

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

MONDAY, MAY 1, 1989

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor McCarty at 2:08 p.m. Deputy Mayor McCarty adjourned the meeting at 4:58 p.m. to meet in Closed Session at 9:00 a.m., Tuesday, May 2, 1989, in the twelfth floor conference room on matters regarding pending litigation, possible acquisition of property, and to discuss meet and confer issues with the City's management team.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-273511
(vacation)
- (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)

19890501

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not 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

ITEM-10: INVOCATION

Invocation was given by Rabbi Ron Herstik,
Congregation Dor Hadash.

FILE LOCATION: MINUTES

May-1-1989

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Struiksma.

FILE LOCATION: MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

4/10/89

4/10/89 Adjourned Special Meeting

4/11/89

4/13/89 Special Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A148-151.)

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

ITEM-31: GRANTED HEARING

Matter of the requests of Sandra L. Durbin, Gere Freeland,
Michael Root, Teresa and Raymond Moore, Phillip J. Benson,
Rose Marie McHugh, Pat Sexton, et al, for a hearing of an
appeal from the decision of the Planning Director in
granting an Early Release from the Single-Family
Neighborhood Protection Ordinance (ERSFNPO) which was
adopted by City Council on August 7, 1988. The ordinance
restricts the replacement of single-family residences in
multi-family zones. The applicant is requesting an Early
Release from this restriction to determine if the property

at 4462-4474 Highland Avenue, described as Lots 21, 22 and 23 of Orchard Villa, Map-1332, is located within a single-family neighborhood. The subject property is zoned MR-1000B (Multi-Family), in the Mid-City Community Plan area.

(Case-89-3007. District-3.)

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

FILE LOCATION: ZONE ERSFNPO-CASE-89-3007

COUNCIL ACTION: (Tape location: A151-161.)

MOTION BY McCOLL TO GRANT THE REQUEST FOR A HEARING ON THE FINDING THAT THE MATTER IS OF CITYWIDE SIGNIFICANCE. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-50: (O-89-202) ADOPTED AS ORDINANCE O-17284 (New Series)

Amending Chapter IX, Article 5, Division 1, of the San Diego Municipal Code, by amending Section 95.0126, relating to Graffiti and adding Section 95.0127, relating to Graffiti abatement on private property.

(Introduced on 4/17/89. Council voted 6-0. Districts 5, 8 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A163-185.)

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

* ITEM-51: (O-89-197) ADOPTED AS ORDINANCE O-17285 (New Series)

Amending Chapter X, Article 1, Division 2, of the San Diego Municipal Code by adding Section 101.0260, relating to Interim Development Control.

(Introduced as amended on 4/18/89. Council voted 6-2.
Districts 6 and 7 voted nay. Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A163-185.)

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

* ITEM-52: (O-89-186) ADOPTED AS ORDINANCE O-17286 (New
Series)

Limiting issuance of demolition permits, building removal
permits, building permits and commencement of construction
in portions of San Ysidro and urbanized portions of the
Tia Juana River Valley for a period of one year or upon
the effective date of regulations to implement the updated
San Ysidro Community Plan, whichever occurs first.
(District-8. Introduced on 4/18/89. Council voted 7-0.
Districts 5 and Mayor not present.)

FILE LOCATION: LAND San Ysidro Community Plan

COUNCIL ACTION: (Tape location: A163-185.)

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

* ITEM-53: (O-89-189) ADOPTED AS ORDINANCE O-17287 (New
Series)

Incorporating 28.3 acres, located south of Aero Drive,
east of Ruffin Road and west of Daley Drive, into M-IP
Zone.
(Case-87-1140. Serra Mesa Community Area. District-5.
Introduced on 4/18/89. Council voted 8-0. Mayor not
present.)

FILE LOCATION: ZONE ORD NO.

COUNCIL ACTION: (Tape location: A163-185.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

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

* ITEM-54: (O-89-185) ADOPTED AS ORDINANCE O-17288 (New
Series)

Incorporating a 9.7-acre site on the south side of
Entreken Way, between Russet Leaf Lane and Carmel Mountain
Road, into Zones R1-5000 and CN.

(Case-88-0497. Penasquitos East Community Area.

District-1. Introduced on 4/18/89. Council voted 6-0.

Districts 3, 4 and 7 not present.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A163-185.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

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

ITEM-55: (O-89-213) INTRODUCED, TO BE ADOPTED MAY 15, 1989

Introduction of an Ordinance amending Chapter II, Article
4 of the San Diego Municipal Code by amending Sections
24.0105, 24.1102 and 24.1103, relating to providing
retirement benefits of the CERS Plans to general members
from and after July 1, 1989, and other related matters;
amending Section 24.0515 to delete workers compensation
offset for general and legislative members effective July
1, 1989; amending Sections 24.0103 and 24.0201 relating to
final compensation for general members and contributions;
amending various sections in connection with the above
changes to correct and clarify existing sections,
provisions, and procedures.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A185-202.)

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

ITEM-56: (O-89-201) INTRODUCED, TO BE ADOPTED MAY 15, 1989

Introduction of an Ordinance repealing Ordinance O-17201 (New Series) entitled "An Ordinance of the Council of the City of San Diego, Approving the Development Agreement between the City of San Diego and BCE Development, Inc."

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A203-208.)

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

ITEM-57:

Two actions relative to amendments to the Purchasing Ordinance:
(See City Manager Report CMR-89-185.)

