

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

MONDAY, MARCH 6, 1989

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 2:06 p.m.
Mayor O'Connor adjourned the meeting at 3:57 p.m. to meet in Closed
Session at 9:30 a.m., Tuesday, March 7, 1989, in the twelfth floor
conference room on pending and potential litigation and acquisition
of property.

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 (eb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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

ITEM-10: INVOCATION

Invocation was given by Bishop George D. McKinney, St.
Stephen's Church of God in Christ.

FILE LOCATION: MINUTES

Mar-6-1989

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
McColl.

FILE LOCATION: MINUTES

Mar-6-1989

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

2/6/89

2/7/89

2/7/89 Special Joint Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A012-014.)

MOTION BY McCOLL TO APPROVE. Second by Henderson. 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-yea.

ITEM-31: (R-89-1623) ADOPTED AS RESOLUTION R-272977

19890306

Accepting the Annual Report of the Small Business
Advisory Board and expressing the City Council's
appreciation for the dedication, efforts and achievements
of the Board.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A015-060.)

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

ITEM-32: (R-89-1638) ADOPTED AS RESOLUTION R-272978

Presentation to Liz Underell, Executive Director of the
Community Mediation Program, of a Council Resolution
proclaiming March 1989 to be "Mediation Month" in San
Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A060-064.)

MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,

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

ITEM-33: DENIED HEARING

Matter of the request of Lefton, Cox, Treiger and the American Indian Nation, for a hearing of an appeal from the decision of the Board of Zoning Appeals in denying an amendment to Case C-9243, requesting a variance.

Applicants have requested to maintain four balconies observing a 5'5" yard along Bayside Walk where 10'0" is required. On May 2, 1969, this variance allowed construction of a six-unit, four-story apartment building (1) observing a 3'0" front yard at one point on Bayside Lane where 15'0" was required; (2) resulting in 70 percent coverage where 60 percent was permitted; (3) four parking spaces to be provided in required front yard, three to observe 3'0" from curb line and one to observe a 0'0" from curb and property line where 18'0" from curb line and 3'0" from front property line was required; (4) building to observe a 3'0" street side yard where 8'0" was required (adjacent to Capistrano Place).

The subject property is described as Lot D, Block 33, Mission Beach, Map-1651 and Map-1809, and is located at 2808 Bayside Walk, in Zone R-S, in Proposition "D" Height Limitation Overlay Zone and in the Mission Beach Community Plan area.

(Case C-9243. District-6.)

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

FILE LOCATION: ZONE Zoning Appeals Case C-9243

COUNCIL ACTION: (Tape location: A067-093.)

MOTION BY HENDERSON TO DENY THE REQUEST FOR A HEARING. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-50: (O-89-160) ADOPTED AS ORDINANCE O-17258 (New Series)

Amending Chapter V, Article 6, of the San Diego Municipal Code by repealing Section 56.42; Chapter VI, Article 6, Division 1, by amending Sections 66.0101, 66.0102 and 66.0122, and by adding Division 3, Section 66.0301, Division 4, Sections 66.0401, 66.0402, 66.0403, 66.0404 and 66.0405, relating to Refuse (Anti-Scavenging Ordinance).

(Introduced on 2/21/89. Council voted 8-0. District 2 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A095-099.)

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

* ITEM-51: (O-89-166) ADOPTED AS ORDINANCE O-17259 (New Series)

Adoption of an Ordinance which makes the provisions of the Marina Planned District Ordinance that are applicable in the Coastal Zone, effective upon certification by the California Coastal Commission.

(Centre City Community Area. District-8. Introduced on 2/21/89. Council voted 8-0. District 2 not present.)

FILE LOCATION: LAND Marina Planned District

COUNCIL ACTION: (Tape location: A095-099.)

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

* ITEM-52: (O-89-128) ADOPTED AS ORDINANCE O-17260 (New Series)

Incorporating a 0.75-acre site on the south side of Calle Cristobal, between the future alignment of Caminito Santa Fe on the west and Caminito La Bar, into Zone R1-5000 (HR).

(Case-88-0555. Mira Mesa Community Area. District-5. Introduced on 2/21/89. Council voted 7-0. Districts 2 and 4 not present.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A095-099.)

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

* ITEM-53: (O-89-171) INTRODUCED, TO BE ADOPTED MARCH 20,

Introduction of an Ordinance amending Ordinance O-17122 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-17122-1, as amended and adopted therein, to establish a special fund to be entitled "REGY Youth Incentive Fund," (No. 10591), said fund to earn and be credited with interest earnings in proportion to total earnings received by the City; authorizing the City Auditor and Comptroller to accept for deposit and to disburse monies from this fund, as directed.

