

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

MONDAY, OCTOBER 24, 1988

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 2:12 p.m.
Mayor O'Connor adjourned the meeting at 6:25 p.m. to meet in Closed
Session on Tuesday, October 25, 1988 at 9:30 a.m. in the twelfth
floor conference room regarding pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member McColl-present
 - (4) Council Member Pratt-present
 - (5) Council Member Struiksmma-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (jb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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

ITEM-10: INVOCATION

Invocation was given by Reverend Monsignor William A.
Kraft, Executive Director of Development for the
Diocese of San Diego.

FILE LOCATION: MINUTES

Oct-24-1988

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Wolfsheimer.

FILE LOCATION: MINUTES

ITEM-30: (R-89-1004) ADOPTED AS RESOLUTION R-272112
Proclaiming October 1988 to be "Spina Bifida Month" in San
Diego, so that citizens may increase their sensitivity to
the needs of spina bifida patients and the difficulties
faced by their caretakers.

19881024

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A037-092.)

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

ITEM-31: (R-89-728) ADOPTED AS RESOLUTION R-272113
Declaring the weekend of October 29-30, 1988 to be "Walk
for the Hungry Weekend" in the City of San Diego;
commending the Church World Service, the Navajo Interfaith
Association, the North County Interfaith Council, the
Oceanside/Carlsbad Ministerial Association, the Ramona
Ministerial Association, the South Bay Ecumenical Council,
the San Dieguito Ministerial Association, the Vista
Ministerial Association, the San Diego Hunger Coalition and
the Bishop's School for their tireless efforts to end
hunger and to reduce the suffering of millions of our
fellow human beings.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A093-121.)

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

ITEM-32: (R-89-703 Rev.) ADOPTED AS RESOLUTION R-272114
Authorizing Suggestion Awards and making a presentation to
the following City employees:
Barbara Elam - General Services Department - \$1,519.83.

Ricardo McAfee, Richard Long, Donald Reed - General
Services Department - \$1,464.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A122-158.)

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

Oct-24-1988

ITEM-33: APPROVED

Approval of Council Minutes for the Meetings of:

9/12/88

9/13/88

9/13/88 Special

10/5/88 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A159-170.)

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

ITEM-34: GRANTED HEARING

Matter of the requests of Dr. Morton Hecht and La Jolla Shores Association, by Michael N. Oxman, M.D., Chairman, for a hearing of an appeal from the decision of the Planning Commission in granting La Jolla Shores Planned District Permit LJS-88-0754, which proposes to demolish an existing 16-unit residential building and construct a new 12-unit residential building. The applicant is requesting a variance to allow the major axis of the building to be parallel to the beach and to allow the development of 87 percent of the width of the lot where 60 percent is required (Sec. 103.0304.2.B.3, La Jolla Shores Planned District Ordinance). The subject property is located on the northeast corner of Camino del Oro and Vallecitos and is described as Lots 8 and 9, La Jolla Shores Unit 6, in the MF-2 zoned site, in the La Jolla Shores Planned District.

(LJS-88-0754. District-1.)

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

FILE LOCATION: PERM - LJS-88-0754

COUNCIL ACTION: (Tape location: A173-198.)

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

* ITEM-50: (O-89-48) ADOPTED AS ORDINANCE O-17165 (New Series)

Amending Chapter VI, Article 4, Division 3, of the San Diego Municipal Code by amending Sections 64.0301 and 64.0304, relating to General Provisions and amending Chapter VI, Article 4, Division 5 of the San Diego Municipal Code by amending Sections 64.0502, 64.0510 and 64.0512, relating to Industrial Wastewater. (Introduced on 10/10/88. Council voted 8-0. District 3 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A246-260.)

CONSENT MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT. Second by Struiksmayea. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-51: (O-89-27) ADOPTED AS ORDINANCE O-17166 (New Series)

Amending Chapter X, Article 1, Division 5, of the San Diego Municipal Code by amending Section 101.0510, relating to Conditional Use Permits. (Introduced on 10/11/88. Council voted 7-1. District 7 voted nay. District 3 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A246-260.)

CONSENT MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT. Second by Struiksmayea. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

* ITEM-52: (O-89-61 Rev.3) ADOPTED AS ORDINANCE O-17167 (New Series)

Adoption of the Interim Ordinance limiting the issuance of building permits and commencement of construction within a

portion of the Linda Vista Community Plan Area until amendments to the Linda Vista Community Plan are adopted and implementing ordinances are in effect.

(Linda Vista Community Area. Districts-5 and 6.

Introduced as amended on 9/20/88. Council voted 6-0.

Districts 1, 4 and 8 not present. Re-introduced as amended on 10/11/88. Council voted 7-0. Districts 3 and 7 not present.)

FILE LOCATION: LAND - Linda Vista Community Plan

COUNCIL ACTION: (Tape location: A246-260.)

CONSENT MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-53: (O-89-70) ADOPTED AS ORDINANCE O-17168 (New Series)

Approving and adopting the Fifth Amendment to the Redevelopment Plan for the Columbia Redevelopment Project.

(Centre City Community Area. District-8. Introduced on 10/11/88. Council voted 6-0. Districts 3, 5, and 8 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A246-260.)

CONSENT MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-54: (O-89-42) ADOPTED AS ORDINANCE O-17169 (New Series)

Assigning rights and obligations of Applied Energy, Incorporated, authorized under Franchise Ordinance O-10639 (New Series), to Energy Factors, Incorporated, which will assign the agreement to San Diego Central Cooling Company pursuant to the provisions of Section 15 of the franchise agreement.

(Introduced on 10/11/88. Council voted 8-0. District 3 not present.)

FILE LOCATION: FRAN - Applied Energy Incorporated

COUNCIL ACTION: (Tape location: A246-260.)

CONSENT MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT. Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

* ITEM-55: (O-89-41) INTRODUCED, TO BE ADOPTED NOVEMBER 7, 1988

Introduction of an Ordinance amending Chapter III, Article
3, Division 41, of the San Diego Municipal Code by amending
Sections 33.4103 and 33.4107, relating to Definitions and
Regulations of Casino Parties.
(See City Manager Report CMR-88-445.)

COMMITTEE ACTION: Reviewed by PSS on 10/5/88. Recommendation
to approve the City Manager's recommendation. Districts 2, 3,
6, and 7 voted yea. District 4 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A261-344.)

CONSENT MOTION BY McCOLL TO INTRODUCE THE ORDINANCE. 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-yea.

* ITEM-100: (R-89-405) ADOPTED AS RESOLUTION R-272115

Awarding a contract to University Service Co.
for furnishing full maintenance of heating,
ventilation and air conditioning systems at
the Charles C. Dail Concourse, 202 "C" Street, and the
Museum of Art in Balboa Park, as may be required for a
period of one year beginning November 1, 1988 through
October 31, 1989, for an estimated cost of \$46,470, with
options to renew the contract for four additional one
year periods. (BID-0085/89)
District-8.)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-89-406) ADOPTED AS RESOLUTION R-272116

Awarding contracts for the purchase of 15 rear and side
loader refuse packers, as follows: (BID-0040/89)
1. Ottawa Truck Corporation for Item 1 - ten each refuse
packers, 25 cubic yard rear loader (Rogue Model LERL

with Alpha Leach body) at a cost of \$96,067 each, for a total cost of \$960,670, including tax and terms.

2. Inland Empire White GMC for Item 2 - five each refuse packers, 37 cubic yard side loader (White Model WXLL low entry with Amrep body) at a cost of \$96,856 each, for a total cost of \$484,280, including tax and terms.

Aud. Cert. 8900321.

FILE LOCATION: MEET CONFY89-2

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-89-407) ADOPTED AS RESOLUTION R-272117

Awarding a contract to Techni-Glass, Inc. for the purchase of six beach observation lifeguard towers, for a total cost of \$96,300, including tax. (BID-0114/89)

Aud. Cert. 8900343.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-103: (R-89-408) ADOPTED AS RESOLUTION R-272118

Awarding a contract to Menzies International California, Inc. for furnishing janitorial services at City Operations Stations, as may be required for a period of one year beginning November 1, 1988 through October 31, 1989, for an estimated cost of \$57,502, including terms, with options to renew the contract for three additional one year periods, with price escalation not to exceed 3 percent of prices in effect at the end of each prior year.

