

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

MONDAY, NOVEMBER 4, 1985

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Hedgecock at 2:10 p.m.  
Mayor Hedgecock adjourned the meeting at 4:10 p.m. to meet in Closed  
Session in the twelfth floor conference room on pending litigation  
with the Council and Redevelopment Agency, and adjourn thereafter to  
Tuesday, November 12, 1985 at 10:00 a.m.

ATTENDANCE DURING THE MEETING:

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

FILE: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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

ITEM-10: INVOCATION

Invocation was given by Rev. Herbert Christ, Pastor of  
College Park Presbyterian Church.

FILE: MINUTES

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ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Jones.

FILE: MINUTES

ITEM-30: (R-86-722) ADOPTED AS RESOLUTION R-264361

Confirming the appointment by City Manager Sylvester Murray of John Delotch as Chief of the Fire Department.

(See City Manager Report CMR-85-510.)

FILE: MEET

COUNCIL ACTION: (Tape location: A015-098.)

MOTION BY GOTCH TO ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

Nov-4-1985

ITEM-31: APPROVED

Approval of Council Minutes for the Meetings of:

10/21/85

10/22/85

10/22/85 Special

FILE: MINUTES

COUNCIL ACTION: (Tape location: A099-103.)

MOTION BY GOTCH TO APPROVE THE MINUTES. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-50: (O-86-30) ADOPTED AS ORDINANCE O-16533 (New Series)

Incorporating 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. (Site 132) (approximately 17.5 acres), located on the south side of Coronado Avenue between Beyer Boulevard and Beyer Way, into R-3000 and R-3000 (HR) Zones. (Case-84-0725. Otoy Mesa-Nestor Community Area. District-8. Introduced on 10/21/85. Council voted 5-3. Districts 4, 6 and Mayor voted nay. District 7 vacant.)

FILE: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A160-167.)

CONSENT MOTION BY MARTINEZ TO DISPENSE WITH THE READING AND

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

\* ITEM-51: (O-86-66) ADOPTED AS ORDINANCE O-16534 (New  
Series)

Authorizing the issuance, sale and delivery of Multifamily  
Mortgage Revenue Bonds in a principal amount not to exceed  
\$20,000,000 for the purpose of making a mortgage loan to  
provide funds for the cost of developing the Carmel Del Mar  
Apartments, approximately 232 units to be located near El  
Camino Real on the north side of Carmel View Road;  
determining and prescribing certain matters relating  
thereto; approving and authorizing the execution of related  
documents, agreements and actions.

(Carmel Valley Community Area. District-1. Introduced on  
10/21/85. Council voted 8-0. District 7 vacant.)

FILE: MEET

COUNCIL ACTION: (Tape location: A160-167.)

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

\* ITEM-100:

Three actions relative to awarding contracts:

Subitem-A: (R-86-646) ADOPTED AS RESOLUTION R-264362

Parkson Corporation for the purchase of one Aqua Guard  
Traveling Screen Model AG-S-T with 304 S/S enclosed  
discharge chute and rear and front enclosures for an  
actual cost of \$216,340.70, including tax, with payment  
terms of 90 percent upon shipment and 10 percent upon  
acceptance of equipment. (BID-6794L)

Aud. Cert. 86389.

Subitem-B: (R-86-644) ADOPTED AS RESOLUTION R-264363

Extrel Corporation for the purchase of one mass  
spectrometer with gas chromatograph and accessories for  
an actual cost of \$233,088.70, including tax.

(BID-6536A)

Aud. Cert. 86390.

Subitem-C: (R-86-641) ADOPTED AS RESOLUTION R-264364

Drew Ford for the purchase of 8 Sedans (Ford Crown Victoria LTD Sedan V8 5.8 liter engine) for a total cost of \$92,813.60, including tax. (BID-6689)  
Aud. Cert. 86391.

FILE: MEET

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-101: (R-86-645) ADOPTED AS RESOLUTION R-264365

Cancelling the balance of the contract with Aztec Landscape for furnishing complete landscape maintenance of 3 City neighborhood parks for the Park and Recreation Department, Central Division, as may be required for a period of one year beginning June 1, 1985 through May 31, 1986, authorized by Resolution R-263132, adopted on May 13, 1985; authorizing the Purchasing Agent to advertise for bids for this service with revised specifications and to award a contract to the lowest responsible and reliable bidder.  
(BID-6243)

FILE: MEET

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-102:

Four actions relative to the final subdivision map of Black Mountain View Estates, a 103-lot subdivision located northeasterly of Black Mountain Road and Rancho Penasquitos Boulevard:  
(Penasquitos East Community Area. District-1.)

Subitem-A: (R-86-691) ADOPTED AS RESOLUTION R-264366

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

Subitem-B: (R-86-690) ADOPTED AS RESOLUTION R-264367

Approving the final map.

Subitem-C: (R-86-715) ADOPTED AS RESOLUTION R-264368  
Authorizing the acceptance by the City Manager of a grant deed of Genstar Development, Inc., granting to the City Lots 100, 101, 102 and 103 of Black Mountain View Estates.

Subitem-D: (R-86-716) ADOPTED AS RESOLUTION R-264369  
Authorizing the acceptance by the City Manager of a grant deed of Genstar Development, Inc., granting to the City Lot 76 of Black Mountain View Estates.

