

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, AUGUST 18, 1986
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:03 p.m. Mayor O'Connor adjourned the meeting at 4:23 a.m. to convene as the Redevelopment Agency, and to meet in Closed Session on Tuesday, August 19, 1986 at 9:00 a.m. in the twelfth floor conference room regarding pending and potential litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksmma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-present
- Clerk-Abdelnour (jb)

FILE: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-present
- (4) Council Member Jones-not present
- (5) Council Member Struiksmma-not present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-not present

ITEM-10: INVOCATION

Invocation was given by Dr. James Kniseley, Pastor of Ascension Lutheran Church.

FILE: MINUTES

Aug-18-1986

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Gotch.

FILE: MINUTES

ITEM-30: (R-87-236) ADOPTED AS RESOLUTION R-266396

Acknowledging the generous donation of \$2,500 from RecyCAL - San Diego and publicly expressing to RecyCAL - San Diego the gratitude of the citizens of the City of San Diego for this generous gift in support of litter control and cleanup at the City beaches.

(See City Manager Report CMR-86-375. La Jolla, Ocean Beach, Mission Beach and Pacific Beach Community Areas. Districts 1, 2 and 6.)

FILE: MEET

COUNCIL ACTION: (Tape location: A028-053.)

MOTION BY GOTCH TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-yea.

ITEM-31: WELCOMED

Welcoming eight visitors from the San Diego English Center, who will attend this meeting accompanied by Theresa Moran. This group will arrive at approximately 2:00 p.m. (District-6.)

FILE: MEET

COUNCIL ACTION: (Tape location: A054-065.)

ITEM-32: APPROVED

Approval of Council Minutes for the Meetings of:
7/24/86 Special
7/28/86
7/29/86

FILE: MINUTES

COUNCIL ACTION: (Tape location: A066-070.)

MOTION BY WOLFSHEIMER TO APPROVE THE MINUTES. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-not present, Mayor O'Connor-yea.

* ITEM-50: (O-87-8) ADOPTED AS ORDINANCE O-16698 (New Series)

Amending Chapter II, Article 3, of the San Diego Municipal Code, by amending the Rules of the Civil Service Commission, Section 23.1203 (Rule XI, Section 3), relating to Cause for Removal or Suspension from the Classified Service of the City, by deleting language which unnecessarily limited management's rights to take appropriate action for the failure of an employee to follow a lawful and reasonable direction given by a superior officer.

(Introduced on 8/4/86. Council voted 8-0. District 5 not present.)

FILE: MEET

COUNCIL ACTION: (Tape location: A090-104.)

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

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmas-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-51: (O-86-232) ADOPTED AS ORDINANCE O-16699 (New Series)

Amending Chapter X, Article 2, Division 4 of the San Diego Municipal Code by repealing Section 102.0406.06.3, relating to Park Fees in the Tierrasanta Community Plan Area.

(Tierrasanta Community Area. District-7. Introduced on 8/5/86. Council voted 8-0. District 5 not present.)

FILE: LAND - Tierrasanta Community Plan

COUNCIL ACTION: (Tape location: A090-104.)

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

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmas-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-52: (O-87-2) ADOPTED AS ORDINANCE O-16700 (New Series)

Amending Section 1 of Ordinance O-16039 (New Series), adopted September 12, 1983, incorporating the Southeast Quarter of the Southwest Quarter of Section 20, and the East Half of the Northwest Quarter of the Northwest

Quarter, and the Northeast Quarter of the Northwest Quarter of Section 29, Township 14 South, Range 2 West, S.B.B.M. (approximately 70.2 acres), located on the west side of Interstate Freeway 15 at Mercy Road, into R-1-10 and CA Zones; extension of time to June 25, 1987. (Case-86-0386/EOT1. Mira Mesa Community Area. District-5. Introduced on 8/4/86. Council voted 8-0. District 5 not present.)

FILE: ZONE ORD NO.

COUNCIL ACTION: (Tape location: A090-104.)

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

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-53: (O-87-23) INTRODUCED, TO BE ADOPTED SEPTEMBER 8, 1986

Introduction of an Ordinance amending Chapter VI, Article 2, of the San Diego Municipal Code by amending Sections 62.0104, 62.0206 and 62.0402.1, relating to Administration, Public Improvements Incidental to a Building Permit or Structure, and Penalties for Unauthorized Land Development. (See City Manager Report CMR-86-307.)

COMMITTEE ACTION: Initiated by TLU on 6/23/86. Recommendation to approve the City Manager's recommendation. Districts 1, 4, 6, 7 and 8 voted yea.

CITY MANAGER REPORT: In accordance with Section 62 of the San Diego Municipal Code, the City Engineer is responsible for providing for the orderly administration of private contract work in the public right-of-way and protecting the public interest and safety in the development of private property by regulating grading, private encroachments on public rights-of-way or public property, and construction within the public right-of-way, and establishing standards therefor. This administration includes issuing of permits. As part of the Permit Center study, it was recommended that all permit functions be combined in the Building Inspection Department. This action would amend Section 62.0104 to allow the engineering permit issuance to be performed within the Building Inspection Department by a deputy of the City Engineer. Section 62.0402.1 provides for penalties for unauthorized land development. This action would modify those penalties by making any violation a misdemeanor, subject to the penalty provisions contained in Municipal Code Section 11.12. Currently, the first conviction

of a violation is an infraction which is subject to a fine not to exceed \$100. The current penalties are not sufficient to deter unauthorized land development. Section 62.0206 pertains to public improvements incidental to a building permit or structure. This action would require that public improvements be completed prior to the issuance of a Certificate of Occupancy for a structure. This will eliminate current problems associated with completion of public improvements.

FILE: --

COUNCIL ACTION: (Tape location: A105-119.)

