

19871130

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, NOVEMBER 30, 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 8:22 p.m. into Closed Session on Tuesday, December 1, 1987 at 9:30 a.m. in the Twelfth Floor Conference Room to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
  - (1) Council Member Wolfsheimer-excused by R-270212 (vacation)
  - (2) Council Member Cleator-present
  - (3) Council Member McColl-present
  - (4) District 4-vacant
  - (5) Council Member Struiksma-present
  - (6) Council Member Gotch-present
  - (7) Council Member McCarty-present
  - (8) Council Member Ballesteros-present
- Clerk-Abdelnour (tm)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-not present
- (4) District 4-vacant
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-present

ITEM-10: INVOCATION

Invocation was given by Monsignor Peter F. Mimmagh of St. Vincent DePaul Roman Catholic Church.

FILE LOCATION: MINUTES

Nov-30-1987

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Gotch.

FILE LOCATION: MINUTES

Nov-30-1987

ITEM-30: WELCOMED

Welcoming a group of approximately 20 Cub Scouts from Pack 1201 at Mason Elementary School, who will attend this meeting accompanied by Sherry Immel. This group will arrive at approximately 2:00 p.m.

(District-5.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A350-473.)

ITEM-31: CONTINUED TO JANUARY 19, 1988

The matter of a Status Report from the City Manager regarding drug and gang activities.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A66-A80.)

MOTION BY GOTCH TO CONTINUE TO JANUARY 19, 1988. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-32: NOTE AND FILE

Matter of the request of College Area Community Council, by Rob Butterfield, Secretary, for a hearing of an appeal from the decision of the Planning Commission in granting Planned Infill Residential Development Permit PIRD-87-0401 and Tentative Map TM-87-0401 (Aztec Plaza) proposing a 4-lot parcel map and construction of four detached single-family residences where a maximum of two units would be permitted based on the average density of similarly zoned properties within a 500-foot radius of the site, located on the west side of 63rd Street between El Cajon Boulevard and Rose Street, in Zone R1-5000, in the State University Community Plan area. The subject property is further described as a portion of Lot 10, La Mesa Colony, Map-346. (PIRD and TM-87-0401. District-7.)

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

FILE LOCATION: PERM PIRD-87-0401 SUBD - Aztec Plaza

COUNCIL ACTION: (Tape location: A385-A420.)

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

ITEM-33: CONTINUED TO JANUARY 26, 1988 AT 10:00 A.M.

Matter of the request of Friends of Chabad Lubavitch, by Rabbi Yonah Fradkin, for a hearing of an appeal from the decision of the Planning Commission in denying Planned Infill Residential Development Permit PIRD-87-0382 and Tentative Map TM-87-0382 (Stadium Village), proposing a 33-lot subdivision and construction of 28-single-family detached dwelling units. The subject property (approximately 26.78-acres) is located west and east of Mission Village Drive between Friars Road and Ronda Avenue, in Zones R1-5000 and R1-40000 HR, in the Serra Mesa Community Plan area. The subject property is further described as a portion of Lot 41 of Rancho Mission of San Diego.

(PIRD & TM-87-0382. District-5.)

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

FILE LOCATION: PERM PIRD 87-0382 SUBD - Stadium Village

COUNCIL ACTION: (Tape location: A261-314.)

MOTION BY STRUIKSMA TO CONTINUE ITEM TO JANUARY 26, 1988 TO ALLOW TIME FOR THE SALE OF THE PROPERTY TO GO FORWARD. Second by Gotch. Passed by the following vote: Wolfsheimer-not present, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

\* ITEM-50: (O-87-253 Rev.3) ADOPTED AS ORDINANCE O-16987 (New Series)

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Amending Chapter X, Article 1, Division 19, of the San Diego Municipal Code by adding Sections 101.1920 through 101.1928, relating to Residential Hotel Room Permanent Resident Relocation Assistance Regulations.

(Introduced as amended on 11/16/87. Council voted 7-0.

Mayor not present. District 4 vacant.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A314-385.)

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

\* ITEM-51:

Two actions actions relative to the Pacific Beach Community:  
(District-6. Introduced on 11/17/87. Council voted 8-0. District 4 vacant.)

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Subitem-A: (O-88-68) ADOPTED AS ORDINANCE O-16988 (New Series)

Applying the Community Plan Implementation Overlay Zone (CPIOZ) "Type B" to the Crown Point Neighborhood Commercial area located at the intersection of Ingraham Street and La Cima Drive.

Subitem-B: (O-88-63) ADOPTED AS ORDINANCE O-16989 (New Series)

Incorporating Lots 1 through 7, Braemar Sail Bay, Map-11444, located south of Braemar Lane, between Bayard Street and Cass Street, into CV Zone.

FILE LOCATION: LAND - Pacific Beach Community Plan

COUNCIL ACTION: (Tape location: A314-385.)

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

\* ITEM-52: (O-88-46) INTRODUCED, TO BE ADOPTED JANUARY 4, 1988

Introduction of an Ordinance amending Chapter III, Article 3, Division 41, of the San Diego Municipal Code by amending Sections 33.4101 through 33.4110 regulating the operation of Casino Parties.

(See City Manager Report CMR-87-463, and the letter from Larry Mullterin dated 9/13/87.)

COMMITTEE ACTION: Reviewed by PSS on 9/16/87. Recommendation to approve the amendments. Districts 1, 3 and 7 voted yea.

District 2 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A420-473.)

CONSENT MOTION BY CLEATOR TO INTRODUCE. Second by Gotch.

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

\* ITEM-100: (R-88-1172) ADOPTED AS RESOLUTION R-269828

Declaring the results of the General Municipal Election  
and the Special Municipal Election held in the City of  
San Diego on November 3, 1987.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-101: (R-88-609) ADOPTED AS RESOLUTION R-269829

Awarding contracts for the purchase of printed plastic  
panels, as may be required for a period of one year  
beginning November 1, 1987 through October 31, 1988, for an  
for an estimated cost of \$61,480, including tax and terms  
as follows: 1) Reid and Clark Screen Arts Co. - Section  
I, printed plastic "Day" panels; 2) The Sign Center, Inc.  
- Section II, printed plastic "No Park" panels. (BID-9307)

FILE LOCATION: MEET CONTFY88-2

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-102: (R-88-611) ADOPTED AS RESOLUTION R-269830

Awarding a contract to City Chevrolet for furnishing  
Chevrolet auto and truck repair parts, as may be required  
for a period of one year beginning February 1, 1988 through  
January 31, 1989, for an estimated cost of \$108,000,  
including tax and terms, with an option to renew the  
contract for an additional one year period under the same  
terms and conditions. (BID-9337)

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-103: (R-88-602) ADOPTED AS RESOLUTION R-269831

Awarding a contract to Parkson Corporation to furnish and install replacement filter belt chains and wearing rails on four aqua-guard traveling screens at Pump Station No. 2 and on one screen at Pump Station No. 1 for a total cost of \$211441.38, including tax. (BID-9367L)

Aud. Cert. 8800477.

