

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

MONDAY, NOVEMBER 9, 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 2:05 p.m.
Mayor O'Connor adjourned the meeting at 3:14 p.m. to meet in closed
session on Tuesday, November 10, 1987 at 9:30 a.m. on pending
litigation.

ATTENDANCE DURING THE MEETING:

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

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Vacant
- (5) Council Member Struiksmma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-present

ITEM-10: INVOCATION

Invocation was given by Reverend Father Michael
Murphy, Associate, Our Lady of Grace Church.

FILE LOCATION: MINUTES

Nov-9-1987

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Cleator.

FILE LOCATION: MINUTES

ITEM-30: (R-88-797) ADOPTED AS RESOLUTION R-269664

Proclaiming the week of November 8 through 14, 1987 to be "Welcome Back San Diego Symphony Week" in San Diego; encouraging all citizens of this community to support the San Diego Symphony Orchestra through their attendance and financial gifts.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A033-065.)

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

Nov-9-1987

ITEM-31: APPROVED

Approval of Council Minutes for the Meetings of:

6/22/87 Special

7/20/87

7/21/87

9/8/87

9/21/87

9/22/87 Special

10/5/87

10/6/87

10/7/87 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A066-072.)

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

ITEM-32: TRAILED TO NOVEMBER 10, 1987

Matter of the request of the United States Navy, by G. M. Hughes, Commanding Officer, for a hearing of an appeal from the decision of the Planning Commission in granting an amendment to Conditional Use Permit CUP-1024 to allow the

addition of 86 guest rooms to the existing 74-room Torrey Pines Inn. The subject property (approximately 4.3 acres) is located on the west side of North Torrey Pines Road between Science Park and Callan Roads, and is further described as portions of Lots 1330 and 1331, Pueblo Lands of San Diego, Map-36, in Zone R1-5000, in the University Community Plan area.

(CUP-85-0792. District-1.)

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

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A087-157.)

Motion by Cleator to refer the matter to the Transportation and Land Use Committee for review and report back to Council.

Second by McCarty. No vote.

By common consent the matter was trailed to November 10 at Council Member Wolfsheimer's request to check on a hearing date.

ITEM-33: CONTINUED TO NOVEMBER 10, 1987

(Continued from the meetings of May 26, 1987, Item 31 and August 11, 1987, Item 311; last continued at James Milch's request, to allow City staff and the property owner to meet regarding designation of the property.)

Matter of the request of L. Donald Taicher, by James Milch, Attorney, for a hearing of an appeal from the decision of the Planning Commission in denying Planned Residential Development Permit PRD-85-0730 and Tentative Map 85-0730 (Rosecrans Court), proposing construction of 39 residential condominium units in 9 buildings on a one-lot subdivision on approximately 1.37 acres. The subject property is described as Lots 1 through 12, Block 146, Roseville Map-305, and is located on the block bounded by Rosecrans, Russell, Quimby and Locust Streets, in Zone R1-5000 (proposed R-1500), in the Peninsula Community Plan area. (PRD & TM-85-0730. District-2.)

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

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A157-175.)

MOTION BY CLEATOR TO CONTINUE TO NOVEMBER 10, 1987 TO BE HEARD AFTER THE HEARING ON ITEM-334. 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-50: (O-88-34) ADOPTED AS ORDINANCE O-16974 (New Series)

Incorporating 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, 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 into Zones R-1500 and CN.

(Case-86-0994. University Community Area. District-1. Introduced on 10/27/87. Council voted 8-0. District 4 vacant.)

FILE LOCATION: ZONE Ord. No.

COUNCIL ACTION: (Tape location: A455-461.)

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

* ITEM-51: (O-86-49) ADOPTED AS ORDINANCE O-16975 (New Series)

Amending Chapter X, Article 3, Division 6, of the San Diego Municipal Code by amending Section 103.0601 relating to the North City West Planned District.

(North City West Community Area. District-1. Introduced on 10/26/87. Council voted 7-0. District 6 not present. District 4 vacant.)

FILE LOCATION: LAND North City West Planned District

COUNCIL ACTION: (Tape location: A455-461.)

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

* ITEM-100: (R-88-592) ADOPTED AS RESOLUTION R-269665

Awarding a contract to The Trebor Company for furnishing traffic barricades, as may be required for a period of one year beginning September 15, 1987 through September 14, 1988 for an estimated cost of \$42,956.50, including tax and terms, with an option to renew the contract for two additional one year periods. (BID-9165)

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-88-593) ADOPTED AS RESOLUTION R-269666

Awarding a contract to Aztec Landscape Co. for furnishing complete landscape maintenance of designated center islands and right of ways along Black Mountain Road and Park Village Road within the Park Village Estates Landscape Maintenance District, as may be required for a period of one year beginning December 1, 1987 through November 30, 1988, for an estimated cost of \$46,225.12, with options to renew the contract for four additional one-year periods with price escalations each year not to exceed 15 percent of unit prices in effect at the end of each prior year.
(BID-9251)

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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:

Two actions relative to approving the final subdivision map of Pacific Corporate Center Unit No. 10, a 9-lot subdivision located northeasterly of Mira Mesa Boulevard and Lusk Boulevard:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-88-788) ADOPTED AS RESOLUTION R-269667

Authorizing the execution of a Subdivision Improvement Agreement with Pacific Corporate Associates II for the installation and completion of public improvements.

Subitem-B: (R-88-787) ADOPTED AS RESOLUTION R-269668

Approving the final map.

FILE LOCATION: SUBD Pacific Corporate Center Unit No. 10
CONFY88-1

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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:

Three actions relative to the Greenbelt Subdivision Improvement Agreement, Bonds, Deed and Fees: (Clairemont Community Area. District-6.)

