

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

MONDAY, APRIL 10, 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 2:05 p.m. with no quorum present. A quorum was present at 2:08 p.m. with Council Members Roberts, McColl and Struiksma not present. Council Member Henderson presented an official picture of President Bush to the City Clerk for display in the Council Chambers. Mayor O'Connor announced that the Chair would be going to Sacramento with the City Attorney Office to testify in front of the Legislature regarding the San Diego Gas and Electric merger. Therefore, she and Council Members Roberts, McColl, Struiksma and McCarty would not be present on Tuesday morning, and there would not be a quorum. She requested that the City Clerk, on Tuesday morning, trail the morning items to Tuesday at 2:00 p.m. Mayor O'Connor adjourned the meeting at 5:20 p.m. to meet in Closed Session on Tuesday, April 11, 1989, at 2:00 p.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-excused by R-273247
(City business in Washington, D. C.)
 - (3) Council Member McColl-excused by R-273246
(City business in Sacramento, CA)
 - (4) Council Member Pratt-present
 - (5) Council Member Struiksma-excused by R-273341
(family emergency)
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (jb)

19890410

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-not present
- (3) Council Member McColl-not present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-not present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

ITEM-10: INVOCATION

Invocation was given by Pastor R. C. Williams of the Mt. Carmel Baptist Church.

FILE LOCATION: MINUTES

Apr-10-1989

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Henderson.

FILE LOCATION: MINUTES

Apr-10-1989

ITEM-30: WELCOMED

Welcoming a group of approximately 20 senior international military officers from the International Senior Officers' Amphibious Planning Course accompanied by Lt. Cmdr. John Nixon. This group will arrive at approximately 2:00 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A030-038.)

ITEM-31: DENIED HEARING

Matter of the request of Kathy Hallak, for a hearing of an appeal from the decision of the Board of Zoning Appeals in denying Conditional Use Permit CUP-20138 which proposes to provide beer and wine at an existing convenience food store

and delicatessen where such use is permitted by Conditional Use Permit only. The subject property is located at 4725 Federal Boulevard, in Zone CA, in the Mid-City Community Plan Area, and is further described as Lots 1-10, Federal Boulevard Subdivision, Map-2260.
(CUP-20138. District-3.)

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

FILE LOCATION: ZONE - Zoning Appeals Case C-20138

COUNCIL ACTION: (Tape location: A039-065.)

MOTION BY HENDERSON TO DENY THE HEARING. Second by Filner.

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

ITEM-32: GRANTED HEARING

Matter of the requests of Ewart W. and Sherrilyn Ann Goodwin, Hubert B. and Margaret Price, David M. and Nancy L. Nenow, Loren R. and Kirsten E. Rindal, Dr. Mark and Judith Green and 31 other petitioners, for a hearing of an appeal from the decision of the Planning Commission in upholding the Planning Director's decision granting Hillside Review Permit/Resource Protection Overlay Zone Permit HRP/RPZ-88-1016, proposing to construct a two-story, 4,400 square-foot single family home on a vacant lot, in Zone R1-5000, in the Uptown Community Plan area. The subject property (approximately 0.2 acres) is located at 4370 Arcadia Drive, north of Avalon Drive, east of Jackdaw Street, south of I-8 and west of Hawk Street, and is further described as Lot 33, Avalon Heights, Map-1600.
(HRP/RPZ-88-1016. District-2.)

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

FILE LOCATION: PERM - HRP/RPZ-88-1016

COUNCIL ACTION: (Tape location: A066-103.)

MOTION BY FILNER TO GRANT THE HEARING OF THE APPEAL. Second by McCarty. Passed by the following vote: Wolfsheimer-yea,

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

* ITEM-50: (O-89-195) INTRODUCED, TO BE ADOPTED APRIL 24,
1989

Introduction of an Ordinance amending the San Diego
Municipal Code by amending Chapter II, Article 6, Division
2, Section 26.02, relating to the Historical Site Board,
by deleting the fifteen day time period within which a
hearing of an appeal must be scheduled and substituting a
"reasonable time"; renumbering Section 26.02 to 26.0201 et
seq; correcting Sections 103.0203, 103.1204, 103.1606 to
reflect renumbered sections.

CITY CLERK REPORT: This amendment would allow this appeal
process to conform to other sections of the San Diego Municipal
Code relating to an appeal process (ie: SDMC 101.0240) which do
not reference a time period relative to the scheduling of a
hearing. The City Clerk's Office relies on the originating
department for the material necessary to schedule the appeal for
Council hearing. Deletion of "within 15 days" would allow both
the originating department and the Clerk's Office time to
compile the necessary documentation. The addition of
"applicant" would ensure that the applicant would be notified of
the hearing in those cases when the appellant is someone other
than the applicant. Although the Code does not specify
notification to the applicant, the Clerk's Office has always
made it a policy to notify the applicant, the appellant and any
other parties that have requested notification of these
hearings.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A215-244.)

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

* ITEM-100: (R-89-1577) ADOPTED AS RESOLUTION R-273172

Awarding a contract to Pressley Peterbilt for the purchase of one 5 cubic yard dump truck, 4-wheel drive, with hydraulic winch (GMC Model TC7D042, with Crysteel dump/hoist and Braden winch) at a total cost of \$60,786.70, including tax and terms.

(BID-0429/89)

Aud. Cert. 8900809.

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-101: (R-89-1578) ADOPTED AS RESOLUTION R-273173

Awarding a contract to Clairemont Equipment Co., for the purchase of three motor graders for an actual cost of \$223,454.52, including tax. (BID-0399/89)

Aud. Cert. 8900816.

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-102: (R-89-1812) ADOPTED AS RESOLUTION R-273174

Awarding a contract to San Diego Pipe for the purchase of Specific DWV/ABS24 SCH 40 Pipe and Fittings, as may be required for a period of four months beginning March 15, 1989 through July 14, 1989, for an estimated cost of \$13,000, for the first 4-month period, including tax and terms, with options to renew the contract for two additional four-month periods, with prices in the first

option period not to exceed the prices in the previous period by more than 10 percent, and prices in the second option period not to exceed the prices in the previous period by more than 15 percent. (BID-0485/89)

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-103: (R-89-1579) ADOPTED AS RESOLUTION R-273175

Awarding contracts for the purchase of two rollers for an actual cost of \$40,813.01, including tax, as follows:
(BID-0417/89)

1. Clairemont Equipment Company for Item 1 - one two ton roller and trailer.
2. Nixon-Egli Equipment Co. for Item 2 - one three to five ton roller.

