

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

MONDAY, SEPTEMBER 14, 1987
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 2:16 p.m. Mayor O'Connor announced that Deputy Mayor Jones had effectively resigned as of this morning (9-14-87). Council Member Cleator commended Mayor O'Connor on her trip to New York and her successful effort, on behalf of the Sail America Foundation and the City of San Diego, to keep the America's Cup in San Diego. Mayor O'Connor adjourned the meeting at 6:30 p.m. to meet in Closed Session on Tuesday, September 15, 1987 at 9:30 a.m. in the 12th floor conference room regarding pending and potential litigation and personnel matters.

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) Vacant
 - (5) Council Member Struiksma-present
 - (6) Council Member Gotch-present
 - (7) Council Member McCarty-present
 - (8) Council Member Ballesteros-present
- Clerk-Abdelnour (jb)

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-present
- (4) Vacant
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-present

ITEM-10: INVOCATION

Invocation was given by Reverend Herb Christ, Pastor
of the College Park Presbyterian Church.

FILE LOCATION: MINUTES

Sep-14-1987

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Cleator.

FILE LOCATION: MINUTES

ITEM-30: (R-88-620) ADOPTED AS RESOLUTION R-269220

19870914

Recognizing Mary G. Marston for her generous donation of
the 4.6-acre historic George W. Marston estate, including
house and grounds, to the City of San Diego for public park
purposes.

NOTE: See Item 50 on today's docket for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A080-185.)

MOTION BY CLEATOR TO ADOPT. Second by McColl. Passed by the
following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-yea.

ITEM-31: (R-88-219) CONTINUED TO SEPTEMBER 21, 1987

Commending the Evans family for the significant renovation
to Catamaran and Bahia hotels, two of the City's premier
resorts, and for providing to visitors to this City, fine,
affordable and attractive accommodations.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A186-195.)

MOTION BY GOTCH TO CONTINUE TO SEPTEMBER 21, 1987, AT HIS
REQUEST. Second by McCarty. Passed by the following vote:
Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant,
Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor
O'Connor-yea.

ITEM-32: WELCOMED

Welcoming and commending Charles Robitaille, age 9, and

Heather Elayne Reynolds, age 12, the winners of the essay contest regarding City Government sponsored by Kids World Tribune.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A196-264.)

ITEM-33: (R-88-437) ADOPTED AS RESOLUTION R-269221

Proclaiming September 13 - 19, 1987, to be "Hispanic Heritage Week" in San Diego, and encouraging all San Diegans to share and enjoy the festivities and cultural significance of this week.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A265-329.)

MOTION BY GOTCH TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-34: (R-88-403) ADOPTED AS RESOLUTION R-269222

Authorizing suggestion awards and making a presentation to the following employees:

Robert Hauptman - General Services Department - \$951.56.

Joseph Ascitutto - General Services Department - \$919.68.

FILE LOCATION: MEET RUTHFILE

COUNCIL ACTION: (Tape location: A456-465.)

MOTION BY GOTCH TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-35:

Three actions relative to authorizing suggestion awards to the following employees:

Subitem-A: (R-88-404) ADOPTED AS RESOLUTION R-269223

Barbara Thompson - Utilities - \$380.20.

Robert Hauptman - General Services - \$262.65.

Michael Dunn - Library - \$180.

Subitem-B: (R-88-405) ADOPTED AS RESOLUTION R-269224

Maria Masoni - Planning - \$160.

James Messersmith - Utilities - \$160.
Rae Ann Harper - Police - \$100.

Subitem-C: (R-88-406) ADOPTED AS RESOLUTION R-269225

Matthew Schwartz - General Services - \$90.

Jean Doucette - Police - \$45.

Robert Sherer - Police - \$7.40.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A456-465.)

MOTION BY GOTCH TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-36: ACCEPTED REPORT

The matter of an Information Report from the Planning Department regarding the Institutional Overlay Zone.

(See Planning Department Report PDR-87-371.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A467-542.)

MOTION BY McCARTY TO ACCEPT THE REPORT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-37: GRANTED HEARING

Matter of the request of Richard C. and Gloria C. Richley, for a hearing of an appeal from the decision of the Board of Zoning Appeals in granting, with conditions, a request to construct a three-story addition to an existing single-family dwelling, consisting of: (1) A garage to observe an 8'0" setback; (2) A second story deck (213 square feet) observing a 2'0" setback and (3) A third story deck (46 square feet) to observe a 4'0" setback where 10'0" is established. The subject property is described as Lot 7 of Sefton Park, Map-6061, located at 1895 Sefton Place, in Zone R1-5000, in the Peninsula Community Plan area.

(Case C-19567. District-2.)

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

FILE LOCATION: ZONE - Zoning Appeals Case C-19567

COUNCIL ACTION: (Tape location: A543-610.)

MOTION BY CLEATOR TO GRANT THE HEARING. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-38: GRANTED HEARING

Matter of the requests of Rancho Penasquitos Planning Board, by Barbara Fisher, and David L. Davis, for a hearing of the appeals from the decision of the Planning Commission in granting Conditional Use Permit CUP-85-0684.1, proposing a full self-service gasoline service station and snack shop facility with four pump islands and canopy. The subject property is described as Lot 7 of Penasquitos Towne Center, Unit 11, Map-11092 (1.17 acres), and is located on the south side of Paseo Montalban between Twin Trails Drive and Salmon River Road, in Zone CA, in the Penasquitos East Community Plan area.

(CUP-85-0684.1. District-1.)

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

FILE LOCATION: PERM CUP-85-0684

COUNCIL ACTION: (Tape location: A611-B075.)

MOTION BY WOLFSHEIMER TO GRANT THE HEARING. Second by Ballesteros. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-39: GRANTED HEARING

Matter of the requests of Mrs. Helen Smith, by James S. Milch, Esq., and Gerald G. Marans, for a hearing of the appeals from the decision of the Planning Commission in granting Planned Residential Development Permit, Planned Commercial Development Permit and Tentative Map TM-86-0994 (Five Creeks), proposing a subdivision of a 114.2 gross acre site into 25 lots and the future development of these lots with a maximum of 2,500 multi-family residential units and a maximum of 50,000 square feet of neighborhood-commercial uses. The subject property is located east of Towne Centre Drive, south of La Jolla Village Drive, north of the AT&SF right-of-way and west of I-805, in Zone R1-5000 (proposed Zones R-1500 and CN), in the University Community Plan area. The subject property is further described as Parcel 1 of Parcel Map PM-11842; Parcels 2, 3 and 4 of Parcel Map PM-9470; Lot 2 of

Revisionary Map-11500 and a portion of Pueblo Lot 1307.
(PRD, PCD, TM-86-0994. District-1.)

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

FILE LOCATION: PERM PRD-86-0994; PERM PCD-86-0994; SUBD
Five Creeks

COUNCIL ACTION: (Tape location: B076-101.)

MOTION BY WOLFSHEIMER TO GRANT HEARING. Second by Ballesteros.
Passed by the following vote: Wolfsheimer-yea, Cleator-yea,
McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea,
McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-40: DENIED HEARING

Matter of the request of Howard R. and Mary R. Mueller, by
Robert L. Lesh, attorney, for a hearing of an appeal from
the decision of the Planning Commission in granting
Conditional Use Permit CUP-87-0356, proposing construction
of a fraternity building for 12 residents. The subject
property (7,322 square feet) is described as Lot 2,
Collwood Gardens, Map-2620, and is located on the south
side of Lindo Paseo, east of 55th Street, in Zone R1-5000,
in the State University Community Plan area.
(CUP-87-0356. District-7.)

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

FILE LOCATION: PERM CUP-87-0356

COUNCIL ACTION: (Tape location: B102-155.)