CONSENT MOTION BY GOTCH TO INTRODUCE THE ORDINANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-100: (R-87-32) ADOPTED AS RESOLUTION R-266397

Awarding contracts for the purchase of small tools, as may be required for the period of one year beginning August 1, 1986 through July 31, 1987, for an estimated cost of \$99,738.14, including tax and terms, as follows:
(BID-7379)

1. Cary K. Sales Co. for Section I - Files; Section III - Hammers and Handles; and Section IX - Open, Box and Combination Wrenches, with an option to renew the contract for an additional one-year period with prices not to exceed 5 percent of prices in effect at the end of the initial year.
2. Star Tool & Supply for Section II - Miscellaneous; Section VI - Screwdrivers and Miscellaneous; and Section VIII - Impact Sockets and Accessories.
3. The Donner Company for Section IV - Pliers and Wrenches.
4. Gould Hardware & Machinery Co. for Section V - Shovels; and Section VII - Sockets and Socket Wrench Accessories, with an option to renew the contract for an additional one-year period with prices not to exceed 10 percent of the prices in effect at the end of the initial year.

FILE: MEET CONFY87-4

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

* ITEM-101:

Three actions relative to the final subdivision map of Carmel Valley Neighborhood 6 Unit 4, a 3-lot subdivision located northeasterly of Carmel Valley Road and El Camino Real:
(North City West Community Area. District-1.)

Subitem-A: (R-87-223) ADOPTED AS RESOLUTION R-266398
Authorizing the execution of an agreement with Carmel Del Mar Apartments for the installation and completion of public improvements.

Subitem-B: (R-87-222) ADOPTED AS RESOLUTION R-266399
Approving the final map.

Subitem-C: (R-87-220) ADOPTED AS RESOLUTION R-266400
Vacating an unneeded drainage easement affecting Parcels 2 and 3 of Parcel Map PM-14027, pursuant to Section 8300 et seq. of the Streets and Highways Code.

FILE:

Subitems A-B SUBD - Carmel Valley
Neighborhood 6 Unit 4;

Subitem C DEED F-3499
CONFY87-1; DEEDFY87-1

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

* ITEM-102: (R-87-221) ADOPTED AS RESOLUTION R-266401

Approving the final map of the Second Resubdivision of the Plaza at La Jolla Village Unit No. 1, a 4-lot subdivision located northeasterly of Genesee Avenue and La Jolla Village Drive.
(University Community Area. District-1.)

FILE: SUBD - Plaza at La Jolla Village Unit No. 1

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Martinez-yea,

Mayor-O'Connor-yea.

* ITEM-103:

Two actions relative to an amended agreement and time extension for Bella Pacific Park:
(Pacific Beach Community Area. District-6.)

19860818

Subitem-A: (R-87-186 Rev.1) ADOPTED AS RESOLUTION R-266402

Authorizing the execution of an amendment to the subdivision agreement for Bella Pacific Park, to provide for the substitution of K.G. Blanca Associates for Bella Pacific Park, as subdivider; accepting Performance Bond No. 39-31-88, issued by Insurance Company of the West, in the amount of \$236,746 as the surety for the required improvements in the subdivision.

Subitem-B: (R-87-187) ADOPTED AS RESOLUTION R-266403

Granting an extension of time to December 31, 1987 to K.G. Blanca Associates, subdivider, to complete the improvements required for Bella Pacific Park.

CITY MANAGER REPORT: On October 26, 1981, the City entered into an agreement with Bella Pacific Park, a limited partnership, for the construction of public improvements for Bella Pacific Park. On May 12, 1984, a time extension was granted to October 26, 1985, by Resolution R-260252. The property is now owned by K. G. Blanca Associates. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to December 31, 1987. The new subdivider has provided a change in name and address of principal rider for the original performance bond. 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 improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE: SUBD - Bella Pacific Park CONTFY87-1

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

* ITEM-104:

Two actions relative to an amended agreement and time extension for Casa De Las Campanas II:
(Rancho Bernardo Community Area. District-1.)

19860818

Subitem-A: (R-87-188 Rev.1) ADOPTED AS RESOLUTION R-266404

Authorizing the execution of an amendment to the subdivision agreement for Casa De Las Campanas II, to provide for the substitution of Mediplex of California, Inc., for Home Capital Corporation, as subdivider; accepting Performance Bond No. 9301729, issued by American Casualty of Reading, Pennsylvania, in the amount of \$1,219,044.32, as the surety for the required improvements in the subdivision; releasing Performance Bond No. 133820, issued by Insurance Company of the West in the amount of \$1,219,044.32.

Subitem-B: (R-87-189) ADOPTED AS RESOLUTION R-266405

Granting an extension of time to July 1, 1988 to Mediplex of California, Inc., subdivider, to complete the required improvements required for Casa De Las Campanas II.

CITY MANAGER REPORT: On July 1, 1985, the City entered into an agreement with Home Capital Corporation, a California corporation, for construction of public improvements for Casa De Las Campanas II. The property is now owned by Mediplex of California, Inc. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to July 1, 1988. The new subdivider has provided a performance bond for the same amount as the original bond. 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 improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE: SUBD - Casa De Las Campanas II CONTFY87-1

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

* ITEM-105: (R-87-208) ADOPTED AS RESOLUTION R-266406

Granting the petition for the improvements of the Alley in Block E, University Heights, under the provisions of the Improvement Act of 1911; directing the City Manager to prepare plans, drawings, typical cross-sections, profiles and specifications for the improvements of the Alley in Block E, University Heights, together with estimates of the costs and expenses of such work, and to furnish the Council with a description of the district to be included in the assessment for the work and improvements.

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

CITY MANAGER REPORT: The petition for this improvement was signed by the owners of 63 percent of the property area involved. In addition to the petition, 4 percent of the area involved has signed a 1911 Act waiver of protest for alley improvements as a condition of approval of a building permit. This results in a total of 67 percent. The proposed improvements would consist of grading and paving the alley.

