

19851014

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, OCTOBER 14, 1985
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Mitchell at 2:05 p.m. The meeting was adjourned by Deputy Mayor Mitchell at 5:30 p.m. into Closed Session on Tuesday, October 15, 1985, at 9:30 a.m. in the twelfth floor conference room to discuss pending litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-excused by R-264291 (vacation)
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-excused by R-264184
(vacation)
- (5) Council Member Struiksmma-present
- (6) Council Member Gotch-present
- (7) Vacant
- (8) Council Member Martinez-present
Clerk-Abdelnour (mp)

FILE: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Hedgecock-not 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 Struiksmma-present
- (6) Council Member Gotch-present
- (7) Vacant
- (8) Council Member Martinez-present

ITEM-10: INVOCATION

Invocation was given by The Reverend Bill
Kelly-Fleming, Chaplain, San Diego Maritime Ministry.

FILE: MINUTES

Oct-14-1985

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
McColl.

FILE: MINUTES

ITEM-30: PROCLAIMED

A proclamation declaring the week of October 20 through
October 27, 1985 as Public Awareness Week for the
Developmentally Disabled.

(Docketed at the request of Mayor Roger Hedgecock.)

FILE: MEET

COUNCIL ACTION: (Tape location: A163-186.)

MOTION BY GOTCH TO PROCLAIM WEEK OF OCTOBER 20 THROUGH OCTOBER
27, 1985, AS PUBLIC AWARENESS WEEK FOR THE DEVELOPMENTALLY
DISABLED. 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-not present.

ITEM-31: PRESENTED

A presentation to the Council regarding "Project Create
Day".

(Docketed at the request of Southwestern College.)

FILE: MEET

COUNCIL ACTION: (Tape location: A187-258.)

ITEM-32: PRESENTED

A presentation to the Council regarding World Food Day on
October 16, 1985.

(Docketed at the request of Project Share.)

FILE: MEET

COUNCIL ACTION: (Tape location: A259-357.)

ITEM-33: APPROVED

Approval of Council Minutes for the Meetings of:

09/23/85

09/24/85

10/07/85 Adjourned

10/08/85 Adjourned

FILE: MINUTES

COUNCIL ACTION: (Tape location: A358-362.)

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

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-not present.

ITEM-34: GRANTED REQUEST FOR A HEARING

Matter of the request of Vito and Pina Calafato, by Michael D. Stevens, Stevens Planning Group, Inc., for a hearing of an appeal from the decision of the Planning Commission in denying Planned Residential Development Permit PRD-85-0136, which proposes to construct four attached, two-story residential dwelling units with related parking and landscaping on a 0.41-acre site. The subject property is located on the east side of Collwood Boulevard between Monroe Avenue and Montezuma Road in the R1-5000 Zone, in the State University Community Plan area, and is further described as Parcel B of Collwood Glen, Map-5772. (PRD-85-0136. District-7.)

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

FILE LOCATION: PERM PRD-85-0136

COUNCIL ACTION: (Tape location: A364-701.)

Motion by Struiksma to deny the request for a hearing. Second by Martinez. Motion withdrawn.

MOTION BY GOTCH TO GRANT THE REQUEST AND TO HOLD THE HEARING ON DECEMBER 17, 1985, AT 10:00 A.M. Second by Cleator. 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-not present.

* ITEM-50: (O-86-39) ADOPTED AS ORDINANCE O-16515 (New Series)

Amending Chapter III, Article 3, of the San Diego Municipal Code by adding Division 9, Section 33.0905, relating to the enforcement of Auto Wreckage Regulations, granting powers of arrest to Police Department non-sworn personnel for the purposes of enforcing the provisions of Division 9. (Introduced on 9/23/85. Council voted 8-0. District 7 vacant.)

FILE: MEET

COUNCIL ACTION: (Tape location: B045-057.)

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND 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-not present.

* ITEM-51: (O-86-38) ADOPTED AS ORDINANCE O-16516 (New Series)

Amending Chapter II, Article 2, of the San Diego Municipal
Code by amending Section 22.1901, relating to the
Department of Intergovernmental Relations, to clarify the
relationship of the City's agencies and corporations to the
Intergovernmental Relations Department with regard to
lobbying for State and Federal legislation.
(Introduced on 9/23/85. Council voted 8-0. District 7
vacant.)

FILE: MEET

COUNCIL ACTION: (Tape location: B045-057.)

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND 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-not present.

ITEM-52: (O-85-227) ADOPTED AS ORDINANCE O-16517 (New
Series)

Amending Chapter VI, Article 8, Division 1, of the San
Diego Municipal Code, by repealing Section 68.0154 and by
adding Sections 68.0155, 68.0156, 68.0157, 68.0158,
68.0159, 68.0160, 68.0161, 68.0162, 68.0163, 68.0164,
68.0165, 68.0166, 68.0167, 68.0168, relating to Airports,
to establish a noise based curfew and restrictions on
nighttime touch and go operations, stop and go operations
and low approaches at Montgomery Field.
(Serra Mesa Community Area. District-5. Introduced on
9/30/85. Council voted 7-0. District 8 not present.
District 7 vacant.)

FILE: MEET

COUNCIL ACTION: (Tape location: B059-164.)

MOTION BY STRUIKSMA 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-not
present.

* ITEM-53: (O-86-50) ADOPTED AS ORDINANCE O-16518 (New
Series)

Amending Section 1 of Ordinance O-16072 (New Series), adopted October 31, 1983, incorporating Parcel 1 of Parcel Map PM-11423 (approximately 5.2 acres), located at the northwest corner of La Jolla Village Drive and Town Centre Drive, into CA Zone; extension of time to February 8, 1986. (Case-85-0440/EOT1. University Community Area. District-1. Introduced on 9/30/85. Council voted 7-0. District 8 not present. District 7 vacant.)

FILE: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: B045-057.)

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND 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-not present.

* ITEM-54: (O-86-51) ADOPTED AS ORDINANCE O-16519 (New Series)

Amending Section 1 of Ordinance O-16049 (New Series), adopted September 26, 1983, incorporating a portion of the Northwest 1/4 of the Southwest 1/4 of Section 35, Township 18 South, Range 2 West, S.B.B.M., located on the west side of Dairy Mart Road and the northeast side of San Ysidro Boulevard, into CN and CR Zones; extension of time to January 16, 1986. (Case-83-408.1/EOT1. San Ysidro Community Area. District-8. Introduced on 9/30/85. Council voted 7-0. District 8 not present. District 7 vacant.)

FILE: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: B045-057.)

CONSENT MOTION BY GOTCH TO DISPENSE WITH THE READING AND 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-not present.

ITEM-55: (O-86-5 Rev.) INTRODUCED, TO BE ADOPTED OCTOBER 28, 1985

Reintroduction of an Ordinance amending Chapter X, Article 1, of the San Diego Municipal Code by adding Division 13, Sections 101.1300 through 101.1309, relating to Light Pollution, to minimize light pollution by regulating outdoor lighting in commercial, industrial and multi-family zones.

(Introduced as amended on 9/23/85 to include the two provisions submitted by the Small Business Advisory Board to permit off premises signs to remain on until midnight and to require a review of the ordinance's effectiveness within a three year period. Council voted 6-1. Mayor voted nay. District 1 not present. District 7 vacant.)

FILE: - -

COUNCIL ACTION: (Tape location: B178-373.)

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

* ITEM-56:

Two actions relative to regulation of conduct and attire in on-sale liquor establishments:
(See City Manager Report CMR-85-460.)

Subitem-A: (O-85-201) INTRODUCED, TO BE ADOPTED OCTOBER 28, 1985

Introduction of an Ordinance amending Chapter III, Article 3, Division 36, of the San Diego Municipal Code by repealing Section 33.3615(d), relating to Nude Entertainment Business and Nude Entertainers.

Subitem-B: (O-85-202) INTRODUCED, TO BE ADOPTED OCTOBER 28, 1985

Introduction of an Ordinance amending Chapter V, Article 2, of the San Diego Municipal Code by adding Division 90, Sections 52.9001, 52.9002, 52.9003, 52.9004 and 52.9005, relating to Standards of Conduct and Attire for Entertainers and Employees of On-sale Licensed Premises, prohibiting nude or topless servers, hosts or hostesses and nude entertainers in on-sale licensed premises within the City of San Diego.

COMMITTEE ACTION: Reviewed by PSS on 10/2/85. Recommendation to introduce the Ordinances. Districts 3, 4, 5, 6 and 8 voted yea.

FILE: - -

COUNCIL ACTION: (Tape location: B166-175.)

CONSENT MOTION BY MARTINEZ TO INTRODUCE. Second by Struiksmay. 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-not present.

* ITEM-100: (R-86-607) ADOPTED AS RESOLUTION R-264186

Declaring the results of the Municipal Primary Election
held in the City of San Diego on September 17, 1985.

FILE: MEET

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-101:

Three actions relative to awarding contracts:

Subitem-A: (R-86-406) ADOPTED AS RESOLUTION R-264187

For the purchase of hot instant dry traffic paint (yellow
and white), as may be required for a period of two years
beginning December 1, 1985 through November 30, 1987, for
an estimated cost of \$107,240.20, including tax, with
options to renew the contract for up to 2 additional
one-year periods, as follows:

1. J. C. Henberger Co. Inc. - Item 1, Yellow Instant Dry
Traffic Paint, plus refundable drum deposit charge of
\$10.00 each.

