

861006

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, OCTOBER 6, 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 2:07 p.m. Mayor O'Connor adjourned the meeting at 3:49 p.m. to meet in Closed Session at 9:00 a.m., Tuesday, October 14, 1986, in the twelfth floor conference room on giving instructions to the City Manager and City Attorney on the potential purchase of the Executive Complex and the Security Pacific Building.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Cleator-present
 - (3) Council Member McColl-excused by R-266661
(City business in Detroit, Michigan)
 - (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 (eb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-not 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-not present

ITEM-10: INVOCATION

Invocation was given by Pastor Roger Dallman, Prince of Peace Lutheran Church.

FILE LOCATION: MINUTES

Oct-6-1986

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Gotch.

FILE LOCATION: MINUTES

ITEM-30: (R-87-750) ADOPTED AS RESOLUTION R-266756

Proclaiming the week of October 5 through 12, 1986, as "Public Awareness Week for the Developmentally Disabled."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A052-057.)

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

ITEM-31: (R-87-725) ADOPTED AS RESOLUTION R-266757

Proclaiming October 5 through 12, 1986, as "Sickle Cell Anemia Awareness Week in San Diego."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A057-060.)

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

ITEM-32: PRESENTATION

(Continued from the meeting of September 22, 1986, Item 32, at the City Manager's request, to allow for completion of the audit.)

A presentation to Starboard Development Company representatives of a check as payment for the development fee signifying completion and delivery of the Police Headquarters building project on time and within budget.

CITY MANAGER REPORT: On June 30, 1986, the Starboard Development Company, in accordance with the development agreement approved by the City Council in May, 1984, successfully completed and delivered to the Police Department for building outfitting and furnishing, the San Diego Police Headquarters project at 1401 Broadway. The building is

scheduled for occupancy within the next few months. We are pleased to report the project has been completed ahead of schedule and within the funds allocated. This item formally presents the developers with payment of the development fee earned. At this writing the amount is \$2,271,265.15. It should be noted that the original fee amount agreed upon was \$2,930,000; however, the development fee itself was subject to modification in the event of unforeseen costs during construction. These costs were absorbed by the developers, hence the lesser amount being paid today.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A060-142.)

MAYOR O'CONNOR PRESENTED A CHECK TO REPRESENTATIVES OF STARBOARD DEVELOPMENT COMPANY.

ITEM-33: APPROVED

Approval of Council Minutes for the Meetings of:

9/15/86

9/16/86

9/18/86 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A143-147.)

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

* ITEM-50: (O-87-39) ADOPTED AS ORDINANCE O-16720 (New Series)

Amending Chapter VI, Article 8, Division 1, of the San Diego Municipal Code, by amending Sections 68.0155, 68.0156, 68.0157, 68.0158, 68.0159, 68.0164 and 68.0168, relating to Airports, to establish maximum aircraft noise levels for daytime and nighttime flight operations at Montgomery Field.

(Clairemont and Serra Mesa Community Areas. District-5. Introduced on 9/22/86. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-309.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-51: (O-87-61 Rev.1) ADOPTED AS ORDINANCE O-16721 (New Series)

Amending Chapter IX, Article 8, Division 3, of the San Diego Municipal Code, by amending Section 98.0301, relating to the San Diego Housing Commission, to remove the restriction regarding the appointment of elective officers to the Commission, and further providing for removal of Commission members without cause in situations where Commission members are being replaced by members of the City Council.

(Introduced on 9/23/86. Council voted 6-3. Districts 2, 5 and 7 voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-309.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-nay, McColl-not present, Jones-yea, Struiksmay-nay, Gotch-yea, McCarty-nay, Martinez-yea, Mayor O'Connor-yea.

* ITEM-52: (O-87-5) ADOPTED AS ORDINANCE O-16722 (New Series)

Amending Chapter X, Article 2, Division 4, of the San Diego Municipal Code, by adding Section 102.0406.06.11, relating to Park Fees in the Sorrento Hills Community Plan Area.

(District-1. Introduced on 9/22/86. Council voted 9-0.)

FILE LOCATION: LAND Sorrento Hills Community Plan

COUNCIL ACTION: (Tape location: A300-309.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmay-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-53: (O-87-54) CONTINUED TO OCTOBER 13, 1986

Amending Chapter X, Article 3, of the San Diego Municipal Code by adding Division 16, relating to the Centre City East Planned District.

(Centre City Community Area. District-8. Introduced on 9/23/86. Council voted 9-0.)

FILE LOCATION: LAND Centre City East Planned District

COUNCIL ACTION: (Tape location: A273-293.)

MOTION BY MARTINEZ TO CONTINUE TO OCTOBER 13, 1986, AT HIS

REQUEST TO CLARIFY ISSUE OF EXEMPTIONS. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Cleator-yea,
McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea,
McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-54: (O-87-13) ADOPTED AS ORDINANCE O-16723 (New
Series)

Incorporating Lot 1, Chicarita Subdivision, Map-7574
(a 10.48-acre site), located on the south side of Azuaga
Street, east of Penasquitos Boulevard, into Zones A-1-1 and
CN.

(Case-84-0158. Penasquitos East Community Area.
District-1. Introduced on 9/23/86. Council voted 9-0.)

FILE LOCATION: ZONE ORD NO.

COUNCIL ACTION: (Tape location: A300-309.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND
ADOPT. Second by Martinez. Passed by the following vote:
Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea,
Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor
O'Connor-yea.

ITEM-55: (O-87-42a) ADOPTED AS ORDINANCE O-16724 (New
Series)

Amending Chapter X, Article 1, Division 5, of the San Diego
Municipal Code, by amending Section 101.0510, relating to
Conditional Use Permits, by adding alcoholic beverage
establishments as a use considered by the Zoning
Administrator, and amending reference to service stations.
(Amended at the Council meeting of 9/22/86 and trailed to
9/23/86 for further discussion. Introduced as amended on
9/23/86. Council voted 7-0. District 3 and Mayor not
present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A318-324.)