CITY MANAGER SUPPORTING INFORMATION: The City's Regional Youth Employment Program (REGY) recently began operation of a new career exploration program for low-income youths who are in school. The young people will be assigned to work after school in City departments and other public agencies as unpaid volunteers, where they will learn about the skills, education, and training necessary to be successful in a career area of their interest. Since these youths are low income, and will not be paid for their work, REGY will be seeking donations from private sources which can be used to provide incentives to the youths. The young people will earn these incentive awards for completion of specific job related competencies. It is anticipated that donations will be received in the form of cash, gift certificates, and merchandise from a variety of businesses throughout the community. It is proposed that a special Youth Incentive Fund be established to deposit cash donations. The funds will be spent to provide cash awards or other incentives to youths on the basis of merit and achievement. The Youth Incentive Fund will be used to serve youths not only in the career exploration program, but also in future REGY programs as well. The Incentive Fund will provide REGY with the flexibility in motivating young people to learn and to succeed in the world of work.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A099-103.)

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

* ITEM-100: (R-89-1532) ADOPTED AS RESOLUTION R-272979

Accepting the low bid of \$478,368 and awarding a contract to Commercial Builders and Contractors, Inc., for the Construction of Penn Athletic Area - Development, Phase III; authorizing the City Auditor and Comptroller to transfer \$75,000 from PSD Fund No. 11700 to CIP-23-386.1, Penn Athletic Area - Development, Phase III; authorizing the expenditure of an amount not to exceed \$75,000 from CIP-23-386.1, Penn Athletic Area - Development, Phase III to supplement funds previously authorized by Resolution R-272359, adopted on November 21, 1988, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0242/89) (Skyline/Paradise Hills Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide for Phase III development of Penn Athletic Area, located at 2500 Dusk Drive in the Skyline/Paradise Hills Community Area. The proposed improvements include the construction of a 3,000 square foot field house, parking lot security lighting, a small children's and tiny tot play area, fencing, a drinking fountain, landscaping and irrigation. Sixty-two bid packages were issued and, on December 22, 1988, four bids were received. The low bidder requested that his bid be withdrawn due to an error and the request was granted. The second low bid of \$478,368, from Commercial Builders and Contractors, Inc. was 14 percent over the consultant's estimate of \$420,000. Reducing the scope of work to lower construction costs would have a negative impact on the project. Additional financing is available and awarding a contract to Commercial Builders and Contractors, Inc. is recommended.

Aud. Cert. 8900702.

FILE LOCATION: CONT Commercial Builders and Contractors, Inc. CONTFY89-1

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-101: (R-89-1533) ADOPTED AS RESOLUTION R-272980

Accepting the low bid of \$136,736 and awarding a contract

to L.R. Hubbard Construction Co. Inc., for the Construction of Mira Mesa Community Park - Picnic Shelter; Construction of Standley Community Park - Picnic Shelter; South Bay Community Park - Improvements; authorizing the City Auditor and Comptroller to transfer \$3,000 from PSD Fund No. 112200 to CIP-29-597, Mira Mesa Community Park - Picnic Shelter and \$11,000 from PSD Fund No. 13000 to CIP-29-602, Standley Community Park - Picnic Shelter; authorizing the expenditure of an amount not to exceed \$14,000 (\$3,000 from CIP-29-597, Mira Mesa Community Park - Picnic Shelter and \$11,000 from CIP-29-602, Standley Community Park - Picnic Shelter) to supplement funds previously authorized by Resolution R-272401, adopted on November 28, 1988, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering Department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-0262/89)

(University, Mira Mesa and Otay Mesa-Nestor Community Areas. Districts-1, 5 and 8.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide one open picnic shelter at Mira Mesa and Standley Community Parks and two open picnic shelters at South Bay Community Park. The South Bay project also includes the widening of the parking lot driveway and new lawn in a small unfinished portion of the park. Fifty bid packages were issued. Four bids were received on January 4, 1989. The low bid of \$136,736 is 1 percent below the estimate of \$138,000. That bid itemized for each park is: Mira Mesa Park, \$32,404, 2 percent under the estimate of \$33,000; South Bay Park, \$65,448, 10 percent under the estimate of \$70,000; and Standley Park, \$38,884, 18 percent over the estimate of \$33,000. An additional \$11,000 is requested for the Standley Park work. An additional \$3,000 is requested for the Mira Mesa Park work to cover under estimated engineering and contingency costs.