Subitem-A: (O-89-174) INTRODUCED, TO BE ADOPTED MAY 15, 1989

Introduction of an Ordinance amending Chapter II, Article 2, Division 5, of the San Diego Municipal Code by adding Section 22.0517, relating to the Purchasing Agent, to add a policy regarding the purchase and use of recycled products.

Subitem-B: (O-89-209) INTRODUCED, TO BE ADOPTED MAY 15, 1989

Introduction of an Ordinance amending Chapter II, Article 2, Division 5, of the San Diego Municipal Code by amending Sections 22.0504 and 22.0505, relating to the Purchasing

Agent, to increase the monetary limit to make purchases without advertising for sealed bids from \$10,000 to \$20,000 in cases where written price quotations are requested from five or more potential sources of supply, and to increase the monetary limit to make purchases without Council approval from \$25,000 to \$50,000.

COMMITTEE ACTION: Reviewed by RULES on 4/19/89.
Recommendation to adopt the proposed ordinance. Districts 2, 4, 7 and Mayor voted yea. Districts 3 and 6 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A209-219.)

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

* ITEM-100: (R-89-1958) ADOPTED AS RESOLUTION R-273325

Accepting the low bid of \$282,000 and awarding a contract to Gerald M. Williamson, dba Tri-Core Construction, for Metro Pump Station No. 1 - Storage Building and Equipment Shop; authorizing the City Auditor and Comptroller to transfer \$52,600 within Sewer Revenue Fund 41506, from the Unallocated Reserve 70697 to the Metropolitan Wastewater Construction Program 70292; authorizing the expenditure of an amount not to exceed \$52,600 from Sewer Revenue Fund 41506, CIP-46-107, Metro Pump Station No. 1 - Storage Building and Equipment Shop, to supplement funds previously authorized by Resolution R-272851, adopted on February 13, 1989, 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-0413/89)

Barrio Logan/Harbor 101 Community Area.
District-4.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide a 2400 square foot building adjacent to the

existing Metro Pump Station No. 1. This new building will be used for existing parts storage, equipment repair and locker/employee areas which are being moved from the existing building to provide room for additional pumps and pump controls. Seventy-eight bid packages were issued and eight bids were received on March 16, 1989. The low bid of \$282,000 from Tri-Core Construction was 17.5 percent over the estimate of \$240,000. It is felt that readvertising for bids would only delay the project. Therefore, it is recommended that the low bid of Tri-Core Construction be accepted.

Aud. Cert. 8900874.

WU-P-89-149.

FILE LOCATION: CONT-Gerald M. Williamson, dba Tri-Core Construction CONFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer.

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

* ITEM-101: (R-89-1957) ADOPTED AS RESOLUTION R-273326

Accepting the low bid of \$60,985 and awarding a contract to W. F. Maxwell, Inc., for Mission Trails Park - Footbridge Improvements; authorizing the City Auditor and Comptroller to transfer \$10,485 within Sewer Revenue Fund 41506, from the Unallocated Reserve 70697 to the Sewer Mains and Manhole Maintenance Program 70440; authorizing the expenditure of not to exceed \$10,485 from Sewer Revenue Fund 41506, Sewer Mains and Manhole Maintenance Program 70440, to supplement funds previously authorized by Resolution R-272852, adopted on February 13, 1989, 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-0426/89)

(Mission Trails Regional Park. District-7.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide for construction of a four foot wide pedestrian hiking

bridge over an existing 42-inch sewer main crossing the San Diego River. The existing sewer main is supported by piers, and crosses the river approximately 700 yards downstream from Old Mission Dam. Currently hikers are crossing the river by walking on top of the sewer pipe. The proposed bridge will allow hikers to cross the river in a safe manner.

Thirty-two bid packages were issued and seven bids were received on March 9, 1989. The bid of \$60,985 from W.F. Maxwell, Inc. was 17.3 percent over the engineer's estimate of \$52,000. The bids received ranged from a high of \$95,823 to the low of \$60,985. It appears that the original engineer's estimate was low and that re-advertising for bids would not result in securing a lower bid and would only delay the project. Therefore, it is recommended that the contract be awarded to the low bidder - W.F. Maxwell, Inc. in the amount of \$60,985.

Aud. Cert. 8900863.

WU-P-89-148.

FILE LOCATION: CONT-W. F. Maxwell, Inc. CONFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer.

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

* ITEM-102:

Two actions relative to the Improvement of Alley Block 87, Pacific Beach (1911 Improvement Act):
(Pacific Beach Community Area. District-6.)

Subitem-A: (R-89-1949) ADOPTED AS RESOLUTION R-273327
Awarding a contract to Engicon Corporation for the improvement of Alley Block 87, Pacific Beach.

Subitem-B: (R-89-1950) ADOPTED AS RESOLUTION R-273328
Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$76,995.22 within Sewerage Utility Revenue Fund 41506, from the Unallocated Reserve (70697) to the Wastewater Systems Construction Program (70492) Annual

Allocation for Sewer Main Replacements (CIP-44-001.0);
authorizing the expenditure of an amount not to exceed
\$76,995.22 from Sewerage Utility Revenue Fund 41506, Annual
Allocation of Sewer Main Replacements (CIP-44-001.0) for
the purpose of improving Alley Block 87, Pacific Beach.