Aud. Cert. 8900815.

FILE LOCATION: MEET CONTFY89-2

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-104: (R-89-1811) ADOPTED AS RESOLUTION R-273176

Awarding a contract to Whited Cemetery Service for the purchase of burial enclosures, as may be required for a period of one year beginning April 1, 1989 through March 31, 1990, for a total cost of \$46,336.50, (no sales tax - for resale) with options to renew the contract for two additional one year periods, with no price escalation.
(BID-0486/89)

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-105: (R-89-1580) ADOPTED AS RESOLUTION R-273177

19890410

Inviting bids for the San Diego Jack Murphy Stadium Elevator Renovation Project and Full Maintenance Service on Work Order No. 119257; authorizing the execution of contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$158,000 from Stadium Fund 10332, CIP-37-420, San Diego Jack Murphy Stadium Electrical Transformer Replacement Project to Stadium Fund 10332, CIP-34-110, San Diego Jack Murphy Stadium Elevator Renovation Project; authorizing the expenditure of an amount not to exceed \$30,000 per year from Fund 10330 for providing maintenance of the elevators per Schedule IA, II and III for San Diego Jack Murphy Stadium Elevator Renovation Project and Full Maintenance Service; authorizing the expenditure of an amount not to exceed \$460,000 from Stadium Fund 10332, CIP-34-110, San Diego Jack Murphy Stadium Elevator Renovation Project for providing funds 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 Fund 10330. (BID-0566/89) (Mission Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The four passenger elevators at San Diego Jack Murphy Stadium are over 21 years old. No major work has been done on the elevators during this time. CIP-34-110.0, San Diego Jack Murphy Stadium Elevator Renovation Project, has been established to provide funds for the complete renovation and modernization of the elevators. Work will include replacing the existing dispatch control system and door operating devices, and remodeling the interiors. The total project cost is estimated at \$460,000 and it is scheduled

for implementation in FY 1990. Presently, \$302,000 is allocated to the project and the balance of \$158,000 is to be budgeted in the FY 1990 Stadium Operations Fund. It is now recommended that the project be accelerated and advertised for bids at this time. Accelerating the schedule will help ensure that the selected contractor will have sufficient lead time to order materials so that the work can commence on January 1, 1990 and be completed prior to the 1990 baseball season.

Aud. Cert. 8900795.

FILE LOCATION: W.O. 119257 CONT - Montgomery Elevator Co.
CONTFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-106: (R-89-1813) ADOPTED AS RESOLUTION R-273178

19890410

Inviting bids for the Natural History Museum Elevator Renovation and Full Maintenance Service on Work Order No. 119377; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$80,000 from Balboa Park Improvement Projects Fund 102242 for providing funds 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-0576/89)

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide necessary renovation of the Natural History Museum Elevator for handicap requirements, new metal car and interior, new elevator doors, and overall system upgrade.

Aud. Cert. 8900778.

FILE LOCATION: W.O. 119377 CONT - Amtech Reliable Elevator Co.
CONTFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-107:

Four actions relative to the final subdivision map of Piper Ranch Business Park, a 24-lot subdivision located northeasterly of Otay Mesa Road and La Media Road: (Otay Mesa Community Area. District-8.)

Subitem-A: (R-89-1702) ADOPTED AS RESOLUTION R-273179
Authorizing the execution of a Subdivision Improvement Agreement with Piper Ranch Associates for the installation and completion of public improvements.

Subitem-B: (R-89-1701) ADOPTED AS RESOLUTION R-273180
Approving the final map.

Subitem-C: (R-89-1703) ADOPTED AS RESOLUTION R-273181
Authorizing the execution of an agreement with Piper Ranch Associates for payment of fees for public facilities.

Subitem-D: (R-89-1704) ADOPTED AS RESOLUTION R-273182
Approving the acceptance by the City Manager of a deed of easement, granting to the City a storm drain and fee title acquisition for storm drain purposes and future dedication of Otay Mesa Road and Piper Ranch Road in Parcel 1 of Parcel Map PM-12508.

FILE LOCATION:

Subitems A-C SUBD - Piper Ranch Business
Park;

Subitem D DEED F-4887

CONTFY89-2;DEEDFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-108: (R-89-1805) ADOPTED AS RESOLUTION R-273183

Authorizing the City Manager to release a portion of the surety for Carmel Mountain Ranch Unit No. 17, issued by Allied Mutual Insurance Company, in the form of Performance Bond No. 391080, so that the same is reduced as follows:

1. For faithful performance, to the sum of \$642,552.
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$321,276.

(Carmel Mountain Ranch Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On March 21, 1988, the City entered into an agreement with Carmel Mountain Ranch for the construction of public improvements for Carmel Mountain Ranch Unit No. 17. Performance Bond No. 391080, issued by Allied Mutual Insurance Company in the amount of \$1,841,910, was provided by the subdivider. The agreement expires March 21, 1990. Eighty-seven percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. In accordance with Council Policy 800-11, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 65 percent of the original surety will be released which will reduce the surety to \$642,552.

FILE LOCATION: SUBD - Carmel Mountain Ranch Unit No. 17

COUNCIL ACTION: (Tape location: A245-257.)

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

ITEM-109: CONTINUED TO APRIL 17, 1989, AT 2:00 P.M.

Two actions relative to amended agreements and time extension for Euclid Oaks:
(Mid-City Community Area. District-3.)

Subitem-A: (R-89-1850) --

Authorizing an amendment to the Subdivision Improvement Agreement for Euclid Oaks, Document No. RR-257218, to provide for the substitution of Avanti Development, Inc., for Allen Hall Development Corporation, as subdivider; declaring that the public improvements to be constructed pursuant to the subdivision agreement shall be completed by September 30, 1990.