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-104: (R-88-607) ADOPTED AS RESOLUTION R-269832

Rejecting all bids received on August 5, 1987 for the Construction of Rancho Bernardo Medians Improvements; readvertising for bids for the Construction of Rancho Bernardo Medians Improvements on Work Order No. 118560; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds previously authorized by Resolution R-268797, adopted on July 13, 1987, for the above purpose. (BID-9120A)

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This project provides for the replacement of existing asphalt medians in portions of Pomerado and Rancho Bernardo Roads in Rancho Bernardo with trees (Palm) and hardscape (stones and boulders). The existing asphalt medians appear unsightly in contrast to other medians along Pomerado and Rancho Bernardo Roads which are planted with trees and turf. The proposed improvements to these medians will complete the needed beautification of this busy intersection which connects the City of Poway and the Rancho Bernardo community. This project is consistent with the Rancho Bernardo Community Plan and is in conformance with the City's Progress Guide and General Plan. Bids for the improvements were received on August 5, 1987. Twenty-seven bid packages were issued. Two

bids were received. The low bid received was \$73,640 which is 25 percent over the estimate of \$59,000. The project plans and specifications have been amended in order to reduce the cost of constructing the proposed improvements. The changes to the plans and specifications involve the deleting of improvements to all sections of median 4 feet or less in width, as part of this contract. This will reduce the area of cobble paving by approximately 9,000 square feet. The changes have been discussed and approved by the Rancho Bernardo Landscape Maintenance District Committee.

Aud. Cert. 8800351.

FILE LOCATION: W. O. 118560 CONTFY88-1

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-105: (R-87-989) ADOPTED AS RESOLUTION R-269833

Inviting bids for Mid-City Commercial Revitalization Project - Phase III - El Cajon Boulevard Gateway Sign on Work Order No. 118695; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$129,000 (\$27,000 from CDBG Fund 18521, CIP-39-083, Mid-City Commercial Revitalization Project - Public Improvement; \$99,000 from CDBG Fund 18523, CIP-39-083, Mid-City Commercial Revitalization Project - Public Improvement; and \$3,000 from Fund 30245, CIP-58-007, Annual Allocation - Overhead and Other City Costs for Federal Grant Projects) 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-9386)

(Greater North Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: Construction of a gateway sign in Mid-City is proposed as an activity of the Mid-City Commercial Revitalization Project. This project was initiated in 1982 and includes such activities as a low interest loan program, public improvements, organization of business improvement districts and urban design studies. The design study for the commercial revitalization of El Cajon Boulevard, which was adopted by the Mid-City Task Force and the Planning Commission, recommends a large gateway sign at the western end of El Cajon Boulevard as a symbolic entrance to the Mid-City

area. A consultant was hired in 1986 and the professional design services that have been completed are: the final design plans, construction drawings, specifications and cost estimates for the construction of a sign at the intersection of El Cajon Boulevard and Georgia Street. The "Gateway" Business Improvement District has agreed to assume the yearly maintenance and electrical charges, approximately \$5,00 per year.

Aud. Cert. 8800465.

FILE LOCATION: W. O. 118695 CONTFY88-1

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-106: (R-87-610) ADOPTED AS RESOLUTION R-269834  
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Inviting bids for West Miramar Solid Waste Disposal Facility Phase I - Contract 3 on Work Order No. 118783; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$1,319,862 from CIP-37-055.4, West Miramar Refuse Disposal Facility - Phase I, 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-9385)

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: This project provides for the continuing development of West Miramar Landfill - Phase I. The proposed work includes the realignment of 2,600 feet of the entrance road through San Clemente Canyon, paved transition road, triple box culvert and associated work, reinforced concrete pipe culvert and associated work, reinforced concrete pipe culverts, water main extension, underground telephone ductbank, and related work, all in support of the West Miramar Solid Waste Disposal Facility.

This section of road has curves which no longer meet traffic engineering standards due to an increase in traffic volume entering the landfill. This entrance road must be realigned to provide a safe traffic-way to the disposal site.

Aud. Cert. 8800442.

FILE LOCATION: W. O. 118783 CONT - D and M Grading  
Company Inc. CONTFY88-1

COUNCIL ACTION: (Tape location: A473-A488.)



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

\* ITEM-107:

Two actions relative to the Murphy Canyon Gateway Subdivision Storm Drain:  
(Serra Mesa Community Area. District-5.)

Subitem-A: (R-88-1093) ADOPTED AS RESOLUTION R-269835

Authorizing the City Manager to release a portion of the surety issued by The American Insurance Company in the form of Performance Bond No. 731 52 76, so that the same is reduced as follows:

1. For faithful performance, to the sum of \$1,240,845.
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$620,422.

Subitem-B: (R-88-1094) ADOPTED AS RESOLUTION R-269836

Granting an extension of time to November 30, 1988 to the Daley Corporation, subdivider of Murphy Canyon Gateway, to complete the improvements required in the subdivision.

CITY MANAGER SUPPORTING INFORMATION: On July 25, 1985, the City issued Engineering Permit W-30082 to the Daley Corporation, for the construction of a storm drain for Murphy Canyon Gateway Subdivision. Performance Bond No. 731 52 76, issued by The American Insurance Company, in the amount of \$4,045,732, was provided by the subdivider. The permit expired July 25, 1986. The subdivider has requested a partial release of surety and an extension of time to November 30, 1988, in which to complete the storm drain. Ninety-two percent of the work has been completed to the satisfaction of the City Engineer. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been previous partial release. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced approximately 69 percent to \$1,240,845, and since the improvements to be delayed are not necessary to serve the adjacent development or the general public, that the time extension be granted.

FILE LOCATION: SUBD - Murphy Canyon Gateway

COUNCIL ACTION: (Tape location: A473-A488.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by McColl. Passed

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

\* ITEM-108: (R-88-1054) ADOPTED AS RESOLUTION R-269837

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 Imperial Avenue (Eighth Avenue to Twenty-fourth Street) Underground Utility District.

(Barrio Logan/Harbor Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Imperial Avenue between 8th Avenue and 24th Street. This is a scheduled project in the calendar year 1989 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 52, of which 13 are single-family residential properties, and 39 are commercial or multi-family properties. A typical cost range for a licensed contractor to perform this conversion work on residential private property is \$700 to \$1,200. Conversion costs on commercial properties may vary from \$700 to several thousand dollars or more due to differences in service size and location. 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. 8800416.

FILE LOCATION: STRT K-181

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-109: (R-88-1057) ADOPTED AS RESOLUTION R-269838

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 India Street/Cedar Street Area (Ash Street to Laurel Street) Underground Utility District.

(Centre City Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on India Street between Ash Street and Laurel Street, and on Cedar Street between Pacific Highway and Columbia Street. This is a scheduled project in the calendar year 1989 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 94, of which 71 are single-family residential properties, and 23 are commercial or multi-family properties. A typical cost range for a licensed contractor to perform this conversion work on residential private property is \$700 to \$1,200. Conversion costs on commercial properties may vary from \$700 to several thousand dollars or more due to differences in service size and location. 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. 8800432.

FILE LOCATION: STRT K-183

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-110: (R-88-1070) ADOPTED AS RESOLUTION R-269839

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 54th Street (Streamview Drive to University Avenue) Underground Utility District.

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

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on 54th Street between Streamview Drive and University Avenue. This is a scheduled project in the calendar year 1989 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 10, of which 8 are single-family residential properties, and 2 are commercial or multi-family properties. A typical cost range for a licensed contractor to perform this conversion work on residential private property is \$700 to \$1,200. Conversion costs on commercial properties may vary from \$700 to several thousand dollars or more due to differences in service size and location. 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. 8800462.

FILE LOCATION: STRT K-182

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-111:

Two actions relative to the 25th Street ("F" Street to Russ Boulevard) Underground Utility District:  
(Centre City Community Area. District-8.)

Subitem-A: (R-88-1068) ADOPTED AS RESOLUTION R-269840  
Designating January 15, 1988, as the date upon which all property in the 25th Street ("F" Street to Russ Boulevard) Underground Utility District must be ready to receive underground service and May 6, 1988, as the date for the removal of all overhead utility facilities.