Aud. Cert. 8900700.

FILE LOCATION: CONT L.R. Hubbard Construction Co. Inc.
CONTFY89-1

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-102: (R-89-1524) ADOPTED AS RESOLUTION R-272981

Awarding a contract to Photo Geodetic Corporation for furnishing an aerial survey and photography of City Landfills for a total cost of \$49,560, including contingency cost. (BID-0335/89.)
Aud. Cert. 8900715.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-103: (R-89-1523) ADOPTED AS RESOLUTION R-272982

Awarding a contract to Pacific Pipeline Supply for the purchase of water works fittings (extensions), as may be required for a period of one year beginning February 1, 1989 through January 31, 1990, for an estimated cost of \$25,400, including tax, with options to renew the contract for four additional one year periods, with price increases in the option periods not to exceed the prices in effect for the previous contract period by more than 5 percent.
(BID-0376/89)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-104: (R-89-1529) ADOPTED AS RESOLUTION R-272983

Awarding a contract to Pacific Pipeline Supply for the purchase of miscellaneous valves, as may be required for a period of four months beginning February 15, 1989 through June 14, 1989, for an estimated cost of \$32,600, including tax, with options to renew the contract for two additional four month periods, with option period price increases not to exceed the prices in effect for the previous contract period by more than 6 percent. (BID-0385/89)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-105: (R-89-1528) ADOPTED AS RESOLUTION R-272984

Awarding a contract to Maxim Inc. for the purchase of one aerial apparatus replacement ladder for a total cost of \$79,704.30, including tax and terms. (BID-0368/89)
Aud. Cert. 8900703.

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-106: (R-89-1527) ADOPTED AS RESOLUTION R-272985

Awarding contracts for the purchase of 16 tractors, for a total cost of \$428,270.58, including tax, as follows: (BID-0297/89)

1. Case Power and Equipment for Item 1 - five Medium Tractor Loaders; Item 2 - one Medium Tractor Loader/Scarifier; Item 3 - 50 HP Tractor Loaders; Item 4 - one Agricultural Tractor; Item 7 - one Tractor Loader Backhoe/Scraper; Item 8 - one Tractor Loader Backhoe; Item 9 - one Medium Tractor (4x4); Item 10 - one Articulating Loader.
2. Miramar Bobcat, Inc. for Item 5 - one Skid Tractor.
3. Jack's Tractor & Equipment, Inc. for Item 6 - one Beach Tractor.

Aud. Cert. 8900714.

FILE LOCATION: MEET CONTFY89-3

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-107: (R-89-1530) ADOPTED AS RESOLUTION R-272986

Awarding a contract to Astech, Inc. for furnishing a modification to the existing continuous emissions monitoring system at the Digester Utilization Facility for a total cost of \$131,674.20, including tax. (BID-0353/89)
(District-2.)
Aud. Cert. 8900706.

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-108: (R-89-1531) ADOPTED AS RESOLUTION R-272987

Awarding a contract to John C. Henberger Co. Inc., for furnishing fusees (flares), as may be required for a period of one year beginning January 29, 1989 through January 28, 1990, for a total estimated cost of \$155,635.78, including tax and terms, with options to renew the contract for two additional one year periods.
(BID-0469/89C)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-109: (R-89-1539) ADOPTED AS RESOLUTION R-272988

Authorizing the City Manager to declare Associated Fibres to be a non-responsive contractor; directing the Purchasing Agent to not consider any future bids submitted by their company for a period of three years.

CITY MANAGER SUPPORTING INFORMATION: In October 1988 the City notified Associated Fibres of its intention to contract with them for collection and recycling of white paper. We asked Associated Fibres to sign a contract and provide evidence of the required insurance coverage. Because of the need for speedy program implementation, we allowed Associated Fibres to begin collecting paper prior to receipt of the requested documents. Despite more than twenty follow-up requests, Associated Fibres never provided evidence of Workers Compensation Insurance coverage. They failed to observe the agreed upon collection schedule or to make timely payment for paper collected and sold. Additionally, the two checks they did tender for payment bounced. Associated Fibres was informed that the City would pursue debarment action if all moneys owed the City were not paid by February 3, 1989. They failed to meet that deadline, and payment has not yet been received. Debarment appears to be the best course of action at present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-110: (R-89-1633) ADOPTED AS RESOLUTION R-272989

Granting an extension of time to 7/1/89 to Richard J. Carroll, subdivider, to complete the improvements required in Centerpointe Subdivision.