(BID-0131/89)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A395-590.)

MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-89-410) ADOPTED AS RESOLUTION R-272119

Awarding a contract to Information Access Co. for furnishing six compact disc subscriptions of General Periodicals Index - Public Library Edition, including six workstations; one National Newspaper Index CD database on one Info Trac II workstation and two Magazine Index subscriptions on microfilm, as may be required for a period of one year beginning October 1, 1988 through September 30, 1989, for an estimated cost of \$33,272.72, including tax, with options to renew the contract for two additional one year periods, with price increases not to exceed 10 percent of the bid price for each year. (BID-0105/89)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-89-417) ADOPTED AS RESOLUTION R-272120

Awarding a contract to ABC Construction Co., Inc., for Genesee Avenue Bikeway III between Osler Street and Derrick Drive in the amount of \$196,452; authorizing the expenditure of not to exceed \$22,050 from Local Transportation Fund 39005, CIP-58-052.0, Genesee Avenue Bikeway III, to supplement funds previously authorized by Resolution R-264820, adopted on January 6, 1986 and Resolution R-271298, adopted on June 27, 1988 for said project and related costs. (BID-9703)

(Clairemont Mesa Community Area. Districts-5 and 6.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide an exclusive bikeway lane on Genesee Avenue from Osler Street on the south to Derrick Drive on the north. Construction improvements will include modifications of existing median island and traffic signals, removing and restriping existing traffic lanes, and shoulder paving. This project will provide for the completion of the southern portion of Genesee Avenue Regional Bikeway which currently extends from North Torrey Pines Road. This bikeway, when completed will serve Mesa Community College, a junior high school, and a series of traffic generators. Bids were opened on July 27, 1988 and the low bid of the three received was 16 percent above the consultant's estimate of \$170,150. Approval to award is requested as an analysis of the bids leads staff to believe that readvertising will not result in a lower bid.

Aud. Cert. 8900336.

FILE LOCATION: CONT - ABC Construction Co., Inc.
CONTFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-89-415) ADOPTED AS RESOLUTION R-272121

19881024

Inviting bids for the Cleaning of Digester S-1 at the Point Loma Wastewater Treatment Plant on Work Order No. 170741; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$301,600 from Sewer Fund 41506 for said project and related costs. (BID-0185/89)
(Harbor Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This contract is for the cleaning of sludge digester S-1 at the Point Loma Wastewater Treatment Plant. Periodic cleaning of the digester is necessary to remove undigestible sludge and digestion by-products which accumulate over a period of time.

Aud. Cert. 8900327.

WU-P-89-046.

FILE LOCATION: W.O. 170741 CONT - International Technology Corp. CONTFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107:

Two actions relative to the Construction of Alvarado Filtration Plant Joint Laboratory Training Building - Phase I : (BID-0184/89)
(Navajo Community Area. District-7.)

19881024

Subitem-A: (R-89-413) ADOPTED AS RESOLUTION R-272122

Inviting bids for the Construction of Alvarado Filtration Plant Joint Laboratory/Training Building - Phase I on Work

Order No. 180241; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$282,800 (\$56,560 from Sewer Fund 41506, CIP-46-123.0, Alvarado Filtration Plant - Training Facility; \$84,840 from Water Fund 41502, CIP-73-257.0, Alvarado Filtration Plant - Training Facility; \$110,290 from Sewer Fund 41506, CIP-46-124.0, Alvarado Filtration Plant - Joint Laboratory Facility; and \$31,110 from Water Fund 41502, CIP-73-258.0, Alvarado Filtration Plant - Joint Laboratory Facility) 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.

Subitem-B: (R-89-414) ADOPTED AS RESOLUTION R-272123
Certifying that Environmental Negative Declaration END-87-0800, in connection with the Construction of Alvarado Filtration Plant Joint Laboratory/Training Building - Phase 1, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Report has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: On September 15, 1986, Council authorized an agreement with Bradshaw/Bundy, Architects, for design services in connection with the Alvarado Filtration Plant - Joint Water and Wastewater Laboratory and for the Alvarado Filtration Plant - Training Facility. During the course of design it was determined that substantial savings would be realized if the site grading for these two buildings was done as a single project. A proration of funds from the two projects has been made to provide for this project referred to as Construction of Alvarado Filtration Plant Joint Laboratory/Training Building - Phase I. (Site grading only.) Phase II, Training Building and Phase III, Laboratory will be forthcoming. The plans for the Training Building and the Joint Laboratory Building are now in plan check and advertising and subsequent construction of these buildings will follow when appropriate approvals have been obtained.

Aud. Cert. 8900337.

WU-P-89-035.

FILE LOCATION: W.O. 180241 CONT - Engicon CONFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

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

* ITEM-108: (R-89-411) ADOPTED AS RESOLUTION R-272124

19881024

Inviting bids for the Construction of Traffic Signal and Street Lighting Systems at Clairemont Drive and Merrimac Avenue and at Morena Boulevard and West Morena Boulevard on Work Order No. 119048; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$165,700 from Capital Outlay Fund 30244, CIP-61-002.0, Annual Allocation - New Traffic Signals, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess funds, if any, in CIP-61-002.0, Annual Allocation - New Traffic Signals. (BID-0182/89)

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvements Project will provide for the safe passage of emergency vehicles, pedestrians, and vehicles through the intersections. Design features include a protected left-turn movement from southbound Morena Boulevard and emergency vehicle preemption equipment.

Aud. Cert. 8900311.

FILE LOCATION: W.O. 119048 CONT - Perry Electric CONFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

19881024

* ITEM-109: (R-89-412) ADOPTED AS RESOLUTION R-272125

Inviting bids for the Reconstruction of Elliott Street Storm Drain on Work Order No. 119173; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$117,000 from Capital Outlay Fund 30244, CIP-17-001.0, Annual Allocation - Minor Drain Improvements, 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-0183/89)

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This project will remove the existing storm drain and install a new storm drain in a steep hillside west of Elliott Street. The existing drain is so deteriorated that replacement is necessary. If not replaced, erosion of the hillside and flooding to an apartment building may occur. The project will also upgrade the system by installing new catch basins and additional pipe to reduce flooding in the street.

Aud. Cert. 8900312.

FILE LOCATION: W.O. 119173 CONT - Drainage Construction
Co., Inc. CONFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110: (R-89-416) ADOPTED AS RESOLUTION R-272126
19881024

Inviting bids for the La Jolla Cove Shower - Improvements on Work Order No. 118925; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$5,000 within Capital Outlay Fund 30245 from CIP-20-001.0, Annual Allocation - Minor Improvements, to CIP-29-596.0, La Jolla Cove Comfort Station - Improvements; authorizing the expenditure of funds not to exceed \$30,000 from Capital Outlay Fund 30245, CIP-29-596.0, La Jolla Cove Comfort Station - Improvements, 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-0186/89M)
(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide additional shower facilities, drainage improvements, protective handrails and a stairway for public beach access at La Jolla Cove. The additional shower will accommodate the heavy use of the facilities during the summer months and on weekends. The new drainage improvements will eliminate a consistently wet area. The new stairway will provide safe access to the beach west of the cove.

Aud. Cert. 8900322.

FILE LOCATION: W.O. 118925 CONT - Roque and Sons
Concrete CONFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-111:

Three actions relative to the final subdivision map of Canyon Country Unit No. 3, a 114-lot subdivision located northwesterly of Calle Cristobal and Montongo Street: (Mira Mesa Community Area. District-5.)

Subitem-A: (R-89-701) ADOPTED AS RESOLUTION R-272127
Authorizing the execution of a Subdivision Improvement Agreement with The Fieldstone Company for the installation and completion of public improvements.

Subitem-B: (R-89-700) ADOPTED AS RESOLUTION R-272128
Approving the final map.

Subitem-C: (R-89-702) ADOPTED AS RESOLUTION R-272129
Approving the acceptance by the City Manager of a grant deed of The Fieldstone Company, granting to the City all of Lots 109, 110, 111, 112, 113 and 114 of Canyon Country Unit No. 3.