Subitem-B: (R-88-1069) ADOPTED AS RESOLUTION R-269841  
Authorizing the City Auditor and Comptroller to open Fund No. 78023 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the 25th Street ("F" Street to Russ Boulevard) Underground Utility District; authorizing the City Treasurer to receive these funds from the San Diego Gas and Electric Company; authorizing payment of \$16,150 to all property owners in the 25th Street ("F" Street to Russ

Boulevard) Underground Utility District as reimbursement for electrical service underground conversion work done on private property whenever the required length of trenching exceeds 15 feet, from Case 8209 funds held by the City Treasurer for this purpose; authorizing the City Auditor and Comptroller to return to San Diego Gas and Electric Company any undisbursed funds upon written notice from San Diego Gas and Electric Company to the City that all electric service conversions within a particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION: The 25th Street ("F" Street to Russ Boulevard) Underground Utility District was created by the City Council on May 13, 1986. The Resolution creating the District left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set January 15, 1988 as the Customer Ready Date, which will require that, upon this date, all affected customers within the Underground Utility District must have their services prepared to receive service from the new underground system. This action will also establish May 6, 1988 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the Underground Utility District must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 Funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

Aud. Cert. 8800463.

FILE LOCATION: STRT K-160

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-112: (R-88-1076) ADOPTED AS RESOLUTION R-269842

Approving the acceptance by the City Manager of a sewer easement deed of Time Development Company, granting to the City an easement for a sewer main in a portion of Lot 1 of College Park Gardens, Map-9312, for Chollas Lake Park Comfort Station; authorizing the expenditure of an amount not to exceed \$24,500 from CIP-23-527, for acquisition of

the above described sewer easement.

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

CITY MANAGER SUPPORTING INFORMATION: Funds for construction of a comfort station in Chollas Community Park (PSD 620) were allocated by CIP-23-527 with the project scheduled for completion in 1987. The park site is located on College Grove Drive between 54th Street and College Avenue in Mid-City Community. The nearest existing sewer main is located in Highway 94. The owners of College Park Apartments have granted a sewer easement to the City of San Diego. This easement will permit a connecting sewer line to be installed from Highway 94 through a portion of the owner's parking lot, and thence across the Chollas landfill and College Grove Drive to the Chollas Community Park. Permanent sanitary facilities will replace temporary ones now in use. The authorization of funds herewith requested will enable the escrow to close for acquisition of the easement deed; the Park and Recreation Department can then proceed with the project.

Aud. Cert. 8800377 Revised.

FILE LOCATION: DEED F-4249 DEEDFY88-1

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-113: (R-88-1085) ADOPTED AS RESOLUTION R-269843

Vacating the City's interest in unneeded building restricted easements affecting Los 1, 2 and 3 of Carmel Valley Neighborhood 6, Unit 4, Map-11596, pursuant to Section 8300 et seq. of the Streets and Highways Code.

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

CITY MANAGER SUPPORTING INFORMATION: In August 1986, the City of San Diego was granted building restriction easements at no cost per Map-11596. The subject easements were reviewed by all concerned City departments. All have indicated that the abandonment of the areas as set out on Drawing 23989-D, are not required and the open space requirements are still being met. Therefore, abandonment by resolution, according to Council Policy 600-15, is recommended.

FILE LOCATION: DEED F-4250 DEEDFY88-1

COUNCIL ACTION: (Tape location: A473-A488.)

CONSENT MOTION BY CLEATOR TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-not present, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea,

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

\* ITEM-114: (R-88-975) ADOPTED AS RESOLUTION R-269844

Approving the legislative proposals described in IRD Report IRD-87-23, dated 10/29/87 for inclusion in the City of San Diego's 1988 Legislative Sponsorship Program.  
(See Intergovernmental Relations Department Report IRD-87-23.)

COMMITTEE ACTION: Reviewed by RULES on 11/4/87. Recommendation to adopt the Intergovernmental Relations Department recommendation. Districts 2, 3 and Mayor voted yea. District 6 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-115: (R-88-1061) ADOPTED AS RESOLUTION R-269845

Authorizing the expenditure of an amount not to exceed \$2,873 from Federal Revenue Sharing Funds, CIP-37-028, Annual Allocation, Undergrounding of City Utilities, as payment to San Diego Gas and Electric Company, for the purpose of providing funds for the purchase of two new street lights to replace existing pole-mounted street lights in the 30th Street (University Avenue to Adams Avenue) Underground Utility District.

(North Park Commercial Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: As part of the City's Utility Undergrounding Program, existing pole-mounted street lights must be replaced with the new street lights when the overhead utilities are removed. Since the City now owns all street lights, it is necessary for the City to pay this cost. SDG&E has estimated the cost of installing new street lights to be \$2,873 if installed by their undergrounding contractor. While the City has the option of installing the new street lights via a City contract, the SDGE cost is less than the estimated \$3,795 cost of a City project.

Aud. Cert. 8800437.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-A488.)

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

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

\* ITEM-116: (R-88-1109) ADOPTED AS RESOLUTION R-269846

A Resolution approved by the City Council in Closed Session  
on Tuesday, May 19, 1987 by the following vote:

Wolfsheimer-yea; Cleator-yea; McColl-yea; Jones-not  
present; Struiksma-yea; Gotch-yea; McCarty-not present;  
Ballesteros-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of  
\$53,627.69 in the settlement of each and every claim  
against the City, its agents and employees, resulting from  
damages due to flooding to Robert and Carol Galloway  
(Superior Court Case No. 514109, v. City of San Diego, et  
al.); authorizing the City Auditor and Comptroller to issue  
one check in the total amount of \$53,627.69 made payable to  
Robert and Carol Galloway and their attorney of record in  
full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the  
complete and final settlement of the property damage claim as a  
result of a flooding which occurred on February 2, 1983.

Aud. Cert. 8800414.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-117: (R-88-929) ADOPTED AS RESOLUTION R-269847

Authorizing the City Manager to provide the use of the  
City's large "Showmobile" for the Ocean Beach Christmas  
Parade and Tree Lighting Ceremony, on Saturday, December 5,  
1987, between the hours of 1:00 p.m. and 9:00 p.m.  
(Ocean Beach Community Area. District-2.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-118: (R-88-1067) ADOPTED AS RESOLUTION R-269848



Establishing a Truck Parking Prohibited Zone on Del Sol Boulevard between 30th Street (South Bay) and Beyer Boulevard; authorizing the installation of the necessary signs and markings; declaring that the regulations hereinabove imposed shall become effective upon the installation of such signs.

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

CITY MANAGER SUPPORTING INFORMATION: This proposed prohibition of vehicles in excess of 10,000 pounds gross vehicle weight limit rated capacity was petitioned by the property owners of the affected street frontage. Recent parking studies on Del Sol Boulevard between 30th Street and Beyer Boulevard in the South Bay area indicated that large commercial vehicles are parking on Del Sol Boulevard. These vehicles are not connected with the operation of the abutting businesses. Many of these vehicles are using the public street as a temporary storage area. The affected properties have off-street facilities to accommodate their truck loading needs. The petitioners ask that the parking of large commercial vehicles be prohibited on Del Sol Boulevard, as it was previously prohibited on 30th Street. In order that the prohibition be effective, we recommend that this parking restriction be implemented as a tow-away zone.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-119:

Two actions relative to the agreement with Baldwin Building Company for Reimbursement for Construction of Street Improvements:  
(North City West Community Area. District-1.)

Subitem-A: (R-88-1064) ADOPTED AS RESOLUTION R-269849  
Authorizing the execution of an agreement with Baldwin Building Company for the construction of street improvements on Carmel Valley Road between I-5 and El Camino Real; authorizing the expenditure of an amount not to exceed \$676,130 from FBA Fund 79002, North City West Facilities Benefit Assessment Fund, for the above project.