FILE:

Subitems A-B SUBD;

Subitems C DEED F-3054;

Subitem D DEED F-3055 CONFY86-1;  
DEEDFY86-2

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-103: (R-86-678) ADOPTED AS RESOLUTION R-264370

Granting an extension of time to July 22, 1986 to Genstar Development, Inc., subdivider, to complete the improvements required in Bernardo Heights Unit No. 6.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER REPORT: On April 29, 1980, the City entered into an agreement with Genstar Development, Inc., a New York Corporation, for the construction of public improvements for Bernardo Heights Unit No. 6. The agreement expired on April 29, 1982. On October 4, 1982, a time extension was granted to April 28, 1984, by Resolution R-257262. On May 21, 1984, a second time extension was granted to April 28, 1985, by Resolution R-260719. The subdivider has requested a third time extension to July 22, 1986. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE: SUBD - Bernardo Heights Unit No. 6

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant,  
Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-104: (R-86-676) ADOPTED AS RESOLUTION R-264371

Granting an extension of time to June 30, 1986 to Genstar Development, Inc., subdivider, to complete the improvements required in Bernardo Heights Unit No. 8.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER REPORT: On July 3, 1980, the City entered into an agreement with Genstar Development, Inc., a New York Corporation, for the construction of public improvements for Bernardo Heights Unit No. 8. On January 3, 1983, a time extension was granted to June 30, 1984, by Resolution R-257707. On May 21, 1984, a second time extension was granted to June 30, 1985, by Resolution R-260721. The subdivider has requested a third time extension to June 30, 1986. It is recommended that the time extension be granted since the incomplete improvements are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE: SUBD - Bernardo Heights Unit No. 8

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-105: (R-86-679) ADOPTED AS RESOLUTION R-264372

Granting an extension of time to June 30, 1986, to Genstar Development, Inc., subdivider, to complete the improvements required in Bernardo Heights Unit No. 9.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER REPORT: On July 3, 1980, the City entered into an agreement with Genstar Development, Inc., a New York Corporation, for the construction of public improvements for Bernardo Heights Unit No. 9. On January 3, 1983, a time extension was granted to June 30, 1984, by Resolution R-257708. On May 21, 1984, a second time extension was granted to June 30, 1985, by Resolution R-260722. The subdivider has requested a third time extension to June 30, 1986. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE: SUBD - Bernardo Heights Unit No. 9

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-106: (R-86-680) ADOPTED AS RESOLUTION R-264373

Granting an extension of time to December 20, 1986 to Carma Developers (California), Inc., subdivider, to complete the improvements required in Del Cerro Mesa.

(Navajo Community Area. District-7.)

CITY MANAGER REPORT: On September 20, 1983, the City entered into an agreement with Carma Developers (California), Inc., a California Corporation, for the construction of public improvements for Del Cerro Mesa. The agreement expired on September 20, 1985. The subdivider has requested a time extension to December 20, 1986. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE: SUBD - Del Cerro Mesa

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-107: (R-86-675) ADOPTED AS RESOLUTION R-264374

Granting an extension of time to June 27, 1987 to Harry L. Summers, Inc., subdivider, to complete the improvements required in Governor Drive Business Park Unit No. 4.

(University City Community Area. District-1.)

CITY MANAGER REPORT: On June 27, 1983, the City entered into an agreement with Harry L. Summers, Inc., a California Corporation, for the construction of public improvements for Governor Drive Business Park Unit No. 4. The agreement expired on June 27, 1985. The subdivider has requested a time extension to June 27, 1987. It is recommended that the time extension be granted since the incomplete improvements are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE: SUBD Governor Drive Business Park Unit No. 4

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-108: (R-86-677) ADOPTED AS RESOLUTION R-264375

Granting an extension of time to June 11, 1987 to Skyline Paradise, subdivider, to complete the improvements required in Skyline Paradise Unit No. 2.

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

CITY MANAGER REPORT: On January 11, 1982, the City entered into an agreement with Skyline Paradise, a joint venture, for the construction of public improvements for Skyline Paradise Unit No. 2. The agreement expired on January 11, 1984. The subdivider has requested a time extension to June 11, 1987. It is recommended that the time extension be granted since the incomplete improvements are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE: SUBD - Skyline Paradise Unit No. 2

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-109: (R-86-711) ADOPTED AS RESOLUTION R-264376

Vacating Albatross Street, between Spruce Street and Redwood Street, under the procedure for the summary vacation of streets where for a period of five consecutive years the street to be vacated has been impassable for vehicular travel and during such period, no public money has been expended for maintenance.

(Uptown Community Area. District-8.)

CITY MANAGER REPORT: The Park and Recreation Department on behalf of the adjacent property owners has requested the vacation of Albatross Street for the preservation of an inner-city canyon. Albatross Street, proposed to be vacated, is an 80-foot-wide right-of-way bounded on the north by Spruce Street and terminates 20 feet south of Redwood Street. The street is unimproved canyon land and contains no public utilities. It is the intention of the Park and Recreation Department to preserve this inner-city canyon as open space.