Subitem-A: (R-88-233) ADOPTED AS RESOLUTION R-269669 Rescinding Resolution R-261467, adopted September 10, 1984, cancelling the Subdivision Improvement Agreement and releasing Bond Nos. 105780, 7110025, and 7110035, issued by Jerome L. Hren, Inc. for Greenbelt Planned Residential Development Permit PRD-20-231-0.

Subitem-B: (R-88-234) ADOPTED AS RESOLUTION R-269670 Authorizing the City Auditor and Comptroller to transfer \$101 from Fund 11450, \$191 from Fund 11452, \$5,818 from Fund 13450 and \$120 from Fund 13451 into Fund 11451 and to disburse therefrom the sum of \$7,800 to Techbilt Construction Corporation as a refund of park fees; directing that unexpended funds paid by Techbilt Construction Corporation in connection with Greenbelt Subdivision be returned to Techbilt Construction Corporation.

Subitem-C: (R-88-235) ADOPTED AS RESOLUTION R-269671 Authorizing the execution of a quitclaim deed, quitclaiming to La Jolla Alta, all of Lots 1 and 2 of Greenbelt Subdivision; rescinding Resolution R-261469, adopted September 10, 1984.

CITY MANAGER SUPPORTING INFORMATION: The City Council approval of Greenbelt Planned Residential Development Permit PRD-20-231-0, and associated subdivision map, was successfully attacked by the Clairemont Town Council, et al., and the Superior Court issued its Peremptory Writ of Mandate commanding the City Council to rescind approval of the project. This was accomplished by City Council approval of Resolution R-263067 on April 29, 1985. However, the subdivision improvement agreement, the deed covering Lots 1 and 2, and the return of fees and deposits were overlooked at the time. The proposed resolutions will correct this oversight. 5.293 acres of property will be returned to the subdivider; \$7,800 in park fees; \$993.50 in other fees; and \$17,350.16 in deposits will also be returned to the subdivider.

Aud. Cert. 8800356.

FILE LOCATION:

Subitems A and B SUBD Greenbelt Subdivision,

Subitem-C DEED F-4216 DEEDFY88-1

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-88-866) ADOPTED AS RESOLUTION R-269672

Authorizing the City Engineer to issue a special permit to commence land development activities prior to the filing of the final subdivision maps of Tierrasanta Norte.

(Tierrasanta Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: Section 102.0318 of the San Diego Municipal Code authorizes the City Engineer to issue a special permit to do work prior to the filing of a final subdivision map, except when the subdivision is in the Hillside Review (HR) Overlay Zone. When the subdivision is in the HR Zone, the City Council must authorize the issuance of a special permit to allow work to start before the final map is filed.

The City Council has authorized the City Engineer to issue an advance grading permit for Units II, IV and VII. The subdivider is now requesting that he be allowed to grade the rest of the subdivision because of the requirements for an ordnance sweep and the quantity of grading. The tentative map for all units was approved by the Subdivision Board on January 6, 1986, and the PRD was approved on the same date. The requested Council authorization does not itself issue the special grading permit. The subdivider is still required to prepare a complete set of improvement and grading plans to the satisfaction of the City Engineer, pay all fees and provide surety to cover all the improvements included in the Subdivision Improvement Agreement. The map for the subdivision also has to be very close to Council's consideration before the City Engineer would issue a special permit, if so authorized by City Council. These subdivisions are located in areas where visual ordnance inspection during the clearing and grubbing operation is required and the subdivider is also required to provide an ordnance observer during grading operations. The subdivider is required to provide an insurance policy in the amount of \$5 million dollars on behalf of the City for the City-owned open space. This coverage will remain in effect from the Notice to Proceed until five years after the sweep is completed. The

subdivider is also required to maintain a one million dollar insurance policy for all building lots within these subdivisions.

FILE LOCATION: SUBD Tierrasanta Norte

COUNCIL ACTION: (Tape location: A300-453.)

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

ITEM-105: CONTINUED TO NOVEMBER 16, 1987

Two actions relative to vacating the street reservation within Lot 73 of San Carlos Estates Unit No. 2, Map-4884: (Navajo Community Area. District-7.)

Subitem-A: (R-88-816)

Vacating the street reservation within Lot 73 of San Carlos Estates Unit No. 2, Map-4884.

Subitem-B: (R-88-817)

Authorizing the execution of a quitclaim deed, quitclaiming to Denis Vanier and Dinoo J. Vanier, as owners of Lot 73 of San Carlos Estates Unit No. 2, Map-4884, affecting the revestment of those abutter's rights of access in and to Lot 73 of San Carlos Estates Unit No. 2, Map-4884, relinquished to the City.

CITY MANAGER SUPPORTING INFORMATION: The affected property owner has requested the vacation and the revestment of access rights to remove the encumbrances affecting the easterly 44 percent of Lot 73 in order to accommodate the construction of a proposed tennis court. The affected property currently has an existing single-family residence on the westerly portion of the property. The applicant's property is located within the Navajo Community Plan area and is situated in a R-1-10,000 Zone. The property is 2.65 acres (115,434 square feet) of which 54 percent (approximately 62,300 square feet) is within the Hillside Review Overlay Zone. The area proposed for vacation is 1.16 acres and entirely within the Hillside Review Overlay Zone. A maximum of 5 additional units could possibly be constructed as a result of this vacation if the property were to be resubdivided. However, due to the adverse topography, proposed usage, and the existing improvements on the property, no increase in density is anticipated. The Planning Department has no objection to the vacation and the Planning Commission recommended approval on July 2, 1987 by a 5-0 vote. The existing street reservation is

situated on the steep slopes of Lot 73 and extends northerly and briefly into Lot 72. The street reservation does not contain public or franchise facilities and was granted by subdivision in 1961 to provide future slope rights and street right-of-way for a proposed extension of Park Ridge Boulevard to the north. The area to the south was subdivided in 1980 (Del Cerro Shores Subdivision) and no provisions were incorporated to utilize this reservation for street purposes. In 1982, the Navajo Community Plan was amended which led to the elimination of the Park Ridge Boulevard extension from the Community Plan. Staff review has indicated that the street reservation is no longer needed for present or prospective public use and may be summarily vacated.

