

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, AUGUST 19, 1985  
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 introduced and welcomed children from the Princeton Academy Day Care Center, accompanied by Ms. Amina Jones-Farwell. Council Member McColl read a letter from Cmdr. Phillip R. Wood, Commanding Officer of the U.S.S. Kitty Hawk, in recognition of San Diego's "America's Finest City Week" celebration. Mayor Hedgecock presented a proclamation to Dan McAllister of the Junior Chamber of Commerce in recognition of the Chamber's contributions to the "America's Finest City" efforts, and proclaiming August 17-25, 1985 as "America's Finest City Week" in San Diego.

Mayor Hedgecock adjourned the meeting at 5:00 p.m. to meet in Closed Session on Tuesday, August 20, 1985 at 9:00 a.m. in the twelfth floor conference room regarding pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-excused by R-263929  
(illness)
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Vacant
- (8) Council Member Martinez-present  
Clerk-Abdelnour (jb)

FILE: 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-not present
- (5) Council Member Struiksma-not present

- (6) Council Member Gotch-present
- (7) Vacant
- (8) Council Member Martinez-present

ITEM-10: INVOCATION

Invocation was given by Father John Asimacopoulos of  
St. Spyridon Greek Orthodox Church.

FILE: MINUTES

Aug-19-1985

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
Mike Gotch.

FILE: MINUTES

ITEM-30: PRESENTED

A presentation to the Mayor and City Council by visitors  
from the City of Yokohama, Japan.

FILE: MEET

COUNCIL ACTION: (Tape location: A025-073.)

ITEM-31: PRESENTED

A presentation to Council Member Mike Gotch from the San  
Diego Blood Bank.

FILE: MEET

COUNCIL ACTION: (Tape location: A074-103.)

ITEM-32: WELCOMED

Welcoming 39 visitors from the Southeastern Little League,  
accompanied by Willie Henderson, who will arrive  
approximately at 2:30 p.m.  
(District-4.)

FILE: MEET

COUNCIL ACTION: (Tape location: A351-358.)

ITEM-33: APPROVED

Approval of Council Minutes for the Meetings of:  
08/05/85 P.M.  
08/06/85 A.M. and P.M.

FILE: MEET

COUNCIL ACTION: (Tape location: A150-157.)

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

Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-34: GRANTED HEARING

Matter of the request of Francis J. Michael for a hearing of an appeal from the decision of the Planning Commission in approving, as modified, La Jolla Shores Planned District Permit 8519 which proposes demolition of an existing single-family residence and the construction of a new single-family residence with attached three-car garage observing zero-foot side yard setbacks. The site is located at 8550 El Paseo Grande, in the La Jolla Shores Planned District, in Zone SF. The subject property is further described as a portion of Lots 1281 and 1297 of Pueblo Lands.

(Case-8519. District-1.)

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

FILE: PERM PD-8519

COUNCIL ACTION: (Tape location: A157-250.)

MOTION BY MITCHELL TO GRANT THE HEARING. Second by Struiksmayea.

Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-nay.

\* ITEM-50: (O-86-8) ADOPTED AS ORDINANCE O-16493 (New Series)

Amending Chapter VI, Article 2, Division 1, of the San Diego Municipal Code by amending Section 62.0115 relating to appeals from decisions of the City Engineer.

(Introduced on 8/5/85. Council voted 7-0. District 5 not present. District 7 vacant.)

FILE: MEET

COUNCIL ACTION: (Tape location: A268-278.)

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

Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-51: (O-85-229) ADOPTED AS ORDINANCE O-16494 (New Series)

Amending Ordinance O-12486 (New Series), which imposed business license fees in the Business Improvement Area of La Jolla, by deleting all provisions for the collection of additional taxes for the area.

(La Jolla Community Area. District-1. Introduced on 8/6/85. Council voted 7-0. District 5 not present. District 7 vacant.)

FILE: STRT L-2

COUNCIL ACTION: (Tape location: A268-278.)

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

Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-52: (O-86-20) ADOPTED AS ORDINANCE O-16495 (New Series)

Authorizing the issuance, sale and delivery of Multifamily Mortgage Revenue Bonds in a principal amount not to exceed \$25,000,000 for the purpose of providing funds for the permanent financing of the cost of developing an approximately 381-unit multifamily rental housing project to be located east of Lebon Drive and west of Regents Road and to be known as La Jolla Del Sol Apartments; determining and prescribing certain matters relating thereto; approving and authorizing the execution of related documents, agreements and actions.

(University Community Area. District-1. Introduced on 8/5/85. Council voted 7-0. District 5 not present. District 7 vacant.)

FILE: MEET

COUNCIL ACTION: (Tape location: A268-278.)

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

Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-53: (O-85-142) INTRODUCED, TO BE ADOPTED SEPTEMBER 9, 1985

Introduction of an Ordinance amending Chapter III, Article 3 of the San Diego Municipal Code by adding Division 41 regulating the operation of Casino Parties.

(See City Manager Report CMR-85-335.)

COMMITTEE ACTION: Reviewed by PSS on 7/3/85. Recommendation to introduce the Ordinance. Districts 3, 4, 5 and 8 voted yea.

District 6 not present.

FILE: --

COUNCIL ACTION: (Tape location: A279-350.)

CONSENT MOTION BY GOTCH TO INTRODUCE THE ORDINANCE. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-100: (R-86-150) CONTINUED TO SEPTEMBER 9, 1985

Awarding a contract for the rental of copiers and duplicators and copiers supplies, as may be required for a period beginning September 1, 1985, or date of installation, whichever is later, through June 30, 1988, for an estimated cost of \$393,309.08, including tax, terms, and supplies with an option to rent additional equipment of the same model, at the same rate, as follows: (BID-6493)

1. San Sierra Business Systems for Items 1-4, 6 and 7;
2. Royal Business Machines for Items 5, 8-12, 14, 15, 17-30, 32-38 and 40;
3. Cash Lewis for Item 13;
4. Canon c/o Remco Business Products for Items 16, 31 and 39.

FILE: MEET

COUNCIL ACTION: (Tape location: A251-267.)

MOTION BY STRUIKSMA TO CONTINUE TO SEPTEMBER 9, 1985, AT HIS REQUEST. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-101:

Two actions relative to awarding contracts:

Subitem-A: (R-86-146) ADOPTED AS RESOLUTION R-263870  
Tekmar Company for furnishing purge and trap equipment for the Point Loma Wastewater laboratory for an actual cost of \$39,511.50, including tax and terms. (BID-6527)  
Aud. Cert. 86151.

Subitem-B: (R-85-147) ADOPTED AS RESOLUTION R-263871  
Tuna Marine Supply, Inc., for the purchase of hose and fittings, as may be required for a period of one year beginning August 1, 1985 through July 31, 1986, for an estimated cost of \$21,775.50, including tax and terms, with

an option to renew the contract for an additional one-year period with price increases not to exceed 5 percent of prices in effect at the end of the initial year.

(BID-6554)

FILE: MEET

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-102: (R-86-148) ADOPTED AS RESOLUTION R-263872

Awarding a contract to Scotsman Manufacturing Co. for the rental of one 24-ft. by 60-ft. office trailer for the Police Department, Southern Division, as may be required for a period of one year beginning approximately September 1, 1985 through August 31, 1986, for an actual cost for the first year of \$13,816.80, including applicable tax, with options to renew contract on a month-to-month basis for up to 24 months. (BID-6567)

Aud. Cert. 86152.

FILE: MEET

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-103: (R-86-149) ADOPTED AS RESOLUTION R-263873

Authorizing the City Manager to exercise the option and execute a contract with California Pavement Maintenance Company, Inc. for Slurry Seal Coating of Various City Streets Group "3" to the terms and conditions of the contract award authorized by Resolution R-262157, adopted 12/17/84; authorizing the expenditure of not to exceed \$2,106,720 from Gas Tax Fund 30219, for the above project; authorizing the City Auditor and Comptroller, upon advice from the administering department, to reallocate unexpended funds to the appropriate reserves. (BID-6072)

CITY MANAGER REPORT: On December 17, 1984, the City Council approved specifications and authorized the Purchasing Agent to invite bids for slurry seal coating of various streets (Resolution R-262157). The bid specification offered bidders the option of concurrently bidding the FY 1986 slurry seal

program. The low bidder, California Pavement Maintenance, exercised this option and bid the 1986 program at the same price as for 1985. That price, \$.03325/sq. ft., was quite favorable. We now wish to exercise the option and award the 1986 contract. Slurry seal coating is an interim surface treatment applied to asphalt streets at approximately 7-year intervals during the 21-year cycle between resurfacing. It consists of a viscous, non-penetrating mixture of crushed rock, asphalt emulsion and water applied to swept streets in a thin layer to cap and seal the surface and to correct minor defects. The proposed contract would provide for slurry sealing of 63,360,000 square feet of streets, constituting approximately 300 miles of streets throughout the City. Following is a summary of these streets by neighborhood:

Downtown/Hillcrest/North Park/Normal Heights/Logan Heights: 42 miles

East San Diego/Southeast San Diego/Paradise Hills/Encanto: 66 miles

Mission Hills/Old Town/Point Loma/Ocean Beach: 32 miles

Mission Beach/Pacific Beach/La Jolla/Bay Park: 65 miles

Clairemont/Serra Mesa/Tierrasanta: 45 miles

Del Cerro/Allied Gardens/San Carlos: 27 miles

Scripps Ranch/Mira Mesa/Del Mar Heights: 6 miles

Penasquitos/Rancho Bernardo/San Pasqual: 7 miles

South Bay/San Ysidro: 10 miles

Aud. Cert. 86145.