FILE: STRT D-2260

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

* ITEM-106: (R-87-215) ADOPTED AS RESOLUTION R-266407

Resolution of Intention to execute a revised Freeway Agreement for Interstate 5 from 2.9 miles north of Balboa Avenue to .5 miles north of La Jolla Village Drive; setting the time and place of a public hearing.

(University Community Area. District-1.)

CITY MANAGER REPORT: The purpose of this Freeway Agreement is to add two ramps at Nobel Drive and Interstate 5. These ramps will provide a northbound off-ramp from I-5 to Nobel Drive and a southbound on-ramp from Nobel Drive to I-5. The limits of the Freeway Agreement extend well beyond the project location at I-5/Nobel Drive. The limits of this agreement, 2.9 miles north of Balboa Avenue to 0.5 miles north of La Jolla Village Drive, were the limits of a previous Freeway Agreement between the City of San Diego and the State of California. Therefore, the State chose to modify the existing agreement rather than have two separate agreements for this section of freeway.

FILE: MEET

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by

the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

* ITEM-107: (R-87-218) ADOPTED AS RESOLUTION R-266408

Approving the acceptance by the City Manager of a street easement deed of Baker/Walsh, granting to the City an easement for public street purposes in a portion of Lot 27 in Block 5 of The Dells Park, Map-1172; dedicating said land as and for a public street and naming the same 34th Street.

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

CITY MANAGER REPORT: Site 355 was purchased in October 1952, at a price of \$6,750, for the purpose of construction of the Wabash Freeway (R-15). It was reviewed by all clearing agencies and designated by the City Council for referral to the San Diego Housing Commission in 1979. The dedication of a portion of 34th Street is a requirement for plan approval on a Housing Commission project being constructed on this site. The lessee/developer of the project has agreed to perform the necessary street improvements to City standards. The lessee has conveyed its interest in that portion of property affected by this action. The piece of property affected is a small, wedge-shaped parcel, approximately 120 square feet (.003 acres), zoned R2, flat and vacant.

FILE: DEED F-3456 DEEDFY87-1

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

* ITEM-108: (R-86-1944) ADOPTED AS RESOLUTION R-266409

Authorizing the execution of a quitclaim deed, quitclaiming to Otay Rio Business Park II an unneeded sewer easement in the South Half of Section 20, Township 18 South, Range 1 West, S.B.M.

(Otay Valley Community Area. District-8.)

CITY MANAGER REPORT: The easement to be relinquished was purchased by the City on May 1, 1985 in connection with the Otay Valley Trunk Sewer now under construction. A subsequent owner of the property has obtained approval of the Water Utilities Department to have a portion of the sewer line redesigned and

located elsewhere on his property to accommodate future development plans. The new owner has conveyed to the City a new easement in the revised location, thereby rendering the old easement surplus to the City's needs.

WU-PR-86-020.

FILE: DEED F-3501 DEEDFY87-1

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

* ITEM-109: (R-87-199) ADOPTED AS RESOLUTION R-266410

Certifying that the interest in the Belmont Park property conveyed to the City by the State of California by Chapter 1054 of the 1939 Statutes of the State of California, approved by the Governor on July 24, 1939, filed with the Secretary of State on July 25, 1939, and which was also conveyed by Chapter 119 of the 1943 Statutes approved by the Governor on April 13, 1943, and filed with the Secretary of State on April 13, 1943, is hereby again accepted by the order of the City Council of the City of San Diego.

(Mission Beach Community Area. District-6.)

CITY ATTORNEY REPORT: In 1939 and 1943, the State Legislature conveyed by statute a portion of the Belmont Park property to the City. The City took possession but no document was recorded at the County Recorder's office evidencing the property transfer. This Resolution will satisfy the need to record a document in connection with the proposed new Belmont Park lease.

FILE: DEED F-3502 DEEDFY87-1

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

* ITEM-110: (R-87-152) ADOPTED AS RESOLUTION R-266411

Adding to the Fiscal Year 1987 Capital Improvement Program a new project, CIP-29-619, Starlight Bowl Restoration, pursuant to the authority of Section 2.III 2. of the Annual Appropriation Ordinance; authorizing the City Auditor and Comptroller to transfer the sum of \$100,000 from

CIP-91-801.3, Revenue Sharing Reserve, General Contingency Fund 18013 to CIP-29-619, to provide funds for the City's first year payment for the Starlight Bowl Restoration; authorizing the Auditor and Comptroller to expend the sum of \$100,000 from CIP-29-619, Starlight Bowl Restoration, Revenue Sharing Fund 18013, as the City's contribution to the Starlight-San Diego Civic Light Opera Association, for its capital improvements to this City-owned facility.

(See City Manager Report CMR-86-359. Balboa Park Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 7/30/86. Recommendation to approve the funding of Starlight Bowl. Districts 1, 2 and 6 voted yea. Districts 5 and 7 not present.

FILE: MEET

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

* ITEM-111: (R-87-206) ADOPTED AS RESOLUTION R-266412

Authorizing the execution of an agreement with Atchison, Topeka and Santa Fe Railway Company for the installation of rubberized crossing material at the railroad crossing on the southbound off-ramp of Pacific Highway to Washington Street; authorizing the expenditure of an amount not to exceed \$24,000 from CIP-64-004, Capital Outlay Fund 30245, Railroad Warning Devices, for the purpose of purchasing the rubberized crossing materials.

(Pacific Highway Community Area. District-2.)

CITY MANAGER REPORT: Pursuant to the State of California Street and Highways Code, railroads are responsible for maintaining the "roadbed" portion of streets. The "roadbed" is defined as that portion of the street between the rails and two feet on each side thereof and between the tracks if more than one. The roadbed tends to be the roughest riding area in a street and accounts for many motorist complaints. The railroads have seldom been able to maintain smooth roadbeds using conventional asphalt and timber repair techniques. In addition, long delays usually develop before a specific location is repaired after referral by the City. The installation of rubber railroad crossing material in roadbeds appears to be a process which will solve this problem. Rubber railroad crossing material has been installed on the Broadway, Ash Street, Grape

Street, Hawthorn Street, Taylor Street, Miramar Road, Fifth Avenue and 32nd Street railroad crossings. The smoothness of these crossings have significantly been improved. In view of the roughness of the railroad crossing on the southbound off-ramp of Pacific Highway to Washington Street and the relatively high traffic volumes on this ramp, staff recommends the installation of rubber crossing material at this time.

