

19871019

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, OCTOBER 19, 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 2:04 p.m. with no quorum present. A quorum was present at 2:15 p.m. with Council Members Cleator, McColl and McCarty not present. Mayor O'Connor adjourned the meeting at 4:00 p.m. to meet in Closed Session on Tuesday, October 20, 1987, at 9:30 p.m. in the twelfth floor conference room regarding pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-excused by R-269728
(vacation)
- (4) Vacant
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-excused by R-269617
(vacation)
- (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-not present
- (3) Council Member McColl-not present
- (4) Vacant
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-not present
- (8) Council Member Ballesteros-not present

ITEM-10: INVOCATION

Invocation was given by Reverend Douglas Riddle,
Pastor of the Scripps Mesa United Methodist Church.
FILE LOCATION: MINUTES

Oct-19-1987
ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Gotch.
FILE LOCATION: MINUTES

ITEM-30: PRESENTED

Presenting three awards for water conservation in
conjunction with Water Awareness Week.
FILE LOCATION: MEET
COUNCIL ACTION: (Tape location: A070-190.)

ITEM-31: (R-88-684) ADOPTED AS RESOLUTION R-269483
Proclaiming the week of October 19-25, 1987 to be "Good
Neighbors Week" in San Diego; expressing the hope that this
year's observance will further highlight the importance of
good neighbors and neighborhoods to the City of San Diego.

FILE LOCATION: MEET
COUNCIL ACTION: (Tape location: A195-270.)
MOTION BY GOTCH TO ADOPT. Second by Struiksma. Passed by the
following vote: Wolfsheimer-yea, Cleator-not present,
McCull-not present, District 4-vacant, Struiksma-yea, Gotch-yea,
McCarty-not present, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-32: GRANTED HEARING
Matter of the requests of William P. Dryden, Susan Modell
and Ann Cunningham, for a hearing of the appeals from the
decision of the Planning Commission in granting Planned
Commercial Development Permit PCD-87-0452, proposing a
42-unit expansion of an existing hotel (Catamaran), with
three two-story buildings, including landscaping, off-street
parking and accessory uses on a 0.93-acre site located on
the south side of Braemar Lane between Bayard and Cass
Streets, in Zone R1-5000 (proposed Zone CV), in the Pacific
Beach Community Plan area. The subject property is further
described as Lots 1-7, Braemar Sail Bay, Map-11444.
(PCD-87-0452. District-6.)

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

FILE LOCATION: PERM - PCD-87-0452

COUNCIL ACTION: (Tape location: A271-295.)

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

* ITEM-50: (O-88-53) INTRODUCED, TO BE ADOPTED NOVEMBER 2, 1987

Introduction of an Ordinance amending Chapter IX, Article 1, of the San Diego Municipal Code by incorporating by reference the Uniform Building Code, 1985 Edition, to replace the 1982 Edition of the Uniform Building Code and making certain amendments, additions and deletions to the 1985 Edition of the Uniform Building Code.
(See City Manager Report CMR-87-482.)

COMMITTEE ACTION: Reviewed by PSS on 9/30/87. Recommendation to approve the City Manager's recommendation. Districts 1, 2, 3, 7 and 8 voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A331-340.)

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

ITEM-51: (O-88-54) CONTINUED TO JANUARY 11, 1988

Introduction of an Ordinance amending Section 1 of Ordinance O-16203 (New Series), adopted May 14, 1984, incorporating a portion of Pueblo Lot 1101, Miscellaneous Map-36, a 1.6-acre site located on the north side of Friars Road, between Napa and Benicia Streets, into CO Zone; extension of time to June 14, 1990.
(See Planning Department Report PDR-87-432.
Case-87-0267/EOT1. Linda Vista Community Area.
District-5.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A296-330.)

MOTION BY STRUIKSMA TO CONTINUE TO JANUARY 11, 1988, AT HIS REQUEST. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-not present, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-not

present, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-100: (R-88-576) ADOPTED AS RESOLUTION R-269484

Accepting the low bid of \$762,044.98 and awarding a contract to Daley Corporation for the improvement of Miramar Road Bridge over the Atchison, Topeka and Santa Fe Railroad; authorizing the transfer of \$175,000 from CIP-37-320, Conversion of Pedestrian Signal Heads to CIP-52-099.4, Sorrento Valley Road - Sorrento Valley Boulevard to 3300 feet Northerly; authorizing the transfer of \$175,000 from Capital Outlay Fund 30245, CIP-52-099.4, Sorrento Valley Road - Sorrento Valley Boulevard to 3300 feet Northerly to CIP-53-042, Miramar Road Bridge over the Santa Fe Railroad; authorizing the expenditure of an amount not to exceed \$175,000 from CIP-53-042, Miramar Road Bridge over the Santa Fe Railroad, to supplement funds previously authorized by Resolution R-269041, adopted on August 10, 1987, 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-9173) (Mira Mesa Community Area. Districts-1 and 5.)

CITY MANAGER REPORT: On September 9, 1987, four bids were received for the construction of Miramar Road Bridge over AT&SF Railroad Crossing. Daley Corporation submitted the low bid of \$762,044.98 which is 27 percent above the consultant's estimate of \$600,000. The other three bids were by J.E. Brokaw and Sons, Inc. at \$786,315; Carolyn E. Scheidel Contractor at \$886,734.40 and W.F. Maxwell, Inc. at \$889,463. The higher construction costs are directly related to the high traffic volumes and restricted working area which were not fully considered in the consultant's estimate. Staff does not believe that re-advertising for bids will reduce construction cost and reduction in the scope of the project is not recommended. It is staff's recommendation that the project be awarded to the Daley Corporation. This project was given highest priority by the Public Utilities Commission Transportation Division and is eligible for 80 percent State and 10 percent AT&SF reimbursement.