FILE: MEET CONTFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-104: (R-86-226 Rev.) ADOPTED AS RESOLUTION R-263874

Inviting bids for Crystal Pier Renovation on Work Order No. 117673; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$306,975 from CIP-37-137.0, Revenue Sharing Fund 18013, for the purpose of executing the contract 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-6640)

(Pacific Beach Community Area. District-6.)

CITY MANAGER REPORT: Over the past years, the Crystal Pier

at the foot of Garnet Avenue in Pacific Beach has been subject to rapid deterioration. A combination of factors such as age, dry rot, termites and repeated winter storms have taken their toll. During the severe storms in 1983, the pier sustained extensive damage including destruction of 260 feet of the outboard end. It has become necessary to arrange for essential repairs in order to be eligible for State and Federal funding to replace the demolished portion and to maintain public access onto the pier over the years to come. The renovation will consist of repairing several wood piles; partial replacement of timber bracing, pile caps, joists, decking, handrail and handrail posts. The electric light standards will be refurbished, and the existing electrical conduits will be replaced. All handrails will be painted.

Aud. Cert. 86164.

FILE: W.O. 117673 CONFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-105: (R-86-152) ADOPTED AS RESOLUTION R-263875

Inviting bids for the maintenance surfacing of Runway 26 Right, Brown Field Airport on Work Order No. 118633; authorizing the City Manager to execute a contract, not to exceed \$239,585, with the lowest responsible and reliable bidder upon receipt of \$185,000 in grant funds from the Federal Aviation Administration; authorizing the Auditor and Comptroller; upon receipt of \$185,000 in grant funds from the Federal Aviation Administration to allocate the funds for the above purpose; authorizing the expenditure of funds not to exceed \$239,585 (\$54,585 from funds previously allocated by Resolution R-263679, adopted on July 15, 1985, and the \$185,000 in grant funds hereby allocated) 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-6637)

(Otay Mesa/Brown Field Community Area. District-8.)

CITY MANAGER REPORT: This project consists of placing 2 inches of asphalt cement 75-feet wide over the existing asphalt portion of Runway 26/Right at Brown Field Airport. This project was subject to previous Council action. Resolution R-263679, adopted on July 15, 1985, authorized the City Manager to accept



the grant awarded by the Federal Aviation Administration and to use the grant for improvements of Runway 26/Right at Brown Field. The Resolution further authorized the expenditure of \$54,585, previously allocated by Resolution R-259999, as matching funds for the runway improvements.

Aud. Cert. 86165.

FILE: W.O. 118633 CONFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-106: (R-86-143) ADOPTED AS RESOLUTION R-263876

Inviting bids for the Removal of Architectural Barriers for the Handicapped - Contract No. 22 on Work Order No. 118634; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of \$114,000 not to exceed \$108,900 from CIP-52-243, Architectural Barriers Removal - Downtown and Various Locations (\$80,041.63 from Fund 18518, Department 5615, Org. 1501 and \$28,858.37 from Fund 18519, Department 5715, Org. 1501); and \$5,100 from CIP-58-007, Annual Allocation - Overhead and Other City Costs for Federal Grants, Capital Outlay Fund 30245, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-6621)  
(Mid-City, Southeast San Diego, Skyline-Paradise Hills, Otay Mesa-Nestor and San Ysidro Community Areas.  
Districts-3, 4 and 8.)

CITY MANAGER REPORT: This project will install pedestrian ramps at various intersections in the community areas of Mid-City, Otay Mesa-Nestor, San Ysidro, Southeast San Diego, and Skyline-Paradise Hills. The ad hoc committee to the Engineering and Development Department for the removal of architectural barriers was consulted, and the specific area of placement of pedestrian ramps was determined by and coordinated with this committee. Funds for this project will be obtained from 1982 and 1983 CDBG funds.

Aud. Cert. 86118.

FILE: W.O. 118634 CONFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

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

by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-107: (R-86-195) ADOPTED AS RESOLUTION R-263877

Granting an extension of time to May 26, 1987 to Scripps 244, subdivider, to complete the improvements required in Scripps Westview Subdivision.

(Scripps Ranch Community Area. District-5.)

CITY MANAGER REPORT: On May 26, 1981, the City entered into an agreement with Scripps 244, a California limited partnership, for the construction of public improvements for Scripps Westview. The agreement expired on May 26, 1983. On November 5, 1984, a time extension was granted to May 26, 1985, by Resolution R-261866. The subdivider has requested a second time extension to May 26, 1987. 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: SUBD - Scripps Westview Subdivision

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-108: (R-86-211) ADOPTED AS RESOLUTION R-263878

Vacating Rutledge Court adjacent to Lots 12 through 15 of Governor Drive Business Park Unit No. 3, Map-10670, under the procedure for the summary vacation of streets, where the portion of street to be vacated consists of a portion of a street or highway that lies within property under one ownership and that does not continue through such ownership or end touching property of another; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature; declaring that the easement reserved herein is in, under, over, upon, along and across that portion of Rutledge Court; declaring that this resolution shall not become effective unless and until the Parcel Map has been approved by the City Council; in the event that the final map is not approved by August 1, 1986, this resolution shall become void and be of no

further force or effect; directing the City Engineer to advise the City Clerk of the approval of the aforementioned subdivision map.

(University Community Area. District-1.)

CITY MANAGER REPORT: The portion of Rutledge Court being vacated is located easterly of Governor Drive and Greenwich Drive. The adjacent property owner has requested the vacation in order to consolidate the area with the adjacent property for future development. Rutledge Court was dedicated as a cul-de-sac by Governor Drive Business Park No. 3, but was never constructed. There is, however, an existing drainage facility for which an easement is being reserved. The owner will be required to file a consolidation map to prevent land-locked parcels. Staff has concluded that the right-of-way to be vacated is not needed for present or prospective public use and can be summarily vacated conditioned upon the approval and recordation of consolidation Parcel Map TM-84-0110. This application has been processed in accordance with Council Policy 600-15.

FILE: STRT J-2561; DEED F-2952 DEEDFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-109: (R-85-1003) ADOPTED AS RESOLUTION R-263879

Vacating the southerly 62.5 feet of Plantano Street adjacent to Lots 410 and 411 of Sunshine Gardens Subdivision, Map-1804, north of the San Diego and Arizona Eastern Railroad right-of-way, under the procedure for the summary vacation of streets where for a period of five consecutive years the street to be vacated has been impassable for vehicular travel and during such period no public money has been expended for maintenance.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT: The vacation of the southerly 62.5 feet of Plantano Street is located southerly of Market Street and Uvas Street. The street vacation was initially before Council on December 17, 1984. However, the concerns of an adjacent property owner could not be answered since the development plans had not been reviewed and approved in accordance with the Southeast Interim Ordinance. On February 4, 1985, the item was continued and returned to the City Manager until the Housing Commission completed action on the development project. The

City, as the owner of the abutting property, has proposed the closing to facilitate site development for moderate income housing. The property is to be developed under the Mortgage Revenue Bond Financial Program, administered by the San Diego Housing Commission. Development plans have now been prepared and approved in accordance with Ordinance guidelines, and a representative from the Housing Commission has discussed the proposed development with the adjacent property owner. Plantano Street is unimproved and contains no public facilities. As a condition of issuing building permits, the remaining portion of Plantano Street will be improved to provide adequate access to the development from Uvas Street. The location of the railroad right-of-way and the previous closing of Plantano Street south of the railroad precludes its use for traffic circulation. Staff has therefore concluded that the right-of-way is no longer needed for present or prospective public use and can be summarily vacated. This action has been processed in accordance with Council Policy 600-15 and reviewed by the Southeast Economic Development Corporation and by the Metropolitan Transit Development Board.

NOTE: See Item 110.

FILE: STRT J-2562; DEED F-2953 CONTFY86-1

COUNCIL ACTION: (Tape location: A401-665.)