Aud. Cert. 8700096.

FILE: MEET CONFY87-1

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

* ITEM-112: (R-87-184) ADOPTED AS RESOLUTION R-266413

Authorizing the execution of an agreement with Normal Heights Community Development Corporation for specified economic development activities; authorizing the expenditure of an amount not to exceed \$38,000 from Fund 18522, Dept. 5865, Org. 6501, for the above purpose.

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

CITY MANAGER REPORT: The City Council, in the 1986 Community Development Block Grant appropriation cycle, approved a \$40,000 grant to the Normal Heights Community Development Corporation for neighborhood economic development activities. A portion of these funds (\$2,000) has been set aside for fiscal monitoring of the project to ensure that accounting and record keeping requirements are met. Therefore, the budget for the grant totals \$38,000. This grant will be administered by the Economic Development Division of the Property Department to ensure coordination with the Mid-City Commercial Revitalization Project. Major activities for the Normal Heights CDC are to provide resource information and programs/services to Normal Heights residents including a community garden program and senior citizen programs. Funding was provided to the Normal Heights Community Development Corporation in fiscal years 1984 and 1985 through the CDBG program.

Aud. Cert. 8700128.

FILE: MEET CONFY87-1

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea,

Mayor-O'Connor-yea.

* ITEM-113: (R-87-192) ADOPTED AS RESOLUTION R-266414

Authorizing the execution of a first amendment to the agreement with The Regents of the University of California for the reconstruction and replacement of Scripps Pier and construction of an incidental seawater supply system. (See City Manager Report CMR-86-370. La Jolla Community Area. District-1.)

FILE: MEET

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

* ITEM-114: (R-87-183) ADOPTED AS RESOLUTION R-266415

Authorizing the execution of a two-year lease extension agreement, with one year option for renewal, with Gitinem Enterprises, Ltd., for the use by the Police Department of property located at 9225 Mira Mesa Boulevard, Suite 213, at a rental cost to the City of \$900 per month; authorizing the expenditure of an amount not to exceed \$10,800 from Fund 100, Department 110, Organization 485, for the above purpose.

(Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT: The San Diego Police Department is requesting permission to extend the existing lease of an office in the Mira Mesa area to provide a storefront serving the northeastern community of the City. Basic terms of the lease are as follows:

Term: Two years with a one year option to renew by the City.

Location: 9225 Mira Mesa Boulevard, Suite 213 (southwest corner of Black Mountain Road and Mira Mesa Boulevard).

Rent and square footage: \$900 per month plus utilities for a \$1,000-square-foot office (90¢ per square foot per month).

Utilities are estimated at 12¢ per square foot per month.

Rent adjustment: Based on annual C.I.P. adjustment.

This office provides a good location at a reasonable rental and has been very successful since 1984.

Aud. Cert. 8700113.

FILE: LEAS - Gitinem Enterprises, Ltd. LEASFY87-1

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

* ITEM-115: (R-86-2496) ADOPTED AS RESOLUTION R-266416

Authorizing the City Manager to execute a restated lease agreement with the San Diego Aerospace Museum and the International Aerospace Hall of Fame for the use and occupancy of the Aerospace Historical Center, Balboa Park. (Balboa Park Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 7/30/86. Recommendation to approve long term lease with the San Diego Aerospace Museum. Districts 1, 2 and 6 voted yea. District 5 and 7 not present.

CITY MANAGER REPORT: This item is a Restated Lease Agreement with the San Diego Aerospace Museum and the International Aerospace Hall of Fame for the use and occupancy of the Aerospace Historical Center (Ford Building) in Balboa Park. The restated agreement is for a term of 25 years with an option to renew for an additional 25 years. The current agreement was for an unusually short period of 5 years as compared to the more normal 25-50 year term of other agreements for similar use and occupancy by comparable cultural/educational institutions in Balboa Park. This agreement replaces the short term lease and is consistent with similar agreements of other tenants in Balboa Park.

FILE: LEAS - San Diego Aerospace Museum
International Aerospace Hall of Fame
LEASFY87-1

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

* ITEM-116: (R-86-2638) ADOPTED AS RESOLUTION R-266417
860818

Authorizing the City Manager to execute a right-of-entry permit with the State of California, Department of Parks and Recreation, for the purpose of drilling a well on City-owned land in San Pasqual Valley for supplying water to the San Pasqual Battlefield State Historic Park. (See City Manager Report CMR-86-317. San Pasqual Valley Community Area. District-1.)

COMMITTEE ACTION: Reviewed by PFR on 7/30/86. Recommendation to approve the permit. Districts 1, 2 and 6 voted yea. Districts 5 and 7 not present.

FILE: LEAS - California, State of, Parks & Recr. Dist.
San Pasqual Battlefield Historical Park LEASFY87-1

COUNCIL ACTION: (Tape location: 197-203.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-O'Connor-yea.

ITEM-150: (R-87-3) ADOPTED AS RESOLUTION R-266418

Authorizing the City Manager to expend an amount not to exceed \$10,000 from Open Space Bond Fund No. 79103 to cover the cost of appraisal of three parcels totalling 0.67 acres in Cypress Canyon for future potential acquisition for open space purposes.

(See City Manager Report CMR-86-331. Uptown Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 7/30/86.

Recommendation to approve the open space acquisition plan. Districts 1, 2 and 6 voted yea. Districts 5 and 7 not present.

Aud. Cert. 869063.

FILE: MEET

COUNCIL ACTION: (Tape location: C280-329.)