Subitem-B: (R-89-1849) --

Authorizing the execution of an amendment to the Subdivision Improvement Agreement for Euclid Oaks, Document No. RR-257090, to provide for the substitution of Avanti Development, Inc., for Allen Hall Development Corporation, as subdivider; declaring that the public improvements to be constructed pursuant to the subdivision agreement shall be completed by September 30, 1990; accepting Bond No. 113-21-01, issued by Explorer Insurance Company in the amount of \$128,000, as the surety for the required improvements in the subdivision; releasing Bond No. 2SM-563-692, issued by American Motorists Insurance Company, in the amount of \$100,143.

CITY MANAGER SUPPORTING INFORMATION: On September 13, 1982 and September 27, 1982, the City entered into agreements with Allen Hall Development Corporation for the construction of public improvements for Euclid Oaks subdivision (Document No. RR-257090) and the construction of and reimbursement for a 60-inch barrel culvert (Document No. RR-257218-1). The agreements expired on September 13, 1984 and September 27, 1984 respectively. On January 7, 1985 an extension of time was granted to September 13, 1985 by Resolution R-262257 within

which to complete the improvements required by the Subdivision Improvement Agreement. The property is now owned by Avanti Development, Inc. The new owner has signed two amended agreements to assume all of the obligations of the original subdivider and complete the required work, as well as receive the reimbursement for the construction of the culvert as specified in the agreement approved by City Council Resolution R-257218. The amended agreements also provide for extensions of time to complete the work to September 30, 1990. The new subdivider has provided a performance bond in the amount of \$128,000 to assure the improvements required of the subdivision. The amended agreement and time extension are in accordance with Council Policy 600-21. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD - Euclid Oaks

COUNCIL ACTION: (Tape location: A245-257; A521-534.)

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

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

MOTION BY HENDERSON TO CONTINUE FOR ONE WEEK, AT COUNCIL MEMBER McCOLL'S REQUEST, SO THAT SHE COULD BE PRESENT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-yea, Struiksmas-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110:

Three actions relative to the acceptance of petition - Otay Mesa Industrial Park Assessment District No. 4030 (Municipal Improvement Act of 1913): (Otay Mesa Community Area. District-8.)

Subitem-A: (R-89-1747) ADOPTED AS RESOLUTION R-273184
Accepting the property owner petition for the acquisition
of improvements in the proposed Otay Mesa Industrial Park
Assessment District under the provisions of the Municipal
Improvement Act of 1913.

Subitem-B: (R-89-1748) ADOPTED AS RESOLUTION R-273185
Authorizing the execution of the Acquisition/Financing
Agreement with Otay Mesa Investments; authorizing the
execution of an Assessment District Reimbursement Agreement
with Otay Mesa Investments; authorizing the execution of an
agreement for Bond Counsel Services with Brown and Diven,
in the minimum amount of \$5,000; authorizing the Auditor
and Comptroller to establish a Special Assessment Fund No.
79-480.

Subitem-C: (R-89-1749) ADOPTED AS RESOLUTION R-273186
Appointing Brown and Diven to act as Bond Counsel;
establishing a Special Improvement Fund designated by the
name and number of the Assessment District.

CITY MANAGER SUPPORTING INFORMATION: In May 1986, the
tentative map for the International Business Center was
approved. The development consists of approximately 40 acres of
industrial lots. The public improvements to be acquired through
the proposed assessment district include curb and gutter,
sidewalk, paving, water and sewer systems, dry utility systems,
storm drain facilities, and street lights. Under the proposed
acquisition proceedings, the developer will complete the
improvements in accordance with the standard subdivision
improvement agreement and the City will "acquire" the
improvements upon completion through the assessment district
public hearing process. The funds for the acquisition will be
provided by the assessments on the subdivision. The petition
submitted by the property owner represents 100 percent of land
included within the proposed assessment district. The property
owner has requested that the firm of Brown and Diven provide
special bond counsel services for the assessment district.
Aud. Cert. 8900738.

FILE LOCATION: STRT D-2280 CONTFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-111: (R-89-1742) ADOPTED AS RESOLUTION R-273187

Authorizing the City Manager to initiate proceedings for the formation of Cost Reimbursement Districts for:
MBM West, PRD, TM-87-1007
Mesa Shopping Center East, TM-85-0500
Otay Mesa Industrial Park, TM-85-0834
Mira Sorrento Place, PCD, and TM-87-0422
Northerly Extension of El Camino Real
Poway Road Widening
(Districts-1, 5 and 8.)

CITY MANAGER SUPPORTING INFORMATION: In January of 1988, Council adopted an ordinance establishing a formal proceeding 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 other owners when they develop their land. Requests have been received from the owners of the following subdivisions for reimbursement for public improvements:

Project Name	Public Improvements
MBM West (TM-87-1007)	Traffic signals, street and appurtenances
Mesa Shopping Center East (TM-85-0500)	Street and appurtenances
Otay Mesa Industrial Park (TM-85-0834)	Traffic signal, right-of-way acquisition, street and appurtenances
Mira Sorrento Place (TM-87-0422)	Street and appurtenances
Northerly Extension of	Right-of-way

El Camino Real	acquisition, street and appurtenances
Poway Road	Traffic signal, street and appurtenances

A preliminary review of each of these requests indicates that a basis for reimbursement exists and that C.R.D. proceeding is appropriate. Upon initiation of any or all 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 pay upon development.

FILE LOCATION: STRT MBM West, PRD, TM-87-1007 CR-12; Mesa Shopping Center East, TM-85-0500 CR-11; Otay Mesa Industrial Park, TM-85-0834 CR-13; Mira Sorrento Place, PCD, and TM-87-0422 CR-10; Northerly Extension of El Camino Real CR-8; Poway Road Widening CR-9

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-112: (R-89-1834) ADOPTED AS RESOLUTION R-273188

Approving the acceptance by the City Manager of that deed of San Diego Unified Port District, which provides for the abandonment of certain water and drainage easements in exchange for certain new water and drainage easements located westerly of the intersection of Harbor Drive and Fifth Avenue.

(Centre City Community Area. District-8.)

FILE LOCATION: DEED F-4888 DEEDFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-113: (R-89-1796) ADOPTED AS RESOLUTION R-273189

Approving the acceptance by the City Manager of a street easement deed of PGP South Bay, Ltd., granting to the City an easement for public street purposes in a portion of Section 35, Township 18 South, Range 2 West, S.B.M. and in a portion of Section 2, Township 19 South, Range 2 West, S.B.M.; dedicating said land as and for a public street, and naming the same San Ysidro Boulevard.

