-S402: (R-85-872) ADOPTED AS RESOLUTION R-261993

Approving in concept the provision of up to \$3,600,000 multifamily mortgage revenue bond financing for the purpose of the Conruba Partnership's purchasing and rehabilitating 122 multifamily rental housing units at 3525-3584 Island Avenue; authorizing and directing the City Manager and the Executive Director of the San Diego Housing Commission to take all actions necessary or desirable to effectuate the purposes of this resolution.

(See Housing Commission Report HCR-84-031CC. Southeast San Diego Community Area. District-4.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B175-200.)

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

ITEM-S403: (R-85-881) TRAILED TO TUESDAY, NOVEMBER 20, 1984,
AT 10:00 A.M.

Adoption of a Resolution with regard to proceeds from the sale and lease of City and Housing properties; declaring that \$181,004 paid from Site-106 (Parcel No. 1) proceeds

and currently deposited in Fund 302492 for low income housing be paid to the North University City Facilities Benefit Assessment Fund 79001; declaring that one of the intents of these actions is to designate to the City resources and responsibility to develop and maintain Sunset/Collier Park which has been assigned originally to the Housing Authority in Resolution R-254617.

(See Housing Commission Report HCR-84-014CC.)

NOTE: See Housing Authority Agenda 274 of November 19, 1984 for a companion item.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A302-B170.)

Motion by Struiksmas to approve the \$2.6 million but reduce the projected amount in the CDBG by \$946,195 and put that money into the list from the Public Services and Safety Committee in Item 151 for project No. 60. Second by Gotch. No vote

MOTION BY JONES TO TRAIL TO TUESDAY, AT 10:00 A.M. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmas-yea, Gotch-yea, Murphy-not present, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S404: (O-85-64) INTRODUCED AND ADOPTED AS ORDINANCE O-16331
(New Series)

Introduction and adoption of an Ordinance 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 Fire Department (Dept. 12000), Fire Prevention Bureau (12030), one Fire Captain and two Fire Engineer positions; transferring the sum of \$114,000 within the General Fund 100 from Unallocated Reserve (605) to Fire Department/Fire Prevention Bureau (12030) for the purpose of providing personnel and related non-personnel funds for the above positions.

(See City Manager Report CMR-84-440.)

NOTE: This Item was discussed in Closed Session on October 23, 1984. Districts 3, 4, 5, 6, 7, 8 and Mayor voted yea.

Districts 1 and 2 not present. The first public hearing of the Ordinance was held on November 13, 1984.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A271-301.)

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

19841119

ITEM-UC-1: (R-85-961) ADOPTED AS RESOLUTION R-261994

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member Bill Cleator from attendance at the Transportation and Land Use Committee meeting on Monday, November 19, 1984, for the purpose of vacation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B201-217.)

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

ADJOURNMENT:

The meeting was adjourned by Mayor Hedgecock at 3:10 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B231-232).

MOTION BY JONES TO ADJOURN THE MEETING IN HONOR OF THE MEMORY OF BISHOP JUNIUS A. BLAKE. Second by Gotch . Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea-not present, Gotch-yea, Murphy-not present, Martinez-yea, Mayor Hedgecock-yea.