MOTION BY MARTINEZ TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-151: (R-87-106) CONTINUED TO SEPTEMBER 22, 1986

Accepting the report of Vickie Romero and Associates regarding Human Relations Training within the San Diego Police Department; directing the City Manager to form an implementation task force to be headed by a Deputy Chief of Police and to include two members of the Citizens' Advisory Board for Police/Community Relations, selected male and female minority officers, and respected educators in the area of Human Relations Training for the purpose of developing an implementation plan and schedule and the fiscal impact of such implementation; directing the City Manager to report back to the Public Services and Safety

Committee with the recommendations of the implementation task force.

(See City Manager Report CMR-86-341 and Committee Consultant Analysis PSS-86-10.)

COMMITTEE ACTION: Reviewed by PSS on 7/17/86. Recommendation to forward to the City Council without recommendation for presentation by Vickie Romero and Associates. Districts 1, 3, 4, 7 and 8 voted yea.

FILE: --

COUNCIL ACTION: (Tape location: C330-480.)

MOTION BY JONES TO CONTINUE TO SEPTEMBER 22, 1986, AT HIS REQUEST SO THAT THE CONSULTANT CAN BE PRESENT TO ANSWER QUESTIONS. ALSO, TO HAVE A REPRESENTATIVE FROM THE CITIZENS ADVISORY BOARD PRESENT TO EXPRESS THE BOARD'S FEELINGS REGARDING THIS ITEM. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-152:

Two actions relative to the SANDER Project Administration:
(See City Manager Report CMR-86-374.)

Subitem-A: (O-87-29) HEARING HELD

First public hearing in the matter of:

An Ordinance amending Ordinance O-16678 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1986-87 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year" by amending Documents No. 00-16678-1 and No. 00-16678-2, as amended and adopted therein, by authorizing the expenditure of \$78,940 for SANDER's personnel expenses for a Director and Intermediate Typists; \$84,690 for non-personnel expenses including contractual services and routine office expenses; and \$116,370 for personnel expenses pending a review by the Public Services and Safety Committee.

NOTE: The second public hearing for the introduction and adoption of this Ordinance will be held on Tuesday, August 19, 1986, Item 341.

Subitem-B: (R-87-251) ADOPTED AS RESOLUTION R-266419

Adoption of a Resolution authorizing the execution of an agreement with the County of San Diego for consulting

services; authorizing the execution of an assignment agreement with San Diego County, for assignment of three current County consulting services contracts; authorizing and empowering the City Manager to approve an assignment of the agreement of MITRE Corporation to Gersham, Brickner and Bratton, for technical consulting services; directing the City Manager to negotiate a continuation of the SANDER Joint Powers Authority Agreement with the County of San Diego; authorizing the City Treasurer to accept SANDER Trust Funds from the County of San Diego in the approximate amount of \$130,000 and deposit said amount in Fund No. 10140; authorizing the City Auditor and Comptroller to transfer \$150,000 from General Services Solid Waste Division (Fund 100) to the SANDER Trust Fund (Fund 10140); authorizing the expenditure of an amount not to exceed \$66,800 from Fund 10140, SANDER Trust Fund, for the purpose of providing funds for the above 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.

COMMITTEE ACTION: Reviewed by PSS on 8/6/86. Recommendation to adopt the Resolution and introduce the Ordinance. Districts 1, 3, 4, 7 and 8 voted yea.

Aud. Certs. 8700172, 8700173, 8700174, 8700175 and 8700177.

FILE: MEET CCONFY87-2; CONFY87-2

COUNCIL ACTION: (Tape location: C481-540.)

MOTION BY MARTINEZ TO APPROVE. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-200: (O-87-30) INTRODUCED AND ADOPTED AS ORDINANCE O-16701
(New Series)

Introduction and adoption of an Ordinance fixing the tax rates and levying taxes for the Fiscal Year 1986-87.

FILE: MEET

COUNCIL ACTION: (Tape location: C541-550.)

MOTION BY JONES TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-201:

(Continued from the meetings of July 28, 1986, Item 202; and August 4, 1986, Item S401; last continued at the Tierrasanta Community Council's request.)

Two actions relative to Landscape Maintenance Districts:
(See City Manager Report CMR-85-484; City Attorney Report to PFR dated 3/8/85.)

**Subitem-A: (O-86-228) INTRODUCED, TO BE ADOPTED
SEPTEMBER 8, 1986**

Introduction of an Ordinance amending Chapter VI, Article 5, Division 2, of the San Diego Municipal Code, by amending Sections 65.0201 and 65.0202 and by adding Section 65.0209.5, relating to the San Diego Maintenance District Procedural Ordinance of 1975.

**Subitem-B: (O-86-219) INTRODUCED, TO BE ADOPTED
SEPTEMBER 8, 1986**

Introduction of an Ordinance amending Chapter II, Article 2, Division 2, of the San Diego Municipal Code, by amending Section 22.0210.1, relating to Public Works Contracts, Advertising, Minimum Monetary Limit.

CITY MANAGER REPORT: On January 21, 1986, the City Council adopted Resolution R-264868, which directed the City Manager and the City Attorney to draft proposed Ordinances to allow for increased input by proposed assesses in landscape maintenance districts with regard to the preparation and administration of contracts for services, and with regard to the potential award of such contracts to other than the low monetary bidder in special circumstances. The proposed Ordinances have been prepared, and it is recommended that they be introduced and adopted.

FILE: --

COUNCIL ACTION: (Tape location: C551-574.)

MOTION BY MARTINEZ TO INTRODUCE THE ORDINANCES. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-202: (O-87-27) INTRODUCED, TO BE ADOPTED SEPTEMBER 8, 1986

Introduction of an Ordinance authorizing the City Manager to execute a first amendment to the gas air conditioning agreement with San Diego Gas and Electric Company for the San Diego Convention Center.