Aud. Cert. 8800336.

FILE LOCATION: CONT - Daley Corporation CONFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

Passed by the following vote: Wolfsheimer-yea, Cleator-not

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

* ITEM-101: (R-88-564) ADOPTED AS RESOLUTION R-269485

Awarding a contract to Lamar Mobile Space Mfg. for the purchase of one 24 ft. x 60 ft. office trailer and accessories for the Refuse Disposal Division Supervisor, for an estimated cost of \$39,451.68, including tax and registration fee. (BID-9166)
Aud. Cert. 8800339.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

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

* ITEM-102: (R-88-573) ADOPTED AS RESOLUTION R-269486
19871019

Inviting bids for the Improvement of Lake Murray Community Park Phase II Development on Work Order No. 118742; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$566,900 from Capital Outlay Fund 30245, CIP-23-404.2, Lake Murray Community Park - Development, Phase II 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-9301)
(Navajo Community Area. District-7.)

CITY MANAGER REPORT: This project is the second phase of development at the Lake Murray Community Park located on Murray Park Drive in the Navajo Community. Improvements include the construction of eight tennis courts (four lighted), an oiled access road and off-street parking for approximately 130 cars. This project will not disrupt any of the existing youth leagues playing on their own facilities at this park. Future phasing will convert the private youth league facilities to City standard multi-purpose fields, and will be accomplished as funding is identified. This project is a result of a prioritization by a community Task Force chaired by the Councilmember for this district, and has their endorsement.

Aud. Cert. 8800276.

FILE LOCATION: W.O. 118742 CONT - William J.
Kirchnavy Const. Co. CONTFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

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

* ITEM-103: (R-88-577) ADOPTED AS RESOLUTION R-269487
19871019

Inviting bids for the Improvement of City Heights Block Grant Streets and Sewer Main Replacement Contract No. 6 on Work Order No. 118822/170201; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$517,650 (\$466,300 from Fund 18517, Dept. 5988, Org. 8807; \$15,200 from Capital Outlay Fund 30245, CIP-58-007, Annual Allocation - Overhead and Other City Costs for Federal Grants and \$36,150 from Sewer Revenue Fund 41506, CIP-44-001, Annual Allocation - Main Replacements) 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-9305)

(Mid-City Community Area. Districts-3 and 8.)

CITY MANAGER REPORT: The City Heights Block Grant Street and Sewer Main Replacement Project Contract No. 6 will improve several streets in the City Heights area consisting of grading, paving, curb and sidewalk, retaining walls, storm drains and a sewer main replacement on Redwood Street. Community Development Block Grant funds will be used for all of the street work and cost of the sewer main replacement will be paid for from Utility Department Sewer Annual Allocation Funds. The proposed project will improve the following streets:

Quince Street from 38th Street to 40th Street
38th Street from Dwight Street to 200 feet south
Redwood Street from 40th Street to Central Avenue
40th Street from Redwood Street to 150 feet south and from Quince Street south
Myrtle Avenue from 47th Street to Euclid Avenue

Aud. Cert. 8800306.

WU-P-88-030.

FILE LOCATION: W.O. 118822/170201 CONT - RLF Inc.

CONTFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

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

* ITEM-104: (R-88-578) ADOPTED AS RESOLUTION R-269488
19871019

Inviting bids for the Improvement of Old Mission Dam - Phase II on Work Order No. 118823; authorizing the City Auditor and Comptroller to transfer \$111,000 from Environmental Growth Fund No. 10505, CIP-20-010, Annual Allocation - Resource-Based Open Space Parks and \$20,000 from Padre Dam Restoration Fund 39003 to CIP-29-607, Old Mission Dam Restoration; authorizing the expenditure of funds not to exceed \$294,400 from CIP-29-607, Old Mission Dam Restoration, 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-9306)

(Mission Trails Regional Park Community Area. District-7.)

CITY MANAGER REPORT: This project will provide for the removal of silt and 0.2 acres of vegetation upstream of Old Mission Dam to recreate an open water area, and the development of a 1.4 acre riparian habitat mitigation site. The mitigation site is located adjacent to the San Diego River, east of the proposed Jackson Drive extension. This project is Phase II of a two phase program to implement the Council approved Final Development Plan for Old Mission Dam Park (R-264959). The United States Army Corps of Engineers has reviewed this project and issued permit No. 86-151.PB.

Aud. Cert. 8800319.

FILE LOCATION: W.O. 118823 CONT - Erreca's Inc.

CONTFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

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

* ITEM-105: (R-88-574) ADOPTED AS RESOLUTION R-269489
19871019

Inviting bids for the Linda Vista Community Park - Multipurpose Court on Work Order No. 118931; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the City Auditor and Comptroller to transfer \$14,000 from PSD Fund 11402 to CIP-29-613, Linda Vista Community Park - Multipurpose Court; authorizing the expenditure of funds not to exceed \$64,000 from Park Service District Funds, CIP-29-613, Linda Vista Community Park - Multipurpose Court, 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.

(Linda Vista Community Area. District-5.)

CITY MANAGER REPORT: This project will reconstruct a multi-purpose court at Linda Vista Community Park. The existing deteriorating, 8,000 square foot, asphalt concrete court will be removed and replaced with a reinforced concrete court.