The City owns a major portion of the abutting property, which is already designated as open space. The remaining abutting property owners have granted the City fee title to their respective portions of Albatross Street. Staff review indicates that the street right-of-way is no longer needed for present or prospective public use and can be summarily vacated. This application has been processed in accordance with Council Policy 600-15.

FILE: STRT J-2572; DEED F-3056 DEEDFY86-1

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-110: (R-86-713) ADOPTED AS RESOLUTION R-264377

Vacating an alley adjacent to Lots 1 through 4, 7, 8, and 11 through 13, Block 92 of Point Loma Heights, Subdivision Map-1106, under the procedure for the summary vacation of streets where for a period of five consecutive years, the street to be vacated has been impassable for vehicular travel and during such period, no public money has been expended for maintenance; 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 that portion of an alley adjacent to Lots 1 through 4, 7, 8, and 11 through 13, Block 92 of Point Loma Heights Subdivision Map-1106. (Peninsula Community Area. District-2.)

CITY MANAGER REPORT: The property owners, adjacent to the alley, have requested the vacation in order to improve neighborhood security and consolidate the area with the adjacent properties to facilitate future home improvements. The proposed alley is located northerly of Santa Cruz Avenue and Guizot Street. The proposed alley closure begins at a point 100 feet north of Santa Cruz Avenue and extends north and west approximately 220 feet. This portion of the alley proposed for closing, because of adverse topography, is not useable to the abutting properties. The closing as proposed is in the middle of the dedication and will leave alley sections on each end.

The section of alley northeast of Santa Cruz is being used for rear lot access and therefore is not being vacated. The section of the alley northwest of the proposed alley closing is improved with a turn-around and extends northwesterly to intersect Froud Street. All properties abutting the alley, with the exception of the petitioners' properties, will continue to have rear-lot access. The proposed 20-foot-wide closure lies in an east/west canyon which is unimproved but contains sewer and gas facilities for which an easement will be reserved. The existing topography makes it unfeasible to improve the alley within the proposed closure and precludes its use to serve abutting properties. Staff review indicates that the alley right-of-way is no longer needed for present or prospective public use and can be summarily vacated. This application has been processed in accordance with Council Policy 600-15.

FILE: STRT J-2570; DEED F-3057 DEEDFY86-1

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-111: (R-86-698) ADOPTED AS RESOLUTION R-264378

Vacating Carmel Valley Road in Section 19, Township 14 South, Range 3 West, S.B.M., within the boundaries of the proposed Carmel Valley Inn (TM-83-0688), under the procedure for the summary vacation of streets where the portion of street to be vacated has been superseded by relocation; 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 that portion of Carmel Valley Road; declaring that this resolution shall not become effective unless and until the final Subdivision Map of Carmel Valley Inn (TM-83-0688) has been approved by Council action; in the event that the final map is not approved by December 22, 1989, this resolution shall become void and of no further force or effect.

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

CITY MANAGER REPORT: The vacation of Carmel Valley Road is a

condition of Carmel Valley Inn Subdivision (TM-83-0688) approval for the development of a motel/restaurant complex. The subject right-of-way proposed to be vacated is the old alignment of Carmel Valley Road and is located northwesterly of El Camino Real and Carmel Valley Road (new alignment). The street is partially improved with asphalt pavement and contains electrical facilities for which an easement will be reserved. Carmel Valley Road and El Camino Real, adjacent to the proposed subdivision, will ultimately be a 122-foot primary arterial and major street, respectively. The developer will be required to dedicate 61-feet of right-of-way and construct standard 1/2 width improvements for both streets. All required public improvements will be constructed and bonded for as part of the required subdivision work. Staff review has indicated 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 Carmel Valley Inn TM-83-0688. This application has been processed in accordance with Council Policy 600-15.

FILE: STRT J-2569; DEED F-3058 DEEDFY86-1

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-112: (R-86-578) CONTINUED TO NOVEMBER 18, 1985

Resolution of Intention to vacate Kettner Boulevard adjacent to Lots 1, 2 and 3, Block 178 and Lots 10, 11 and 12 of Block 179 and Public Stairway adjacent to Lot 10, Block 179 all of Middletown Addition, Map-384, under the provisions of the Public Streets, Highways and Service Easements Vacation Law; setting the date and time of a public hearing.

(See City Manager Report CMR-85-529. Uptown Community Area. District-2.)

FILE: STRT J-2571

COUNCIL ACTION: (Tape location: A105-112.)

MOTION BY CLEATOR TO CONTINUE FOR TWO WEEKS, AT HIS REQUEST. Second by McColl. Passed by the following vote: Mitchell-not present, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-113: (R-86-719) ADOPTED AS RESOLUTION R-264379

Approving the acceptance by the City Manager of that street easement deed of Sinner Brothers, Inc., granting to City an easement for public street purposes in all of that portion of Lot 36, Block 3, Magnolia Addition, Map-427; dedicating said land as and for a public street, and naming the same Sherman Street.

(Midway Community Area. District-2.)

FILE: DEED F-3059 DEEDFY86-1

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-114: (R-86-687) ADOPTED AS RESOLUTION R-264380

Authorizing the execution of an agreement with the County of San Diego Department of Health Services, Division of Environmental Protection, to provide the City of San Diego with education, recycling, and disposal services for household hazardous wastes; authorizing the City Auditor and Comptroller to transfer \$77,500 within the Sewer Revenue Fund (41506) from the Unallocated Reserve (70697) to the Wastewater Engineering Program (70820); authorizing the expenditure of an amount not to exceed \$77,500 from the Wastewater Engineering Program 70820 for the above purpose; authorizing the City Auditor and Comptroller to transfer unexpended funds to the appropriate reserves.

