

19891016

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, OCTOBER 16, 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 2:00 p.m. The meeting was recessed by Mayor O'Connor at 5:47 p.m. to meet in Closed Session in the twelfth floor conference room regarding pending litigation. The meeting was reconvened by Mayor O'Connor at 5:52 p.m. Mayor O'Connor adjourned the meeting at 7:26 p.m. to meet in Closed Session on Tuesday, October 17, 1989, at 9:15 a.m. in the twelfth floor conference room on pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member McColl-excused by R-274683
(vacation)
 - (4) Council Member Pratt-present
 - (5) Council Member Struiksma-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour;Fishkin (jb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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

- (5) Council Member Struiksma-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by City Attorney Witt.

FILE LOCATION: MINUTES

Oct-16-1989

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Pratt.

FILE LOCATION: MINUTES

ITEM-30:

Two actions relative to Red Ribbon Week:

Subitem-A: (R-90-480) ADOPTED AS RESOLUTION R-274544

Proclaiming the week of October 22 through 29, 1989 as "Mid County Red Ribbon Week", and encouraging all citizens to participate in drug abuse prevention education activities; encouraging all citizens to pledge: "No Use of Illegal Drugs and No Illegal Use of Legal Drugs!"

Subitem-B: (R-90-624) ADOPTED AS RESOLUTION R-274545

Proclaiming the week of October 22 through 29, 1989 as "Red Ribbon Week", during which all San Diegans are called upon to demonstrate their commitment to living drug and alcohol free lives; supporting the efforts of SANDSAC during Red Ribbon Week to heighten all citizens' awareness about the importance of the War on Drugs; urging all people to pledge to work on making our community drug free.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A040-094.)

MOTION BY WOLFSHEIMER TO APPROVE. Second by McCarty. Passed by

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

ITEM-31: PRESENTED

In the matter of the presentation of the Mission Bay Guide by Glen R. Brandenburg, Director of the Mission Bay Aquatic Center.
(District-6.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A095-149.)

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

ITEM-32: RECOGNIZED

(Continued from the meeting of September 25, 1989, Item 30, at the City Manager's request, to allow the librarians to be present.)
Recognition of Andrea Hom and Christine Koch, two librarians from West Germany who are participating in a three-month work experience at the San Diego Public Library.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A181-198.)

ITEM-33: CONTINUED TO DECEMBER 11, 1989

(Continued from the meeting of September 18, 1989, Item 34, at the applicant's request, for further review.)
Matter of the request of Commercial Development Committee of the University Heights Community Association, by David Heinen, for a hearing of an appeal from the decision of the Planning Commission in granting Conditional Use Permit CUP-88-1279, to operate a residential care facility serving 22 individuals recovering from acute head injuries. The project proposes a 10,925 facility (existing) on a 21,000-square-foot lot. The subject property is located at 4565-71 and 4577 Park Boulevard on the east side of Park

Boulevard between Monroe Avenue and Madison Avenue. The subject property is further described as Lots 3 through 8 in Block 46 of the University Heights Subdivision in Zone CL-4 in the Greater North Park Community Plan area. (CUP-88-1279. District-3.)

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

FILE LOCATION: PERM - CUP-88-1279

COUNCIL ACTION: (Tape location: A340-350.)

MOTION BY HENDERSON TO CONTINUE TO DECEMBER 11, 1989, AT REBECCA MICHAEL'S REQUEST. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-34: APPROVED

Approval of Council Minutes for the Meetings of:
9/11/89

9/11/89 Special Joint Meeting
9/11/89 held 9/12/89
9/12/89
9/14/89 Committee of the Whole
9/18/89
9/18/89 Special
9/19/89 Adjourned
9/21/89 Committee of the Whole

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A355-360.)

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

* ITEM-50: (O-90-3) ADOPTED AS ORDINANCE O-17358 (New Series)

Amending Chapter II, Article 2, of the San Diego Municipal Code by amending Section 22.0101, entitled "Permanent Rules of the Council", by amending Rule 1 relating to

Hours of Meetings, Rule 2 relating to Parliamentary Procedure, Rule 4 relating to Special Order of Business, Rule 17 relating to Conduct of Committee Business, Rule 30 relating to Preparation of the Council Docket, Rule 30.1 relating to Posting, Notice and Items for Consideration; and establishing a new Rule 30.2 relating to Non-Docket Items.

(Introduced on 10/2/89. Council voted 8-0. District 5 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A420-455.)

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

Second by Struiksma. Passed by the following vote:

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

* ITEM-51: (O-89-203) ADOPTED AS ORDINANCE O-17359 (New Series)

Amending Chapter II, Article 2, Division 6, of the San Diego Municipal Code by amending Section 22.0603; amending Chapter IV, Article 4, Division 1, by amending Sections 44.0116, 44.0118, 44.0119 and 44.0124; and amending Chapter V, Article 4, Division 1 by amending Section 54.0105; all relating to Litter Abatement, to provide for the disposal of unclaimed personal property left in the public right-of-way.

(Introduced on 10/2/89. Council voted 7-0. Districts 4 and 5 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A420-455.)

