

19880705

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JULY 5, 1988
AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor at 10:06 a.m. The meeting was recessed by Deputy Mayor McColl at 12:07 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor McColl at 2:07 p.m. with Council Members Roberts, Pratt, Filner and Mayor O'Connor not present. Deputy Mayor McColl adjourned the meeting to convene the Housing Authority at 5:46 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-271489 (City business in U.S.S.R.)
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member McColl-present
 - (4) Council Member Pratt-present
 - (5) Council Member Struiksma-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Fishkin (eb,rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Father Nicholas Christiana,
AIDS Chaplaincy Program.

FILE LOCATION: MINUTES

Jul-5-1988

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Roberts.

FILE LOCATION: MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meeting of:
5/25/88 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A060-069.)

MOTION BY PRATT TO APPROVE. Second by Roberts. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-not present.

ITEM-50: (O-88-216-a) CONTINUED TO AUGUST 1, 1988

Amending Chapter X, Article 1, Division 5, of the San Diego
Municipal Code by amending Section 101.0510.C.4.j.,
relating to Application for a Conditional Use Permit for a
Research, Development and Demonstration Project for
Hazardous Waste Treatment in any Agricultural or
Manufacturing Zone.

(Introduced on 6/22/88. Council voted 6-1. District 7
voted nay. Districts 2 and 3 not present.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A089-109.)

MOTION BY FILNER TO CONTINUE TO AUGUST 1, 1988, AT THE CITY
ATTORNEY'S REQUEST FOR FURTHER REVIEW. Second by Wolfsheimer.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-100: (R-88-2541) ADOPTED AS RESOLUTION R-271319
19880705

Inviting bids for the S-1 Digester Piping Modifications
and Tank Refurbishment on Work Order No. 180561;

authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$151,000 from the Sewer Revenue Fund 41506 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-9858)
(District-2.)

CITY MANAGER SUPPORTING INFORMATION: This project consists of modifications to the existing dewatering and emergency overflow piping systems, repairing wall leaks and recoating portions of the exterior and interior tank walls of S-1 digester tank at the Point Loma Wastewater Treatment Plant. The modification of the dewatering piping system is necessary to accommodate the construction of the new influent channel which is a part of the upcoming Sedimentation Tank 9 and 10 project. The other modifications represent an accumulation of minor, but necessary, projects that have had to be deferred until the digester tank is taken out of service for routine cleaning. The tank is scheduled for cleaning in the near future, and it is necessary to have a contract executed at this time so the work can be performed with minimum digester downtime.

Aud. Cert. 8801106.

WU-P-88-136.

FILE LOCATION: W.O. 180561 CONT - Pacific Rim
Construction Inc. CONFY89-1

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McCull-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-101: (R-88-2539) ADOPTED AS RESOLUTION R-271320

Inviting bids for the Construction of 59th Street Storm Drain on Work Order No. 119111; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$40,000 (\$33,000 from CDBG Fund 18523, Dept. 5637, Org. No. 3701, CIP-52-243, Architectural Barriers Removal - Downtown and Various Locations and \$7,000 from Fund 30245, CIP-58-007, Annual Allocation - Overhead and Other City Costs for Federal Grants) 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-9851)
(State University Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: Two existing drain inlets in the northerly curb returns at 59th Street and El Cajon Boulevard create exceedingly high curbs. The San Diego Service Center for the Blind uses this intersection for training the visually handicapped. The ad hoc Committee for Removal of Architectural Barriers requested the Engineering and Development Department to install pedestrian ramps and make the intersection safer for the visually impaired. This project will remove and relocate the drain inlets, reconstruct the curb returns, and install pedestrian ramps.

Aud. Cert. 8801053.

FILE LOCATION: W.O. 119111 CONFY89-1

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-102: (R-88-2540) ADOPTED AS RESOLUTION R-271321
19880705

Inviting bids for the Modification of Traffic Signal and Street Lighting Systems at Various Locations City-Wide 1988 on Work Order No. 118970; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$122,500 from Capital Outlay Fund 30245, CIP-62-001, Annual Allocation - Signal Installations to Accommodate Sudden Traffic Changes and \$7,500 from Capital Outlay Fund 30245, CIP-33-066, Annual Allocation - Opticom Communications Traffic Control System to CIP-62-002, Annual Allocation - Minor Signal Improvements; authorizing the expenditure of an amount not to exceed \$307,000 from Capital Outlay Fund 30245, CIP-62-002, Annual Allocation - Minor Signal Improvements, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in Capital Outlay Fund 30245, CIP-62-002, Annual Allocation - Minor Signal Improvements. (BID-9850)
(City-wide.)

CITY MANAGER SUPPORTING INFORMATION: This project provides

for modification of traffic signal and street lighting systems at various locations to improve signal visibility and timing, increasing traffic safety and flow at the following locations:

1. Mira Mesa Blvd. and Lusk Blvd./Oberlin Drive
2. Texas St. and University Ave.
3. Jackson Dr. and Lake Murray Blvd.
4. Goldfinch St. and University Ave.
5. El Cajon Blvd. and Euclid Ave.
6. Clairemont Mesa Blvd. and Diane St.
7. Fay St. and Pearl St.
8. First Ave. and Ash St.
9. Grape St. and North Harbor Dr.
10. Narragansett Ave. and Sunset Cliffs Blvd.
11. Fifth Ave. and A St.
12. Black Mountain Rd. and Carroll Canyon Rd.
13. 12th Ave. and Broadway
14. Paradise Valley Rd. and Woodman St.

Aud. Cert. 8800963.

FILE LOCATION: W.O. 118970 CONT - Perry Electric
CONTFY89-1

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-103: (R-88-2572) ADOPTED AS RESOLUTION R-271322

Vacating a portion of Bay View Court south of Lyndon Road, adjacent to Lot 83 of Mission Hills, Map-1115, under the procedure for the summary vacation of streets where for a period of five consecutive years the street to be vacated has been impassable for vehicular travel and during such period no public money has been expended for maintenance; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature; declaring that upon acquisition of an encroachment permit from the City Engineer, pursuant to the San Diego Municipal Code, the owners of the underlying fee may utilize the above-described parcel of land for structures, the planting or growing of trees, or the installation of privately owned pipelines; declaring that the drainage easement reserved herein is in, under, over, upon, along and across that

portion of Bay View Court.

(Uptown Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation has been requested by the abutting property owner to eliminate fire hazards and to reduce setback requirements to accommodate the redevelopment. The abutting property owner's intention is to replace an existing single family structure with a completely new structure for single family use. The right-of-way is within the Uptown Community and is within the RI-5000 Zone with a portion of it being in the Hillside Review Overlay Zone. A Hillside Review Permit (HRP-88-0135) has been processed and approved which covers the redevelopment of the applicant's property for a single family residence. The area-of-vacation totals approximately 2,400 square feet but will not increase the number of units that could be potentially built on the property under the existing zone. The Planning Department has no objection to the vacation and the Planning Commission recommended approval on November 19, 1987, by a 5-0 vote with one abstention.