Aud. Cert. 8800326.

FILE LOCATION: W.O. 118931 CONT - Live Water Systems Inc.
CONTFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

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

* ITEM-106: (R-88-561) ADOPTED AS RESOLUTION R-269490
19871019

Inviting bids for the Construction of an Interim Traffic Signal System at El Camino Real (South) and Via de la Valle on Work Order No. 119037; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$60,000 from Facilities Development Fund 39051 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-9266)

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

CITY MANAGER REPORT: Traffic conditions at the intersection of El Camino Real (south) and Via de la Valle are such that it is necessary to install a traffic signal at this location where ultimate roadway improvements have not been accomplished. This

Council action will authorize installation of an interim traffic signal system to provide safe passage of pedestrians, vehicles, and emergency equipment through the intersection.

Aud. Cert. 8800246.

FILE LOCATION: W.O. 119037 CONT - D & H Perry, Inc. dba
Perry Electric CONFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

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

* ITEM-107:

Three actions relative to the final subdivision map of Aveley Mews, a 16-lot subdivision located northeasterly of Genesee Avenue and Marlesta Drive:
(Clairemont Mesa Community Area. District-5.)

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Subitem-A: (R-88-687) ADOPTED AS RESOLUTION R-269491
Authorizing the execution of a Subdivision Improvement Agreement with Guttman Construction, Inc. for the installation and completion of public improvements.

Subitem-B: (R-88-686) ADOPTED AS RESOLUTION R-269492
Approving the final map.

Subitem-C: (R-88-698) ADOPTED AS RESOLUTION R-269493
Approving the acceptance by the City Manager of a street reservation in Lots 249 and 250, Map-4852; dedicating as and for a public street and naming the same Aveley Place.

FILE LOCATION:

Subitems A-B SUBD - Aveley Mews;

Subitem C

DEED F-4182 CONFY88-1;DEEDFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

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

* ITEM-108:

Three actions relative to the final subdivision map of Soledad West View, a 1-lot subdivision located northeasterly of Soledad Mountain Road and Garnet Avenue: (Pacific Beach Community Area. District-6.)

Subitem-A: (R-88-689) ADOPTED AS RESOLUTION R-269494
Authorizing the execution of a Subdivision Improvement Agreement with Westview Ltd, for the installation and completion of public improvements.

Subitem-B: (R-88-688) ADOPTED AS RESOLUTION R-269495
Approving the final map.

Subitem-C: (R-88-700) ADOPTED AS RESOLUTION R-269496
Authorizing the execution of a quitclaim deed, quitclaiming to Westview Ltd, all the City's right, title and interest in the drainage and slope easements in Lot 23, Map-854.

FILE LOCATION:

Subitems A-B SUBD - Soledad West
View;

Subitem C DEED F-4183

CONTFY88-1;DEEDFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

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

* ITEM-109:

Three actions relative to the final subdivision map of View Ridge Unit No. 8, an 85-lot subdivision located southwesterly of Skyline Drive and Meadowbrook Drive: (South Bay Terraces Community Area. District-4.)

Subitem-A: (R-88-697) ADOPTED AS RESOLUTION R-269497
Authorizing the execution of a Subdivision Improvement Agreement with La Jolla Alta for the installation and completion of public improvements.

Subitem-B: (R-88-696) ADOPTED AS RESOLUTION R-269498

Approving the final map.

Subitem-C: (R-88-713) ADOPTED AS RESOLUTION R-269499

Approving the acceptance by the City Manager of a street easement deed of La Jolla Alta, granting to the City an easement for public street purposes in a portion of Lot 27, Rancho De La Nacion, Map-166; dedicating said land as and for a public street and naming the same Skyline Drive.

FILE LOCATION:

Subitems A-B SUBD - View Ridge Unit No.

8;

Subitem C DEED F-4184

CONTFY88-1;DEEDFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

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

- * 110: Two actions relative to the final subdivision map of Vista de Oro, a 1-lot subdivision located southeasterly of Russ Boulevard and 23rd Street:
(Golden Hills Community Area. District-8.)

Subitem-A: (R-88-719) ADOPTED AS RESOLUTION R-269500

Authorizing the execution of a Subdivision Improvement Agreement with Golden Hills Investors I for the installation and completion of public improvements.

Subitem-B: (R-88-718) ADOPTED AS RESOLUTION R-269501

Approving the final map.

FILE LOCATION: SUBD - Vista de Oro CONTFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

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

- * ITEM-111: (R-88-536) ADOPTED AS RESOLUTION R-269502

Resolution of Intention to vacate the walkway on the west

side of Waring Road between Greenbrier Avenue and Princess View Ridge; fixing a time and place for the public hearing.

(Navajo Community Area. District-7.)

FILE LOCATION: STRT J-2665; DEED F-4186 DEEDFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

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

* ITEM-112: (R-88-672) ADOPTED AS RESOLUTION R-269503

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an underground utility district to be known and denominated as the Balboa Avenue (2,700 feet east of Clairemont Drive to Mt. Everest Boulevard) Underground Utility District.

(Clairemont Community Area. District-6.)

CITY MANAGER REPORT: The proposed district will underground the overhead utility facilities on Balboa Avenue between 2,700 feet east of Clairemont Drive and Mt. Everest Boulevard. This is a scheduled project in the Calendar Year 1989/90 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is two, both of which are single-family residential properties. A typical cost range for a licensed contractor to perform this conversion work on residential property is \$600 to \$1,100. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 8800323.