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

Second by Struiksma. Passed by the following vote:

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

* ITEM-52: (O-90-38 Rev.1) ADOPTED AS ORDINANCE O-17360 (New Series)

Amending Chapter X, Article 1, Division 5, of the San Diego Municipal Code by adding Section 101.0518, relating to Conditional Use Permits for the Living Unit Ordinance. (Introduced on 10/2/89. Council voted 7-0. Districts 4 and 5 not present. Continued from 9/18/89 for preparation of an amended Ordinance. Council voted 7-0. District 5 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A420-455.)

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

Second by Struiksma. Passed by the following vote:

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

ITEM-53: (O-89-235) ADOPTED AS ORDINANCE O-17361 (New Series)

Amending Chapter 10, Article 3, Division 3 of the San Diego Municipal Code by adding Section 103.0307, relating to the La Jolla Shores Planned District, to require that a developer of any property contemplating a development that will be located below the water table take certain actions with respect to water removal and disposal. (La Jolla Community Area. District-1. Introduced on 10/2/89. Council voted 6-0. Districts 3, 5 and Mayor not present.)

FILE LOCATION: LAND - La Jolla Shores Planned District

COUNCIL ACTION: (Tape location: A456-457.)

MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND ADOPT.

Second by Pratt. Passed by the following vote:

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

* ITEM-54:

Seven actions relative to the Landscape Technical Manual:

Subitem-A: (O-89-245) ADOPTED AS ORDINANCE O-17362 (New Series)

Amending Chapter 5, Division 5, Section 55.0888.0201 of the San Diego Municipal Code by amending Appendix IIA,

Subsection 16 thereof relating to Clearance of Brush and Vegetative Growth from Structures.

Subitem-B: (O-90-11) ADOPTED AS ORDINANCE O-17363 (New Series)

Amending Chapter X of the San Diego Municipal Code relating to the City-wide Landscape Ordinance; Chapter X, relating to Planned Development Ordinances (PRD, PCD, PID, PIRD); and Chapter X, relating to Planned Districts (La Jolla Shores, Mission Beach, Golden Hill, Barrio Logan, Mt. Hope, Otay Mesa, La Jolla, West Lewis and Cass Street).

Subitem-C: (O-90-8) ADOPTED AS ORDINANCE O-17364 (New Series)

Amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Sections 101.0462 relating to Development in the Environmentally Sensitive Areas of the City and the City of San Diego Landscape Technical Manual.

Subitem-D: (O-90-9) ADOPTED AS ORDINANCE O-17365 (New Series)

Amending Chapter VI, Article 2, Divisions 1 and 4 of the San Diego Municipal Code by amending Sections 62.0101, 62.0102, 62.0112, 62.0403, 62.0404.6, 62.0405, 62.0410, 62.0414 and 62.0417 and by deleting Section 62.0404.5 relating to the Land Development Ordinance and the City of San Diego Landscape Technical Manual.

Subitem-E: (O-90-12) ADOPTED AS ORDINANCE O-17366 (New Series)

Amending Chapter 6, Article 2, Division 6, of the San Diego Municipal Code by amending Section 62.0611 relating to Street Planting and the City of San Diego Landscape Technical Manual.

Subitem-F: (O-90-13) ADOPTED AS ORDINANCE O-17367 (New Series)

Amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Sections 101.0410, 101.0414, 101.0418, 101.0421.1, 101.0423, 101.0426, 101.0426.1, 101.0427, 101.0428, 101.0430, 101.0432, 101.0433, 101.0433, 101.0434, 101.0434.1, 101.0435.1, 101.0435.2, 101.0436, 101.0437, 101.0440, and 101.0441 relating to Zones and the City of San Diego Landscape Technical Manual.

Subitem-G: (O-90-14) ADOPTED AS ORDINANCE O-17368 (New Series)

Series)

Amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0454 relating to the Hillside Review Overlay Zone and the City of San Diego Landscape Technical Manual.

(The above Ordinances were introduced on 10/3/89. Council voted 6-1. District 7 voted nay. Districts 3 and 5 not present.)

NOTE: See Item 203 on today's docket for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A420-455.)

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

Second by Struiksma. Passed by the following vote:

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

* ITEM-55: (O-90-44) ADOPTED AS ORDINANCE O-17369 (New Series)

Incorporating a 0.55 acre site, located on the east side of Third Avenue between Redwood Street and Spruce Street into MR-1000 and R1-40,000 Zones.

(Introduced on 10/3/89. Council voted 6-1. District 1 voted nay. District 5 and Mayor not present.

Case-87-1043. Uptown Community Area. District-8.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A420-455.)

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

Second by Struiksma. Passed by the following vote:

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

* ITEM-56: (O-90-32) ADOPTED AS ORDINANCE O-17370 (New Series)

Incorporating 18,661 square feet located on the east side of Front Street between Walnut Avenue and Upas Street into MR-1000 Zone.

(Introduced on 10/3/89. Council voted 7-0. Districts 3 and 5 not present. Case-88-0729. Uptown Community Area. District-8.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A420-455.)

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

Second by Struiksma. Passed by the following vote:

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

* ITEM-100: (R-90-572) ADOPTED AS RESOLUTION R-274547

Awarding a contract to Chemstar, Inc. for furnishing bulk quicklime, as may be required for a period of one year beginning November 1, 1989 through October 31, 1990, for an estimated cost of \$114,725, including tax, with an option to renew the contract for an additional one year period, with price escalation not to exceed 5 percent of bid prices.
(BID-A0954/90)

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: A457-480.)