(See City Manager Report CMR-85-528.)

Aud. Cert. 86351.

WU-M-85-329.

FILE: MEET CONTFY86-1

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-115: (R-86-700) ADOPTED AS RESOLUTION R-264381

Authorizing the execution of amendments to Utility Agreements Nos. 14381 and 14381-B with the State Department of Transportation (CalTrans) for the rearrangement of water facilities on Interstate 15 between 0.2 mile north of Friars Road and 0.3 mile south of Route 274.

(Serra Mesa Community Area. District-5.)

CITY MANAGER REPORT: The City entered into agreements with the State Department of Transportation (CalTrans) for the rearrangement of water facilities in the vicinity of Interstate 15 and Murphy Canyon. Agreement No. 14381 was executed in April, 1979 and provided for the relocation of a 36-inch pipeline at the State's expense except for an allowance of \$8,176 for the depreciated value of the existing pipe. Agreement No. 14381-B was entered into in November, 1981 and allowed the State to relocate a portion of a 16-inch pipeline at its sole expense.

Both of the aforementioned agreements called for the reimbursement of the City's expenses incurred for engineering services and water connections by City construction crews. Actual City costs, as audited by the State, were in excess of what the existing contracts permitted. These proposed amendments will allow the State to reimburse the City's total cost.

WU-U-85-320.

FILE: MEET CONFY86-2

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-116: (R-86-745) ADOPTED AS RESOLUTION R-264382

Authorizing the execution of a contract with Ferver Engineering Company for the structural plan check of the proposed San Diego Convention Center; waiving Council Policy 300-7 for procurement of consultant services; authorizing the expenditure of an amount not to exceed \$86,516.79 from Dept. 5255, Acct. 4118, J.O. 005255, for providing funds for the above purpose.

CITY MANAGER REPORT: The City has contracts with 14 structural engineering firms for structural plan-checking services. These contracts call for the City to pay \$52 per hour for structural plan checking. One of the firms, Ferver Engineering Company, is now performing the structural plan check of the proposed San Diego Convention Center. In the interest of completing the plan check as soon as possible, and to hasten the start of construction, the City and the San Diego Unified Port District would like to have Ferver Engineering work overtime on this project, but the existing contract contains no provisions which would allow the City to pay premium pay for overtime work. It is proposed that a new contract be entered into with Ferver

Engineering Company for the sole purpose of structural plan checking of the Convention Center. The rate of pay would be \$52 per hour, with the added provision that time and one half (\$78 per hour) can be paid for overtime hours worked on this project. The cost to the City for the structural plan checking of the Convention Center will be covered by the plan check fee collected by the City from the San Diego Unified Port District. To date, \$86,516.79 has been collected from the Port District for plan check fees. The Port District has also agreed to pay the City an additional \$26 per hour for each overtime hour that Ferver Engineering works on this job. These funds are deposited in the 10225 Fund and expended as needed.

Aud. Cert. 86379.

FILE: MEET CCONFY86-1

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-117: (R-86-727) ADOPTED AS RESOLUTION R-264383

Authorizing the execution of an agreement with Harmonium, Inc. to operate the Rancho Penasquitos Juvenile Diversion Program; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$16,650 from Fund 100, City's General Fund to Fund 19628, Human Care Services Special Fund; authorizing the expenditure of an amount not to exceed \$16,650 from Fund 19628, Human Care Services Special Fund, for the purpose of providing funds for the above program.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER REPORT: On June 25, 1985, the City Council recommended that Harmonium, Inc. receive \$16,650 from the City's General Fund to operate a juvenile diversion program in the Rancho Penasquitos area of the City. The program is designed to prevent or deter delinquent behavior. The project will receive additional funding from the County as well as from private sources such as client fees or donations. The contract period will run from August 29, 1985 to June 30, 1986.

Aud. Cert. 86370.

FILE: MEET CONFY86-1

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant,

Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-118: (R-86-557) CONTINUED TO NOVEMBER 25, 1985

Authorizing the execution of a first amendment to the agreement with the Boy's Club of San Diego, Inc., for construction of the Boys' Club of Encanto, Phases II and III.

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

COMMITTEE ACTION: Reviewed by PFR on 10/23/85. Forwarded to Council without recommendation. Districts 3, 4 and 5 voted yea.

CITY MANAGER REPORT: The first phase of this CDBG Project is being awarded to construct a gymnasium adjacent to the existing Boys' Club Facility at 6785 Imperial Avenue. The site is easterly of the Encanto Neighborhood Park and is leased to the Boys' Club for this purpose. A second phase project will provide a locker room, toilet room and shower area. The third phase will provide improvements to the existing building. It is necessary to amend the agreement with Boys' Club to allow the use of unencumbered project funds for construction of Phase II and Phase III improvements. The amendment to the agreement will also require the Boys' Club to augment project funds as required to assure completion of the project. The Boys' Club has already contributed \$120,000 to the project, plus the architectural services, and they will construct and maintain a flood control channel through the site. This project is consistent with the Southeast San Diego Community Plan, and is in accordance with the City's General Plan Guidelines.