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

* ITEM-100:

Two actions relative to awarding contracts:

Subitem-A: (R-87-434) ADOPTED AS RESOLUTION R-266707

Eugene Carter Enterprises Inc., dba Environmental Maintenance Service, for furnishing janitorial services for the Southern, Northern, Northeastern, and Eastern Police Substations, as may be required for a period of one year beginning November 1, 1986 through October 31, 1987, for an estimated cost of \$62,084.64, with options to renew the contract for three additional one-year periods, with escalation not to exceed 8 percent for the first option period and not to exceed 7 percent each year for the last two option periods. (BID-7464)

Subitem-B: (R-87-431) ADOPTED AS RESOLUTION R-266708

Mason's Saw and Lawn Mower Service Inc., for furnishing sharpening and repair service, as may be required for a period of one year beginning October 1, 1986 through September 30, 1987, for an estimated cost of \$34,350, including tax and terms, with an option to renew the contract for an additional one-year period. (BID-7509)

FILE LOCATION: MEET CONFY87-2

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-101:

Two actions relative to awarding contracts:

Subitem-A: (R-87-435) ADOPTED AS RESOLUTION R-266709

For furnishing plastic and plastic products, as may be required for a period of one year beginning October 1, 1986 through September 30, 1987, for an estimated cost of \$26,406.31, including tax and terms, with an option to renew the contract for an additional one-year period as follows:

- 1) EJR Plastics Inc., for Section I - polyethylene sheets; Section II - polycarbonate sheets; Section IV - plastic lenses;
- 2) Transparent Products for Section III - styrene;
- 3) Port Plastics Inc. for Section V - other plastic products. (BID-7487)

Subitem-B: (R-87-432) ADOPTED AS RESOLUTION R-266710

G.F. Kennedy for furnishing recapping of tires for the Fire

Department, as may be required for a period of one year beginning September 1, 1986 through August 31, 1987, for an estimated cost of \$21,189.93, including tax and terms, with an option to renew the contract for an additional one-year period. (BID-7405)

FILE LOCATION: MEET CONFY87-4

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-102: (R-87-430) ADOPTED AS RESOLUTION R-266711

19861006

Inviting bids for Street Light Conversion Citywide, Contract No. 3, on Work Order No. 118788; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$380,000 from Special Litigation Reserve Fund 65011, CIP-37-317, SDG&E Street Lights Acquisition and Conversion, for said project and related costs; authorizing the City Auditor and Comptroller to retain excess budgeted funds, if any, in Special Litigation Reserve Fund 65011, CIP-37-317, SDG&E Street Lights Acquisition and Conversion.

CITY MANAGER REPORT: This is the first of three projects that will convert City purchased San Diego Gas and Electric Company street lights from mercury vapor and high pressure sodium type lights to energy efficient low pressure sodium type lights. The street light conversion cost will be recovered from the San Diego Lighting District incidentals over a period of several years.

Aud. Cert. 8700263.

FILE LOCATION: W.O. 118788 CONT - Select Electric CONFY87-1

COUNCIL ACTION: (Tape location: A327-339.)

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea,

Martinez-yea, Mayor O'Connor-yea.

* ITEM-103: (R-87-436) ADOPTED AS RESOLUTION R-266712

Inviting bids for City Administration Building - Elevator Upgrade and Full Maintenance Service on Work Order No. 118800; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the City Auditor and Comptroller to transfer \$210,000 from Capital Outlay Fund 30245, CIP-37-414, Central Operations Station - Buildings Division Centralization to CIP-37-415, City Administration Building - Elevator Upgrade; authorizing the expenditure of an amount not to exceed \$552,500 from Capital Outlay Fund 30245, CIP-37-415, City Administration Building - Elevator Upgrade, 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-7572)

(Centre City Community Area. District-8.)

CITY MANAGER REPORT: This project will provide various improvements to the 20-year old City Administration Building Elevator System. Included in the new work will be a Microprocessor Control System which will improve car dispatching and decrease passenger waiting time. The machine room motor generators will be replaced with solid state electronic power conversion units which will result in significant power reduction and more rapid response to car calls. Other improvements will be made to door operating units, cab interiors, and safety systems. All construction work will be scheduled to minimize the out of service time for individual elevators and to restore service as rapidly as practicable. The upgraded elevators will be more efficient and reliable with markedly reduced passenger waiting periods. Approximately 12 months will be required to complete the contract work.

Aud. Cert. 8700284.

FILE LOCATION: W.O. 118800 CONFY87-1

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-104: (R-87-437) ADOPTED AS RESOLUTION R-266713

Inviting bids for the Crystal Pier Reconstruction on Work

Order No. 118807; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$458,383 from Revenue Sharing Fund 18014, CIP-37-137, Crystal Pier Renovation, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-7574) (Pacific Beach Community Area. District-6.)

CITY MANAGER REPORT: Over the past years, the Crystal Pier at the foot of Garnet Avenue in Pacific Beach has been subject to rapid deterioration. A combination of factors such as its age, dry rot, termites and repeated winter storms have taken its toll. During the severe storms in 1983, the pier sustained extensive damage including destruction of 260 feet of the outboard end. On August 19, 1985, the City Council authorized the City Manager to execute a contract with David Carr Construction, low responsive bidder to do the first phase, namely, to proceed with repair of that portion of the pier still standing. Essential repairs were necessary in order to be eligible for Federal funding to replace the demolished portion and to maintain public access on the pier over the years to come. This renovation has been completed. The work consisted of partial replacement of timber bracing, pile caps, joists, decking, hand rail, and hand rail posts on the portion still standing. The pier is now ready for the next phase of the work which is reconstruction of the portion demolished during severe storms in 1983. Except for a five-foot increase in elevation, the construction design and use of timber is the same as it was and specifically was done in order to maintain an appearance consistent with the repaired section still standing. Replacement consists of 240 feet of the originally destroyed 260 feet. \$400,000 is available for project construction. If bids come in higher than funds available, it is planned to reduce the pier's proposed extension by whatever length necessary to bring the construction cost within the limitations of these available funds.

Aud. Cert. 8700078.