CITY MANAGER SUPPORTING INFORMATION: On November 14, 1988,
City Council approved the Alley Block 87, Pacific Beach
Assessment District following the public hearing. The
construction bids for the improvements were opened on February
1, 1989, and the lowest of five bids received is 22 percent
below the estimate of \$103,211. The assessment district's share
of the project cost decreased approximately 48 percent and the
sewer share increased approximately 11 percent based on the low
bid.

Aud. Cert. 8900836.

WU-E-89-134.

FILE LOCATION: STREET D-2266 CONFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer.

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

* ITEM-103: (R-89-1954) ADOPTED AS RESOLUTION R-273329

Awarding a contract to Craneveyor Corp. for the purchase
of guardrail, for a total cost of \$25,738.85.

Aud. Cert. 8900901.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer.

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

* ITEM-104: (R-89-1955) ADOPTED AS RESOLUTION R-273330

Awarding a contract for the purchase of three specific
waterworks valves, as may be required for a period of one

year beginning April 1, 1989 through March 31, 1990, for a total estimated cost of \$56,700, including tax and terms, as follows: (BID-0513/89)

1. Western Waterworks Supply Company for Item 1.
2. Marden Susco for Item 2 and Item 3, with options to renew the contract for four additional one-year periods, with price increases not to exceed the prices in effect for the previous contract period by more than 15 percent.

FILE LOCATION: MEET CONTFY89-2

COUNCIL ACTION: (Tape location: (A219-232.))

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer.

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

* ITEM-105: (R-89-1961) ADOPTED AS RESOLUTION R-273331

Awarding a contract to Vermatek Co., Inc. for the purchase of grease treatment for raw sewage, as may be required for a period of one year beginning April 15, 1989 through April 14, 1990, at the estimated cost of \$107,700, including tax and terms, with options to renew the contract for four additional one year periods, with price escalation not to exceed prices in effect for the previous contract period by more than 10 percent. (BID-0539/89)

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: (A219-232.))

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer.

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

* ITEM-106: (R-89-1956) ADOPTED AS RESOLUTION R-273332

Awarding a contract to Chemwest Industries Inc., for furnishing ferric chloride, as may be required for a period of one year beginning May 1, 1989 through April 30, 1990, for an estimated cost of \$467,000, with an option to

renew the contract for an additional one year period, with a price escalation not to exceed 10 percent of bid price; authorizing the Purchasing Agent to terminate the contract in the event the contractor fails to perform in accordance with specifications and to re-award the contract to the next low responsible and responsive bidder and to successive bidders, if necessary, until a bidder is found who complies with specifications. (BID-0447/89)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

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

* ITEM-107: (R-89-1953) ADOPTED AS RESOLUTION R-273333

Awarding a contract to MBC Applied Environmental Sciences, for furnishing sorting of ocean benthic samples, as may be required for a period of one year beginning June 1, 1989 through May 31, 1990, for an estimated cost of \$52,000, with options to renew the contract for four additional one year periods, with price escalations not to exceed 10 percent of prices in effect at the end of each year; authorizing the Purchasing Agent to terminate the contract and to reaward to the next low responsible and responsive bidder, in the event the contractor fails to perform in accordance with specifications. (BID-0471/89)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

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

* ITEM-108: (R-89-1964) ADOPTED AS RESOLUTION R-273334

19890501

Inviting bids for Balboa Park Improvements - Casa Del Prado Roof Replacement on Work Order No. 119376; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$250,000 from Fund 102242 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-0632/89)

Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide for the replacement of the existing deteriorated roof at the Casa Del Prado in Balboa Park which is approximately 19 years old.

Aud. Cert. 8900872.

FILE LOCATION: W.O. 119376 CONT - La Quinta Roofing, Inc.
CONTFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

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

* ITEM-109: (R-89-1959) ADOPTED AS RESOLUTION R-273335

19890501

Inviting bids for Painting the Exterior of Spanish Village and Photo Arts Building, Balboa Park on Work Order No. 119372; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$28,000 from Fund 102242 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-0631/89)

Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide for the preparation and repainting of Spanish Village in Balboa Park. This facility was last repainted 10 years ago. Aud. Cert. 8900868.

FILE LOCATION: W.O. 119372 CONT-Rainbow Painting Service CONTFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

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

* ITEM-110:

Two actions relative to Solana Highlands Neighborhood Park Improvements:
(North City West Community Area. District-1.)

19890501

Subitem-A: (R-89-1962) ADOPTED AS RESOLUTION R-273336

Inviting bids for Solana Highlands Neighborhood Park Improvements on Work Order No. 119211; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$70,550 from PSD Fund 11190 to CIP-29-676, Solana Highlands Neighborhood Park Improvements; authorizing the expenditure of funds not to exceed \$150,550 from PSD Fund No. 11190, CIP-29-676, Solana Highlands Neighborhood Park Improvements, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0633/89)

Subitem-B: (R-89-1963) ADOPTED AS RESOLUTION R-273337

Certifying that the information contained in Environmental Negative Declaration END-85-0221, dated May 9, 1985, issued in connection with Solana Highlands Neighborhood Park Improvements, 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.

CITY MANAGER SUPPORTING INFORMATION: The Solana Highlands Neighborhood Park is located in the North City West No. 3 Neighborhood, and is part of a school/park facility. The park was constructed as a turn-key project by the developer and was completed in late 1987. The proposed improvements will modify the existing neighborhood park portion as requested by the community to provide better access from the surrounding areas, more play equipment, turf in the picnic area and shade trees.