FILE: --

COUNCIL ACTION: (Tape location: A105-112.)

MOTION BY JONES TO CONTINUE TO NOVEMBER 25, 1985, AT THE CITY MANAGER'S REQUEST. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-119: (R-86-706) ADOPTED AS RESOLUTION R-264384

Authorizing the execution of an agreement between San Diego Entertainment, Inc. and Premier Food Services Corporation, whereby Premier Food Services will provide concession services at the San Diego Sports Arena.

(See City Manager Report CMR-85-527. Midway Community Area. District-2.)

FILE: LEAS - San Diego Entertainment, Inc.

LEASFY86-1

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-120: (R-86-701) ADOPTED AS RESOLUTION R-264385

Authorizing the execution of an agreement with the Santa Fe Irrigation District for an additional connection to the District's water system.

(San Dieguito River Basin Community Area. District-1.)

CITY MANAGER REPORT: Lomas Santa Fe, Inc., a corporation, desires to develop a 161 lot subdivision in the San Dieguito Valley area of the City of San Diego. Presently there are no City water mains serving the area. However, the Santa Fe Irrigation District has water mains in close proximity to the subdivision boundary. The developer approached and received approval from the District for the District to supply the water needs of the subdivision. This action authorizes the City Manager to enter into an agreement with the District for a connection to the District's water system to serve the subdivision. The new connection includes the installation of a 6-inch meter and pressure reducing station. All necessary improvements will be constructed by the developers as part of their subdivision improvements. There is no cost to the City or the District. Under an existing agreement, a metered connection to the District's water system presently serves the Flower Hill Mall and surrounding developments. Provisions for continuing this connection are incorporated in the proposed agreement. The proposed agreement provides for the District to supply the water needs of the subject area until June 30, 1993, or until the City water system is extended to the area, whichever will occur first. It is expected that the extension will be completed within two years. After the City provides its own water supply to the area, the connection will remain to supply water in cases of emergency.

WU-U-85-316.

FILE: MEET CONFY86-1

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-121: (R-86-726) ADOPTED AS RESOLUTION R-264386



Authorizing the execution of a first amendment to the agreement with the University of San Diego School of Law for the operation of the Dispute Resolution Training and Service Program (Mediation Center) for an additional six months; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$75,000 from Fund No. 100, General Fund to Fund No. 19628, Human Care Services Special Fund; authorizing the expenditure of an amount not to exceed \$75,000 from Fund No. 19628, Human Care Services Special Fund, for providing funds for the above program.

CITY MANAGER REPORT: On June 25, 1985 the City Council recommended that \$75,000 be allocated from the General Fund to operate the Dispute Resolution Training and Service project from January 1, 1986 through June 30, 1986. The present agreement terminates December 31, 1985. The agreement modification would extend the contractor's period of performance an additional six months and enable the Council to consider this project's funding needs along with other social service recommendations in the future.

Aud. Cert. 86369.

FILE: MEET CONFY86-1

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-122: (R-86-718) ADOPTED AS RESOLUTION R-264387

Authorizing the execution of a one-year lease agreement with Leota Shaw, with two one-year renewal options, for the continued use by the Police Department of the property at 5025 Newport Avenue as a Community Relations Office, at a yearly rental of \$2,400.

(Ocean Beach Community Area. District-2.)

CITY MANAGER REPORT: Since August 1969, the Police Department has maintained a storefront site at 5025 Newport Avenue in Ocean Beach. The present lease is at \$175 per month for approximately 750 square feet of office space (23 cents, rounded, per square foot).

It is proposed to renew the agreement for one year with two one-year options to extend. Conditions of the lease are basically the same as in the existing agreement except the rent has been increased to \$200 per month (27 cents, rounded, per square foot). This rate is below market for the area.

Aud. Cert. 86360.

FILE: LEAS - Leota Shaw LEASFY86-1

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-200: CONTINUED TO NOVEMBER 25, 1985

(Continued from the meeting of October 22, 1985 at Council Member Struiksma's request.)

Matters of:

- a - Proposal to approve a revision to the San Pasqual Valley-Lake Hodges Area Plan. The proposed revision includes but is not limited to the following:
  - 1) Update of existing conditions.
  - 2) Revisions to the land use map.
  - 3) Revisions to the Agricultural/Conservation, Circulation and Open Space/Recreation Elements.
  - 4) Addition of elements addressing Biological Resources; Public Facilities, Services and Safety; and Cultural Resources.
  - 5) Implementation proposals.
- b - Proposal to amend the Progress Guide and General Plan for the City of San Diego - to amend the Map concerning those portions covered by the proposed revisions to the San Pasqual Valley-Lake Hodges Area Plan.

The subject area consists of approximately 10,700 acres and lies north of the Rancho Bernardo community and within the San Dieguito River Basin.

(District-1.)

Subitem-A: (R-86-474)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-82-0575 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-86-473)

Adoption of a Resolution approving the revised San Pasqual Valley-Lake Hodges Area Plan and rescinding the 1964 San Pasqual Valley Plan, to become effective at the

next omnibus hearing.