FILE LOCATION: STRT J-2670

COUNCIL ACTION: (Tape location: A380-440.)

Motion by McCarty to refer to Planning Group and continue to December 7, 1987. No second.

MOTION BY McCARTY TO CONTINUE TO NOVEMBER 16, 1987, AT HER REQUEST FOR FURTHER REVIEW. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

* ITEM-106: (R-88-831) ADOPTED AS RESOLUTION R-269673

Authorizing the Mayor to execute Notices of Intent to Preserve Interests; authorizing and directing the City Clerk to attest the Mayor's signature and to cause said Notices of Intent to Preserve Interests to be recorded in the Office of the County Recorder.

CITY MANAGER SUPPORTING INFORMATION: In 1982, the State of California enacted a law which abolishes reversionary interests unless the owner of the reversionary interest takes action to preserve such interest at 30-year intervals. This must be done through the recording of a notice and in the event no such notice is recorded within a 30-year period, the power is no longer enforceable. Notice to protect the City's reversionary interests in these properties must be filed by December 31, 1987. Ten properties with reversionary interests favoring the City are affected by this action. These are properties deeded to entities such as the State or County for park or open space purposes or a church or university for their respective specific purposes. These purposes are generally considered beneficial to the citizens of San Diego. Failure to use these properties for the stated purposes would cause the property to revert back to the City.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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: (R-88-811) ADOPTED AS RESOLUTION R-269674

Approving the Records Disposition Schedule for the Park and Recreation Department.

(See City Clerk Report CC-87-14.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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: (R-88-793) ADOPTED AS RESOLUTION R-269675

Authorizing the City Manager to provide the use of the City's large "Showmobile," along with 10 VIP chairs, podium and microphone, for the San Carlos Friends of the Library "Holiday Family Night at the Library," on December 10, 1987, said equipment to be set up between the hours of 5:30 p.m. and 8:30 p.m.

(Navajo Community Area. District-7.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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: (R-88-801) ADOPTED AS RESOLUTION R-269676

Authorizing the City Manager to provide the use of the City's "Showmobile," between the hours of 12:00 noon and 9:00 p.m., at Horton Plaza Park in front of Glendale Federal, for the Central City Association's Downtown Lighting Ceremony, on December 1, 1987.

(Centre City Community Area. District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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: (R-88-796) ADOPTED AS RESOLUTION R-269677

Authorizing the expenditure of \$10,000 of 1986 CDBG Funds, Fund 18522, Dept. 5865, Org. 6503 for the City Council approved amendment for architectural services with Richard Bundy; and expenditure of the \$10,000 of the 100 Fund, previously encumbered for said amendment, for Facade Improvement Rebates.

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

CITY MANAGER SUPPORTING INFORMATION: Resolution R-268310 of May 11, 1987, amended a contract with Richard Bundy, licensed architect, adding \$10,000 for additional services for the Mid-City Facade Rebate Program. The amendment was to have been financed by the general fund. The proposed resolution would allow prior year CDBG funds to finance the Richard Bundy contract amendment. The \$10,000 of the general fund thus released would be used for facade construction rebates. These proposed funding adjustments would reduce certain administrative burdens associated with the use of federal funds for construction, and will improve the efficiency of the facade rebate program.

Aud. Cert. 8800387.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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: (R-88-654) ADOPTED AS RESOLUTION R-269678

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 2:00 p.m., Sundays and certain holidays excepted, on both sides of Jenkins Street between San Fernando Street and San Elijo 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.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This proposed two-hour time limit zone on Jenkins Street was petitioned by a property owner representing 100 percent of the affected frontage. Recent parking studies in the area have shown that two-hour time limit

zones are needed in the area. Most of the other streets in the area are posted with two-hour parking zones which receive a high level of enforcement. We recommend that this request for two-hour parking be implemented.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-88-652) ADOPTED AS RESOLUTION R-269679

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 2:00 p.m., Sundays and certain holidays excepted, on both sides of Kellogg Street between San Fernando Street and San Gorgonio 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.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This proposed two-hour time limit zone on Kellogg Street was petitioned by a property owner representing 100 percent of the affected frontage. Recent parking studies in the area have shown that two-hour time limit zones are needed in the area. Most of the other streets in the area are posted with two-hour parking zones which receive a high level of enforcement. We recommended that this request for two-hour parking be implemented.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-88-651) ADOPTED AS RESOLUTION R-269680

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 2:00 p.m., Sundays and certain holidays excepted, on the north side of Nichols Street between Rosecrans Street and the west end of Nichols 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.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This proposed two-hour time limit zone on Nichols Street was petitioned by a property owner representing 100 percent of the affected frontage. Recent parking studies in the area have shown that two-hour time limit zones are needed in the area. Most of the other streets in the area are posted with two-hour parking zones which receive a high level of enforcement. We recommended that this request for two-hour parking be implemented.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-88-650) ADOPTED AS RESOLUTION R-269681