(San Ysidro Community Area. District-8.)

FILE LOCATION: DEED F-4889 DEEDFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

ITEM-114: (R-89-1889) CONTINUED TO APRIL 17, 1989, AT 2:00 P.M.

Authorizing the City Auditor and Comptroller to transfer within the General Fund 100 the sum of \$414,784 from Non-Departmental Expenditure (Dept. 601, Data Processing) to the Unallocated Reserve (605).

CITY MANAGER SUPPORTING INFORMATION: When the FY 1989 Data Processing Corporation budget was brought before Council in October it was indicated that the Corporation's proposed budget reflected rate reductions for computer time which were approved by the Corporation's Board of Directors after City budgets were reviewed and adopted. Those excess funds total \$414,784 in the General Fund. This action will transfer the excess data processing funds to the General Fund Unallocated Reserve.

Potential allocations from the Unallocated Reserve include:

Transfer to Building Inspection Enterprise Fund for expenditures made on behalf of the Sign Code Program \$335,000.

Transfer to the City Attorney for retaining counsel for legal services \$55,700.

This action only transfers the excess funds to the Unallocated Reserve. Proposals for expenditure of the funds will be brought as separate actions.

Aud. Cert. 8900808.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A258-520.)

Motion by Wolfsheimer to commit the money to hiring more police officers and fighting crime. Do not give it back to Data Processing, and do not allow postponement of the Police Academy. Second by Filner. Failed: Yeas-1,8. Nays-4,6,7,M. Not present-2,3,5.

MOTION BY HENDERSON TO CONTINUE TO NEXT WEEK, AT HIS REQUEST, SO THAT MRS. McCOLL CAN BE PRESENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-115: (R-89-1801) ADOPTED AS RESOLUTION R-273190

Establishing a Truck Parking Prohibited Zone on the east and west side of Viewridge Court, north of Ruffin Court; authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(Clairemont Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: A truck parking prohibition along the east and west sides of Viewridge Court, north of Ruffin Court, was petitioned by the abutting property owners. Staff's field investigation revealed that many large trucks park along Viewridge Court, using the public street as a temporary storage area. It is recommended that vehicles with an excess gross vehicle weight rated capacity of 10,000 pounds be prohibited from parking along the east and west sides of Viewridge Court, north of Ruffin Court, as requested.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-116: (R-89-1846) ADOPTED AS RESOLUTION R-273191

Declaring Bonair Place to be a one-way street, pursuant to the provisions of Section 82.19 of the San Diego Municipal Code; authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The proposed one-way street was petitioned by property owners representing 77 percent of the affected street frontage. This street is 20 feet wide curb to curb. The estimated daily traffic volume of 200 vehicles is almost all generated by the adjacent properties. One-way operation of this street will reduce traffic conflicts with a minimum of inconvenience to the residents. Therefore, this request for one-way operation of Bonair Place is recommended for approval.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-117: (R-89-1857) ADOPTED AS RESOLUTION R-273192

Approving Change Order No. 1, dated 1/23/89, issued in connection with the contract with Overson-Rand Enterprises for the construction of the 59th Street Storm Drain, amounting to a net increase in the contract price of \$3,500; authorizing the City Manager to expend the sum of \$5,250 from the CDBG Fund No. 18524, Department No. 5667, Org. No. 6701, for the purpose of funding this Change Order and additional engineering costs.

(State University Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: The existing pavement elevation is too high to allow safe construction of the pavement

transition to the new storm drain inlet on the east side of 59th Street. If not corrected, a steep transition would result creating a potential hazard to vehicular traffic. Therefore, it is necessary to replace 350 square feet of the existing pavement at a lower elevation to provide a smooth, safe transition. The contractor has agreed to perform this work for \$3,500. The \$5,250 in supplemental funds provided by this resolution will be used to fund contract Change Order No. 1 and additional engineering costs for the construction of 59th Street storm drain.

Aud. Cert. 8900790.

FILE LOCATION: CONT - Overson-Rand Enterprises and W.O.
119111 CONTFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-118: (R-89-1745) ADOPTED AS RESOLUTION R-273193

Approving the proposed Articles of Incorporation and Bylaws of the San Diego Conservation Corps; authorizing the City to take such action as is necessary to cause said corporation to be legally formed; authorizing the San Diego Conservations Corps Steering Committee to be Interim Directors of the San Diego Conservation Corps for a period of time not to extend beyond December 31, 1989; authorizing the City Manager to incur any necessary expenses in connection thereof.

CITY MANAGER SUPPORTING INFORMATION: In October 1988 a Steering Committee appointed by the Mayor and City Council was established to oversee incorporation activities, writing of bylaws; preparation of proposals for State funding; private sector fund raising; establishing criteria for hiring an executive director; and identification of a permanent Board of Directors for the San Diego Conservation Corps. Over the last several months the San Diego Conservation Corps Steering Committee has accomplished several of these tasks. The

Committee has established Bylaws for the Corporation; prepared proposals for State funding, and initiated a plan for private sector fund raising. The Steering Committee, as part of the incorporation process, is requesting the establishment of a non-profit entity and the filing of the Articles of Incorporation. In addition, the Committee is seeking authorization to establish itself as the Interim Directors of the San Diego Conservation Corps for a period not to exceed December 31, 1989. After the program is well established a permanent Board of Directors will be appointed by the Mayor and City Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A245-257.)

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

* ITEM-119: (R-89-1844) ADOPTED AS RESOLUTION R-273194

Authorizing the execution of Utilities Agreement No. 25470 with the California State Department of Transportation (CalTrans) for relocation of water distribution facilities within the Route 94 right-of-way between Home Avenue and Interstate 15; authorizing the execution of Utilities Agreement 25471 with the California State Department of Transportation for relocation of sewer facilities within the Route 94 right-of-way between Home Avenue and Interstate 15; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$154,927 within Sewer Revenue Fund (No. 41506) from the Unallocated Reserve (No. 70697) to the Wastewater System Construction Program (No. 70492), Annual Allocation Freeway Relocations, (CIP-43-004.0); authorizing the expenditure of an amount not to exceed \$229,068 consisting of \$217,327 from the Sewer Revenue Fund (No. 41506), Annual Allocation Freeway Relocations-Sewer, CIP-43-004.0, and \$11,741 from the Water Revenue Fund No. 41502), Annual Allocations Freeway Relocations-Water (CIP-73-024.0), for the purpose of

providing funds for the above projects; authorizing the expenditure of an amount not to exceed \$62,000 for the use of City Forces to hi-line existing water services, relocate an existing blow-off, make connections and perform operational checks as required for the above projects.