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

ITEM-101: (R-90-200) ADOPTED AS RESOLUTION R-274548

Awarding a contract to Butler Paper for the purchase of bond xerographic high speed copy paper, as may be required for a period of six months beginning November 1, 1989 through April 30, 1990, for an estimated cost of \$103,381.47, including tax and terms, with an option to renew the contract for an additional six month period with price escalation not to exceed 6 percent of prices in effect at the end of the original contract period.
(BID-H0941/90)

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: A481-500.)

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

* ITEM-102: (R-90-199) ADOPTED AS RESOLUTION R-274549

Awarding a contract to Office Pavilion for the purchase of seating for the Permit Center for a total cost of \$149,447.76, including tax; authorizing the City Manager to finance or refinance, if circumstances warrant, this project with tax exempt securities. (BID-0637/89) Aud. Cert. 9000357.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A457-480.)

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

ITEM-103: (R-90-618) TRAILED AS UNFINISHED BUSINESS TO TUESDAY, OCTOBER 17, 1989, A.M.

Accepting the low bid in the amount of \$1,203,846 and awarding a contract to Landex Construction Corporation for the construction of the Alvarado and Miramar Filtration Plants - Gas Tanks; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$294,277 within the Water Revenue Fund 41502 from the Unallocated Reserve 70679 to Water Production Construction Program 70392, Alvarado and Miramar Filtration Plants - Gas Tanks, CIP-73-262; authorizing the expenditure of an amount not to exceed \$294,277 to supplement R-274107, approved on July 31, 1989, from CIP-73-262, Alvarado and Miramar Filtration Plants - Gas Tanks, for construction and related purposes; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds to the appropriate reserves.

(Navajo and Scripps Miramar Ranch Community Areas. Districts-5 and 7.)

CITY MANAGER SUPPORTING INFORMATION: On July 31, 1989,

pursuant to Resolutions R-274107 and R-274108, Council approved the Plans and Specifications and authorized advertising for bids for the construction of the Alvarado & Miramar Filtration Plants - Gas Tanks Project. The project will provide two additional complete fueling stations for all City vehicles, thus eliminating many trips to existing operations stations. The project was advertised on August 3, 1989, and the bid opening occurred on August 31, 1989. A single bid was received from Landex Construction Corporation, a City certified MBE. The bid was \$1,203,846, 25 percent over the cost estimate of \$960,000. City staff contacted all 31 certified MBE/WBE general contractors, and the Project Architect contacted an additional 14 general contractors that perform this type of work. There is no reason to believe additional bids will be received if the project is re-advertised. The bid was high due to a poor bidding climate and additional costs pursuant to new regulatory and plan check fees and requirements: APCD fees, Fire Department requirements, SDG&E fees. It is doubtful that re-advertising would result in a lower bid. Additionally, the project would suffer delays affecting other City projects such as the Alvarado Training Facility. Total MBE participation on this contract is 51 percent.

Aud. Cert. 9000358.

WU-E-90-040.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A501-526.)

* ITEM-104: (R-90-571) ADOPTED AS RESOLUTION R-274550

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Inviting bids for a Traffic Signal and Street Lighting System at Camino Ruiz and Capricorn Way/Teresa Drive on Work Order No. 119299; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Manager, if circumstances warrant, to finance or refinance this project with tax exempt securities; authorizing the City Auditor and Comptroller to transfer \$31,500 from Trust Fund 63021 to Trust Fund 63022, CIP-61-001, Annual Allocation - Signal Installations to

Accommodate Sudden Traffic Changes; authorizing the expenditure of an amount not to exceed \$91,450 (\$31,500 from Trust Fund 63022 and \$59,950 from Capital Outlay Fund

30245) from CIP-61-001, Annual Allocation - Signal Installations to Accommodate Sudden Traffic Changes, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-61-001, Annual Allocation - Signal Installations to Accommodate Sudden Traffic Changes. (BID-K1011/90)
(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvements Program project to install a traffic signal system provides for the safe passage of emergency equipment, pedestrians and vehicles through the intersection. Traffic signal features include protected left-turn pockets and emergency vehicle preemption equipment off of Camino Ruiz. Aud. Cert. 9000330.

FILE LOCATION: W.O. 119299 CONT - Knox Electric, Inc.
CONTFY90-1

COUNCIL ACTION: (Tape location: A457-480.)

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

* ITEM-105:

Two actions relative to the City Operations Building Air Conditioning:

(Centre City Community Area. District-8.)

Subitem-A: (R-90-573) ADOPTED AS RESOLUTION R-274551

Inviting bids for the purchase of 300 Variable Air Volume (VAV) Boxes for the City Operations Building Air Conditioning; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Manager, if circumstances warrant, to finance or refinance this project with tax exempt securities; authorizing the

expenditure of an amount not to exceed \$60,000 from Building Inspection Fund 41301, CIP-37-417, City Operations Building - Permit Center Construction, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-37-417, City Operations Building - Permit Center Construction. (BID-G0991/90)

Subitem-B: (R-90-574) ADOPTED AS RESOLUTION R-274552

Authorizing the use of City Forces to remove the existing induction boxes and install new Variable Air Volume (VAV) boxes without hookup on the 3rd and 4th floor of the City Operations Building and to remove existing induction boxes, install new Variable Air Volume boxes and furnish all necessary work to ensure the proper operation of the Variable Air Volume boxes on the 2nd and 5th floor of the City Operations Building; declaring that the cost of said work shall not exceed \$133,091.