FILE: LAND - San Pasqual Valley-Lake Hodges Area  
Plan

COUNCIL ACTION: (Tape location: A201-C385.)

Hearing began at 2:27 p.m. and halted at 4:05 p.m.

Testimony in favor by Glenn Lewis, Charles Jacobs and Jay Powell.

Testimony in opposition by John Ponder, William Walker, William Witman and Frank Konyn.

Motion by Mitchell to refer to the Transportation and Land Use Committee for review and discussion all the elements of the current sand mining operations being conducted in the San Pasqual Valley. Second by Cleator. Passed: Yeas-1,2,3,4,5,6, 8,M. District 7-vacant.

MOTION BY MITCHELL TO APPROVE STAFF'S RECOMMENDATION TO ADOPT THE PLAN. Second by Gotch. Failed by the following vote:

Mitchell-yea, Cleator-nay, McColl-nay, Jones-yea, Struiksma-nay, Gotch-yea, District 7-vacant, Martinez-nay, Mayor Hedgecock-yea.

MOTION BY MARTINEZ TO CONTINUE TO NOVEMBER 25, 1985, AT MAYOR HEDGECOCK'S REQUEST, IN ORDER TO GET INPUT FROM THE CITY'S AGRICULTURAL BOARD REGARDING THE ISSUE OF THE ECONOMIC VIABILITY OF THE LEASE AS IT RELATES TO THE SAND MINING OPERATIONS AND CHANNELIZATION. Second by Struiksma. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-201: (R-85-2569) CONTINUED TO NOVEMBER 25, 1985

(Continued from the meetings of July 22, 1985 and August 5, 1985; last continued at Deputy Mayor Mitchell's request.)

Declaring the real property and improvements owned by the City of San Diego, identified in the TMY Farms, Inc. lease agreement with the City as Buildings No. 3 and 5, to be a public nuisance; authorizing the City Attorney to take appropriate legal action to abate said nuisance.

(See City Manager Report CMR-85-355. San Pasqual Valley Community Area. District-1.)

FILE: --

COUNCIL ACTION: (Tape location: A105-112.)

MOTION BY JONES TO CONTINUE TO NOVEMBER 25, 1985, AT THE CITY MANAGER'S REQUEST. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-202: (R-86-744) ADOPTED AS RESOLUTION R-264388

Authorizing the execution of an irrevocable offer to dedicate a 9.7-acre wetland area for an open space easement, in connection with a lease to Rancho Del Rio for the development of a mobilehome park.

(See Housing Commission Report HCR-85-038CC; Report from the Executive Director of the San Diego Housing Commission dated October 14, 1985. San Ysidro Community Area. District-8.)

FILE: DEED F-3060 DEEDFY86-1

COUNCIL ACTION: (Tape location: C421-430.)

MOTION BY MARTINEZ TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S400: (R-86-770) ADOPTED AS RESOLUTION R-264389

Cancelling the contract with Socioenvironmental Consultants for furnishing complete cleaning and maintenance within the Gaslamp Quarter, as may be required for a period of 14 1/2 months beginning May 15, 1985 through July 31, 1986, as authorized by Resolution R-263078 adopted May 6, 1985; accepting the second low bid of Oriental Maintenance Co. for complete cleaning and maintenance within the Gaslamp Quarter, as may be required for the period of October 22, 1985 through July 31, 1986 for a total cost of \$49,220, including terms, with an option to renew the contract for two additional one year periods, with escalations not to exceed 5 percent of bid prices for each option year.

(BID-6305)

(Gaslamp Quarter Planned District. District-8.)

FILE: MEET CCONFY86-1

COUNCIL ACTION: (Tape location: C398-420.)

MOTION BY MITCHELL TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S401: (R-86-754) ADOPTED AS RESOLUTION R-264390

Reducing the amount of sales tax appropriated in the Capital Outlay Fund 30245 by \$2,200,000 from CIP-39-301, Gaslamp Quarter-Fourth Avenue Project; allocating \$2,200,000 of sale tax revenues to Fund 10227, Contribution

to the Redevelopment Agency, and appropriating those funds to CIP-39-301, Gaslamp Quarter-Fourth Avenue Project. (See memorandum from CCDC Executive Vice President dated 10/22/85. Gaslamp Quarter Planned District. District-8.) Aud. Cert. 86392.

FILE: MEET

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S402: (R-86-828) ADOPTED AS RESOLUTION R-264391

Authorizing the City Auditor and Comptroller to transfer the amount of \$5,000 within Fund 100 from the Unallocated Reserve (605) to the Allocated Reserve (901) for the sole and exclusive purpose of providing funds to augment Resolution R-262840 for the expenses incurred in connection with participation in the California Public Utilities Commission rate hearings relating to the Pacific Telephone and Telegraph Company.

Aud. Cert. 86406.

FILE: MEET

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S403: (R-86-829) ADOPTED AS RESOLUTION R-264392

Authorizing the City Auditor and Comptroller to transfer the amount of \$5,000 within Fund 100 from the Unallocated Reserve (605) to the Allocated Reserve (901) for the sole and exclusive purpose of providing funds to augment Resolution R-262839 for the expenses incurred in connection with participation in the California Public Utilities Commission and Federal Power Commission hearings relating to the San Diego Gas and Electric Company.