Aud. Cert. 8900867.

FILE LOCATION:

Subitems A and B W.O. 119211 CONT-Edwards Construction Co.
CONTFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

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

* ITEM-111: (R-89-2037) ADOPTED AS RESOLUTION R-273338

Authorizing the Mayor and the City Clerk to execute the certificate of ownership of Parcel Map TM-86-0679, a one-parcel Parcel Map, located southwesterly of North Torrey Pines Road and Science Park Road.

(University Community Area. District-1.)

FILE LOCATION: SUBD-Torrey Pines Sheraton

COUNCIL ACTION: (Tape location: (A219-232.)

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

* ITEM-112: (R-89-2047) ADOPTED AS RESOLUTION R-273339

Resolution of Intention to acquire approximately
6.19 acres of Radio Canyon Extension for the San Diego

Open Space Park Facilities District No. 1.

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

CITY MANAGER SUPPORTING INFORMATION: On November 21, 1983, the Council approved a revised open space retention list and gave direction on future open space appraisals for purposes of acquisition. Included in that direction was that \$5 million be allocated in each of Council Districts 3 and 4 to acquire open space and to "look to the Councilmember of the District" in identification of parcels to be acquired. City staff has since been working with District staff to meet the requirements of the Council directive. In the case of District 4, approved expenditures have reduced the allocation to approximately \$500,000. As part of our ongoing efforts to acquire quality open space, the availability of these parcels was reported to District 4. Councilmember Pratt reviewed these parcels and recommended they be added to the District 4 acquisition plan. Although these parcels are in District 3, a half-block from the District 4 boundary, they connect to the Chollas Radio System within District 4, which is Priority No. 5, in Category A of the Council-approved open space retention list. Acquisitions in this system now total 157 acres. The specific acquisition plan and funds to appraise this land for purposes of acquisition for open space were approved by the City Council on December 12, 1988. This request is for \$200,000 to purchase these parcels at fair market value plus funds to cover title, escrow and other miscellaneous costs.

FILE LOCATION: STRT OS-3

COUNCIL ACTION: (Tape location: (A219-232.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer.

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

* ITEM-113: (R-89-2049) ADOPTED AS RESOLUTION R-273340

Resolution of Intention to acquire approximately
0.94 acres of Emerald Vista Extension No. 2 for the San
Diego Open Space Park Facilities District No. 1.
(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On November 21, 1983, the Council approved a revised open space retention list and gave direction on future open space appraisals for purposes of acquisition. Included in that direction was that \$5 million be allocated in each of Council Districts 3 and 4 to acquire open space and to "look to the Councilmember of the District" in identification of parcels to be acquired. City staff has since been working with District staff to meet the requirements of the Council directive. In the case of District 4, approved expenditures have reduced the allocation to approximately \$500,000. As part of our ongoing efforts to acquire quality open space, the availability of these parcels was reported to District 4. Councilmember Pratt reviewed these parcels and recommended they be added to the District 4 acquisition plan. Emerald Vista Extension No. 2 is a portion of the Chollas Radio System, Priority No. 5 in Category A of the Council-approved open space retention list. Acquisitions in this system now total 157 acres. The specific acquisition plan and funds to appraise this land for purposes of acquisition for open space were approved by the City Council on December 12, 1988. This request is for \$150,000 to purchase these parcels at fair market value plus funds to cover title, escrow, and other miscellaneous costs.

FILE LOCATION: STRT OS-29

COUNCIL ACTION: (Tape location: (A219-232.)

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

* ITEM-114: (R-89-2085) ADOPTED AS RESOLUTION R-273312

Proclaiming April 28, 1989 as Workers' Memorial Day in San Diego, in recognition of workers killed, injured and disabled on the job.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: (A219-232.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not

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

* ITEM-115: (R-89-2057) ADOPTED AS RESOLUTION R-273341

Excusing Council Member Ed Struiksma from attending the regularly scheduled Council meeting of April 10, 1989, due to family emergency.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: (A219-232.)

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

* ITEM-116: (R-89-2013) ADOPTED AS RESOLUTION R-273342

Approving the FY '88 Housing Element Annual Review.
(See Planning Department Report PDR-89-144.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: (A219-232.)

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

* ITEM-117: (R-89-1928) ADOPTED AS RESOLUTION R-273343

Approving the application and authorization to execute the project agreement for historic preservation grants-in-aid funds for the 1987-1989 Certified Local Government Grant Program.

(See Historical Site Board HSB-86-048, HSB-86-541 and Planning Department Report PDR-86-680. North Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: In 1980, the National Historic Preservation Act was amended to provide for the establishment of the Certified Local Government (CLG) Program. This program allows for direct local government participation in

California's comprehensive statewide historic preservation plan. On September 15, 1986, the City Council authorized the City Manager to execute a CLG Certification Agreement with the State Office of Historic Preservation (SOHP). This agreement enables the City of San Diego to participate in a 50 percent CLG matching grant program which is intended for the preservation of significant cultural resources. This action pledges \$10,800 of CDBG funding as the City's CLG cash match and authorizes the City Manager to approve the 1989 CLG Project Agreement totaling \$21,600. This grant will fund the North Park Historic Survey (\$21,600). The North Park Community Planning Group and Historical Site Board recommend approval of this project agreement.

Aud. Cert. 8900834.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer.