CITY MANAGER SUPPORTING INFORMATION: In 1983, City Council budgeted funds for a Capital Improvement Project (CIP) to improve the City Operations Building Air Conditioning System. Due to the presence of asbestos, the scope of work for the project was reduced to the point where the existing deficient induction type mixing boxes were left in place. Mixing boxes mix primary air and secondary air and send the required air flow to the work spaces. This project addresses the urgent need to replace the deficient existing induction boxes with Variable Air Volume (VAV) boxes. The mixing boxes will be replaced with one new box for two existing boxes. Engineering and Development and General Services Departments jointly recommend that the City buy the Variable Air Volume (VAV) boxes and have Buildings Division personnel install them in place. City staff is convinced that this is the best approach to rectify the inadequate air supply problem throughout the 2nd, 3rd, 4th and 5th floors of the City Operations Building. This project will have a minimal impact on the schedule of the City Operations Building Permit Project. This project will also ensure the tenants that the problem of air flow has been thoroughly addressed. The other approach would entail soliciting bids from the City Operations Building Permit Project Contractor and other Contractors which we expect will be several times the cost of the above mentioned proposal. This would delay the completion date of the City Operations Building Permit Project and significantly increase the cost of the project.
Aud. Cert. 9000320.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A457-480.)

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

ITEM-106: CONTINUED TO OCTOBER 30, 1989

Two actions relative to the final subdivision map of Soledad Hills, an 11-lot subdivision located southwesterly of Yost Drive and Alta Vista Way:

(Pacific Beach Community Area. District-6.)

Subitem-A: (R-90-569)

Authorizing the execution of a Subdivision Improvement Agreement with Cirrus Development Group, Inc., for the installation and completion of public improvements.

Subitem-B: (R-90-568)

Approving the final map.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A530-548.)

MOTION BY HENDERSON TO CONTINUE TO OCTOBER 30, 1989, AT HIS REQUEST. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-90-567) ADOPTED AS RESOLUTION R-274553

Granting an extension of time to July 31, 1991, to BCE Development, Inc., subdivider, to complete the improvements required in Lago Dorado.

(Miramar Ranch North Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On January 11, 1988, the City entered into an agreement with BCE Development, Inc., for the construction of public improvements for Lago Dorado. The agreement expires January 11, 1990. The subdivider has requested an extension of time to July 31, 1991 in which to complete the required improvements. 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. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - Lago Dorado Industrial Park

COUNCIL ACTION: (Tape location: A457-480.)

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

Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-90-566) ADOPTED AS RESOLUTION R-274554

Authorizing the City Manager to release a portion of the surety issued by Pacific States Casualty Company in the form of Performance Bond Nos. 1362, 1363, 1364, 1365 and 1370, as follows:

1. For faithful performance, to the sums of \$53,649, \$251,423, \$258,958, \$64,863 and \$116,432.
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sums of \$26,824.50, \$125,711.50, \$129,479, \$32,431.50 and \$58,216.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On August 8, 1988, the City entered into an agreement with Otay International Center, a general partnership, for the construction of public improvements for Otay International Center Lots 8 and 9 Unit No. 2.

Performance Bond Nos. 1362, 1363, 1364, 1365, and 1370 issued by Pacific States Casualty Company in the amounts of \$173,058, \$811,041, \$835,348, \$209,232 and \$375,586, respectively, were provided by the subdivider. The agreement expires August 8,

1990. Ninety-two 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, 69 percent of the original surety will be released which will reduce the surety to \$745,322.

FILE LOCATION: SUBD - Otay International Center Lots 8 and 9 Unit No. 2

COUNCIL ACTION: (Tape location: A457-480.)

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

* ITEM-109: (R-90-538) ADOPTED AS RESOLUTION R-274555

Approving the acceptance by the City Manager of a grant deed of Pardee Construction Company, granting to the City Parcel A, Alta Mar Unit No. 4, Map-11215.
(North City West Community Area. District-1.)

FILE LOCATION: DEED F-5078 DEEDFY90-1

COUNCIL ACTION: (Tape location: A457-480.)

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

* ITEM-110: (R-90-537) ADOPTED AS RESOLUTION R-274556

Vacating the City's interest in an unneeded sewer easement affecting Lot 8 of Penasquitos Park View Estates Unit

No. 7, Map-11659, pursuant to Section 8300 et seq. of the Streets and Highways Code.
(Penasquitos East Community Area. District-1.)

FILE LOCATION: DEED F-5079 DEEDFY90-1

COUNCIL ACTION: (Tape location: A457-480.)

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

* ITEM-111: (R-90-539) ADOPTED AS RESOLUTION R-274557

Vacating the City's interest in an unneeded water easement affecting Lot 578 of High Country West Unit 7, Map-10439, pursuant to Section 8300 et seq. of the Streets and Highways Code.
(Rancho Bernardo Community Area. District-1.)

FILE LOCATION: DEED F-5080 DEEDFY90-1

COUNCIL ACTION: (Tape location: A457-480.)