MOTION BY STRUIKSMA TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-110: (R-86-231) ADOPTED AS RESOLUTION R-263880

Authorizing the execution of a Certificate of Ownership on Parcel Map PM-85-0319 consenting to the preparation and recordation of the map.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT: This action is a companion item to the vacation of Plantano Street. The City owns the property abutting both sides of the street vacation and after the street is vacated, the City will have fee title to two contiguous parcels of land. Baker Construction Company will be leasing the land from the City to construct a 7-unit apartment complex. To facilitate this development they have applied for a Lot Consolidation Map to combine the two parcels of property into one. As the property owner, the City must consent to the filing of the Consolidation Map which requires the Mayor to sign the map for the City.

NOTE: See Item 109.

FILE: SUBD - Parcel Map PM-85-0319

COUNCIL ACTION: (Tape location: A401-665.)

MOTION BY STRUIKSMA TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-111: (R-86-229) CONTINUED TO SEPTEMBER 9, 1985

Vacating Avenida De La Mexico and Cerrissa Street in the Northwest Quarter of the Northeast Quarter of Section 28, Township 18 South, Range 2 West, San Bernardino Meridian all within or adjacent to the proposed Playa Blanca Subdivision (TM-82-0510), under the procedure for the summary vacation of streets and public service easements by City Council Resolution; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature; reserving and excepting the rights from vacation and abandonment easements and rights of any public utility pursuant to any existing franchise or renewals thereof; declaring that the easement reserved herein is in, under, over, upon, along and across that portion of Avenida De La Mexico and Cerrissa Street; declaring that this resolution shall not become effective unless and until the final subdivision map for Playa Blanca (TM-82-0510) has been approved by Council action; in the event that the final map is not approved by February 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 approval of the aforementioned subdivision map.

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

CITY MANAGER REPORT: The vacation of Avenida De La Mexico and Cerrissa Street are conditions of Playa Blanca Subdivision (TM-82-0510) approval for the development of a multi-family apartment complex. The City has a fee interest in Avenida De La Mexico and the sale of the City's interest is a companion docket item. The subject streets are located southwesterly of 19th Street and Palm Avenue. Avenida De La Mexico is partially improved with asphalt pavement and contains public facilities for which easements will be reserved. Avenida De La Mexico will be realigned to intersect with 19th Street approximately 200 feet southerly from its present location. Cerrissa Street is unimproved and does not contain public facilities. Since the improved off-site portion of Cerrissa Street terminates at the

southwesterly corner of the subdivision, the developer will be required to dedicate additional right-of-way and construct a cul-de-sac to provide an adequate turn-around area. All required public improvements will be constructed and bonded for as part of the required subdivision work. Staff has concluded that the rights-of-way to be vacated are no longer needed for present or prospective public use and can be summarily vacated conditioned upon the approval and recordation of Playa Blanca Subdivision (TM-82-0510). This application has been processed in accordance with Council Policy 600-15.

NOTE: See Item 112.

FILE: --

COUNCIL ACTION: (Tape location: A666-B120.)

MOTION BY MARTINEZ TO CONTINUE TO SEPTEMBER 9, 1985, AT HIS REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-112: (R-86-213) CONTINUED TO SEPTEMBER 9, 1985

Authorizing the sale by negotiation of a portion of the Northwest Quarter of the Northeast Quarter of Section 28, Township 18 South, Range 2 West, San Bernardino Meridian, for the sum of \$42,800 to G.K. Ventures; authorizing the execution of a grant deed, granting to G.K. Ventures said property; determining that no broker's commission shall be paid by the City on said negotiated sale.

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

CITY MANAGER REPORT: The City has been approached by the adjoining property owner, G.K. Ventures, to purchase this parcel to use for parking for their adjacent project "Plaza Parque."

Since the parcel is a dedicated street, a street closure is being processed concurrently with the sale. The sale parcel is a strip of land acquired by annexation from the County for Avenida De La Mexico. Since this street is to be realigned easterly, the sale parcel will be surplus to City needs. It is irregular in shape, consisting of 0.234 acres of R-2A zoned land. The property has been appraised at \$42,800 by staff appraisal on July 17, 1985. As a condition of the sale, a general utility easement consisting of 0.044 acres will be reserved over part of the northeasterly portion of the property and a drain easement consisting of 0.010 acres will be reserved over part of the northwesterly portion of the parcel.

NOTE: See Item 111.

FILE: --

COUNCIL ACTION: (Tape location: A666-B120.)

MOTION BY MARTINEZ TO CONTINUE TO SEPTEMBER 9, 1985, AT HIS REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-113: (R-86-214) ADOPTED AS RESOLUTION R-263881

Setting aside and dedicating portions of City-owned property in the South Half of Section 18, Township 14 South, Range 3 West, San Bernardino Meridian, for public streets; renaming Parcel C, Del Mar Heights Road and Parcel E, Hartfield Avenue.

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

CITY MANAGER REPORT: The City owns a 3.374-acre parcel in the North City West Community. This parcel was acquired for the purpose of constructing a permanent fire station to replace the temporary one on leased land in Del Mar Heights. The CIP construction date for the fire station is FY 1990. In connection with development in the North City West Community, the City has been requested by developers in the area to dedicate 1.68 acres of the proposed fire station site for right-of-way for Del Mar Heights Road and Hartfield Avenue. This dedication will leave a balance of 1.69 acres which is sufficient for construction of the fire station. The costs of the street improvements adjacent to the City property (\$309,000), which normally would be the responsibility of the City, are being borne by the area Facility Benefit Assessment (FBA), at no cost to the City. This dedication and the improvement of Del Mar Heights Road and Hartfield Avenue will provide the ultimate access for the fire station.

FILE: DEED F-2956 DEEDFY86-1

COUNCIL ACTION: (Tape location: B121-334.)

MOTION BY MITCHELL TO ADOPT AND REFER TO THE TRANSPORTATION AND LAND USE (T&LU) COMMITTEE THE MATTER WITH RESPECT TO THE CITY'S POLICY FOR PUBLIC IMPROVEMENTS INVOLVING FACILITY BENEFIT ASSESSMENT (FBA). Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-114: (R-86-136) ADOPTED AS RESOLUTION R-263882

Approving the acceptance by the City Manager of that street easement deed of Genaro M. Nunez and Elena R. Nunez,

granting to City an easement for public street purposes in a portion of Lot 1, Block 1, Imig Park Unit No. 2, Map-2363; dedicating said land as and for a public street, and naming the same 47th Street.

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

FILE: DEED F-2957 DEEDFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-115: (R-86-166) ADOPTED AS RESOLUTION R-263883

Approving the acceptance by the City Manager of that deed of Altadena West, conveying to the City a sewer easement in Parcel 1 of Parcel Map PM-13789; authorizing the Mayor and the City Clerk to execute a quitclaim deed, quitclaiming to Altadena West, all of the City's right, title and interest in the sewer easement in Parcel 1 of Parcel Map PM-13789.

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

FILE: DEED F-2958 DEEDFY86-2

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-116: (R-86-215) ADOPTED AS RESOLUTION R-263884

Renaming Avenida Rancho Carmel, located easterly of I-15 near Carmel Mountain Road, to Rancho Carmel Drive.

(Carmel Valley Community Area. District-1.)

CITY MANAGER REPORT: The streets being renamed are located in the Carmel Mountain Ranch Community, easterly of Interstate 15 near Carmel Mountain Road in Council District 1. The street is within the Carmel Mountain Ranch Unit No. 1 Subdivision. This change is being made at the request of the subdivider who is the only affected property owner. The street name change is at no cost to the City. The subdivider will erect all of the necessary street name signs.

FILE: DEED F-2959 DEEDFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant,



Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-117: (R-86-216) ADOPTED AS RESOLUTION R-263885

Authorizing the execution of a quitclaim deed, conveying to American Agar and Chemical Company, all the City's right, title and interest in an unneeded sewer easement in a portion of Parcel "B" of Parcel Map PM-640.

(Pacific Highway Community Area. District-2.)

FILE: DEED F-2960 DEEDFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-118: (R-86-221) ADOPTED AS RESOLUTION R-263886

Modifying Council Policy 100-4, entitled, "Allocation of Transient Occupancy Tax Funds to the Convention and Visitors Bureau," as set forth in the Council Policy to reflect the allocation of 2/10 of the additional one cent Transient Occupancy Tax imposed on October 1, 1984.

(See Committee Consultant Analysis RULES-85-10; memorandum from the City Attorney with two attachments dated 6/19/85; memorandum from Council Member Gotch dated 5/7/85; and City Attorney Opinion No. 83-6 dated 8/10/83.)

COMMITTEE ACTION: Reviewed by RULES on 7/8/85.

Recommendation to adopt the Resolution. Districts 1, 4, 8 and Mayor voted yea. District 6 not present.