FILE LOCATION: STRT K-176

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

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

* ITEM-113: (R-88-675) ADOPTED AS RESOLUTION R-269504

Vacating a portion of Broadway Circle south of Broadway, adjacent to Parcel 1 of Parcel Map PM-13369 under the procedure for the summary vacation of streets where the portion of street to be vacated is excess right-of-way of a street or highway not required for street or highway purposes; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature; declaring that the City reserves and excepts from vacation and abandonment, easements, and rights of any public utility pursuant to any existing franchise or renewal thereof; declaring that the easement reserved herein is in, under, over, upon, along and across that portion of Broadway Circle vacated.

(Centre City Community Area. District-8.)

CITY MANAGER REPORT: The Centre City Development Corporation (CCDC) has initiated the vacation on behalf of the developer in order to accommodate the entrance design and column base support for the Omni Hotel. As currently being constructed, the subsurface column support would be within the public right-of-way. The proposed vacation will eliminate the need for an encroachment permit. The subject vacation is situated within the Central Business District Zone of the Centre City Community Plan Area. On July 17, 1986, the Planning Commission recommended approval without opposition. However, the vacation has since been modified to provide a more transitional alignment than previously requested. The new area of vacation is 610 square feet and will not affect density. The Omni Hotel project is a CCDC redevelopment project which conforms to the General Plan and Centre City Community Plan. The area of vacation is currently graded but contains no surface improvements. The area is occupied by public and franchised facilities for which an easement is to be reserved. This action will vacate excess right-of-way on Broadway Circle and the new property line will be located approximately 14 feet from the future curbline, which is consistent with the curb-to-property distance which exists to the north. Staff review has indicated that the right-of-way to be vacated is no longer needed for present or prospective use and may be summarily vacated as excess right-of-way.

FILE LOCATION: STRT J-2664; DEED F-4185 DEEDFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

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

present, McColl-not present, District 4-vacant, Struiksmayea, Gotch-yea, McCarty-not present, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-114: (R-88-701) ADOPTED AS RESOLUTION R-269505

Authorizing the City Manager to hold a public auction for the sale of Site 858, being a 35,809 square-foot City-owned parcel located on the north side of Palm Avenue between Beyer Boulevard and Hollister Street; approving the minimum acceptable bid for Site 858 of \$50,000.

(See City Manager Report CMR-87-498. Otay Mesa Community Area. District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

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

* ITEM-115: (R-88-671) ADOPTED AS RESOLUTION R-269506

Making preliminary determinations and appointments relating to a Public Financing Feasibility Study for the proposed Stonecrest development; authorizing the execution of an agreement with NBS/Lowry for consulting services in conjunction with the Public Financing Feasibility Study in an amount not to exceed \$25,000; authorizing the City Attorney to execute an agreement with Brown and Diven for Special Bond Counsel services in an amount not to exceed \$7,500; accepting the cash advance in the amount of \$40,000 from Stonecrest Associates for the purpose of funding the Public Financing Feasibility Study; authorizing the Auditor and Comptroller to transfer \$40,000 from Trust Fund 63021 to Fund 79430; authorizing the expenditure of \$40,000 from Fund 79430 for the purpose of funding the Public Financing Feasibility Study and related expenses.

(Serra Mesa Community Area. District-5.)

CITY MANAGER REPORT: The proposed Stonecrest development is located in Murphy Canyon south of Aero Drive immediately west of I-15. The approximately 320-acre project consists of office space, light industrial, retail and hotel uses. Included in the project are extensive public improvements consisting of utilities, storm drains, streets, and a new interchange on I-15 at Stonecrest Boulevard. The estimated cost of these public

improvements is \$50 million. In order to provide these public improvements in a timely manner as the phased development takes place, it is proposed that public financing be utilized. It is proposed that a feasibility study be conducted to determine what form of public financing, either 1913 Act assessment district or Mello-Roos district, should be utilized, how the financing would be spread to the land involved, and the ability of the land to carry the debt. In order to prepare the feasibility study, it is necessary to engage the services of a Special Bond Counsel and an Assessment Engineer. The property owner has requested that the firm of Brown and Diven be appointed as Special Bond Counsel and that the firm of NBS/Lowry, Inc. be appointed as Assessment Engineer. Both firms are highly qualified and their appointment is recommended.

Aud. Cert. 8800321.

FILE LOCATION: STRT D-2269

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

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

* ITEM-116: (R-88-694) ADOPTED AS RESOLUTION R-269507

Authorizing the execution of an agreement with BSI Consultants, Inc. for engineering services for the design of restoration of Sewer Pump Stations 11, 14 and 16 and the Mission Bay Channel Crossing; amending the Capital Improvements Program of the Sewer Revenue Fund 41506, by revising the project Sewer Pump Station 11, 14 and 16 Exterior Enhancements, CIP-46-121.0, to include improvements to the pumping capability and the replacement of the associated force main and to be titled "Sewer Pump Stations 11, 14 and 16 Improvements"; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$130,000 within the Sewer Revenue Fund 41506 from the Unallocated Reserve (70697) to the Wastewater Construction Engineering Program (70292) CIP-46-121.0, Sewer Pump Stations 11, 14 and 16 Improvements; authorizing the expenditure of an amount not to exceed \$176,622 from the Sewer Revenue Fund 41506, CIP-46-121.0, Sewer Pump Stations 11, 14 and 16, for the purpose of providing funds for the above project.