2. Baltimore Paint and Chemical Co., Division of the
Sherwin Williams Co. - Item 2, White Instant Dry Traffic
Paint, plus a refundable drum deposit charge of \$4.50 each.
Authorizing the Purchasing Agent to obtain this material on
an emergency basis in the event either of the successful
contractors are unable to deliver paint meeting these
specifications in the stated delivery time in accordance
with the emergency price clause of the specifications.
(BID-6628)

Subitem-B: (R-86-420) ADOPTED AS RESOLUTION R-264188

Bay Cities Services Inc., for furnishing refuse collection
service for San Diego Jack Murphy Stadium, as may be
required for a period of one year beginning October 1, 1985
through September 30, 1986, for an estimated cost of
\$13,392, with an option to renew the contract for two
additional one-year periods with the total of all option
year increases not to exceed 20 percent of original
contract pricing. (BID-6674)

Subitem-C: (R-86-418) ADOPTED AS RESOLUTION R-264189

C. R. Jaeschke, Inc. for the purchase of one power mower, Hustler Model 340, for a total cost of \$14,738.42, including tax, terms and trade-in allowance. (BID-6658)
Aud. Cert. 86319.

FILE: MEET

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO 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-not present.

* ITEM-102:

Two actions relative to awarding contracts:

Subitem-A: (R-86-421) ADOPTED AS RESOLUTION R-264190
San Diego Fire Equipment Co., Inc., for furnishing the City of San Diego with turnout clothing, as may be required for a period of one year beginning September 1, 1985 through August 31, 1986, for an estimated cost of \$46,237.73, including tax and terms, with an option to renew the contract for an additional one-year period. (BID-6564)

Subitem-B: (R-86-417) ADOPTED AS RESOLUTION R-264191
Steiner Corp. for the purchase of uniforms and patches for General Services, Refuse Collection, as may be required for a period of one year beginning September 1, 1985 through August 31, 1986, for a total cost of \$10,033.01, including tax, with options to renew the contract for two additional one-year periods with price escalations not to exceed 5 percent prices in effect at the end of the prior year.
(BID-6605A)

FILE: MEET

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO 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-not present.

* ITEM-103:

Two actions relative to awarding contracts:

Subitem-A: (R-86-419) ADOPTED AS RESOLUTION R-264192
De Anza Chevrolet for the purchase of one 2-ton cab and chassis (1986 Chevrolet C7D042) for a total cost of

\$20,865.04, including tax and terms. (BID-6672)
Aud. Cert. 86320.

Subitem-B: (R-86-415) ADOPTED AS RESOLUTION R-264193
Trans Union Credit Information Co. for furnishing credit
reports, as may be required for a period of one year
beginning October 1, 1985 through September 30, 1986, for
an estimated cost of \$19,375, including terms. (BID-6600A)

FILE: MEET

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-104: (R-86-423) ADOPTED AS RESOLUTION R-264194

Inviting bids for Canyonside Community Park Additional
Improvements on Work Order No. 118592; authorizing the
execution of a contract with the lowest responsible and
reliable bidder; authorizing the City Manager and the City
Auditor and Comptroller to add CIP-29-555, Canyonside
Community Park Additional Improvements to the Fiscal Year
1986 Capital Improvements Program; authorizing the City
Auditor and Comptroller to transfer \$330,000 (\$100,000 from
Capital Outlay Fund 30245, CIP-29-428, Los Penasquitos
Canyon Preserve, \$48,084 from PSD Fund 11130, \$50,217 from
PSD Fund 11131, and \$131,699 from Penasquitos Park Fund
39085) to CIP-29-555, Canyonside Community Park Additional
Improvements; authorizing the expenditure of funds not to
exceed \$330,000 from CIP-29-555, Canyonside Community Park
Additional Improvements, 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-6746)

(Penasquitos East Community Area. District-1.)

CITY MANAGER REPORT: This project will provide additional
improvements to the partially developed Canyonside Community
Park located along the west side of Black Mountain Road in the
Los Penasquitos Canyon. The improvement consists of four
lighted tennis courts and lighting for the existing easterly
softball field. Due to funding limitations, these improvements
were not included in the first phase of the park development.

Aud. Cert. 86295.

FILE: W.O. 118592 CONTFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-105: (R-86-422) ADOPTED AS RESOLUTION R-264195

Inviting bids for the construction of Amherst Street Storm Drain - 69th Street to 70th Street on Work Order No. 118388; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$167,000 from Capital Outlay Fund 30245, CIP-11-176, Amherst Street Drain, 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-6742) (Mid-City Community Area. District-7.)

CITY MANAGER REPORT: The intersection of Amherst Street and 70th Street becomes flooded during rain storms creating a potentially dangerous condition for traffic and pedestrians. This project will alleviate the flooding problem by providing for a storm drain system consisting of inlets, resurfacing at the intersection of Amherst Street and 70th Street, and a 30-inch storm drain pipe along Amherst Street to the existing drainage system at 69th Street.
Aud. Cert. 86282.

FILE: W.O. 118388 CONTFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-106:

Two actions relative to the final subdivision map of Bernardo Heights Unit No. 23, a 1-lot subdivision located southwesterly of Camino Del Norte and Interstate 15: (Rancho Bernardo Community Area. District-1.)

Subitem-A: (R-86-525) ADOPTED AS RESOLUTION R-264196

Authorizing the execution of an agreement with Genstar Development, Inc., for the installation and completion of certain public improvements.

Subitem-B: (R-86-524) ADOPTED AS RESOLUTION R-264197

Approving the final map.

FILE: SUBD - Bernardo Heights Unit No. 23

CONTFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-107:

Three actions relative to the final subdivision map of Carmel Valley Unit No. 1, a 55-lot subdivision located northwesterly of Interstate 5 and Carmel Valley Road: (North City West Community Area. District-1.)

Subitem-A: (R-86-568) ADOPTED AS RESOLUTION R-264198

Authorizing the execution of an agreement with Baldwin Building Company for the installation and completion of public improvements.

Subitem-B: (R-86-567) ADOPTED AS RESOLUTION R-264199

Approving the final map.

Subitem-C: (R-86-576) ADOPTED AS RESOLUTION R-264200

Acceptance of that grant deed of Baldwin Builders, Inc. granting to the City Parcels A and B in Carmel Valley Unit No. 1 for the construction and maintenance of public sewer, water and drainage lines and structures.

FILE:

Subitem-A,B - SUBD - Carmel Valley Unit No.

1;

Subitem-C - DEED F-3000 CONTFY86-1

DEEDFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-108: (R-86-554) ADOPTED AS RESOLUTION R-264201

Authorizing the City Manager to release a portion of the

surety issued by American Insurance Company for Canyon Country Unit No. 4 in the form of Performance Bond No. 712-4813, so that the same is reduced as follows:

1. For faithful performance, to the sum of \$289,546.
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$144,773.

(Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT: On May 29, 1984, the City entered into an agreement with the Fieldstone Company, a California Corporation, for the construction of public improvements for Canyon Country Unit No. 4. Performance Bond No. 712-4813, issued by the American Insurance Company in the amount of \$761,962, was provided by the subdivider. The agreement expires May 29, 1986. Eighty-three percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. 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 requested that the surety be reduced approximately 62 percent to \$289,546.

FILE: SUBD - Canyon Country Unit No. 4

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-109:

Two actions relative to the amended agreement, time extension and substitution of surety for Eastview Unit No. 7:

(Rancho Bernardo Community Area. District-1.)

Subitem-A: (R-86-539) ADOPTED AS RESOLUTION R-264202
Granting an extension of time to May 15, 1987 to Eastview Partners California General Partnership, subdivider, to complete the improvements required in Eastview Unit No. 7.

Subitem-B: (R-86-540) ADOPTED AS RESOLUTION R-264203
Authorizing the execution of an amendment to the subdivision agreement for Eastview Unit No. 7 to provide for the substitution of Eastview Partners California General Partnership for Avco Community Developers, Inc. as

subdivider; declaring that the public improvements to be constructed shall be completed by May 15, 1987; accepting Performance Bond No. 13-46-11, issued by Insurance Company of the West in the amount of \$622,558, as the surety for the required improvements; releasing Performance Bond No. YS-842-725L issued by Industrial Indemnity Company in the amount of \$477,750.

CITY MANAGER REPORT: On October 5, 1981, the City entered into an agreement with Avco Community Developers, Inc., a California Corporation, for the construction of public improvements for Eastview Unit No. 7. On March 5, 1984, a time extension was granted to October 5, 1984, by Resolution R-260216. The property is now owned by Eastview Partners California General Partnership. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider to complete the required work. The amended agreement also provides for an extension of time to complete the work to May 15, 1987. The new subdivider has provided a performance bond in the amount of \$622,488. 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: SUBD - Eastview Unit No. 7 CONFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-110:

Two actions relative to the amended agreement, time extension and substitution of surety for Eastview Unit No. 8:
(Rancho Bernardo Community Area. District-1.)

Subitem-A: (R-86-545) ADOPTED AS RESOLUTION R-264204
Granting an extension of time to May 15, 1987 to Eastview Partners California General Partnership, subdivider, to complete the improvements required in Eastview Unit No. 8.