FILE LOCATION:

Subitems A-B SUBD - Canyon Country Unit
No. 3;

Subitem C DEED F-4661

CONTFY89-1;DEEDFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112:

Three actions relative to the final subdivision map of Canyon Country Unit No. 11, a 63-lot subdivision located northwesterly of Camino Ruiz and Mira Mesa Boulevard: (Mira Mesa Community Area. District-5.)

Subitem-A: (R-89-686) ADOPTED AS RESOLUTION R-272130
Authorizing the execution of a Subdivision Improvement
Agreement with The Fieldstone Company for the installation
and completion of public improvements.

Subitem-B: (R-89-685) ADOPTED AS RESOLUTION R-272131
Approving the final map.

Subitem-C: (R-89-687) ADOPTED AS RESOLUTION R-272132
Approving the acceptance by the City Manager of a grant
deed of The Fieldstone Company, granting to the City Lots
870 and 871 of Canyon Country Unit No. 11.

FILE LOCATION:

Subitems A-B SUBD - Canyon Country Unit
No. 11;

Subitem C DEED F-4662
CONTFY89-1;DEEDFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-113:

Seven actions relative to the final subdivision map of Five
Creeks, a 27-lot subdivision located northeasterly of
Towne Centre Drive and Nobel Drive:
(University North Community Area. District-1.)

Subitem-A: (R-89-717) ADOPTED AS RESOLUTION R-272133
Authorizing the execution of a Subdivision Improvement
Agreement with Ahmanson Developments, Inc. for the
installation and completion of public improvements.

Subitem-B: (R-89-716) ADOPTED AS RESOLUTION R-272134
Approving the final map.

Subitem-C: (R-89-718) ADOPTED AS RESOLUTION R-272135
Approving the acceptance by the City Manager of two grant
deeds of Ahmanson Developments, Inc., granting to the City
Lot 1 and Lot 19 of Five Creeks.

Subitem-D: (R-89-721) ADOPTED AS RESOLUTION R-272136

Authorizing the execution of an agreement with Ahmanson Developments, Inc., for reimbursement of costs of \$45,000 for a traffic signal at Nobel Drive and Towne Centre Drive; authorizing the expenditure of an amount not to exceed \$45,000 from Fund No. 63020, Account No. 4220 for the purpose of providing funds for the above project.

Subitem-E: (R-89-719) ADOPTED AS RESOLUTION R-272137
Authorizing the execution of a six-year deferred agreement with Ahmanson Developments, Inc., for improvements to Judicial Drive.

Subitem-F: (R-89-720) ADOPTED AS RESOLUTION R-272138
Authorizing the execution of a six-year deferred agreement with Ahmanson Developments, Inc., for improvements to Golden Haven Drive.

Subitem-G: (R-89-723) ADOPTED AS RESOLUTION R-272139
Authorizing the City Manager to set aside easements in a portion of City-owned Pueblo Lot 1304, Miscellaneous Map-26, for public streets, drainage and sewer purposes; dedicating said land as and for public streets, and naming the same Toscana Drive, Shoreline Drive and Nobel Drive.

CITY MANAGER SUPPORTING INFORMATION: In addition to the standard Subdivision Improvement Agreement, Ahmanson Developments, Inc. is entering into three other agreements. Two are six-year deferred agreements for the improvements of Judicial Drive and a portion of Golden Haven Drive. The work is being deferred because the adjacent property owner is not willing to give the slope rights necessary to complete the work at this time. The street improvements included in these agreements are not needed now and will not be needed until the property to the north is developed.

The third agreement proposes to reimburse the subdivider in the amount of \$45,000 toward the cost of installing traffic signals at the intersection of Nobel Drive and Towne Centre Drive. This amount represents approximately 50 percent of the cost of the signals. The developer across the street has deposited \$45,000 with the City to cover their share of the cost to install the signals. Lot 1 contains 2.25 acres and is being given to the City for open space purposes to satisfy Condition 21 of the Tentative Map Resolution. Lot 19 contains 0.97 acres and is being given to the City for park or other public uses to satisfy Condition 22 of the Tentative Map Resolution. No park fee credits are being granted by this action.

Aud. Cert. 8900338.

FILE LOCATION:

Subitems A,B, D,E,F SUBD - Five Creeks;

Subitem C DEED F-4663;

Subitem G DEED F-4664

CONTFY89-4;DEEDFY89-2

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114:

Three actions relative to the final subdivision map of Mesa Summit Unit No. 8, a 16-lot subdivision located northwesterly of Mira Mesa Boulevard and I-15: (Mira Mesa Community Area. District-5.)

Subitem-A: (R-89-725) ADOPTED AS RESOLUTION R-272140
Authorizing the execution of a Subdivision Improvement Agreement with Pardee Construction Company for the installation and completion of public improvements.

Subitem-B: (R-89-724) ADOPTED AS RESOLUTION R-272141
Approving the final map.

Subitem-C: (R-89-726) ADOPTED AS RESOLUTION R-272142
Approving the acceptance by the City Manager of a grant deed of Pardee Construction Company, granting to the City Lot 255 of Mesa Summit Unit No. 8.

FILE LOCATION:

Subitems A-B SUBD - Mesa Summit Unit No. 8;

Subitem C DEED F-4665

CONTFY89-1;DEEDFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-115: (R-89-712) ADOPTED AS RESOLUTION R-272143

Approving Parcel Map TM-86-0743, located southwesterly of
Madera Street and Broadway.

(Southeast San Diego Community Area. District-3.)

FILE LOCATION: SUBD - Encanto Heights, Blk. 14, Lot 7

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-116: (R-89-659) ADOPTED AS RESOLUTION R-272144

Resolution of Intention to acquire approximately 5.36 acres
of Hage Park for the San Diego Open Space Park Facilities
District No. 1 .

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The Council's adopted
Mira Mesa Community Plan includes a park site in the
northeastern portion of Mira Mesa, adjacent to a 10-acre school
site owned by the San Diego Unified School District for the
future Hage Elementary School. On December 15, 1986, Council
approved an acquisition plan for this land, along with funds to
have it appraised for purposes of acquisition. Funds for this
park land acquisition will be provided by both park fees and
open space funds so that acquisition may be accomplished at this
time. When Facilities Benefit Assessment funds are available,
which is expected to occur within ten years, the amount expended
from open space funds will be paid into the Capital Outlay Fund
for additional open space acquisitions. This request is for
\$1,000,000 to purchase this parcel at fair market value plus
funds to cover title, escrow, and other miscellaneous costs.
Aud. Cert. 8900276.

FILE LOCATION: STRT OS-34

COUNCIL ACTION: (Tape location: A591-625.)

MOTION BY WOLFSHEIMER 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-yea.

* ITEM-117:

Two actions relative to the Lake Murray Boulevard
(Southerly City limits to Lake Atlin Avenue) Underground
Utility District:
(Navajo Community Area. District-7.)

Subitem-A: (R-89-651) ADOPTED AS RESOLUTION R-272145

Designating November 1, 1988 as the date upon which all property in the Lake Murray Boulevard (Southerly City limits to Lake Atlin Avenue) Underground Utility District must be ready to receive underground service and April 1, 1989 as the date for the removal of all overhead utility facilities.

Subitem-B: (R-89-652) ADOPTED AS RESOLUTION R-272146

Authorizing the City Auditor and Comptroller to open Fund No. 78031 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds in the amount of \$38,000 for the Lake Murray Boulevard (Southerly City limits to Lake Atlin Avenue) Underground Utility District; authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company; authorizing payment to all property owners in the Lake Murray Boulevard (Southerly City Limits to Lake Atlin Avenue) 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 any undisbursed funds to San Diego Gas & Electric Company, upon written notice to the City that all electric service conversions within a particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION: The Lake Murray Boulevard (Southerly City limits to Lake Atlin Avenue) Underground Utility District was created by the City Council on November 25, 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 November 1, 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 April 1, 1989 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 within 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.