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 2:00 p.m., Sundays and certain holidays excepted, on both sides of San Fernando Street from Kellogg Street to south of Jenkins 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.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This proposed two-hour time limit zone on San Fernando Street was petitioned by a property owner representing 100 percent of the affected frontage. Recent parking studies in the area have shown that two-hour time limit zones are needed in the area. Most of the other streets in the area are posted with two-hour parking zones which receive a high level of enforcement. We recommend that this request for two-hour parking be implemented.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-88-653) ADOPTED AS RESOLUTION R-269682

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 west side of Shafter Street

between Addison Street and Canon 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.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This proposed two-hour time limit zone on the west side of Shafter Street was petitioned by a property owner representing 100 percent of the affected frontage. Recent parking studies of this location determined the average parking occupancy to be 98 percent and the average vehicle was parked for a duration of 4.9 hours. This location is close to other time limit parking zones which receive a high level of enforcement. This meets the requirements of Council Policy 200-4 for the establishment of a two-hour time limit parking zone. Therefore, this parking restriction is recommended for implementation.

FILE LOCATION: MEET RUTHFILE

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-88-845) ADOPTED AS RESOLUTION R-269683

Authorizing the execution of an agreement with Group Delta Consultants, Inc. for engineering design services for the replacement or upgrading of the shoreline protection below the Point Loma Treatment Plant; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$210,000 within the Sewer Revenue Fund 41506, from the Unallocated Reserve (70697) to the Engineering Wastewater Construction Program (70892), Point Loma Shoreline Protection Project, CIP-46-135; authorizing the expenditure of an amount not to exceed \$335,000 from the Sewer Revenue Fund 41506, CIP-46-135, for the purpose of providing funds for the above project.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The existing shoreline protection below the Point Loma Treatment Plant has become ineffective due to cliff erosion and needs to be evaluated for upgrading or replacement. It is in the City's interest to arrest future shoreline erosion since continued erosion has encroached upon improvements at the plant. Upper bluff stabilization is considered necessary to stabilize portions of the bluffs within the plant area. Due to the technical nature

in the design of upper bluff stabilization within the plant limits, it is recommended that a consultant be hired. The procedures outlined in Council Policy 300-7, "Consultant Services Selection," were followed in selecting the recommended consultant. From an advertisement placed on January 19 and 23, 1987, in the San Diego Daily Transcript, the Nominating Committee received five letters of interest from qualified consultants and selected five firms to be interviewed. The five consultant proposals were evaluated in the area 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 Selection Committee recommended that Group Delta Consultants, Inc. be hired to perform the needed services. Under the terms of the agreement, Group Delta Consultants, Inc. will prepare construction drawings, specifications, and cost estimates for the Point Loma Treatment Plant - Shoreline Protection. Sub-consultants are: Pountney and Associates, Civil Engineers, \$79,045; URS Corporation, Civil Engineers, \$45,900; WESTEC Services, Inc. Environmental, \$51,300; and Debra L. Frischer, Coastal Review, WBE, \$14,210.

Aud. Cert. 8800394.

WU-U-88-031.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-88-786) ADOPTED AS RESOLUTION R-269684

Authorizing the execution of a second amendment to the Health Risk Assessment and Training Agreement with Donald N. Sharp Memorial Hospital, to provide health risk assessment and training services to City employees.

CITY MANAGER SUPPORTING INFORMATION: The City desires to continue providing the Cityhealth Wellness Program to its employees. This program will provide health risk assessments, follow-up assessments and training to approximately 350 City employees. The health risk assessment includes a basic health review by a preventative medicine nurse, a complete lipid profile, a SMAC test when deemed necessary by the nurse, a body composition analysis (skinfold), blood pressure analysis, and musculoskeletal evaluation and prescription. The follow-up

assessment includes the same tests with the exclusion of the musculoskeletal evaluation. A one-hour health profile feedback session (at a City facility) with written results will be provided to participants with general information presented to the group regarding test results. Also included will be monthly group sessions at the Sharp facility to respond to participants individual questions. Training will be provided for all City employees through two types of educational programs. The first will consist of eight, one-hour overview sessions during the noon hour on the topics of stress management, exercise and weight control, nutrition, and enhancing stamina at the workplace. The second program will consist of nine, four week, intervention sessions at Sharp after normal work hours in the topics of stress management, exercise and weight control, and nutrition. This program will be augmented in January by a wellness newsletter sent to the home of each full and part time, permanent and limited employee.

Aud. Cert. 8800375.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-88-771) ADOPTED AS RESOLUTION R-269685

Approving Change Order No. 1, dated 8/4/87, issued in connection with the contract between the City and Steiny and Company, Inc., for the construction of guardrails and flashing beacons on Mt. Acadia Boulevard at Snead Avenue and Mission Center Road north of Sevan Court, amounting to a net increase in the contract price of \$9,385.15; authorizing the City Auditor to transfer \$11,550 from the Miscellaneous Improvements on City Streets Fund (CIP-58-004), to The Construction of Guardrails and Flashing Beacons on Mt. Acadia Boulevard at Snead Avenue and Mission Center Road (CIP-67-278), for the purpose of funding this Change Order; authorizing the expenditure of an amount not to exceed \$11,550 from Fund 30245, CIP-62-278, The Construction of Guardrails and Flashing Beacons on Mt. Acadia Boulevard at Snead Avenue and Mission Center Road, for the purpose of providing funds for the above project.

(Serra Mesa and Clairemont Mesa Community Areas. Districts-5 and 6.)