Aud. Cert. 86407.

FILE: MEET

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant,

Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S404: (R-86-753) ADOPTED AS RESOLUTION R-264393

Authorizing the City Auditor and Comptroller to pay the sum of \$70,208.83 to Appel Development Corporation and \$23,000.78 to John Anderson upon receipt of duly executed releases.

(San Ysidro Community Area. District-8.)

CITY MANAGER REPORT: In March of 1981 the City entered into a standard reimbursement agreement with the developer of a subdivision known as Rancho de las Flores. The agreement includes a provision for the developer to recover the excess of his pro-rata share of the cost of water and sewer facilities he was required to construct. For one of the facilities, a sewer pump station, the agreement provided that subsequent developers would pay the greater of \$1,434 per acre or \$478 per living unit based on expected density levels. Subsequently, a rezoning increased density by approximately 6 times. This increase did not result in additional costs to the pump station. In May of 1983 John Anderson paid the sum of \$31,852.98 for a 58-unit development, Liberty Manor. In May of 1985, Appel Development paid the sum of \$97,171.72 for a 161-unit development known as Baja Rio Vista. Because of the change in density, charges well in excess of that originally contemplated were collected. Appel Development Corporation has since claimed a refund for the amount of fees beyond its proportional share of the sewer pump station. It has been determined that the sum of \$26,962.89 approximates Appel's equitable share and that \$8,852.20 should have been paid by John Anderson for Liberty Manor.

Aud. Certs. 86409, 86410.

WU-U-85-348.

FILE: MEET

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S405: (R-86-785) ADOPTED AS RESOLUTION R-264394

Approving the recommendations contained in Intergovernmental Relations Department Report IRD-85-97, as amplified by the Intergovernmental Relations Department's oral recommendation regarding AB 1909 (Stirling), with respect to the following State Legislation of significance

to the City:

1. SB 1199 (Craven) - Freeway Call Boxes
  2. AB 2297 (Davis) - Mortgage Credit Certificates
  3. AB 1909 (Stirling) - Least Bell's Vireo Habitat Conservation
  4. SB 300 (Foran) - Transportation Finance
  5. SB 361 (Deddeh) - Transportation Finance
- (See Intergovernmental Relations Department Report IRD-85-97.)

COMMITTEE ACTION: Reviewed by RULES on 10/14/85.

Recommendation to adopt the recommendations stated in Intergovernmental Relations Department Report IRD-85-97, Part I, Items 1, 2, 3 and 4.

FILE: MEET

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S406: (R-86-756) ADOPTED AS RESOLUTION R-264395

Directing the City Manager to provide the Public Arts Advisory Board (PAAB) with an inventory of City-owned land and buildings so that the PAAB may evaluate sites to determine feasibility for locating works of art; directing the City Manager to provide the PAAB copies of the Capital Improvement Program (CIP) annually, beginning with Fiscal Year 1986, for use by PAAB as the basis for their annual planning process to recommend locations for works of art, and directing the City Manager to work with the PAAB and selected artist so that the work of art is incorporated into the approved site design; declaring that the City Manager shall send proposals for removing any work of art from public areas of City property, as defined in the San Diego Municipal Code Section 26.07 C.1 and D.3, to the PAAB for review prior to Council action.

(See Intergovernmental Relations Department Report IRD-85-91.)

COMMITTEE ACTION: Reviewed by RULES on 9/23/85. Recommendation to adopt the recommendations in IRD-85-91. Districts 1, 4, 6 and 8 voted yea. Mayor Hedgecock excused.

FILE: MEET

COUNCIL ACTION: (Tape location: A168-185.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea,

Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant,  
Martinez-yea, Mayor Hedgecock-yea.

\* ITEM-S407: (R-86-668) ADOPTED AS RESOLUTION R-264396

Authorizing the execution of a Personal Services Agreement  
with David Lutz and Elizabeth Kennedy for Arts Coordinator  
for the City of San Diego.

(See Intergovernmental Relations Department Report  
IRD-85-69.)

COMMITTEE ACTION: Reviewed by RULES on 6/24/85.  
Recommendation to adopt the recommendation as stated in  
Intergovernmental Relations Department Report IRD-85-69.  
Districts 1, 4, 6, 8 and Mayor voted yea.  
Aud. Cert. 86365.

FILE: MEET CONTFY86-1

COUNCIL ACTION: (Tape location: C386-398.)

MOTION BY STRUIKSMA TO ADOPT. Second by Martinez. Passed by  
the following vote: Mitchell-yea, Cleator-yea, McColl-yea,  
Jones-yea, Struiksma-yea, Gotch-yea, District 7-vacant,  
Martinez-yea, Mayor Hedgecock-yea.

ITEM-S408: (O-86-77) INTRODUCED, TO BE ADOPTED NOVEMBER 18, 1985

Introduction of an Ordinance amending Chapter II, Article  
6, Division 7, of the San Diego Municipal Code by adding  
Sections 26.07.1, 26.07.2, 26.07.3 and 26.07.4, relating to  
the process for selecting public art and placing works of  
art in public places.

(See City Manager Reports CMR-85-468 and CMR-85-396.)