The area-of-vacation is unimproved and is situated on steep-sided slopes of a small north/south trending canyon. A previous half-width street vacation reduced the street width to its present 15-foot-width. Because of the topography and the previous vacation, the right-of-way is now precluded from future development for vehicular and pedestrian use. There are no in-place public utilities or franchise facilities. However, a future project is proposed that will utilize the remaining right-of-way for a drainage structure to replace an existing drain to the west that is inaccessible and in need of repair. Therefore, a full-width drainage easement is to be reserved from the vacation to provide the necessary right-of-way for the future drain structure. Staff review has indicated that the right-of-way is no longer required for present or prospective public use and may be summarily vacated.

FILE LOCATION: STRT J-2688 DEED F-4514 DEEDFY89-1

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-104: (R-88-2566) ADOPTED AS RESOLUTION R-271323

Authorizing the City Auditor and Comptroller to transfer
\$300,000 from Fund 50031 to General Services Improvement

and Maintenance Fund 10503; authorizing the City Auditor and Comptroller to expend an amount not to exceed \$300,000 from General Services Improvement and Maintenance Fund 10503 for the purpose of modifying and improving the existing vehicle maintenance facility located at Miramar Landfill and to transfer unexpended funds, if any, to the appropriate reserves upon the advice of the administering department; authorizing the City Manager to use City Forces to accomplish the foregoing project, it being determined that such work can be done more economically than if let by contract.

(Serra Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The improvement of the existing Miramar Mini-Operations Station will allow the storage and maintenance of up to 25 refuse packers which are currently stationed at Rose Canyon Operations Station. These refuse packers serve the northern I-15 corridor area. Due to reduced mileage, the City is expected to save approximately \$140,000 per year in vehicle operating costs. The existing facility is located on Navy property. On December 22, 1987, a 5-year license agreement was signed which allows the City use of this property. An exchange of land, to include this property within the long-term lease for the landfill, is being processed. The modification and improvement of the mini-operation station will include: the paving of parking and maintenance areas, installation of a security fence, fuel storage and dispensing equipment, construction of an access driveway, re-roofing and new doors for the service building, improved lighting and electrical service, provision of necessary repair equipment, and the provision of bathrooms. This work will be accomplished by City Forces with the exception of the replacement of the garage doors and installation of security fencing. The use of City Forces is desirable to allow the Mini-Operations Station to be in place and able to create cost-savings as soon as possible. The use of outside contractors for this work would require a significant time and monetary expense to process the necessary contract documents. We currently estimate that use of outside contractors would result in at least a 10 percent increase in total project cost.

Aud. Cert. 8801102.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-105: (R-88-2377) ADOPTED AS RESOLUTION R-271324

Authorizing the City Manager to approve the additional twenty-two ornamental lighting fixtures and one underground conduit sleeve in the Rancho Bernardo Landscape Median Contract, Bid-9043M; authorizing the expenditure of an amount not to exceed \$9,979 from FY 1988 General Open Space Budget, Department 444, Job Order No. 044482, Organization 940, Object Account 4227, to cover the cost of the additional fixtures and sleeve.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The contract for the rehabilitation of the irrigation systems and ornamental lighting in the Rancho Bernardo Landscape Medians was awarded by City council action on August 3, 1987. This contract resulted from continued community requests to reactivate the ornamental lighting and to rehabilitate and automate the irrigation systems in the landscaped medians in order to minimize water run-off into the traffic lanes during daylight hours. Funds for this project were budgeted in the FY 1987 and FY 1988 Rancho Bernardo Landscape Maintenance District Budgets. The contract low bid of \$79,866 was at the upper limit of the funds budgeted for the project.

During the actual contract work by the contractor, it was discovered that 22 ornamental light fixtures and one underground conduit under the street had not been included in the contract specifications. The contract was bid using a set of written specifications. The additional ornamental light fixtures and conduit were required to complete the project. The omission of these components from the written specifications was a staff error and not the responsibility or result of actions of the contractor. In order to properly complete the project, the additional work was authorized.

Aud. Cert. 8801023.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-106: (R-88-2600 Rev.1) ADOPTED AS RESOLUTION R-271325

Authorizing the City Manager to submit applications to secure FY 1990 Environmental License Plate Funds (ELPF), for the following projects:

1. Mission Bay Northern Wildlife Reserve (aka Kendall-Frost Reserve) - Design of Observation Decks with Narrative Signs and Refencing of the Reserve (\$120,000).
2. Penasquitos Finger Canyon Acquisition (\$180,000).
3. Recovery of Florida Canyon - Phase I (\$100,000).

Authorizing the City Manager, or his representative, to perform all necessary acts to secure funding for the Environmental License Plate Fund Grant Program; authorizing the City Auditor and Comptroller to establish special funds which will earn their own interest in accordance with grant requirements for each project actually funded.

(See City Manager Report CMR-88-319. Future Urban Planning Area, Mission Bay, Pacific Beach, Balboa Park Master Plan Community Areas. Districts-1, 6, 8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-107: (R-88-2452) ADOPTED AS RESOLUTION R-271326

A Resolution approved by the City Council in Closed Session on Tuesday, February 23, 1988 by the following vote: Wolfsheimer-yea; Roberts-yea; McColl-yea; Pratt-yea; Struiksma-yea; Henderson-yea; McCarty-Not present; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$35,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Cheryl Jamba Breeding, et al. (Superior Court Case No. 510740, Cheryl Jamba Breeding, et al. v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$35,000, made payable to Cheryl Jamba Breeding and her attorneys Casey, Gerry, Casey, Westbrook, Reed and Hughes, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of all claims against the City of San Diego by Cheryl Jamba Breeding, et al, as a result of the

incident of November 30, 1982.

Aud. Cert. 8801127.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McCull-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-108: (R-88-2478) ADOPTED AS RESOLUTION R-271327

Authorizing the execution of Amendment No. 1 to the agreement with Brown and Caldwell, Consulting Engineers, to provide additional services for Point Loma Wastewater Treatment Plant, Expansion of the Headworks and Grit Removal Facilities project.

(Federal Land. District-2.)

CITY MANAGER SUPPORTING INFORMATION: On July 15, 1986, the City entered into an agreement with Brown and Caldwell, Consulting Engineers, to provide engineering services for design of the Headworks and Grit Removal Facilities Expansion project at the Point Loma Wastewater Treatment Plant. On January 15, 1987, the City expanded Brown and Caldwell's Scope of Work to include the preparation of plans and specifications for the upgrade of five Power Centers at the Plant. The Power Centers upgrade project construction requires the removal of five existing transformers with hazardous materials containing PCB contaminated oils. The transformers will be removed one at a time over a period of five to six months and require a complete monitoring and inspection program to assure compliance with EPA Guidelines. The consultant's inspection team has been asked by the City to provide guidance and recommendations for proper removal, manifestation, and transportation of transformers containing PCB's to the appropriate permitted disposal facility. Due to the hazardous nature of the operation and insurance limitations regarding the presence of the hazardous materials, the consultant is requesting an amendment to the original agreement, Article VI, "Responsibility of Engineer" to revise the indemnification clause to read as follows: "This revision is City's acknowledgement that the Engineer had no prior role in generation, treatment, storage, or disposition of hazardous materials. City also agrees to indemnify and defend the Engineer against any claim arising from the presence of the hazardous materials, except for claims to arise out of the negligence of Engineer."