CITY MANAGER SUPPORTING INFORMATION: On February 4, 1987, a contract was awarded to Steiny and Company, Inc. for the construction of advance curve warning flashers on Mission Center Road north of Sevan Court and on Mt. Acadia Boulevard at Snead Avenue. The existing deteriorating metal beam guardrail on Mt. Acadia Boulevard was also to be removed and replaced. This project is approximately 80 percent complete. Subsequently it was determined that the existing metal beam guardrail on Mission Center Road was not constructed in compliance with current practice and should be reconstructed as well. This Change Order will construct terminal flares and new douglas fir posts which will bring the guardrail into compliance with the latest specifications. The \$11,550 in supplemental funds provided by this Resolution will be used to fund contract Change Order No. 1 and additional Engineering and overhead for the project. A substantial portion of this amount will be reimbursed by the Federal Government.

Aud. Cert. 8800285.

FILE LOCATION: CONT City and Steiny and Company, Inc.
CONTFY88-1

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-88-772) ADOPTED AS RESOLUTION R-269686

Approving Change Order No. 2, dated June 16, 1987, issued in connection with the contract between the City of San Diego and Transco-Pacific Company, dba General Railroad Company, amounting to a net increase in the contract price of \$23,839.75, and an extension of time of 21 working days; authorizing the expenditure of an amount not to exceed \$23,839.75, from the project contingency reserve available in Fund 30245, CIP-23-823.1, Ocean Boulevard Improvements, Phase II, for the purpose of providing funds for the above project.

(Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: On May 27, 1986, City Council accepted and authorized the award to Transco Pacific Co., dba General Railroad Construction Co., the lowest responsive bidder, to construct the second phase of the Ocean Boulevard Improvements between Garnet Avenue and Hornblend Street in Pacific Beach. Improvements consist of a seawall, beach access stairways, turf areas, trees, shrubs, a wide

pedestrian mall, benches and bicycle racks. Construction plans required the seawall to be constructed up to the Crystal Pier, directly adjacent to the project, to provide a continuous aesthetic design. However, Crystal Pier Motel is now developing plans for expansion, as well, and possibly would need the area directly adjacent to the pier. As this immediate area (54 lin. ft.) next to the pier is part of the Crystal Pier Motel property, the owner approved the substitution of 54 lin. ft. of removable sheet pile instead. Similar to the seawall, the sheet pile will provide the necessary stabilization and protection to the bank adjacent to the pier, yet could be removed if they become an obstruction to future development. An additional cost increase is necessary in order for the handrails to meet current building code requirements. This mandates new shop drawings and re-fabrication of the seawall railing to ascertain that all safety requirements were met. In line with the changes above, and 13 days lost due to bad weather, it is necessary to request an additional 21-day extension for contract completion.

Aud. Cert. 8800320.

FILE LOCATION: CONT Transco-Pacific Company, dba General Railroad Company CONFY88-1

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-88-777) ADOPTED AS RESOLUTION R-269687

Approving Change Order No. 44, dated July 27, 1987, issued in connection with the contract with Kasler Corporation, for the improvement of Ingraham Street Bridge over Mission Bay Channel, amounting to a net increase in the contract price of \$22,101.99.

(Mission Bay Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: On June 24, 1987, City Council by Resolution R-263503, authorized advertising for bids and funding for replacement of the Ingraham Street Bridge over Mission Bay Channel. On August 30, 1985, six bids were received with Kasler Corporation being low bidder at \$11,665,190 (5.7 percent below estimate). This project has qualified under the Federal Bridge Replacement and Rehabilitation Program and approximately 80 percent of the project costs will be reimbursed by the Federal Government. Change Order No. 44 deletes items of work which would be impacted by future detouring necessary for the Fishermans Channel Bridge replacement next year. These

items of work will ultimately be installed during the Fishermans Channel Bridge construction.

FILE LOCATION: CONT Kasler Corporation CONFY88-1

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-150: (R-88-) FILED

(Continued from the meeting of October 12, 1987, Item 152, at Council Member McColl's request, to allow her to be present.)

Authorizing the City Manager to maintain daily fines for overdue juvenile books at 5 cents per item per day, but increasing the maximum from \$1.00 to \$2.50.

(See City Manager Report CMR-87-445.)

COMMITTEE ACTION: Reviewed by PSS on 9/16/87.

Recommendation to forward to Council with no recommendation.

Districts 1, 3 and 7 voted yea. District 2 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A235-240, B256-320.)

MOTION BY McCOLL TO NOTE AND FILE. Second by McCarty. 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-200: (R-88-810) ADOPTED AS RESOLUTION R-269688

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$72,000 within the Water Revenue Fund 41502 from the Unallocated Reserve (70679) to the Water Systems Construction Program 70592, Brown Field Water Pump Station Improvements CIP-73-259.0; authorizing the expenditure of an amount not to exceed \$72,000 from the Water Revenue Fund 41502, Brown Field Water Pump Station Improvements, CIP-73-259.0, to supplement expenditures authorized under R-266976 (\$300,000) for the purpose of providing funds for the above project.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Construction bids for the Brown Field Industrial Park Redevelopment Project were initially received last June. All bids received at that time exceeded total funds reserved for the project, requiring an adjustment in the project budget and a rebid process. As a part

of the budget adjustments made for the rebid, Council authorized (R-266976) \$300,000 to fund all costs associated with expansion of the Brown Field Water Pump Plant under a separate CIP Project (CIP-73-259.0). When the second set of bids were received, the low bid of R.E. Hazard Contracting Company was \$310,000, or 29 percent higher than the original low bid, making the \$300,000 allocated not sufficient. Considering the potential budget impact on the redevelopment project progress it is recommended that the funds in CIP-73-259.0 be increased by \$72,000 to cover this higher cost (\$10,000) and to provide a contingency reserve (\$62,000) for any unanticipated construction costs.

Aud. Cert. 8800379.

WU-U-88-042.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A471-518, B006-096.)