Subitem-B: (R-86-546) ADOPTED AS RESOLUTION R-264205
Authorizing the execution of an amendment to the subdivision agreement for Eastview Unit No. 8 to provide for the substitution of Eastview Partners California

General Partnership for Avco Community Developers, Inc. as subdivider; declaring that the public improvements to be constructed shall be completed by May 15, 1987; accepting Performance Bond No. 13-46-12, issued by Insurance Company of the West in the amount of \$670,128, as the surety for the required improvements; releasing Performance Bond No. YS 842-7253, issued by Industrial Indemnity Company in the amount of \$449,330.

CITY MANAGER REPORT: On October 5, 1981, the City entered into an agreement with Avco Community Developers, Inc., a California Corporation, for the construction of public improvements for Eastview Unit No. 8. On March 5, 1984, a time extension was granted to October 5, 1984, by Resolution R-260217. The property is now owned by Eastview Partners California General Partnership. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider to complete the required work. The amended agreement also provides for an extension of time to complete the work to May 15, 1987. The new subdivider has provided a performance bond in the amount of \$670,128. 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: SUBD - Eastview Unit No. 8 CONFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-111: (R-86-532) ADOPTED AS RESOLUTION R-264206

Resolution of Intention to acquire approximately 14.23 acres of Valencia Canyon for the San Diego Open Space Park Facilities District No. 1.

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

CITY MANAGER REPORT: Valencia Canyon is the number 56 priority, in Category C, on the Council's adopted open space retention list. This land, which consists of one 14.23 acre parcel, is located south of the 5800 block of Imperial Avenue. On November 21, 1983, Council adopted Resolution R-259663, approving an acquisition plan which included allotting up to \$5 million for Council District 4 parcels, along with funds to have them appraised for purposes of acquisition for open space. The specific acquisition plan including this canyon land was

approved by the Public Facilities and Recreation Committee on October 17, 1984. This request is for \$475,000 which would provide funds to purchase these parcels at fair market value plus funds to cover title, escrow, and other miscellaneous costs.

Aud. Cert. 86283.

FILE: STRT OS-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-112: (R-86-574) ADOPTED AS RESOLUTION R-264207

Vacating Morena Boulevard in a portion of Block 7, Homeland Villas, Map-1010, Brandywine Street, adjacent to Blocks 11 and 12, and the alley in Block 12, all of American Park Addition, Map-983, all within the Sumner Center Subdivision (TM-82-0036), under the procedure for the summary vacation of streets where the portion of street to be vacated has been superseded by relocation; declaring that this resolution shall not become effective unless and until the Sumner Center Subdivision (TM-82-0036) has been approved by Council action; in the event that the final map is not approved by August 25, 1988, this resolution shall become void and of no further force or effect; directing the City Engineer to advise the City Clerk of the approval of the aforementioned map.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER REPORT: The vacation of Morena Boulevard, Brandywine Street, and alley are conditions of Sumner Center Subdivision (TM-82-0036) approval for commercial office development. On July 8, 1981, Council approved a 55-year lease agreement for a 2.27-acre parcel located southwesterly of Balboa Avenue and Morena Boulevard. The lessee was required to obtain all necessary permits and clearances for the development of the parcel. The streets are proposed to be vacated in order to accommodate the proposed development. The streets being vacated are unimproved but contain several public facilities. Easements for the public facilities will be provided by reservations from the closing and the granting of easements by the subdivision map. Required public improvements on Morena Boulevard, adjacent to the subdivision, will be bonded for and constructed as part of the required subdivision work. Staff review has concluded that street rights-of-way are no longer needed for present or

prospective public use and may be summarily vacated conditioned upon the approval and recordation of Sumner Center Subdivision TM-82-0036. This application has been processed in accordance with Council Policy 600-15.

Fowler/Casey/JFM

FILE: DEED F-3001 STRT J-2565 DEEDFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-113: (R-86-560) ADOPTED AS RESOLUTION R-264208

Vacating Fairmount Avenue in a portion of Lot 23, Partition of Rancho Mission of San Diego, Map-330, within or adjacent to Talmadge Canyon Park Subdivision (TM-83-0567) boundaries, under the procedure for the summary vacation of streets, where the portion of street to be vacated has been superseded by relocation; declaring that this resolution shall not become effective unless and until the final subdivision map for Talmadge Canyon Park (TM-83-0567) has been approved by Council action; in the event that the final map is not approved by December 6, 1987, this resolution shall become void and of no further force or effect; directing the City Engineer to advise the City Clerk of the approval of the aforementioned subdivision map.

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

CITY MANAGER REPORT: The vacation of Fairmount Avenue is a condition of Talmadge Canyon Park Subdivision (TM-83-0567) approval for the development of 110 attached multi-family dwelling units. The subject right-of-way being vacated is the old alignment of Fairmount Avenue and is located southeasterly of Montezuma Road and Fairmount Avenue. The street is partially improved with abandoned asphalt pavement and does not contain any public facilities. The developer will be required to improve the northbound lanes of Fairmount Avenue, to a 44-foot-wide roadway, from the southerly subdivision boundary to the ramp to Montezuma Road. All required public improvements will be constructed and bonded for as part of the required subdivision work. Staff review has concluded that the subject right-of-way is no longer needed for present or prospective public use and can be summarily vacated conditioned upon the approval and recordation of Talmadge Canyon Park TM-83-0567. This application has been processed in accordance with Council

Policy 600-15.

Fowler/Casey/JFM

FILE: DEED F-3002 STRT J-2566 DEEDFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-114: (R-86-551) ADOPTED AS RESOLUTION R-264209

Vacating a portion of Quincy Street adjacent to Lots 20 and 21 of Block 57 and Lots 1 and 40 of Block 58, Pacific Beach, under the procedure for the summary vacation of streets where the portion of street to be vacated is excess right-of-way and is no longer required for street or highway purposes; 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 City reserves and excepts from vacation and abandonment, easements, and rights of any public utility pursuant to any existing franchise or renewal thereof; declaring that the easement reserved herein is in, under, over, upon, along and across those portions of Quincy Street adjacent to Lots 20 and 21 of Block 57 and Lots 1 and 40 of Block 58, Pacific Beach.

(Mission Pacific Community Area. District-6.)

CITY MANAGER REPORT: The adjacent property owners have requested the vacation of the excess right-of-way of Quincy Street in order to incorporate the area with their respective adjacent properties. Quincy Street is located between Loring Street and Wilbur Avenue and has been built to its ultimate design width (36 feet curb-to-curb). The vacation of the excess right-of-way will reduce the width from 80 feet to 56 feet maintaining a 10 foot curb-to-property line on both sides of Quincy Street. The subject right-of-way contains public utilities for which general easements are being reserved. Staff review has concluded that the right-of-way to be vacated is no longer needed for present or prospective use and can be summarily vacated. This application has been processed in accordance with Council Policy 600-15.

Fowler/Casey/JFM

FILE: DEED F-3003 STRT J-2567 DEEDFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-115: (R-86-590) ADOPTED AS RESOLUTION R-264210

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company an easement for underground electrical facilities and appurtenances affecting a portion of City-owned Lot 11 of New Riverside -- Fire Station 28. (Kearny Mesa Community Area. District-5.)

CITY MANAGER REPORT: As a result of the establishment of an Underground Utility District by the City, SDG&E will be converting to underground the existing overhead lines that serve Fire Station 28 and related buildings at 3870 Kearny Villa Road. The conversion involves removing three existing poles from the fire station property and running underground conduit from an on-site pad-mounted transformer a short distance to connect to underground lines to be located in the street. The cost of the undergrounding will be paid with SDG&E funds allocated for that purpose. Upon completion of the conversion, SDG&E will issue a quitclaim deed to the City for two earlier electrical easements affecting the property that SDG&E will no longer need. The easements to be quitclaimed cover approximately 10,913 square feet, while the new easement contains only about 700 square feet. The proposed easement has been cleared with the Fire Department.

FILE: DEED F-3004 DEEDFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-116: (R-86-556) ADOPTED AS RESOLUTION R-264211

Authorizing the acceptance by the City Manager of the deed of Pardee Construction Company, conveying to the City a water easement in Lot 1 of Sabre Springs Industrial Park Unit No. 1, Map-11066; authorizing the execution of a quitclaim deed, quitclaiming to Pardee Construction Company all of the City's right, title and interest in the water easement in Lot 1 of Sabre Springs Industrial Park Unit No. 1, Map-11066.

(Located northwesterly of Interstate 15 and Poway Road. Sabre Springs Community Area. District-1.)

FILE: DEED F-3005 DEEDFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-117: (R-86-573) ADOPTED AS RESOLUTION R-264212

Renaming the street currently known as Mahina Way, located in Palm Pacifica Unit No. 2, Subdivision Map-11001, Mabuhay Way; authorizing installation of the necessary signs and markings to indicate the new street name.

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

CITY MANAGER REPORT: 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-3006 DEEDFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-118: (R-86-90) ADOPTED AS RESOLUTION R-264213

Establishing Council Policy 100-12, entitled, "Administration of the City's Private Activity Bond Allocation".

(See City Manager Report CMR-85-378.)

COMMITTEE ACTION: Reviewed by RULES on 9/23/85.