WU-U-88-115.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-109: (R-88-2568) ADOPTED AS RESOLUTION R-271328

Authorizing the execution of an agreement with General Dynamics Corporation for the amount of \$15,000 (donated to The City of San Diego Regional Youth Employment Program (REGY)) for the purpose of hiring ten young adults and a program coordinator during the summer of 1988, to implement a six-week employment and training program at General Dynamics.

CITY MANAGER SUPPORTING INFORMATION: The General Dynamics Corporation is contributing \$15,000 to the City to fund a summer internship program for ten economically disadvantaged JTPA eligible youth during the summer of 1988. The City's Regional Youth Employment Program (REGY) will be the recipient of these funds, and will provide the recruitment, eligibility determination, counseling, placement, payroll processing and overall coordination and administration of this program. The youth will be recruited and certified eligible by REGY and will be provided with a general labor market orientation and a pre-employment workshop before starting work at the General Dynamics Kearny Mesa facility. General Dynamics staff will provide work site supervision, training and hands-on work experience, so that each youth will receive realistic exposure to the operation of private industry. REGY is currently operating the Summer Hire-A-Youth employment program throughout the San Diego Metro area, and the addition of this special internship program will be compatible with the larger Summer Hire-A-Youth program.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-110: (R-88-2528) ADOPTED AS RESOLUTION R-271329

Authorizing the execution of a first amendment to an agreement with Mattson-Beaudin Engineering, Inc. for professional services required to design and construct a chilled water generating system to serve the Reuben H. Fleet Space Theatre and Science Center in Balboa Park; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$301,400 from Planetarium Construction Fund 97800 to CIP-37-426, Planetarium Underground HVAC Piping Replacement; authorizing the City Auditor and Comptroller to transfer excess funds in the Planetarium Revenue Fund 97100, as of June 30, 1988, to the Planetarium Construction Fund 97800; authorizing the expenditure of an amount not to exceed \$24,000 from CIP-37-426, Planetarium Underground HVAC Piping Replacement, for the purpose of providing funds for the above project.

(See City Manager Report CMR-88-230. Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This amendment to the agreement with Mattson-Beaudin Engineering, Inc. will provide the professional services required to design and construct a chilled water generating system to serve the Reuben H. Fleet Space Theatre and Science Center in Balboa Park. The present system installed in 1970 consists of an underground chilled water piping system from chillers located in the Casa Del Prado. This pipeline is now leaking excessively and repair is not practical. Replacement of the line was investigated, but would be costly and disruptive during installation. In addition, the chillers at the Casa Del Prado have been deteriorating and the Space Theatre would now be better served with its own independent system. The chilled water is necessary to maintain comfort conditions in the facility and to provide cooling for the Space Theater projection equipment. This installation can be made at the west end of the building adjacent to a lower level truck delivery area in space that will not impact on park usage. The proposed project and funding was unanimously approved by the Planetarium Authority at its regular meeting on April 22, 1988. The Public Facilities & Recreation Committee considered this item on their agenda of April 27, 1988 (City Manager's Report CMR-86-205) and concurred in its recommendation.

Aud. Cert. 8801071.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-111: (R-88-2375) ADOPTED AS RESOLUTION R-271330

Authorizing the execution of an agreement with Otay International Center for the design and construction of a traffic signal system at the intersection of Siempre Viva Road and Customhouse Plaza.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The subdivider of Otay International Center Lot 10 is required by the resolution approving the tentative map to construct a traffic signal system at the intersection of Siempre Viva Road and Customhouse Plaza.

The full improvement of this intersection is not feasible due to lack of right of way. Additionally, the traffic volume in this area is not high enough to justify the construction of the signal at this time. The developer has requested to be allowed to defer the construction of the signal. The agreement will provide for the construction to be done in five years or at an earlier time specified by the City Engineer. This agreement is secured by sureties in the amount of \$100,000.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-112: (R-88-2490) ADOPTED AS RESOLUTION R-271331

Authorizing the execution of a first amendment to an agreement with the San Diego Regional Center for the Developmentally Disabled, for the purpose of selling Dial-a-Ride services to their designated clients attending day programs, for an additional one-year period ending June 30, 1989.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Regional Center Provides education and rehabilitative services to developmentally disabled clients attending day programs within the city. Many of Regional Center's clients are eligible to purchase a limited amount of Dial-A-Ride coupons at a 75 percent or 85 percent discount. Most Dial-A-Ride trips are on an occasional, individual basis and the passenger pays the driver with coupons. Regional Center's program transportation is designed so that several clients travel in a single vehicle from

various locations to a common destination on a daily basis. A third party billing arrangement among the transportation operator, the City, and the agencies is a more efficient method of payment in these instances. These agreements allow San Diego Regional Center to purchase Dial-A-Ride service at: 1) 25 percent of cost for their clients who are eligible for the City's monthly allocation for taxi trips; 2) 15 percent of cost for clients who are eligible for the City's monthly allocation for wheelchair lift-equipped van service; 3) 100 percent of cost for service provided to their clients who are not eligible for the City's subsidy. The provider will invoice the City for the service; the City will bill the agencies for the provider's cost less any applicable Dial-A-Ride subsidy. The City entered into a similar agreement with San Diego Regional Center for FY 1986, FY 1987 and FY 1988.

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-113: (R-88-2569) CONTINUED TO JULY 20, 1988

Authorizing the execution of a first amendment to the Joint Exercise of Powers Agreement with San Dieguito Union High School District, Solana Beach School District and Del Mar Union School District, to provide that the North City West School Facilities Financing Authority is authorized to undertake any and all actions leading to the formation of a Mello-Roos Community Facilities District pursuant to the Mello-Roos Community Facilities Act of 1982, as amended.

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

CITY MANAGER SUPPORTING INFORMATION: On November 17, 1981, the San Diego City Council adopted Resolution R-255381 establishing a School Facilities Master Plan for North City West. To administer the Master Plan, a "Joint Exercise of Powers Agreement" creating the North City West School Facilities Financing Authority was approved by the City Council on July 5, 1983 by Resolution R-258833. The authority consists of three school districts, San Dieguito Union High School District, Solana Beach School District and Del Mar Union School District. The Resolution approving the Joint Powers Agreement that created the Financing Authority also designated that the San Diego City Manager, or his designated representative, serve as an

Ex-Officio Member of the governing board of the Joint Powers Agency without vote. Since that time, the JPA has been administering the School Facilities Master Plan for the North City West Community, including the collection of Council approved deposit fees for school facilities.