Subitem-B: (R-88-1065) ADOPTED AS RESOLUTION R-269850  
Certifying that the information contained in Environmental

Impact Report EIR-81-1212, issued in connection with the construction of street improvements on Carmel Valley Road between I-5 and El Camino Real, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said Report has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The Council adopted Public Facilities Financing Plan and Facilities Benefit Assessment for North City West provides for the widening of Carmel Valley Road from Interstate 5 easterly to the intersection of El Camino Real (south) with Carmel Valley Road. The Financing Plan and Facilities Benefit Assessment contains a companion project that will widen the on-ramps to Interstate 5 from Carmel Valley Road and signalize the intersections of both the northbound and southbound freeway ramps with Carmel Valley Road. The purpose of this agreement is to compensate Baldwin in cash for all work in conjunction with constructing these two Facilities Benefit Assessment projects. Total costs, including design, contract administration and all other related costs are estimated to be \$676,130. The agreement provides that compensation to Baldwin will not exceed either this amount or their actual costs, whichever is less. These costs are less than what would result if the City were to administer the project. The total estimated project cost is \$676,130, which is less than the total combined project cost programmed in the Council adopted North City West Public Facilities Financing Plan and Facilities Benefit Assessment of \$677,600.

Aud. Cert. 8800421.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A473-A488.)

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

\* ITEM-120: (R-88-1087) ADOPTED AS RESOLUTION R-269851

Authorizing the execution of an agreement with Hall Engineering, for design consultant services in connection with the improvements of streets and alleys and replacement of utilities in the Community Development Block Grant Area of Council District No. 4; authorizing the expenditure of an amount not to exceed \$19,950 from Fund 18523, CIP-52-285, Street and Alley Improvements in CDBG Areas, and \$1,050 from Fund 41506, CIP-44-001, Sewer Main

Replacement Annual Allocation, for the purpose of providing funds for the above project.

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

CITY MANAGER SUPPORTING INFORMATION: The Fiscal Year 88

Capital Improvements Program identifies this project to improve the alleys as part of Project First Class. Funds are provided under the Public Facilities Element of the Community Development Block Grant Program for Calendar Year 87 (FY 88) and the annual allocation for sewer main replacements. The project consists of improving substandard alleys in connection with housing rehabilitation efforts in the Project First Class Community Development Block Grant area and the attendant sewer main replacements mandated by the imminent paving of these alleys. The services of a consultant to design this project is requested because City staff is already fully involved in other projects. All responding licensed consultants were interviewed in conformance with Council Policy 300-7; as a result, the firm of Hall Engineering is hereby recommended for Council consideration. The consultant will be responsible for developing all engineering features of the project, including drafting the construction drawings, for a total fee not to exceed \$21,000. The consultant does not intend to subcontract any of the work under this agreement.

Aud. Cert. 8800467.

WU-U-88-057.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: A473-488.)

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

ITEM-150:

Two actions relative to the Jitney Task Force

Recommendations:

(See City Manager Report CMR-87-406, Committee Consultant Analysis TLU-87-20 and TLU-87-21; letter from Council Member Struiksma to the Jitney Task Force Consultants dated 9/9/87.)

Subitem-A: (R-88-987) ADOPTED AS RESOLUTION R-269871

Adoption of a Resolution repealing the provisions of Council Policy 500-7 effective upon the date of the adoption of the Ordinance relating to Jitneys; directing the City Clerk to issue an appropriate cancellation

notice.

Subitem-B: (O-88-25) INTRODUCED, TO BE ADOPTED  
JANUARY 4, 1988

Introduction of an Ordinance amending Chapter VII,  
Article 5, Division 6, of the San Diego Municipal Code  
by amending Sections 75.0602, 75.0603, 75.0604 and  
75.0605 relating to Jitney Routes.

COMMITTEE ACTION: Reviewed by TLU on 9/14/87.

Recommendation to forward to City Council without any  
recommendation. Districts 1, 7 and 8 voted yea. District 6  
not present.

CITY MANAGER SUPPORTING INFORMATION: The Transportation  
and Land Use Committee discussed specific jitney holding  
zones at its meeting on September 12, 1986. Recommendations  
were forwarded to the Council but the item was continued from  
the Council meetings of November 12 and December 8, 1986. On  
January 12, 1987, Council formed a Jitney Task Force (JTF) to  
study concerns of the jitney industry relating to holding  
zones and restricting the number of vehicle permits and  
routes. The Council appointed Councilmembers Ballesteros and  
Struiksma to the Task Force. The Jitney Task Force developed  
recommendations in a series of meetings with jitney industry  
representatives and City staff. These recommendations are  
to:

1. Modify the Municipal Code to require that jitney vehicles  
and routes serve the public convenience and necessity as  
described in City Manager Report CMR-87-406;
2. Repeal Council Policy 500-7 to eliminate jitney holding  
zones and modify the Municipal Code to allow jitney  
staging areas;
3. Allow temporary jitney routes and establish a maximum  
time limit for responding to regular route applications;  
and
4. Continue to require paratransit driver identification  
cards.

Transportation and Land Use forwarded this matter from its  
meeting September 14, 1987, to the Council without  
recommendation. Subsequently, representatives of the jitney  
industry met with the Small Business Advisory Board, both at  
its September 16, 1987, meeting and privately with one of its  
members, to discuss alternatives to the Task Force's  
recommendations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A488-B563.)

MOTION BY STRUIKSMA TO ADOPT THE RESOLUTION AND INTRODUCE THE

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

ITEM-151: (R-88-1063) ADOPTED AS RESOLUTION R-269852

Authorizing the City Manager to increase the fees of the City's Senior Nutrition Program to take effect on January 1, 1988, as follows:

Senior congregate meals will increase from \$0.75 to \$1.00  
Non-senior congregate meals will increase from \$2.05 to \$2.30  
Home delivered meals will increase from \$0.85 to \$1.00  
Take-out meals will increase from \$1.00 to \$1.25

(See City Manager Report CMR-87-559.)

COMMITTEE ACTION: Reviewed by PSS on 11/18/87. Recommendation to approve the increase with a report back in six months on the effect of the increase on participation and status on coordination of the program with the County. Districts 1, 3 and 7 voted yea. District 2 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-488.)

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

ITEM-200: (R-88-973) CONTINUED TO JANUARY 11, 1988

Rescinding the provision in Resolution R-254594 relating to utilization of Site 428 for housing for persons and families of low-income; authorizing the execution of a new Grant Deed to replace the earlier Grant Deed, which shall delete any requirement for low-income housing on the site. (See Housing Commission Report HCR-87-014CC. Peninsula Community Area. District-2.)

NOTE: See Item 201 for a companion item.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: E104-G198.)

Motion by Cleator to move approval of the Housing Authority's recommendation to approve the property for sale. No second.

MOTION BY STRUIKSMA TO CONTINUE ITEM-200 AND -201 TO JANUARY 11, 1988 FOR INFORMATION FROM THE EXPERTS. Second by McColl.

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

ITEM-201: CONTINUED TO JANUARY 11, 1988

Four actions relative to multiple street and alley vacations and slope and sewer easement abandonment: (See City Manager Report CMR-87-441. Peninsula Community Area. District-2.)

Subitem-A: (R-88-457)

Vacating Banning Street, Famosa Boulevard, San Clemente Street, Yonge Street, Xenophon Street, and an alley adjacent to Blocks 1, 1A and 7 through 9 within Loma Alta Unit 1, Map-1078 and a portion of Pueblo Lot 206.

Subitem-B: (R-88-464)

Vacating the City's interest in an unneeded sewer easement affecting a portion of Pueblo Lot 206, pursuant to Section 8300 et seq. of the Streets and Highways Code.