FILE: MEET

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-119: (R-86-217) ADOPTED AS RESOLUTION R-263887

Approving the transfer of property tax revenues associated with the detachment of properties which lie within the City of San Diego from the County Flood Control District, pursuant to the provisions of the State Flood Control District Act.

CITY MANAGER REPORT: In 1984 the State Flood Control District Act was modified to provide that only unincorporated

territory would be included in a flood control district. Therefore, effective July 1, 1985, a flood control district's property tax revenues generated by properties which lie within an incorporated city will be transferred to the respective city. This Resolution is required in order to transfer the property tax revenues generated for the Flood Control District by properties located within the City of San Diego to the City of San Diego. The statute requires that funds received pursuant to this Act must be used for flood control purposes. These funds are to be held in an impound account pending adoption, by the City of San Diego, of a Resolution accepting the negotiated property tax revenue. Upon receipt, the City Auditor shall place said funds in the Capital Outlay Fund for the purposes of flood control.

FILE: MEET

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-120: (R-86-227) ADOPTED AS RESOLUTION R-263888

Authorizing the City Auditor and Comptroller to establish and open funds numbered 78001 through 78004 for the purpose of accepting deposits of funds from the San Diego Gas and Electric Company authorized by Public Utilities Commission Case 8209 (Utility Undergrounding Allocation Funds); authorizing the City Treasurer to accept funds from San Diego Gas and Electric Company pursuant to Public Utilities Commission Case 8209; authorizing the reimbursement of an amount not to exceed \$300 each to all property owners, who qualify under Council Policy 800-2, for electrical service underground conversion work on private property in the following Underground Utility Districts:

- a) University Avenue (I-805 to 40th Street), Fund 78001;
- b) Scott Street (Shelter Island Drive to Talbot Street), Fund 78002;
- c) Imperial Avenue (61st Street to 65th Street) Fund 78003;
- d) Kearny Mesa Area (Aero Drive, Kearny Villa Road, Kearny Mesa Road), Fund 78004;

Authorizing the City Treasurer to return to San Diego Gas and Electric Company any undisbursed funds upon written notice from SDG&E to the City that all electric service

conversions within a particular district have been completed.

CITY MANAGER REPORT: Since the beginning of the Utility Undergrounding Program in 1967, it has been the responsibility of each property owner to finance 100 percent of the work that must be done on private property in order to convert to the underground service. On January 5, 1982, the California Public Utilities Commission (CPUC) revised existing rules to allow the use of 8209 funds for conversion work on private property. The City Council adopted Council Policy 800-2 on July 29, 1985, to implement CPUC's revised rules, thus providing for the use of Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts regardless of the zoning or land use of the properties involved whenever the required length of trenching exceeds 15 feet. Funding for the service conversions consists of a lump sum reimbursement of \$300 for each such private property required to convert its electric service lateral to the underground system. The property owner remains responsible for all costs in excess of \$300. Funding for the service conversions has been made retroactive to the underground utility districts with poles still in place on the date of adoption of Council Policy 800-2. Aud. Cert. 86153.

FILE: STRT K-126; K-128; K-115; K-103

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-121: (R-86-248) ADOPTED AS RESOLUTION R-263889

A Resolution approved by the City Council in Closed Session on Tuesday, July 30, 1985 by the following vote:

Mitchell-yea; Cleator-yea; McColl-yea; Jones-not present; Struiksmayea-not present; Gotch-yea; District 7-vacant; Martinez-yea; Mayor Hedgecock-yea.

Authorizing the City Manager to pay the total sum of \$7,725 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Catherine Reiber (Superior Court Case No. 516792, Catherine R. Reiber v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue a warrant check in the amount of \$7,725 made payable to Catherine R. Reiber and her attorney of record, Anthony J. Battaglia, in full settlement of the lawsuit and all

claims.

CITY MANAGER REPORT: This constitutes the complete and final settlement of Catherine R. Reiber's personal injuries as a result of the accident of July 14, 1983.

Aud. Cert. 86163.

FILE: MEET

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-122: (R-86-82) ADOPTED AS RESOLUTION R-263890

Prohibiting parking on North Lane, a named alley; authorizing the removal of vehicles parked in violation of this prohibition pursuant to the authority granted by California Vehicle Code Section 22651(n); declaring that this prohibition will be in full force and effect when signs have been posted in the affected area giving notice of the prohibition and of the potential removal of illegally parked vehicles.

(La Jolla Community Area. District-1.)

CITY MANAGER REPORT: North Lane is a narrow roadway extending westerly from La Jolla Boulevard. Although posted with numerous "No Parking" signs, it is the site of frequent parking violations. In spite of continuous enforcement and numerous citations, the roadway is frequently obstructed by illegally parked vehicles to the extent that adequate access by emergency vehicles of the Police and Fire Departments is not available. This action will establish a "Tow Away" zone that will facilitate enforcement of existing "No Parking" regulations to permit proper access by both the general public and by emergency vehicles. In response to a letter of notification sent by the City, Staff has received two telephone calls and one letter of support and no adverse reaction.

FILE: MEET

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-123: (R-86-175) ADOPTED AS RESOLUTION R-263891

Establishing a parking time limit of two hours on the south

side of a portion of Camino Del Rio South, from a point 1,300 feet east of the intersection of Mission Center Road continuing for a distance of 1,500 feet to a point 2,800 feet east of Mission Center Road, effective between the hours of 8:00 a.m. and 6:00 p.m., Saturdays, Sundays and certain holidays excepted; authorizing the installation of the necessary signs and markings; declaring that the above regulations shall become effective upon the installation of such signs.

(San Dieguito River Basin Community Area. District-5.)

CITY MANAGER REPORT: The proposed two-hour parking time limit was requested by the property owners representing 100 percent of the affected frontage. Recent parking surveys determined the average occupancy and average stay per vehicle to be 80 percent and 4.0 hours, respectively. This meets the Council-approved requirements for the average occupancy and average stay for establishing a two-hour parking time limit zone.

FILE: MEET

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-124: (R-86-218) ADOPTED AS RESOLUTION R-263892

Authorizing an agreement with Boyle Engineering Corporation to undertake design work and the preparation of construction drawings for Normal Heights and City Heights public improvements; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$21,000 from CIP-29-492, (Normal Heights Tree Planting Project) to CIP-39-083, (Mid-City Commercial Revitalization); authorizing and approving the expenditure of an amount not to exceed \$21,000 from CDBG Fund 185191/Dept. 5731, Org. 3106, and an amount not to exceed \$44,135 from CDBG Fund 18519/Dept. 5713, Org. 1301, for design work and construction drawings as specified in the agreement with Boyle Engineering Corporation.

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

CITY MANAGER REPORT: Public improvements related to the Mid-City Commercial Revitalization Project have been planned for demonstration blocks in Normal Heights - Adams Avenue from 33rd to Felton and City Heights - University Avenue from 42nd to 43rd. Conceptual plans for improvements, which include such

items as sidewalk repair and replacement, curb and gutter repair, street tree plantings, crosswalk work and other pedestrian amenities, have been reviewed by appropriate City departments and approved by the Mid-City Commercial Revitalization Task Force. It is now necessary to obtain construction drawings and final design plans. Staff has negotiated an agreement with Boyle Engineering for design services. They were selected from three firms which were nominated by the Engineering and Development Department's Design Consultant Nominating Committee following the standard advertising process. Funds are being transferred from CIP-29-492, Normal Heights Tree Planting Project, to CIP-39-083, Mid-City Commercial Revitalization Project, to facilitate administration, as both projects relate to public improvements in the same geographic area. Therefore, it is proposed that they be administered together. Design work is scheduled to be completed by early 1986 and construction will follow (construction funds are available in CIP-39-083).

Aud. Cert. 86133.

FILE: MEET CONTFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-125: (R-86-207) ADOPTED AS RESOLUTION R-263893

Authorizing the execution of an agreement with the Center for Women's Studies and Services, Inc. to operate the Rape Prevention and Education Program; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$35,320 from the General Fund (Fund 100) to the Human Care Services Special Fund (Fund 19628); authorizing the expenditure of an amount not to exceed \$35,320 from the Human Care Services Special Fund (Fund 19628), for the purpose of providing funds for the above program.

CITY MANAGER REPORT: On June 25, 1985 the City Council recommended that \$35,320 be allocated to the Center for Women's Studies and Services to operate a Rape Prevention and Education Program. The funding source is the City's General Fund. The period of performance for this contract will be from August 15, 1985 to August 14, 1986. The program will educate the general public about sexual assault and rape prevention through public forums, seminars and community meetings.

Aud. Cert. 86137.

FILE: MEET CONFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-126: (R-86-161) ADOPTED AS RESOLUTION R-263894

Authorizing the execution of a second amendment to the Partial Use and Occupancy Agreement with Joe C. Crowder to conduct swap meets at the San Diego Jack Murphy Stadium. (Mission Valley Community Area. District-5.)