Recommendation to adopt draft Council Policy 100-12 described in City Manager Report CMR-85-378. Districts 1, 4, 6 and 8 voted yea. Mayor Hedgecock excused.

FILE: MEET

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-119: (R-86-261) ADOPTED AS RESOLUTION R-264214

Amending the Fiscal Year 1986 Capital Improvements Program by adding CIP-12-056, Tia Juana River Flood Control;

authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$1,663.25 from CIP-91-801.3, Revenue Sharing Reserve, Fund 18013, to CIP-12-056, Tia Juana River Flood Control; authorizing the expenditure of an amount not to exceed \$12,063.21 from Fund 3900.2, Tia Juana River Flood Control Project, and an amount not to exceed \$1,663.25 from CIP-12-056, Tia Juana River Flood Control, (Revenue Sharing Fund 18013) for payment of Invoice No. 24C from the International Boundary and Water Commission for construction work performed for and at the request of the City as part of the Tia Juana River Flood Control Project, pursuant to the Memorandum of Understanding dated January 31, 1977.

(San Ysidro Community Area. District-8.)

CITY MANAGER REPORT: During construction of the Tia Juana River Flood Control Project, the City of San Diego requested the International Boundary and Water Commission (IBWC) to perform additional construction work in conjunction with the project including the extension of the north levee to provide flood protection to additional land and the relocation and reconstruction of Dairy Mart Road. This work was done at a cost of \$530,220 which is due the IBWC pursuant to a Memorandum of Understanding dated January 31, 1977. The Memorandum of Understanding required the City to acquire the necessary right-of-way for the project and transfer title to the Federal Government. This has been done and the actual land cost reimbursed to the City by the State of California Department of Water Resources. The Memorandum of Understanding stipulated that the IBWC would reimburse the City for costs of land, appraisals, title reports, recording fees and related costs. The total reimbursement due to the City is \$516,493.54. The IBWC has deducted the amount due to the City, \$516,493.54, from the amount the City owes them, \$530,220, and invoiced the City for the difference, \$13,726.46.

Aud. Cert. 86290.

FILE: MEET

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-120: (R-86-550) ADOPTED AS RESOLUTION R-264215

Authorizing the City Auditor and Comptroller to transfer amounts in the sum of \$12,349 from Capital Outlay Reserve,

CIP-90-245, and in the sum of \$1,797 from Fund 10501, Balboa Facilities Fund to CIP-37-003.2, Natural History Museum - Fire and Safety Improvements, Capital Outlay Fund 30245, to supplement existing project funds for final completion and contract closeout; authorizing the expenditure of an amount not to exceed \$14,146 from CIP-37-003.2, Natural History Museum - Fire and Safety Improvements, Capital Outlay Fund 30245, for providing funds for the above project.

(Balboa Park Community Area. District-8.)

CITY MANAGER REPORT: On March 14, 1983, Council Resolution R-258079 authorized advertising and subsequent City Manager award of a contract to Walt Clyne Construction for safety improvements to the Natural History Museum in the amount of \$97,443. During the course of demolition and construction, several underground utility service lines and ducts were encountered, all of which conflicted with new work to be installed. The lines and ducts were unknown and were not included on record drawings; therefore, they did not appear on the project plans with which the contractor was working. In order to identify and safely move the utilities, considerable extra work was necessary which involved added expense. Other changes within the building were necessary due to various code requirements and to meet the needs of the Museum staff for proper functioning of the various departments. Existing contingency funds are not sufficient for the extent and value of work necessitated by the unforeseen conditions.

Aud. Cert. 86288.

FILE: MEET

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-121: (R-86-488) ADOPTED AS RESOLUTION R-264216

Approving the application for Grant Funds under the Roberti-Z'Berg Urban Open Space and Recreation Program for Mid-City acquisition, Lomita Neighborhood Park, and Memorial Community Park improvements.

(See City Manager Report CMR-85-483. Mid-City, Skyline Paradise Hills and Southeast San Diego Community Areas. Districts-3 and 4.)

COMMITTEE ACTION: Reviewed by PFR on 9/23/85. Recommendation to approve the City Manager's Report. Districts 3, 4 and 5

voted yea. District 2 not present.

Aud. Cert. 86264.

FILE: MEET

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-122: (R-86-553) ADOPTED AS RESOLUTION R-264217

Waiving the sum of \$5,083 of the \$12,881 in rental fees assessed to the San Diego Sockers by post-season audit for the 1984 season at San Diego Jack Murphy Stadium.

CITY MANAGER REPORT: As a result of an audit of the San Diego Sockers' 1984 season by the City's Auditor and Comptroller's Office, the Sockers were invoiced for a total of \$12,881. The \$12,881 included \$5,083 for not reporting as income the exchange of tickets for services such as advertising. Mr. Bob Bell, President of the Sockers, has requested that the \$5,083 be waived since this was an attempt to assist their operations at San Diego Jack Murphy Stadium. Staff has reviewed this request and recommends that the \$5,083 be waived since the exchange of tickets for services did not impact the amount of Stadium revenues as the Sockers average only 4,000 paid tickets per game. In fact, exchanging tickets for advertising most likely increased ticket sales revenues to the Stadium. Adoption of the recommendation will require the Sockers to still pay \$7,798 in audit fees. The recommendation was unanimously approved by the Stadium Authority Board of Governors at their September 5, 1985 meeting.

FILE: MEET

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-123:

Two actions relative to the Nestor Creek Flood Control Project 1A:
(Otay Mesa-Nestor Community Area. District-8.)

Subitem-A: (R-86-584) ADOPTED AS RESOLUTION R-264218

Certifying that the information contained in Environmental

Negative Declaration END-85-0563, issued in connection with Nestor Creek Flood Control Project 1A, 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.

Subitem-B: (R-86-583) ADOPTED AS RESOLUTION R-264219

Authorizing the expenditure of an amount not to exceed \$36,000 from Federal Revenue Sharing Account 18013 (CIP-12-036.1) for the acquisition of property rights and related costs for Nestor Creek Flood Control Project 1A.

CITY MANAGER REPORT: Funds in the amount of \$36,000 are needed to acquire flood control channel easements along the existing Nestor Creek streambed between 18th and 19th Streets and Palm and Dahlia Avenues in the Nestor Community Area. A concrete-lined channel will be constructed to protect commercial and residential uses in the area. This phase is an integral part of the overall plan to provide flood protection from floods of up to 100-year frequency of occurrence.

Aud. Cert. 86303.

FILE: MEET

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-124: (R-86-579) ADOPTED AS RESOLUTION R-264220

Declaring that the City concurs in the recommendation of the Army Corps of Engineers that the unconstructed portions of the recommended Sunset Cliffs Shoreline Stabilization project be deauthorized.

(See City Manager Report CMR-85-276. Ocean Beach Community Area. District-2.)

COMMITTEE ACTION: Reviewed by TLU on 6/19/85. Recommendation to approve the City Manager's recommendation. Districts 1, 3, 6 and 8 voted yea. District 5 not present.

FILE: MEET

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-125: (R-86-504) ADOPTED AS RESOLUTION R-264221

Modifying the Rancho Bernardo Financing Plan to add a traffic signal project at the intersection of Via Frontera and West Bernardo Drive utilizing Traffic Signal Charge funding.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER REPORT: Representatives of Rancho Bernardo industrial firms have requested a traffic signal at West Bernardo Drive and Via Frontera. The Transportation and Land Use Committee considered this matter on July 17, 1985 and directed the City Manager to include a traffic signal in the Rancho Bernardo Financing Plan and to modify the Development Impact Fee accordingly. The existing Rancho Bernardo Financing Plan was adopted by Council on January 10, 1984 (Resolution R-259945) and provides for the funding of eight signals through the imposition of Traffic Signal Charges as a condition of subdivision approval. Of the signals currently proposed for such funding, only the signal proposed for the intersection of Acena Drive at Rancho Bernardo Road currently has sufficient traffic volumes to satisfy Council warrants for immediate signalization. This location primarily serves a residential area and signalization may induce "short cutting" of shopping center traffic through a community of single-family homes; therefore, staff proposes to defer signalization of the Acena Drive at Rancho Bernardo Road intersection pending the completion of a detailed traffic engineering study of possible alternatives to a signal. The results of this study will be presented to Council in conjunction with the next annual review of the Rancho Bernardo Public Facilities Financing Plan. In the interim, it is recommended that the intersection of West Bernardo Drive and Via Frontera be added to the Rancho Bernardo Public Facilities Financing Plan and that staff be directed to proceed immediately with a signalization project, using existing Traffic Signal Charge funds on hand. Estimated cost of the Signal is \$105,000, and approximately \$165,000 in Traffic Signal Charge funds have been collected. Specific changes, if required, in the Traffic Signal Charge Fee Schedule will be recommended at the next annual review of the Rancho Bernardo Public Facilities Financing Plan.

FILE: MEET

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-126: (R-86-499) ADOPTED AS RESOLUTION R-264222

Authorizing the execution of a contract with B.S.I. Consultants, Inc. for professional services for the design and construction of the Howard Lane Neighborhood Park; authorizing the expenditure of an amount not to exceed \$41,265 from CIP-23-358, PSD Fund 11741, Howard Lane Neighborhood Park Development, for the purpose of execution of this contract and related costs; authorizing the City Auditor and Comptroller to transfer excess funds to the appropriate reserves upon advice from the administering department.