FILE LOCATION: STRT K-166

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-118: (R-89-695) ADOPTED AS RESOLUTION R-272147

Granting the petition for the improvement of Alley Block 24 (between Morena Boulevard and Chicago Street, and Jellett Street and Kane Street), Morena Amended Map-809, under the provisions of the Improvement Act of 1911 ; directing the City Manager to furnish the description of the district to the Council; declaring that the entire cost of the project would be financed by the adjacent property owners in accordance with Council Policy 800-3 and that no City participation is proposed.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The petition for this improvement was signed by the owners of 66 percent of the property area involved. There are no executed waivers for alley improvements. The proposed improvements would consist of grading and paving the alley.

FILE LOCATION: STRT D-2277

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-119: (R-89-708) ADOPTED AS RESOLUTION R-272148

Vacating a portion of Dalles Avenue east of Clairemont Drive adjacent to Lot 1 of Dalles Heights, Map-3792, under the procedure for the summary vacation of streets where the portion of street to be vacated consists of a street or highway that lies within property under one ownership and that does not continue through such ownership or end touching property of another; declaring that the resolution shall not become effective unless and until the required dedication of right-of-way for the realignment of Dalles Avenue has been approved by Council action and issuance of

permits for the required public improvements; in the event that the previously mentioned items are not completed within 18 months after adoption of the resolution, this resolution shall become void and be of no further force or effect; directing the City Engineer to advise the City Clerk of the completion of the aforementioned dedication and issuance of permits.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation has been requested in order to comply with Conditional Use Permit CUP-85-0854, which was approved by the Planning Commission on May 14, 1987. The right-of-way to be vacated is located east of Clairemont Drive where it terminates within the applicant's property. The portion of right-of-way to be vacated will no longer be required when the existing cul-de-sac is realigned. The vacated area will be utilized for additional off-street parking. The proposed vacation and the adjoining property are situated in the Clairemont Mesa Community Plan area and are within an R1-5000 Zone. The area of vacation totals 4,400 square feet and is included as part of the 7.81-acre CUP site plan. The approved CUP proposes a 100-unit retirement home with auxiliary facilities. The Planning Department has no objections to the proposed vacation. The area to be vacated is fully improved with curbs, gutter, and sidewalk. The right-of-way does contain public utilities and franchise facilities. The present public and franchise facilities include overhead utilities and water services, which are to be relocated, a sewer main, which is to become a private main, and other nonessential utilities, which will be abandoned; therefore, easement reservations are not required. The area of vacation will no longer be required upon the necessary dedication of right-of-way and subsequent construction of the necessary public improvements for the realignment of the cul-de-sac. Staff review has indicated that the right-of-way to be vacated is no longer required for present or prospective public use and may be summarily vacated, conditioned upon the dedication and issuance of permits as required for the realignment of the cul-de-sac.

FILE LOCATION: STRT J-2699;DEED F-4666 DEEDFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-120 (R-89-697) ADOPTED AS RESOLUTION R-272149

Authorizing the City Manager to initiate proceedings for the formation of cost reimbursement districts for Centerside II PCD-87-0905 and Allred North City West Map No. 11497, pursuant to the provisions of San Diego Municipal Code Section 68.0208.

(Mission Valley and North City West Community Areas. Districts 1 and 5.)

CITY MANAGER SUPPORTING INFORMATION: In January of this year, Council adopted an ordinance establishing a formal proceedings for the formation of cost reimbursement districts. The basic purpose of a cost reimbursement district is to provide a mechanism whereby a property owner who is required to construct public improvements which benefit land outside of his/her subdivision can be reimbursed by the other owners when they develop their land. Requests have been received from the owners of the following two subdivisions for reimbursement for public improvements:

Subdivision Name	Public Improvements
Centerside II PCD-87-0905	Street and appurtenances
Allred North City West Map No. 11497	Street and appurtenances

A preliminary review of each of these requests indicates that a basis for reimbursement exists and that a C.R.D. proceeding is appropriate. Upon initiation of the above C.R.D.s, a noticed public hearing will be held in the near future at which a recommendation as to the amount of cost to be reimbursed and the share of that cost that each benefitting parcel would play upon development.

FILE LOCATION: STRT CR-6 & CR-7

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-121: (R-89-693) ADOPTED AS RESOLUTION R-272150

Approving the acceptance by the City Manager of that deed of A.G. Spanos Construction, Inc. conveying to the City an easement for water line purposes on a portion of Parcel 2 of Parcel Map PM-9664; authorizing the execution of a quitclaim deed, quitclaiming to A.G. Spanos Construction, Inc., all the City's right, title and interest in the water line easement in a portion of Parcel 2 of Parcel Map PM-9664.

(Navajo Community Area. District-7.)

FILE LOCATION: DEED F-4667 DEEDFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-122: (R-89-729)) ADOPTED AS RESOLUTION R-272151

Approving the acceptance by the City Manager of a deed of Lincoln Coral Pointe conveying to the City a water easement in Lot 1, Lincoln La Jolla Unit No. 1, Map-11282; authorizing the execution of a quitclaim deed, quitclaiming to Lincoln Coral Pointe, all the City's right, title and interest in a water easement in Lot 1, Lincoln La Jolla Unit No. 1, Map-11282.

(University North Community Area. District-1.)

FILE LOCATION: DEED F-4668 DEEDFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-123:

Three actions relative to authorizing Suggestion Awards to the following employees:

Subitem-A: (R-89-890) ADOPTED AS RESOLUTION R-272152

Vincent De Leva - General Services Department- \$1,351.50.

Michael Gomez - Risk Management Department - \$870.95.

Subitem-B: (R-89-704) ADOPTED AS RESOLUTION R-272153

Jerry White - Water Utilities Department - \$450.

Josephine Gussa - Water Utilities Department - \$160.

Andrew Chavez - Water Utilities Department - \$160.

Gary Payne - Water Utilities - \$80.

Subitem-C: (R-89-705) ADOPTED AS RESOLUTION R-272154

Bobbie Bishop - City Clerk's Office - \$65.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-124: (R-89-663) ADOPTED AS RESOLUTION R-272155

Commending the Civil Air Patrol Senior Squadron No. 127
for its unprecedented performance in capturing six major
awards by the California Wing of the Civil Air Patrol.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-125: (R-89-738) ADOPTED AS RESOLUTION R-272111

Proclaiming Saturday, October 22, 1988 to be "Los
Penasquitos Canyon Park Day" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-126:

Two actions relative to Trails Grant and History and
Archeology Grant applications:
(See City Manager Report CMR-88-507. Rancho Bernardo,
Penasquitos East, Pacific Beach and Uptown Community Areas.
Districts-1, 6 and 8.)

Subitem-A: (R-89-666) ADOPTED AS RESOLUTION R-272156

Authorizing the City Manager to submit applications to the
California State Department of Parks and Recreation for a
History and Archeology Grant Program for Marston House and
San Dieguito River Valley Archeology Site Projects;
authorizing the City Manager, or his representative, to
perform all necessary acts to secure the funds; authorizing
the City Auditor and Comptroller to establish a fund which
will earn its own interest if the grant is funded.

Subitem-B: (R-89-667) ADOPTED AS RESOLUTION R-272157

Authorizing the City Manager to submit applications to the
California State Department of Parks and Recreation for a
Trails Grant Program for Black Mountain Park - Trails and
Sail Bay - Briarfield Boardwalk Projects ; authorizing the

City Manager, or his representative, to perform all necessary acts to secure the funds; authorizing the City Auditor and Comptroller to establish a fund which will earn its own interest if the grant is funded.

COMMITTEE ACTION: Reviewed by PFR on 10/12/88.

Recommendation to adopt the City Manager's recommendation.

Districts 1, 5, 6, 7 and 8 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-127: (R-89-739) ADOPTED AS RESOLUTION R-272158

Authorizing the City Auditor and Comptroller to establish an interest bearing Capital Outlay Fund for additional open space acquisitions to receive income or reimbursements of funds expended from Open Space Bond funds, or both.