(Midway Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: On September 17, 1984, the City entered into an agreement with Centerpointe Associates, a California general partnership, for the construction of public improvements for Centerpointe Subdivision. The agreement expired on September 17, 1986. On November 25, 1985, an amended agreement was entered into, changing the responsible party to Richard J. Carroll and granting an extension of time to September 17, 1987 in which to complete the work. The subdivider has requested a second extension of time to July 1, 1989 in which to complete the required improvements. It should be noted that because the facilities required under the Subdivision Improvement Agreement are not necessary for use by adjacent development or the general public, their not being provided has no impact on the City. Therefore, it is recommended that the extension of time be approved. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD Centerpointe

COUNCIL ACTION: (Tape location: A106-124.)

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

ITEM-111: (R-89-1603) ADOPTED AS RESOLUTION R-272990

Approving the recommendation of the City Manager contained in City Manager Report CMR-89-46, dated February 10, 1989, to the Public Services and Safety Committee, amending Council Policy 100-3, entitled "Funding of Private Organizations for Operational Expenses or Sponsorship of Special Events."

(See City Manager Report CMR-89-46.)

COMMITTEE ACTION: Reviewed by PSS on 2/15/89.

Recommendation to approve the revisions to City Council Policy

100-3. Districts 3, 4, 6 and 7 voted yea. District 2 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A125-230.)

MOTION BY WOLFSHEIMER TO ADOPT AND DIRECT THE CITY MANAGER TO ASSIST MR. THOMPSON TO REQUEST A WAIVER FOR MEETING THE MATCHING FUNDS REQUIREMENTS WHEN DONATED SERVICES CAN BE APPLIED. 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: (R-89-1493) ADOPTED AS RESOLUTION R-272991

Excusing Council Member Wes Pratt from attending the Rules Committee Meeting of February 1, 1989, due to illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-113: (R-89-1616) ADOPTED AS RESOLUTION R-272992

Excusing Council Judy McCarty from attending the Special Council meeting of October 27, 1988, for the purpose of attending to other City business relating to growth issues and Lake Murray.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-114: (R-89-1503) ADOPTED AS RESOLUTION R-272993

Excusing Council Member Wes Pratt from attending the Special Council Meeting of February 2, 1989, due to illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A106-124.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea,

Filner-yea, Mayor O'Connor-yea.

* ITEM-115: (R-89-1621) ADOPTED AS RESOLUTION R-272994

Excusing Council Member Wes Pratt from attending the morning portion of the Council meeting of February 14, 1989, due to illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-116: (R-89-1650) ADOPTED AS RESOLUTION R-272995

Excusing Council Member Ron Roberts from attending the regularly scheduled City Council meeting of Tuesday, February 21, 1989, for the purpose of attending meetings in Mexico City regarding airport and Border Trade Alliance issues.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-117: (R-89-1627) ADOPTED AS RESOLUTION R-272996

Excusing Council Member Abbe Wolfsheimer from attending the Special San Diego/Tijuana Council meeting of October 27, 1988, due to other previously scheduled meetings relating to City business.

FILE LOCATION: MEET)

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-118: (R-89-1628) ADOPTED AS RESOLUTION R-272997

Excusing Council Member Abbe Wolfsheimer from attending the Special Council Workshop of November 9, 1988, due to other previously scheduled meetings regarding issues

related to District 1.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A106-124.)

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

ITEM-119: (R-89-1632) ADOPTED AS RESOLUTION R-272998

Actions to secure State of California Environmental License Plate (ELP) Funds:

Certifying the filing of applications for SAFCO grant assistance for the Mission Bay Park - Shoreline Protection Development and Famosa Slough Acquisition; certifying that the Council understands the assurances and certification in the applications; certifying that the Council has reviewed and understands the General Provisions contained in the state/local agreement; certifying that the City has or will have sufficient funds to operate and maintain said projects; authorizing the City Manager or his representative, as agent for the City, to conduct all negotiations and to submit all documents which may be necessary for the completion of the projects; authorizing the City Auditor and Comptroller to establish a special interest-earning fund for each project, if funded.

(See City Manager Report CMR-89-76. Peninsula and Mission Bay Community Areas. Districts-2 and 6.)