CITY MANAGER REPORT: On August 12, 1985, the City Council approved Resolution R-263851 authorizing the City Manager to request the Port District to provide an alternative gas air conditioning system for the Convention Center. On February 10, 1986, the City Council approved Resolution R-265030 authorizing the City to reimburse the Port District \$123,750 for architectural design fees associated with design changes related to gas air conditioning. On February 24, 1986, the City Council approved Ordinance O-16601 authorizing the City Manager to enter into an agreement with SDG&E to obtain a \$450,000 incentive payment to the City for gas air conditioning in the Convention Center. Since then, SDG&E has obtained from the California Public Utilities Commission an additional inducement in the amount of \$90,000 to cover part of the \$123,750 redesign costs associated with the gas air conditioning system for the Convention Center. In order to meet PUC filing deadlines to be eligible for this reimbursement, the City Manager signed the subject additional inducement agreement on July 28, 1986 with the understanding that Council action would be sought to ratify the agreement.

FILE: --

COUNCIL ACTION: (Tape location: C575-580.)

MOTION BY STRUIKSMA TO INTRODUCE THE ORDINANCE. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-203: (R-87-254) ADOPTED AS RESOLUTION R-266420

Matter of a discussion of the following nominees for appointment by the Council to fill a vacancy on the Centre City Development Board of Directors:

NOMINEE	NOMINATED BY
John G. Davies	Council Member Wolfsheimer
Bruce H. Warren	Deputy Mayor Struiksma

Adoption of a Resolution appointing one of the nominees to the Centre City Development Corporation for a term ending May 1, 1988, to fill the unexpired term of William Hillyer, who has resigned.

FILE: MEET

NOTE: Prior to the first round of voting, Bruce H. Warren withdrew his nomination.

COUNCIL ACTION: (Tape location: A120-196.)

MOTION BY WOLFSHEIMER TO APPROVE THE APPOINTMENT OF JOHN DAVIES. Second by Cleator. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,
Struiksmma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor
O'Connor-yea.

ITEM-204:

Two actions relative to the North Park Library Expansion:
(North Park Community Area. District-3.)

19860818

Subitem-A: (R-87-30) ADOPTED AS RESOLUTION R-266421

Inviting bids for the construction of the North Park
Library Expansion on Work Order No. 118571; authorizing the
execution of a contract with the lowest responsible bidder;
authorizing the expenditure of funds not to exceed \$988,346
from CIP-35-064, North Park Library Expansion (\$125,000
from Community Development Block Grant Fund 18521,
Department 5833; and \$863,346 from Revenue Sharing Fund
18013, Department 7495) 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-7451)
Aud. Cert. 8700134.

Subitem-B: (R-87-31) ADOPTED AS RESOLUTION R-266422

Certifying that the information contained in Environmental
Negative Declaration END-85-0024 BG, dated December 12,
1985, has been completed in compliance with the California
Environmental Quality Act of 1970 and the State Guidelines
pursuant thereto, and that said Declaration has been
reviewed and considered by the Council.

CITY MANAGER REPORT: In February, 1985, the City Council
authorized an agreement with Bradshaw/Bundy and Associates to
provide design services necessary for the remodeling and
expansion of the North Park Branch Library. This project is
identified in and is consistent with the North Park Community
Plan and is in accordance with the City's General Plan
Guidelines. The architect has now completed the plans and
specifications and the project is ready to advertise for
construction bids. This project provides for construction of a
4,440 square foot addition to the present 3,500 square foot
facility which was constructed in 1958 at 31st Street and North
Park Way. The existing building will be remodeled inside and
out, and will be vacated during construction. Library service

will be maintained in the community during that period from leased space at 3085 University Avenue.

Off-street parking facilities were not proposed as part of this project. Provisions for parking are planned when space becomes available. The lot adjacent to the existing library, which was purchased in 1984, is only sufficient for the building addition. However, the property which is one lot removed from the existing site was recently acquired and the Property Department is in the process of procuring a First Right of Refusal for the intervening lot. When that lot becomes available, sufficient property will have been accumulated to provide off-street parking.

FILE: W.O. 118571 CONT-T.B. Penick & Sons CONTFY87-1

COUNCIL ACTION: (Tape location: C581-639.)

MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-205: (R-87-171 Rev.) ADOPTED AS AMENDED AS RESOLUTION
R-266423

19860818

Authorizing the City Manager to explore the disposition of four City-owned parcels with the City of Escondido and Lomas Serenas Company, which includes lease, sale, exchange, joint venture, etc., provided however, that continued sewer capacity needs for the Rancho Bernardo area be made a part of these negotiations.

(See City Manager Report CMR-86-345. Escondido General Plan Area.)

FILE: MEET

COUNCIL ACTION: (Tape location: B080-C268.)

MOTION BY McCARTY TO ADOPT AS AMENDED BY DELETING THE DEVELOPER AND AUTHORIZING THE CITY MANAGER TO EXPLORE THE DISPOSITION OF THE FOUR PARCELS WITH THE CITY OF ESCONDIDO ONLY. Second by Martinez. Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-206: (R-87-115) ADOPTED AS RESOLUTION R-266424

Authorizing the City Manager to accept equitable transfer of a Cessna Model 337 airplane, VIN Number P3370165; authorizing the expenditure of an amount of \$2,180 from

Special Fund 10132 for payment of liens on the above aircraft; authorizing the expenditure of not more than \$20,000 from Special Fund 10132 for operating expenses for the above aircraft for Fiscal Year 1987.

CITY MANAGER REPORT: The Narcotics Task Force participated in an investigation which has resulted in the forfeiture of a Cessna 337 airplane, VIN No. P3370165, to the Government. That airplane has now become eligible for equitable transfer to the City of San Diego Police Department for law enforcement activities under the terms of Resolution R-265036. The Cessna 337 is a twin engine, four seat airplane with a pressurized cabin. It flies at 220 miles per hour and has a range of 1,500 non-stop miles. It can reach LAX in 30 minutes, Sacramento in 2 hours, Phoenix in 90 minutes. The model is the most popular with U.S. Government agencies involved in surveillance work as well as the California Department of Forestry as a spotter plane. It will be an asset for both long range transportation such as extraditions, interviews and investigations as well as local surveillance.