CITY MANAGER SUPPORTING INFORMATION: The State Department of Transportation has determined that portions of existing 8-inch, 12-inch and 16-inch water mains and portions of existing 8-inch, 27-inch and 30-inch sewer mains along Route 94 are in conflict with a proposed highway improvement project. These agreements provide for the financing and the relocation of these conflicting water and sewer mains. All water main relocation work and approximately 50 percent of the sewer main relocation work will be done by a State contractor. The remainder of the sewer main work will be done by a City contractor as part of the Home Avenue Trunk Sewer Replacement Project. Under these agreements the State agrees to reimburse the City for all costs involved for the relocations except for any betterments and any accrued depreciation to the water and sewer mains. The betterments and depreciation of both the water and sewer mains amounts to \$229,068.

Aud. Cert. 8900792.

WU-U-89-040.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

ITEM-120: (R-89-1722) CONTINUED TO MAY 8, 1989, AT 2:00 P.M.

Authorizing the City Manager to extend through July 28, 1991, an option/lease agreement with the Lake Hodges Performing Arts Association, Inc., which grants the Association the exclusive right to lease approximately 30 acres of City-owned land for construction and operation of an outdoor Amphitheater and Regional Performing Arts Center; declaring that the monthly consideration for the

option shall be increased for the period commencing February 1, 1989, from \$50 to \$200 per month.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On November 26, 1985 the City Council authorized the execution of a three-year option to lease and lease agreement with the Lake Hodges Performing Arts Association, Inc., for the construction, operation and maintenance of an open air performing arts center in Rancho Bernardo on approximately 30 acres of City-owned (Water Utilities) land. A Conditional Use Permit (CUP) was issued in 1985 and recently extended until 1991. Pursuant to the authority granted to the City Manager in the Option Agreement, the agreement was extended for 60 days until January 30, 1989. The lessee is currently attempting to work out a joint development plan with J. C. Resorts for a golf course and the proposed outdoor performing arts center and has requested an additional extension. The City Manager proposes to extend the Option Agreement until July 28, 1991, terminating simultaneously with the extended CUP. In accordance with the Option Agreement, monthly consideration from the association to the City will be increased from \$50 to \$200 a month during the term of the extension. All of the other terms and conditions of the option will remain the same.

WU-PR-89-113.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A104-214.)

MOTION BY WOLFSHEIMER TO CONTINUE FOR 30 DAYS, AT BOB LONG'S REQUEST, SO THAT THE COUNCIL MEMBERS CAN REVIEW THE REPORT.

Second by Filner. Passed by the following vote:

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

ITEM-121: (R-89-1802) RETURNED TO THE CITY MANAGER

Authorizing the execution of a five-year lease agreement with John Small, for approximately 2,800 square feet of office space at 4956 Newport Avenue for use by the Police Department as a Community Relations Office, at an initial

monthly rent of \$1,800; authorizing the expenditure of an amount not to exceed \$7,200 from the General Fund for FY 1989 lease costs.

(Ocean Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Police Department has outgrown its present Community Relations Office in Ocean Beach. This new location at 4956 Newport Avenue will give them the opportunity to have room for community meetings as well as allowing for storage of supplies. The rent of \$1,800 per month (65 cents per square foot) is quite reasonable for 2,800 square feet of office space and the landlord is furnishing all of the interior buildouts. The proposed lease term is for five years. This Police Department Community Relations Office is located in Council District 2.

Aud. Cert. 8900797.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A104-214.)

MOTION BY PRATT TO RETURN TO THE CITY MANAGER, AT THE MANAGER'S REQUEST. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-122: (R-89-1856) ADOPTED AS RESOLUTION R-273195

Approving Change Order No. 5, dated November 17, 1988, issued in connection with the contract between the City and Daley Corporation, for the Improvement of Ingraham Street Bridge Over Fisherman's Channel, amounting to a net increase in the contract price of \$34,920; authorizing the execution of a Third Amendment with McDaniel Engineering Company to provide falsework review and approval for the Improvement of Ingraham Street Bridge over Fisherman's Channel.

(Mission Bay Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: On August 6, 1984, by Resolution R-261321, the City Council authorized an agreement with McDaniel Engineering to provide environmental and construction documents for the replacement of Ingraham Street

Bridge Over Fisherman's Channel. On September 28, 1987, by Resolution R-269388, the City Council approved the plans and specifications and authorized execution of a contract for the Improvement of Ingraham Street Bridge Over Fisherman's Channel.

On April 18, 1988 a construction contract in the amount of \$11,436,203.13 for the Improvement of Ingraham Street Bridge Over Fisherman's Channel was authorized with Daley Corporation. The accompanying Third Amendment with McDaniel Engineering will provide the professional engineering services required to review and approve the falsework drawings and calculations used in constructing the new bridge. Change Order No. 5 as requested by the City of San Diego Water Utilities Department will change the proposed 6-inch sewer line to an 8-inch sewer line. This change will provide the needed flow capacity and will add a flexible expansion joint at the south bridge abutment.

Aud. Cert. 8900799.