At this time, the JPA desires to amend the existing Joint Exercise of Powers Agreement to clearly indicate that the JPA does have the authority to utilize the Mello Roos Community Facilities District, pursuant to the Mello Roos Community Facilities Act of 1982, as amended for purposes of financing, either in whole or in part, the provision of school facilities in North City West. The proposed first amendment to the Joint Exercise of Powers Agreement will clearly indicate that the JPA has such authority. The first amendment has been approved by the governing boards of each of the three school districts. A representative of the City Manager would continue to participate, in an Ex-Officio role, in all actions undertaken by the JPA with respect to the possible formation of a Mello Roos Community Facilities District.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A155-B449.)

Motion by Wolfsheimer to adopt. No second.

Motion by Wolfsheimer to approve with the following conditions:

1. Cap on the tax would be \$1,000 annually, 2. The formula would be 70/30, and 3. Place the assessment on all commercial as well as residential property. No second.

Motion by Henderson to approve the Manager's recommendation.

Second by McCarty. No vote.

MOTION BY ROBERTS TO CONTINUE TO JULY 20, 1988, AND DIRECT THE CITY MANAGER TO REPORT BACK TO COUNCIL WITH MORE BACKGROUND, INCLUDING A SUMMARY OF DISCUSSIONS, ALTERNATIVES, AND INFORMATION REGARDING THE FORMULA FOR DEVELOPER PARTICIPATION.

Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-not present.

* ITEM-114: (R-88-2578) ADOPTED AS RESOLUTION R-271332

Authorizing the City Manager to amend Article 40 of the current Memorandum of Understanding with the San Diego Police Department to increase the flight pay differential for the period of July 1, 1988 through June 30, 1989 from \$1.15 per hour or approximately \$200 per month to \$1.75 per hour or \$300 per month; amending Article 55 of the current

Memorandum of Understanding between the City of San Diego and the San Diego Police Officers Association to provide for a 50-cents per hour assignment pay for primary and collateral team members of the Special Weapons and Tactics (SWAT) Team for the period of July 1, 1988 through June 30, 1989.

CITY MANAGER SUPPORTING INFORMATION: As part of the third year contract extension with the Police Officers Association (POA), several issues in the contract were to be reopened for discussion in April, 1988. Based on these discussions it is recommended that the Memorandum of Understanding (MOU) be amended to reflect the following:

SWAT Special Assignment Pay - In order to address a retention problem (30 percent turnover per year) and to attract top quality candidates a new \$.50 per hour assignment pay for SWAT primary and collateral team members is recommended at a cost of \$93,000.

Flight Pay - It is recommended that the primary pilots in the Police Department receive an increase in differential pay from \$1.15 per hour or approximately \$200 per month to \$1.75 per hour or \$300 per month. The total cost will be approximately \$6,000.

These changes have been approved via the meet and confer process by the City Council in executive session.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-115:

Five actions relative to thanking Cities in Czechoslovakia, Hungary and Austria:

Subitem-A: (R-88-2610) ADOPTED AS RESOLUTION R-271333

Extending a grateful thank you to the people of the City of Marianski Lazne, Czechoslovakia, for the warm welcome given to the San Diego Youth Symphony.

Subitem-B: (R-88-2611) ADOPTED AS RESOLUTION R-271334

Extending a grateful thank you to the people of the City of Karlovy Vary, Czechoslovakia, for the warm welcome given to the San Diego Youth Symphony.

Subitem-C: (R-88-2612) ADOPTED AS RESOLUTION R-271335
Extending a grateful thank you to the people of the City of
Prague, Czechoslovakia, for the warm welcome given to the
San Diego Youth Symphony.

Subitem-D: (R-88-2613) ADOPTED AS RESOLUTION R-271336
Extending a grateful thank you to the people of the City of
Budapest, Hungary, for the warm welcome given to the San
Diego Youth Symphony.

Subitem-E: (R-88-2614) ADOPTED AS RESOLUTION R-271337
Extending a grateful thank you to the people of the City of
Vienna, Austria, for the warm welcome given to the San
Diego Youth Symphony.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-200: (O-88-193 Rev. 1) INTRODUCED, TO BE ADOPTED JULY 20,
1988

(Continued from the meeting of June 20, 1988, Item 52, at
the City Attorney's request, for further review.)

Introduction of an Ordinance amending Chapter VIII, Article
2, of the San Diego Municipal Code, by amending Section
82.07, relating to Parking Violations, to establish a fee
of \$32 for violation of C.V.C. 22521, to permit non-sworn
regularly detailed personnel to issue notices of violation
for illegal parking, and to establish that information
provided on written notices of violations will comply with
the California Vehicle Code.

CITY MANAGER SUPPORTING INFORMATION: The Santa Fe railroad
Police Department has requested that the penalty for parking on
or within 7 1/2 feet of a railroad track within the City limits
be increased from \$17 to \$32. Since Santa Fe Police are
generally the only agency to enforce this particular violation,
the City's Police Department has no objection to this fee
increase. The ordinance before you would raise the fee to \$32,
which is the same fee currently charged for red zone violations.
In addition, the Manager is recommending amendments to the
Municipal Code (Sec. 82.07) which would clarify that non-sworn
regularly detailed City personnel may issue parking citations,

and that information provided on parking citations will be in conformance with the requirements of the State Vehicle Code.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B452-505.)

MOTION BY HENDERSON TO INTRODUCE AND DIRECT THE CITY ATTORNEY TO REVIEW THE MATTER OF PROVIDING ADEQUATE POSTING OF THE NO PARKING ZONE WITH SANTA FE AND REPORT BACK TO COUNCIL AT THE TIME OF THE ADOPTION OF THE ORDINANCE. Second by McCarty.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-330: (R-88-2469) CONTINUED TO JULY 12, 1988

Declaring property not in compliance with City Weed and Rubbish Abatement Ordinance O-15174 to be public nuisances and ordering these parcels to be abated.

(See City Manager Report CMR-88-309.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A109-130.)

MOTION BY HENDERSON TO CONTINUE TO JULY 12, 1988 AT HIS REQUEST AND DIRECT THE CITY MANAGER TO PROVIDE COUNCIL MEMBERS WITH THE ADDRESSES FOR THE NON-COMPLYING PARCELS FOR COUNCIL REVIEW.

Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-331: (R-88-2214) ADOPTED AS RESOLUTION R-271338

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the North City West Landscape and Lighting Maintenance District.