This particular airplane has just had \$40,000 worth of work done to rebuild both engines and install new propellers. It is parked at Gillespie Field. The Cessna 337 is not a particularly popular aircraft, with the exception of Governmental agencies, and therefore has a relatively low market value. Because of the condition of this aircraft, we should anticipate getting ten years of service out of it. In order to complete the equitable transfer of this airplane, \$2,180 in mechanic lien fees must be paid. The Police Department recommends that this lien fee as well as \$20,000 for first year operating costs be funded from Special Fund 10132, the account for seized and forfeited assets. Aud. Cert. 8700117.

FILE: MEET

COUNCIL ACTION: (Tape location: C640-658.)

MOTION BY MARTINEZ TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-207: (R-87-228) ADOPTED AS RESOLUTION R-266425

Authorizing the execution of a second Grant Agreement with the Department of Housing and Urban Development for additional funding under the Community Development Block Grant Program.

CITY MANAGER REPORT: On March 4, 1986 the Council approved

the execution of the grant agreement for the City's 1986 Entitlement under the Community Development Block Grant Program in the amount of \$8,632,960. On May 27, 1986 the City was notified by the Department of Housing and Urban Development (HUD) that the City Entitlement had been increased by \$79,040. This increase is reportedly due to the use of preliminary figures at the time of the initial grant award. This additional amount represents the difference between the preliminary and final funding figures. It is the recommendation of the Manager to place these additional funds in the 1986 Contingency Reserve to which no funding was allocated during the 1986 Allocation process.

FILE: MEET CONFY87-1

COUNCIL ACTION: (Tape location: C659-D050.)

MOTION BY McCOLL TO ADOPT, AND REFER THE ISSUE OF HOW THE MONEY IS TO BE ALLOCATED TO THE PUBLIC SERVICES AND SAFETY COMMITTEE., AT HER REQUEST. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-208: (R-87-248) ADOPTED AS RESOLUTION R-266426

Authorizing the execution of a Purchase of Service Agreement with the American Red Cross to provide lift equipped service for nonambulatory Dial-A-Ride passengers; authorizing the expenditure of an amount not to exceed \$195,860 from Fund 19631, Department 8990, Organization 221, for the purpose of providing funds for the above project; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER REPORT: A Request for Proposals to provide lift equipped service for nonambulatory Dial-A-Ride passengers was issued in April, 1986 as approved by Council Resolution R-265315 dated March 31, 1986. The City has provided this service from 1976 through 1982 with its own fleet and personnel, and since 1982 by hiring a contractor. The American Red Cross, current contractor under the terms of an agreement expiring August 31, 1986, submitted the only proposal. This proposed Purchase of Service Agreement would continue to guarantee the availability of lift equipped service from September 1, 1986 through June 30, 1987. The FY 87 hourly rates average an approximate 5 percent increase over FY 86 rates.

Aud. Cert. 8700159.

FILE: MEET CONTFY87-1

COUNCIL ACTION: (Tape location: D051-063.)

MOTION BY McCARTY TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-S400: (R-87-274) ADOPTED AS RESOLUTION R-266427

Authorizing the City Manager to release the surety issued by Freemont Indemnity Company, in connection with the subdivision improvement agreement for Fairbanks Country Club Unit No. 1, in the form of Performance Bond Nos. OC-300491 thru OC-300496, so that the same is reduced as follows:

1. For the faithful performance, to Bond No. OC-300511 in the amount of \$305,995.
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to \$152,997.50.

(Fairbanks Country Club Community Area. District-1.)

COMMITTEE ACTION: Reviewed by TLU on 8/11/86. Recommendation to return the bond issue to Council, retain realignment of El Camino Real at TLU for future discussion, and place on the supplemental Council agenda of 8/18/86. Districts 1, 4, 6, 7 and 8 voted yea.

CITY MANAGER REPORT: When the Subdivision Improvement Agreement for Fairbanks Country Club Unit No. 1 was approved by the City in September of 1983, performance bonds in the aggregate total of \$5,335,359 were provided. Performance Bond No. OC-300511, in the amount of \$305,995, was provided specifically to ensure the completion of the realignment of El Camino Real. All work on the subject subdivision has been completed, except for the realignment of El Camino Real. At the Transportation and Land Use Committee meeting of August 11, 1986, the Committee voted 5-0 to recommend to the full Council that all of the bonds be released except that which was provided to ensure the realignment of El Camino Real. The question of acquisition of right-of-way and realignment of El Camino Real will be considered by the Transportation and Land Use Committee at a later date.

FILE: SUBD - Fairbanks Country Club Unit No. 1

COUNCIL ACTION: (Tape location: D065-088.)

MOTION BY STRUIKSMA TO ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,

Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea,
Mayor O'Connor-ineligible.

ITEM-S401: (R-87-249) ADOPTED AS RESOLUTION R-266428

A Resolution approved by the City Council in Closed Session
on Monday, August 4, 1986 by the following vote:

Wolfsheimer-yea; Cleator-yea; McColl-yea; Jones-yea;
Struiksmayea-not present; Gotch-yea; McCarty-yea;
Martinez-yea; Mayor O'Connor-yea.

Authorizing the City Manager to pay the total sum of
\$11,391.95 in the settlement of each and every claim
against the City, its agents and employees, resulting from
the Regional Water Quality Control Board Administrative
Order No. 86-15; authorizing the City Auditor and
Comptroller to issue one check in the amount of \$11,391.95,
from Fund No. 41506, Sewer Revenue Fund, made payable to
Los Penasquitos Lagoon Foundation, in full settlement of
said order.