FILE LOCATION: CONT - Daley Corporation; McDaniel Engineering Company; W.O. 118242
CONTFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

ITEM-150: (R-89-1832) ADOPTED AS RESOLUTION R-273196

Authorizing the execution of an agreement with Powell Pirnie Associate

studies regarding the Drinking Water Quality Improvement Program; authorizing the City Auditor and Comptroller to add to the Capital Improvements Program of the Water Revenue Fund No. 41502 for Fiscal Year 1988-1989 the project entitled, "Alvarado Filtration Plant - Building Remodeling and Improvements," CIP-73-260.0, in an amount not to exceed \$80,329; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$80,329 within the Water Revenue Fund No. 41502 from the Unallocated

Reserve No. 70679, to the Water Construction Engineering Program No. 70893 consisting of \$5,000 for the purpose of providing funds for preliminary City force engineering services and \$75,329 for the purpose of providing contractual engineering services for the Alvarado Filtration Plant - Building Remodeling and Improvements Project, CIP-73-260.0; authorizing the expenditure of an amount not to exceed \$2,825,454 from the Water Revenue Fund No. 41502, Water Construction Engineering Program No 70893, consisting of \$2,705,346 for the Alvarado Filtration Plant Expansion, CIP-73-261.0; \$18,793 for the El Capitan Connection, CIP-73-281.0; \$25,956 for the Earl Thomas Reservoir Roof and Outlet Pipeline, CIP-73-267.0; and \$75,329 for the Alvarado Filtration Plant - Building Remodeling and Improvements, CIP-73-260.0, for the purpose of providing funds for the above projects.

(See City Manager Report CMR-89-93.)

COMMITTEE ACTION: Reviewed by PSS on 3/1/89. Recommendation to approve the City Manager's recommendations. Districts 2, 3 and 6 voted yea. Districts 4 and 7 not present.
Aud. Cert. 8900772.
WU-U-89-014.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

ITEM-151: (R-89-1841) ADOPTED AS RESOLUTION R-273197

Authorizing the execution of an agreement with Boyle Engineering Corporation for professional consultant services to develop the first phase of the Water Facilities Master Plan; authorizing the execution of a supplemental agreement with Sourcepoint of the San Diego Association of

Governments to provide demographic services in connection with the Water Facilities Master Plan; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$490,000 within the Water Revenue Fund, No. 41502, from the Water Systems Construction Program (No. 70592), CIP-73-248.0, Pomerado Pipeline No. 2, to the Water Engineering Construction Program, (No. 70893), CIP-73-275.0, Water Facilities Master Plan, increasing the total project allocation of CIP-73-275.0 to the amount of \$1,490,000 for the purpose of providing funding for consulting services in the amount of \$1,170,904; for initial San Diego Data Processing Corporation expenses in the amount of \$264,373; and for City administration and project related costs in the amount of \$54,723; authorizing the expenditure of an amount not to exceed \$1,170,904 from the Water Engineering Construction Program No. 70893, CIP-73-275.0, Water Facilities Master Plan, for the purpose of providing funds for the above projects.

(See City Manager Reports CMR-89-94 and CMR-89-90.)

COMMITTEE ACTION: Reviewed by PSS on 3/1/89.

Recommendation to approve the City Manager's recommendation.

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

Aud. Cert. 8900798.

WU-U-89-084.

FILE LOCATION: MEET CCONFY89-2

COUNCIL ACTION: (Tape location: A245-257.)

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

ITEM-200: REFERRED TO THE CITY MANAGER

In the matter of contribution to Air Space America.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B436-E290.)

MOTION BY HENDERSON TO REFER TO THE CITY MANAGER FOR A REPORT BACK NO LATER THAN APRIL 24, 1989 WITH THE UNDERSTANDING THAT THE COUNCIL WILL MAKE A GO OR NO-GO DECISION. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-86-1631) CONTINUED TO APRIL 17, 1989, AT 2:00 P.M.

(Continued from the meeting of March 20, 1989, Item S404, at Council Member Roberts' request, for further review by the City Manager.)

Vacating Evergreen Street between Poe Street and Quimby Street, 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 City reserves and excepts from vacation and abandonment, easements, and rights of any public utility pursuant to any existing franchise or renewal thereof; declaring that the easements reserved herein are in, under, over, upon, along and across that portion of Evergreen Street.

(See City Manager Report CMR-89-112. Peninsula Community Area. District-2.)

FILE LOCATION: STRT J-2716; DEED F-4865 DEEDFY89-1

COUNCIL ACTION: (Tape location: A104-214.)

MOTION BY PRATT TO CONTINUE TO APRIL 17, 1989, AT COUNCIL MEMBER ROBERT'S REQUEST. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-89-1879) ADOPTED AS RESOLUTION R-273198

Council confirmation of the reappointment by the Mayor of Priscilla Young to serve as a member of the Housing Advisory and Appeals Board for a term ending March 1, 1991.

(See the memorandum from Mayor O'Connor dated 3/28/89.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A245-157.)

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

ITEM-203: (R-89-1877) ADOPTED AS RESOLUTION R-273199

Council confirmation of the following reappointments by the Mayor to serve as members of the International Affairs Board, for terms ending March 1, 1991:

(See the memorandum from Mayor O'Connor dated 3/28/89.)

Kaneko Oshima Bishop

Kathleen Roche-Tansey

Dorothy R. Harmsen

Bert J. Salonen

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A245-257.)

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

ITEM-204: (R-89-1878 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-273200

Council confirmation of the following appointments by the Mayor to serve as members of the Planning Commission, for terms to expire January 28, 1993:
(See the memorandum from Mayor O'Connor dated 3/28/89 with resume attached.)

Ralph R. Pesqueira (Reappointment)
Edward Reynolds (To replace Al Kercheval,
whose term has expired.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A535-630.)

MOTION BY HENDERSON TO APPROVE THE REAPPOINTMENT OF RALPH PESQUEIRA TO THE PLANNING COMMISSION. Second by McCarty.

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

MOTION BY HENDERSON TO CONTINUE ACTION ON THE APPOINTMENT OF EDWARD REYNOLDS TO THE PLANNING COMMISSION TO APRIL 17, 1989.

Second by Wolfsheimer. Passed by the following vote:

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

ITEM-205:

Three actions relative to the Montgomery-Waller Community Park - Improvements:
(Otay Mesa-Nestor Community Area. District-8.)