CITY MANAGER SUPPORTING INFORMATION: Federal arbitrage law requires bond funds to be spent within three years, or steps need to be taken to restrict interest earnings of remaining funds. Recently, situations have developed where we anticipate income to be received which will be used for open space acquisition. Arrangements for this income relates to other acquisitions for open space which have already occurred or are anticipated to occur in the near future. For example, Council determined to provide income for additional open space acquisitions from the sale of a parcel of land in Serra Mesa, as a part of the arrangement to acquire Stadium Village land in that community. To avoid creating a potential arbitrage problem it is recommended that income such as this for additional open space acquisition, not be mixed in with open space bond funds, but that a separate fund be established for these monies.

Therefore, this request is to authorize the City Auditor and Comptroller to establish an interest bearing Capital Outlay fund, for open space acquisitions, to receive income and/or reimbursements of funds expended from Open Space Bond Funds.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-128: (R-89-732) ADOPTED AS RESOLUTION R-272159

Authorizing the City Manager and the City Auditor and Comptroller to add Sunnyslope Neighborhood Park Development, CIP-23-785.0, to the Fiscal Year 1989 Capital Improvement Program; authorizing the City Auditor and Comptroller to transfer \$33,315 from PSD Fund 16740 and \$11,685 from PSD Fund 16741 to CIP-23-785.0, Sunnyslope Neighborhood Park Development.

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

CITY MANAGER SUPPORTING INFORMATION: Sunnyslope Neighborhood Park, CIP-23-785.0, is shown in the FY 89 CIP as an FY 90 project with design financing only. PSD funds are available to finance this design now and the proposed addition to the FY 89 CIP will permit design to begin this year. Having plans for the park improvements available will make this project a better grant candidate. Some grantors favor projects which can be constructed in a short time after the grant is received.

Aud. Cert. 8900346.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-129: (R-89-733) ADOPTED AS RESOLUTION R-272160

Authorizing the acceptance of \$49,670 from Carmel Mountain Ranch, pursuant to an agreement, for the provision of apparatus and communications equipment for the Carmel Mountain Ranch Fire Station, Fire Station No. 42 , CIP-33-072 and depositing said sum to the credit of said CIP-33-072; authorizing the expenditure of an amount not to exceed \$49,670 from Fund 63022, Account 9544 for the purpose of providing funds for the provision of apparatus and communications equipment for the Carmel Mountain Ranch Fire Station, Fire Station No. 42; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(Carmel Mountain Ranch/Sabre Springs Community Areas. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Fire Station 42 was constructed by the developer, Carmel Mountain Ranch. Per the development agreement between the City of San Diego and Carmel

Mountain Ranch, the developer would provide the funds for the procurement of apparatus and communications equipment for the station. This action will accept the \$49,670 already received from the developers and begin the purchasing of apparatus and communications equipment.

Aud. Cert. 8900318.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-130: (R-89-747 Rev.1) ADOPTED AS RESOLUTION R-272161

19881024

A Resolution approved by the City Council in Closed Session on Tuesday, October 11, 1988 by the following vote: Wolfsheimer-yea; Roberts-yea; McColl-not present; Pratt-yea; Struiksma-yea; Henderson-yea; McCarty-yea; Filner-not present; Mayor-not present.

Authorizing the City Manager to pay the sum of \$26,672.28 in the settlement of each and every claim against the City, its agents and employees, resulting from the water flooding damages to the real and personal property of Susana Alonso (Superior Court Case No. 592746, Susana Alonso v. City of San Diego) ; authorizing the City Auditor and Comptroller to issue one check in the amount of \$26,672.28 made payable to Susana Alonso and her attorneys, Detisch, Christensen & Wood, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of all claims as a result of a water meter leak that occurred over an extended period of time, culminating in the resulting damage to Susana Alonso's residence.

Aud. Cert. 8900361.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-131: (R-89-742) ADOPTED AS RESOLUTION R-272162

A Resolution approved by the City Council in Closed Session on Tuesday, October 11, 1988 by the following vote:

Wolfsheimer-yea; Roberts-yea; McColl-not present; Pratt-yea; Struiksma-yea; Henderson-yea; McCarty-not present; Filner-not present; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$55,000 in the settlement of each and every claim against the City, its agents and employees, resulting from a claim of a violation of plaintiff's civil rights to Barbara Dockstader, David Hughes (Superior Court Case No. 585174 and United States District Court No. 87-0854-B(M), Barbara Dockstader and David Hughes v. City of San Diego and Officer R. McGee, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$55,000 made payable to Barbara Dockstader, and her attorney of record, Stephen J. Dimeff, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION : The constitutes the compete and final settlement of the personal injury claim of Barbara E. Dockstader as a result of an incident which occurred on September 20, 1986.

Aud. Cert. 8900356.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-132: (R-89-743) ADOPTED AS RESOLUTION R-272163

A Resolution approved by the City Council in Closed Session on Tuesday, September 6, 1988 by the following vote:

Wolfsheimer-not present; Roberts-yea; McColl-yea; Pratt-yea; Struiksma-yea; Henderson-not present; McCarty-yea; Filner-not present; Mayor-not present.

Authorizing the City Manager to pay an amount not to exceed \$55,000 in the settlement of each and every claim against the City, its agents and employees, resulting from a breach of contract action (Superior Court Case No. 558830, Edmond J. Vadnais, Inc. v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount not to exceed \$55,000 made payable to Edmond J. Vadnais, Inc. and its attorney of record, G. Christian Roux, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION : This constitutes complete and final settlement of all claims as a result of a breach of contract which occurred on June 6, 1985 against Edmond Vadnais, Inc.

Aud. Cert. 8900295.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-133: (R-89-649) ADOPTED AS RESOLUTION R-272164

Approving City Manager Report CMR-88-484 for the Fire Department First Responder Defibrillation Program ; authorizing the City Manager to implement a test program and to report the results back to the Council.

(See City Manager Report CMR-88-484.)

COMMITTEE ACTION: Reviewed by PSS on 10/5/88. Recommendation to approve the authorization of the test program. Districts 2, 3, 6, and 7 voted yea. District 4 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A627-B140.)

MOTION BY MCCOLL 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-yea.

* ITEM-134: (R-89-533) ADOPTED AS RESOLUTION R-272165

Authorizing the execution of a first amendment to the agreement with Boyle Engineering Corporation, for the improvements of Rancho Bernardo Community Park - Phase II Development; authorizing the City Auditor and Comptroller to transfer \$50,000 from Rancho Bernardo Park Development Fund 39086 to CIP-29-575, Rancho Bernardo Community Park - Phase II Development; authorizing the expenditure of an amount not to exceed \$50,000 from CIP-29-575, Rancho Bernardo Community Park - Phase II Development, Fund 39086 for the purpose of providing funds for the above first amendment to agreement; authorizing the City Auditor and Comptroller, upon advice from the administering department to transfer excess budgeted funds, if any, to the appropriate reserves.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Construction of Rancho Bernardo Community Park - Phase II Improvements has been temporarily halted due to an unfortunate mislocation of the Joslyn Center Building. This building was privately constructed at a cost of approximately \$250,000 and donated to the City through a generous grant from the Joslyn Foundation. The building will serve as a community meeting place and as a clubhouse for operation of the lawn bowling and tennis facilities being provided by the Phase II project. The building was completed in March of 1988, approximately the same time that bids were received for our Phase II contract.

City surveyors engaged in site surveying for the City contract discovered that the Joslyn Center was not constructed in the planned location. The building is skewed and about 25 feet west and south of the correct location. The park construction work was stopped while a solution was sought. The building cannot be moved but the plans for the park improvements must be changed. Extensive modifications involving approximately 20 of the 60 engineering drawings will be required. The professional services required for this work will be provided by the proposed first amendment to agreement with Boyle Engineering Corporation. Aud. Cert. 8900240.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-135: (R-89-696) ADOPTED AS RESOLUTION R-272166

Authorizing the City Engineer to issue a special permit to do land development work prior to the filing of the final subdivision map for Lusk Mira Mesa Business Park East I, Unit 5 .

(Mira Mesa Community Area. District-5.)