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

* ITEM-118: (R-89-2008) ADOPTED AS RESOLUTION R-273344

Approving the recommendations by the City Manager contained in City Manager Report CMR-89-147 to develop a short-list of proposals concerning a Comprehensive Waste Management System for the City of San Diego; authorizing the City Manager to eliminate from further consideration those proposals with no significant materials recovery component and those proposals advocating waste-to-energy; directing the City Manager to schedule on-site evaluations of projects operated by those remaining proposers on the short-list, in order to determine the appropriateness of the facilities to be developed and operated in the City of San Diego; concurring in the screening process used in evaluating the proposals submitted to date and approving the concept of a City evaluation team to be designated to visit the waste management facilities of the short-listed proposers, to consist of at least two City Councilmembers

and one community representative designated by the City Council, and two City staff representatives designated by the City Manager.

(See City Manager Report CMR-89-147.)

COMMITTEE ACTION: Reviewed by PSS on 4/5/89.

Recommendation to approve the City Manager's recommendation and subsequently approved the time schedule on April 19, 1989 for an inspection trip and selection of a Financial Advisor and February 1990 for selection of a Proposer. NOTE: The Committee requested the City Manager to seek funding for the inspection tour from the proposers. Districts 2, 3, 4, 6 and 7 voted yea. Aud. Cert. 8900853.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: (A219-232.)

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

* ITEM-119: (R-89-2017) ADOPTED AS RESOLUTION R-273345

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$26,500 previously authorized for the Collier Community Park Improvements, CIP-29-424, to Collier East Community Park Comfort Station, CIP-29-674.0; authorizing the City Auditor and Comptroller, upon advice of the administering department, to remit unexpended funds, if any, to the appropriate reserves.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The proposed transfer of funds will supplement the budget for the Collier Community Park Comfort Station project with funds that are surplus to the needs of a previous project at that park. Collier Community Park Comfort Station, CIP-29-674.0, has a marginal budget of \$100,000. Collier Community Park Improvements Project, CIP-29-424, which completed construction in November 1988, has surplus funds. The proposed transfer will increase the comfort station budget to \$126,500.

Aud. Cert. 8900859.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: (A219-232.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer.

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

* ITEM-120: (R-89-2046) ADOPTED AS RESOLUTION R-273346

Authorizing the execution of Amendment No. 1 to the agreement of December 7, 1987 with Black and Veatch, for engineering services in connection with the East Mission Gorge Interceptor; authorizing the expenditure of an amount not to exceed \$580,000 from the Sewer Revenue Fund (No. 41506), East Mission Gorge Interceptor, CIP-43-104.0, for the purpose of providing funds for the above services.

(See City Manager Report CMR-89-140. Navajo Community Area. District-7.)

COMMITTEE ACTION: Reviewed by PSS on 4/15/89.

Recommendation to approve the City Manager's recommendation.

Districts 2, 3, 4, 6 and 7 voted yea.

Aud. Cert. 8900861.

WU-U-89-096.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer.

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

* ITEM-121: (R-89-2006) ADOPTED AS RESOLUTION R-273347

Authorizing the execution of a first amendment to the joint powers agreement of June 27, 1987 with the County of San Diego to add the Campo Band of Mission Indians Reservation to the southwest county landfill site search study areas.

(See City Manager Report CMR-89-195.)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

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

ITEM-122: (R-89-2035) ADOPTED AS RESOLUTION R-273348

Authorizing the City Manager to execute an agreement with
the U.S. Department of Housing and Urban Development (HUD)
in the amount of \$10,460,000 for the

City's 1989 Entitlement under the Community Development
Block Grant (CDBG) Program; determining that in compliance
with the National Environmental Policy Act (NEPA),
California Environmental Quality Act (CEQA), HUD/CDBG and
State EIR guidelines, that execution of this Grant
Agreement is not subject to environmental review.

Environmental reviews will be completed for specific
projects prior to the request for release of funds.

CITY MANAGER SUPPORTING INFORMATION: On November 29, 1988
the City Council authorized the City Manager to submit to the
U.S. Department of Housing and Urban Development (HUD) the
required Statement of Objectives and Projected Use of 1989
Community Development Block Grant funds. Before the Council
today is the Grant Agreement with HUD that will enable the City
to implement those projects contained in that Statement of
Objectives.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A232-470.)

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

* ITEM-123: (R-89-2010) ADOPTED AS RESOLUTION R-273349

Authorizing the execution of Amendment No. 1 to the
Agreement of December 7, 1987, with Leedshill-Herkenhoff,
Inc. for engineering services in connection with the
evaluation of Pamo Dam; authorizing the City Auditor and

Comptroller to transfer an amount not to exceed \$30,000 from the Water Revenue Fund (No. 41502) Unallocated Reserve (No. 70679) to the Water Operating Fund (No. 41500) Engineering Services Program (No. 70830); authorizing the expenditure of an amount not to exceed \$30,000 from the Water Operating Fund (No. 41500) for the purpose of providing funds for the above services.

(See City Manager Report CMR-89-137.)

COMMITTEE ACTION: Reviewed by PSS on 4/5/89.

Recommendation to approve the City Manager's recommendation.

Districts 2, 3, 4, 6 and 7 voted yea.

Aud. Cert. 8900796.

WU-U-89-125.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer.