FILE LOCATION: W.O. 118807 CONFY87-1

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-105:

Two actions relative to Canyon Country Unit No. 7:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-87-502) ADOPTED AS RESOLUTION R-266714

Authorizing the City Manager to release a portion of the surety issued by the American Insurance Company in the form of Performance Bond No. 712-4777, so that the same is reduced as follows:

1. For faithful performance, to the sum of \$399,308.
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$199,654.

Subitem-B: (R-87-503) ADOPTED AS RESOLUTION R-266715

Granting an extension of time to December 5, 1987, to The Fieldstone Company, subdivider, to complete the improvements required in Canyon Country Unit No. 7.

CITY MANAGER REPORT: On December 5, 1983, the City entered into an agreement with The Fieldstone Company, a California Corporation, for the construction of public improvements for Canyon County Unit No. 7. Performance Bond No. 712-4777, issued by The American Insurance Company, in the amount of \$1,478,922, was provided by the subdivider. The agreement expired on December 5, 1985. The subdivider has requested a partial release of surety and an extension of time to December 5, 1987, in which to complete the required improvements. Ninety-seven percent of the work has been completed to the satisfaction of the City Engineer. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced, approximately 73 percent, to \$399,308, and since the improvements to be delayed are not necessary to serve the adjacent development or the general public, that the time extension be granted.

Fowler/Simpson/CRL

FILE LOCATION: SUBD Canyon Country Unit No. 7

COUNCIL ACTION: (Tape location: A327-339.)

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

ITEM-106: (R-87-456) ADOPTED AS RESOLUTION R-266716

19861006

Vacating Del Mar Heights Way, between Del Mar Heights Road and El Camino Real, and the southerly excess portions of Del Mar Heights Road west of Del Mar Heights Way, under the procedure for the summary vacation of streets and public service easements; declaring that this Resolution shall not become effective unless and until the following conditions have been met: a) The property owners shall have acquired the title to the affected portions of the right-of-way; b) Approval of the final map as shown on Tentative Map TM-86-0276; declaring that in the event the above items are not completed by June 5, 1992, this resolution shall become void and be of no further force or effect; directing the City Engineer to advise the City Clerk of the completion of the aforementioned land sale and final map per Tentative Map TM-86-0276.

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

CITY MANAGER SUPPORTING INFORMATION: The street vacations of Del Mar Heights Way and excess portions of Del Mar heights Road have been initiated in connection with a tentative parcel map which proposes a resubdivision of Lot 16 of Employment Center 2B and includes unsubdivided lands southwest of the El Camino Real/Del Mar Heights Road intersection. On June 5, 1986, the Planning Commission approved the proposed tentative map by a vote of 5-1 subject to Council approval of the street vacations. The proposed map (TM-86-0276) is consistent with the General Plan and the North City West Community Plan which designates this area for employment center use.

Del Mar Heights Way (formerly known as El Camino Real) is approximately 50-feet wide and partially paved but no longer in use. Traffic has been rerouted via High Bluff Road and Del Mar Heights Road temporarily, until such a time that El Camino Real is improved and opened to the public (now estimated in mid to late September). The portions of Del Mar Heights Road are considered excess of the 122-foot wide right-of-way required for this prime arterial. There are no public or franchised facilities within the areas of vacation, so no easement

reservations are required. Portions of the rights-of-way to be vacated remain vested in title with the City. As a condition of the vacation the applicants must purchase, at fair market value, those portions of the vacations which are owned in fee title by the City. Staff review has indicated that upon subdivision of

the adjacent properties, the rights-of-way to be vacated will no longer be needed for present or prospective use and may be summarily vacated. The vacations are, therefore, conditioned upon the recordation of the final parcel map for TM-86-0276 and completion of the land sale of those portions of the vacations which are vested to the City.

FILE LOCATION: STRT J-2621 DEED F-3557 DEEDFY87-1

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-107:

Two actions relative to the vacation of Palm Avenue:
(Otay Mesa-Nestor Community Area. District-8.)

Subitem-A: (R-87-504) ADOPTED AS RESOLUTION R-266717

Vacating Palm Avenue in a portion of the Southeast Quarter of the Southwest Quarter of Section 22, Township 18 South, Range 2 West, SBM, under the procedure for the summary vacation of streets and public service easements.

Subitem-B: (R-87-516) ADOPTED AS RESOLUTION R-266718

Setting aside a portion of the Southeast Quarter of the Southwest Quarter of Section 22, T18S, R2W, SBM as and for a public street and naming the same Palm Avenue.

CITY MANAGER REPORT: The street vacation and dedication of Palm Avenue are on City-owned property located northwesterly of the Palm Avenue/Desty Street intersection. This action has been requested by the Property Department in order to clear title to the property prior to disposal by the City. The property was acquired by the City in 1974 for the realignment of Palm Avenue and a portion of the acquired property was dedicated on the proposed realignment. However, the recent improvement of Palm Avenue did not realign the roadway as originally contemplated and the isolated piece of right-of-way is surplus to the needs of the City. The right-of-way is unimproved and contains no public or franchised utilities and no maps or easements have been reserved. The southerly 78 feet of the City ownership was utilized for right-of-way on Palm Avenue, a four-lane major street. As a companion action to the vacation, the portion of the City property serving as right-of-way for Palm Avenue is to be dedicated and named. Upon approval of the above actions, the City will have a 0.82 acre parcel (35,800 square feet) located

within the R-1-20000 Zone. The Planning Department reports that any development on the property will have to conform to the current zoning, as well as the provisions of the General Plan and the Otay Mesa/Nestor Community Plan. This vacation was presented at a public hearing before the Planning Commission on August 22, 1985 and was recommended for approval by a 6-0 vote. There was opposition at the hearing. Staff review has indicated that the right-of-way to be vacated is no longer needed for present or prospective public use and may be summarily vacated.

Fowler/Simpson/FB

FILE LOCATION: STRT J-2622 DEED F-3554 DEEDFY87-2

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-108: (R-87-545) ADOPTED AS RESOLUTION R-266719

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company an easement for overhead electrical facilities and appurtenances, affecting City-owned portion of the Southeast Quarter of the Northeast Quarter of Section 27, Township 18 South, Range 2 West, SBBM; rescinding Resolution R-266358, adopted August 11, 1986.