MOTION BY BALLESTEROS TO ADOPT AND REFER TO RULES COMMITTEE FOR REVIEW THE MATTER OF A POLICY TO KEEP CONTRACT INCREASES TO FIVE PERCENT. 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-201: (R-88-765) CONTINUED TO NOVEMBER 16, 1987

(Continued from the meeting of October 26, 1987, Item 204, at Assistant City Manager Fowler's request, to allow the matter to be heard by PSS on 11/4/87.)

Authorizing the City Manager to enter into an agreement with Harmonium, Inc., Neighborhood House, Inc., San Diego Youth Involvement Project, Inc., Trabajadores De La Raza, Inc., and Youth for Progress, Inc., to operate Juvenile Diversion Services.

(See City Manager Report CMR-87-503; memorandum from Maureen Stapleton, Deputy City Manager, dated 10/29/87.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A520-525.)

MOTION BY McCOLL TO CONTINUE TO NOVEMBER 16, 1987, AT HER REQUEST FOR A REPORT FROM THE CITY MANAGER REGARDING PROGRAMS FOR YOUTH IN THE MID-CITY AREA WITH FUNDING TO BE IDENTIFIED IN UPCOMING BUDGET. 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-202: (R-88-865) ADOPTED AS RESOLUTION R-269689

Authorizing the execution of a second amendment to agreement with Harry L. Summers, Inc., which amendment extends the period by which buildings are required to be constructed on certain parcels from June 29, 1989 to June 30, 1992.

(University City Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Harry L. Summers, Inc. (Summers) acquired property now known as Summers Governor Park (Subdivision) from Genstar Development, Inc., in June 1979. Genstar acquired the property in an exchange with the City in May 1979 with the City acquiring property in Rose Canyon for open space. As a part of the exchange, Genstar, or its successors, now Summers, was required to agree to build out a subdivision by June 22, 1989. Summers has subdivided the 56 acres, amended the community plan, and can complete the agreement by building out the subdivision by June 22, 1989. Summers feels that with the high vacancy rate in the area, this is not a good time to add more unleased buildings. This amendment allows another three years to complete the buildings, extending the date to June 30, 1992.

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: A525-528.)

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

ITEM-203: (R-88-807) ADOPTED AS RESOLUTION R-269690

Authorizing the execution of an agreement with the United Cerebral Palsy Association of San Diego County, Inc., for tenant improvements of the facility at 3821-C Calle Fortunada; authorizing the expenditure of an amount not to exceed \$197,700 from CDBG Fund 18522, Department 5862, Org. 6208, for the purpose of providing funds for the above project.

(Serra Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The United Cerebral Palsy Association of the San Diego County is a non-profit human care service agency. Their existing 7,000 square foot facility is inadequate to service the current patient load. U.C.P.A. received a CDBG allocation for developing a larger facility by Council action on December 2, 1985 per Resolution R-264594. This project appears on Page 31 of the 1988 FY Capital Improvements Program as CIP-37-210.0. In July of 1987 U.C.P.A. acquired suitable space at 3821 Calle Fortunada. The 10,800

square feet is unimproved and requires extensive tenant improvements. The agency has hired an Architect and plans and specifications have been completed in conformance with their original proposal. The plans provide for various administrative offices, conference room, classrooms, computer room, kitchen, lounge, storage area, a large open work area, handicap restrooms, and entry/exit facilities. This agreement, required by the grant allocation, is to engage U.C.P.A. in rendering certain services to assist the City in the administration and construction of the facilities.

Aud. Cert. 8800382.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A532-561.)

MOTION BY STRUIKSMA TO ADOPT. 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-204: (R-88-809) ADOPTED AS RESOLUTION R-269691

Approving Change Order No. 3, dated August 5, 1987, issued in connection with the contract between the City and Petar Artukovich Construction Company, Inc. for construction of Sewer and Water Main Replacement Group 67, amounting to a net increase in the contract price of \$59,415.55.

(Uptown, Peninsula, Southeast San Diego, Park North-East and Centre City Community Areas. Districts-2, 4 and 8.)

CITY MANAGER SUPPORTING INFORMATION: This project consists of replacing deteriorated concrete sewer and cast-iron water mains with approximately 2.01 and 0.60 mile of new pipes, respectively, in the Uptown, Centre City, Peninsula, Southeast San Diego and Park North-East Community areas. On July 1986, Council authorized the execution of a contract with Petar Artukovich Construction Company for the construction of Sewer and Water Main Replacement Group 67 in the amount of \$1,329,537. Notice of Completion and Acceptance was filed on July 2, 1987. Prior change orders totaled \$2,739.62. Change Order No. 3 for the amount of \$59,415.55 is for the claim filed by the contractor for 28 separate items of additional work and requesting 30 days time extension. Negotiation resulted in denial of several items and settlement on justified items. These additional works were necessary due to unexpected change conditions in construction and included extra work and delay to install a deep sewer in loose fill, delay caused by several abandoned pipes in trenches, gas main, telephone duct, and railroad tracks beneath the pavement crossing the trenches not

originally shown on the plans, and several additional sewer lateral connections and extensions, and sewer clean out installation. The final settlement resulted in increasing the contract amount by \$34,250.66 for sewer and \$25,164.89 for water.

Aud. Cert. 8800365.

WU-U-88-034.

FILE LOCATION: CONT Petar Artukovich Construction Company,
Inc. CONTFY88-1

COUNCIL ACTION: (Tape location: A568-570.)

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-yea, Mayor O'Connor-yea.