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

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the North City West Landscape and Lighting Maintenance District. The district provides maintenance for approximately 210 acres of open space in addition to medians, streetscapes, slopes within the area designated as Neighborhood 5 (Zone A). The Fiscal Year 1989 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$135,000
Personnel	37,622
Utilities	35,500

Incidentals	32,390
Total Expenses	\$240,512
Reserve	22,932
Total	\$263,444
Less Carry-over and Interest	46,000
Less City Contribution	20,916
Assessed to District	\$196,528

A total of \$54,221 was assessed to the district last year in anticipation that maintenance operations will start during the latter portion of Fiscal Year 1988. However, no maintenance was performed in Fiscal Year 1988, and the revenues have been carried over to Fiscal Year 1989. The proposed unit assessment for Fiscal Year 1989 for open space maintenance will be approximately \$6. In addition, the units within Zone A are proposed to be assessed approximately \$98 per unit for median landscaping and slope maintenance.

FILE LOCATION: STRT M-150

COUNCIL ACTION: (Tape location: B505-542.)

Hearing began 11:20 a.m. and halted 11:22 a.m.

MOTION BY McCARTY TO ADOPT ITEMS 331, 332, and 333. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-332: (R-88-2217) ADOPTED AS RESOLUTION R-271339

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Park Village Landscape Maintenance District.

(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the assessments for the maintenance of landscaped medians and slopes in Park Village Landscape Maintenance District for the Fiscal Year 1989. The developer of the subdivision will continue to provide all necessary maintenance for the landscaped areas until they are turned over to and accepted by the district. The proposed maintenance costs for the landscaped areas to be maintained by the district during the Fiscal Year 1989 are as follows:

Contractual Maintenance (medians and slopes)	\$46,725
Personnel	5,675
Utilities	6,250

Incidentals	9,682
Total Expense	\$68,332
Reserve	7,117
Total	\$75,449
Less Carry-over and Interest	300
Less City Contribution	7,482
Assessed to District	\$67,667

Assessments for the Fiscal Year 1989 correspond to approximately \$22 per dwelling unit compared to \$7 for Fiscal Year 1988. The increase in the assessment this fiscal year is due to the fact that total square footage and acres to be maintained by the district were substantially underestimated in Fiscal Year 1988. The assessments in the next and following fiscal years are expected to remain at or close to the Fiscal Year 1989 level.

FILE LOCATION: STRT M-151

COUNCIL ACTION: (Tape location: B505-542.)

Hearing began 11:20 a.m. and halted 11:22 a.m.

MOTION BY McCARTY TO ADOPT ITEMS 331, 332, AND 333. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-333: (R-88-2275) ADOPTED AS RESOLUTION R-271340

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Eastgate Technology Park Landscape Maintenance District.

(University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the assessments for the maintenance of medians, streetscapes and open space in Eastgate Technology Park Landscape Maintenance District for Fiscal Year 1989. The proposed maintenance costs for the district for Fiscal Year 1989 are as follows:

Contractual Maintenance	\$ 59,894
(medians, streetscapes and open space)	
Personnel	5,675
Water and Electricity	25,250
Incidentals	9,933
Total Expense	\$100,752
Reserve	30,226
Total	\$130,978
Less Carry-over and Interest	48,500

Less City Contribution 3,438
Assessed to District \$ 79,040

Assessments are based on the net pad sizes of the lots within the district which for Fiscal Year 1989 corresponds to approximately \$650 per net pad acre compared to \$1,000 per net pad acre for the 1988 fiscal year. The lower unit assessment per net pad acre is due to the higher carry-over amount from Fiscal Year 1988 to Fiscal Year 1989. The previous carry-over amount was \$4,500. The City currently owns all except one of the parcels in the district and will fund parcel assessments until each is sold.

FILE LOCATION: STRT M-152

COUNCIL ACTION: (Tape location: B505-542.)

Hearing began 11:20 a.m. and halted 11:22 a.m.

MOTION BY McCARTY TO ADOPT ITEMS 331, 332, AND 333. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-334: (R-88-2450) REFERRED TO TRANSPORTATION AND LAND USE COMMITTEE

The revision of fees/deposits and establishment of new fees/deposits for the Planning Department pursuant to Section 101.0204 of the San Diego Municipal Code.
(City-wide.)

Adoption of a Resolution revising the Schedule of Fees and Deposits for the Planning Department.

PLANNING DEPARTMENT SUPPORTING INFORMATION: On December 17, 1987 and March 31, 1988, the Planning Commission recommended approval of the Planning Department Fee/Deposit schedule revisions. To ensure the fee/deposits recover reasonable costs of providing services, an extensive review of all Planning Department fees/deposits (79) determined changes in 13 deposits, 17 fees and the addition of 1 new deposit for Golden Hill Planned District and 3 new fees.

Increases in fees/deposits are a result of additional project planner staff time required; the cost accounting system tracks time spent on projects and provide financial status of each project account more accurately; and to include increases in labor costs since previous review. Fees and deposits are set to recover full cost of direct labor time spent on these activities.

Council approval of the Planning Department Fee/Deposit Schedule

is requested.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B555-C174.)

Hearing began 11:23 a.m. and halted 11:39 a.m.

MOTION BY ROBERTS TO REFER TO THE TRANSPORTATION AND LAND USE COMMITTEE FOR REVIEW OF THE PLANNING DEPARTMENT'S PROCEDURES FOR

RECOVERING COSTS OF PROVIDING SERVICES. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

McCull-yea, Pratt-yea, Struiksma-yea, Henderson-nay,

McCarty-yea, Filner-nay, Mayor O'Connor-not present.

ITEM-335:

Matters relating to the Sunburst Scripps and Scripps Eastview projects:

1. Appeal of Sunburst Homes Company, by James A. Clarke, from the decision of the Planning Commission in denying Planned Residential Development Permit PRD-87-0883, which proposes 316 residential units (164 detached single-family residential units and 152 attached housing units). The subject property is located at the northwest side of Pomerado Road, east of the existing terminus of Fronsac Court in the County of San Diego S-90 Zone (prezoned A-1-10, HR and proposed rezoned to Zonings R1-6000, R-3000, CN, R-2500 and HR upon annexation to the City of San Diego). The subject property is further described as the southwest quarter of the southwest quarter of Section 26; portion of the northwest quarter of Section 35, Township 14 South, Range 2 West, S.B.B.M. all within the boundaries of the Scripps Miramar Ranch Community Plan. (PRD-87-0883. District-5.)

2. Request to subdivide a 56.7-acre site into 334 lots for residential development on property located at the northwest side of Pomerado Road, east of the existing terminus of Fronsac Court in the County of San Diego S-90 Zone (prezoned A-1-10, HR and proposed rezoned to Zonings R1-6000, R-3000, CN, R-2500 and HR upon annexation to the City of San Diego). The subject property is further described as the southwest quarter of the southwest quarter of Section 26; portion of the northwest quarter of Section 35, Township 14 South, Range 2 West, S.B.B.M. all within the boundaries of the Scripps Miramar Ranch Community Plan. (VTM-87-0883. District-5.)