19890410

Subitem-A: (R-89-1537) ADOPTED AS RESOLUTION R-273201

Adoption of a Resolution inviting bids for the Montgomery-Waller Community Park - Improvements on Work Order No. 118776; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$25,711 (\$9,204 from CIP-29-529, Montgomery-Waller Community Park - Security Lighting and \$16,507 from PSD Fund No. 11720) to

CIP-29-467, Montgomery-Waller Community Park - Improvements; authorizing the City Auditor and Comptroller to transfer \$5,900 from Park Services from Park Service District Fund No. 11720 to meet the requirement that CIP-29-467, Montgomery-Waller Community Park - Improvements, be funded until grant monies are received from the State (\$5,900); authorizing the expenditure of an amount not to exceed \$1,340,826 (\$20,115 from PSD Fund No. 16740; \$1,236,000 from Capital Outlay Fund 30245.3; \$53,100 from 1986 State Bond Act Fund No. 39037 and \$31,611 from PSD Fund No. 11720) from CIP-29-467, Montgomery-Waller Community Park - Improvements, for providing funds 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-0480/89)

Subitem-B: (R-89-1538) ADOPTED AS RESOLUTION R-273202
Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-76-09-59C, dated November 4, 1976, has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

Subitem-C: (O-89-178) HEARING HELD
First public hearing in the matter of:
Amending Ordinance O-17122 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 increasing the Capital Improvements Program by adding \$53,100 in 1984 State Bond Act Grant Funds.

NOTE: See Item 335 on the docket of Tuesday, April 11, 1989 for the introduction and adoption.

CITY MANAGER SUPPORTING INFORMATION: This project provides for improvements to Montgomery-Waller Community Park, located on Beyer Boulevard between Palm and Coronado Avenues in the Otay Mesa - Nestor Community Planning Area. The proposed

improvements include the construction of an 11,000 square foot recreation center building, a small children's and tiny-tot play area, two multi-purpose courts, parking lot lighting, concrete walkways, picnic facilities, landscaping and irrigation. The parking lot lighting and the children's play area are deductive bid alternates, and will be constructed if financing permits. This request for Council action includes a request to transfer \$9,204 from CIP-29-529.0, Montgomery-Waller Community Park-Security Lighting (PSD Fund No. 11720) to the subject project, CIP-29-467.0, Montgomery Waller Community Park - Improvements. The two CIP projects are being combined as a cost effective measure.

Aud. Cert. 8900719.

FILE LOCATION:

Subitems A-B W.O. 118776 CONT-L.R.Hubbard Construction Co.

Subitem C--

CONFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

CONSENT MOTION BY PRATT TO APPROVE. Second by Henderson.

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

* ITEM-S400: (R-89-1900) ADOPTED AS RESOLUTION R-273203

Commending Cesar Chavez on the occasion of the Testimonial Dinner by the Labor Council for Latin America Advancement and the Chicano Federation of San Diego County and declaring April 18, 1989 to be "Cesar Chavez Day " in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A245-257.)

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

ITEM-S401: (R-89-1896) ADOPTED AS RESOLUTION R-273204

Approving the recommendations contained in Intergovernmental Relations Department Report IRD-89-13 dated March 9, 1989, to support SB 323 (Torres), relating to fire protection for existing high-rise structures, with amendments for an installation timeline consistent with Ordinance O-17172 (N.S.) and clarifying the criteria the Fire Department will use to exempt residential high-rise structures.

(See Intergovernmental Relations Department Report IRD-89-13.)

COMMITTEE ACTION: Reviewed by RULES on 3/15/89.

Recommendation to support with amendments as to timeline and clarification of exemptions which will bring the bill in line with the City's existing Ordinance. Districts 2, 3, 6 and 7 voted yea. District 4 and Mayor not present.

INTERGOVERNMENTAL RELATIONS SUPPORTING INFORMATION: At the regularly scheduled meeting of March 15, 1989, the Rules Committee reviewed Intergovernmental Relations Department Report IRD-89-13 which recommended that the City support SB 323 (Torres) and seek an amendment to provide for an incremental timeline. SB 323 would require the installation of fire sprinklers in all existing high-rise structures in California by June 30, 1995. Committee discussion centered on: (a) the state timeline for the installation of fire sprinklers in existing high-rise structures, and (b) the criteria the local fire enforcement agency will use to exempt residential high-rise structures from the fire sprinkler requirement. By a vote of 4-0 (Council Members McCarty, Roberts, McColl and Henderson - yea. Mayor O'Connor and Council Member Pratt - not present), the Committee amended the recommendation in IRD-89-13 to: Support SB 323 (Torres) and seek amendments to provide for a state timeline similar to the timeline in San Diego's local Ordinance O-17172 and to clarify the criteria the local fire enforcement agency will use to exempt residential high-rise structures from the installation requirement.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A645-B435.)

Motion by Henderson to not approve the Torres Bill unless the amendments are made and clarify the issue in the way of adequate protection. Second by McCarty. Failed by the following vote: Wolfsheimer-nay, Roberts-not present, McColl-not present, Pratt-nay, Struiksma-not present, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-nay.

Motion by Wolfsheimer to remain neutral with respect to the amendments. Second by McCarty. Failed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-nay, Struiksma-not present, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY HENDERSON TO SUPPORT THE BILL IF THERE ARE AMENDMENTS.

Second by Pratt. Passed by the following vote:

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

ITEM-S402: (R-89-315) CONTINUED TO APRIL 17, 1989, AT 2:00 P.M.

Approving Council Policy 700-11, as amended, regarding Political Activities on Certain Properties Leased to Noncommercial, Nonprofit Organizations.

(See City Manager Report CMR-88-574.)

COMMITTEE ACTION: Reviewed by PFR on 3/8/89. Recommendation to approve the City Manager's recommendation to further define and restrict political activity relating to the leasing of City-owned facilities leased at less than fair market rent. Council Member Wolfsheimer's recommendations will be addressed by the City Attorney. Districts 1, 5, 6 and 7 voted yea. District 8 voted nay.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A104-135;E295-310.)

Motion by Henderson to continue to April 17, 1989, at his request, so that Council Member McColl can be present. Second by McCarty. Failed: Yeas-4,6,7,M. Nays-1,8. Not present-2,3,5.

MOTION BY HENDERSON TO CONTINUE FOR ONE WEEK FOR LACK OF TIME, AT MAYOR O'CONNOR'S REQUEST. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

* ITEM-S403: (R-89-1576) ADOPTED AS RESOLUTION R-273205

(Continued from the meeting of April 3, 1989, Item 109, at the City Manager's request, to respond to Council Member McCarty's questions regarding using recycled materials.)
Inviting bids for Maintenance Surfacing Various City Streets Group "Y" FY 89; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$4,844,480 (\$4,700,000 from Gas Tax Fund 30219; \$63,840 from Water Utility Operating Fund 41500 and \$80,640 from Sewer Revenue Fund 41506) for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0544/89) (City-wide.)