ITEM-205: (R-88-798) ADOPTED AS RESOLUTION R-269692

Authorizing the retention of the law firm of Weil, Gotshal and Manges, as counsel, to represent the City in the matters of Mercury Bay Boating Club v. San Diego Yacht Club and Petition of San Diego Yacht Club before the New York State Supreme Court; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$10,000 from Fund 100, Department 605, Unallocated Reserve to Fund 100, Department 901, Allocated Reserve for the above purpose; authorizing the expenditure of an amount not to exceed \$10,000 from Fund 100, Department 901, Allocated Reserve, for the purpose of providing funds for the above project.

Aud. Cert. 8800388.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B004-B005.)

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-yea, Mayor O'Connor-yea.

* ITEM-S400:

Nine actions relative to the final subdivision map of Hazard Center, a 6-lot subdivision located southeasterly of Highway 163 and Friars Road:
(Mission Valley Community Area. District-5.)

Subitem-A: (R-88-800) ADOPTED AS RESOLUTION R-269693

Authorizing the execution of a Subdivision Improvement

Agreement with Crow-Hazard Associates for the installation and completion of public improvements.

Subitem-B: (R-88-799) ADOPTED AS RESOLUTION R-269694
Approving the final map.

Subitem-C: (R-88-867) ADOPTED AS RESOLUTION R-269695
Authorizing the execution of agreements with R.E. Hazard Contracting Company, Crow-Hazard Associates, and Metropolitan Transit Development Board for dedication of the Light Rail Transit right-of-way and reservation for the passenger shelter area of the Hazard Center LRT Station.

Subitem-D: (R-88-868) ADOPTED AS RESOLUTION R-269696
Authorizing the execution of an agreement with R.E. Hazard Contracting Company and Crow-Hazard Associates for the Hazard Center Pedestrian Overpass.

Subitem-E: (R-88-869) ADOPTED AS RESOLUTION R-269697
Authorizing the execution of an agreement with R.E. Hazard Contracting Company and Crow-Hazard Associates for improvements to Friars Road.

Subitem-F: (R-88-832) ADOPTED AS RESOLUTION R-269698
Authorizing the execution of a quitclaim deed, quitclaiming to R.E. Hazard Contracting Company all of the City's right, title and interest in the sewer easement on a portion of Lot 9, Parcel 1 of Parcel Map PM-13791, in exchange for a sewer easement being granted on the final map of Hazard Center Unit No. 1.

Subitem-G: (R-88-833) ADOPTED AS RESOLUTION R-269699
Authorizing the execution of a quitclaim deed, quitclaiming to R.E. Hazard Contracting Company all of the City's right, title and interest in the sewer easement on a portion of Lot 9, Parcel 1 of Parcel Map PM-14364, in exchange for a sewer easement being granted on the final map of Hazard Center Unit No. 1.

Subitem-H: (R-88-870) ADOPTED AS RESOLUTION R-269700
Authorizing the execution of an agreement with R.E. Hazard Contracting Company for the westerly extension of Hazard Center Drive.

Subitem-I: (R-88-834) ADOPTED AS RESOLUTION R-269701
Approving the acceptance by the City Manager of a street

easement deed of R.E. Hazard Contracting Company granting to the City an easement for public street purposes on Lot 49 of Map-7049; dedicating said land as and for a public street and naming the same Frazee Road.

FILE LOCATION:

Subitems A, B, C, D, E, SUBD Hazard Center,

Subitem-F DEED F-4219,

Subitem-G DEED

F-4220,

Subitem-H SUBD Hazard Center,

Subitem-I DEED F-4221 CONFY88-5

DEEDFY88-3

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-S401: (R-88-942) ADOPTED AS RESOLUTION R-269702

Approving City Manager Report CMR-87-543 regarding the Lindbergh Field Noise Standards Variance Hearing and directing the City Attorney to present the recommendations set forth in the Report on behalf of the City with, the additional requirement that recommendation No. 6 shall be deemed to refer to all schools rather than just public schools.

(See City Manager Report CMR-87-543.)

COMMITTEE ACTION: Reviewed by RULES on 11/4/87. Recommendation to adopt City Manager's recommendations No. 1 through No. 5.

Amend City Manager's recommendation No. 6 to include all schools. Draft letter to the City's representatives to the Port Commission relaying policy concerns including consideration of a Noise Abatement Officer and a Re-Structured Noise Abatement Committee. Districts 2, 3 and Mayor voted yea. District 6 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-S402: (R-88-936) ADOPTED AS RESOLUTION R-269703

Authorizing the transfer of not to exceed \$35,000 from Federal Revenue Sharing Account 18014, CIP-12-036.3, Nestor Creek Flood Control Project 1-C, to CIP-12-036.1, Nestor Creek Flood Control Project 1-A; authorizing the expenditure of not to exceed \$35,000 to supplement funds for the acquisition of property rights and related costs for Nestor Creek Flood Control Project 1-A, CIP-12-036.1, previously authorized by City Council Resolution RR-264219, adopted October 14, 1985; authorizing the City Auditor and Comptroller to transfer any funds remaining in Nestor Creek Flood Control Project 1-A, CIP-12-036.1, at completion of the project to Nestor Creek Flood Control Project 1-C, CIP-12-036.3.

(Nestor Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The authorization of additional funds for \$35,000 for the Nestor Creek Flood Control Project 1A is necessary to cover trial costs and jury-awarded compensation in connection with the settlement of the City versus Taylor condemnation case to acquire property rights necessary for the construction of the flood control channel. The condemnation action was authorized by previous Council Resolution R-264824, adopted January 6, 1986, when the owner refused the City's offer. On October 15, 1987, the jury awarded the Taylors compensation in the amount of \$31,492 of which the City had previously deposited \$15,750 with the court. The City is required to deposit the balance of \$15,742 plus interest with the court by November 14, 1987. The remaining funds will be used to pay appraisal, expert witness, exhibit preparation and other court costs. The balance of any remaining funds will be transferred back into Nestor Creek Flood Control Project 1-C upon completion of this acquisition.