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

* ITEM-124: (R-89-2028) ADOPTED AS RESOLUTION R-273350

Authorizing the execution of a first amendment to the agreement of March 21, 1988 with Luke-Dudek Civil Engineers, Inc. to extend the contract for engineering consultant services for the City's Water Utilities Department; authorizing the expenditure of an amount not to exceed \$100,000, consisting of \$50,000 from the Water Operating Fund (No. 41500), Water Operating Engineering Program (No. 70830), and \$50,000 from Sewer Revenue Fund (No. 41506), Sewer Operation Engineering Program (No. 70820), for the purpose of providing funds for the above services.

CITY MANAGER SUPPORTING INFORMATION: On March 21, 1988, the City entered into an agreement with Luke-Dudek Civil Engineers, Document No. RR-270573, for as needed engineering services for the Water Utilities Department. The agreement provided for services by task order with each task not to exceed \$10,000 and the total contract not to exceed \$100,000. Section 4.6.1 of the

agreement provided for the option that the agreement could be extended for an additional year under the same terms and conditions. The City has reached the \$100,000 limit on Luke-Dudek's agreement due to eleven tasks performed under their contract. These tasks consisted of designs and analyses that require specific civil engineering expertise that could not be provided by staff. The requested action will amend the existing agreement to provide for the extension of Luke-Dudek's agreement for one year with an additional allocation of \$100,000.

Aud. Cert. 8900860.

WU-U-89-143.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer.

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

* ITEM-125: (R-89-2029) ADOPTED AS RESOLUTION R-273351

Authorizing the execution of an agreement with the Mission Hills Improvement Association to operate and administer the Mission Hills Improvement District.

(Uptown Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Mission Hills Business Improvement District was established by Ordinance O-17229, adopted on January 30, 1989, to promote the community through special events, marketing and advertising and to improve traffic circulation, pedestrian and urban amenities. The general boundaries of the district are: Fort Stockton on the north; University Avenue on the south, Albatross on the east; and Jackdaw on the west; including prime business corridors along Washington, West Lewis, India and Reynard Way. The program is financed by special assessments levied upon businesses located within the area and collected annually by the City Treasurer along with the Business Tax Certificate fees. This action is to enter into an agreement with the Mission Hills Improvement Association to act as administrator of the BID for the period from March 15, 1989 to June 30, 1990.

FILE LOCATION: STRT L-12 CONTFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer.

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

ITEM-126: (R-89-2021) ADOPTED AS RESOLUTION R-273352

Authorizing the execution of an agreement with Rauscher, Pierce, Refsnes, Inc. and Pryor, Govan, Counts and Co., to assist in the development of specific financing details on the Civic Center Complex Project; authorizing the expenditure of an amount not to exceed \$115,000 for financial services, plus an amount not to exceed \$10,000 for reimbursable expenses, from the Allocated Reserve, for the above project.

(See City Manager Report CMR-89-193.)

Aud. Cert. 8900866.

FILE LOCATION: MEET CCONTFY89-1

COUNCIL ACTION: (Tape location: A470-B036.)

Motion by Henderson to continue until after Rules Committee has received and reviewed a report from the City Manager regarding the consideration of an expanded site. Second by McCarty.

Failed by the following vote: Yeas-5,6,7. Nays-1,2,3,4,8. Not present-M.

MOTION BY ROBERTS TO APPROVE THE AGREEMENT TO BE AMENDED IF NEEDED, SHOULD THE RULES COMMITTEE DECIDE TO BRING BACK A RECOMMENDATION FOR AN EXPANDED SITE. Second by Filner. Passed

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

* ITEM-127: (R-89-2043) ADOPTED AS RESOLUTION R-273353

Authorizing the execution of an agreement with Donald J. Reeves and Associates for professional services in connection with the Balboa Park Palisades Building Remodeling; authorizing the expenditure of an amount not

to exceed \$45,170 from CIP-21-830, Balboa Park Palisades Building Remodel, Capital Outlay-Florida Canyon Fund No. 30245.1, for the purpose of providing funds for the above agreement; waiving the provisions of Council Policy 300-07, Consultant Services Selection.

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This agreement will provide the professional services necessary for the remodeling of the southerly portion of the Balboa Park Palisades Building to accommodate relocation of the Park Development Division Staff. The relocation is necessary due to an extensive grant-funded renovation project to make the Balboa Park Club Building, (Park Development's present location), available for public use. Donald J. Reeves and Associates was selected for the Balboa Park Club Building rehabilitation project and is recommended for this project due to the close coordination needed and the similarity of the two projects.

Aud. Cert. 8900875.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: (A219-232.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Wolfsheimer.

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

ITEM-150: (R-89-1706) FILED

(Continued from the meeting of April 17, 1989, Item 150, at Jack Diamond's request, for further review.)

Authorizing the City Manager to budget the sum of \$50,000 in Fiscal Year 1990 for the purpose of supporting the Second Harbor Entrance Project, Inc. program of feasibility studies on the condition that SHEP secures funds from participating South Bay Cities, the County of San Diego and the San Diego Unified Port District.

(See City Manager Report CMR-89-114.)

COMMITTEE ACTION: Reviewed by RULES on 3/15/89. Recommendation to adopt the City Manager's

recommendations with the amendment that the City's contribution be conditioned to the SHEP securing funds from participating South Bay Cities, the County and the Unified Port District. Districts 2, 3, 6 and Mayor voted yea. District 7 voted nay. District 4 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B105-134.)

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

ITEM-151:

Two actions relative to the San Ysidro Revitalization Project:
(See City Manager Report CMR-89-160 and Bylaws and Articles of Incorporation of the San Ysidro Revitalization Project. San Ysidro Community Area. District-8.)