(San Ysidro Community Area. District-8.)

CITY MANAGER REPORT: This proposed agreement with B.S.I. Consultants, Inc., will provide the City with the professional services required for the design and construction of Howard Lane Neighborhood Park, CIP-23-358. The undeveloped park site is located north of Plantel Way and west of Dairy Mart Road in the San Ysidro Community and is scheduled for construction as a neighborhood park in FY 87. Specific site improvements will be determined pursuant to the normal community input process and will conform to established criteria for neighborhood park design. B.S.I. Consultants, Inc., was selected pursuant to Council Policy 300-7, Consultants Services Selection. Requests for Professional Services were advertised in the San Diego Daily Transcript on April 23, 1985. The City's Nominating Committee selected four firms from the respondents which were interviewed by Park and Recreation staff on June 19, 1985. The City Manager's Office approved this consultant's selection on July 2, 1985.

Aud. Cert. 86291.

FILE: CONT - B.S.I. Consultants, Inc.

CCONTFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-127: (R-86-552) ADOPTED AS RESOLUTION R-264223

Authorizing the execution of an agreement with the County of San Diego for the purpose of providing the fully reimbursed services of one police officer to work with the District Attorney's office, Gang Prosecution Unit, for a ten-month period ending June 30, 1986.

CITY MANAGER REPORT: The District Attorney's Office again wishes to enter into a contract with the San Diego Police Department for the assistance of one police officer to be assigned to their Street Gang Prosecution Unit. The contract is for a period of ten months. The proposed contract between the City and County provides for the full-time assignment of a Street Gang Unit detective from the San Diego Police Department to work as a District Attorney investigator within the Gang Prosecution Unit. The detective will have experience in the investigation and apprehension of gang-related criminals. The Deputy District Attorney in charge of this Unit has prosecuted cases of this nature for several years. The knowledge gained through this working relationship continues to benefit both the District Attorney's Office and the San Diego Police Department.

FILE: MEET CONFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-128: (R-86-190) ADOPTED AS RESOLUTION R-264224

Authorizing the execution of a fourth amendment to the operating agreement with San Diego Data Processing Corporation, Inc.

(See City Manager Report CMR-85-469.)

COMMITTEE ACTION: Reviewed by RULES on 9/23/85. Recommendation to adopt the recommendation in CMR-85-469 to amend the operating agreement with the Data Processing Corporation. Districts 1, 4, 6 and 8 voted yea. Mayor Hedgecock excused.

CITY MANAGER REPORT: The operating agreement presently requires prior approval from the City Council for all third party service agreements in excess of \$10,000. However, opportunities exist for the Corporation to provide services and/or products to other governmental agencies that have significant benefit to the City. Generally, these requirements for services are of a short duration, have no negative impact on services provided to the City of San Diego, and serve to control the cost of data processing to the City. The present requirement to obtain prior City Council approval for all their party services provided in excess of \$10,000 is time consuming, and does not allow the Corporation to respond to potential opportunities in a timely manner. For this reason, the City Manager and Corporation desire to amend the agreement to allow Corporation to enter into third party service agreements for up

to \$100,000, without prior Council approval.

FILE: MEET CONFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-129: (R-86-559) ADOPTED AS RESOLUTION R-264225

Authorizing the execution of an agreement with Girls' Club of San Diego, Inc. to construct improvements to the existing building at 606 South 30th Street; authorizing the expenditure of an amount not to exceed \$167,051 from CDBG Fund 18520, Department 5812, Organization 1204, for the purpose of providing funds for the above project.

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

CITY MANAGER REPORT: This CDBG Project will provide for building improvements and a new office addition to the existing Girls' Club building at 606 South 30th Street. Other scheduled improvements include upgrading bathroom and shower facilities, security lighting and repairs to driveway and play areas. The Girls' Club is contributing all architectural services required for the project. This project is consistent with the Southeast San Diego Community Plan and is in accord with the City's General Plan Guidelines.

Aud. Cert. 86281.

FILE: MEET CONFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-130: (R-86-558) ADOPTED AS RESOLUTION R-264226

Authorizing the execution of an agreement with Herman Kimmel and Associates, Inc. for professional engineering services in connection with the design of traffic signal and street lighting systems at Capital Improvements Program listed locations and other locations as requested by the City; authorizing an expenditure in the amount of \$98,100 from the following funds for the purpose of executing the agreement:

1. CIP-61-002, New Traffic Signals in Locations to be Identified, FED-RS Fund, \$27,400; FBA Fund \$3,500.

2. CIP-62-223.0, El Cajon Boulevard/Washington Street - from Pacific Highway to 73rd Street, FED-RS, \$51,500.
3. CIP-68-001.0, Annual Allocation - Cooperative Signal Projects, Capital Outlay, \$3,700.
4. CIP-61-001.0, Annual Allocation - Signal Installations to Accommodate Sudden Traffic Changes, Capital Outlay, \$12,000.

(La Jolla, Mid-City, Park North-East, Penasquitos East, Serra Mesa, Southeast San Diego, Uptown Community Areas. Districts-1, 2, 4, 5 and 8.)

CITY MANAGER REPORT: The Fiscal Year 1986 Capital Improvements Program identifies new traffic signal and street lighting projects in the following locations: Eads Avenue and Pearl Street; Gilman Drive and Villa La Jolla Drive; Armour Street and Convoy Street; Carmel Mountain Road and Cuca Street; Seventh Avenue and Robinson Street; 49th Street and Logan Avenue; Gateway Drive and Home Avenue; Ninth Avenue and University Avenue; 10th Avenue and University Avenue; and renovation and interconnection of traffic signal and street lighting systems on EL Cajon Boulevard/Washington Street from Pacific Highway to 73rd Street. Also listed are annual allocation projects which are identified as "Cooperative Signal Projects" and as "New Traffic Signals in Locations to be Identified". It is proposed to utilize the services of a consultant to design the above listed projects. Utilizing a consultant will complete the design of the projects in a timely manner. Consultants submitted letters of interest and three were interviewed in conformance with Council Policy 300-7. The firm of Herman Kimmel and Associates, Inc. was selected as the recommended consultant. They will be responsible for developing all engineering features of the projects, including preparation of construction drawings, specifications, and cost estimates. Aud. Cert. 86292.

FILE: MEET CCONFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-131: (R-86-572) ADOPTED AS RESOLUTION R-264227

Authorizing the execution of an agreement with Land Studio for consultant services for a parking analysis of Mid-City commercial revitalization areas; authorizing the expenditure of an amount not to exceed \$15,000 from Fund

18519, Department 5713, Organization 1301.
(Mid-City and Park Northeast Community Areas. Districts-3
and 8.)

CITY MANAGER REPORT: The Mid-City Parking Analysis 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 major commercial areas within Mid-City which includes Adams Avenue between Texas and 40th; University Avenue between 805 and Euclid; El Cajon Boulevard between Park Boulevard and 54th Street; and the North Park Business Center on University between Idaho and 805. A Request for Proposals was advertised in two minority newspapers and the San Diego Daily Transcript. There were two responses. A selection committee comprised of representatives from the Engineering and Development and Planning Departments and a representative elected by the Mid-City Commercial Revitalization Task Force selected Land Studio. The parking issue has been an item of concern to the Mid-City Commercial Revitalization Task Force. The members of the Task Force consider the lack of parking in the commercial areas as a major problem to business and property owners and to others who might otherwise locate in the area. The consultant will provide the City with a report which will analyze parking conditions in each of the areas, offer conclusions regarding extent of parking problems and make recommendations for increased parking availability where appropriate. Appropriate roles for the private and public sectors will also be addressed.

Aud. Cert. 86300.

FILE: MEET CCONFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-132: (R-86-599) ADOPTED AS RESOLUTION R-264228

Authorizing the execution of an agreement with the North Park Business Association for the purpose of operating the North Park Business Improvement District, for the term commencing October 1, 1985 through June 30, 1986; approving the proposed budget for the operation of the North Park Business Improvement District.

(See City Manager Report CMR-85-496. North Park Community

Area. District-3.)

Aud. Cert. 86309.

FILE: STRT L-7

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-133: (R-86-547) ADOPTED AS RESOLUTION R-264229

Authorizing the execution of a contract with Paoluccio Paoluccio Associates for professional services for the design and construction of the Mira Mesa Senior Citizens Center; waiving the provisions of Council Policy 300-7 pertaining to the hiring of professional services; authorizing the City Auditor and Comptroller to transfer \$74,300 from Mira Mesa Senior Citizens Center Trust Fund 60216 to CIP-29-556.0, Mira Mesa Senior Citizens Center; authorizing the expenditure of funds not to exceed \$74,300 from CIP-29-556.0, Mira Mesa Senior Citizens Center, for the execution of this contract and related costs; authorizing the City Auditor and Comptroller to transfer excess funds to the appropriate reserves, upon advice of the administering department.

(Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT: The agreement with Paoluccio Paoluccio Associates will provide the professional services required for the design and construction of the Mira Mesa Senior Citizens Center. This project will provide a center for the activities and recreational needs of the senior citizens in the community. Site improvements include a 4,210 square foot single story building which provides an assembly area, cardroom/TV area, kitchen, office, storage and restrooms, an outside concrete court area, paved walkways, landscaping with automatic irrigation system and parking for 56 cars. Paoluccio Paoluccio Associates and other subconsultants have prepared the plans and specifications for the Mira Mesa Senior Citizens Center. Those services were being donated by a group of developers. The group contributed the money intended for professional fees to the City with the intent that the City would then pay the consultant. That money has been deposited in a trust fund and can be expended only in accordance with City Council action. The proposed agreement will provide the means to compensate the consultants involved for services already provided and for those services required to complete the project. The proposed fee is

comparable to fees paid by the City for similar services on other projects. This situation is unique and waiver of Council Policy 300-7 and approval of the agreement is recommended. Aud. Cert. 86284.

FILE: CONT - Paoluccio Paoluccio Associates
CCONTFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-134: (R-86-470) ADOPTED AS RESOLUTION R-264230

Accepting the proposal of Pountney and Associates and authorizing the execution of an agreement for the purpose of providing consultant services for Aero Drive Industrial Park; authorizing the expenditure of an amount not to exceed \$27,000 from CIP-39-052.0, Aero Drive Industrial Park, for the above purpose.

(Mission Village - Kearny Mesa Community Area.
District-5.)

CITY MANAGER REPORT: On January 7, 1985 the City Council directed the City Manager to commence the process of creating an industrial subdivision of the 22-acre City-owned parcel at Aero Drive and Ruffin Road; authorized and approved the transfer of \$30,000 from the Pueblo Lands Development Project (CIP-39-040) into the Aero Drive Industrial Park project (CIP-39-052.0); and authorized the expenditure of \$30,000 out of the Industrial Development Fund for that purpose. Pountney and Associates, Inc. was recommended after four firms were interviewed by a selection committee in accordance with the Council consultant selection policy. The selection committee was comprised of two members of the City Engineering Department and two members of the City Property Department. The scope of services will include a preliminary plan and feasibility study encompassing FAA regulations that relate to the area; application for environmental initial study; filing application for rezoning to manufacturing and/or industrial purposes; and the preparation of a tentative map.

Aud. Cert. 86248.

FILE: MEET CCONTFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

* ITEM-135: (R-86-528) ADOPTED AS RESOLUTION R-264231

Authorizing the execution of a ten-year lease agreement with Pioneer Hook and Ladder Company, dba The Firehouse Museum, for the operation and maintenance of a fire fighting equipment museum open to the public. (See City Manager Report CMR-85-470. Centre City Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 9/25/85. Recommendation to approve the City Manager's recommendation. Districts 3, 4 and 5 voted yea. District 2 not present. Aud. Cert. 86280.

FILE: LEAS - Pioneer Hook and Ladder Company, dba The Firehouse Museum LEASFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

* ITEM-136: (R-86-254) ADOPTED AS RESOLUTION R-264232

Authorizing the execution of a three-year lease agreement with the San Diego Rowing Club for the purpose of operating and maintaining a rowing club in a portion of Santa Clara Recreation Center, Mission Bay Park, at a monthly rental of \$750.

(See City Manager Report CMR-85-418; Committee Consultant Analysis PSS-85-29. Mission Bay Community Area. District-6.)

COMMITTEE ACTION: Reviewed by PSS on 9/18/85. Recommendation to adopt the Resolution. Districts 3, 4 and 8 voted yea. Districts 5 and 6 not present.

FILE: LEAS - San Diego Rowing Club LEASFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL 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-not present.

ITEM-150: (R-86-28) ADOPTED AS RESOLUTION R-264233

Approving the Mission Bay South Shores Master Plan; certifying that the information contained in

Environmental Impact Report EIR-81-10-02; SCH-82012705 and the Addendum (EQD-85-0293), in connection with the Mission Bay South Shores Master Plan, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said report has been reviewed and considered by the Council; adopting the Candidate Findings for the Mission Bay South Shores Master Plan; approving the amendments to the Mission Bay Master Plan for Land and Water Use to provide consistency with the land use designations in the South Shores Master Plan; authorizing the submittal of the Mission Bay South Shores Master Plan to the California Coastal Commission as part of the Mission Bay Local Coastal Program Land Use Plan.

(See City Manager Report CMR-85-382. Mission Bay Community Area. District-6.)

COMMITTEE ACTION: Reviewed by PSS on 10/2/85.

Recommendation to adopt the Resolution. Districts 3, 6 and 8 voted yea. Districts 4 and 5 not present.

FILE: LAND - Mission Bay South Shores Master Plan

COUNCIL ACTION: (Tape location: B470-475.)

MOTION BY GOTCH TO ADOPT. Second by McColl. 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-not present.

ITEM-200: (O-86-4) NOTED AND FILED

(Continued from the meetings of August 6, 1985 and September 16, 1985; last continued at Council Member Cleator's request.)

Matter of:

A proposed rezoning of the Hillside Review Overlay Zone areas, in the Uptown Community, to R1-40000 (1 dwelling unit per net residential acre) through an interim ordinance. The interim ordinance would be in effect for one year or until the ordinance to the Open Space and Recreation Element of the Uptown Plan has been approved. (Districts-2 and 8.)

Introduction of an Interim Ordinance.

NOTE: See Item 201.

FILE: - -

COUNCIL ACTION: (Tape location: E231-236.)

Hearing began at 5:15 p.m. and halted at 5:16 p.m.

MOTION BY CLEATOR TO CLOSE THE HEARING AND TO NOTE AND FILE THE

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

* ITEM-201: APPROVED IN CONCEPT AND REFERRED TO PLANNING DEPARTMENT

Two actions relative to regulation of conduct and attire in on-sale liquor establishments:
(See City Manager Report CMR-85-460.)

Subitem-A: (O-85-201)

Introduction of an Ordinance amending Chapter III, Article 3, Division 36, of the San Diego Municipal Code by repealing Section 33.3615(d), relating to Nude Entertainment Business and Nude Entertainers.

Subitem-B: (O-85-202)

Introduction of an Ordinance amending Chapter V, Article 2, of the San Diego Municipal Code by adding Division 90, Sections 52.9001, 52.9002, 52.9003, 52.9004 and 52.9005, relating to Standards of Conduct and Attire for Entertainers and Employees of On-sale Licensed Premises, prohibiting nude or topless servers, hosts or hostesses and nude entertainers in on-sale licensed premises within the City of San Diego.

COMMITTEE ACTION: Reviewed by PSS on 10/2/85. Recommendation to introduce the Ordinances. Districts 3, 4, 5, 6 and 8 voted yea.

FILE: LAND - Uptown Community Plan

COUNCIL ACTION: (Tape location: B476-E230.)

Hearing began at 3:22 p.m. and halted at 5:15 p.m.

Testimony in favor by Jim Kelly-Markham, Marilyn Mirasoul, Less Wilcoxson-Stowers, John Lomac, Chris Huddy, John Houts, Betty Hauck, and Mrs. Glenn Faye

Testimony in opposition by Mike McDade, Brad Saunders, John Starkey, David Milliken, F. T. Fletcher, Rebecca Michael, Florence Sayre-Smith, Jeff Rogers, Bob Martinez, Peter Clark, Richard Freeland, Joe Marciano, T. J. Guedaia, Clayton Hayden, Thomas Ryan, Paul Tucker, Charles Hiller, and Ron Kick.
Deputy Mayor Mitchell closed the hearing.

Motion by Cleator to allow five minutes more to each side for testimony. Second by McColl. Passed by the following vote: Yeas: 1,2,3,5,6. Nay: None. Not Present: 4,8,M. District 7-vacant.

MOTION BY CLEATOR TO APPROVE IN CONCEPT THOSE REVISIONS TO THE PREVIOUS STAFF-RECOMMENDED OSE AMENDMENT WHICH ARE BEING OFFERED

BY PLANNING STAFF IN ITS OCTOBER 9, 1985, STAFF REPORT; CONTINUE FINAL COUNCIL ACTION ON THE DRAFT OSE AMENDMENT AND REFER IT BACK TO STAFF WITH DIRECTION TO FURTHER REVISE THE AMENDMENT IN THE FOLLOWING RESPECTS: (1) DELETE ALL PROVISIONS RELATING DIRECTLY OR INDIRECTLY TO THE TRANSFER OF DEVELOPMENT RIGHTS CONCEPT; (2) DELETE ALL PROVISIONS WHICH ADDRESS DIRECTLY OR INDIRECTLY REGULATION OF DEVELOPMENT WITHIN THE "DEVELOPED OR FLATLAND AREAS" DESIGNATED AS ZONE 3 (DEVELOPED ZONE) IN THE OSE AMENDMENT; (3) APPLY THE OPEN SPACE PRESERVATION CRITERIA CONTAINED IN ZONE 1 (BIOLOGICAL/GEOLOGICAL ZONE) AND ZONE 2 (URBAN DESIGN ZONE) OF THE OSE AMENDMENT ONLY TO HR OVERLAY-ZONED PROPERTIES, AND APPLY THESE CRITERIA THROUGH THE EXISTING HR PERMIT PROCESS; AND (4) REPLACE ALL REFERENCES IN THE OSE AMENDMENT WHICH ARBITRARILY LIMIT DENSITY OR LOT COVERAGE IN HR-ZONED AREAS WITH GUIDELINES WHICH CAN BE IMPLEMENTED THROUGH THE HR PERMIT PROCESS FOR DETERMINING APPROPRIATE DENSITY AND LOT COVERAGE ON INDIVIDUAL PARCELS. UPON STAFF COMPLETION OF THESE FURTHER REVISIONS, REFER THE OSE AMENDMENT TO THE PLANNING COMMISSION FOR ITS REVIEW AND DISCUSSION, AND THEN TO THE COUNCIL FOR FINAL ACTION. 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-not present, Mayor Hedgecock-not present.