Aud. Cert. 8800439.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-S403: CONTINUED TO NOVEMBER 16, 1987

Two actions relative to Penasquitos East - Facilities Benefit Assessment:
(See City Manager Report CMR-87-538. Penasquitos East Community Area. District-1.)

Subitem-A: (R-88-933)
Approving the Penasquitos East Public Facilities Financing Plan and Facilities Benefit Assessment.

Subitem-B: (R-88-934)
Resolution of Intention to designate an area of benefit in Penasquitos East and setting the time and place for holding a public hearing.

FILE LOCATION: STRT FBA-5

COUNCIL ACTION: (Tape location: A235-280.)

MOTION BY McCOLL TO CONTINUE TO NOVEMBER 16, 1987, AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. 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-S404: (R-88-941) ADOPTED AS RESOLUTION R-269704

Authorizing the execution of an agreement with the County of San Diego for the implementation and operation of the automated fingerprint identification system, known as CAL-ID; authorizing the expenditure of a sum not to exceed \$1,500,000 for said purposes.

CITY MANAGER SUPPORTING INFORMATION: The Automated Fingerprint Identification System (CAL-ID) is a computer system that identifies suspects from fingerprints left at the scene of a crime and positively identifies arrestees at the time of booking. The CAL-ID system is State-wide with individual counties having local databases linked to the Department of Justice system in Sacramento. Local hardware start-up for the system is \$2.5 million of which the State is paying 70 percent or \$1.7 million and the County and City \$400,000 each. Remaining non-hardware start-up costs of \$1 million are shared equally by City and County at \$500,000 each. First year maintenance costs of \$900,000 are based on anticipated utilization of the system by each agency with the City's portion estimated at \$600,000 and the County's estimated at \$300,000. Total City costs for the first year are \$400,000 for implementation hardware, \$500,000 for non-hardware implementation, and \$600,000 for first year maintenance costs, a total of \$1,500,000.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A300-453.)

CONSENT MOTION BY CLEATOR 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-S405: (O-88-75) INTRODUCED AND ADOPTED AS ORDINANCE O-16976
(New Series)

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 increasing the Capital Improvements Program Total Appropriation by adding \$900,000 to CIP-34-105, entitled "Stadium Expansion - Super Bowl"; directing the Auditor and Comptroller to transfer the sum of \$300,000 from funds currently available in Transient Occupancy Tax Fund 10223 appropriated for Super Bowl Contribution, \$75,000 to be transferred from Super Bowl XXII Trust Fund No. 60259 and \$525,000 in Capital Outlay Funds in anticipated revenues to be derived from Super Bowl XXII activities proceeds, for the purpose of San Diego Jack Murphy Stadium Expansion - Super Bowl XXII, Phase II. (Mission Valley Community Area. District-5. Introduced on 11/2/87. Council voted 6-0. District 1 and Mayor not present. District 4 vacant.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B096-106.)

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

ITEM-S406: CONTINUED TO NOVEMBER 23, 1987, 2:00 P.M.

(Trailed as Unfinished Business from the meeting of September 22, 1987, Item 333; Continued from the meetings of September 28, 1987, Item S411 and October 20, 1987, Item 331; Trailed as Unfinished Business from the meeting of October 27 1987, Item S500; Continued from the meeting of November 2, 1987, Item 407; last continued at Council Member Cleator's request to allow him time to go out and

inspect the property.)
Rezoning Lots 12, 14, 29, 31 and 33 of Block 22 of
Lexington Park, Map-1696, excepting therefrom the westerly
125 feet, from Zone MR-3000 to Zone MR-1500 and amending
the San Diego Municipal Code relating to the Mid-City
Planned District. The subject property (.347 acres) is
located at 2412 Fairmount Avenue, in the Mid-City Community
Plan area.
(Case-87-0243. District-8.)

Subitem-A: (R-87-2483)

Adoption of a Resolution certifying that the information
contained in Environmental Negative Declaration END-87-0243
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: (O-87-217)

Introduction of an Ordinance for MR-1500 Zoning.

Subitem-C: (O-88-21)

Introduction of an Ordinance amending the San Diego
Municipal Code relating to the Mid-City Planned District.

NOTE: Park fees must be paid prior to Council adoption of the
ordinance.

FILE LOCATION: ZONE Ord. No.

COUNCIL ACTION: (Tape location: B110-255.)

Hearing began 2:55 p.m. and halted 3:08 p.m.

Motion by Ballesteros to adopt

Subitem-A certifying the END and
introduce the ordinances for

Subitems B and C. Second by

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

MOTION BY BALLESTEROS TO CONTINUE TO NOVEMBER 23, 1987, 2:00
P.M. AT HER REQUEST FOR FURTHER REVIEW. 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-S407: REFERRED TO MAYOR AND CITY MANAGER

The matter of Council action regarding a memorial to Dr.
Martin Luther King, Jr.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A178-235.)

MOTION BY BALLESTEROS TO REFER THE MATTER TO THE MAYOR AND CITY
MANAGER TO WORK WITH THE BLACK ADVISORY BOARD AND THE
COMMUNITY

TO RECOMMEND A PROCEDURE FOR A MEMORIAL TO DR. MARTIN LUTHER
KING, JR. 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.

NON-DOCKET ITEMS:

None

PUBLIC COMMENT:

James Faris regarding Dr. Martin Luther King memorial and
suggestions regarding Balboa Park.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B320-350.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 3:14 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B368).