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

The subdivider has requested that he be allowed to start grading as soon as the plans are approved. The tentative map, PID, CUP, and HR were approved on April 12, 1988. The improvement plans

and the final map are being checked and expect to be approved in two or three weeks. The final map will be ready for Council consideration in approximately three months. Before a special permit is issued by the City Engineer, if so authorized by Council, the subdivider will be required to pay all fees and provide a full surety to cover all the improvements included in the Subdivision Improvement Agreement.

FILE LOCATION: SUBD - Lusk Mira Mesa Business Park East I,
Unit 5

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-136: (R-89-653) ADOPTED AS RESOLUTION R-272167

Approving Change Order No. 1, dated August 26, 1988, issued in connection with the contract with Cal-Southwest Construction, Inc. for construction of Sewer Main Replacement Group 82, amounting to a net decrease in the contract price of \$105,071.41.

(Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: Sewer Main Replacement Group 82 was a portion of the continuing Annual Capital Improvement Program Allocation to replace old and deteriorated concrete sewer mains within the City of San Diego. This project constructed 11,029 feet of new 8-inch PVC sewer mains as part of an accelerated program to replace sewer lines in the Mission Bay area. Field observations during construction of Sewer Main Replacement Group 82 resulted in a quantity reduction of several bid items. The major item reduced was the number of sewer laterals installed after trenches were excavated, inspection of the existing sewer laterals found that most were in better condition than expected. It was determined that 322 of the laterals could be reconnected to the new main rather than being replaced from the main to the property line. This resulted in a contract reduction of \$108,514 in sewer laterals alone. Additionally, reductions in the quantities of bedding materials and drainage boxes that did not need to be replaced saved \$27,734. These, coupled with miscellaneous unanticipated work that increased contract costs by \$31,176.59, resulted in a net contract reduction of \$105,071.41.

WU-U-89-025.

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

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150: (R-89-) CONTINUED TO OCTOBER 31, 1988

(Continued from the meeting of October 10, 1988, a portion of Item 150, at Curtis Fitzpatrick's request so that Attorney Witt may address these when he returns.)
Approving and adopting the Rules Committee's recommendations to take no position on Propositions 100, 101, 103, 104 and 106 on the November 8, 1988 State General Election Ballot, as summarized in Intergovernmental Relations Department Report IRD-88-33. (See Intergovernmental Relations Department Reports IRD-88-33 and IRD-88-31.)

COMMITTEE ACTION: Reviewed by RULES on 9/21/88. Recommendation to approve the IRD's recommendations with the following changes: Proposition 83 - Support, Proposition 93 - No Position, Proposition 95 - No Position, Proposition 99 - Support. Districts 2, 3, 7 and Mayor voted yea. District 1 not present. Proposition 96 - Support. Districts 2, 3 and 7 voted yea. Mayor voted nay. District 1 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F565-585.)

MOTION BY PRATT TO CONTINUE TO OCTOBER 31, 1988, AT HIS REQUEST.

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

ITEM-151: TRAILED AS UNFINISHED BUSINESS TO TUESDAY, OCTOBER 25, 1988, AT 10:00 A.M.

(Continued from the meeting of September 19, 1988, Item 150; Trailed as Unfinished Business from October 11, 1988, Item 151, due to lack of 5 votes.)

In the matter of providing tenant identification logo signs on the outer side of the scoreboard at San Diego Jack Murphy Stadium .

(See City Manager Report CMR-88-287. Mission Valley Community Area. District-5.)

COMMITTEE ACTION: Reviewed by TLU on 8/8/88. Recommendation

to approve the sign (motion was defeated) and refer to the City Council with a report from the City Attorney regarding City Agency exemptions of the City Code. Districts 5 and 8 voted yea. Districts 1, 2 and 4 voted nay.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F590-599.)

MOTION BY McCARTY TO TRAIL TO TUESDAY, OCTOBER 25, 1988, AT 10:00 A.M. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-152: (R-89-27) TRAILED AS UNFINISHED BUSINESS TO TUESDAY, OCTOBER 25, 1988, AT 10:00 A.M.

Waiving \$136,200 of late construction penalties of the Montgomery Airport Hotel on land leased from the City as described in City Manager Report CMR-88-359; declaring that as additional consideration for such waiver and as a condition to such waiver, the lessee shall, for the one year period following adoption of this resolution: 1) Employ not less than 75 percent of its work force from City residents; 2) Allow free City usage of meeting rooms for conducting City business on a subject-to-availability basis; and 3) Discount the rate for City-sponsored lodging on a space-available basis; all in accordance with the letter agreement signed by the lessee.

(See City Manager Report CMR-88-359.)

COMMITTEE ACTION: Initiated by PFR on 9/14/88. Recommendation to authorize the waiver of construction penalties totalling \$136,200. Districts 5, 6 and 7 voted yea. District 8 voted nay. District 1 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E458-470.)

MOTION BY STRUIKSMA TO TRAIL TO TUESDAY, OCTOBER 25, 1988, AT 10:00 A.M. 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-yea.

ITEM-153: TRAILED AS UNFINISHED BUSINESS TO TUESDAY, OCTOBER 25, 1988, AT 2:00 P.M., TIME CERTAIN

In the matter of the North Coast Family YMCA Teen Nightclub project located on the Del Mar fairgrounds.

(See City Manager Report CMR-88-497.)

COMMITTEE ACTION: Reviewed by PSS on 10/5/88. Recommendation to forward to the City Council without a recommendation. The Committee also requested the City Manager to prepare a report on the unfunded Social Service needs. Districts 2, 3, 6 and 7 voted yea. District 4 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F600-678.)

MOTION BY WOLFSHEIMER TO TRAIL TO TUESDAY, OCTOBER 25, 1988, AT 2:00 P.M., TIME CERTAIN. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksmma-not present, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-154: TRAILED AS UNFINISHED BUSINESS TO TUESDAY, OCTOBER 25, 1988, AT 10:00 A.M.

(Continued from the meetings of June 27, 1988, Item 153, July 18, 1988, Item 151, July 25, 1988, Item S403, August 2, 1988, Item S400, September 12, 1988, Item 152, September 27, 1988, Item 151 and October 10, 1988, Item 152; last continued due to lack of time.)

In the matter of a request from Council Member Henderson that the City Council consider using the Water Utilities bill insert as the method to notify rate payers of the impending cost of achieving secondary treatment.

(See City Manager Report CMR-88-214 and memorandum from Council Member Henderson dated 3/10/88.)

COMMITTEE ACTION: Initiated by PSS on 5/4/88. Recommendation to forward Council Member Henderson's request to full Council without a recommendation. Districts 3, 6 and 7 voted yea. Districts 2 and 4 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F535-564.)

MOTION BY HENDERSON TO TRAIL TO TUESDAY, OCTOBER 25, 1988, AT 10:00 A.M. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmma-not present, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-200: (O-89-30 Rev.2) TRAILED TO TUESDAY, OCTOBER 25, 1988, AT 2:00 P.M.

(Continued from the meeting of September 6, 1988, Item S402, at Council Member Roberts' request, pending action or SB 2896; continued from the meeting of October 10, 1988, Item 200, to allow staff time to comply with the directive issued by Council that staff return with a redrafted

ordinance and notify the affected buildings.)
Introduction of an Ordinance amending Chapter V, Article 5,
of the San Diego Municipal Code, by amending Section
55.10.301, relating to Fire Protection and Prevention and
Installation of Fire Sprinklers, to require that all high
rise buildings within the City be retrofitted with fire
sprinkler systems.
(See City Manager Reports CMR-88-513 and CMR-88-423.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A200-245.)

MOTION BY ROBERTS TO TRAIL TO TUESDAY, OCTOBER 25, 1988, AT 2:00
P.M., AT THE CITY MANAGER'S REQUEST. Second by Wolfsheimer.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-not
present, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (O-89-75) CONTINUED TO NOVEMBER 15, 1988, AT
10:00 A.M.

(Continued from the meeting of October 11, 1988, Item S500,
at the request of Council Member Henderson and Deputy Mayor
McColl, to allow the full Council to be present.)

Introduction and adoption of an Emergency Ordinance
amending Section 1 of Ordinance No. O-17128 (New Series) to
exempt certain IDO-exempt areas from the restriction on
replacement of single-family residences.

(See Planning Department Report PDR-88-402. City-wide.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A200-245.)