CITY MANAGER REPORT: In October, 1981, the City and Joe C. Crowder entered into a Partial Use and Occupancy Agreement to conduct swap meets at the San Diego Jack Murphy Stadium at a minimum monthly rental of \$500 per swap meet, or 10 percent of gross revenues, whichever was greater. In October, 1983, Mr. Crowder exercised his right of extension to this agreement which called for a minimum monthly rental of \$1,000 per swap meet, or 10 percent of gross revenues, whichever was greater, with a minimum annual guarantee of \$100,000 for the first two years of extension, and \$120,000 for the last two years of extension. In the spring of 1984, Mr. Crowder entered into discussions with the City to amend his agreement to provide:

- 1) A minimum monthly rental fee of \$500 per swap meet, or 10 percent of gross revenues, whichever is greater, for the period of October 1, 1984 through September 30, 1986;
- 2) A minimum monthly rental fee of \$750 per swap meet, or 10 percent of gross revenues, whichever is greater, for the period of October 1, 1986 through September 30, 1987; and
- 3) That Mr. Crowder may provide his own concession services for his events for which a consideration of 20 percent of gross concession revenues is paid to the City.

The San Diego Stadium Authority Board of Governors recommended approval of the proposed amendment at its regular meeting of March 7, 1985. Servomation, the Stadium's concessionaire, provided its waiver of food service concession rights at swap meets on May 7, 1985.

FILE: LEAS - Joe C. Crowder LEASFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-127: (R-86-199) ADOPTED AS RESOLUTION R-263895

Authorizing the execution of an agreement with John and Dolores Limpus for payment of fees toward public improvements within the Mira Mesa Community Plan area in regard to Parcel Map TM-84-0411.

(Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT: This agreement to pay development impact fees at Building Permit Issuance satisfies the last remaining tentative map condition for final parcel map approval in regard to Parcel Map TM-84-0411. Parcel Map TM-84-0411 is a three parcel tentative map of 16.6 acres for industrial use.

The agreement is consistent with the adopted Mira Mesa Public Facilities Financing Plan.

FILE: SUBD - Parcel Map TM-84-0411 CONTFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-128: (R-86-228) ADOPTED AS RESOLUTION R-263896

Authorizing the execution of an agreement with Mission Pacific Associates (MPA) pursuant to which MPA will use its geo-technical consultant to develop a landfill closure plan and the City will grant MPA option fee credits for its August and September payments to reimburse for costs related to development of the landfill closure plan, in connection with the Ramada Renaissance Hotel.

(Mission Bay Master Plan Community Area. District-6.)

CITY MANAGER REPORT: Late in June of 1985, the City was notified by the Regional Water Quality Control Board of closure requirements for the Mission Bay Landfill. These requirements are included in the California Administrative Code, as recently revised. Evaluation of the requirements by staff and the developer of the Ramada Renaissance Hotel, Mission Pacific Associates, indicates that the requirements might have impact on the development and that immediate resolution is necessary. A previous study related to the landfill was conducted for the City by Woodward Clyde Consultants, which is now providing services to the developer. It is perceived that addressing landfill closure requirements as quickly as possible to prevent possible delays or loss of existing hotel financing commitments can best be achieved by having Woodward Clyde proceed, at the developer's direction, and then providing a City credit to MPA's



option fee payments for the cost. The proposed agreement would provide for this arrangement. With this approach, it is expected that a closure plan can be represented to the Regional Water Quality Board in September and that closure requirements, at least as they may affect hotel development, will be agreed upon, so that the hotel can close its loan and proceed.

FILE: MEET CCONFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-129:

Two actions relative to agreements for specified economic development activities:  
(Mid-City Community Area. District-3.)

Subitem-A: (R-86-219) ADOPTED AS RESOLUTION R-263897

Authorizing the execution of an agreement with the Normal Heights Community Development Corporation for specified economic development activities; authorizing the expenditure of an amount not to exceed \$37,600 for a community office from Fund 18521, Dept. 5835, Org. 3505, and an amount not to exceed \$10,340 for Adams Avenue Post from Fund 18519, Dept. 5717, Org. 1705.  
Aud. Cert. 86134.

Subitem-B: (R-86-220) ADOPTED AS RESOLUTION R-263898

Authorizing the execution of an agreement with the City Heights Community Development Corporation for specified economic development activities; authorizing the expenditure of an amount not to exceed \$37,600 for a community office from Fund 18521, Dept. 5835, Org. 3504, and an amount not to exceed \$23,500 for a community newsletter from Fund 18519, Dept. 5717, Org. 1706.  
Aud. Cert. 86135.

CITY MANAGER REPORT: During the 1983 Community Development Block Grant appropriation cycle, Normal Heights CDC received Council approval of an \$11,000 grant and the City Heights CDC received Council approval of a \$25,000 grant for neighborhood economic development activities. Due to a delay in receipt of these 1983 funds, both corporations have budgeted these funds for use along with the \$40,000 that each was allocated during the 1985 CDBG funding process. A portion of these grants

(\$6,960) has been set aside for fiscal monitoring of their projects to ensure that accounting and record keeping requirements are met. Therefore, the budgets for the grants total \$109,040. These grants will be administered by the Economic Development Division of the Property Department to ensure coordination with the Mid-City Commercial Revitalization Project. Major activities for the Normal Heights CDC are to provide a community office and meeting space, provide resource information and programs/services to the community, seek private and volunteer resources to strengthen revitalization of the neighborhood, and publish a community newspaper. City Heights CDC Scope of Services include preparing an economic development strategy, maintaining a community meeting space, publishing a community newspaper, strengthening and promoting the City Heights Business Association, facilitating a proposed rebate program in City Heights, and representing the interests of the City Heights Community regarding development and redevelopment in the community.

FILE: MEET CONFY86-2

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-130: (R-86-225) ADOPTED AS RESOLUTION R-263899

Authorizing the execution of a first amendment to the City's contractual agreement with Socioenvironmental, Inc., to increase the funding level for the Downtown Transient Center from \$92,000 to \$150,000 for FY 1986; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$58,000 from CDBG Fund 18521, Department 5838, Organization 3801 (Contingencies), to Department 5834, Organization 3410 (Socioenvironmental, Inc.); authorizing the expenditure of an amount not to exceed \$58,000 from Department 5834, Organization 3410 (Socioenvironmental, Inc.), for the purpose of providing funds for the above program.

(Centre City Community Area. District-8.)

CITY MANAGER REPORT: On June 24, 1985, the City entered into a contractual agreement with Socioenvironmental, Inc., to perform certain services relative to the operation of the Downtown Transient Center project for the period of July 1, 1985 to June 30, 1986. The project was funded at a level of \$92,000 with 1985 CDBG funds. The purpose of the project is to provide

job placement and other services to transients and other homeless persons in downtown San Diego. On June 25, 1985 the City Council directed City staff to enter into negotiations with Socioenvironmental, Inc., to increase the funding level for the Downtown Transient Center from \$92,000 to \$150,000 for FY 1986 in order to increase the level of service.

Aud. Cert. 86161.

FILE: MEET CONTFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-131: (R-86-186) ADOPTED AS RESOLUTION R-263900

Authorizing the execution of an agreement with Techbilt Construction Corporation for the purpose of expediting the construction of the Highland Park Estates Trunk Sewer; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$248,400 within the Sewer Revenue Fund (41506), from the Unallocated Reserve (70697) to the Sewer Main Construction Program (70492) for the Highland Park Estates Trunk Sewer Project (CIP-46-100.0); authorizing the expenditure of an amount not to exceed \$258,800 from the Sewer Revenue Fund (41506) for the purpose of providing funds for the above project.

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

CITY MANAGER REPORT: A study of the Highland Park Estates Trunk Sewer indicates that portions of the trunk sewer are operating over its designed capacity. To provide additional capacity, the City has scheduled the design of the trunk sewer in its Capital Improvement Program (CIP) for Fiscal Year 1986, and construction in Fiscal Year 1987 (CIP-46-100.0). The Techbilt Construction Corporation desires to develop a subdivision and connect to the trunk sewer. The CIP schedule would delay construction of the subdivision unless the trunk sewer improvements are expedited. Expedition of the trunk sewer improvements would benefit the City as well as the developer. This agreement provides for the developer to front the total cost of the trunk sewer improvements. It further provides for the City to reimburse the developer 100 percent of the cost of design and construction of the improvements, subject to acceptance of the completed improvements by the City. The total reimbursement by the City shall not in any case exceed \$258,800. Aud. Cert. 86120.

WU-U-85-294.