(Otay Mesa Community Area. District-8.)

CITY MANAGER REPORT: Resolution R-266358, adopted on August 11, 1986, granted an easement to SDG&E to relocate transmission lines due to the widening of Coronado Avenue near Montgomery-Waller Park and the new Otay Mesa Library. SDG&E subsequently found it necessary to shift the alignment very slightly to avoid conflict with the development of an adjacent property. This realignment causes some minor changes to the bearings and distances in the easement's legal description. Consequently, SDG&E did not record the easement deed and has returned it to the City, asking that the City approve a new easement for the revised alignment. It is requested that the previous easement be rescinded and that the new easement for the revised alignment be granted. The new easement has no greater effect on the City's property than did the previous one.

Fowler/Spotts/PTC

FILE LOCATION: DEED F-3555 DEEDFY87-1

COUNCIL ACTION: (Tape location: A327-339.)

CONSENT MOTION BY MARTINEZ TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not

present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-109: (R-87-517) ADOPTED AS RESOLUTION R-266720

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company an easement for meter access, affecting a portion of Port District-owned Parcel 1 of the Tidelands, leased to the City of San Diego and subleased to the USO Council of San Diego.

(Centre City Community Area. District-8.)

CITY MANAGER REPORT: In order to have access to the electrical meters to be installed at the new Convention Center on Harbor Drive, SDG&E requires an access easement over a small portion of the adjacent USO leasehold. A stairway will be constructed within the 5-foot by 80-foot easement strip to give SDG&E the needed access. The proposed easement does not conflict with the USO building and has been cleared with the Port District and the USO Council. The Port District owns the 1.27-acre USO site and leases it to the City of San Diego, which in turn subleases the premises to the USO Council of San Diego. The lease and sublease both expire on August 31, 2030, at which time the proposed meter access easement will also terminate.

Fowler/Spotts/PTC

FILE LOCATION: DEED F-3556 DEEDFY87-1

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-110: (R-87-564) ADOPTED AS RESOLUTION R-266721

Authorizing the Auditor and Comptroller to transfer within the General Fund 100, the sum of \$10,000 from the Unallocated Reserve (605) to the Allocated Reserve (901) to be used solely and exclusively to assist the San Diego AIDS Project in relocating from Vauclain Point to 3777 4th Avenue and assisting in renovation of that location for project purposes; authorizing the Auditor and Comptroller to pay the sum of \$10,000 to the San Diego AIDS Project upon receipt of appropriate and sufficient request and invoice therefor.

Aud. Cert. 8700288.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-111: (R-87-501) ADOPTED AS RESOLUTION R-266722

Authorizing the City Manager to expend golf surcharge fees derived from the Balboa Park Golf Course as additional financing for personnel and non-personnel expenses for the Balboa Park Golf Course.

(Balboa Park Community Area. District-8.)

CITY MANAGER REPORT: Funding for Balboa Park Golf Courses is derived from both the General Fund and from a surcharge on green fees. The expenditure of surcharge revenues is limited to Capital Improvements per Council Resolution. The current surcharge fees are:

Per Round	Monthly Ticket
9-Hole Course \$0.50	\$1.25
18-Hole Course \$1.50	\$2.25

Revenues from these surcharges have amounted to \$72,000 in FY 84 and FY 85. With the doubling of these fees scheduled for October 1986, revenues will approximate \$140,000 yearly.

(During the October 1986 - June 1987 period, approximately \$100,000 will be generated). Maintenance issues, which have not been adequately addressed through General Fund expenditures and do not qualify for surcharge expenditures under the present Council Resolution, include irrigation system and small equipment repair, equipment outlay purchases over the current level, green rebuilding, and top dressing program. This Resolution will authorize expending the surcharge monies, in addition to capital projects, for materials, supplies, equipment purchases, equipment rentals, and personnel. A similar Resolution was adopted by Council on July 29, 1985 for the Torrey Pines Golf Courses.

Lockwood/Loveland/JJK

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-112: (R-87-572) ADOPTED AS RESOLUTION R-266723

A Resolution approved by the City Council in Closed Session

on Tuesday, September 9, 1986 by the following vote:
Wolfsheimer-yea; Cleator-yea; McColl-yea; Jones-yea;
Struiksma-yea; Gotch-not present; McCarty-yea; Martinez-not
present; Mayor-not present.

Authorizing the City Manager to pay the total sum of
\$70,000, in the settlement of each and every claim against
the City, its agents and employees, resulting from the
personal injuries to Howard E. Conder and Correne J. Conder
(United States District Court Case No. 84-2598-R (CM),
Howard Everet Conder, et al. v. Robert Allen Cara, et al.);
authorizing the City Auditor and Comptroller to issue one
check in the amount of \$70,000, made payable to Howard E.
Conder and Correne J. Conder and their attorney, Jeffrey C.
Demos, in full settlement of the lawsuit and all claims.

CITY MANAGER REPORT: This constitutes the full and final
settlement of all claims against the City of San Diego as a
result of a traffic collision on November 2, 1983.

Aud. Cert. 8700299.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-113: (R-87-562) ADOPTED AS RESOLUTION R-266724

Authorizing the City Manager to amend Section 6.01 and 6.02
of the Supplemental Pension Savings Plan Document in order
to comply with Internal Revenue Service Determination
Letter, dated July 14, 1986.

CITY MANAGER REPORT: In 1981, City employees voted to
discontinue participation in the Social Security System. The
Supplemental Pension Savings Plan (SPSP) was implemented on
January 8, 1982 to replace Social Security. SPSP was managed
as a non-qualified savings plan for the first two years. In
1984, an application was filed and favorable determination
received from the Internal Revenue Service making SPSP a
qualified plan. This action allowed City employees the
advantages of tax favored distributions such as IRA rollovers
and ten year income averaging. In 1985 it became necessary to
amend the Plan with the IRS for continued qualification for City
Council and participant-approved amendments. Subsequently, the
City Council approved the new Supplemental Pension Savings Plan
- Medicare with amended participation rates for employees
federally mandated to pay Medicare payroll taxes. On July 14,

1986, the IRS issued its Determination Letter on the City's 1985 application. In order to remain qualified, the City must alter its Plans to remove participant capability of withdrawing City matching voluntary contributions. The requested action would so amend the Plans.