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

* ITEM-112: (R-90-625) ADOPTED AS RESOLUTION R-274558

Authorizing the City Auditor and Comptroller to establish an interest bearing trust fund to be entitled "City of San Diego Protocol Trust Fund" for the purpose of serving as a repository for funds donated to the City for Protocol program purposes; designating the Protocol Director as the administrator of the fund; waiving Council Policies and Administrative Regulations dealing with procurement and other expenditures for all donations and expenditures of protocol funds.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A457-480.)

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

* ITEM-113: (R-90-617) ADOPTED AS RESOLUTION R-274559

A Resolution approved by the City Council in Closed Session on Tuesday, October 3, 1989 by the following vote: Wolfsheimer-yea; Roberts-yea; McColl-yea; Pratt-yea; Struiksma-not present; Henderson-yea; McCarty-yea; Filner-not present; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$55,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Marshall Smith (Superior Court Case No. 593426, Marshall Smith v. City of San Diego, et al.); the amount of \$15,000 of that sum shall be reserved for future medical costs; authorizing the City Auditor and Comptroller to issue one check in the total amount of \$40,000 made payable to Marshall Smith and James M. Gattey, attorney, in partial settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of each and every claim of Marshall Smith against the City of San Diego as a result of a traffic collision which occurred on January 7, 1987.
Aud. Cert. 9000360.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A457-480.)

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

* ITEM-114: (R-90-611) ADOPTED AS RESOLUTION R-274560

Designating the first Saturday in December of each year as "San Diego Arbor Day"; encouraging the City's civic groups and citizens to plant trees on that date for visual and environmental enhancement of the City of San Diego.

COMMITTEE ACTION: Reviewed by PFR on 9/27/89. Recommendation to designate the first Saturday in December each year as "San Diego Arbor Day". Districts 1, 5, 6 and 8 voted yea. District 7 not present.

CITY MANAGER SUPPORTING INFORMATION: Public awareness of the value of trees is gaining throughout the country. They are of particular significance in San Diego because of our semi-arid climate, warm temperatures and visual impact upon the urban landscape. Nationally, Arbor Day is celebrated in March to signal an appropriate time to plant trees as a method of beautification and for the beneficial value that trees provide in oxygen production, moderation of temperatures and habitat for various species of wildlife. Regionally, a more appropriate time to plant trees is at the start of our rainy season to take advantage of available moisture. On September 13, 1989, the Public Facilities and Recreation Committee directed staff to propose a "local" arbor day designation when civic groups, schools and youth groups can formally participate in programs to plant trees and educate youth and the general public about the value of trees to the health of the planet and San Diego's quality of life. We are recommending that the first Saturday in December each year be designated as "San Diego Arbor Day."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A457-480.)

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

* ITEM-115: (R-90-554) ADOPTED AS RESOLUTION R-274561

Authorizing the execution of a group health insurance agreement with Aetna Healthcare Programs of California, Inc. d/b/a Choice, for the contract year August 1, 1989

through July 31, 1990 to provide health insurance benefits to employees and dependents enrolled in the plan at the following premium rates:

CATEGORY	MONTHLY PREMIUMS
Employee (City paid)	\$108.00
One Dependent (Employee paid)	\$224.30
Two (+) Dependents (Employee paid)	\$337.60

CITY MANAGER SUPPORTING INFORMATION: Early in 1989, Foster Higgins Inc. was asked to conduct a market survey for a suitable Health Maintenance Organization to be added to the employee benefit plan selections for the 1990 Fiscal Year. The objectives were three fold: 1) To have a potential replacement HMO for the Greater San Diego Health Plan (which recently had questionable financial stability), 2) To provide better accessibility of coverage for retirees living outside San Diego County, and 3) To obtain competitive rates from other providers (prompted by rising costs and premium increases in general). Eight proposals were requested on February 24, 1989 and four were reviewed. Health Net was ranked first and chosen to replace PruCare (which would have doubled premiums or significantly reduced benefits had they been retained). In May when the financial stability of the Greater San Diego Health Plan appeared to be in jeopardy, the decision was made to replace them with the Aetna Choice Plan which offered comparable benefits at the same premiums Greater San Diego would have charged. The monthly premiums for Health Net are as follows:

Category	Monthly Premiums
Employee	\$108.00 (City paid)
Employee plus one dependent	\$224.30 (\$108.00 City pd.) - (\$116.30 Emp. pd.)
Employee plus two or more dependents	\$337.60 (\$108.00 City pd.) - (229.60 Emp. pd.)

Aud. Cert. 9000198.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A457-480.)

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

* ITEM-116: (R-90-519) ADOPTED AS RESOLUTION R-274562

Authorizing the execution of a First Amendment to Utilities Agreement No. 24969 with the State of California, Department of Transportation for reimbursement of costs accrued by the City in connection with the Route 8/Fairmount Avenue project.

(Serra Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On July 15, 1984, the City executed Utilities Agreement No. 24969 for the design and construction of sewer facilities in Camino Del Rio North along Route 8 and in Fairmount Avenue. These improvements have since been constructed by CalTrans, and accepted by the City. However, the City accrued costs pursuant to CalTrans request of February 7, 1984, to review an study other facilities associated with this project which resulted in no relocation. The purpose of this amendment is to allow CalTrans to reimburse the City for expenditures not specifically defined in the original agreement. WU-U-90-036.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A457-480.)