MOTION BY McCARTY TO DENY THE HEARING OF THE APPEAL AND DIRECT
STAFF TO COME BACK TO THE TRANSPORTATION AND LAND COMMITTEE
WITH

RECOMMENDATIONS ON WHAT CAN BE DONE TO PROTECT THE FRATERNITY
OVERLAY ZONE. Second by Cleator. Passed by the following vote:
Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant,
Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor
O'Connor-yea.

ITEM-50: (O-88-43) INTRODUCED, TO BE ADOPTED ADOPTED SEPTEMBER
28, 1987

Introduction of an Ordinance setting aside and dedicating
the Marston House, for public park purposes and
incorporating the same into Balboa Park.
(Uptown Community Area. District-8.)

CITY MANAGER REPORT: In October 1974, Mary G. Marston

donated the 4.6-acre historic George W. Marston estate, including house and grounds, to the City of San Diego for public park purposes. Miss Marston retained a life estate in the property until her death on July 23, 1987. A condition of the agreement between Miss Marston and the City states: "City agrees that the conveyance of said property is conditioned upon the formal dedication of said property in perpetuity for public park purposes by ordinance of the City Council within six months of the death of Mary Marston, and in the event that the City shall fail to so dedicate the property, the property shall revert to Mary Marston, her heirs, assigns or devisees." With the recent death of Mary Marston, it is now appropriate that we proceed with the dedication of the Marston property for park purposes. The property will become a portion of Balboa Park and is located along the western side of the park.

NOTE: See Item 30 on today's docket for a companion item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B102-155.)

MOTION BY CLEATOR TO INTRODUCE THE ORDINANCE. Second by McColl.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-100:

Two actions relative to awarding contracts:

Subitem-A: (R-88-310) ADOPTED AS RESOLUTION R-269226

Awarding contracts for the purchase of rental copiers and duplicators, as may be required for the period of date of installation or September 1, 1987, whichever is later, through June 30, 1990 for an estimated cost of \$344,045.22, including tax and terms, with an option to cancel the contract at the end of each fiscal year and with an option to rent additional copiers, as follows:

(BID-9128)

1. Xerox Corporation for Items 1 and 2.
2. Eastman Kodak Company for Items 3 and 4.

Subitem-B: (R-88-309) ADOPTED AS RESOLUTION R-269227

Awarding a contract to Nic-Con Corp., dba Allied Barricade Co., for the purchase of reflectorized tube type delineators, as may be required for a period of one year beginning September 15, 1987 through September 14, 1988, for an estimated cost of \$25,143.20, including tax

and terms, with an option to renew the contract for two additional one-year periods. (BID-9162)

FILE LOCATION: MEET CONFY88-3

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-101: (R-88-311) ADOPTED AS RESOLUTION R-269228

Awarding a contract to Imperial West Chemical Company for the purchase of Ferric Chloride, as may be required for a period of one-year beginning November 1, 1987 through October 31, 1988, for an estimated cost of \$1,612,260, including tax, with an option to renew the contract for an additional one-year period with price escalation not to exceed 20 percent of bid price; authorizing the Purchasing Agent to obtain ferric chloride from Chemwest Industries in the event that the contract vendor fails at any time during the contract period to deliver material meeting specifications. (BID-9136)

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-102: (R-88-313) ADOPTED AS RESOLUTION R-269229
19870914

Inviting bids for the Construction of Nestor Creek Flood Control Project 1C on Work Order No. 118613; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the City Auditor and Comptroller to transfer \$120,000 from Fund 30245, CIP-52-301, Nautilus Street - Avenida La Reina to Avenida De Las Pescas; \$60,000 from Fund 30245, CIP-52-363, Front Street - Extension to Harbor Drive; \$20,000 from Fund 30245, CIP-58-004, Annual Allocation - Miscellaneous Improvements on City Streets; and from construction contingencies an amount not to exceed \$22,000 from Fund 18014, CIP-12-036.1, Nestor Creek Flood Control Project 1A, to CIP-12-036.3, Nestor Creek Flood Control Project 1C;

authorizing the expenditure of an amount not to exceed \$399,362 (\$199,362 from Federal Revenue Sharing Fund 18014, CIP-12-036.3, Nestor Creek Flood Control Project 1C and \$200,000 from Capital Outlay Fund 30245, CIP-12-036.3 Nestor Creek Flood Control Project 1C) 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-9247)

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

CITY MANAGER REPORT: Within the limits of this project, Nestor Creek is an unimproved earth channel with narrow bottom width. This project proposes replacement of the earth channel with a wider concrete lined rectangular channel. The proposed new channel will provide adjacent properties with protection against storm flows in Nestor Creek up to and including the 100-year frequency flood.

Aud. Cert. 8800220.

FILE LOCATION: W.O. 118613 CONT - Erreca's Inc.
CONTFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-103: (R-88-312) ADOPTED AS RESOLUTION R-269230
19870914

Inviting bids for the Installation of Portable Process Laboratory - Point Loma Treatment Plant on Work Order No. 170531; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of an amount not to exceed \$241,793 from Sewer Revenue Fund 41506, CIP-46-119, Annual Allocation - Point Loma Treatment Plant, 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-9246)

(District-2.)

CITY MANAGER REPORT: Continuing expansion of the Point Loma Wastewater Treatment Plant has created a need to provide additional biology and chemistry laboratory space for monitoring and controlling plant processes. Because on-site expansion area

is limited - the entire Point Loma laboratory facility will be displaced by the remodeling of the Administration Building and relocated to a new and larger joint facility at the Alvarado Filtration Plant - a portable process laboratory trailer can provide the needed laboratory space both now and during the relocation. After the relocation, the trailer will remain permanently at the Point Loma site to allow operations personnel quick and easy access to the laboratory testing facilities to insure that the Plant processes are monitored and controlled. This action will authorize the installation of a manufactured, self contained, portable process laboratory trailer and appurtenant equipment.

Aud. Cert. 8800203.

WU-P-87-157.

FILE LOCATION: W.O. 170531 CONT - Parnell & Leonard,
Inc. CONTFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-104: (R-88-305) ADOPTED AS RESOLUTION R-269231
19870914

Inviting bids for the construction of traffic signal and street lighting systems on El Cajon Boulevard at Illinois Street and at Highland Avenue and at Euclid Avenue and Wightman Street on Work Order No. 118878; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$228,100 from Capital Outlay Fund 30245, CIP-61-002, Annual Allocation - New Traffic Signals 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-9237)
(Mid-City and Park North-East Community Areas.
District-3.)

CITY MANAGER REPORT: The FY 1987 Capital Improvements Program identifies these three locations to receive new traffic signal systems. Installation of traffic signals at these locations will properly coordinate the safe passage of pedestrians and vehicles through the intersections. Emergency vehicle preemption equipment is included in the design to

provide for priority movement of emergency vehicles through the intersections.

Aud. Cert. 8800200.

FILE LOCATION: W.O. 118878 CONT - Select Electric Inc.
CONFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

19870914

* ITEM-105: (R-88-306) ADOPTED AS RESOLUTION R-269232

Inviting bids for the construction of traffic signal and street lighting systems at Antigua Boulevard and Clairemont Mesa Boulevard on Work Order No. 118887; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$102,100 from Capital Outlay Fund 30245, CIP-61-002, Annual Allocation - New Traffic Signals, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-9238) (Tierrasanta Community Area. District-7.)

CITY MANAGER REPORT: This Capital Improvements Project provides for the safe passage of pedestrians, vehicles and emergency vehicles through the intersection of Clairemont Mesa Boulevard, a major street carrying in excess of 20,000 vehicles a day, and Antigua Boulevard, a collector street which provides access to residential neighborhoods north and south of Clairemont Mesa Boulevard. A special feature of the project is the inclusion of audible signals for the visually impaired pedestrians.

Aud. Cert. 8800153.