Subitem-C: (R-88-465)

Authorizing the sale by negotiation of a slope easement in Blocks 8 and 9 of Map-1078 and within a portion of Pueblo Lot 206 for the processing fee to The Housing Authority of the City of San Diego; authorizing the execution of a grant deed, granting to The Housing Authority of the City of San Diego, all that portion of a slope easement in Blocks 8 and 9 of Map-1078 and within a portion of Pueblo Lot 206; declaring that no broker's commission shall be paid by the City on the negotiated sale.

Subitem-D: (R-88-466)

Certifying that the information contained in Environmental Negative Declaration END-81-1029, issued in connection with the development of a 4.94-acre site adjacent to Nimitz Boulevard, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and that said Declaration has been reviewed and considered by the Council.

NOTE: See Item 200 for a companion item.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: E104-G198.)

Motion by Cleator to move approval of the Housing Authority's recommendation to approve the property for sale. No second.

MOTION BY STRUIKSMA TO CONTINUE ITEM-200 AND -201 TO JANUARY 11, 1988 FOR INFORMATION FROM THE EXPERTS. Second by McColl.

Passed by the following vote: Wolfsheimer-not present, Cleator-nay, McColl-yea, District 4-vacant, Struiksma-yea,

Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-202: (R-88-1089 Rev.2) ADOPTED AS AMENDED AS RESOLUTION  
R-269853

19871130

Authorizing the City Auditor and Comptroller to create a Mission Bay Park Enterprise Account for the purpose of serving as a repository for all lease revenue generated within the Park; authorizing the City Manager and Auditor and Comptroller to place all lease revenues generated within the Park into the above established enterprise account, to be used exclusively for maintenance, park development and other improvements within the park. (Mission Bay Community Area. District-6.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C140-D58.)

MOTION BY GOTCH TO ESTABLISH THE MISSION BEACH ACCOUNT AS AMENDED AND PUT TOGETHER AN OVERSIGHT COMMITTEE THAT WOULD EVALUATE HOW THE PROGRAM SHOULD BE RUN. APPOINTMENTS TO THIS COMMITTEE COULD BE MADE BY COUNCIL. Second by Ballesteros.

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

ITEM-203: (R-88-1107) ADOPTED AS RESOLUTION R-269854

Authorizing the execution of a 7-year contract with Ace Parking, Inc. for operation of the Community Concourse Parkade.

(See City Manager Report CMR-87-588. Centre City Community Area. District-8.)

Aud. Cert. 8800482.

FILE LOCATION: LEAS - Ace Parking, Inc. LEASFY88-1

COUNCIL ACTION: (Tape location: A473-488.)

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

ITEM-204: (R-88-984) ADOPTED AS RESOLUTION R-269855

Authorizing the execution of an agreement with Engineering-Science, Inc. for Consultant Services for Phase III Tijuana Oceanographic Studies; authorizing the expenditure of an amount not to exceed \$135,471 from the

Sewerage Utility Revenue Fund (41506), Capital Improvements Program for the purpose of providing funds for the above project.

(Tia Juana River Valley Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On April 14, 1986, Council authorized the City Manager to enter into an agreement with Engineering-Science, Inc. for oceanographic and engineering studies relating to a joint international treatment plant and ocean outfall in the South Bay. This study was funded by a Clean Water Grant in the amount of \$1.1 million. The majority of work under this contract was for oceanographic and environmental studies that are preliminary to the design of an ocean outfall. It is anticipated that the work defined under the scope of this agreement will be complete in November 1987. It is suggested by City Staff and by the State Water Resources Control Board staff, that certain oceanographic monitoring be continued to maintain a consistent data base with regard to water quality profiles and current monitoring until the Program Manager is retained and can resume all necessary current monitoring. Therefore, because of their specialized expertise and familiarity with this project, it is recommended that Engineering-Science and their approved sub-consultant, MBC Applied Environmental Sciences (MBE), be selected to perform the oceanographic services in accordance with Council Policy 300-7, regarding special provisions for consultant selection.

The approved agreement would provide for a continuous monitoring program which will be extremely useful to the facility planning efforts. This is especially important because of the possibility of an outfall being constructed in the South Bay for discharge of San Diego's wastewater, and very probably, Tijuana, Mexico's wastewater. These services will be discontinued when the Program Manager is employed and can provide all necessary services. The State has approved the funding for this project from the recent Step 1 Facility Planning Clean Water Grant that the City was awarded on September 21, 1987.

Aud. Cert. 8800451.

WU-U-88-060.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: A473-A488.)

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

ITEM-205:

Two actions relative to an amendment to the agreement with



the Sports Arena Operator (San Diego Entertainment, Inc.)  
for the operation and payment of rents for Swap Meets:  
(See City Manager Report CMR-87-554. Midway Community  
Area. District-2.)

Subitem-A: (R-88-976) ADOPTED AS RESOLUTION R-269856  
Authorizing the execution of an amendment to the agreement  
with San Diego Entertainment, Inc. to provide for the  
operation of swap meets at the Sports Arena and for the  
payment of additional rents to the City.

Subitem-B: (R-88-977) ADOPTED AS RESOLUTION R-269857  
Certifying that the information contained in Environmental  
Impact Report EIR-86-0974, has been completed in compliance  
with the California Environmental Quality Act of 1970, as  
amended, and the State guidelines thereto, and has been  
reviewed and considered by the Council; adopting the  
findings made with respect to the feasibility of the  
mitigating measures, project alternatives and the  
statements of overriding considerations, if any, contained  
within Environmental Impact Report EIR-86-0974.

FILE LOCATION: LEAS - San Diego Entertainment, Inc.  
LEASFY88-1

COUNCIL ACTION: (Tape location: A473-488.)

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

ITEM-206: (R-88-795) ADOPTED AS RESOLUTION R-269858

Authorizing the execution of Change Order No. 1 with V.R.  
Dennis Construction Company for Resurfacing Various City  
Streets - Group "W-1"; authorizing the expenditure of an  
amount not to exceed \$294,630.34 from Gas Tax Fund 302191  
and Utilities Fund No. 700-41500 and 700-41506, for the  
purpose of providing funds for the above project;  
authorizing the City Auditor and Comptroller, upon advice  
from the administering department, to transfer excess  
budgeted funds, if any, to the appropriate reserves.  
(BID-7618)

CITY MANAGER SUPPORTING INFORMATION: On November 3, 1986  
Council adopted Resolution R-266939 which approved the plans and  
specifications for Maintenance Surfacing Various City Streets  
Group "W-1" and authorized the expenditure of \$1,563,835 from

SB300 and Utilities Department Funds for this purpose. On December 3, 1986 a contract was awarded to the low bidder, the V.R. Dennis Construction Company in the amount of \$1,258,921.60 to perform this aforementioned work. The contract specifications include "estimated" quantities of materials to be applied to and utility covers to be raised in streets to be resurfaced. They also contain the following provision: "...the quantities of Portland Cement concrete and Asphalt concrete to be applied may exceed this estimate. In no event will the number of cubic yards of Portland cement and tons of Asphalt concrete required by the City exceed the maximum amounts required to resurface the streets listed in Appendix C." Although this provision has been complied with the City Auditor feels that the Council should approve a Change Order to authorize the payment of the monies which exceed the "estimated" amounts but which are within the "authorized" amounts. The increased quantities were needed to properly resurface the contract streets and were caused by "actual" field conditions differing from "estimated" conditions. The SB300 funds were provided by the State specifically for street maintenance purposes.

Aud. Cert. 8800381.

FILE LOCATION: CONT - V. R. Dennis Construction Company  
CONTFY88-1

COUNCIL ACTION: (Tape location: A473-488.)

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

ITEM-207:

Three actions relative to leasing office space for City departments:

(See City Manager Report CMR-87-587. Centre City Community Area. District-8.)