3. Request to subdivide a 123.0-acre site into 375 lots for residential development on property located on the

northwest side of Pomerado Road, in the County S90, (approved A-1-10 and HR zones, and proposed A-1-1, R1-6000, R-3000 and Hillside Review Overlay (HR) zones, upon annexation to the City), in the Scripps Miramar Ranch Community Plan area. The subject property is further described as portions of Section 26, Township 14 South, Range 2 West, S.B.B.M.

(VTM-87-0884. District-5.)

4. A proposal to vacate portions of Pomerado Road east of Semillon Boulevard.

(Scripps Miramar Ranch Community Plan. District-5.)

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Subitem-A: (R-88-2571) ADOPTED AS RESOLUTION R-271348
CERTIFYING EIR-87-0883

(R-89-339) ADOPTED AS RESOLUTION R-271720
CERTIFYING EIR-87-0884

Adoption of a Resolution certifying that the information contained in Environmental Impact Reports EIR-87-0883 and EIR-87-0884, Addendum to EIR-84-0744, have been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said reports have been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statements of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-88-) ADOPTED AS RESOLUTION R-271349,
GRANTING THE APPEAL AND THE PERMIT

Adoption of a Resolution granting or denying the appeal and granting or denying the permit for the Sunburst Scripps project, with appropriate findings to support Council action.

Subitem-C: (R-88-) ADOPTED AS RESOLUTION R-271350,
GRANTING THE MAP

Adoption of a Resolution granting or denying the map for the Sunburst Scripps project, with appropriate findings to support Council action.

Subitem-D: (R-88-) ADOPTED AS RESOLUTION R-271351,
GRANTING THE MAP

Adoption of a Resolution granting or denying the map for

the Scripps Eastview project, with appropriate findings to support Council action.

Subitem-E: (R-88-2570) ADOPTED AS RESOLUTION R-271352

Adoption of a Resolution authorizing the vacation of a portion of Pomerado Road east of Semillon Boulevard.

CITY MANAGER SUPPORTING INFORMATION: The subject vacation is the result of the realignment of Pomerado Road required by the proposed Tentative Maps for Sunburst Scripps (TM-87-0883) and Scripps Eastview (TM-87-0884). The proposed vacation and Tentative Maps are within an annexation area which is to become part of the Scripps Miramar Ranch Community. The excess portions of Pomerado Road will not be needed when the new alignment is dedicated. The Planning Commission recommended approval of Scripps Eastview but denied the Sunburst Scripps project, with both actions occurring on May 12, 1988. The subject vacation consists of twelve fragmented portions of Pomerado Road that will exist when the roadway is realigned and upgraded to major street standards. The realignment begins approximately 1500 feet easterly of Semillon Boulevard and extends easterly to the future boundary line between Poway and San Diego. The area-of-vacation totals 3.90 acres, of which 1.70 acres on the easterly side of the new alignment is to be incorporated within the proposed subdivisions. There are no development plans for the remaining excess right-of-way. The right-of-way proposed for vacation will no longer be required when the new alignment is dedicated and improved. The future improvements and dedication are conditions of both Tentative Maps and will be guaranteed with the first final map approved in either of the Tentative Maps. Staff review has indicated that the rights-of-way to be vacated will no longer be required for present or prospective use and may be summarily vacated conditioned upon Council approval of the final map which provides the dedication and improvement for the realignment.

FILE LOCATION:

Subitem-A PERM PRD 87-0883,

Subitem-B PERM PRD 87-0883,

Subitem-C SUBD Sunburst Scripps,

Subitem-D SUBD Scripps Eastview,

Subitem-E STRT J-2687 DEED F-4515

DEEDFY89-1

COUNCIL ACTION: (Tape location: C248-636, D010-G110.)

Hearing began 11:44 a.m. and recessed 12:07 p.m.

Testimony in opposition by Kathy Giles, Mack Ackman, and Betty Roxford.

Hearing reconvened at 2:08 p.m. and halted at 4:17 p.m.

Testimony in opposition by Margaret Williams, Kathy Giles, Patrick Reynolds, Michael Eckman and Aileen Heimlich.

Testimony in favor by Paul Peterson, Jim Bowersox, Roger Kerr, and Dale Naegle.

MOTION BY STRUIKSMA TO CERTIFY ADDENDUM NUMBER 87-0884 TO ENVIRONMENTAL IMPACT REPORT NUMBER 84-0744 AND ADOPT CANDIDATE FINDINGS WITH RESPECT TO THE APPROPRIATENESS OF THE ADDENDUM, THE FEASIBILITY OF THE MITIGATION MEASURES AND PROJECT ALTERNATIVES AND STATEMENTS OF OVERRIDING CONSIDERATIONS DATED THE 29th OF JUNE, 1988; TO APPROVE VESTING TENTATIVE MAP NUMBER 87-0884 AND ADOPT FINDINGS PREPARED BY STAFF, AND TO APPROVE THE ASSOCIATED STREET VACATION. Second by McCarty. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-not present.

MOTION BY STRUIKSMA TO CERTIFY ADDENDUM NUMBER 87-0883 TO ENVIRONMENTAL IMPACT REPORT NUMBER 84-0744 AND ADOPT CANDIDATE FINDINGS WITH RESPECT TO THE APPROPRIATENESS TO THE ADDENDUM AND FEASIBILITY OF THE MITIGATION MEASURES AND PROJECT ALTERNATIVES AND STATEMENTS OF OVERRIDING CONSIDERATIONS DATED THE 29th OF JUNE, 1988; TO GRANT THE APPEAL AND APPROVE THE PLANNED RESIDENTIAL PERMIT NO. 87-0883, APPROVE THE VESTING TENTATIVE MAP NUMBER 87-0883 AND ADOPT FINDINGS SUBMITTED BY THE APPLICANT AND APPROVE THE ASSOCIATED STREET VACATION. Second by McCarty. Passed by the following vote: Wolfsheimer-nay, Roberts-nay, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-not present.

ITEM-336: (R-88-2272) ADOPTED AS RESOLUTION R-271353

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Mira Mesa Landscape Maintenance District.

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessment for the Mira Mesa Landscape Maintenance District. The district provides for the maintenance of landscaped and paved medians within the community. The Fiscal

Year 1989 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$58,870
Personnel	9,461
Water and Electric Service	250
Incidentals	13,264
Total Expenses	\$81,845
Reserve	8,900
Total	\$90,745
Less Carry-over and Interest	29,000
Less City Contribution	19,767
Assessed to District	\$41,978

The assessment amount per unit for Fiscal Year 1989 is \$1.95, compared to \$2.10 for Fiscal Year 1988. The assessment base of the district has been expanded this fiscal year to include residential units between Parkdale Avenue and Camino Santa Fe.

FILE LOCATION: STRT M-153

COUNCIL ACTION: (Tape location: G119-122.)

Hearing began at 4:18 p.m. and halted at 4:19 p.m.