Conrad/Herring/CEM

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-114: (R-87-573) ADOPTED AS RESOLUTION R-266725

Authorizing the free use of the City's Showmobile on October 12, 1986, for the 1986 Leukemia 10/K Run - 2 Mile Fun Run, in Balboa Park.

COMMITTEE ACTION: Reviewed by PFR on 9/24/86. Recommendation to approve the Resolution. Districts 1, 2, 6 and 7 voted yea. District 5 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A327-339.)

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

ITEM-115: (R-87-488) CONTINUED TO OCTOBER 13, 1986

Directing the City Manager, City Attorney and Planning Department to examine and report back to the City Council on the methods available for establishing a permitting process for projects related to the development or implementation of toxic waste management technologies.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A343-553.)

MOTION BY STRUIKSMA TO CONTINUE TO OCTOBER 13, 1986, AT HIS REQUEST AND DIRECT THE CITY MANAGER, CITY ATTORNEY, AND PUBLIC SERVICES AND SAFETY COMMITTEE CONSULTANT TO REPORT ON THE MATTER. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

* ITEM-116: (R-87-539) ADOPTED AS RESOLUTION R-266726

Authorizing the City Manager to issue Request for Proposals (RFPs) for the provision of hospitality facilities and the sale of novelties at Super Bowl XXII on January 31, 1988.

(See City Manager Report CMR-86-456.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-117: (R-87-547) ADOPTED AS RESOLUTION R-266727

Authorizing the execution of a Utilities Agreement No. 25394-R with the State Department of Transportation for relocation of water facilities as part of the highway project Route 52 from Convoy Street to Ruffin Road, and Route 163 from 0.2 mile south to 0.1 mile north of Route 52; authorizing the use of City Forces to perform field work not to exceed \$9,070; authorizing the expenditure of an amount not to exceed \$12,173 from the Water Revenue Fund 41502, CIP-73-024, Annual Allocation - Freeway Relocation, for the purpose of providing funds for the above project.

(Serra Mesa Community Area. District-5.)

CITY MANAGER REPORT: State of California Department of Transportation (CalTrans) has determined that portions of the existing City water main facilities on Route 163 and Route 52 intersection (from Convoy Street to Ruffin Road, and on Route 163 from 0.2 mile south to 0.1 mile north of Route 52) are in conflict with new construction work and need to be relocated. This agreement provides that the City will design and prepare plans of the facilities to be relocated and State of California Department of Transportation (CalTrans) will construct them as part of their contract.

Aud. Cert. 8700285.

WU-U-87-033.

FILE LOCATION: MEET CONFY87-1

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-118: (R-87-533) ADOPTED AS RESOLUTION R-266728

Authorizing the execution of a fourth amendment to the

agreement with the San Diego County Safety Council, in order to extend the Community Safety Belt Project until May 31, 1987, contingent upon receipt of written approval from the California Office of Traffic Safety.

CITY MANAGER REPORT: The City of San Diego entered into an agreement with the San Diego Safety Council on April 23, 1984 for the purpose of developing a grant-funded, safety belt project. The primary goal of this project is to increase safety belt and safety seat usage among all age groups in San Diego and to develop avenues of community support for enforcement of the California Seat Belt Law. Under the provisions of the agreement, the City acts as prime contractor with the California Office of Traffic Safety (O.T.S.) to administer funding for the project. The Safety Council is responsible for providing staff, materials, program planning and implementation. The project has been extended three times with the current expiration date for the agreement between the City and the Safety Council falling on September 30, 1986. O.T.S. has indicated a willingness to extend grant funds for the project until May 31, 1987. This request would authorize the City Manager, pending written approval from O.T.S., to extend the agreement between the City and the Safety Council until May 31, 1987.

Aud. Cert. 8700243.

FILE LOCATION: MEET CONFY87-1

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-119: (R-87-543) ADOPTED AS RESOLUTION R-266729

Authorizing the execution of a second amendment to the lease agreement with Merziotis Properties, Inc. for the purpose of expanding its restaurant facility at Brown Field from 4,144 square feet to 4,819 square feet, and increase its annual rent from \$10,000 to \$12,500.

(Otay Mesa Community Area. District-8.)

CITY MANAGER REPORT: On January 17, 1983 the City Council approved a five-year lease agreement with Merziotis Properties to operate the restaurant in the Brown Field Administration Building. On January 28, 1985 the City Council approved a first amendment adding area for a dining room and cocktail lounge and extending the lease for four additional years. Merziotis Properties is now proposing to lease the old tower area of the Administration Building for a cocktail lounge and accessory

uses. It proposes to refurbish the tower area to meet existing fire and building codes at a cost of approximately \$18,000. The minimum annual rent would be increased from \$10,000 to \$12,500 and will be adjusted on January 1, 1988 and at the beginning of each two and one-half year periods thereafter. The percentages of gross income would remain at five percent for alcoholic beverages and eight percent for all other income. Since Merziotis Properties has been an excellent tenant and an asset to Brown Field Airport, approval of the lease amendment is recommended.

FILE LOCATION: LEAS Merziotis Properties, Inc.
LEASFY87-1

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-120: (R-87-518) ADOPTED AS RESOLUTION R-266730

Authorizing the execution of a ten-year lease agreement with Montgomery Field Business Condominium Association for the lease of a .29-acre, L-shaped parcel of vacant land for use as an access taxiway on Montgomery Field Airport, at an initial rent of \$1,200 per year.

(Kearny Mesa Community Area. District-5.)