FILE LOCATION: W.O. 118887 CONT - D&H Perry Inc. dba
Perry Electric CONFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-106: (R-88-393) ADOPTED AS RESOLUTION R-269233

Approving the acceptance by the City Manager of an easement deed of Coronado Terrace Unit No. 2 Homeowners Association, granting to the City an easement for drainage purposes and future maintenance responsibility for an existing flood control channel on Nestor Creek within the Coronado Terraces development between 25th and 27th Streets, being a portion of Lot E-1 of Coronado Terrace Unit No. 2, Map-6904, providing that the flood control channel is restored to its original condition and flood conveyance capability by the Coronado Terraces Homeowners Association, to the satisfaction of the City Engineer.

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

CITY MANAGER REPORT: The Coronado Terraces development was completed in 1975. Included in the public improvements constructed with the development was a flood control channel to convey Nestor Creek through the project between 25th and 27th Streets adjacent to Grove Avenue. The channel was built as a private drain in private open space, an easement was not dedicated to the City and thus no maintenance responsibility was assumed by City Forces. The channel has not been maintained for over a decade and a large accumulation of sediment has built up therein. The City has asked the Coronado Terrace Homeowners Association to clean the channel. The Association has asked that the City accept a drainage easement for the channel and future maintenance responsibility once they restore the channel to its original condition. Nestor Creek drains a watershed of over 1,500 acres above the Coronado Terraces development. Normally a drainage facility of this capacity would be accepted by the City for maintenance after construction by a developer. To be consistent with other similar facilities throughout the City, it is recommended that the easement and maintenance be accepted with the provision that the channel be restored by the Homeowners Association.

FILE LOCATION: DEED F-4123 DEEDFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* **ITEM-107:**

Four actions relative to the final subdivision map of Mesa Classic - Unit 1, a 167-lot subdivision, located southeasterly of Camino Santa Fe and Mira Mesa Boulevard: (Mira Mesa Community Area. District-5.)

Subitem-A: (R-88-441) ADOPTED AS RESOLUTION R-269234
Authorizing the execution of a Subdivision Improvement Agreement with Pardee Construction Company, for the installation and completion of public improvements.

Subitem-B: (R-88-440) ADOPTED AS RESOLUTION R-269235
Approving the final map.

Subitem-C: (R-88-450) ADOPTED AS RESOLUTION R-269236
Approving the acceptance by the City Manager of that deed of H.G. Fenton Material Company, conveying to the City a drainage easement in a portion of Section 2, Township 15 South, Range 3 West, S.B.B.M.; authorizing the execution of a quitclaim deed, quitclaiming to H.G. Fenton Material Company, all the City's right, title and interest in the drainage easement in a portion of Section 2, Township 15 South, Range 3 West, S.B.B.M.

Subitem-D: (R-88-449) ADOPTED AS RESOLUTION R-269237
Authorizing the execution of an agreement with Pardee Construction Company for payment of fees for public facilities.

FILE LOCATION:

Subitems A,B,D SUBD - Mesa Classic - Unit 1;

Subitem C DEED F-4124 CONTFY88-2;DEEDFY88-2
COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-108:

Two actions relative to the final subdivision map of N.C.W. Neighborhood 6, Unit 4, a 4-lot subdivision located northeasterly of I-5 and Carmel Valley Road:
(North City West Community Area. District-1.)

Subitem-A: (R-88-439) ADOPTED AS RESOLUTION R-269238
Authorizing the execution of a Subdivision Improvement Agreement with Pardee Construction Company, for the

installation and completion of public improvements.

Subitem-B: (R-88-438) ADOPTED AS RESOLUTION R-269239

Approving the final map.

FILE LOCATION: SUBD - N.C.W. Neighborhood 6, Unit 4
CONTFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-109:

Three actions relative to the final subdivision map of Otay International Center Lot No. 5, a 19-lot subdivision located southeasterly of Siempre Viva Road and SR125: (Otay Mesa Community Area. District-8.)

Subitem-A: (R-88-445) ADOPTED AS RESOLUTION R-269240

Authorizing the execution of a Subdivision Improvement Agreement with Otay International Center for the installation and completion of certain public improvements.

Subitem-B: (R-88-444) ADOPTED AS RESOLUTION R-269241

Approving the final map.

Subitem-C: (R-88-446) ADOPTED AS RESOLUTION R-269242

Approving the acceptance by the City Manager of a street easement deed of Otay International Center, granting to the City an easement for public street purposes in a portion of Lot 6 of County of San Diego Tract No. 4388; dedicating said land as and for a public street and naming the same Via De la Amistad.

FILE LOCATION:

Subitems A-B SUBD - Otay International
Center Lot No. 5;

Subitem C DEED F-4125

CONTFY88-1;DEEDFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea,

Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-110:

Two actions relative to Carmel Valley Neighborhood 5 Unit No. 8:
(North City West Community Area. District-1.)

Subitem-A: (R-88-410) ADOPTED AS RESOLUTION R-269243

Authorizing the City Manager to release a portion of the sureties issued by Developers Insurance Company in the form of Performance Bond Nos. 910476S, 910477S and 910478S, so that the same is reduced as follows:

1. For faithful performance, to the sum of \$338,460.
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$169,230.

Subitem-B: (R-88-411) ADOPTED AS RESOLUTION R-269244

Granting an extension of time to December 31, 1988 to complete the improvements required in Baldwin Building Company, subdivider of Carmel Valley Neighborhood 5 Unit No. 8.

CITY MANAGER REPORT: On June 17, 1985, the City entered into an agreement with Baldwin Building Company for the construction of public improvements for Carmel Valley Neighborhood 5 Unit No. 8. Performance Bond Nos. 910476S, 910477S, and 910478S, in the amount of \$376,819, \$420,006 and \$513,512, totalling \$1,310,337, were provided by the subdivider. The agreement expired on June 17, 1987. The subdivider has requested a partial release of surety and an extension of time to December 31, 1988, in which to complete the required improvements. Ninety-eight 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 74.17 percent, to \$338,460, 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.

FILE LOCATION: SUBD - Carmel Valley Neighborhood 5 Unit No.

8

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-111:

Two actions relative to the University Avenue (Florida Street to Idaho Street) Underground Utility District: (Park Northeast Community Area. District-3.)

Subitem-A: (R-88-408) ADOPTED AS RESOLUTION R-269245 Designating October 5, 1987 as the date upon which all property in the University Avenue (Florida Street to Idaho Street) Underground Utility District must be ready to receive underground service and February 19, 1988 as the date for the removal of all overhead utility facilities.

Subitem-B: (R-88-414) ADOPTED AS RESOLUTION R-269246 Authorizing the City Auditor and Comptroller to open Fund 78021 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the University Avenue (Florida Street to Idaho Street) Underground Utility District; authorizing the City Treasurer to receive these funds from the San Diego Gas and Electric Company; authorizing payment to all property owners in the University Avenue (Florida Street to Idaho Street) Underground Utility District as reimbursement for electrical service underground conversion work done on private property from Case 8209 funds deposited by San Diego Gas and Electric Company with the City Treasurer for this purpose; authorizing the City Auditor and Comptroller to return to San Diego Gas and Electric Company any undisbursed funds upon written notice from SDG&E to the City that all electric service conversions within a particular district have been completed.

CITY MANAGER REPORT: The University Avenue (Florida Street to Idaho Street) Underground Utility District was created by the City Council on August 20, 1985. The Resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set October 5, 1987 as the Customer Ready Date, which will require that, upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new

underground system. This action will also establish February 19, 1988 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 Funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consist of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

FILE LOCATION: STRT K-149

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-112: (R-88-447) ADOPTED AS RESOLUTION R-269247

Resolution of Intention to acquire approximately 24.9 acres of Los Penasquitos Canyon Preserve - North of Genstar Tradeland for the San Diego Open Space Park Facilities District No. 1.
(District-1.)