FILE: MEET CONFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-132: (R-86-223) ADOPTED AS RESOLUTION R-263901

Authorizing the execution of a third amendment to lease agreement with Executive Air Service, Inc. and Critical Medicine, which provides for a reimbursement to the lessee of \$10,000 as the City's contribution toward the installation of a 12-inch AC water main along Kearny Villa Road to serve leased premises and future development on Lot 17, Montgomery Field; authorizing and approving the transfer of an amount not to exceed \$10,000 from the Airports Enterprise Fund 41100, Unallocated Reserve to the Airports Program Maintenance Account 72021 and the expenditure therefrom for the above contribution.

(Kearny Mesa Community Area. District-5.)

CITY MANAGER REPORT: The City entered into a three-year lease agreement effective December 1, 1984 with Executive Air Service and Critical Medicine for the development of a temporary hangar/office building and ramp space on a portion of Lot 17, Montgomery Field. Rent to the City is based on a percentage of gross income or \$12,000 per year, whichever is greater. The lessee has been required to install a 12-inch water main in Kearny Villa Road to serve the site at a total cost to the lessee of \$45,478.40. Inasmuch as this lease is short term, which does not allow adequate time for the lessee to amortize the entire improvement, and the water main will be required for future permanent development, it is recommended that the Airports Enterprise Fund reimburse the lessee \$10,000 toward the installation of the water main. This third amendment to the lease agreement provides for said reimbursement.

Aud. Cert. 85735.

FILE: LEAS - Executive Air Service, Inc. and  
Critical Medicine LEASFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-133: (R-86-222) ADOPTED AS RESOLUTION R-263902

Authorizing the execution of a three-year lease agreement with Frank W. Schossow, Jr., dba Spider's Aircraft Service, Inc., for the purpose of operating a fixed-base, general aviation facility on a portion of Lot 16, and Buildings 114 and 119, Montgomery Field Airport, at a minimum annual rent of \$12,050.

(Serra Mesa Community Area. District-5.)

CITY MANAGER REPORT: Frank Schossow, dba Spider's Aircraft, has leased a portion of Lot 16, Montgomery Field Airport since 1955 for the purpose of operating a fixed-base, general aviation facility. On January 1, 1982, this lease was placed on a holdover status pending approval of the Montgomery Field Master Plan, which occurred during 1984. Subsequent developments indicate that this area will not be redeveloped within the next three years. Therefore, an interim three-year lease effective May 1, 1985 has been negotiated with Mr. Schossow, which includes a provision for 180-day cancellation by either party. Percentage rents on aircraft repairs, parts, accessories, rentals, flight instruction, charter and flight service have been increased from 2 1/2 percent to 3 percent. All other percentage rents remain the same. The proposed minimum annual rent is \$12,050 which represents an increase of 25 percent. The minimum rent is based on 9 percent return on the current market value of \$133,888.

FILE: LEAS - Spider's Aircraft Service, Inc.  
LEASFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-134: (R-86-202) ADOPTED AS RESOLUTION R-263903

Authorizing the City Engineer to issue a special permit to Lomas Santa Fe Development Corporation to commence grading work in the subdivision known as San Andres P.R.D. Unit No. 2, located within the Hillside Review 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 San Andres P.R.D. Unit No. 2.

(Via De La Valle Specific Plan Area. District-1.)

CITY MANAGER REPORT: In accordance with the Municipal Code,

the City Council must authorize the City Engineer to issue a Special Permit to do work prior to the filing of a final Subdivision Map when the subdivision is within a Hillside Review Zone. The subdivider has requested this Special Permit to allow ample time for grading prior to the onset of the rainy season. The Tentative Map and P.R.D. Permit were approved on October 15, 1984. After authorization by the City Council, the City Engineer will require the subdivider to pay all fees and provide full surety to cover all improvements which will be included in the Subdivision Improvement Agreement prior to the issuance of a Special Permit.

FILE: SUBD - San Andres P.R.D. Unit No. 2

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-150: (O-86-23) INTRODUCED, TO BE ADOPTED SEPTEMBER 9, 1985

Introduction of an Ordinance amending Chapter VI, Article 3 of the San Diego Municipal Code, by adding Section 63.25.73, to prohibit the storage of vessels, boats and trailers on the beach of the west shoreline of Mission Bay Park between Santa Clara Point north to Yarmouth Court between 10:00 p.m. to 7:00 a.m. daily, except on Friday and Saturday nights and on official holidays.

(See City Manager Report CMR-85-361 and Committee Consultant Analysis PSS-85-23. Mission Beach Community Area. District-6.)

COMMITTEE ACTION: Reviewed by PSS on 7/17/85. Recommendation to adopt the Resolution, pursuant to the Committee Consultant's recommendations contained in Committee Consultant Analysis PSS-85-23. Districts 3, 4 and 6 voted yea. Districts 5 and 8 not present.

FILE: --

COUNCIL ACTION: (Tape location: B335-C090.)

MOTION BY GOTCH TO INTRODUCE THE ORDINANCE. Second by Struiksmayea. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-200: (O-86-28) HEARING HELD

The first public hearing of an Ordinance fixing the tax rates and levying taxes for the Fiscal Year 1985-86.

(See City Manager Report CMR-85-408.)

NOTE: See Item 330.

FILE: --

COUNCIL ACTION: (Tape location: C091-125.)

\* ITEM-S400: (R-86-212) CONTINUED TO SEPTEMBER 9, 1985

Authorizing the execution of an agreement with the San Diego County Superintendent of Schools for the purpose of producing 3/4" broadcast quality videotapes of the regular Monday afternoon City Council meetings from the Council Chambers, at an annual cost not to exceed \$54,603, and distributing the programs via the County Office of Education's ITFS microwave transmission system to Southwestern and Cox Cable television systems which, at no cost to the City, telecast the programs to subscribers Monday evenings on their government access channels. (See City Manager Report CMR-85-367; and memorandum from Mayor Roger Hedgecock to Rules Committee dated 7/22/85.)

COMMITTEE ACTION: Reviewed by RULES on 7/22/85.

Recommendation to adopt the Resolution. Districts 1, 4, 6, 8 and Mayor voted yea.

CITY MANAGER REPORT: The City of San Diego began videotaping Monday afternoon Council meetings for delayed cablecasting Monday evenings at 7 on February 11, 1985. The cost for 17 weeks of videotaped productions, including start-up costs, for Fiscal Year 1985 was \$31,500. The proposed agreement between the City of San Diego and the San Diego County Superintendent of Schools for continued videotape productions of Council meetings for Fiscal Year 1986 was approved by the County Board of Education on July 24, 1985. The County Office of Education's Media Services produces the 3/4" broadcast quality videotapes and distributes the programs via microwave to Southwestern and Cox Cable television systems. The local cable systems then telecast the programs to cable subscribers Monday evenings on their government access channels at no cost to the City. The estimated cost of continuing videotaped productions of Council meetings for Fiscal Year 1986 (including incidental costs) is \$54,603 and is available from cable franchise fees paid to the City. Efforts will be renewed to seek donations to cover the costs of production, with appropriate recognition given to donors on the tapes. We will continue to publicize the availability of the televised Council meetings through public service announcements, cable programming guides and so on, but paid advertising will be minimized so that funds are available for production costs for meetings that exceed three hours in

length.

Aud. Cert. 86149.

FILE: --

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO CONTINUE TO SEPTEMBER 9, 1985, AT HIS REQUEST. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S401:

Two actions relative to the final subdivision map of Cambria Unit No. 1, a 3-lot subdivision located northeasterly of Interstate 5 and Del Mar Heights Road: (North City West Community Area. District-1.)

Subitem-A: (R-86-240) ADOPTED AS RESOLUTION R-263904  
Authorizing the execution of an agreement with Pardee Construction Company for the installation and completion of public improvements.

Subitem-B: (R-86-239) ADOPTED AS RESOLUTION R-263905  
Approving the final map.

FILE: SUBD - Cambria Unit No. 1 CONFY86-1

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S402:

Five actions relative to the final subdivision map of the Heights by Robinhood, a 144-lot subdivision located northwesterly of Palm Avenue and Beyer Boulevard: (Otay Mesa-Nestor Community Area. District-8.)

Subitem-A: (R-86-250) ADOPTED AS RESOLUTION R-263906  
Authorizing the execution of an agreement with Robinhood Homes, Inc. for the installation and completion of public improvements.

Subitem-B: (R-86-249) ADOPTED AS RESOLUTION R-263907  
Approving the final map.



Subitem-C: (R-86-265) ADOPTED AS RESOLUTION R-263908  
Authorizing the execution of an agreement with Robinhood Homes, Inc. for the construction of a noise attenuating wall.

Subitem-D: (R-86-283) ADOPTED AS RESOLUTION R-263909  
Authorizing the execution of a first amendment to the agreement with the Montgomery Sanitation District and the City of Chula Vista for temporary connection and sewage transportation for the subdivision to be known as the Heights by Robinhood.