COMMITTEE ACTION: Reviewed by RULES on 9/23/85. Recommendation  
to adopt recommendation in City Manager Report CMR-85-468, which  
approves Version 2 of the Percent for the Arts Ordinance, but  
deleted from the draft Ordinance language which would allow  
expenditures from performing arts, media arts and literature.  
Districts 1, 4, 6 and 8 voted yea. Mayor Hedgecock  
excused.

FILE: --

COUNCIL ACTION: (Tape location: C431-532.)

MOTION BY JONES TO INTRODUCE THE ORDINANCE. Second by  
Struiksma. Passed by the following vote: Mitchell-yea,  
Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,  
District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S409: (R-86-935) ADOPTED AS RESOLUTION R-264397



(Trailed from the meeting of October 29, 1985.)  
The matter of the remaining appointments to the Citizens  
Advisory Board on Police/Community Relations.

FILE: MEET

COUNCIL ACTION: (Tape location: C533-630.)

MOTION BY JONES TO ADOPT THE RESOLUTION CONFIRMING THE  
APPOINTMENTS OF JUDGE ELIZABETH A. RIGGS (THE JUDICIAL  
REPRESENTATIVE) AND DENNIS C. HART (DISTRICT 5 REPRESENTATIVE)  
TO THE CITIZENS ADVISORY BOARD ON POLICE/COMMUNITY RELATIONS.

Second by McColl. Passed by the following vote: Mitchell-yea,  
Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea,  
District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S410: (O-86-60) INTRODUCED, TO BE ADOPTED NOVEMBER 18, 1985

Introduction of an Ordinance amending Chapter IX, Article  
8, of the San Diego Municipal Code by adding Division 4,  
relating to the Interim School Facilities Financing  
Ordinance.

(See Committee Consultant Analysis TLU-85-44; City Manager  
Report CMR-85-462; and letter from Construction Industry  
Federation dated 9/16/85.)

COMMITTEE ACTION: Reviewed by TLU on 10/16/85. Recommendation  
to approve the City Manager's recommendation regarding school  
financing with a requirement that the impacted school districts  
provide documentation of overcrowding for specific attendance  
areas annually and a 5-year Capital Improvement Program  
describing the schedule to construct permanent facilities.

Districts 1, 3, 6 and 8 voted yea. District 5 not present.

CITY MANAGER REPORT: This item was considered by the  
Transportation and Land Use Committee at its meeting of October  
16th and was approved by a 4-0 vote. Certain technical changes  
have been recommended over the draft ordinance which was  
submitted as Attachment 1 of City Manager Report CMR-85-462  
dated September 13, 1985. The TLU Committee suggested that the  
school districts be required to provide a plan for the  
development of school sites as justification for the various  
fees to be levied. The proposed ordinance requires such a plan  
in Section 98.0423 and its annual review under Section 98.0430.

NOTE: See Item S411.

FILE: --

COUNCIL ACTION: (Tape location: C631-656.)

MOTION BY MARTINEZ TO INTRODUCE THE ORDINANCE. Second by  
McColl. Passed by the following vote: Mitchell-yea,  
Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea,  
District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S411: (R-86-555) ADOPTED AS RESOLUTION R-264398

Amending Council Policy 600-22 regarding availability of schools.

(See Committee Consultant Analysis TLU-85-44; City Manager Report CMR-85-462; and letter from Construction Industry Federation dated 9/16/85.)

COMMITTEE ACTION: Reviewed by TLU on 10/16/85. Recommendation to approve the City Manager's recommendation regarding school financing with a requirement that the impacted school districts provide documentation of overcrowding for specific attendance areas annually and a 5-year Capital Improvement Program describing the schedule to construct permanent facilities.

Districts 1, 3, 6 and 8 voted yea. District 5 not present.

CITY MANAGER REPORT: This item was considered by the Transportation and Land Use Committee at its meeting of October 16th and was approved by a 4-0 vote with modification to the draft Council Policy 600-22 (Attachment 2 to City Manager's Report CMR-85-462, dated September 13, 1985) as follows:

Page 3, I., second paragraph of that draft would read:

"Within those portions of the San Diego Unified School District which are within the developed areas of San Diego as shown on Attachment 1, Letters of School Availability shall be required only if the District provides annually a statement and documentation of overcrowding for specific attendance areas. A large-scaled, more detailed map showing the developed areas included in Attachment 1 is on file in the office of the City Clerk as Document 762647, and is available for public inspection."

The TLU Committee suggested that the school districts be required to provide a plan for the development of the school sites as justification for the various fees to be levied. The proposed draft of Council Policy 600-22 requires such information to be used in the formulation of the developer fees and available should the fees be appealed.

NOTE: See Item S410.

FILE: MEET

COUNCIL ACTION: (Tape location: C631-656.)

MOTION BY MARTINEZ TO ADOPT. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Hedgecock at 4:10 p.m.

FILE: MEET

COUNCIL ACTION: (Tape location: C698-D040).

MOTION BY MARTINEZ TO ADJOURN THE MEETING IN HONOR OF THE MEMORY

OF EDWARD FREDERICKS. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.

MOTION BY JONES TO ADJOURN THE MEETING IN HONOR OF THE MEMORY OF RETIRED ARMY LT. COL. ROBERT JOHN SWANSON. Second by Martinez.

Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, District 7-vacant, Martinez-yea, Mayor Hedgecock-yea.