CITY MANAGER REPORT: Los Penasquitos Canyon Preserve is priority number 1, in Category A, on the Council's adopted open space retention list. This 24.9 acre parcel is a portion of the large finger canyon north of and adjacent to the Genstar tradeland property. On September 15, 1986, Council approved an acquisition plan for this land, along with funds to have it appraised for purposes of acquisition for open space. Further, on June 1, 1987, Council established priorities for the acquisition plan which identified this land as the number eight priority. Since available funds are not adequate to proceed with all approximately 230 acres included in this priority, we are returning to Council for approval of funds in order of the established priorities. Funding is now available for the acquisition of this parcel, which is immediately adjacent to the Genstar tradeland. This request is for \$411,000 to purchase this parcel at fair market value plus funds to cover title, escrow, and other miscellaneous costs.

Aud. Cert. 8800219.

FILE LOCATION: STRT OS-23

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-113: (R-88-424) ADOPTED AS RESOLUTION R-269248

Resolution of Intention to acquire 1.06 acres of Valencia Canyon Extension for the San Diego Open Space Park Facilities District No. 1.

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

CITY MANAGER REPORT: Valencia Canyon is priority number 56, in Category C, on the Council's adopted Open Space Retention List. This 1.06 acre parcel is at the northeast corner of 58th and Churchward Streets. On November 21, 1983, Council adopted Resolution R-259663, approving an acquisition plan which included allotting up to \$5 million for Council District 4 parcels. The specific acquisition plan on this parcel, along with funds to have it appraised for purposes of acquisition for open space, was approved by the City Council on May 18, 1987. This request is for \$40,000 to purchase this parcel at fair market value, plus funds to cover title, escrow and other miscellaneous costs.

FILE LOCATION: STRT OS-24

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-114: (R-88-366) ADOPTED AS RESOLUTION R-269249

Approving the acceptance by the City Manager of that deed of Samuel Goldwyn Jr., Trustee of Samuel Goldwyn Family Trust, conveying to the City a sewer easement in a portion of Lots 6 and 7 in Fern Glenn Colony, Map-2347; authorizing the execution of a quitclaim deed, quitclaiming to Samuel Goldwyn Jr., Trustee of Samuel Goldwyn Family Trust, all the City's right, title and interest in a sewer easement in a portion of Lots 6 and 7 in Fern Glenn Colony, Map-2347.

(La Jolla Community Area. District-1.)

FILE LOCATION: DEED F-4126 DEEDFY88-2

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,

District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-115: (R-88-365) ADOPTED AS RESOLUTION R-269250

Authorizing the execution of a quitclaim deed, quitclaiming
to William Gerrity all the City's right, title and interest
in a portion of Lot 4, Block 488, Miscellaneous Map-40.
(Old San Diego Community Area. District-2.)

FILE LOCATION: DEED F-4127 DEEDFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by
the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-116: (R-88-453) ADOPTED AS RESOLUTION R-269251

Vacating the City's interest in an unneeded sewer easement,
affecting Lots 18 and 21 of Lemon Villa, Map-734, which is
being replaced by new easements being granted on Parcel Map
TM-860270.

(Mid-City Community Area. District-7.)

FILE LOCATION: DEED F-4128 DEEDFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by
the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-117: (R-88-386) ADOPTED AS RESOLUTION R-269252

Authorizing the City Manager to accept the donation of a
duplex building by Associated House Movers and Wrecking
Company; authorizing the City Auditor and Comptroller to
transfer an amount not to exceed \$18,000 from Water Revenue
Fund (41502) Unallocated Reserve (70697) to the Dams and
Reservoir Program (703222); authorizing the City Manager to
contract with Associated House Movers and Wrecking Company
to move the donated building onto the site adjacent to 5540
Kiowa Drive, and to waive the requirements for competitive
bidding since no competitive advantage can be gained in
view of the favorable costs to the City; authorizing the
expenditure of an amount not to exceed \$18,000 from the
Dams and Reservoir Program (703222) for the purpose of

providing funds for the above project.

(Lake Murray Community Area. District-7.)

CITY MANAGER REPORT: Associated House Movers and Wrecking Co., 6910 Mission Gorge Road, San Diego, has offered to donate a 1,500 square foot duplex to the City of San Diego Water Utilities Department. The duplex is in very good condition and could be converted to office space with very little modification of the interior layout. Associated House Movers, Inc. will move the duplex and set up the new foundation at our Alvarado Filtration Plant site adjacent to existing office buildings for the total sum of \$18,000. This compares favorably with the recent cost of moving an 850 square foot City office building (including setting a new foundation) to a new site for the total sum of \$16,476. The building is required to provide needed office space for Water Production personnel and will permit cancellation of an office trailer lease at a savings of about \$5,000 annually.

Aud. Cert. 8800191.

WU-U-87-166.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-118: (R-88-435) ADOPTED AS RESOLUTION R-269253

Excusing Mayor Maureen O'Connor from the afternoon session of the Special City Council meeting of August 7, 1987 and the City Council meetings of August 10 and 11, 1987, for the purpose of representing the City at a Sister City function, the Scotland Festival in Edinburgh, Scotland.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-119: (R-88-375) ADOPTED AS RESOLUTION R-269254

Excusing Council Member William Jones from attending all Council meetings of August 10 and 11, 1987, and the Public Services and Safety Committee meeting of August 5, 1987,

for the purpose of vacation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-120: (R-88-398) ADOPTED AS RESOLUTION R-269255

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the east side of First Avenue between Fir Street and Grape Street; authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(Centre City Community Area. District-8.)

CITY MANAGER REPORT: The proposed parking time limit parking zone was petitioned by a property owner that represents 100 percent of the affected frontage. Recent parking studies determined the average parking occupancy to be over 100 percent and the average parking duration to be 5.9 hours. The location is in an area that receives a high level of parking enforcement. This meets the requirements of Council Policy 200-4. Therefore, this parking restriction is recommended for implementation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-121: (R-88-428) ADOPTED AS RESOLUTION R-269256

Authorizing the execution of an amendment to the agreement with Alsip-Mason Incorporated, dba, PDS Engineering, to provide professional services to design the on-site steam generation system at the Community Concourse and Central Library; authorizing the expenditure of an amount not to exceed \$55,000 from Capital Outlay Fund 30245, CIP-37-002, Energy Conservation Improvements, for the purpose of providing funds for the above project.

(Centre City Community Area. District-8.)

CITY MANAGER REPORT: This action will amend the agreement

with PDS Engineering to provide the additional professional services necessary to design an on-site steam generation system at the Community Concourse and Central Library. In addition, Consultant will study and report on the feasibility of installing a cogeneration system, and thermal energy storage in conjunction with the new steam system at the Community Concourse. The study will also include uses for the surplus emergency diesel generator which was salvaged from the former Police Headquarters' building. Council originally authorized the consultant to prepare a preliminary study of the two facilities to determine equipment requirements, alternate locations for boilers and ancillary equipment, economic evaluation of energy conservation applications, structural and architectural considerations and construction cost estimates. The study was prompted by San Diego Gas and Electric Company's decision to terminate steam utility service in the coming year. The present cost of purchased steam results in a payback for the new system in less than five years.

Aud. Cert. 8800207.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: B181-235.)

MOTION BY McCOLL TO ADOPT. Second by Ballesteros. Passed by the following vote: Wolfsheimer-not present, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.

* ITEM-122: (R-88-412) ADOPTED AS RESOLUTION R-269257

Authorizing the execution of an agreement with Associated Professional Engineering Corporation, for the improvements of Encanto Neighborhood Park; authorizing the City Manager to waive the requirements of Council Policy 300-7; authorizing the expenditure of an amount not to exceed \$20,000 from CIP-29-443.0, Encanto Neighborhood Park - Improvements, Capital Outlay Fund 30245, for the purpose of providing funds for the execution of the above agreement; authorizing the City Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

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

CITY MANAGER REPORT: The proposed agreement with Associated Professional Engineering Corporation, will provide the professional services required to prepare the General Development Plan for Encanto Neighborhood Park. This agreement will encompass only the schematic plan phase of the design. The

plans and specifications needed for construction will be provided by a future amendment to this agreement, after construction financing has been identified. Concept planning will include drainage calculations, concrete walks, lighting, parking, tot lot, picnic facilities, landscaping, and irrigation. Waiver of Council Policy 300-07 will allow the use of a uniquely qualified consultant. This consultant has previously done design concept work for the site, while working on a project for the Boy's Club, which is on the park.