CITY MANAGER REPORT: Montgomery Field Business Condominium Association owns property abutting the northerly boundary of Montgomery Field. The Association's property immediately adjacent to the proposed taxiway lease area is divided into five aircraft condominium tiedown sites. Access to these tiedowns has been over a portion of airport property authorized by an informal agreement with a prior Airport Director. Mr. Thor Strand, the owner of four of the tiedown sites, requested a building permit from the City Building Inspection Department to construct hangars on his parcels, abutting the lease premises. A review of this request by the City Building Inspection Department and the Federal Aviation Administration (FAA) revealed that the hangars could not be constructed both because of City zoning and fire code requirements and the building restriction standards established by the FAA. The hangar proposal has been dropped as a result of these findings. The FAA also indicated that continued use of airport facilities by an off-base operator without receiving fair market rent for the airport property would be cause for the City to lose its eligibility for federal aid for airport improvements. In view

of this, staff negotiated this proposed ten-year lease agreement with the Condominium Association. The subject area, being within the building restriction line, is not developable and is only usable as a taxiway by the adjoining property. The lease contains a 90-day termination clause by either party and the rent is \$1,200 per year, subject to Consumer Price Index (CPI) adjustments every 2 1/2 years. The lessee must construct and maintain all improvements at its sole cost. The rent was established by City staff and is based on a 50 percent return to the City of average tiedown rates at all airports located in the County of San Diego.

FILE LOCATION: LEAS Montgomery Field Business Condominium Association LEASFY87-1

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-121: (R-87-559) ADOPTED AS RESOLUTION R-266731

Authorizing the execution of an agreement with Donald N. Sharp Memorial Hospital for the implementation of the Health Management Program for uniformed fire fighters in the Fire Department; authorizing the expenditure of an amount not to exceed \$34,450 from Department 120, Object Account 4151, Job Order 2200, for the purpose of providing funds for the above project; authorizing the City Auditor and Comptroller to transfer unexpended funds to the appropriate reserves upon advice from the administering department.

Aud. Cert. 8700283.

FILE LOCATION: MEET CONTFY87-1

COUNCIL ACTION: (Tape location: A327-339.)

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

* ITEM-122: (R-87-449) ADOPTED AS RESOLUTION R-266732

Authorizing the execution of a first amendment to the Torrey Ridge Club agreement for facilities benefit assessments; authorizing the expenditure of an amount not to exceed \$133,980 from Facilities Benefit Assessment Fund No. 79002 for providing funds for the above project.

(North City West Community Area. District-1.)
CITY MANAGER REPORT: On April 28, 1986, Council authorized an agreement with the subdivider (Torrey Ridge Club) to provide Facilities Benefit Assessment credit to the developer for construction of a 30-inch diameter water transmission line in Carmel Country Road in the North City West Community. Construction of this water line is a Council-approved Facilities Benefit Assessment project in the North City West Community. Because it was more economical for the developer to construct the water line in conjunction with his subdivision improvements, Council authorized the work to be done by the developer, with Facilities Benefit Assessment credit to be provided following final testing and acceptance of the water line by the City. The developer has completed construction of the water line. Because of the large size of the water line, the final testing of the project will involve modifications to the existing distribution system in North City West. This cannot take place during the high demand period, and thus acceptance by the City will not occur for several months. The developer has received building permits for all buildings in this subdivision, paying the required FBA fees in conjunction with obtaining those permits. The developer owns no other property in the North City West Community and thus is not in a position to utilize Facilities Benefit Assessment credits. Accordingly, this amendment will allow the City Manager to reimburse the developer in cash from existing FBA funds on hand once final testing and acceptance of the water line has taken place.

Aud. Cert. 8700236.

FILE LOCATION: STRT FB-8 and SUBD Torrey Ridge Club
CONTFY87-1

COUNCIL ACTION: (Tape location: A327-339.)

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

ITEM-150:

Two actions relative to the proposed boating restrictions in the San Diego-La Jolla Underwater Park Ecological Reserve:

(See City Manager Report CMR-86-418. La Jolla and La Jolla Shores Community Areas. District-1.)

Subitem-A: (O-87-59) INTRODUCED, TO BE ADOPTED NOVEMBER 3,
1986

Introduction of an Ordinance amending Chapter VI, Article 3, Division 2, of the San Diego Municipal Code, by adding Section 63.40, relating to Underwater Ecological Reserve.

Subitem-B: (R-87-541) ADOPTED AS RESOLUTION R-266733

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$28,230 from the Unallocated Reserve (Fund 100, Department 605) to Park and Recreation Department, Coastal Division (Fund 100, Department 442) to fund buoys, signs and Fiscal Year 1987 buoy maintenance.

COMMITTEE ACTION: Reviewed by PFR on 9/10/86. Recommendation to approve a 5 mph zone for boats in La Jolla Underwater Park Ecological Reserve and a prohibition of all boating activities within the vicinity of the realignment of the swim course as shown on Attachment 2, Alternative 1 of City Manager Report CMR-86-418. Districts 1, 2, 5 6, and 7 voted yea.

CITY MANAGER REPORT: The Public Facilities and Recreation Committee voted to institute a 5 mph zone within the La Jolla Underwater Park Ecological Reserve and prohibition of all boating activities within the vicinity of the realignment of the swim course as shown on Attachment 2, Alternative 1 of City Manager Report CMR-86-418. The proposed regulations are subject to review by the U.S. Coast Guard, California Department of Fish and Game, California Department of Boating and Waterways, and the California Coastal Commission. Therefore, the Resolution is scheduled for adoption on October 6, 1986. The Ordinance is scheduled for introduction on October 6, 1986 and the second reading and the adoption of the Ordinance on November 3, 1986, four weeks after, to allow for review, which would result in the Ordinance being in effect December 3, 1986.

Aud. Cert. 8700270.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A570-651.)

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

ITEM-151: (O-87-52) INTRODUCED, TO BE ADOPTED OCTOBER 27, 1986

Introduction of an Ordinance amending Chapter IV, Article 4, Division 3, of the San Diego Municipal Code, by amending Section 44.0310 and by adding Section 44.0311, relating to the Restraint of Animals in Open

Vehicles, to require that animals be restrained in vehicles while in operation and that no animal be left in an unattended vehicle without adequate ventilation.

(See City Manager Report CMR-86-336 and letter from the County of San Diego Board dated July 8, 1986.)

COMMITTEE ACTION: Reviewed by PSS on 9/17/86.

Recommendation to introduce the Ordinance. Districts 1, 3, 4 and 8 voted yea. District 7 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B030-085.)