COMMITTEE ACTION: Reviewed by PFR on 2/22/89.

Recommendation to approve the City Manager's recommendation to take all necessary actions to secure the funds. Districts 1, 5, 6 and 7 voted yea. District 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A231-278.)

MOTION BY HENDERSON 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-120: (R-89-1630) ADOPTED AS RESOLUTION R-272999

Approving the filing of applications for Land and Water Conservation Fund assistance for the Hollywood Neighborhood Park Development - Phase IV and Kellogg Park - Improvement Projects; certifying that the City of San Diego has matching funds for said projects from the

Hollywood Neighborhood Development-Phase IV (Capital Outlay and Park Service District Fees) and Kellogg Park-Improvements (Capital Outlay) and can finance 100 percent of the projects, with up to 50 percent reimbursement; authorizing the City Manager or his representative, to conduct all negotiations and to execute and submit all documents which may be necessary for the completion of the projects; authorizing the City Auditor and Comptroller to establish a separate interest-earning fund for each grant, if funded.

(See City Manager Report CMR-89-75. La Jolla Shores and Mid-City Community Areas. Districts-1 and 8.)

COMMITTEE ACTION: Reviewed by PFR on 2/22/89.

Recommendation to approve the City Manager's recommendation to submit grant applications and to take all other necessary actions to obtain the funds. Districts 1, 5, 6 and 7 voted yea. District 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-121: (R-89-1605) ADOPTED AS RESOLUTION R-273000

Authorizing the City Manager and the City Auditor and Comptroller to add CIP-21-830, Balboa Park Palisades Building Remodel, to the Fiscal Year 1989 Capital Improvements Program; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$60,000 from Capital Outlay - Florida Canyon Fund No. 30245.1, to CIP-21-830, Balboa Park Palisades Building Remodel.

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Several temporary moves are required for Park and Recreation Department staff in Balboa Park. The Park Development Division must vacate the Balboa Park Club building before March 1990 because the building will be extensively remodeled for public use. Central Division staff now located in several areas of the park will be moved to Building 1 at the former U.S. Navy Hospital site. The Management Center Office in the Palisades Building will be modified for use by the Park Development Division staff after Central Division staff move to Building 1. The design of improvements to Building 1 has started and the proposed new Balboa Park Palisades Building Remodel Project will permit the

design of improvements to the Management Center Office to begin.
Aud. Cert. 8900667.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A106-124.)

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

* ITEM-122: (R-89-1614) ADOPTED AS RESOLUTION R-273001

Authorizing the execution of an agreement with Boyle Engineering Corporation to provide engineering services for the Rose Canyon Trunk Sewer; authorizing the expenditure of an amount not to exceed \$1,233,406 from Sewer Revenue Fund No. 41506, CIP-46-110.0, Rose Canyon Trunk Sewer, for the purpose of providing funds for the above project.

(University City and Clairemont Mesa Community Areas. Districts-1 and 6.)

CITY MANAGER SUPPORTING INFORMATION: Serving much of the North City area, including Pump Station No. 64, the Rose Canyon Trunk Sewer presently conveys wastewater through two parallel lines to the East Mission Bay Interceptor. Because of the growing capacity needs of the North City, this particular conveyance system must be expanded. The complexities of such an expansion require the specialized services and expertise of an engineering consultant. The request for engineering services for the Rose Canyon Trunk Sewer was advertised on July 22, 1987. Of 26 letters of interest received, 4 firms were considered in the final selection process.

In conformance with Council Policy 300-7, these firms were interviewed on February 16, 1988 and Boyle Engineering Corporation was selected. The agreement provides for an analysis of ultimate capacity needs, the preparation of construction drawings, specifications, and cost estimates for construction and right-of-way and assistance during the construction phase. Sub-consultants will perform 28 percent of the work, including 13.6 percent MBE and 3.2 percent WBE, for sewer flow monitoring, geotechnical investigations, environmental studies, aerial photography, corrosion prevention, land title reports, and constructability reviews. A 5 percent allowance for additional engineering services, if needed, is also included.

Aud. Cert. 8900692.

WU-U-89-056.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: A106-124.)

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

ITEM-150: (R-89-1645) REFERRED TO PFR

Authorizing the execution of an agreement for the sale and development of Lot 6, Eastgate Technology Park, for the appraised value of \$4.636 million dollars, with a broker's commission in the amount of \$35,680; authorizing the Mayor and City Clerk to execute a deed conveying 7.34 net acres to Westerra Pacific, Ltd; authorizing the payment of the costs of the sale from the proceeds of the sale.