Aud. Cert. 8800206.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-123: (R-88-420) ADOPTED AS RESOLUTION R-269258

Authorizing the execution of a first amendment to extend the agreement the Structural Consultant Services Agreement with Burkett and Wong, Inc. from June 30, 1987, to December 31, 1987.

CITY MANAGER REPORT: On August 12, 1985, City Council authorized an agreement with Burkett and Wong, Inc. to provide structural consultant services from August 12, 1985 to June 30, 1987. The authorization of this agreement will provide for a time extension to December 31, 1987. During this period, the City will have enough time to advertise and select a new consultant to provide structural services on an as needed basis for Engineering and Development Department.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-124: (R-88-456 Rev.1) ADOPTED AS RESOLUTION R-269259

19870914

Authorizing the execution of two agreements with community agencies for social service programs: 1) Agreement with the California Center on Victimology to provide counseling

and support services to crime victims and their families, and 2) Agreement with the Community Shelter Program to provide shelter for the homeless; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$60,000 from the General Fund 100 to the Human Care Services Special Fund 19630 for the funding of the California Center on Victimology; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$30,000 from the Community Development Block Grant (CDBG) Fund 18523, Dept. 5634, Org. 3411 for the operation of the Community Shelter Program.

CITY MANAGER REPORT: On June 30, 1987 the Committee of the Whole recommended that the California Center on Victimology, and the Community Shelter Program (under the administrative umbrella of United Way of San Diego County) receive City funding in FY'88 to operate social service projects. On the same date the Committee of the Whole recommended that the San Diego Rescue Mission receive \$20,000 in funding to assist in the operation of their medical clinic. Contract negotiations for the Rescue Mission are still in progress. We anticipate returning to Council with the final contract in late September or early October.

The following is a brief description of each program for which contracts have been prepared, its funding level, and the duration of the contract: 1) The California Center on Victimology provides counseling and support services to crime victims and their families so as to minimize the traumatic effect that crime has had on their lives. The period of performance for the Victim Assistance Center is September 1, 1987 to June 30, 1988 and the funding level is \$60,000; 2) The Community Shelter Program is designed to provide additional shelter for the homeless in the cold/winter months by encouraging churches, community groups, and faith centers to act as host agencies which provide shelter facilities for 12 to 14 individuals for a two-week period. Participation will be on a rotating basis, and ancillary services, such as showers, job search/screening, food, etc., will be offered. The period of performance will be September 1, 1987 to August 31, 1988 at a funding level of \$30,000.

Aud. Cert. 8800210.

FILE LOCATION: MEET CONFY88-2

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea,

Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-125:

Three actions relative to the participation agreement with MTDB for the design and construction of traffic signals and railroad crossing closures:
(Southeast San Diego Community Area. Districts-3 and 4.)

19870914

Subitem-A: (R-88-430) ADOPTED AS RESOLUTION R-269260

Authorizing the execution of an agreement with the Metropolitan Transit Development Board for the design and construction of traffic signals at the intersections of Imperial Avenue/60th Street and Imperial Avenue/62nd Street; authorizing the expenditure of an amount not to exceed \$8,000 from Capital Outlay Fund 30245, Annual Allocation Cooperative Signal Projects, CIP-68-001 for the purpose of providing funds for the above project.

Subitem-B: (R-88-431 Rev.1) ADOPTED AS RESOLUTION R-269261

Authorizing the closure of railroad grade crossings to vehicular traffic on 54th Street between Martin Luther King Way and Naranja Avenue and on 66th Street between Imperial Avenue and Akins Avenue.

Subitem-C: (R-88-432) ADOPTED AS RESOLUTION R-269262

Certifying that the information contained in Environmental Negative Declaration END-87-0555, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines thereto, has been reviewed and considered by the Council.

CITY MANAGER REPORT: Based on concerns expressed by the Public Utilities Commission over the number of grade crossings and potential operating difficulties along the proposed East Urban Line Trolley extension, staff reviewed plans for traffic control in the area. Staff determined that it would be desirable to close certain existing at-grade railroad crossings and improve others to provide an increased level of safety for both local residents and trolley passengers. The closure of existing grade crossings to vehicular traffic at 54th Street (between Martin Luther King Way and Naranja Street) and 66th Street (between Imperial Avenue and Akins Avenue) is proposed. Crossings would be maintained to serve pedestrians only, and

would be protected with bells and flashers. Vehicle traffic now using these crossings could be accommodated at other nearby crossings with minimal impact. A negative declaration has been prepared for the proposed crossing closures. In July, the Southeast Development Committee voted in support of the recommended closures. The installation of new traffic signals at the intersections of 60th and 62nd Streets with Imperial Avenue is proposed. The traffic signals would be coordinated with railroad crossing gates to ensure clearance of vehicles from the railroad tracks whenever a trolley is approaching. The new signals would also assist pedestrians crossing Imperial Avenue to access the future trolley station near 62nd Street. It is recommended that the City pay for design of the two new traffic signals, not to exceed \$8,000, and accept subsequent ownership and maintenance responsibilities. The Metropolitan Transit Development Board would oversee design efforts and would construct the signals as part of their East Urban Trolley extension project.

Aud. Cert. 8800218.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-126:

Two actions relative to agreements with Normal Heights and City Heights Community Development Corporations for economic development activities:
(Mid-City Community Area. District-3.)

Subitem-A: (R-88-451) ADOPTED AS RESOLUTION R-269263

Authorizing the execution of an agreement with Normal Heights Community Development Corporation, a non-profit corporation, for specified economic development activities; authorizing the expenditure of an amount not to exceed \$68,000 from Fund 18523, Dept. 5635, Org. 3504, for the above purpose.

Subitem-B: (R-88-452) ADOPTED AS RESOLUTION R-269264

Authorizing the execution of an agreement with City Heights Community Development Corporation, a non-profit corporation, for specified economic development activities;

authorizing the expenditure of an amount not to exceed \$52,500 from Fund 18523, Dept. 5635, Org. 3505, for the above purpose.

CITY MANAGER REPORT: The City Council, in the 1987 Community Development Block Grant (CDBG) appropriation cycle, approved a \$68,000 grant to the Normal Heights Community Development Corporation and a \$52,500 grant to the City Heights Community Development Corporation for neighborhood economic development activities. Major activities include maintaining meeting spaces for residents and business owners, promotion of special events, employment training for residents and development and implementation of revitalization and redevelopment of the communities. These grants will be administered by the Economic Development Division of the Property Department to ensure coordination with the Mid-City Commercial Revitalization Project.

Aud. Cert. 8800227.

FILE LOCATION: MEET CONFY88-2

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-127: (R-88-442) ADOPTED AS RESOLUTION R-269265

Authorizing the execution of an agreement with John Powell and Associates, Inc. for engineering services for a feasibility study of emergency power sources to the City's sewage pump stations; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$25,000 within the Sewer Revenue Fund (41506) from Unallocated Reserve (70697) to Wastewater Engineering Program (70820); authorizing the expenditure of an amount not to exceed \$25,000 from the Sewer Revenue Fund (41506), Wastewater Engineering Program (70820), for the purpose of providing funds for the above project.

CITY MANAGER REPORT: This feasibility study will assess emergency standby power needs for the City's municipal sewer pump stations. For the most part these pump stations have been susceptible to shutdowns resulting from primary electrical power failures. The results of this study will be used to identify, recommend and prioritize improvements to the pump stations to provide emergency secondary power sources. Included in this study are those sewer pump stations around Mission Bay which are

mandated by the Regional Water Quality Control Board under Cease and Desist Order No. 87-89 to have permanent on-site emergency standby power capabilities. The consultant will be directed to give Mission Bay pump stations first priority. It is expected that subsequent design of emergency power sources to the Pump Stations will be initiated as a result of this study.