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

ITEM-117: (R-90-620) ADOPTED AS RESOLUTION R-274563

Authorizing the execution of an agreement with Architects Coombs-Mesquita, Inc. to provide professional services for the construction of North City West Branch Library; authorizing the expenditure of an amount not to exceed \$205,000 from CIP-35-070.0, North City West Branch Library Facilities Benefit Assessment Fund 79002, for the above project.

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

CITY MANAGER SUPPORTING INFORMATION: This agreement with Architects Coombs-Mesquita, Inc., will provide the professional services required to design and construct a 13,000 square foot library on a 1.5 acre site in the North City West Town Center. The building will include a community meeting room, and staff and public areas consistent with City Library requirements. This project will provide library service for North City West

and neighboring communities. Design has been accelerated from FY 1992 to FY 1990 since sufficient FBA funds are now on hand for this purpose. This project is consistent with the North City West Community Plan and the City's General Plans Guidelines. Consultant selection was in accordance with Council Policy 300-7. Sub-Consultants approved to assist with the project include Designpoint (interior design - 8 percent), Woodward Clyde (soils - 2.5 percent), Shoulder & Sanford (civil - 4 percent), Darsona Design (landscape - 2 percent), Structural Design Consultants (structural - 10 percent), G.E.M. Mechanical (mechanical - 10 percent), Brown & Zammit Engineering (electrical - 10 percent), Keith Roberts (cost estimator - 1.5 percent), Conspec (specifications - 3 percent).
Aud. Cert. 9000347.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: A550-570.)

MOTION BY WOLFSHEIMER TO APPROVE, SHOW THE COMMUNITY PLANNING GROUP THE DESIGN AND LET THEM PARTICIPATE WITH THE ARCHITECT.

Second by Roberts. Passed by the following vote:

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

* ITEM-118: (R-90-555) ADOPTED AS RESOLUTION R-274564

Authorizing the execution of a group health insurance agreement with Health Net for the contract year August 1, 1989 through July 31, 1990 to provide health insurance benefits to employees and dependents enrolled in the plan at the following rates:

Category	Monthly Premiums
Employee (City Paid)	\$105.40
Employee plus one dependent	\$229.40
Employee plus two or more dependents	\$316.66

CITY MANAGER SUPPORTING INFORMATION: Early in 1989, Foster Higgins Inc. was asked to conduct a market survey for a suitable Health Maintenance Organization to be added to the employee benefit plan selections for the 1990 fiscal year. The objectives were three fold: 1) To have a potential replacement HMO for the Greater San Diego Health Plan (which recently had questionable financial stability); 2) To provide better accessibility of coverage for retirees living outside San Diego County; and 3) To obtain competitive rates from other providers

(prompted by rising costs and premium increases in general). Eight proposals were requested on February 24, 1989 and four were reviewed. Health Net was ranked first and chosen to replace Pru-Care (which would have doubled premiums or significantly reduced benefits had they been retained). The monthly premiums for Health Net are as follows:

Category	Monthly Premiums
Employee	\$105.40 (City paid)
Employee plus one dependent	\$229.40 (\$105.40 City paid) (\$124 Emp. paid)
Employee plus two or more dependents	\$316.66 (\$105.40 City paid) (\$211.26 Emp. paid)

Aud. Cert. 9000201.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A457-480.)

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

* ITEM-119: (R-90-557) ADOPTED AS RESOLUTION R-274565

Authorizing the execution of a 10-year lease agreement with Mid-City Community Clinic, for the use of property at 4290 Polk Avenue as a community clinic, at a rent of \$1.00 for the term.

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

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego purchased the property at 4290 Polk Avenue with CDBG funds on August 13, 1979. Effective September 5, 1979, the City entered into a 10-year lease agreement with Mid-City Community Clinic, a private nonprofit organization. This organization has been in existence since January, 1975, providing a variety of medical and psychological services to the low-income, multi-ethnic population primarily in the Mid-City Community. They have provided over 20,000 medical appointments per year. Mid-City Community Clinic makes every effort to provide the highest quality health care to all who need it, at the lowest possible cost. Patients are charged on a sliding fee scale, depending on their monthly income and family size. Clinic staff consists of physicians, nurse practitioners, and physician assistants, all of whom are licensed by the State of California. They provide a

variety of services such as: adult medicine, pediatrics, gynecology, obstetrics, family planning and counseling. Discounts on prescriptions and lab work are also offered. It is recommended that the City enter into a new 10-year lease agreement at \$1.00 for the term. Mid-City Community Clinic is to operate and maintain the clinic at no cost to the City.

FILE LOCATION: LEAS - Mid-City Community Clinic LEASFY90-1

COUNCIL ACTION: (Tape location: A457-480.)