(See City Manager Report CMR-89-78. University City Community Area. District-1.)

COMMITTEE ACTION: Reviewed by PFR on 2/22/89.

Recommendation to approve the City Manager's recommendation to authorize the sale. Districts 5, 6, 7 and 8 voted yea.

District 1 voted nay.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A282-C248.)

Motion by Henderson to adopt. Second by Struiksma. Substitute motion made.

MOTION BY HENDERSON TO REFER TO PUBLIC FACILITIES AND RECREATION COMMITTEE TO REVIEW COUNCIL POLICIES 900-3 AND 700.10 AND TO REVIEW POSSIBLE RECONFIGURATIONS OF THE PROPOSED SALE AND BRING BACK TO DOCKET AS SOON AS POSSIBLE WITH RECOMMENDATIONS AND TO INCLUDE EDC IN THE REVIEW. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S400: (R-89-1551) ADOPTED AS RESOLUTION R-273002

Awarding a contract to Mr. Jim Lemke for the purchase of one 1978 Cessna R182, for a total cost of \$16,050, including tax, plus taking in trade the City's 1974 Cessna T337G. (BID-0505/89)

(Sole source. For use by the Police Department in surveillance operations.)

CITY MANAGER SUPPORTING INFORMATION: The Police Department has a Cessna 337 airplane obtained through Seized and Forfeited Assets which is unsuitable for Department surveillance

operations. The Department conducted an extensive search of Fixed Base Operators, Airplane Sales Organizations, Flying Clubs, and Air Trade Publications in search of a more suitable surveillance airplane to trade for the 337. Only one individual was found who had need for a Cessna 337 and was willing to offer a suitable airplane in trade. The action before you today will authorize the fair market value trade of the Cessna 337 and expenditure of \$15,000 from Seized and Forfeited Assets Fund 10132 for the purchase of a used Cessna 182 RG from Mr. Jim Lemke a private citizen.

Aud. Cert. 8900749.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A106-124.)

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

ITEM-S401: (R-89-1486) ADOPTED AS RESOLUTION R-273003

(Continued from the meeting of February 27, 1989, Item 113, at Verna Quinn's request, for further review.)

Approving Parcel Map TM-86-0356, a two-parcel Parcel Map located southwesterly of Attix Street and Klauber Avenue.

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

FILE LOCATION: SUBD-Highdale Addition to Encanto Heights, Lot 91, portion

COUNCIL ACTION: (Tape location: C248-250.)

MOTION BY PRATT TO 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-S402: (R-89-1690) ADOPTED AS RESOLUTION R-273004

Recognizing the Mira Mesa Little League as providing a rare standard of purposeful public service that will benefit the City for many years to come, which provides the opportunity for over 400 youths in the Mira Mesa community to participate in an athletic program.

(District-5.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A106-124.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea,

Filner-yea, Mayor O'Connor-yea.

* ITEM-S403: (R-89-1553) ADOPTED AS RESOLUTION R-273005

Awarding a contract to Consolidated Portable Sanitation for furnishing the City of San Diego with rental of portable toilets for the Gaslamp District, as may be required for a period of one year beginning March 8, 1989 through February 28, 1990, for an estimated cost of \$33,574, including applicable tax. (BID-0377/89)
(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This project provides for the continuance of the Downtown Portable Restroom Maintenance Program. In response to the needs of the downtown homeless population, this program was implemented in 1985. Prior to that time, the need was documented by the Downtown Social Task Force, the Downtown Coordinating Council, the Central City Association, the Gaslamp Quarter Council and the Convocation of San Diego's Homeless. The issue was discussed several times at the Public Services and Safety Committee and in February, 1984, the City Council appropriated funds for this program. Presently, there are seven portable units strategically located at five locations within the Centre City East area. From time to time, the location of these units may be changed to reflect new usage and in response to complaints received from area businesses and residents. The restrooms will be maintained by a private contractor seven days per week.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A106-124.)

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

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO CITY MANAGER

Andrew Gonzales regarding concerns about drug activity in

Southeast San Diego.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: C252-275.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 3:57 p.m. in honor of the memory of Frank W. Cox, "Frank the Trainman."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C335-340).

MOTION BY ROBERTS TO ADJOURN IN HONOR OF THE MEMORY OF FRANK W. COX, "FRANK THE TRAINMAN." 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.