MOTION BY McCOLL TO CONTINUE TO NOVEMBER 15, 1988, AT 10:00
A.M., AT HER REQUEST. 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-yea.

ITEM-202: (R-89-1024 Rev.1) ADOPTED AS RESOLUTION R-272168

19881024

(Continued from the meetings of September 12, 1988, Item
203, September 27, 1988, Item 200 and October 10, 1988,
Item 203; last continued at Mr. Harvey's request, due to
lack of time.)

In the matter of reconsideration of the Council's approval
of the Public Participation Plan developed by James M.

Montgomery, Consulting Engineers, Inc. which provides for community outreach and public hearings on secondary treatment and wastewater.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C453-E457;E471-F520.)

Motion by Henderson to direct staff to make their best effort to come up with a public participation program that cost less than \$100,000 (including sewer bill inserts, public noticing, etc.)

No second.

Motion by Roberts to amend the motion and reduce the number of meetings from 125 down to 85 with the intent that those similar types of groups could be brought together and save that \$60,000 by putting it in the contingency. No second.

Substitute motion by Filner to put the whole public participation process out to renewed competitive bidding.

Second by Wolfsheimer. Failed by the following vote:

Wolfsheimer-yea, Roberts-nay, McColl-nay, Pratt-nay, Struiksmay-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

MOTION BY FILNER TO HAVE STAFF REEVALUATE ITS DECISION TO SPEND 30 STAFF HOURS ON EVERY METROPOLITAN SEWER TASK FORCE MEETING. ALSO, TO REEXAMINE THE MONTGOMERY CONTRACT WHICH REQUIRES THEM TO ATTEND EVERY METROPOLITAN SEWER TASK FORCE MEETING. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY WOLFSHEIMER TO REQUEST A WRITTEN OPINION FROM THE CITY ATTORNEY WITH RESPECT TO THE SOLID APPEARANCE OF THE MONTGOMERY CONTRACT AS TO WHETHER OR NOT THE CONTRACTING IS IN VIOLATION OF THE GOVERNMENT CODE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmay-nay, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY McCARTY TO APPROVE THE REVISED PUBLIC PARTICIPATION PROGRAM AND GO DIRECTLY TO THE COMMUNITY TO SEE WHAT THEY HAVE TO SAY, BUT LEAVE THE COMMUNITY OUTREACH SO THAT THEY CAN GO OUT INTO THE PUBLIC. ACCEPT THE RECOMMENDATION OF THE METROPOLITAN SEWER TASK FORCE OF OCTOBER 6 TO REDUCE THE MEETINGS FROM 18 TO 12 FOR A TOTAL REDUCTION IN COST OF \$303,610. Second by Pratt.

Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksmay-nay, Henderson-nay, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-203: (R-89-418) ADOPTED AS RESOLUTION R-272169

Accepting the second low bid of \$2,125,520 and awarding a

contract to EVH Inc. & Associates , for Construction of Fire Department Communications Building; authorizing the expenditure of an amount not to exceed \$192,800 from CIP-33-069, Fire Department Support Services Complex, to supplement funds previously authorized by Resolution R-271076, adopted on May 31, 1988, 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-9675)

(Serra Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On May 31, 1988, Council authorized advertising for bids for construction of the Fire Department Communications Building (Resolution No. R-271076). The Purchasing Agent opened six bids on July 7th. The apparent low bid of \$1,935,124 by Net Enterprises, Inc. was \$10,431 (0.53 percent) below the City's estimate of \$1,945,555, but omitted approximately \$136,000 for structural steel work. The low bidder submitted satisfactory evidence of clerical error and requested that the bid be withdrawn. The other five bids were closely arrayed, ranging from \$2,125,520 to \$2,166,800 - 9.3 percent to 11.4 percent, respectively, above the City's estimate. Because these five bids are unusually close, there is unanimous concurrence among the City Manager's staff that re-advertising the project would probably not produce lower bids, therefore, award of a construction contract to the second low bidder, EVH, Inc. and Associates, in the amount of \$2,125,520 is recommended. Re-advertising for bids would be costly in terms of printing expense and additional staff time; and would result in delay of the start of construction on this important facility.

Aud. Cert. 8900350.

FILE LOCATION: CONT - EVH INC. & Associates
CONTFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204:

(Continued from the meeting of October 10, 1988, Item 104, at Dan Webber's request, to share additional information with staff.)

Two actions relative to security guard service :

(Eight bids received. Requested by the General Services

Department, Buildings Division, and the Park and Recreation Department.)

Subitem-A: (R-89-400) ADOPTED AS RESOLUTION R-272170

Awarding a contract to Locator Services, Inc. for furnishing security guard service at three operations stations, two municipal airports and the Old Naval Hospital Site, as may be required for a period of one year beginning November 1, 1988 through October 31, 1989, for an estimated cost of \$223,000, with options to renew the contract for four additional one-year periods with price escalations not to exceed 10 percent of prices in effect at the end of each prior year. (BID-0078/89)

Subitem-B: (R-89-404) ADOPTED AS RESOLUTION R-272171

Declaring Joseph Hohe Enterprises, Inc. to be a non-responsible bidder and ineligible to bid on City contracts for a period of 2 years.

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: F680-G040.)

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

ITEM-205: (R-89-409) ADOPTED AS RESOLUTION R-272172

19881024

Inviting bids for the Construction of City Operations Building - Permit Center on Work Order No. 119073; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$4,805,400 (\$4,185,400 from Capital Outlay Fund 30245, CIP-37-417, City Operations Building - Permit Center Construction, \$520,000 from Capital Outlay Fund 30245, CIP-37-413, City Operations Building - Air Conditioning Improvements and \$100,000 from Department 901, Job Order 532085), 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-0153/89) (Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The City Operations Building - Permit Center Construction includes removal of the

spray applied asbestos and complete office space remodel of floors 2, 3, 4, and 5 as well as renovation of the existing air conditioning system. The City Operations Building - Air Conditioning Requirements Project, CIP-37-413 will be incorporated into the construction of the City Operations Building - Permit Center project and constructed simultaneously. Aud. Cert. 8900334.

FILE LOCATION: W.O. 119073 CONT - Kilgallon Construction Co., Inc. CONFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206: (R-89-711) ADOPTED AS RESOLUTION R-272173

Authorizing the acceptance by the City Manager of the donation by the R.P. Foundation, Inc. , of approximately \$5,000 to cover the services and purchases of Eloise DeLong Ltd./Walter Broderick Interiors in the refurbishing of the Mayor's office and reception, conference, kitchen and administrative spaces on the eleventh floor of the City Administration Building.

(See letter from R.P. Foundation, Inc.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-207: (R-89-699) TRAILED AS UNFINISHED BUSINESS TO TUESDAY, OCTOBER 25, 1988, AT 10:00 A.M.

Approving the budget for the San Diego Data Processing Corporation for the Fiscal Year 1989.

(See memorandum from the City Manager dated 10/11/88.)

CITY MANAGER SUPPORTING INFORMATION: The operating agreement between the City and the San Diego Data Processing Corporation requires that an annual budget be submitted to and approved by the City Council. The Corporation has submitted a budget for FY 1989 totaling \$23,943,012. Of this amount, \$21,056,067 reflects expenditures for services to City Departments. These costs represent \$16,224,691 for Computer Services, and \$4,831,376 for Telecommunication Services. The remaining amount primarily

reflects Automated Regional Justice Information System (ARJIS) costs to be recovered from other participating cities, the City/County Library Circulation System, and the County's contribution to the Regional Urban Information System (RUIS).
Lockwood/Frazier/DR

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E458-470.)

MOTION BY STRUIKSMA TO TRAIL TO TUESDAY, OCTOBER 25, 1988, AT 10:00 A.M. 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-yea.

ITEM-208: (R-89-691) CONTINUED TO NOVEMBER 21, 1988

Vacating Witherby Street northeast of California Street and adjacent to Block 227 of Middletown Jackson Map, 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 the easements reserved herein are in, under, over, upon, along and across Witherby Street; declaring that this resolution shall not become effective unless and until the issuance of permits for the required public improvements has been approved by Council action; in the event that the permits are not issued within 18 months after adoption of this resolution, this resolution shall become void and be of no further force or effect; directing the City Engineer to advise the City Clerk of the approval of the aforementioned issuance of permits.