Subitem-A: (R-88-1101) ADOPTED AS RESOLUTION R-269859

Authorizing the execution of a lease agreement with Beta Koll San Diego for 84,836 square feet of office space in the First Interstate Plaza for a period of 60 months beginning March 1, 1988, with a first year cost of \$1,412,778, or \$1.38 per square foot, to house the Water Utilities Department; authorizing the transfer of an amount not to exceed \$726,000 from the Water Revenue Fund 41502 Unallocated Reserve to the Water Operating Fund (41500),

Administrative Services Program (70611); authorizing the expenditure of an amount not to exceed \$867,000 from the Water Utilities Department for the lease costs from March 1, 1988 through June 30, 1988, (\$471,000) plus relocation costs (\$396,000) (Fund 41500/Organization 103); authorizing the City Manager to sublease space in the First Interstate Plaza to the selected engineering consultant.

Subitem-B: (R-88-1102) ADOPTED AS RESOLUTION R-269860  
Authorizing a lease agreement with American Trading Real Estate, Inc., for 1,389 square feet of office space in the Union Bank Building, for a period of 60 months beginning March 1, 1988, with a first year cost of \$22,502, or \$1.35 per square foot, for use by the Risk Management Department; authorizing the expenditure of an amount not to exceed \$11,000 from the Risk Management Department for the lease costs from March 1, 1988 through June 30, 1988, (\$7,500) plus relocation costs (\$3,500) (Fund 50061/Organization 450/470).

Subitem-C: (R-88-1103) ADOPTED AS RESOLUTION R-269861  
Authorizing the transfer of an amount not to exceed \$161,000 from the General Fund Unallocated Reserve to the General Fund Nondepartmental Expenditure Budget; authorizing the expenditure of an amount not to exceed \$275,000 from the General Fund Nondepartmental Expenditure Budget for the space currently occupied by both the Water Utilities Department and Risk Management Department in the Executive Complex (\$131,000); and for relocation costs (\$144,000) (Fund 100/Organization 143).  
Aud. Cert. 8800487.

FILE LOCATION:

Subitem A - LEAS - Beta Koll San Diego;

Subitem B - LEAS - American Trading Real Estate, Inc.

Subitem C - MEET LEASFY88-2

COUNCIL ACTION: (Tape location: A473-488.)

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

ITEM-208: (O-88-87) HEARING APPROVED

First public hearing in the matter of:

Amending 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 General Fund 100, Nondepartmental Expense (601), City Office Acquisition Program (Org. 117) by the sum of \$250,000 for the purpose of funding consultant studies and required staff support; directing the Auditor and Comptroller to transfer said sum of \$250,000 from the General Revenue Sharing Fund (18014) Contingency Reserve to the General Fund 100, Nondepartmental Expense, City Office Acquisition Program (Dept. 601/Org. 117).

NOTE: See Item 336 on the docket of Tuesday, December 1, 1987 for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D71-E104.)

MOTION BY STRUIKSMA TO APPROVE FIRST HEARING, AND TO DIRECT THE CITY MANAGER TO INSTRUCT THE CONTRACTOR TO CONSIDER THAT THE BUILDING WILL BE HERE UNTIL 2010 WHEN CONSIDERING THE DESIGN

COMPOSITION. Second by Gotch. Passed by the following vote:

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

ITEM-209: (O-88-86) HEARING APPROVED

First Public Hearing in the matter of:

Amending Ordinance O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16916-1, by adding to the Fiscal Year 1988 Capital Improvements Program a new project, CIP-37-417, entitled "City Operations Building - Permit Center Construction"; directing the Auditor and Comptroller to appropriate and transfer the sum of \$1,500,000 from the Enterprise Fund 41300, Unappropriated Fund Balance to the newly added CIP Project CIP-37-417; directing the Auditor and Comptroller to allocate the above specified amount as follows: \$1,300,000 to Account 4220 and \$200,000 to Account 4118.

(See City Manager Report CMR-87-583. Center City Community Area. District-8.)

Aud. Cert. 8800483.

NOTE: See Item 335 on the docket of Tuesday, December 1, 1987, for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G201-G287.)

MOTION BY STRUIKSMA TO APPROVE FIRST HEARING. Second by Gotch.

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

ITEM-210: CONTINUE TO FEBRUARY 2, 1988 10:00 A.M.

(Continued from the meetings of June 2, 1987, Item 330, July 7, 1987, Item 335, and November 2, 1987, Item 202; last continued at Howard Stilldorf's request, to allow him time to prepare for the hearing.)

Rezoning Lot A-63, Map-1174, located on the west side of Sycamore Road between the San Ysidro Athletic Area (Larsen Field) and Sunrise Drive (a 1.0-acre site), in the Tia Juana River Valley Community Plan area, from Zones R1-40000 and R-1500 to Zone R-3000.

(Case-86-1037. District-8.)

Subitem-A: (R-87-2200)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-86-1037 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-87-199)

Introduction of an Ordinance for R-3000 Zoning.

FILE LOCATION: ZONE Ord.No.

COUNCIL ACTION: (Tape location: G287-H340.)

Hearing began at 6:34 p.m. and halted at 7:19 p.m.

Testimony in Favor given by Howard Stilldorf and Joseph Wong.

Testimony in Opposition given by Mela Perez.

MOTION BY BALLESTEROS TO CONTINUE TO FEBRUARY 2, 1988 AT 10:00 A.M. SO THAT THE PLANNING DEPARTMENT MAY GET TOGETHER WITH THE COMMUNITY PLANNING GROUPS AND THE SCHOOL BOARD, AND WORK WITH THE OWNERS TO COME UP WITH A DIFFERENT USE THAT WILL NOT INCREASE THE DENSITY. Second by McColl. Passed by the following vote: Wolfsheimer-not present, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea,

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

ITEM-211: (R-88-1122) TRAILED TO TUESDAY DECEMBER 1, 1987,  
A.M. DUE TO LACK OF TIME

Adoption of a Resolution determining that the community of Carmel Mountain Ranch complies with the provisions of the Interim Development Ordinance and therefore will be released from the requirements of the Ordinance.

(District-1.)

FILE LOCATION: LAND - Carmel Mountain Ranch

COUNCIL ACTION: (Tape location: F258.)

ITEM-S400: (R-88-1156) ADOPTED AS RESOLUTION R-269862

Accepting the generous donation of \$100,000 from Mrs. Irving Salomon, to be used for the restoration of the San Ysidro Boys Club property, under the following conditions:

- (1) The gift is to be made and accepted in calendar year 1987;
- (2) The facility is to be named the Irving Salomon Community Center, or other such appropriate name which includes the wording "Irving Salomon" as agreed upon by the City and donor, to be evidenced by exterior lettering on the building in an appropriate place and in an appropriate size;
- (3) The City shall install in an appropriate place a bronze plaque approximately one foot square with the inscription "Donated by Mrs. Irving Salomon in memory of her husband, Irving Salomon", with the date of dedication of the building.

Commending Mrs. Irving Salomon for this generous act of civic concern and dedication for such donation in the memory of her husband.

(San Ysidro Community Area. District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A76-A100.)

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

ITEM-S401: (R-88-1161) ADOPTED AS RESOLUTION R-269863

Accepting the donation of \$10,000 by the Weingart Foundation and \$10,000 by the Price Charitable Remainder

Trust to the City of San Diego, to be used for the restoration of and operation of programs in the San Ysidro Boys Club; expressing gratitude to the directors and trustees of the Weingart Foundation and the Price Charitable Remainder Trust for their acts of civic generosity.

(San Ysidro Community Area. District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A76-A100.)