ITEM-202: (O-86-48) INTRODUCED AS AMENDED, TO BE ADOPTED OCTOBER 28, 1985

A proposal to approve an Ordinance limiting for a period of one year or until a precise plan update and implementation program can be completed, whichever comes first, the issuance of building permits within the Greater Golden Hill Precise Plan area. No building permits shall be issued for buildings unless the building permits are found to be consistent with the Greater Golden Hill Precise Plan. The Ordinance will provide an adequate period of time to complete an update and implementation program for the Greater Golden Hill Precise Plan. The update began in September, 1985. In some areas, the existing zoning and precise plan appear to be inconsistent. The update of the Greater Golden Hill Precise Plan will be addressing the issue of consistency between the precise plan and existing zoning.

(Districts-4 and 8.)

Introduction of an Interim Ordinance.

FILE: - -

COUNCIL ACTION: (Tape location: E239-440.)

Hearing began at 5:16 p.m. and halted at 5:29 p.m.

Testimony in favor by Tom Woodburn, Jim Wermers, and Howard Silldorf.

Testimony by M. Faye.

Motion by Gotch to continue for one week. Motion withdrawn.

MOTION BY GOTCH TO CLOSE THE HEARING AND TO INTRODUCE THE ORDINANCE AS AMENDED BY EXTENDING THE EXPIRATION DATE FOR 120 DAYS FROM OCTOBER 1, 1985, AS IT RELATES TO THOMAS F. CARTER WHO IS CURRENTLY IN LITIGATION WITH THE CITY. Second by McColl.

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

ITEM-203: TRAILED TO TUESDAY, OCTOBER 15, 1985

(Continued from the meeting of September 23, 1985 at Council Member Struiksma's request.)

A proposal to amend the Mission Valley Community Plan and Mission Valley Interim Development Intensity Regulatory Overlay District Ordinance by:

- 1) Adopting a building height limit of 40 feet for buildings or structures within that portion of the Mission Valley Interim Development Intensity Regulatory Overlay District located south of I-8, with provisions for exceptions to 65 feet under certain specified conditions.
- 2) Amending the boundary of the Mission Valley Community Plan and Mission Valley Interim Development Intensity Regulatory Overlay District shown on Zone Map Drawing No. C-688 to include:
 - a) The 3.26 acre parcel located at the southwest intersection of Friars Road and I-15 (Assessor's Parcel 433-240-15); and
 - b) The remainder of the rectangular 8.04 acre parcel located on the westernmost curve of Camino del Rio South (Assessor's Parcel 444-120-16).
- 3) Amending Section 8.1 of the Mission Valley Interim Development Intensity Regulatory Overlay District Ordinance to include exemptions for Hillside Review Permits approved prior to the effective date of the ordinance.
- 4) Amending Section 7 of the Mission Valley Interim

Development Intensity Regulatory Overlay District Ordinance to allow Planning Director approval for projects proposing minor modifications to existing structures.

- 5) Correcting a typographical omission of the word "net" in Section 2.2 of the above ordinance.

The Mission Valley Interim Development Intensity Regulatory Overlay District comprises approximately 2,418 net acres and is generally bounded on the south by approximately the 150-foot elevation contour line on the south slopes of Mission Valley; on the east by the eastern bank of the San Diego River; on the north by the north rim of Mission Valley east of State Route 163 and by Friars Road west of State Route 163; and on the west by I-5.
(District-5.)

Subitem-A: (O-86-47)

Introduction of an Ordinance amending the Mission Valley Interim Development Intensity Regulatory Overlay District Ordinance regarding building height limitation.

Subitem-B: (O-86-61)

Introduction of an Ordinance amending the Mission Valley Interim Development Intensity Regulatory Overlay District Ordinance regarding boundary changes.

ITEM-204: TRAILED TO TUESDAY, OCTOBER 15, 1985
(Trailed as Unfinished Business from the meeting of October 1, 1985.)

Matters set forth below which affect the following real property:

A portion of the west half of Section 26 and the east half of Section 27, Township 18 South, Range 2 West, S.B.B.M. (approximately 17.5 acres), located on the south side of Coronado Avenue between Beyer Boulevard and Beyer Way, in the Otay Mesa-Nestor Community Plan area.

- 1) Rezoning the above-described real property from Zones A-1-1, A-1-10 and A-1-10 (HR) to Zones R-3000 and R-3000 (HR);
- 2) Appeals of the Committee For Responsible Area Planning, by Phyllis McHone, Chairman, from the decision of the Planning Commission in granting:
 - a) Planned Residential Development Permit PRD-84-0725, which proposes development of a 136-unit residential project consisting of duplex and detached

single-family houses on the above-described real property, and

b) Tentative Map TM-84-0725 (Site 132) which proposes a 140-lot subdivision on the above-described real property.

(Case, PRD and TM-84-0725. District-8.)

Subitem-A: (R-86-341)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0725 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-86-30)

Introduction of an Ordinance for R-3000 and R-3000 (HR) Zoning.

Subitem-C: (R-86-)

Adoption of a Resolution granting the appeal and denying the permit or denying the appeal and granting the permit with appropriate findings to support Council action.

Subitem-D: (R-86-)

Adoption of a Resolution granting the appeal and denying the map or denying the appeal and granting the map with appropriate findings to support Council action.

Subitem-E: (R-86-)

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-84-0725.

ITEM-205: (R-86-609) TRAILED TO TUESDAY, OCTOBER 15, 1985

Confirming the reappointment by the Mayor of Francie Mortenson to serve as a member of the Horton Plaza Theatre Foundation Board, for a three year term expiring January 13, 1988.

(See the memorandum from Mayor Roger Hedgecock dated 9/30/85.)

ITEM-206: (R-86-615) TRAILED TO TUESDAY, OCTOBER 15, 1985

Confirming the appointment by the Mayor of Mr. Richard W. King, to serve as a Commissioner on the Southern California Coastal Water Research Project Authority, to replace Mr. Roy Dodson.
(See the memorandum from Mayor Roger Hedgecock dated 10/1/85.)

ITEM-207: (R-86-385) CONTINUED TO NOVEMBER 12, 1985

(Continued from the meeting of September 30, 1985 at Council Member Struiksma's request.)
Resolution calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an Underground Utility District to be known and denominated as the Murray Ridge Road (Encino Avenue to Harjoan Avenue) Underground Utility District.
(Serra Mesa Community Area. District-5.)

CITY MANAGER REPORT: The proposed district will underground the overhead utility facilities on Murray Ridge Road between Encino Avenue and Harjoan Avenue. This is a scheduled project in the Calendar Year 1986 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 51, all of which are single family residential properties. A typical cost range for a licensed contractor to perform this conversion work on residential private property is \$600 to \$1,100. The recently adopted Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's annual allocation funds (Case 8209) to make reimbursement payments of \$300 each to the affected property owners where the required length of trenching on private property exceeds 15 feet. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 86223.

FILE: STRT K-150

COUNCIL ACTION: (Tape location: A133-151.)

MOTION BY STRUIKSMA TO CONTINUE FOR FOUR WEEKS AT HIS REQUEST FOR TIME TO INTERACT WITH THE PEOPLE INVOLVED TO DETERMINE WHETHER THE LEVEL OF SUPPORT WARRANTS THE COST TO THE CITY.

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-not present.

ITEM-208: (R-86-589) TRAILED TO TUESDAY, OCTOBER 15, 1985

Authorizing the City Manager to submit an application to the Mortgage Bond Allocation Committee for an allocation with respect to qualified mortgage bonds to be issued by the City of San Diego for the purpose of single family home purchases in an aggregate principal amount not to exceed \$150,000,000; ratifying and approving any action previously taken by the City Manager with regard to such application. (See Housing Commission Report HCR-85-032CC.)

ITEM-209: (R-86-606) TRAILED TO TUESDAY, OCTOBER 15, 1985

Authorizing the execution of an amendment to master ground lease with the Housing Authority relating to the development of a mobilehome park by Rancho del Rio. (See Housing Commission Report HCR-85-038CC. Tia Juana River Valley Community Area. District-8.)

ITEM-210: TRAILED TO TUESDAY, OCTOBER 15, 1985

Two actions relative to the issuance of bonds to finance the American Assets, Inc. Multifamily Rental Housing Project:
(See Housing Commission Report HCR-85-034CC. Mid-City Community Area. District-3.)

Subitem-A: (O-86-56)

Introduction of an Ordinance authorizing the issuance, sale and delivery of Multifamily Mortgage Revenue Bonds in a principal amount not to exceed \$15,000,000 for the purpose of providing funds for the permanent financing of the cost of developing two Multifamily Rental Housing Projects with an aggregate total of approximately 380 units; determining and prescribing certain matters relating thereto; approving and authorizing the execution of related documents, agreements and actions.
(Six votes required.)