Subitem-E: (R-86-266) ADOPTED AS RESOLUTION R-263910  
Authorizing the execution of an agreement with Robinhood Homes, Inc. for widening of the south side of Palm Avenue, west of Beyer Boulevard; authorizing the expenditure of an amount not to exceed \$31,275 from the Capital Outlay Fund 30245, Annual Allocation, New Development, CIP-58-001, for the purpose of providing funds for the above project.  
Aud. Cert. 86159.

CITY MANAGER REPORT: In addition to the usual resolutions associated with the approval of final maps, this subdivision includes resolutions authorizing the City Manager to execute three special agreements. The Noise Attenuating Wall Agreement insures that a wall will be constructed by the subdivider along Beyer Boulevard and Palm Avenue prior to their requesting Building Permits for the lots abutting these streets. The amendment to the agreement with the Montgomery Sanitation District and the City of Chula Vista will increase the allowable number of dwelling units which the City can connect to the County Sewage System from 212 to 356. The cost to the City for this amendment will be reimbursed by the subdivider. A \$4,320 cash deposit and a one-year, renewable financial security bond for \$38,880 has been posted with the Water Utilities Department by the developer to pay the first year's cost and for subsequent years until the City's facilities are installed. As a tentative map condition, the developer is required to widen the north side of Palm Avenue by seven feet and construct a 14-foot median. The remaining 25 feet of paving on the south side would be insufficient to accommodate two lanes of traffic and a bike lane. It is recommended that the City participate with the developer by reimbursing the developer for the cost of widening the south side of Palm Avenue with seven feet of paving, A.C. Berm and A.C. sidewalk, not to exceed \$31,275. 650 linear feet of the total 850 linear feet of property fronting this section of street is owned by Cal-American Water Company. This

participation is in accordance with Council Policy 200-1.  
WU-M-85-306.

FILE: SUBD - The Heights by Robinhood CONFY86-4

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed  
by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,  
Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant,  
Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S403:

Six actions relative to the final subdivision map of View  
Ridge Unit No. 2, a 54-lot subdivision located  
southwesterly of Skyline Drive and Meadowbrook Road:  
(South Bay Terraces Community Area. District-4.)

Subitem-A: (R-86-209) ADOPTED AS RESOLUTION R-263911  
Authorizing the execution of an agreement with La Jolla  
Alta for the installation and completion of public  
improvements.

Subitem-B: (R-86-208) ADOPTED AS RESOLUTION R-263912  
Approving the final map.

Subitem-C: (R-86-234) ADOPTED AS RESOLUTION R-263913  
Approving the acceptance by the City Manager of that grant  
deed of La Jolla Alta, granting to the City all of Lot 114  
of View Ridge Unit No. 2.

Subitem-D: (R-86-235) ADOPTED AS RESOLUTION R-263914  
Vacating unneeded sewer and drainage easements affecting a  
portion of Quarter Section 52, Rancho de la Nacion,  
Map-166, pursuant to Section 8300 et seq. of the Streets  
and Highways Code.

Subitem-E: (R-86-236) ADOPTED AS RESOLUTION R-263915  
Approving the acceptance by the City Manager of that deed  
of La Jolla Alta conveying to the City a sewer easement in  
a portion of Quarter Section 52, Rancho de la Nacion;  
authorizing the execution of a quitclaim deed, quitclaiming  
to La Jolla Alta all of the City's right, title and  
interest in the sewer easement in a portion of Quarter  
Section 52, Rancho de la Nacion, Map-166.

Subitem-F: (R-86-237) ADOPTED AS RESOLUTION R-263916  
Approving the acceptance by the City Manager of a street

easement deed of La Jolla Alta, granting to the City an easement for public street purposes in a portion of Quarter Section Lot 52, Rancho de la Nacion, Map-166; dedicating said land as and for a public street, and naming the same Bullock Drive.

FILE:

Subitems A-B SUBD - View Ridge Unit No. 2;

Subitems C DEED F-2964;

Subitem D DEED

F-2965;

Subitem E DEED F-2966;

Subitem F

DEED F-2967 CONFY86-1; DEEDFY86-5

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S404: CONTINUED TO SEPTEMBER 9, 1985

(Continued from the meeting of August 12, 1985 at Council Member Mitchell's request.)

Two actions relative to a five-year lease agreement with the State of California Twenty-Second District Agricultural Association:

(See City Manager Report CMR-85-374. Torrey Pines Community Area. District-1.)

Subitem-A: (R-86-135 Rev.1) --

Authorizing the execution of a five-year lease agreement with the State of California Twenty-Second District Agricultural Association for approximately 22 acres of City-owned land located near the Del Mar Fairgrounds, for the purpose of overflow parking for the San Diego County Fair and the Del Mar racing season, at an annual rental of \$4,400; declaring that during the term of the lease agreement the State of California Twenty-Second District Agricultural Association may request Council's consideration for an extension of the lease term beyond 10

years.

Subitem-B: (R-86-139) --

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-83-0850, in connection with the State of California Twenty-Second District Agricultural Association lease of property near the Del Mar Fairgrounds, 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 the Council.

COMMITTEE ACTION: Reviewed by PFR on 7/24/85. Recommendation to authorize the City Manager to execute a lease agreement with the Twenty-Second District Agricultural Association for City-owned property near the Del Mar Fairgrounds. Districts 2, 3 and 4 voted yea. District 5 not present. District 7 vacant.

FILE: --

COUNCIL ACTION: (Tape location: C126-409.)

Motion by Mitchell to continue to September 9, 1985, at his request. Second by Martinez. Passed: Yeas-1,2,3,5,6,8,M. Not present-4. Vacant-7.

Motion by Struiksmma to reconsider. Second by Cleator. Passed: Yeas-1,2,3,5,6,8,M. Not present-4. Vacant-7.

MOTION BY MITCHELL TO CONTINUE TO SEPTEMBER 9, 1985, AT HIS REQUEST, AND TO AMEND THE LEASE TO INCLUDE LANGUAGE TO PROVIDE FOR LANDSCAPING OF ALL PARKING LOTS EAST OF JIMMY DURANTE BOULEVARD. ALSO TO PROVIDE WATER PIPES AND ACCESS TO MAINTAIN THE LANDSCAPING ON A YEAR-ROUND BASIS. Second by Martinez.

Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S405: (R-86-243) ADOPTED AS RESOLUTION R-263917

Formally endorsing the efforts of the Sail America Foundation to bring America's Cup to San Diego; directing the City Manager to provide to the Sail America Foundation an official flag of the City of San Diego, to be flown at the race headquarters in Fremantle, Australia; directing the City Manager to provide, as the City's contribution to the cooperative effort of the City, County and Port, such City services as police and fire protection and appropriate staging and bleachers for the "Bring Home The Cup" pageant and nautical parade on September 22, 1985.

FILE: MEET

COUNCIL ACTION: (Tape location: 354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S406: (R-86-286) ADOPTED AS RESOLUTION R-263918

Approving the Rules Committee recommendation to support Senate Bill S.1570 (Wilson/Nickles), and other legislation that exempts state and local governments from the overtime provisions of the Fair Labor Standards Act.  
(See Intergovernmental Relations Department Report IRD-85-85.)

COMMITTEE ACTION: Reviewed by RULES on 8/12/85. Recommendation to support staff recommendation in Intergovernmental Relations Department Report IRD-85-85. Districts 1, 4, 6 and 8 voted yea. Mayor Hedgecock excused.

FILE: MEET

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S407: (R-86-295) ADOPTED AS RESOLUTION R-263919

Opposing any changes in the Federal law that would mandate participation in the Social Security/Medicare systems by state and local government employees.  
(See Intergovernmental Relations Department Report IRD-85-87.)

COMMITTEE ACTION: Reviewed by RULES on 8/12/85. Recommendation to adopt the staff recommendation in Intergovernmental Relations Department Report IRD-85-87. Districts 1, 4, 6 and 8 voted yea. Mayor Hedgecock excused.

FILE: MEET

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S408: (R-86-294) ADOPTED AS RESOLUTION R-263920

Approving the recommendations by the City Manager contained

in City Manager Report CMR-85-406, dated August 8, 1985, regarding incorporation of guidelines in construction contract specifications identifying "Determination of Good Faith Efforts" in the Minority and Women Business Enterprise Program, as modified by the Rules Committee on August 12, 1985.

(See City Manager Report CMR-85-406.)

COMMITTEE ACTION: Reviewed by RULES on 8/12/85.

Recommendation to adopt the recommendation in City Manager Report CMR-85-406 with the modification that the word "may" be substituted for the word "should" in the notation section at the end of the document. Districts 1, 4, 6 and 8 voted yea. Mayor Hedgecock excused.