Consultants for the subject project were selected from the As-needed Civil Engineer Short-list. Of the three firms on the short-list, two declined to interview. Consequently, two more firms were added to the list, of which one of those declined to interview. On May 21, 1987, the remaining two firms were interviewed by Water Utilities personnel in conformance with Council Policy 300-7. The firm of John Powell and Associates was selected as the most qualified.

Aud. Cert. 8800230.

WU-U-87-179.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-128: (R-88-392) ADOPTED AS RESOLUTION R-269266

Authorizing the execution of a Group Health Benefit Agreement with the Prudential for furnishing health care services to City employees and their dependents, and retired City employees and their dependents, for a 12-month period beginning August 1, 1987 and ending July 31, 1988.

CITY MANAGER REPORT: As part of its Flexible and Management Benefits Plans, the City is offering a fourth health plan to employees and their dependents. PruCare Plus offers a unique combination of coverages. It allows selection at the time of service of any provider through the traditional indemnity type plan (requiring a deductible and co-payment) or the use of a specific provider through the Health Maintenance Option (HMO) plan which provides 100 percent coverage. These features allow the company to offer substantially reduced premiums.

Aud. Cert. 8800192.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea,

Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-129: (R-88-413) ADOPTED AS RESOLUTION R-269267

Authorizing the execution of a lease agreement with the Salvation Army, to provide a public restroom facility in the area of Eighth Avenue and F Street; authorizing the expenditure of an amount not to exceed \$1,488 from Fund 10223 (Special Promotion Programs) for the purpose of providing funds for the above lease agreement; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(Centre City Community Area. District-8.)

CITY MANAGER REPORT: Since November, 1985, the City has had a temporary restroom program in the downtown area. The program--whose need has been documented by the Downtown Social Problems Task Force, the Downtown Coordinating Council, the Central City Association, the Gaslamp Quarter Council, the Convocation on San Diego's Homeless and the Regional Task Force on the Homeless--has proven effective in mitigating problems with public urination and defecation. Currently, there are two portable restrooms at each of the following three locations: 10th and E; 6th and Martin Luther King Way; and 11th and J Street. This agreement would add a seventh restroom on 8th and F Street, adjacent to the Salvation Army Facility.

Aud. Cert. 8800195.

FILE LOCATION: LEAS - Salvation Army LEASFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-130: (R-88-250) ADOPTED AS RESOLUTION R-269268

Authorizing the execution of the first amendment to the agreement with VTN Pacific, Inc. for design services, increasing the total compensation to \$1,022,985; authorizing the execution of the first amendment to the agreement with Kadie - Jensen and Johnson, for financial consulting services, increasing the total compensation to \$34,500; authorizing the City Auditor and Comptroller to accept an additional \$303,125 in advance funds from property owners for the purpose of funding additional

expenses.

(Mira Mesa Community Area. District-5.)

CITY MANAGER REPORT: In April 1986, Council accepted the property owner petition for the Calle Cristobal Assessment District and authorized the execution of agreements with the project consultant team. It is now necessary to amend two of those agreements. During the engineering design effort, a number of unknown conditions arose which were beyond the scope of the original design agreement. Among these were a change in street classification, which requires a redesign of the street and right-of-way, and the discovery of soil conditions in several locations which will require special engineering designs. Also, additional traffic and environmental studies are required by the change in street classification. The increase in design costs is \$182,985. It is recommended that the financial consultants agreement be amended to include responsibility for providing the property appraisal required for the assessment district bond sale. While it was originally contemplated that this would be provided directly by the City, recent experience has shown that the property appraisal is best provided under the direction of the financial consultant. The additional cost is \$10,000.

Aud. Cert. 8800142.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-131: (R-88-421) ADOPTED AS RESOLUTION R-269269

Authorizing the execution of an agreement with the County of San Diego to declare a portion of Otay Mesa Road to be a County highway.

(Otay Mesa Community Area. District-8.)

CITY MANAGER REPORT: The State of California has built a prison facility on Otay Mesa and they are desirous of improving their access to this facility along Otay Mesa Road and Alto Road. Most of this stretch of road lies within County jurisdiction, but a small portion lies within the City of San Diego. San Diego County is the lead agency for this improvement project, and they have prepared the plans and specifications and plan to advertise for construction in the near future. They, however, need to obtain additional right-of-way within our City

limits prior to start of construction. This cannot be accomplished in a timely manner unless that portion in question is declared a County highway. This agreement provides for the declaration of the City portion of Otay Mesa Road to be a County highway for the purpose of acquisition, construction, maintenance, improvement and repair. Upon completion of the improvements, the County will provide maintenance of this portion of roadway until such time as the City determines that it wants the road back under its jurisdiction.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-132: (R-88-443) ADOPTED AS RESOLUTION R-269270

Approving Change Order No. 2, dated June 25, 1987, issued in connection with the contract with Cal Southwest Construction, Inc., for the Pacific Beach Trunk Sewer Manhole Replacement Project, Phase II, amounting to a net increase in the contract price of \$2,664.

(La Jolla Community Area. Districts-1 and 6.)

CITY MANAGER REPORT: The Pacific Beach Trunk Sewer Manhole Replacement Project was intended to replace badly deteriorated manholes that were collapsing under normal traffic. The collapsed manholes were causing backups in the trunk sewer line and spills into Mission Bay. This project was designated and built as an urgent measure. After construction began it was determined that the actual numbers of risers and bases requiring spray-on protective coating and the length of 8-inch and 10-inch sewer main to be installed was different than specified in the Special Provisions. This resulted in a net increase of \$2,664. Aud. Cert. 8800229.

WU-U-87-182.

FILE LOCATION: CONT - Cal Southwest Construction, Inc.
CONFY88-1

COUNCIL ACTION: (Tape location: B166-180.)

CONSENT MOTION BY GOTCH TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-200: (O-88-41) INTRODUCED, TO BE ADOPTED SEPTEMBER 28, 1987

Introduction of an Ordinance amending Chapter V, Article 9, Division 1, of the San Diego Municipal Code by amending Sections 59.0102 and 59.0104, relating to the San Diego Jack Murphy Stadium Parking Facility, regulating access to the Stadium parking lot during overflow capacity events.

(Mission Valley Community Area. District-5.)

CITY MANAGER REPORT: The playing of Super Bowl XXII at San Diego Jack Murphy Stadium on January 31, 1988 could present security and crowd-control problems. The attendance at the game (estimated at 73,000+) will be approximately 14,000 more than any sporting event held at the stadium. This will require moving great numbers of people into and out of the parking lot; control of the crowd flow from the parking lot to the Stadium and Hospitality Village; and the related problems in providing for the safety and convenience of these persons. The above security tasks can be made more difficult with the addition of more people at the Stadium who do not have tickets. Super Bowl games tend to attract large numbers of onlookers. This was exhibited at last year's game where a crowd of approximately 5,000 people (without tickets) gathered at the gate to the Rose Bowl. This situation presented problems for the orderly flow of people into the Rose Bowl and jeopardized public safety. Therefore, to avoid potential problems, it is recommended that access to the Stadium parking lot be limited only to employees and individuals with a valid ticket or pass. The proposed ordinance would limit access for any event where the attendance is greater than 65,000 and a notice of prohibition is posted at least 24 hours prior to the event. This ordinance will provide an enforcement mechanism to control excessive crowds at the Stadium. At the August 6, 1987 San Diego Stadium Authority Board of Governors meeting, the Board recommended approval of the ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E091-105.)

MOTION BY STRUIKSMA TO INTRODUCE THE ORDINANCE. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-not present, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-201: (R-88-314) CONTINUED TO SEPTEMBER 28, 1987

Awarding a contract to Voice and Video for furnishing a video graphics package to properly equip one studio, two edit rooms and one dub room, for an actual cost of \$196,955.47, including tax. (BID-9171)

FILE LOCATION:

COUNCIL ACTION: (Tape location: B158-165.)