Subitem-B: (R-86-601)

Adoption of a Resolution authorizing the issuance, sale and delivery of Multifamily Revenue Bonds of the Housing Authority of the City of San Diego for two Multifamily Rental Housing Developments one of which is to be known as Hillside Gardens and the other as yet unnamed.

ITEM-211: TRAILED TO TUESDAY, OCTOBER 15, 1985

Two actions relative to the issuance of bonds to finance the La Cima Apartments Multifamily Rental Housing Project: (See Housing Commission Report HCR-85-035CC. University Community Area. District-1.)

Subitem-A: (O-86-57)

Introduction of an Ordinance authorizing the issuance, sale and delivery of Multifamily Mortgage Revenue Bonds in a principal amount not to exceed \$48,600,000 for the purpose of making a loan to provide funds to provide the interim and permanent financing of the cost of developing a Multifamily Rental Housing Project of approximately 514 units to be located in the area of Charmant and Lebon Drives; determining and prescribing certain matters relating thereto; approving and authorizing the execution of related documents, agreements and actions.

Subitem-B: (R-86-611)

Adoption of a Resolution authorizing the issuance, sale and delivery of Multifamily Revenue Bonds of the Housing Authority for a Multifamily Rental Housing Development to be developed by La Cima Ltd.

ITEM-212: TRAILED TO TUESDAY, OCTOBER 15, 1985

Two actions relative to the issuance of bonds to finance the Nobel Court Apartments Multifamily Rental Housing Project: (See Housing Commission Report HCR-85-036CC. University Community Area. District-1.)

Subitem-A: (O-86-59)

Introduction of an Ordinance authorizing the issuance, sale and delivery of Multifamily Mortgage Revenue Bonds in a principal amount not to exceed \$57,500,000 for the purpose of making a loan to provide funds for the interim and permanent financing of the cost of developing a Multifamily Rental Housing Project of approximately 685 units to be located in the area of Nobel Court and Lebon Drive; determining and prescribing certain matters relating thereto; approving and authorizing the execution of related documents, agreements and actions.
(Six votes required.)

Subitem-B: (R-86-610)

Adoption of a Resolution authorizing the issuance, sale and delivery of Multifamily Housing Revenue Bonds of the Housing Authority for a Multifamily Rental Housing Development to be developed by Nobel Court Partners.

ITEM-213: TRAILED TO TUESDAY, OCTOBER 15, 1985

Two actions relative to the issuance of bonds to finance the Woodcrest Development Company Multifamily Rental Housing Project:

(See Housing Commission Report HCR-85-037CC. Clairemont Community Area. District-6.)

Subitem-A: (O-86-58)

Introduction of an Ordinance authorizing the issuance, sale and delivery of Multifamily Mortgage Revenue Bonds in a principal amount not to exceed \$58,000,000 for the purpose of making a loan to provide funds for the interim and permanent financing of the cost of developing a Multifamily Rental Housing Project of approximately 692 units to be located in the area of Clairemont Drive between Iroquois Avenue and Dakota Drive; determining and prescribing certain matters relating thereto; approving and authorizing the execution of related documents, agreements and actions. (Six votes required.)

Subitem-B: (R-86-612)

Adoption of a Resolution authorizing the issuance, sale and delivery of Multifamily Revenue Bonds of the Housing Authority of the City of San Diego for a Multifamily Rental Housing Development to be developed by Villamar Partners.

ITEM-S400: RECONSIDERED, TO BE HEARD ON NOVEMBER 18, 1985

The matter of the reconsideration of Item S403 on the docket of September 30, 1985, regarding San Diego Unified School District and Community College elections, pursuant to San Diego Municipal Code Section 22.0101, Rule 4.

(See memorandum from the City Attorney dated 10/9/85.)

FILE: MEET

COUNCIL ACTION: (Tape location: B024-042.)

MOTION BY CLEATOR TO RECONSIDER. Second by Gotch. 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-not present.

MOTION BY GOTCH TO CONTINUE THE HEARING FOR ONE MONTH. 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-not present.

ITEM-S401: (R-86-632) ADOPTED AS RESOLUTION R-264234

Authorizing the execution of an agreement with United Way of San Diego County to secure emergency temporary shelter for 80 homeless men; authorizing the expenditure of funds not to exceed \$4,200 from General Fund, Unallocated Reserve for the above purpose.

COMMITTEE ACTION: Reviewed by by PSS on 10/2/85. Recommendation to adopt the Resolution. Districts 3, 4, 6 and 8 voted yea.

District 5 not present.

CITY MANAGER REPORT: The Public Services and Safety Committee on October 2, 1985, in response to a request to fund the Salvation Army Emergency Shelter for one month at a cost of \$4,200, approved a loan of city funds to be repaid prior to the end of Fiscal Year 1986. The funds would pay for half a month's lodging for 80 homeless men in the downtown emergency shelter. The County of San Diego has agreed to a contribution of a similar amount. The City loan would be made payable to the United Way of San Diego County who is acting as Fiscal Agent for the Regional Task Force on the Homeless. The loan would be repaid to the City through fund raising, which will occur in the beginning of calendar year 1986. The requested dollars will allow the Salvation Army Shelter to remain open during the period when private dollars are expected to run out and Federal dollars are expected to start. For further details refer to City Manager Report CMR-85-489 dated September 27, 1985.

FISCAL IMPACT: Funds for this purpose can be made available from the General Fund Unallocated Reserve. Funds are to be repaid to the City prior to June 30, 1985.

Murray/Watson/RDM

Aud. Cert. 86352.

FILE: MEET CONFY86-1

COUNCIL ACTION: (Tape location: B374-462.)

Motion by Cleator to request that Council Member Martinez, inasmuch as he is presently involved with the Rescue Mission in its attempt to resolve the church/State issue, bring the Rescue Mission problem to the Council for discussion as soon as possible. Second by Gotch. Passed by the following vote: Yeas: 1,2,3,5,6,8. Nays: None. Not Present: 4,M. District 7-vacant.

MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

ITEM-S402: (R-86-625) RETURNED TO CITY MANAGER

Authorizing the following actions in the matter of the provisions of the Fair Labor Standards Act and its applicability to the City of San Diego:

1. Revising provisions for overtime eligibility of City employees in Police and Fire classes to conform with the provisions of the Fair Labor Standards Act, to be effective October 11, 1985;
2. Establishing an FLSA Section 7(k) exemption for Police and Fire classes and declaring and establishing, pursuant to that Section 7 (k), a 28-day work period for City employees in Fire and Police classes;
3. Authorizing an amendment to the FY 1986 Memorandum of Understanding between the City and Local 145, IAFF, to implement the FLSA provisions.

(See Civil Service Commission Report dated 10/14/85.)

CITY MANAGER REPORT: On February 19, 1985, the U.S. Supreme Court ruled in Garcia v. San Antonio Transit Authority that Congress could constitutionally extend the provisions of the Fair Labor Standards Act to State and local governments. The Department of Labor has announced that it will begin to enforce the Act on October 15, 1985. The Council has previously approved in Closed Session an amendment to the Memorandum of Understanding with Local 145 which involves: 1) Payment of premium rate (one and one-half times regular rate) overtime to Fire Fighters, Fire engineers and Fire Captains; 2) Establishing a 28-day work period for Fire Fighters which will involve a change in the method for drawing holiday time; 3) Restrictions on the ability of the City to pay employees who work overtime in comp time instead of cash. These changes are required to comply with the Fair Labor Standards Act.

FILE: - -

COUNCIL ACTION: (Tape location: A152-160.)

MOTION BY GOTCH TO RETURN TO THE CITY MANAGER AT THE CITY MANAGER'S REQUEST BECAUSE CONGRESS IS IN THE PROCESS OF INITIATING NEW STATUTES. 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-not present.

* ITEM-S403: (R-86-204) ADOPTED AS RESOLUTION R-264235

Authorizing the City Manager to advertise and issue a Request for Proposals for the engineering, design, installation, testing and maintenance of an Automatic Call Distribution and Management Information System for the Communications Division of the San Diego Police Department.

CITY MANAGER REPORT: The Communication Division of the San Diego Police Department utilizes an AT&T Automatic Call Distribution System and a Forced Administrative Data System (management information) both of which have been in service since 1975. With these outdated systems, calls for service can be unnecessarily shunted into a waiting queue because the call distribution system does not provide for routing to other available lines. The system provides for very little summary management information and no information is available by individual operators. In Fiscal Year 1985, the Police Department budgeted \$33,866 for a new management information system to correct this deficiency. Responses to the bid were all deemed inadequate and the purchase was not made. Funds have been reappropriated in Fiscal Year 1986 budget and specifications have been modified as per the attached Request for Proposal. It is recommended that the Request for Proposal be issued and that the Purchasing Department advertise and solicit responses.

FILE: MEET

COUNCIL ACTION: (Tape location: B374-462.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. 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-not present.

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ITEM-UC-1: (R-86-821) ADOPTED AS RESOLUTION R-264236

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member Jones from the Rules Committee meeting of Monday, October 14, 1985, and the PS&S Committee meeting of Wednesday, October 16, 1985, for the purpose of vacation.

FILE: MEET

COUNCIL ACTION: (Tape location: E441-445.)

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

Martinez-not present, Mayor Hedgecock-not present.

ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy Mayor Mitchell at 5:30 p.m.

FILE: MEET

COUNCIL ACTION: (Tape location: E460.)