(Mission Bay, Mission Beach, Ocean Beach Community Areas. Districts-2 and 6.)

CITY MANAGER REPORT: Sewer Pump Stations Nos. 11, 14 and 16 were originally constructed in the 1920's. The exteriors of these buildings are not compatible with the unique setting and beauty of Mission Bay Park. In addition, recent inflow and pumping measurements have indicated that the ability of these pump stations to perform during peak flow is inadequate to meet demand. Also, these pumping measurements have shown that the force main constructed in the 1940's serving the pump stations is reduced to less than 40 percent of this capacity. This in turn places an even greater burden on the pumps. Consequently this project is proposed to be amended to include corrections to the pumping capability and force main replacement as well as the exterior enhancements. Due to the technical nature of the design of the sewer pump stations, it is recommended that a consultant be hired to study the needs and integrated operation of the stations. The procedures outlined in Council Policy 300-7, "Consultant Services Selection" were followed in selecting the recommended consultant. From an advertisement placed on January 19th and 23, 1987 in the San Diego Daily Transcript, the Nominating Committee received four letters of interest from qualified consultants and interviewed all four firms. The four consultant proposals were evaluated in the areas of experience, capability of personnel, conformity to the City's Equal Opportunity Program, capability to explore and develop innovative techniques, and ability to complete the project within the required schedule and budget. The cost of the engineering tasks (on a not to exceed basis) are: Preliminary Design-\$23,714; Design-\$99,964; Construction Services-\$12,944 and Special Engineering-\$40,000.
Aud. Cert. 8800298.
WU-U-88-024.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

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

* ITEM-117: (R-88-648) ADOPTED AS RESOLUTION R-269508

Authorizing the execution of an Escrow Agreement with the Department of Transportation of the State of California (CalTrans) for replacement of the Ingraham Street Bridge over Fishermans Channel; authorizing the City Treasurer to deposit \$800,000 in securities with the Escrow Agent of the

State of California.

(Mission Bay Community Area. District-6.)

CITY MANAGER REPORT: Replacement of the Ingraham Street Bridge over Fishermans Channel has qualified under the Federal Bridge Replacement and Rehabilitation Program for 80 percent Federal financing. Rather than initially fronting the cost of the project with City Funds, and securing reimbursement from the Federal Government via the State, it is proposed that this project utilize CalTrans Local Agency Automated Pay System (LAAPS). LAAPS is a program whereby CalTrans, Administrators for the Federal Highway Administration, make direct monthly progress payments to construction contractors on Federal-aid projects for local jurisdictions from both local agency and Federal funds. This agreement will allow the City, in lieu of cash deposit of its funds, to establish an Escrow Account with sufficient City securities to ensure the City's project liabilities. In addition, each month for the duration of the contract, the City shall deposit sufficient funds to pay the City's proportionate share of estimated sums due the contractor of work. Any interest accrued on the City securities while in Escrow shall be retained by the City. Execution of the Escrow Agreement with authorization for the City Treasurer to transfer needed securities to the escrow account is necessary prior to authorization by CalTrans to advertise for construction of the bridge.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

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

* ITEM-118: (R-88-676) ADOPTED AS RESOLUTION R-269509

Authorizing the execution of an agreement with JHK and Associates, for professional engineering services in connection with the design of traffic signal and street lighting systems at Capital Improvements Program locations; authorizing the expenditure of an amount not to exceed \$32,300 from (a) CIP-61-002.0, Annual Allocation - New Traffic Signals, Capital Outlay Fund \$16,700; b) CIP-62-275.0, Traffic Signals - FBA Funded, FBA Fund, \$3,600; c) CIP-61-001.0, Annual Allocation - Signal Installation to Accommodate Sudden Traffic Changes, Capital Outlay Fund, \$12,000.

(Uptown, Park North-East, Tierrasanta and Centre City Community Areas. Districts-2,3,7 and 8.)

CITY MANAGER REPORT: The Fiscal Year 1987 Capital Improvements Program identifies new traffic signal and street lighting projects in the following locations:

- El Cajon Boulevard and Florida Street
- First Avenue and Cedar Street
- India Street and Vine Street
- Fourth Avenue and Beech Street
- Clairemont Mesa Boulevard and La Cuenta
- Signal Installation to Accommodate Sudden Traffic Changes

It is proposed to utilize the services of a consultant to design the above listed projects. Utilizing a consultant will complete the design of the projects in a timely manner. Consultants submitted letters of interest and five were interviewed in conformance with Council Policy 300-7. The firm of JHK and Associates was selected as one of three recommended consultants. They will be responsible for developing all engineering features of the projects, including preparation of construction drawings, specifications, and cost estimates.

Aud. Cert. 8800297.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

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

* ITEM-119: (R-88-703) ADOPTED AS RESOLUTION R-269510

Authorizing the execution of an agreement with Rees and Associates, Inc. for representation in Sacramento for the period of September 12, 1987 through December 31, 1989.