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

ITEM-200: CONTINUED TO OCTOBER 14, 1986

The matter of Council discussion of the reports from the City Manager, three consultants, and the Mayor's Ad Hoc Library Task Force, regarding the new Central Library.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A240-273.)

MOTION BY STRUIKSMA TO CONTINUE TO OCTOBER 14, 1986, AT COUNCIL MEMBER McCOLL'S REQUEST FOR HER TO BE PRESENT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-201: (R-87-426) ADOPTED AS RESOLUTION R-266734

Awarding a contract to Douglas E. Barnhart, Inc., in the amount of \$2,115,225, for construction of the Eastern Division Police Station on Work Order No. 118106; authorizing the City Auditor and Comptroller to transfer \$291,525 from CIP-90-245, Capital Outlay Fund Reserve - General Contingency Funds to CIP-36-032.2, Eastern Area Station; authorizing the expenditure of \$495,525 from Capital Outlay Fund 30245, CIP-36-032.2, Eastern Area Station, to supplement funds previously authorized by Resolution R-265692, adopted May 12, 1986, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-7169)

(Serra Mesa Community Area. District-5.)

CITY MANAGER REPORT: On June 12, 1986, bids were opened for the construction of the Eastern Division Police Station proposed to be built at the City's site at Aero Drive and Ruffin Road. Eight bid packages were submitted. The apparent low bidder was allowed to withdraw his bid due to the demonstration of an error. The second low bidder was Douglas E. Barnhart, Inc., whose bid was \$2,115,225 (9.0 percent over the estimate). The remaining six bids ranged from 16.7 percent to 22.7 percent over the estimate. Since the range of the remaining bids was from \$2,263,000 to \$2,380,000, it is believed that Barnhart's bid represents the true low bid received and award to them is recommended. Aud. Cert. 8700215.

FILE LOCATION: W.O. 118106 CONFY87-1

COUNCIL ACTION: (Tape location: B137-149.)

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

19861006

ITEM-202: (R-87-224 Rev.1) ADOPTED AS AMENDED AS RESOLUTION R-266735

(Continued from the meeting of September 8, 1986, Item 204, at Mr. Beights request, to allow time for further review.)

Granting an extension of time to October 9, 1987 to S & 21163 Construction Company of San Diego, formerly Shapell Industries of San Diego, Inc., subdivider, to complete the improvements required for Mesa Del Sol. (See City Manager Report CMR-86-400. Mira Mesa Community Area. District-5.)

FILE LOCATION: SUBD Mesa Del Sol

COUNCIL ACTION: (Tape location: B149-490.)

MOTION BY STRUIKSMA TO ADOPT AS AMENDED TO APPROVE AN EXTENSION OF TIME TO JANUARY 1, 1987, FOR SUBDIVIDER TO SUBMIT A NEW PROPOSAL TO COUNCIL ON JANUARY 12, 1987, AND DIRECT THE CITY MANAGER TO REPORT TO COUNCIL AT THAT TIME ON ALTERNATIVE FINANCING FOR THE PROPOSED ROAD. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-203: (R-87-561 Rev. 2) ADOPTED AS RESOLUTION R-266736

Authorizing the City Manager to expend up to \$126,354 of surplus monies attributable to project savings identified during preliminary audit of the Police Headquarters building project budget toward additional items of construction on the Police Headquarters that were not specifically included in the building plans; authorizing the execution of a Change Order with M.H. Golden Company and the expenditure of not to exceed \$126,354 from the Acquisition and Construction Fund established in connection with sales of Certificates of Participation for additional items of construction for the Police Headquarters.

(See City Manager Report CMR-86-458.)

FILE LOCATION: CONT M.H. Golden Company CONFY87-1

COUNCIL ACTION: (Tape location: B491-520.)

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

ITEM-S400: REFERRED TO RULES COMMITTEE

The matter of a communication to the City Council from the Foreman of the County Grand Jury.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A149-243.)

MOTION BY JONES TO REFER TO RULES COMMITTEE TO IDENTIFY AREAS OF CONCERN. Second by Struiksmayea. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-S401: (O-87-38) RE-INTRODUCED AS AMENDED, TO BE ADOPTED OCTOBER 27, 1986

(Continued from the meeting of September 29, 1986, Item 50, at Council Member Gotch's request, for further review of how to legally reduce Mayor O'Connor's salary to \$50,000 but leaving the salary of the position of Mayor at \$55,000.)

Amending Ordinance O-16649 (New Series), as amended by Ordinance O-16683 (New Series), by amending Section 1, for the purpose of reducing the Mayor's salary from \$55,000 per year to \$50,000 per year.

(Introduced on 9/15/86. Council voted 7-2. Districts-2 and 7 voted nay.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B087-134.)

MOTION BY GOTCH TO RE-INTRODUCE AS AMENDED. Second by Jones.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmayea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor O'Connor-yea.

ITEM-S402:

Seven actions relative to the final subdivision map of San Diego Business Park Unit No. 1, a 1-lot subdivision located southeasterly of I-805 and Otay Mesa Road: (See the memorandum from Council Member Martinez dated 10/1/86. Otay Mesa Community Area. District-8.)

Subitem-A: (R-87-639) ADOPTED AS RESOLUTION R-266737

Authorizing the execution of a subdivision improvement agreement with San Diego Business Park Associates, Ltd., for the installation and completion of certain public improvements.

Subitem-B: (R-87-638) ADOPTED AS RESOLUTION R-266738

Approving the final map.

Subitem-C: (R-87-640) ADOPTED AS RESOLUTION R-266739

Approving the acceptance by the City Manager of that street easement deed of Rampart Limited and Corsica Limited, granting to the City an easement for public street purposes in a portion of the Southwest Quarter of the Northwest Quarter of Section 36, Township 18 South, Range 1 West, San Bernardino Meridian; dedicating the same as and for public streets and naming the same Sanyo Avenue and Airway Road.

Subitem-D: (R-87-641) ADOPTED AS RESOLUTION R-266740

Approving the acceptance by the City Manager of that drainage easement deed of Rampart Limited and Corsica Limited, granting to the City an easement for public storm drain purposes in a portion of the Southwest Quarter of the Northwest Quarter of Section 36, Township 18 South, Range 1 West, San Bernardino Meridian.