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

\* ITEM-S402: (R-88-1152) ADOPTED AS RESOLUTION R-269864

A Resolution approved by the City Council in Closed Session on Tuesday, October 13, 1987 by the following vote: Wolfsheimer-yea; Cleator-not present; McColl-not present; District 4-vacant; Struiksma-yea; Gotch-yea; McCarty-yea; Ballesteros-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$1,200,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Rita Bradley (Superior Court Case No. 494841, Rita Bradley et al v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue three checks: one check in the amount of \$662,800 made payable to Donna Bradley, conservator for Rita Bradley; a second check in the amount of \$337,200 made payable to Girardi, Keese and Crane, attorneys; and a third check in the amount of \$200,000 made payable to Royal Insurance Company and its attorneys, McCormick & Mitchell.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the full and final settlement of all claims against the City of San Diego as a result of the incident of April 1, 1982.

Aud. Cert. 8800484-1, 8800484-2, 8800484-3.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-488.)

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

ITEM-S403: (R-88-1162) ADOPTED AS RESOLUTION R-269865

Requesting the City Manager to install an all-way stop at the intersection of Fort Stockton Drive and Hawk Street; directing the City Manager to schedule a review of the impacts of the proposed all-way stop before the Transportation and Land Use Committee at six months and one year after installation.

(See City Manager Report CMR-87-574. Uptown Community Area. District-2.)

COMMITTEE ACTION: Initiated by TLU on 11/23/87. Recommendation to direct the City Manager to install an all-way stop at the intersection of Fort Stockton Drive and Hawk Street. Districts 1,6,7 and 8 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A473-488.)

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

ITEM-S404:

Two actions relative to an amendment to the Mission Bay Park Master Plan/Local Coastal Program to allow a Youth Aquatic Facility on Fiesta Island:

(See City Manager Report CMR-87-586. Mission Bay Community Area. District-6.)

19871130

Subitem-A: (R-88-1141) ADOPTED AS RESOLUTION R-269866 Approving the recommendations contained in City Manager Report CMR-87-586 to amend the 1978 Mission Bay Park Master Plan for Land and Water Use/Local Coastal Program Land Use Plan to allow youth aquatic support structures in the youth camp area of Fiesta Island; waive Design Criterion 8, described in City Manager Report CMR-87-149, adopted by the Public Facilities and Recreation Committee on March 25, 1987, for Fiesta Island and approve the design of the youth aquatic facility as amended by the Facilities Committee of the Park and Recreation Board; authorizing the City Manager to execute a lease agreement with the Boy Scouts of America for construction, operation, and maintenance of Fiesta Island Youth Aquatic Facility.

Subitem-B: (R-88-1151) ADOPTED AS RESOLUTION R-269867 Certifying that the information contained Environmental



Negative Declaration END-87-0776, in connection with the Youth Aquatic Facility - Fiesta Island, 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.

COMMITTEE ACTION: Reviewed by PFR on 11/25/87. Recommendation to approve the City Manager's recommendation and certify that the Committee reviewed and considered the negative declaration for this project. Districts 2, 3 and 5 voted yea. District 8 not present.

FILE LOCATION: LAND - Mission Bay Park Master Plan; LEAS-Boy Scouts of America, Youth Aquatic Facility, Fiesta Island

COUNCIL ACTION: (Tape location: A473-488.)

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

ITEM-S405: (R-88-1159) ADOPTED AS RESOLUTION R-269868

Authorizing the City Manager to execute a First Amendment to Non-Exclusive Use and Occupancy Permit with Air/Space America, changing the rent to a flat \$100,000 for the 1988 exposition, waiving the requirement for a security deposit for the 1988 exposition, approving in concept the future use of the premises for three additional expositions, and expanding the premises by approximately 100 acres to provide an additional parking area; authorizing the waiver of all rents, charges and damages outstanding as a result of Air/Space America's lease of Building 2052, Brown Field, in consideration of the public benefits to accrue to the City as a result of the expositions; authorizing the release of \$7,200 surety bond from the Traveler's Indemnity Company for a portion of outstanding rents.

(See City Manager Report CMR-87-578. Otay Mesa Community Area. District-8.)

COMMITTEE ACTION Reviewed by PFR on 11/25/87. Recommendation to approve the City Manager's recommendation. Districts 2,3,and 5 voted yea. Districts 7 and 8 not present.

FILE LOCATION: LEAS - Air/Space America LEASFY88-1

COUNCIL ACTION: (Tape location: A473-488.)

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

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

ITEM-S406: (O-88-85) CONTINUED TO JANUARY 26, 1988 AT 10:00  
A.M.

Introduction of an Ordinance amending Chapter V, Article 6, of the San Diego Municipal Code by amending Section 56.54, relating to Alcoholic Beverage Consumption and Possession Prohibited in Certain Areas, to expand the boundaries of the restricted area for alcoholic beverage possession and consumption by adding the "beach area" between the hours from 10:00 p.m. and 6:00 a.m. from Ratkay Point north to the southerly boundary of the City of Del Mar and including the Ocean Beach Fishing Pier, Fiesta Island, and public areas in Mission Bay Park.

(See City Manager Report CMR-87-510 and Committee Consultant Analysis PSS-87-13. Districts-1,2,and 6.)

COMMITTEE ACTION: Initiated by PSS on 10/21/87.

Recommendation to approve the City Manager's recommendation.

Districts 1,3 and 8 voted yea. Districts 2 and 7 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A261-314.)

MOTION BY GOTCH TO CONTINUE TO JANUARY 26, 1988 AT 10:00 A.M. TO ALLOW THE NEW COUNCIL MEMBERS TO VOTE ON THIS ITEM. Second by Cleator. Passed by the following vote: Wolfsheimer-not present, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-not present, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S407: (O-88-10 Rev. 1) RETURNED TO THE CITY MANAGER AND  
THE CITY ATTORNEY FOR ONE WEEK, TO  
BE REINTRODUCED DECEMBER 7, 1987

NOTE: The Attorney's Office has determined that the amended ordinance requires re-introduction.)

(Continued from the meeting of October 12, 1987, Item 51, at Floyd Morrow's request, to be heard following the review of related taxicab issues at the Transportation and Land Use Committee of November 9, 1987; Continued from the meeting of November 10, 1987, Item 339, at the request of Bill Hilton and Floyd Morrow, for an amended ordinance to change the eligibility requirement from five years to one year for transferring a paratransit permit; last continued from the meeting of November 23, 1987, Item 200, at Council Member McColl's request, due to lack of time.)

Introduction of an Ordinance amending Chapter VII,

Article 5, Division 1, of the San Diego Municipal Code, by amending Sections 75.0101, 75.0102, 75.0104, 75.0105, 75.0107, 75.0108, 75.0109, 75.0110, 75.0111, 75.0112, 75.0113, 75.0114, 75.0115, 75.0116, 75.0117, 75.0118 and 75.0120, relating to the Paratransit Code to: 1) authorize the City Manager to impose fines for Paratransit permit violations; 2) increase the equipment regulations to require a clean trunk and hubcaps or wheelcovers on all paratransit vehicles; 3) prescribe more specific standards for driver attire; and 4) more narrowly define the type of felonies that would result in the denial, suspension or revocation of paratransit and taxi driver's identification cards.

(Introduced on 9/21/87. Council voted 7-0. District 5 not present. District 4 vacant.