(Uptown Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The applicants have requested the proposed vacation in order to utilize and incorporate the area with their abutting property. The applicants propose to upgrade the existing driveway located within the vacation area and to install additional landscaping. This area of vacation, which totals 7,840 square feet, is located in the Uptown Community Plan area and is situated in an R1-5000 Zone. No increase in density is anticipated at this time. However, any proposed redevelopment which proposes an increase in density will require discretionary permits, i.e.,

Planned Residential Development Permit or Tentative Map. The Planning Department has no objections, and the Planning Commission recommended approval on December 12, 1984, by a 6-0 vote. The area of vacation is unimproved except for an encroaching paved driveway that provides access to the petitioner's garage. The right-of-way also contains public utilities and franchise facilities for which easements are to be reserved. Traffic circulation by way of Witherby Street has been precluded due to previous closings of Witherby Street south of California Street in 1979 and immediately north of the proposed vacation when that area was subdivided in 1956. California Street is a long deadend street with no turnaround facility. As a condition of this vacation, the applicant is required to construct an acceptable turnaround, satisfactory to the City Engineer. Staff review has indicated that the right-of-way to be vacated is no longer needed for present or prospective public use and may be summarily vacated, conditioned upon the issuance of permits for the required turnaround.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G049-095.)

MOTION BY McCARTY TO SUSPEND THE RULES AND EXTEND THE MEETING TIME PAST 5:30 P.M. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

MOTION BY ROBERTS TO CONTINUE TO NOVEMBER 21, 1988, AT HIS REQUEST. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-209: (R-89-794) ADOPTED AS RESOLUTION R-272174

Council confirmation of the following reappointments by the Mayor to serve as members of the Historical Site Board for terms expiring as indicated:

(See memorandum from Mayor O'Connor dated 10-13-88 with resumes attached.)

NAME	TERM EXPIRES
Harry W. Evans	3/1/90
Virginia P. Waller	3/1/90
Patricia Schaelchin	3/1/90
Ronald B. Kirkemo	3/1/90
Gregory C.M. Garratt	3/1/89
Marilyn E. Irwin	3/1/90

Carol A. Lindemulder 3/1/89
Marco G. Thorne 3/1/90
Dorothy L. Hom 3/1/89
Kathryn Willetts 3/1/89
Jeffery D. Shorn 3/1/90

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-210: (R-89-760) ADOPTED AS RESOLUTION R-272175

Council confirmation of the following appointments and reappointments by the Mayor to serve as members of the La Jolla Shores Planned District Advisory Board , for terms expiring as indicated:

(See memorandum from Mayor O'Connor dated 10/12/88 with resumes attached.)

NAME	TERM EXPIRES
Elliot Jay Schulnick, A.I.A. (Architect) (To replace Randy Robbins, whose term has expired.)	April 1, 1990
Sally W. Ashburn (To replace John W. Hucko, whose term has expired.)	April 1, 1989
J. Brian O'Donnell (To replace Kate Adams, whose term has expired.)	April 1, 1989
Patricia K. Miller (Reappointment) (Chairperson)	April 1, 1990
Edward A. Marshall (Reappointment)	April 1, 1990
Bonnie Stewart (Reappointment)	April 1, 1990
Gloria N. Dunne (Reappointment)	April 1, 1989

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S400: (R-89-761) ADOPTED AS RESOLUTION R-272176

Commending Marie Hitchcock Theatre and Marie Hitchcock for forty years of outstanding service and caring contributions to San Diegans of all ages; extending to Marie Hitchcock Theatre a heartfelt wish for a very happy birthday.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S401: (R-89-770) ADOPTED AS RESOLUTION R-272177

Excusing Council Member H. Wes Pratt from all Council meetings, regular and special, and Council Committee meetings during the period of October 3 through October 7, 1988 for the purpose of traveling to Montreal, Canada to attend the American Transportation Conference as a representative of the Metropolitan Transit Development Board.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (R-89-801) ADOPTED AS RESOLUTION R-272178

Excusing Council Member Abbe Wolfsheimer from the special City Council meeting of Wednesday, September 21, 1988 due to personal reasons.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B141-170.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S403: (R-89-798) ADOPTED AS RESOLUTION R-272179

Excusing Council Member Abbe Wolfsheimer from the special City Council meetings of October 5 and October 6, 1988 due

to official City business while attending the American Transportation Association meeting in Montreal, Canada.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S404: (R-89-783) ADOPTED AS RESOLUTION R-272180

Authorizing the City Manager to close, on an emergency basis, the Mission Point and Jetty parking lots in Mission Beach from 8:00 p.m. to 5:00 a.m., pending a report from the City Manager in December, 1988 regarding the effectiveness of such closing, as well as other alternatives, to control crime and nuisance in the area; authorizing the City Manager to install clear and appropriate signage of said emergency closures at the affected locations at the time said closures are placed in effect.

(See memorandum from Council Member Henderson dated 9/23/88. Mission Beach Community Area. District-6.)

COMMITTEE ACTION: Initiated by PFR on 10/12/88.

Recommendation to close, on an emergency basis, the Mission Point and Jetty parking lots in Mission Beach from dusk to dawn, pending a report from the City Manager in December, 1988 regarding the effectiveness of such closing as well as other alternatives to control crime and nuisances in the area.

Districts 1, 5, 6, 7 and 8 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B171-C296.)

Motion by Henderson to approve and set the closing time for 6:00 p.m. to 5:00 a.m. in the Winter, and 7:00 p.m. to 5:00 a.m. in the Summer. Second by Wolfsheimer. No vote.

AMENDED MOTION BY McCARTY TO SET THE CLOSING TIME FOR 8:00 P.M.

Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY McCARTY TO APPROVE. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S405: (R-89-795) ADOPTED AS RESOLUTION R-272181

Authorizing the execution of an amendment to the Fiscal Year 1987 Memorandum of Understanding with Local 145, International Association of Fire Fighters, AFL-CIO, to extend the agreement for a fourth and fifth year, from July 1, 1989 through June 30, 1991.

CITY MANAGER SUPPORTING INFORMATION: After recent negotiations, Local 145, International Association of Fire Fighters, has ratified an extension to its current three year agreement for a fourth year covering FY 1990 and a fifth year covering FY 1991. The City Council has previously approved in Closed Session the following major provisions in the extended agreement:

Salary Increases: The salaries of the classifications in the unit represented by Local 145 will be increased as follows: Fire Fighter I, Fire Fighter II, Fire Engineer, Fire Captain, and Fire Battalion Chief, Fire Prevention Inspector I, Fire Prevention Inspector II, Fire Prevention Supervisor, and Assistant Fire Marshall:

- 4 percent effective July 1, 1989
- 2 percent effective December 29, 1989
- 4 percent effective July 1, 1990
- 2 percent effective February 22, 1991
- 1 percent effective May 31, 1991

Fire Recruit:

- 4 percent effective July 1, 1989
- 4 percent effective July 1, 1990

Flexible Benefits: Increase annual value from \$1,600 per year to \$1,700 per year in Fiscal Year 1990 and from \$1,700 per year to \$1,800 per year in Fiscal Year 1991.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S406: (R-89-772) ADOPTED AS RESOLUTION R-272182

Approving the bi-monthly progress report from the Metropolitan Sewer Task Force, for the period of August and September, 1988 regarding issues of the Secondary Treatment Facilities Planning project and related topics. (See City Manager Report CMR-88-505.)
WU-SP-89-045.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C300-450.)

MOTION BY ROBERTS TO ACCEPT THE REPORT. Second by McColl.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-nay,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S407: (R-89-885) ADOPTED AS RESOLUTION R-272183

Encouraging all of the citizens of the City of San Diego to
pledge: "The Choice For Me, Drug-Free."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A345-394.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by McColl. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1: By Martha Huerta regarding pollution.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G098-115.)

ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy
Mayor McColl at 6:25 p.m. in honor of the memory of
Guillermo Acevedo.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G120-128).