INTERGOVERNMENTAL RELATIONS DEPARTMENT REPORT: This is a request for a City Council resolution authorizing the City to enter into an agreement with Rees and Associates, Inc. to provide non-exclusive representation in Sacramento for the period from September 12, 1987 through September 31, 1989. The City of San Diego regularly contracts with legislative advocates in Sacramento and Washington who maintain regular contact with the legislative and executive agencies of the State and Federal Governments. Their purpose is to prepare legislation, present testimony to legislative committees and lobby individual legislative members on behalf of the City. Previously, the City

contracted with "Applied Strategies," a joint venture of Richard E. Ratcliff, Inc., and John Witzel, Associates, Inc. for representation in Sacramento. "Applied Strategies" consented not to be part of the selection process that resulted in the selection of Rees and Associates. The selection process that resulted in the agreement with Rees and Associates included extensive advertisement, review of RFP's and interviews with respondents. The selection process was conducted and the final selection was made by a committee composed of Mayor O'Connor, Councilmember Gotch, and Councilmember Wolfsheimer. Aud. Cert. 8800352.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

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

* ITEM-120: (R-88-613) ADOPTED AS RESOLUTION R-269511

Authorizing the execution of a five-year lease agreement with San Diego Community College District, for a portion of Pueblo Lot 1204, located adjacent to and southerly of San Diego Mesa College, to provide a parking facility for handicapped students, at a total rent of \$100.

(Kearny Mesa Community Area. District-5.)

CITY MANAGER REPORT: The San Diego Community College District has leased this City-owned 26,000 square-foot parcel located southerly and adjacent to San Diego Mesa College since 1975 for use as a 49-space handicapped-student parking lot. The current lease will expire on November 30, 1987. The parcel lies within the unimproved right-of-way for the proposed extension of Mesa College Drive between Mesa College Circle and Genesee Avenue. The street extension is proposed in both the Clairemont Mesa and Kearny Vista Community Plans. It is also shown in the proposed Linda Vista Community Plan which was before City Council on November 9, 1982. The leasehold will not conflict with the improvement project as the City does not plan to extend the street in the immediate future due to lack of funding, and the lease provides for a 90-day cancellation should funding be identified. It is recommended that fair market rent of approximately \$500 per month be waived since:

1. Lessee is providing a service to the handicapped at no cost to the City.
2. Lessee has developed and is maintaining the property at no

cost to the City.

3. It is doubtful that any other compatible interim use could be found for the property considering it is on the Mesa College campus.

FILE LOCATION: LEAS - San Diego Community College District
LEASFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

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

* ITEM-121: (R-88-685 Rev.1) ADOPTED AS RESOLUTION R-269512

Authorizing the Mayor to execute a Supplement to the Loan Agreement and Guaranty for the NASSCO Port Facility Revenue Bonds, providing for the replacement of Morrison-Knudsen Company, Inc. ("MKI") by the Morrison-Knudsen Corporation ("MKC"); declaring that the City shall receive an opinion of counsel addressed to the City as to due authorization, execution and delivery of Supplement No. 1 and that Supplement No. 1 is a valid and binding obligation of MKC, enforceable in accordance with its terms, which opinion shall further state that the execution, delivery and performance of Supplement No. 1 by MKI, MKC and National Steel and Shipbuilding Company will not (i) affect the excludability of interest payable on the Bonds from gross income for federal income tax purposes, (ii) result in the Bonds being treated as acquired after August 7, 1986, for purposes of Section 902 of the Tax Reform Act of 1986, as amended, or (iii) result in the Bonds being treated as issued after August 7, 1986, for purposes of Section 701 of the Tax Reform Act of 1986, as amended.

CITY MANAGER REPORT: The Morrison-Knudsen Company, Inc. ("MKI"), sole shareholder of the National Steel and Shipbuilding Company, entered into a Loan Agreement and Guaranty with the City as of December 1, 1982, pursuant to which MKI guaranteed payment on the Port Facilities Revenue Bonds. Effective May 6, 1985, MKI became a wholly owned subsidiary of the Morrison-Knudsen Corporation ("MKC"). The terms of the agreement with the City require that the documents be amended to reflect the current organizational structure; MKC must replace MKI as the Guarantor. Bond Counsel has determined that a City Resolution is appropriate for approving the replacement of MKI by MKC on the NASSCO bond documents.

19871019

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

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

* ITEM-122: (R-88-699) ADOPTED AS RESOLUTION R-269513

Authorizing an assignment of the rights and obligations of Genstar Development Inc., Document No. R-268614 to American Newland Associates regarding Ridgewood Neighborhood Park. (Penasquitos East Community Area. District-1.)

CITY MANAGER REPORT: On June 22, 1987, the City and Genstar Development Inc. entered into an agreement which required this developer to provide design services for Ridgewood Neighborhood Park in the Penasquitos East Community Planning Area. Genstar hired a consultant and the preparation of plans and specifications has begun. Genstar Development Inc. has been acquired by American Newland Associates, a California General Partnership. The City's agreement with Genstar requires the City's written consent to any assignment of monies due or of obligations required by the agreement. The proposed assignment will transfer the rights and obligations of Genstar to American Newland Associates.

FILE LOCATION: MEET CCONTFY88-1

COUNCIL ACTION: (Tape location: A341-365.)

CONSENT MOTION BY BALLESTEROS TO ADOPT. Second by Gotch.

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

ITEM-200: (O-87-202) INTRODUCED, TO BE ADOPTED NOVEMBER 2, 1987

Introduction of an Ordinance amending Chapter II, Article 2 Division 5, of the San Diego Municipal Code by amending Sections 22.0504, 22.0505, 22.0507 and 22.0508, by repealing Section 22.0520, by renumbering Sections 22.0524 and 22.0525, and by adding Sections 22.0511, 22.0512, 22.0513, 22.0514, 22.0515 and 22.0516, relating to the Purchasing Agent's authority, powers and purchasing practices.

(See City Manager Report CMR-87-418.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A400-453.)