CITY MANAGER SUPPORTING INFORMATION: At its meeting on April 27, 1987 the Transportation and Land Use Committee approved the City Manager's recommendation in CMR-87-191 concerning revision of Paratransit Code. The proposed modifications are based on the need for more explicit language in the Municipal Code to enforce paratransit regulations. The City Attorney advises that the sections pertaining to the denial, suspension, or revocation of paratransit or taxi driver identification cards be modified in order to more narrowly define the types of felonies which exclude persons from the paratransit industry. The City Attorney has additionally recommended several technical corrections and incorporated them into this ordinance. These corrections are primarily concerned with the City's medallion that is placed on paratransit vehicles. They do not change the substance or spirit of the regulations. The revisions recommended by Transportation and Land Use (TLU) and the City Attorney were introduced as an ordinance on September 21, 1987. At the hearing of the ordinance on October 12, 1987, Council granted a continuance until November 10, 1987 at the request of Attorney Floyd Morrow. On November 10, 1987 at Mr. Morrow's request Council approved a recommendation from TLU's October 12, 1987 meeting to reduce the eligibility requirement from five years to one year for transferring a paratransit permit. Council also continued all taxicab matters until November 23, 1987 at the written request of Bill Hilton of Yellow Cab. Adoption of this ordinance will amend the Municipal Code sections pertaining to the regulation of paratransit vehicles to: 1) authorize the City Manager to impose fines for Paratransit permit violations; 2) prescribe more specific standards for driver attire; 3) increase the equipment and operating regulations; 4) provide more specific criteria for

excluding an individual from driving a paratransit vehicle; 5) clarify language concerning paratransit medallions; and 6) reduce the eligibility requirement for transferring a paratransit permit from five years to one year.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: H340-I135.)

MOTION BY STRUIKSMA TO RETURN THE ORDINANCE TO THE CITY MANAGER AND THE CITY ATTORNEY FOR INCORPORATION OF THE FOUR CONCEPTS LISTED IN THE CITY MANAGER'S REPORT. Second by Ballesteros.

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

ITEM-S408: CONTINUED TO JANUARY 12, 1988 AT 10:00 A.M.

(Continued from the meeting of November 23, 1987, Item 109, at Council Member Struiksma's request, for further review.)

Two actions relative to the Mira Mesa Public Facilities Benefit Assessment:

(See City Manager Report CMR-87-537 and Memorandum from Council Member Struiksma dated 11/9/87. Located east of I-805 in North Central San Diego. Mira Mesa Community Area. District-5.)

Subitem-A: (R-88-966)

Approving the document entitled, "Mira Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, October, 1987."

Subitem-B: (R-88-967)

Resolution of Intention to designate an area of benefit in Mira Mesa and setting the time and place for holding a public hearing.

COMMITTEE ACTION: Reviewed by TLU on 11/9/87. Forwarded to Council with no recommendation at the request of Council Member Struiksma. Districts 1, 6, 7 and 8 voted yea.

FILE LOCATION: STRT - FB-12

COUNCIL ACTION: (Tape location: A261-A314.)

MOTION BY STRUIKSMA TO CONTINUE TO JANUARY 12, 1988. Second by Gotch. Passed by the following vote: Wolfsheimer-not present, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S409: (R-88-1111) CONTINUE TO DECEMBER 7, 1987

(Continued from the meeting of November 24, 1987, Item S405, at Council Member Ballesteros' request, for further review.)

Approving in concept the proposal by Southwestern College for the construction and operation of an education center on the San Ysidro tragedy site; authorizing the City Manager to negotiate an appropriate lease agreement with Southwestern College for occupancy of the site.

(San Ysidro Community Area. District-8.)

COUNCIL SUPPORTING INFORMATION: Southwestern College recently presented the City with a proposal to lease the vacant site of the 1984 San Ysidro massacre for the construction and operation of a satellite campus for vocational training and academic courses. In addition, pre-college counselling, amnesty counselling and special courses in English as a Second Language will be offered. Southwestern is proposing to build a 2-story building, approximately 5,000-6,000 in size with underground parking. The College intends to incorporate a memorial on the building or site to commemorate the victims of the 1984 tragedy. At a special meeting on November 5, an ad hoc committee of community representatives established to review development proposals for the San Ysidro tragedy site heard Southwestern College's proposal and expressed unanimous approval. The presence of a post-secondary satellite will be invaluable to local youth as they seek ways to improve their education and to expand their opportunities for employment. San Ysidro is in need of college and pre-college programs. Historically, the area has been significantly underrepresented at Southwestern, due in part to the physical distance from the main campus in Chula Vista. The establishment of an extended campus serves to respond to this underrepresentation. San Ysidro residents will have a point of contact with the College via an extended campus program as well as a nearby center where they may avail themselves of programs designed specifically to meet their education needs. Finally, Southwestern's proposal provides for a unique memorial to those families who suffered the 1984 tragedy. The San Ysidro tragedy site is located at 522 West San Ysidro Boulevard. The 3/4-acre site was priced originally at \$425,000. When no bids were received at this price, a second round of RFP's were issued at a sale price of \$300,000. To date, no bids have been received. The final deadline for responses is December 4, 1987.

Pereira/Carlson

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: I135-I649.)

MOTION BY BALLESTEROS TO CONTINUE TO DECEMBER 7, 1987 TO GET

RESULTS OF THE RFP THAT WILL BE HELD ON FRIDAY, DECEMBER 4, 1987. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S410: (R-88-901) ADOPTED AS RESOLUTION R-269869

Establishing a Citizens Advisory Committee on Mission Beach Transportation Policy, pursuant to Section 43(b) of the City Charter, for the purposes of providing community input into the development and review of the Mission Beach Traffic Congestion Study and subsequent recommendations for improving traffic circulation, parking and public transportation in Mission Beach; approving the proposed composition of the Advisory Committee, as delineated in Attachment A to the Resolution.

(Mission Beach Community Area. District-6.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G198-G201.)

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

ITEM-S411: (R-88-1183) ADOPTED AS RESOLUTION R-269870  
19871130

Authorizing the City Manager to execute an agreement with the San Diego Padres for continued use and occupancy of the San Diego Jack Murphy Stadium.

(Mission Valley Community Area. District-5.)

FILE LOCATION: LEAS - Stadium - Mission Valley National League Baseball Club, Inc. LEASFY88-1

COUNCIL ACTION: (Tape location: B563-C140.)

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

ITEM-S412: REPORT APPROVED

In the matter of the traffic generation factor as it relates to grocery stores regarding Non-residential Impact Fees for the Urbanized Communities.

NOTE: Returned to the City Manager at the meeting of

11/2/87, Item S405. Council voted 6-2 (Districts 2-7 voted nay; District 4 vacant) to adopt a Resolution amending Resolution R-269274, adopted 9/14/87, to exempt grocery stores from the list to have fees imposed.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A420-A473.)

MOTION BY STRUIKSMA TO APPROVE THE REPORT. Second by McColl.

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

ITEM-S413: CONTINUED TO DECEMBER 7, 1987

(Trailed from the meeting of November 24, 1987, Item 335.)

Determining that the community of Miramar Ranch North complies with the provisions of the Interim Development Ordinance (IDO) and therefore will be released from the requirements of the Ordinance.

(District-5.)

FILE LOCATION: LAND - Miramar Ranch North Community Plan

COUNCIL ACTION: (Tape location: A65-A119.)

MOTION BY STRUIKSMA TO CONTINUE TO DECEMBER 7, 1987 AT THE REQUEST OF JAMES MILCH TO ALLOW HIM TIME TO PREPARE. Second by McColl. Passed by the following vote: Wolfsheimer-not present, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

ITEM-ND-1: (R-88-1184) ADOPTED AS RESOLUTION R-269898

Resolution proclaiming December 5, 1987, "The Scripps Ranch Old Pros Day" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J50-J62.)

MOTION BY STRUIKSMA TO CONSIDER THE NON DOCKET ITEM. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Cleator-not present, McColl-yea, District 4-Vacant, Struiksma-yea, Gotch-yea, McCarty-not present, Ballesteros-not present, Mayor O'Connor-yea.

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

PUBLIC COMMENT:

ITEM-PC-1:

Rose Lynn spoke on the concept of Synergy.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: J62-J94.)

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor  
O'Connor at 8:22 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J94).