MOTION BY STRUIKSMA TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-337: (R-88-2211) CONTINUED TO JULY 20, 1988

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Gateway Center East Landscape Maintenance District.

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

CITY MANAGER SUPPORTING INFORMATION: Gateway Center East is an industrial park project under development by the Southeast Economic Development Corporation, located east of I-15 and north of Market Street. Landscaping for the project consists of landscaped open space easements on the slopes facing I-15 and S.R. 94, as well as landscaping along the frontage of all lots and medians on Market Street and Gateway Center Drive. The district will provide maintenance of open space, medians, and landscaped easements within the district. The estimated maintenance costs for the district for Fiscal Year 1989 are as follows:

Contractual Maintenance	\$ 53,609
Personnel	7,568
Utilities	18,500

Incidentals	10,235
Total Expenses	\$ 89,912
Reserve	31,775
Total	\$121,687
Less Carry-over & Interest	46,250
Less City Contribution	750
Assessed to District	\$ 74,687

The average assessment amount per building pad acre for Fiscal Year 1989 is approximately \$2,000 compared to \$3,300 for Fiscal Year 1988. The reduction in the assessment is due to the carry-over of \$46,250 from the previous fiscal year.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G111-119.)

MOTION BY PRATT TO CONTINUE TO JULY 20, 1988, TO GIVE THE BUSINESS OPERATORS IN THE GATEWAY CENTER TIME TO RESOLVE ISSUES WITH THE SOUTHEAST DEVELOPMENT CORPORATION. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-338: (R-88-2253) ADOPTED AS RESOLUTION R-271354

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the San Ysidro Boulevard Landscape Maintenance District.

(San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: San Ysidro Boulevard Landscape Maintenance District is located on San Ysidro Boulevard between I-805 and Via de San Ysidro. The street widening and improvements are currently under construction and are expected to be completed by February 1989. The improvements consists of landscaping, decorative pavement, and decorative sidewalk and street amenities such as bollards, benches and above-grade planters. The proposed district will provide the necessary maintenance to the improvements. This action will establish the district and levy assessments for the last four months of Fiscal Year 1989. The estimated maintenance costs for the district for the last four months of Fiscal Year 1989 are as follows:

Contractual Maintenance	\$ 4,334
Personnel	2,523
Utilities	683
Incidentals	2,767
Total Expenses	\$10,307

Reserve 1,157
Total \$11,464

The estimated average assessment for Fiscal Year 1989 is approximately \$440 per parcel.

FILE LOCATION: STRT M-156

COUNCIL ACTION: (Tape location: G130-135.)

Hearing began at 4:19 p.m. and halted at 4:20 p.m.

MOTION BY FILNER TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-339:

Matters of the following accelerated variance requests from the Interim Development Ordinance (IDO):

a) A variance request from the Interim Development Ordinance (IDO) for a 3-unit project (includes proposed units and any existing units to remain). The subject property is located at 1376 La Palma Street and is described as Assessor's Parcel No. 423-383-01. The R-1000 zoned site is within the Pacific Beach Community Plan area.

(Case-87-3069 (Accelerated). District-6.)

b) A variance request from the Interim Development Ordinance (IDO) for a 3-unit project (includes proposed units and any existing units to remain). The subject property is located at 4768 Noyes Street and is described as Assessor's Parcel No. 416-460-10. The R-1500 zoned site is within the Pacific Beach Community Plan area.

(Case-87-2067 (Accelerated). District-6.)

Subitem-A: (R-88-) ADOPTED AS RESOLUTION R-271355,
DENYING THE VARIANCE

Adoption of a Resolution granting or denying the variance request for Case-87-3069 with appropriate findings to support Council action.

Subitem-B: (R-88-) ADOPTED AS RESOLUTION R-271356,
DENYING THE VARIANCE

Adoption of a Resolution granting or denying the variance request for Case-87-2067 with appropriate findings to support Council action.

FILE LOCATION: SUBITEM A: ZONE IDO VARIANCE CASE-87-3069;
SUBITEM B: ZONE IDO VARIANCE CASE-87-2067

COUNCIL ACTION: (Tape location: G136-H221.)

Hearing began at 4:21 p.m and halted at 4:50 p.m.

Testimony in favor by Eric Shwisberg.

MOTION BY HENDERSON TO DENY SUBITEM-A. Second by Filner.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

McCull-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-not present.

Testimony in favor by Wayne Kline.

Testimony in opposition by John Bovee and Curt Spanis.

MOTION BY HENDERSON TO DENY SUBITEM-B. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

McCull-yea, Pratt-not present, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-340: APPROVED REPORT

(Continued from the meetings of May 10, 1988, Item 332,
(portion of

Subitem C), and June 21, 1988, Item 332; last

continued at the City Manager's request, due to lack of
time.)

The matter of allocation of ADTs to Zone 441 within the
Mission Valley Development Intensity Zone C.

(Mission Valley Community Area. District-5.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H022-170.)

Hearing began at 4:51 p.m. and halted at 5:01 p.m.

Testimony in favor by Michel Anderson.

MOTION BY STRUIKSMA TO DIRECT STAFF TO WORK POSITIVELY WITH THE
APPLICANT TO REVISE THE PROJECT WITHIN THE FRAMEWORK OF THE
MISSION VALLEY COMMUNITY PLAN AND THE DEVELOPMENT INTENSITY

ORDINANCE. Second by Pratt. Passed by the following vote:

Wolfsheimer-nay, Roberts-yea, McCull-yea, Pratt-yea,

Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-not present.

ITEM-341: CONTINUED TO JULY 12, 1988

Proposed amendments to 1) The Costa Verde Specific Plan,
and 2) The Costa Verde Development Agreement between the
City of San Diego and Guaranty Service Corporation.

The proposed amendment to the specific plan would increase
the allowable height of residential buildings to a maximum
of 23 stories. No increase in the number of approved
dwelling units (2,600) would occur.

The proposed amendment to the development agreement provides for the funding of public facilities through the owners participation in the community's public facilities financing plan. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The amendment would assure the owner that the property could be developed in conformance with the University Community Plan, Costa Verde Specific Plan, R1-5000 Zone and Planned Residential Development PRD-87-0991, Planned Commercial Development PCD-85-0783 and Tentative Map TM-85-0783 for the ten-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property (approximately 56 acres) is located south of La Jolla Village Drive, north of Nobel Drive, east of Regents Road and west of Genesee Avenue, in Zone R1-5000, in the University community. A brief legal description is as follows: portions of Pueblo Lots 1301, 1302 and 1308. The specific legal description is on file in the City Planning Department.
(Case-88-0352. District-1.)

Subitem-A: (R-88-2495)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-87-0991 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-88-202)

Introduction of an Ordinance amending the specific plan.

Subitem-C: (O-88-209)

Introduction of an Ordinance amending the development agreement.

Subitem-D: (R-88-2494)

Adoption of a Resolution authorizing the City Manager to execute a first amendment to the Costa Verde Development Agreement with Guaranty Service Corporation.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: H171-I119.)