Subitem-A: (R-89-1859) ADOPTED AS RESOLUTION R-273354
Approving the proposed Articles of Incorporation and Bylaws of the San Ysidro Revitalization Project; authorizing the City Attorney to file the Articles of Incorporation and Bylaws with the Secretary of State.

Subitem-B: (R-89-1862) ADOPTED AS RESOLUTION R-273355
Appointing the following persons as Interim Directors for the San Ysidro Revitalization Project:

1. Bob Colvin
2. Paul Devermann
3. Michael Freedman
4. Tony Gomez
5. Art Goodman
6. Sister Nora Murphy
7. Manuel Paul
8. Alberto Perez

Declaring that the Interim Board of Directors shall serve as a body only until the City Council appoints a permanent

Board in accordance with Article VI of the Corporation's Articles of Incorporation and Article III of its Bylaws.

COMMITTEE ACTION: Reviewed by RULES on 4/18/89.

Recommendation to approve the City Manager's recommendations. Districts 2, 4, 7 and Mayor voted yea. Districts 3 and 6 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B040-104.)

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

ITEM-200: (O-89-179 Rev. 1) INTRODUCED AS AMENDED, TO BE ADOPTED MAY 15, 1989

Introduction of an Ordinance amending Chapter II, Article 6, of the San Diego Municipal Code, relating to the Commission for Arts and Culture, by adding Division 7; adding a division heading; renumbering Sections 26.07, 26.07.1, 26.07.2, 26.07.3 and 26.07.4; amending the heading of new Section 26.0707; and amending the text of new Sections 26.0703 and 26.0705, by requiring the Commission for Arts and Culture to make all City funding recommendations to a workshop of the Committee of the Whole and then to the Public Services and Safety Committee, rather than taking them directly and exclusively to the full City Council, and clarifying that all applications for grants from non-City sources be approved by the City Council.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B140-482.)

MOTION BY HENDERSON TO INTRODUCE AS AMENDED TO PROVIDE FOR ALL RECOMMENDATIONS FOR FUNDING REGARDLESS OF SOURCE TO BE REVIEWED,

WHICH WOULD BE TO STRIKE THE WORD "CITY" FROM PARAGRAPH B AND DELETE PARAGRAPH C. Second by McColl. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-nay, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-not present.

ITEM-201: APPROVED REPORT

The matter of Regional Impact Fees.

(Docketed according to Council direction at the Special Council Meeting of April 13, 1989, Item 601.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B502-C464.)

MOTION BY STRUIKSMA TO APPROVE THE REPORT AND DIRECT THE CITY MANAGER TO COME BACK TO COUNCIL ON JUNE 20, 1989, WITH A PROGRAM TO IMPLEMENT IMPACT FEES ACROSS THE CITY OF SAN DIEGO, DIRECT THE CITY ATTORNEY TO PROVIDE SUPPORTING DOCUMENTATION TO INCLUDE ALL COMMERCIAL, RETAIL, INDUSTRIAL, RECREATIONAL, AND HOTEL PROPERTY, WITH NO EXEMPTIONS OR PROHIBITIONS FOR THE FEES, AND TO COME BACK WITH A FINANCING MECHANISM TO ESTABLISH A TRUST OR IMPOUND ACCOUNT TO PROVIDE FOR MAINTENANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S400: PROCLAIMED

Proclaiming, in the memory of the victims of the Holocaust, and in the hope that we will strive always to overcome prejudice and inhumanity through education, vigilance and resistance, that April 30, 1989 through May 7, 1989, are "Days of Remembrance of the Victims of the Holocaust" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A112-140.)

DEPUTY MAYOR McCARTY PRESENTED THE PROCLAMATION TO RABBI RON HERSTIK.

* ITEM-S401: (R-89-2084) ADOPTED AS RESOLUTION R-273356

Approving the recommendation set forth in IRD Report IRD-89-17 to oppose SB 961 (Maddy) relating to creation of

a California and Baja California Enterprise Zone Authority; directing the Intergovernmental Relations Department to express the City's opposition to SB 961 (Maddy) to the appropriate state legislators and to the Governor.

(See Intergovernmental Relations Department Report IRD-89-17.)

COMMITTEE ACTION: Reviewed by RULES on 4/19/89.

Recommendation to approve the Intergovernmental Relations Department's recommendation to oppose SB 961 (Maddy). Districts 2, 4, 7 and Mayor voted yea. Districts 3 and 6 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: (A219-232.)

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

ITEM-S402: (R-89-1769) ADOPTED AS RESOLUTION R-273357

Requesting the President of the United States of America, the Director of the Department of Justice, the Commissioner of the Immigration and Naturalization Service, and members of Congress, in particular the members of the Senate and House Foreign Relations Committees, to continue consultation with Mexico and San Diego to work toward a satisfactory resolution of the problems of drainage, undocumented migration, and the flow of illegal drugs; directing the Planning Director to prepare a response to the Draft Environmental Assessment prepared by the Immigration and Naturalization Service.

(See Intergovernmental Relations Department Report IRD-89-18.)

COMMITTEE ACTION: Reviewed by RULES on 4/19/89.

Recommendation to approve the IRD proposed Resolution with amendments. Direct Planning Department to prepare a response to the draft Environmental Assessment prepared by the Immigration and Naturalization Service. Districts 2, 4, 7 and Mayor voted yea. Districts 3 and 6 not present.