MOTION BY McCARTY TO CONTINUE TO SEPTEMBER 28, 1987, AT THE CITY MANAGER'S REQUEST. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-202: (R-88-264) ADOPTED AS RESOLUTION R-269271

Authorizing the execution of a second amendment to the Cooperative Agreement with Metropolitan Transit Development Board for employment of City of San Diego Professional Planning Services.

CITY MANAGER REPORT: On December 8, 1986 City Council authorized the City Manager to enter into a Cooperative Agreement with Metropolitan Transit Development Board for employment of City of San Diego Professional Traffic Engineering Services. Use of a professional City Engineer by MTDB has significantly improved coordination between the agencies on engineering matters. MTDB has requested that the Cooperative Agreement be amended to provide for employment of City of San Diego Professional Planning Services. A Senior Planner would be assigned to MTDB for land use and community planning services related to bus and light rail transit planning and design activities. The City of San Diego will be compensated for the actual salary and fringe benefit costs of the professional services provided. This amendment was approved by MTDB on June 25, 1987.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: E236-240.)

MOTION BY STRUIKSMA TO ADOPT. Second by Ballesteros. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-not present, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-203: (R-88-103 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-269272

19870914

(Continued from the meeting of July 28, 1987, Item 338, at Councilmember Ballesteros' request, to allow Mr. Kinney to remove debris from the property and report back to Council on the progress made.)

Declaring the real property and improvements owned by Mr. Edward Kinney and located at 1307, 1309 Fern Street and 3034 "A" Street to be a public nuisance; authorizing the City Manager to administratively abate the nuisance by removal of the combustible materials, junk, and debris no sooner than 7 days from the adoption date of this resolution on the residential premises located at 1307, 1309 Fern Street and 3304 "A" Street pursuant to San Diego Municipal Code Section 11.16; authorizing the expenditure of an amount not to exceed \$1,920 from the Fire Department budget (Department 120, Account 4222, Job Order 3100) for cleanup work.

(See City Manager Report CMR-87-355. District-8.)
Aud. Cert. 8800061.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B240-428.)

The hearing began at 3:18 p.m. and halted at 3:29 p.m.

MOTION BY BALLESTEROS TO CLOSE THE HEARING AND ADOPT AS AMENDED BY REQUIRING THAT THE CLEAN UP AND ABATEMENT BE ACCOMPLISHED BY THE CITY WITHIN 30 DAYS. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-204: CONTINUED TO SEPTEMBER 28, 1987, AT 2:00 P.M.

Two actions relative to the acquisition of right-of-way for Miramar Road Bridge over the Santa Fe Railroad:

(See City Manager Report CMR-87-422. Miramar Community Area. District-5.)

Subitem-A: (R-88-433)

Determining and declaring that the public interest, convenience and necessity of the City of San Diego require the construction, operation and maintenance of a public street and incidents thereto, in a portion of those certain lands designated as Parcel 2 of Parcel Map PM-6106 and a portion of Lot 1 of amended map of Miramar Industrial Tract Unit No. 7 in the City of San Diego; declaring that the public interest, convenience and necessity demand the acquisition of said property interests for right-of-way for

Miramar Road Bridge over the Santa Fe Railroad; declaring the intention of the City to acquire the property under eminent domain proceedings; directing the City Attorney of the City of San Diego to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning and acquiring said property interest in fee and acquiring immediate possession thereto.

Subitem-B: (R-88-434)

Certifying that the information contained in Environmental Impact Report EIR-73-2-030C and Addendum 85-0919 thereto, issued in connection with the acquisition of right-of-way for the Miramar Bridge over the Santa Fe Railroad, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said report has been reviewed and considered by the Council.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E106-235.)

Hearing began at 5:09 p.m. and halted at 5:19 p.m.

Testimony in favor by Gordon Frost.

MOTION BY STRUIKSMA TO CONTINUE TO SEPTEMBER 28, 1987, AT HIS REQUEST. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-not present, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-205: (R-88-1247) ADOPTED AS RESOLUTION R-269273

19870914

(Continued from the meeting of August 4, 1987, Item 205, at Council Member Ballesteros' request, for a report from the City Manager and City Attorney whether housing in the Enterprise Zone is exempted by the IDO.)
Exemption of housing for the Enterprise Zone from impact fees.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E241-420.)

Hearing began at 5:20 p.m. and halted at 5:31 p.m.

MOTION BY BALLESTEROS TO CLOSE THE HEARING AND APPROVE THE CITY MANAGER'S RECOMMENDATION THAT THE IMPACT FEES NOT BE IMPOSED ON RESIDENTIAL PROPERTY LOCATED IN THE CENTRE CITY EAST AND BARRIO LOGAN AREAS OF THE ENTERPRISE ZONE. Second by McCarty. Passed

by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-not present, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-206: (R-88-732 Rev.1) ADOPTED AS RESOLUTION R-269274

19870914

(Continued from the meeting of August 3, 1987, Item 205, at Council Member McColl's request, for a further report from the City Manager.)

Consideration of commercial and industrial impact fees.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E421-F603.)

Hearing began at 5:32 p.m. and halted at 6:22 p.m.

Testimony in favor by Cathy Alegria.

Testimony in opposition by Paul Robinson, Jim Lantry, Howard Silldorf, B.L. Scaparro, Jan Charles Gray, Allen Haynie and Kim Kilkenny.

Motion by McColl to suspend the rules and extend the meeting past 5:30 p.m. Second by McCarty. Passed: Yeas-3,5,7,8,M. Nay-2. Not present-1,6. Vacant-4.

MOTION BY McCARTY TO CLOSE THE HEARING AND ADOPT STAFF'S RECOMMENDATION. DIRECT STAFF TO CONTINUE DISCUSSIONS WITH THE SERVICE STATION AND SUPERMARKET INDUSTRIES AND COME BACK TO FURTHER REFINE THE TRAFFIC FEE GENERATION AS REQUESTED BY MRS. McCOLL. TAKE A LOOK AT THE COMMENTS BY MR. KILKENNY OF THE CONSTRUCTION INDUSTRY FEDERATION REFERENCED IN HIS LETTER OF SEPTEMBER 9, 1987, AND REPORT BACK TO THE COUNCIL IN SIX WEEKS.

Second by McColl. Passed by the following vote:

Wolfsheimer-not present, Cleator-nay, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-not present, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-207: (O-88-44) HEARING APPROVED WITH AMENDMENTS

First public hearing in the matter of:

Amending Ordinance O-16916, (New Series) as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by increasing the General Fund 100 appropriation by the amount of \$3,950,000, said amount representing Fiscal Year 1987 Unappropriated General Fund Closing Undesignated Fund Balance; directing that the above sum of \$3,950,000 be

appropriated into the Unallocated Reserve (605);
authorizing the Auditor and Comptroller to transfer the sum
of \$3,950,000 from the General Fund 100, Unallocated
Reserve (605) to the Wetlands Acquisition Fund (10545) to
be expended only by Resolution of the City Council.

(See City Manager Report CMR-87-420.)

NOTE: See Item 330.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B430-C085.)

MOTION BY McCARTY TO APPROVE THE \$3,950,000 AMOUNT, DELETE
\$35,000 TO BE ADDED TO THE PLANNING DEPARTMENT BUDGET FOR THE
ZONING INVESTIGATOR I POSITION, AND ALLOCATE THE \$3,915,000 TO
THE WETLANDS ACQUISITION FUND. REFER THE QUESTION REGARDING THE
IRREVOCABILITY OF THE TRUST ACCOUNT FOR THE \$3,915,000 ALLOCATED
FOR WETLANDS TO THE RULES COMMITTEE TO BE BROUGHT BACK IN TWO
WEEKS. Second by Wolfsheimer. Passed by the following vote:
Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant,
Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor
O'Connor-yea.