CITY MANAGER SUPPORTING INFORMATION: The proposed contract is for the Annual Street Maintenance Program of Resurfacing Various City Streets. Under the program standards, asphalt streets should receive this resurfacing treatment every 21 years. Specific streets to be resurfaced are selected on the basis of an annual survey using the following criteria: age, oxidation, cracking, amount of patching, nature of use, and avoiding conflict with planned underground utility work. The following is a summary of the miles of streets by neighborhood:
Downtown/Hillcrest/North Park/Normal Heights/Logan Heights - 16 miles; East San Diego/Southeast San Diego/Paradise Hills/Encanto - 21 miles; Mission Hills/Old Town/Point Loma/Ocean Beach - 8 miles; Mission Beach/Pacific Beach/La Jolla/Bay Park - 33 miles; Clairemont/Serra Mesa/Tierrasanta - 12 miles; Del Cerro/Allied Gardens/San Carlos - 14 miles; Mira Mesa/Del Mar Heights/Scripps Ranch - 3 miles; Penasquitos/Rancho Bernardo/San Pasqual - 2

miles; and South Bay/San Ysidro - 7 miles. The contract contains an option to resurface selected streets using a recycling technique. The Utilities Department contributes funds annually to this contract to pay for the raising of sewer manhole covers and gate valve covers to the new surface elevation.

Aud. Cert. 8900783.

WU-GS-89-123.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A245-257.)

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

ITEM-S404: (R-88-2337) TRAILED TO TUESDAY, APRIL 11, 1989, AT 2:00 P.M.

(Continued from the meetings of June 6, 1988, Item 201, July 26, 1988, Item 202, September 13, 1988, Item 335, October 10, 1988, Item 209, November 21, 1988, Item 207, January 23, 1989, Item 202, February 27, 1989, Item 203 and April 3, 1989, Item 207; last continued at the City Manager's request, for further review.)

Declaring S & S Construction Company, formerly Shapell Industries, Inc., to be in default of the terms and conditions of the agreement filed in the office of the City Clerk on October 15, 1979, as Document No. RR-250363, relating to the improvement of Mesa Del Sol; declaring that the City Attorney shall cause notice of this declaration of default to be given to S & S Construction Company, formerly Shapell Industries, Inc., and to SafeCo Insurance Company of America; authorizing the City Manager to complete, or cause to be completed, said work and improvements in accordance with the terms of the agreement. (See City Manager Reports CMR-88-375 and CMR-88-268. Mira Mesa Community Area. District-5.)

NOTE: See Item S405 on today's docket for a companion item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A104-214.)

MOTION BY HENDERSON TO TRAIL TO TUESDAY, AT THE CITY MANAGER'S REQUEST. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-not present, Pratt-yea, Struiksmma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: (R-88-1145) TRAILED TO TUESDAY, APRIL 11, 1989, AT 2:00 P.M.

(Continued from the meetings of January 5, 1988, Item 339, January 19, 1988, Item 336, March 22, 1988, Item 337, April 19, 1988, Item 337, October 11, 1988, Item 339, November 21, 1988, Item 208, January 23, 1989, Item 205, February 27, 1989, Item 204 and April 3, 1989, Item 208; last continued at the City Manager's request, for further review.)

MESA DEL SOL Project

Rezoning the 84.5-acre site from Zone A-1-10, R1-5000, R-3000 and Hillside Review Overlay to Zones R1-5000, R-1500 and Hillside Review Overlay; and amending the Mira Mesa Community Plan to 1) Redesignate the 84.5-acre site from Commercial Recreation, Low (5-9 du/ac) and Low Medium (10-15 du/ac) density residential to Medium Low (16-29 du/ac) density residential; 2) Reclassify Black Mountain Road from a four-lane major to a six-lane primary arterial between Galvin Avenue and Los Penasquitos Canyon bridge; and 3) Reclassify Capricorn Way from a four-lane major to a four-lane collector between Westview Parkway and the western boundary of the subject property.

The subject property is located east and west of Black Mountain Road, north of Galvin Avenue, and is further described as Lots 1-297, Mesa del Sol, Tract 9407.

(Case-86-0613. District-5.)

Subitem-A: (R-88-1145) --

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-86-0613 has

been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-88-92) --
Introduction of an Ordinance for R-2000 Zoning.

Subitem-C: (R-88-1128) --
Adoption of a Resolution amending the Mira Mesa Community Plan affecting property east and west of Black Mountain Road and north of Galvin Avenue.

Subitem-D: (R-88-) --
Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-86-0613.
NOTE: See Item S404 on today's docket for a companion item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A104-214.)

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

ITEM-S406: (R-89-1918) TRAILED TO TUESDAY, APRIL 11, 1989, AT 2:00 P.M.

Authorizing the execution of a secured agreement with Shapell Industries, Inc., for the construction of Black Mountain Road.

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The subject agreement is related to the Mesa Del Sol subdivision (TM-86-0613). Also docketed with this item is the Community Plan amendment and

rezoning of this project and the default action of this Subdivision's 1979 project. It is recommended that the Council take one of the two following actions:

- 1.- Approve the Community Plan amendment and rezoning and authorize the City Manager to execute the subject agreement. This agreement provides that the applicant, Shapell Industries, Inc., construct Black Mountain Road to six lanes within its ownership in accordance with a defined schedule and contingent upon the issuance of building permits. This agreement is secured by a letter-of-credit equal to the value of the work which guarantees completion of the roadway by October of 1990; or
- 2.- Direct the City Attorney to initiate default proceedings and direct the City Engineer to accomplish the work.

It is not recommended that the Community Plan amendment nor the rezoning be approved without the agreement because there would be no assurance that the road would be constructed with an acceptable time frame. Also, any further continuances are not recommended because the timing of the roadway's construction is becoming critical.

NOTE: See Items S404 and S405 for companion items.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A104-214.)

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

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 5:20 p.m. in honor of the memory of Maurice Bolduc and Hinda Wolf Golding.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: E311-330).