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

ITEM-201: (R-88-717) ADOPTED AS RESOLUTION R-269514

Authorizing the expenditure of \$3,535 from the Unallocated Reserve Fund for the purpose of payment of all water and sewer connection and capacity charges required for the siting of the Pacific Beach Community Town Hall.
(Pacific Beach Community Area. District-6.)
Aud. Cert. 8800357.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A370-385.)

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

ITEM-202:

Two actions relative to Old Fire Station 13:
(La Jolla Community Area. District-1.)

Subitem-A: (R-88-666) ADOPTED AS RESOLUTION R-269515

Authorizing the execution of a 25-year lease agreement with the YMCA of San Diego County for the development of the Old Fire Station 13, located at 7877 Herschel Avenue, as a public community center, at an annual rental of \$1.

Subitem-B: (R-88-670) ADOPTED AS RESOLUTION R-269516

Certifying that the information contained in Environmental Mitigated Negative Declaration EMND-87-0515, issued in connection with the YMCA lease of Old Fire Station 13, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER REPORT: Old Fire Station 13 is a 50-year-old historical building located in the business district of La Jolla. The building is no longer in use as a fire station. Council authorized issuance of a Request for Proposals for this

property in 1986. Proposals were received from the YMCA and six other commercial and nonprofit proposers. The YMCA proposed to renovate and operate the fire station as a public community center emphasizing programs for teenagers and senior citizens. Council selected the YMCA's proposal and directed City staff to negotiate a lease agreement with the YMCA. The YMCA utilized the past year in preparing a development plan, raising funds, checking the building structurally, and obtaining environmental clearance. The YMCA is now ready to proceed with the project and has signed the lease. The proposed lease is at a nominal rental of \$1 per year. In exchange, the YMCA will assume all costs of developing and operating the premises. The lease term is 25 years with the YMCA having the right of first refusal for another 25-year term. Renovation of the fire station, estimated by the YMCA to cost about \$600,000, will preserve the building's historical features. The lease stipulates that activities conducted at the community center be nonsectarian in nature.

FILE LOCATION: LEAS - YMCA of San Diego County
LEASFY88-1

COUNCIL ACTION: (Tape location: A386-395.)

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

ITEM-203: CONTINUED TO DECEMBER 1, 1987, AT 10:00 A.M.

Appeals of Atlantic Richfield Company, by Lynne L. Heidel, from the decision of the Planning Commission in denying Conditional Use Permit, Tentative Map and Planned Industrial Development Permit 87-0178, which include a request to amend PID-87-0060 (formerly PID-82-0440), a new CUP to allow an automotive service station and mini-market (24-hour operation), and a two lot Tentative Parcel Map. The subject property (approximately 1.06 acres) is located on the southeast corner of Steadman Street and Mira Mesa Boulevard and is further described as Lot 1, Lusk Mira Mesa Business Park East 1, Unit 1, Map-11024, in Zone M-1B, in the Mira Mesa Community Plan area. (CUP, TM, PID-87-0178. District-5.)

Subitem-A: (R-88-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-87-0178 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and

that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-88-)

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

Subitem-C: (R-88-)

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

Subitem-D: (R-88-)

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

FILE LOCATION:

Subitem A & D PERM PID 82-0440;

Subitem B

PERM CUP 87-0178;

Subitem C SUBD - Arco

Steadman

COUNCIL ACTION: (Tape location: A296-330.)

MOTION BY STRUIKSMA TO CONTINUE TO DECEMBER 1, 1987, AT 10:00 A.M., AT LYNNE HEIDEL'S REQUEST. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-not present, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-not present, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-204:

Appeals of Eric Rhee from the decision of the Planning Commission in approving, with deletions, North City West Development Plan Permit NCWPD-86-0821, and Vesting Tentative Map TM-86-0821 (Del Mar Highlands Town Center). The permit proposes to amend a previously approved development plan for the North City West Commercial/Retail Center and the map proposes a 42-lot subdivision. The subject property is located south of Del Mar Heights Road, east of El Camino Real and northwest of Townsgate Drive, in Zone TC and within the Development Unit 9 Precise Plan area of the North City West Community Plan. The subject property is further described as a portion of Sections 18

and 19, Township 14 South, Range 3 West, S.B.B.M.
(NCW PD & TM-86-0821. District-1.)

19871019

Subitem-A: (R-88-821) ADOPTED AS RESOLUTION R-269517

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-86-0821 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-88-822) ADOPTED AS RESOLUTION R-269518,
DENIED APPEAL, GRANTED PERMIT

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

Subitem-C: (R-88-823) ADOPTED AS RESOLUTION R-269519,
DENIED APPEAL, GRANTED MAP

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

Subitem-D: (R-88-824) ADOPTED AS RESOLUTION R-269520

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-86-0821 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

FILE LOCATION:

Subitems A,B,D PERM NCW PD-86-0821;

Subitem C SUBD - Del Mar Highlands Town Center
COUNCIL ACTION: (Tape location: A456-B140.)

Hearing began at 2:48 p.m. and halted at 3:06 p.m.

Testimony in favor of the appeal by Eric Rhee.

Testimony in opposition to the appeal by Steve Zimmer.

MOTION BY WOLFSHEIMER TO CLOSE THE HEARING AND DENY THE APPEAL.