ITEM-S400: (R-88-623) ADOPTED AS RESOLUTION R-269275

19870914

Proclaiming September 19, 1987 to be "San Diego/Tijuana
Cultural Exchange Day" in honor of the special relationship
that exists between the cultural entities and the citizens
of our two cities.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A330-455.)

MOTION BY BALLESTEROS TO APPROVE. Second by Gotch. Passed by
the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea,
District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea,
Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S401: (O-88-36) INTRODUCED AND ADOPTED AS ORDINANCE
O-16938 (New Series)

Introduction and adoption of an Ordinance amending
Ordinance O-16916 (New Series), as amended, entitled "An
Ordinance Adopting the Annual Budget for the Fiscal Year
1987-88 and Appropriating the Necessary Money to Operate
the City of San Diego for said Fiscal Year" by amending
Document No. 00-16916-1 as amended and adopted therein, by
amending the personnel authorization of Non-Departmental

Expenditures (60154) and the Executive Services Department (01100), both in General Fund 100, by exempting one Council Representative I and one Council Representative II position in Department 60154 and one Council Representative II position in Department 01100 from the Classified Service and establishing a salary rate therefor.

(See the memorandum from Benjamin F. Dillingham, III, dated 7/9/87.)

NOTE: The first public hearing was held on Tuesday, September 8, 1987, Item 207. Today's action is the second public hearing for the introduction and adoption of the ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F604-G039.)

MOTION BY McCOLL TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-not present, Gotch-not present, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S402: (O-88-27 Rev.3) ADOPTED AS ORDINANCE O-16939 (New Series)

19870914

(Continued from the meeting of September 8, 1987, Item 200, at Mayor O'Connor's request, to allow her to be present at the time of consideration.)

Amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code, by adding Section 101.0461, regarding a Resource Protection Overlay Zone (RPOZ) which regulates, for an interim period of time, development in the environmentally sensitive areas of the City as described in the Conservation and Open Space Elements of the Progress Guide and General Plan (adopted February 26, 1979).

(Introduced as amended on 8/7/87. Council voted 8-1. District 2 voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C086-575.)

Motion by Gotch to adopt with the deletion of the four parcels on page 9 of the ordinance, Black Mountain Road, Calle Cristobal Miramar Ranch North and County Island Annexation. Second by Wolfsheimer. Failed for a lack of five affirmative votes: Yeas-1,6,8,M. Nays-2,3,5,7. Vacant-4.

MOTION BY GOTCH TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE WITH THE AMENDMENTS. Second by Struiksma. Passed by

the following vote: Wolfsheimer-yea, Cleator-nay, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S403: (O-88-31 Rev.3) ADOPTED AS ORDINANCE O-16940 (New Series)

(Continued from the meeting of September 8, 1987, Item 201, at Mayor O'Connor's request, to allow her to be present at the time of consideration.)

Amending Interim Development Ordinance O-16908 (New Series) regulating, for an interim period, development in the Urbanized, Planned Urbanizing and Future Urbanizing areas of the City as defined in the Progress Guide and General Plan (adopted February 26, 1979) by amending Sections 2, 4, 6, 7, 8; adding a new section; renumbering old Section 10 to Section 11.

(Introduced as amended on 8/7/87. Council voted 5-0.

Districts 1, 6, 8 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C576-E090.)

Motion by McColl to approve the addition of language in Section 2, page 2 of the ordinance to read: "In no event shall this ordinance be extended beyond the eighteen (18) month period referred to in the first sentence of this section." Second by Gotch. Passed: Yeas-1,2,3,5,6,7,8,M. Nays-None. Vacant-4.

Motion by McColl to approve the additional language in Section 4.A.(1), which reads: "low income housing projects which meet the criteria for exemption as defined in San Diego Housing Commission Policy 3.02." Second by Gotch. Passed: Yeas-1,2,3,5,6,7,8,M. Nays-None. Vacant-4.

Motion by Gotch to approve the addition of the word "vacant" to Section 4.A.(3). Second by McColl. Passed: Yeas-1,2,3,5,6,7,8,M. Nays-None. Vacant-4.

Motion by Ballesteros to approve the addition of language in Section 4.A.(8) which reads: "all trolley corridors with the exception of those located in the San Ysidro, Tijuana River Valley and Otay Mesa Nestor Community plan areas." Second by Gotch. Passed: Yeas-3,5,6,8,M. Nays-1,2,7. Vacant-4.

Motion by McColl to approve for clarification the addition of the words "Greater North Park" to Section 4.A.(9). Second by Gotch. Passed: Yeas-1,2,3,5,6,7,8,M. Nays-None. Vacant-4.

Motion by Ballesteros to approve the addition of language in Section 4.A.(10) which reads: "within the Southeast San Diego Community plan area, single-family subdivisions of ten (10) lots

or less, if approved by the Southeast San Diego and Skyline-Paradise Hills Development Committees and the Subdivision Review Board prior to April 29, 1987." Second by McColl. Passed: Yeas-3,5,6,7,8,M. Nays-1,2. Vacant-4. Motion by McCarty to approve the exemption in Section 4.A.(11) which reads: "building permits for projects which have received discretionary development approvals prior to April 29, 1987, and for which building permit applications were submitted between April 29, 1987 and June 22, 1987." Second by Cleator. Passed: Yeas-2,3,5,7,8. Nays-1,6,M. Vacant-4.

Motion by Struiksma to approve the addition of the exemption 4.A.(12) which reads: "building permits for projects which have been applied for between April 29, 1987, and June 22, 1987, and which do not exceed thirty (30) units per project, per developer, per community plan. The dwelling units permitted pursuant to this exemption shall be counted against the community allocation and the reserve allocation to the extent available." Second by McColl. Passed: Yeas-1,2,3,5,7. Nays-6,8,M. Vacant-4.

Motion by Struiksma to approve the additional language in Section 6.A which reads: "The Planning Director, City Manager and City Engineer, or their designees, (hereafter collectively called "Administrator") shall be charged with the administration of this ordinance." Second by McColl. Passed: Yeas-1,2,3,5,6,7,8,M. Nays-None. Vacant-4.

Motion by Struiksma to approve the language in Section 6.D which details the standards and criteria for the review of applications by the Administrator with respect to Planned Urbanizing Areas and Urbanized Areas. Second by McColl. Passed: Yeas-2,3,5,6,7,8,M. Nays-1. Vacant-4.

Motion by McColl to approve the language in Section 7 relating to variances. Second by Cleator. Passed: Yeas-2,3,5,6,7,8,M. Nays-1. Vacant-4.

Motion by McColl to approve the addition of language in Section 10 relating to "Tolling of Time". Second by Cleator. Passed: Yeas-2,3,5,7,8,M. Nays-1,6. Vacant-4.

MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE WITH THE AMENDMENTS. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

ITEM-ND-1: (R-88-491) ADOPTED AS RESOLUTION R-269277
Commending the faculty and staff of Point Loma Nazarene

College for their contributions to our community.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G040-050.)

MOTION BY CLEATOR TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-not present, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-not present, Gotch-not present, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-ND-2: (R-88-492) ADOPTED AS RESOLUTION R-269276

Appointing Bruce Herring as Acting Director of the Intergovernmental Relations Department until such time as the Council selects an individual for the Director position on a permanent basis.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A045-065.)

By common consent, the item was accepted for Council consideration.

MOTION BY CLEATOR TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

PUBLIC COMMENT:

ITEM-PC-1 REFERRED TO THE CITY MANAGER

Request by Harry Snyder with respect to the matter of the homeless problems and missions.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G051-076.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 6:30 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: G077).

MOTION BY McCARTY TO ADJOURN IN HONOR OF THE MEMORY OF GENO FERRANTE AND MARY RAFALOVICH. Second by McColl. Passed by the following vote: Wolfsheimer-not present, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-not present, Gotch-not present, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.