Hearing began at 5:02 p.m. and halted at 5:40 p.m.

Testimony in favor by Paul Robinson.

MOTION BY HENDERSON TO EXTEND THE COUNCIL MEETING TO 6:00 P.M.

Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor
O'Connor-not present.

Motion by Wolfsheimer to approve the project subject to the following conditions: 1) The project's open space, which results from the conversion of low rise residential to high rise, shall become a non-buildable easement to be utilized perpetually for open space. It may be used for foot travel and/or passive recreation and it shall be landscaped accordingly. 2) Provisions No. 28 and No. 29 shall not be deleted from the Specific Plan or Development Agreement. In view of the F levels of traffic service in the area, it would be inappropriate to grant Costa Verde an exemption from the adopted transportation phasing element of the community plan, the IDO, its successor or the Capital Improvements Program Schedule for the area. 3) Construction of the pedestrian bridge shall not be deferred. Noise abatement programs shall be designed and implemented promptly under EQD supervision. City architect shall review and work with applicant to resolve urban design problems. 4) Section B.2 of the Specific Plan shall not be amended to provide for 34 acres of residential, 14 acres of commercial and 5 acres of hotel use; Section D.1 shall not be amended to give MTDB the exclusive right to determine where additional bus stops are to be sited. The City may wish to determine these sites with MTDB. 5) Section E of the Specific Plan and the Development Agreement shall be amended to prohibit any reduction in parking for any type of use anywhere within the project. 6) The Development Agreement Paragraph 6.1 shall be amended so as to delete the last sentence which authorizes conversion of the hotel to multi-family residential uses; Paragraph 7.12 shall not be amended until the City Council has been briefed on the significance of former Paragraph 7.12 and Paragraph 11.4 to which it refers, and the City Council subsequently approves this Amendment. No Second.

MOTION BY WOLFSHEIMER TO CONTINUE TO JULY 12, 1988, FOR A REPORT FROM THE PLANNING DEPARTMENT ON THE PROPOSED AMENDMENTS TO THE PROJECT. Second by Filner. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksmay-nay, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-not present.

* ITEM-S400: (R-88-2644) ADOPTED AS RESOLUTION R-271341

Authorizing the City Auditor and Comptroller to transfer within the General Fund 100, City Attorney's Department (0450) the sum of \$17,000 from Fringe Benefits to Personal Services.

Aud. Cert. 8801154.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A140-153.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S401:

Five actions relative to the final subdivision map of Tierrasanta Norte IV, a 64-lot subdivision located northeasterly of Santo Road and Clairemont Mesa Boulevard: (Tierrasanta Community Area. District-7.)

Subitem-A: (R-88-2638) ADOPTED AS RESOLUTION R-271342

Authorizing the execution of a Subdivision Improvement Agreement with Tierrasanta L-L Partnership, for the installation and completion of certain public improvements.

Subitem-B: (R-88-2637) ADOPTED AS RESOLUTION R-271343

Approving the final map.

Subitem-C: (R-88-2639) ADOPTED AS RESOLUTION R-271344

Approving the acceptance by the City Manager of a grant deed of Tierrasanta L-L Partnership, granting to the City all of Lot 64 of Tierrasanta Norte IV.

Subitem-D: (R-88-2640) ADOPTED AS RESOLUTION R-271345

Setting aside easements in City-owned land in portions of Parcel 3 of Parcel Map PM-8547 and of Lot 15 of Villa Antigua Unit No. 1, Map-8574, for sewer and drainage purposes.

Subitem-E: (R-88-2641) ADOPTED AS RESOLUTION R-271346

Authorizing the acceptance of a cash payment of \$450,000 in lieu of an insurance policy required by Subdivision Board Resolution No. 4088.

FILE LOCATION:

Subitems A, B, and E SUBD Tierrasanta Norte

IV,

Subitem-C DEED F-4516, and

Subitem-D

DEED F-4517 DEEDFY89-2 CONTFY89-1

COUNCIL ACTION: (Tape location: B542-555.)

MOTION BY McCARTY TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S402: (R-88-2609) ADOPTED AS RESOLUTION R-271347

Accepting and approving the City Manager's report on the Lindbergh Field Noise Standards Variance Proceedings and FAR Part 150 Study and directing the City Manager and City Planning Director to take actions implementing the recommendations therein; authorizing the City Manager to convey to the intervening parties and the Unified Port District the City's full support of the proposal and consider the proposal within the scope of the FAR Part 150 Study Program.

(See City Manager Report CMR-88-338. Districts-2 and 8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C180-246.)

MOTION BY ROBERTS TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S403: CONTINUED TO JULY 11, 1988

Four actions relative to the final subdivision map of Tierrasanta Norte VII, a 49-lot subdivision located northeasterly of Santo Road and Clairemont Mesa Boulevard: (Tierrasanta Community Area. District-7.)

Subitem-A: (R-88-2630)

Authorizing the execution of a Subdivision Improvement Agreement with Tierrasanta L-L Partnership for the installation and completion of public improvements.

Subitem-B: (R-88-2629)

Approving the final map.

Subitem-C: (R-88-2631)

Setting aside easements in City-owned land, being a portion of Parcel 1 of Parcel Map PM-8547; dedicating said land as and for a public street and naming the same Portobelo Drive.

Subitem-D: (R-88-2632)

Approving the acceptance by the City Manager of a grant deed of Tierrasanta L-L Partnership, granting to the City all of Lots 47, 48 and 49 of Tierrasanta Norte VII.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A069-079.)

MOTION BY McCARTY TO CONTINUE TO JULY 11, 1988, AT THE CITY MANAGER'S REQUEST TO COMPLETE DOCUMENTS FOR THE DEDICATION OF LAND FOR OPEN SPACE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S404: (R-88-2663) ADOPTED AS RESOLUTION R-271357

Amending the Housing Assistance Plan for the three-year period from October 1, 1985, to September 30, 1988; authorizing the City Manager to submit the Plan to the U.S. Department of Housing and Urban Development (HUD). (See Housing Commission Report HCR-88-007.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I120-157.)

MOTION BY ROBERTS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S405: (R-88-2664) ADOPTED AS RESOLUTION R-271358

Authorizing the execution of a Cooperation Agreement with the Housing Authority with regard to the construction and/or acquisition of a maximum of 100 units of publicly-owned, low-rent housing; acknowledging that this Cooperation Agreement provides for approximately 100 units of the 2,500 units of publicly-owned, low-rent housing authorized pursuant to the passage of Proposition K on the November 2, 1976, General Election Ballot.

(See Housing Commission Report HCR-88-006.)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: I158-185.)

MOTION BY McCARTY TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

NON-DOCKET ITEMS:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent the meeting was adjourned at 5:46 p.m. by Deputy Mayor O'Connor in honor of the memory of Andrew Paul Lehman.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: I186-198).