CITY MANAGER REPORT: The Regional Water Quality Control Board
at its meeting of July 28, 1986, adopted Order No. 86-15
pertaining to wastewater overflows from the City of San Diego
Pump Station No. 64. Among the directives of this Order was the
requirement that the City pay the sum of \$20,000 to the Board,
unless within 30 days the City reimbursed the Los Penasquitos
Lagoon Foundation the sum of \$11,391.95. The Foundation
incurred costs for work performed in opening the mouth of Los
Penasquitos Lagoon to relieve the adverse effects of past sewage
spills.

Aud. Cert. 8700176.

WU-U-87-026.

FILE: MEET

COUNCIL ACTION: (Tape location: D089-091.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McColl. Passed by
the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea,
Mayor O'Connor-yea.

ITEM-S402: (R-87-313) ADOPTED AS RESOLUTION R-266429

Authorizing Mayor O'Connor and Council Members Jones and
Cleator to sign and cause to be delivered to the Chairman
and Members of the California Transportation Commission a
letter relating to rescinded Highway Route 252;
communicating to the California Transportation Commission

the statements in the letter relating to future expenditures of a total of \$9,100,000 to local streets in the area adjacent to rescinded Highway Route 252 to mitigate traffic problems, and the statements directing the City Manager to program \$1,000,000 for future joint projects to mitigate traffic problems within the City of National City; declaring that the Council agrees to the other provisions of the letter; declaring that the Council further acknowledges an increase in the proposed sale price of the corridor property from \$2,960,000 to \$3,344,000 which purchase price is contemplated to be paid by the Redevelopment Agency from funds available to that Agency; respectfully requesting that the Chairman and Members of the California Transportation Commission proceed with the proposed sale of the Highway Route 252 corridor property to the Redevelopment Agency taking into consideration the mitigation measures proposed in the letter.

(See the letter to the California Transportation Commission dated 8/18/86. National City Community Area.)

FILE: MEET

COUNCIL ACTION: (Tape location: D092-198.)

MOTION BY STRUIKSMA TO ADOPT. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-S403: (R-87-316) ADOPTED AS RESOLUTION R-266430

Requesting that CalTrans include planning funds in its Fiscal Year 1987-88 budget for the purpose of studying the construction of State Route 54 between I-805 and State Route 125.

FILE: MEET

COUNCIL ACTION: (Tape location: D200-210.)

MOTION BY McCOLL TO ADOPT. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-S404: (R-87-321) ADOPTED AS AMENDED AS RESOLUTION R-266431

19860818

The matter of City Council support of the recommendation of the Convention Center ad hoc committee with regard to

deadlines, changes, deletions and deferrals; further, that the Council recommend that the San Diego Unified Port District place any savings as a result of these actions in a special account to fund further expansion.

FILE: MEET

COUNCIL ACTION: (Tape location: A204-B080.)

MOTION BY STRUIKSMA TO ADOPT AS AMENDED BY SUPPORTING THE RECOMMENDATION OF THE CONVENTION CENTER AD-HOC COMMITTEE, AND AUTHORIZING THE MAYOR OF THE CITY OF SAN DIEGO TO APPEAR BEFORE THE BOARD OF COMMISSIONERS OF THE SAN DIEGO UNIFIED PORT DISTRICT AT A SPECIAL MEETING SCHEDULED FOR AUGUST 19, 1986, AT 2:00 P.M. TO PRESENT THE CITY'S POSITION TO MOVE FORWARD WITH THE PROPOSED SAN DIEGO CONVENTION CENTER. REQUEST THE PORT COMMISSION TO CONSIDER ACCELERATING THE BAYSIDE LINE TO HAVE GOOD TRANSPORTATION ACCESS TO THE CONVENTION CENTER. ALSO, PRESENT THE COUNCIL WITH A SOLUTION TO THE PARKING PROBLEMS, AS WELL AS THE HARBOR DRIVE ALIGNMENT PROBLEMS. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-UC-1: (R-87-195) ADOPTED AS RESOLUTION R-266432

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Authorization to provide the use of a Parks Department "Show-Mobile" or two tables, four chairs and a 20' x 35' stage with risers on each end, for use in the Junior Chamber's La Jolla Cove concert in Ellen Browning Scripps Park as part of the America's Finest City activities.

FILE: MEET

COUNCIL ACTION: (Tape location: D211-250.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-UC-2: (R-87-363) ADOPTED AS RESOLUTION R-266433

19860818

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Requesting the League of California Cities to consider the adoption of a resolution relating to railroad grade crossings when they meet in Annual Conference in Los

Angeles on October 20, 1986.

FILE: MEET

COUNCIL ACTION: (Tape location: D211-250.)

MOTION BY GOTCH TO ADOPT. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-UC-3: (R-87-324) ADOPTED AS RESOLUTION R-266434

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Supporting the Naylor Act in its current form to allow negotiations between the City of San Diego and San Diego Unified School District to conclude.

FILE: MEET

COUNCIL ACTION: (Tape location: D211-250.)

MOTION BY McCOLL TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-UC-4: (R-87-352) ADOPTED AS RESOLUTION R-266435

19860818

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member Abbe Wolfsheimer from the afternoon session of the City Council meeting of July 29, 1986 due to illness.

FILE: MEET

COUNCIL ACTION: (Tape location: D211-250.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-UC-5: (R-87-353) ADOPTED AS RESOLUTION R-266436

19860818

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member William D. Jones from Council afternoon session of Tuesday, July 29, 1986 due to illness and Special Council Session of Thursday, August 7, 1986 due

to other City business.

FILE: MEET

COUNCIL ACTION: (Tape location: D211-250.)

MOTION BY JONES TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-UC-6: (R-87-355) ADOPTED AS RESOLUTION R-266437

19860818

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Council Member William D. Jones from Council Session of Tuesday, August 19, 1986, and the Public Services and Safety Committee of Wednesday, August 20, 1986 for the purpose of vacation.

FILE: MEET

COUNCIL ACTION: (Tape location: D211-250.)

MOTION BY JONES TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor O'Connor at 4:23 p.m.

FILE: MEET

COUNCIL ACTION: (Tape location: D251-252).