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

* ITEM-120: (R-90-570) ADOPTED AS RESOLUTION R-274566

Authorizing the execution of an agreement with the San Diego Urban League, Inc. to operate Project HELP; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$62,735 from the General Fund (Fund 100) to the Human Care Services Special Fund (Fund 19662); authorizing the expenditure of an amount not to exceed \$100,000 from Fund 19662, for providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: Project HELP, administered by the San Diego Urban League, Inc., provides counseling services to gang members and at-risk youths in the targeted communities of Southeast San Diego and Mid-City. A Private Industry Council/Regional Employment and Training Consortium (PIC/RETIC) contract complements this program by providing job training and placement services. Project HELP has been funded by the City since November, 1988. The current agreement will terminate on October 31, 1989. The following changes will be incorporated into the new agreement:

- 1) While the current agreement includes several subcontracts with other social services agencies, the new agreement will place a greater emphasis on non-financial linkage agreements with a more extended network of community agencies.
- 2) An advisory group will be established which will also serve as a professional development group to enhance the skills of at-risk youth service providers in Mid-City and Southeast San Diego.
- 3) A Mid-City office has been established, and community partners will be identified to increase community awareness

and to assess community needs for service.

- 4) A comprehensive system will be in place to ensure that all required documentation occurs for each Project HELP participant.
- 5) The number of new clients served each month will be reduced by 15 percent to more accurately reflect the time requirements to serve the targeted population.

Aud. Cert. 9000339.

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: A457-480.)

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

* ITEM-121:

Three actions relative to providers for the CITYMED Health Plan:

Subitem-A: (R-90-556) ADOPTED AS RESOLUTION R-274567

Authorizing the execution of an amendment to the agreement with Scripps Memorial McDonald Center to continue providing treatment for drug and alcohol rehabilitation under the CITYMED Health Plan for the one-year period from August 1, 1989 through July 31, 1990.

Subitem-B: (R-90-562) ADOPTED AS RESOLUTION R-274568

Authorizing the execution of an amendment to the agreement with Counseling and Recovery Institute to continue providing treatment for drug and alcohol rehabilitation under the CITYMED Health Plan for the one-year period from August 1, 1989 through July 31, 1990.

Subitem-C: (R-90-563) ADOPTED AS RESOLUTION R-274569

Authorizing the execution of an agreement with Alvarado Parkway Institute to provide treatment for drug and alcohol rehabilitation under the CITYMED Health Plan for the one-year period from August 1, 1989 through July 31, 1990.

CITY MANAGER SUPPORTING INFORMATION: In 1985, the City's health plan consultant, the Epler Company, assisted Risk Management (at the direction of the City Manager's Office) in selecting four providers of alcohol and drug dependency

treatment for the CITYMED Health Plan. In Fiscal Year 1988, unfavorable negotiations with two of the providers resulted in non-renewal of their contracts. Because geographic location is an important factor to the success of treatment, it was decided for Fiscal Year 1989, to again seek several providers in key areas. During June of that year, the Epler Company solicited proposals from seventeen institutions and received fourteen responses. Ratings and recommendations were based on the following criteria: effectiveness of treatment, flexibility and comprehensiveness of programs, availability of utilization data, reasonable and competitive charges, capacity to service City employees, and geographic location. The three facilities best meeting the above criteria for adult inpatient treatment and providing the lowest costs and adequate geographic distribution were Care Unit, Pomerado Hospital and Scripps Memorial Hospital.

One outpatient and one adolescent facility, Counseling and Recovery Institute and Scripps Memorial Hospital, respectively, were also recommended. For Fiscal Year 1990, it was decided to renew the agreements with Pomerado Hospital, Scripps Memorial Hospital and Counseling and Recovery Institute. (A separate Council Action Request will be filed for the Pomerado Hospital agreement due to their request for changes in the language.) It was decided not to renew the agreement with the Care Unit (based upon several factors) and replace it with Alvarado Parkway Institute. During the 1988 selection process, Alvarado was rated second (based on price) for that geographic area.
Aud. Cert. 9000263.

FILE LOCATION: MEET CONFY90-3

COUNCIL ACTION: (Tape location: A457-480.)

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

* ITEM-122: (R-90-632) ADOPTED AS RESOLUTION R-274570

Approving the issuance of bonds by the Housing Authority of the City of San Diego on behalf of the City of San Diego for the 144 unit Creekside Village Apartments Project pursuant to Section 147(f) of the Internal Revenue Code of 1986.

(See Housing Commission Report dated 10/3/89. Southeast San Diego Community Area. District-4.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A457-480.)

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

ITEM-150: (R-90-540) ADOPTED AS AMENDED AS RESOLUTION
R-274571

Amending Council Policy 800-3 entitled "Public Infrastructure Financing Assessment Districts and Community Facilities."

(See City Manager Report CMR-89-418.)

COMMITTEE ACTION: Reviewed by TLU on 9/11/89.

Recommendation to approve referral of the proposed amendments to Council Policy 800-3 to the City Council. Districts 2, 5 and 8 voted yea. (Council Member Filner's vote was a courtesy "yes", to allow the program to proceed to Council in a timely fashion.) Districts 1 and 4 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F120-279.)

MOTION BY STRUIKSMA TO APPROVE AS AMENDED WITH THE ADDED LANGUAGE, "THE DEVELOPER AND THE CITY MAY AGREE UPON PREQUALIFICATION REQUIREMENTS FOR CONTRACTORS WHICH ARE REASONABLY RELATED TO THE PROPOSED WORK TO BE DONE AND MAY CONDITION THE AWARD OF THE CONTRACT ON THE CONTRACTOR

SATISFYING

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

ITEM-200 (R-90-491) CONTINUED TO OCTOBER 30, 1989, AT 2:00
P.M.

(Continued from the meeting of October 3, 1989, Item S504, at the City Manager's request, to allow further time for Council review.