Subitem-E: (R-87-649) ADOPTED AS RESOLUTION R-266741

Authorizing the execution of an agreement with San Diego Business Park Associates, Ltd., for the installation of a traffic signal at Otay Mesa Road and Sanyo Avenue.

Subitem-F: (R-87-648) ADOPTED AS RESOLUTION R-266742
Authorizing the execution of an agreement with San Diego
Business Park Associates, Ltd., for the installation of
a traffic signal at Airway Road and Sanyo Avenue.

Subitem-G: (R-87-647) ADOPTED AS RESOLUTION R-266743
Authorizing the execution of an agreement with San Diego
Business Park Associates, Ltd., for the installation of
a traffic signal at State Route 125 and Airway Road.

FILE LOCATION:

Subitems-A and B SUBD San Diego Business
Park Unit No. 1,

Subitem-C DEED F-3578,

Subitem-D DEED F-3579,

Subitems-E, F, G

SUBD San Diego Business Park Unit No. 1
CONTFY-4 DEEDFY87-2

COUNCIL ACTION: (Tape location: B530-541.)

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

ITEM-S403: (R-87-439) ADOPTED AS RESOLUTION R-266744

Inviting bids for the Vortex Vent Pipe Replacement on
Work Order No. 170301; authorizing the execution of a
contract with the lowest responsible and reliable
bidder; authorizing the expenditure of funds not to
exceed \$52,800 from Sewer Revenue Fund 41506 for
providing funds for said project and related costs;
authorizing the City Auditor and Comptroller, upon
advice from the administering department, to transfer
excess budgeted funds, if any, to the appropriate
reserves. (BID-7580)
(Prime construction contract \$40,000. Federal Land.
District-2.)

CITY MANAGER REPORT: Treated wastewater from the Point
Loma facility passes through a two mile long ocean outfall
pipe before being released into the ocean. Since the plant
itself is at an elevation of 86 feet, an energy dissipation

device, called the vortex structure, was installed at the entrance to the outfall to prevent air entrainment in the plant effluent which could bubble to the surface at the end of the outfall pipe. Although originally designed for covered operation, the vent pipes which prevent pressurization of the vortex structure when enclosed, corroded away and the vortex has been operated uncovered. Recently, however, flows have increased to the point that the uncovered vortex structure can, under some circumstances, overflow, causing wastewater to spill into the ocean at the coastline. Accordingly, the City Water Utilities Department proposes to install a new 16 and 18 inch coated steel vent pipe system to vent the vortex structure and allow covered operation. The department also recommends extending the pipe system to replace portions of the plastic pipe currently used to vent the recently constructed hydroelectric plant.

Aud. Cert. 8700292.

WU-U-87-028.

FILE LOCATION: W.O. 170301 CONFY87-1

COUNCIL ACTION: (Tape location: B545-550.)

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

ITEM-S404: (R-87-646) ADOPTED AS RESOLUTION R-266745

Authorizing the City Manager to apply to the California Job Training Partnership Office for \$50,000 from the Governor's 5 percent Discretionary Economic Development Project Funds, for use in the Southeast/Barrio Logan Enterprise Zone, for a jobs development project. (Southeast San Diego, Barrio Logan, and Centre City Community Areas. Districts-4 and 8.)

CITY MANAGER REPORT: On or about October 15, 1986, the State of California will grant final designation to the Southeast/Barrio Logan Enterprise Zone. The Enterprise Zone has been created to stimulate business investments in the Southeast San Diego and Barrio Logan areas for the purpose of reducing the unemployment rate there. A jobs development program specifically focused in the Zone would complement the jobs creation purpose of the Enterprise Zone. The Governor's 5 Percent Discretionary Economic Development Project Funds are set aside for unique economic development projects which are designed to create new jobs. If granted, these funds would be used for direct jobs development programs within the

Enterprise Zone. The funds specifically would be used: 1) To contract for a jobs development specialist to directly solicit the creation of new jobs within the Zone boundaries; 2) For promotional materials and activities directly related to jobs development; and 3) To assist the formation of a small business incubator project to be located within the Zone. The grant applications are competitive, with only one grant per Service Delivery Area (i.e., San Diego County) and only 8 grants Statewide. The maximum grant award is \$50,000.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B550-650.)

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

ITEM-S405: CONTINUED TO OCTOBER 13, 1986

Discussion in the matter of the Community Development Block Grant Program regarding recent decisions by the Department of Housing and Urban Development relative to the separation of church and state.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C038-C245.)

MOTION BY JONES TO CONTINUE TO OCTOBER 13, 1986, AND DIRECT THE CITY MANAGER AND CITY ATTORNEY TO REPORT TO COUNCIL ON THE PROGRESS OF MEETING HOUSING AND URBAN DEVELOPMENT CRITERIA TO UTILIZE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUNDING FOR RELIGIOUS AGENCIES WHICH ARE PROVIDING COMMUNITY SERVICES, AND NOTIFY PARTIES CONCERNED OF THE CONTINUANCE.

Second by Gotch. Passed by the following vote:

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

ITEM-UC-1: (R-87-701) ADOPTED AS RESOLUTION R-266746

A Resolution presented to the City Council with

UNANIMOUS CONSENT:

Excusing Deputy Mayor Ed Struiksma from the regular meeting of the Rules Committee, Monday, October 6, 1986, due to illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C245-253.)

MOTION BY CLEATOR TO ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-not

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

ITEM-UC-2: (R-87-702 Rev.) ADOPTED AS RESOLUTION R-266747
19861006

A Resolution presented to the City Council with

UNANIMOUS CONSENT:

Excusing Council Member Wolfsheimer from the Council
Meeting of October 13, 1986, for Yom Kippur.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C253-259.)

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

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 3:49 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C260-267).

MOTION BY McCARTY TO ADJOURN IN HONOR OF THE MEMORY OF RALPH
J. FOLEY. Second by Gotch. Passed by the following vote:
Wolfsheimer-yea, Cleator-yea, McColl-not present, Jones-yea,
Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-not present,
Mayor O'Connor-yea.