Second by Struiksma. Passed by the following vote:

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

ITEM-S400: (R-88-769) ADOPTED AS RESOLUTION R-269521

Commending the Downtown Marketing Consortium for its vision, dedication and service to the revitalization of San Diego's downtown, upon the receipt of the International Downtown Association's (IDA) award for communications excellence at the IDA's Annual Conference held September 21-23, 1987.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A040-070.)

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

* ITEM-S401: (R-88-752) ADOPTED AS RESOLUTION R-269522

Directing the City Manager to provide the use of the City's "Showmobile," with a 16x20 foot stage and public address sound system, at the Mira Mesa Mall, between the bowling center and the Mall, Camino Ruiz and Mira Mesa Boulevard, for a community Halloween carnival on October 31, 1987, said equipment to be set up no later than 3:00 p.m. and removed at 9:00 p.m. the same day.

(District-5.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A341-365.)

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

ITEM-S402: (R-88-541) TRAILED AS UNFINISHED BUSINESS TO TUESDAY, OCTOBER 20, 1987

(Continued from the meetings of September 28, 1987, Item 151, and October 12, 1987, Item 150; last continued at Council Member Struiksma's and Council Member Gotch's request, for the City Manager to report back with written alternatives and a consistent policy for full influence for the City's representative to present to the next LAFCO hearing on November 2, 1987.)

Approving the formation of a coterminous sphere of influence for the Otay Mesa area.

(See Planning Department Report PDR-87-455. Otay Mesa Community Area. District-8.)

COMMITTEE ACTION: Reviewed by RULES on 9/16/87. Recommendation to forward to Council with no recommendation. The Committee directed the City Manager to report on potential impact of such action on the City's ability to raise revenue for City infrastructure and services in the area. Districts 2, 3 and Mayor voted yea. District 6 not present.

FILE LOCATION: ANNX - sphere of influence for the Otay Mesa area

COUNCIL ACTION: (Tape location: B145-C110.)

Motion by Ballesteros to continue for one week, at the City Attorney's request, in order for him to analyze the recommendations and prepare a resolution in a fashion which would be legally appropriate. No second.

Motion by Wolfsheimer to approve recommendations 1 and 2 (in the memorandum of October 16, 1987 from the Acting Planning Director), and hold off on recommendations 3, 4 and 5. No second.

MOTION BY BALLESTEROS TO ADOPT RECOMMENDATIONS 1 AND 2 (IN THE MEMORANDUM OF OCTOBER 16, 1987, FROM THE ACTING PLANNING DIRECTOR), REQUEST A SIX-MONTH CONTINUANCE FROM LAFCO, DIRECT THE CITY ATTORNEY AND STAFF TO STUDY THE RECOMMENDATIONS AND COME BACK WITH A PROPOSAL FOR A BALLOT MEASURE. ALSO, PREPARE A WORK PROGRAM FOR FURTHER APPROVAL BY THE CITY COUNCIL. Second by Gotch. No vote. NOTE: Trailed to Tuesday, October 20, 1987 with a directive to the City Attorney to bring back recommendations 1 and 2 in the form of a resolution for Council to discuss at that time

ITEM-S403: (O-88-69) INTRODUCED AND ADOPTED AS ORDINANCE
O-16962 (New Series)

Introduction and adoption of 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 00-16916-1, as amended and adopted therein, by amending the personnel authorization of the Planning Department (065), in General Fund 100, by adding 0.64 Associate Planner position to Program Element (06532); authorizing the Auditor and Comptroller to transfer within the General Fund (100) a total of \$26,611 Personnel Expense and \$2,880 Non-Personnel

Expense from the Unallocated Reserve (605) to the Planning Department (065) for the above positions; authorizing the Planning Director to expend an amount not to exceed \$29,491 for the above purpose.

Aud. Cert. 8800348.

NOTE: The first public hearing was held on Tuesday, October 13, 1987, Item 332 B. Today's action is the second public hearing for the introduction and adoption of the ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C112-123.)

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

ITEM-S404: (R-88-766) ADOPTED AS RESOLUTION R-269523

Authorizing the City Manager to inform the U.S. Navy that the City elects to have the Navy accomplish the demolition of all buildings on the Naval Hospital exchange parcel except Building No. 1 (Administration Building) and Building No. 8 (Library/Auditorium) in accordance with paragraph 4(a) of the Final Judgement; authorizing the City Auditor to pay the U.S. Navy the sum of \$1,200,000 plus interest earned to date of disbursement (\$1,909,956 as of 7-1-87) as payment in full for accomplishing the demolition work in accordance with paragraph 4(a) of the Final Judgement; authorizing the City Manager to request the U.S. Navy to include Building No. 29 as a deductive alternate in its call for bids for the building demolition contracts; authorizing the City Manager to request the U.S. Navy to waive the 120 day notice requirement of paragraph 4(b) of the Final Judgement with regard to landscaping of the Exchange Parcel; authorizing the City Manager to negotiate with the U.S. Navy the terms of an agreement for landscaping of the Exchange Parcel and demolition of Building No. 29 based on bids received by the Navy per Item 3; directing the City Manager to return to Council with a recommendation relative to landscaping of the Exchange Parcel and demolition of Building No. 29.

(See City Manager Report CMR-87-473. Balboa Park Community Area. District-8.)

Aud. Cert. 8800367.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C124-295.)

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

* ITEM-S405: (R-88-785) ADOPTED AS RESOLUTION R-269524

Confirming the appointment by the Mayor of Patricia Tennyson to the position of Director of the Department of Intergovernmental Relations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A341-365.)

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

NON-DOCKET ITEMS:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor O'Connor at 4:00 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C298).