FILE: MEET

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S409: (R-86-297) ADOPTED AS RESOLUTION R-263921

Authorizing the City Manager to send a letter to the U.S. Fish and Wildlife Service stating that:

1. The City does not oppose the listing of the Least Bell's Vireo as an endangered species.
2. The City opposes the critical habitat designation because, as presently delineated, these boundaries do not accurately reflect the actual habitat areas and because this designation could unnecessarily restrict future public improvement projects.
3. The City requests that the designation of critical habitat be deferred for one year beyond the May 3, 1986, deadline.
4. The City encourages a regional or rangewide approach to accomplish habitat preservation, enhancement, and sound species management procedures, which at the same time permit implementation of necessary transportation and capital facilities, and will pursue this goal as part of an interagency task force with affected agencies and property owners.

(See Intergovernmental Relation Department Report IRD-85-86.)

COMMITTEE ACTION: Reviewed by RULES on 8/12/85.

Recommendation to adopt the staff recommendation in Intergovernmental Relations Department Report IRD-85-86 with the

addition to Recommendation No. 4 that the City's letter to the U.S. Fish and Wildlife Service encourage a regional approach to accomplish habitat preservation. Districts 1, 4, 6 and 8 voted yea. Mayor Hedgecock excused.

**IRD ASSOCIATE DIRECTOR REPORT:**

Between the preparation date of Intergovernmental Relations Department Report IRD-85-86 and the Rules Committee meeting of August 12, 1985, IRD held discussions with SANDAG regarding a proposal to them by Assemblyman Larry Stirling. Mr. Stirling suggested that SANDAG function as the lead agency in addressing the critical habitat designation issue. SANDAG will meet with affected agencies and property owners, including perhaps Orange and Riverside Counties, to develop a regionwide plan which would allow protection of the Least Bell's Vireo while still allowing for capital facility construction. Assemblyman Stirling is considering introduction of a bill which would provide funding for developing such a plan. As a result of this current action, Item No. 4 of the recommendation in the Intergovernmental Relation Department Report IRD-85-86 was orally modified to state:

4. The City encourages a regional or rangewide approach to accomplish habitat preservation, enhancement, and sound species management procedures, which at the same time permit implementation of necessary transportation and capital facilities, and will pursue this goal as part of an interagency task force with affected agencies and property owners.

The Rules Committee approved the modified recommendation by a vote of 4-0. (Mayor Hedgecock excused).

FILE: MEET

COUNCIL ACTION: (Tape location: A354-400.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmay-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S410: (R-86-296) ADOPTED AS RESOLUTION R-263922

Authorizing the execution of a Sewer Service Agreement with the State of California (Department of Corrections) and the Otay Water District for the provision of sewer service to the Otay Mesa State Prison; adding a new project to the Capital Improvement Program for the Sewer Revenue Fund 41506, entitled Otay Valley Trunk Sewer Extension, CIP-46-112.0, in the amount of \$325,000; authorizing the City Auditor and Comptroller to transfer the sum of

\$325,000 within the Sewer Revenue Fund 41506 from the Allocated Reserve (70697) to the Sewer Main Construction Program (70492); authorizing the expenditure of \$325,000 for the Otay Valley Trunk Sewer Extension Project (CIP-46-112.0), for providing funds for the above project. (See City Manager Report CMR-85-404. Otay Mesa Community Area. District-8.)

COMMITTEE ACTION: Reviewed by RULES on 8/12/85.  
Recommendation to adopt recommendation in CMR-85-404.  
Districts 1, 4, and 6 voted yea. District 8 not present. Mayor Hedgecock excused.  
Aud. Cert. 86197.  
WU-M-85-315.

FILE: MEET CONTFY86-1

COUNCIL ACTION: (Tape location: C410-460.)

MOTION BY MARTINEZ TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

19850819

ITEM-UC-1: (R-86-522) ADOPTED AS RESOLUTION R-263923, DENYING THE APPEAL

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Matter of appeal by Ms. Veryl Mortenson and members of the San Diego Symphony Board of Directors for a permit to hold OKTOBERFEST at Sixth Avenue and Laurel Street location in Balboa Park.

FILE: MEET

COUNCIL ACTION: (Tape location: C461-D589.)

Motion by Martinez to waive the rules and hear the appeal today.  
Second by Gotch. Passed: Yea-1,2,3,5,6,8,M. Not present-4.  
Vacant-7.

MOTION BY MARTINEZ TO DENY THE APPEAL. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-nay.

ADDITIONAL BUSINESS: During consideration of the above regular business item, the following resolution was adopted:

(R-86-523) ADOPTED AS RESOLUTION R-263930  
Amending the appeal by Ms. Veryl Mortenson and members of the San Diego Symphony Board of Directors for a permit to hold OKTOBERFEST at Sixth Avenue and Laurel Street in Balboa Park.



FILE: MEET

COUNCIL ACTION: (Tape location: C461-D589.)

MOTION BY MARTINEZ TO AMEND THE APPEAL TO PROVIDE EITHER THE ORGAN PAVILION OR PRESIDENT'S WAY AS AN ALTERNATIVE SITE FOR THE OKTOBERFEST CELEBRATION. REFER THE ISSUE OF NON-PROFIT FUNDRAISING ACTIVITIES IN BALBOA PARK TO THE PUBLIC FACILITIES AND RECREATION (PF&R) COMMITTEE. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

19850819

ITEM-UC-2: (R-86-307) ADOPTED AS RESOLUTION R-263924

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Rescinding Resolution R-250946 regarding the use of City-owned vehicles. Adopting a reworded resolution that will protect the Mayor, members of the Council, City Manager and City Attorney in the event that they are involved in an automobile accident while driving City equipment on their personal time.

FILE: MEET

COUNCIL ACTION: (Tape location: D590-597.)

MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

19850819

ITEM-UC-3: (R-86-313) ADOPTED AS RESOLUTION R-263925

A Resolution presented to the City Council with UNANIMOUS CONSENT:

A resolution to oppose any delays in funding or construction of the I-15/40th Street project.

FILE: MEET

COUNCIL ACTION: (Tape location: D598-616.)

MOTION BY McCOLL TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

19850819

ITEM-UC-4: (R-86-271) ADOPTED AS RESOLUTION R-263926

A Resolution presented to the City Council with UNANIMOUS  
CONSENT:

Award of Contract - Replacement parts for domestic hot  
water heat exchangers.

FILE: MEET

COUNCIL ACTION: (Tape location: D617-623.)

MOTION BY MITCHELL TO ADOPT. Second by Struiksma. Passed by  
the following vote: Mitchell-yea, Cleator-yea, McColl-yea,  
Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant,  
Martinez-yea, Mayor Hedgecock-yea.

19850819

ITEM-UC-5: (R-86-309) ADOPTED AS RESOLUTION R-263927

A Resolution presented to the City Council with UNANIMOUS  
CONSENT:

Authorizing the City Manager to pay the total sum of  
\$30,000 in settlement of each and every claim against the  
City of San Diego, Superior Court Case No. 497885, William  
Langhorne v. City of San Diego, et al, resulting from the  
personal injuries to William Langhorne; authorizing the  
expenditure of funds.

FILE: MEET

COUNCIL ACTION: (Tape location: D624-632.)

MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the  
following vote: Mitchell-yea, Cleator-yea, McColl-yea,  
Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant,  
Martinez-yea, Mayor Hedgecock-yea.

19850819

ITEM-UC-6: (R-86-369) ADOPTED AS RESOLUTION R-263928

A Resolution presented to the City Council with UNANIMOUS  
CONSENT:

Excusing Council Member Ed Struiksma from the regular  
Council meeting of Tuesday, August 20, 1985, for the  
purpose of conducting State business.

FILE: MEET

COUNCIL ACTION: (Tape location: D633-639.)

MOTION BY MITCHELL TO ADOPT. Second by Struiksma. Passed by  
the following vote: Mitchell-yea, Cleator-yea, McColl-yea,  
Jones-not present, Struiksma-yea, Gotch-yea, District 7-vacant,  
Martinez-yea, Mayor Hedgecock-yea.

19850819

ITEM-UC-7: (R-86-370) ADOPTED AS RESOLUTION R-263929

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member William Jones from the City Council meeting of Monday, August 19, 1985 due to illness, and from the Council meeting of Tuesday, August 20, 1985 and the Public Services and Safety (PS&S) Committee meeting of Wednesday, August 21, 1985 for the purposes of vacation.

FILE: MEET

COUNCIL ACTION: (Tape location: D640-647.)

MOTION BY MITCHELL TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Hedgecock at 5:00 p.m.

FILE: MEET

COUNCIL ACTION: (Tape location: D648-655.)

MOTION BY GOTCH TO ADJOURN THE MEETING IN HONOR OF THE MEMORY OF MRS. MARIAN CELLA. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.