INTERGOVERNMENTAL RELATIONS SUPPORTING INFORMATION: On April 19, 1989, the Rules Committee reviewed Intergovernmental Relations Department Report IRD-89-18, Update on the Border Security Enhancement and Storm Water Drainage Project, and heard testimony on the Project by representatives of the federal agencies involved. Dr. Narendra Gunaji, Commissioner of the U. S. Section of the Boundary and Water Commission; James Kennedy, Assistant Commissioner for Administration, Immigration and Naturalization; Dale Cozart, San Diego Sector Chief of the Border Patrol; and Hermilo Lopez Bassols, Consul General of Mexico, made statements about the need for the Project, as well as the consultation process in which the U. S. and Mexico are now involved. After public testimony and Committee discussion, a motion was made to amend the resolution to delete the seventh "whereas" clause and revise the "be it resolved" clause to reflect the Committee's desire that the federal agencies "continue consultation with Mexico and San Diego to work toward a satisfactory resolution of the problems of drainage, undocumented migration, and the flow of illegal drugs", and to refer the Draft Environmental Assessment prepared by INS to the Planning Department for response. The motion passed by a vote of 4-0 (McColl, Henderson - not present).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C470-665.)

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

ITEM-S403: (R-89-2012) ADOPTED AS RESOLUTION R-273358

Endorsing in concept the proposal by the International Boundary and Water Commission to construct joint international wastewater treatment facilities to handle sewage from Tijuana, Mexico.

(See City Manager Reports CMR-89-180 and CMR-89-194. Otay Mesa, Nestor, San Ysidro and Tijuana River Valley Community Areas. District-8.)

COMMITTEE ACTION: Reviewed by PSS on 4/19/89.

Recommendation to accept the workshop report and continue to pursue water reclamation as a component of the solution to the Tijuana Sewage Problem. Districts 2, 3, 4, 6 and 7 voted yea. WU-SP-89-154.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D044-264.)

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

ITEM-S404: (R-89-2103) TRAILED AS UNFINISHED BUSINESS TO MAY 2, 1989, DUE TO LACK OF FIVE AFFIRMATIVE VOTES

(Continued from the meetings of April 17, 1989, Item 202, and April 24, 1989, Item S404, at Council Member Pratt's request, to allow the Manager to coordinate with the contractor to cross check the list and get more information.)

Rejecting the bids for the Point Loma Wastewater Treatment Plant - Chemical Feed System Upgrade (BID-0208/89).

(See City Manager Report CMR-89-158 and Equal Opportunity Report EOC-9.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D456-654.)

Motion by Pratt to adopt. Second by Struiksma. Failed by the following vote: Yeas-2,3,4,5. Nays-1,6,7. Not present-8,M.

DUE TO LACK OF FIVE AFFIRMATIVE VOTES, THE ITEM WAS TRAILED AS UNFINISHED BUSINESS TO THE NEXT BUSINESS MEETING, TUESDAY, MAY 2, 1989. THE DEPUTY MAYOR ANNOUNCED THAT IT WOULD BE TAKEN IN THE AFTERNOON SESSION.

ITEM-S405: (R-89-2089) ADOPTED AS RESOLUTION R-273359

Authorizing the Auditor to transfer \$1.42 million from the Unallocated Reserve in the Transient and Occupancy Tax New Convention Facility Fund to the Furniture, Fixtures and

Equipment Fund for the purchase of furniture, fixtures and equipment for the San Diego Convention Center, and to replenish such funds when the amendment to the 1985 Convention Center Management Agreement is executed and funds are received from the Port District; authorizing the Purchasing Agent to purchase said FFE items for the Convention Center and waiving further Council approvals of the purchases.

(See communication from the Port District dated 4/25/89.)

CITY MANAGER SUPPORTING INFORMATION: With only six months left before the San Diego Convention Center is completed, it is imperative that orders for high priority items with long lead times be placed immediately. An amendment to the 1985 Convention Center Management Agreement, authorizing the Port District to fund and the City to purchase Convention Center furniture, fixtures and equipment (FFE) has not yet been formally approved by the City and the Port District. However, both parties are in agreement to this amendment. This fund transfer will provide the monies necessary to purchase Convention Center chairs and tables until the Port reimburses the City as per the above amendment.

Aud. Cert. 8900916.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E041-065.)

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

NON-DOCKET ITEMS:

ITEM-ND-1: (R-89-2109) ADOPTED AS RESOLUTION R-273360

Expressing appreciation and gratitude to Dr. George Yee for exhibiting a rare standard of purposeful public service.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E065-127.)

MOTION BY STRUIKSMA TO ACCEPT THE ITEM FOR CONSIDERATION. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,

Struiksmayea, Hendersonyeyea, McCartyyeyea, Filner-not present,
Mayor O'Connornot present.

MOTION BY STRUIKSMA TO ADOPT. Second by Henderson. Passed by
the following vote: Wolfsheimeryeyea, Robertsyeyea, McColl-yeyea,
Pratt-yeyea, Struiksmayeyea, Hendersonyeyea, McCartyyeyea, Filner-not
present, Mayor O'Connornot present.

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO CITY MANAGER

Comments by William Lehman regarding the use of excessive
force by the San Diego Police Department.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E127-170.)

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor McCarty at 4:58
p.m. in honor of the memory of Frederick Libby and Gemma M.
Alessio.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E177).