Authorizing the City Manager to proceed with the planning for Alternative IV of the Framework Plan Report of the Clean Water Program, which would implement

secondary and tertiary wastewater treatment at new facilities and convert the Point Loma Wastewater Treatment Plant to secondary treatment as the final element of the Clean Water Program.

(See City Manager Report CMR-89-471.)
WU-U-90-041.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F100-118.)

Motion by McCarty to approve. Second by Roberts. No vote.

Motion by Roberts to bring back to Council the authorization to move forward on the studies on extension of the Point Loma Outfall. No second.

MOTION BY ROBERTS TO CONTINUE TO OCTOBER 30, 1989, AT 2:00 P.M., AT MAYOR O'CONNOR'S REQUEST. Second by Henderson. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-90-492) ADOPTED AS RESOLUTION R-274572

(Continued from the meeting of September 11, 1989, Item 172, at Council Member McCarty's request, for further review.)

Authorizing the City Manager to enter into a five year non-exclusive use and occupancy permit with the Tierrasanta Tennis Club.

(Tierrasanta Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: Last tax year, the County Tax Assessor billed the non-profit tennis clubs, which operate the City's municipal tennis courts, possessory interest taxes of several thousand dollars. Subsequent meetings with the Tax Assessor concluded that modification of the tennis club's agreement would reduce or eliminate this tax. The language in the operating permit was, therefore, revised to meet the Tax Assessor's "exemption" requirements.

FILE LOCATION: LEAS - Tierrasanta Tennis Club LEASFY90-1

COUNCIL ACTION: (Tape location: A457-480.)

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

Filner-yea, Mayor O'Connor-yea.

ITEM-202: (O-90-55) TRAILED TO TUESDAY, OCTOBER 17, 1989, A.M.

(Continued from the meeting of October 3, 1989, Item 338, because the first public hearing was continued to October 10, 1989.)

Introduction and adoption of an Ordinance amending Ordinance O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-17326-1 and No. OO-17326-2, as amended and adopted therein, by increasing the General Fund 100 Revenue Estimates by \$105,000; and directing the City Auditor and Comptroller to allocate the \$105,000 to the Treasurer's Department (052) for the purpose of funding Banking Service Contracts.

(See City Manager Report CMR-89-456.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A361-418.)

MOTION BY ROBERTS TO TRAIL TO TUESDAY, OCTOBER 17, 1989, A.M., AT THE CITY MANAGER'S REQUEST. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (O-90-25) TRAILED AS UNFINISHED BUSINESS TO TUESDAY, OCTOBER 17, 1989, A.M.

Introduction and adoption of an Ordinance amending Ordinance O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-17326-1 and No. 00-17326-2, as amended and adopted therein, by amending and adding to the personnel authorization of the Planning Department (065) Program Element 06533, 2.00 Senior Planners, 4.00 Associate Planners, 2.00 Junior Planners, 1.00 Clerical Assistant II and related nonpersonnel expenses for purposes of administering the Landscape Technical Manual; authorizing

the Auditor and Comptroller to increase the Planning

Department (065) Fiscal Year 1990 appropriation and increase the General Fund 100 Appropriation and Revenue Estimates by \$379,272; authorizing the Auditor and Comptroller to transfer within the General Fund 100 the sum of \$59,016 from the Unallocated Reserve (605) to the Planning Department (065).

PLANNING DEPARTMENT SUPPORTING INFORMATION: Complete project

design review will be assumed by the Planning Department when the Landscape Technical Manual is adopted in the following areas: Slope Revegetation; Discretionary Plan Check; and Brush Management. Fees for these functions are currently deposited with applications for land development and/or discretionary permits. This appropriation is for project plan check and field inspections, and will be 90 percent fee-recovered. The hours represented include review and evaluation of concept plans, final submittals, working drawings, and quality assurance of final installation. These hours do not include administrative time, leave/vacation, miscellaneous functions including route slips, miscellaneous related assignments and public contact. Slope Revegetation/Land Development Permit -- plan check and field inspection functions will be transferred from the Engineering and Development department (currently authorized) to the Planning Department. Currently 150 applications for permits are processed. The 16,500 hours estimated to perform these functions is based on data from Building Inspection and Engineering and Development departments. Discretionary Plan Check -- An average of 1,100 discretionary permit applications are submitted each year. The 16,500 hours estimated for plan check, field inspection and follow-up are based on staff time-cards and FY89 intake records. Brush Management -- An average of 1,100 discretionary permit applications are submitted each year. The 16,500 hours estimated for plan check, field inspection and follow-up are based on staff time-cards and FY89 intake records. Brush Management -- An average of 150 large development proposals requiring Brush Management plans are submitted each year. The 2,388 hours estimated for Brush Management plan check, field inspection and follow-up are based on FY89 time cards.

Aud. Cert. 9000132.

NOTE: The first public hearing was held on Tuesday, October 3, 1989, Item 337K. See Item 54 on today's docket for a companion item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F098-099.)

ITEM-204:

(Continued from the meeting of September 12, 1989, Item 331, at Assistant City Manager McGrory's request, for further review.)

Two actions relative to Governor Drive (Regents Road to Genesee Avenue) Underground Utility District:
(University Community Area. District-1.)

Subitem-A: (R-90-75) ADOPTED AS RESOLUTION R-274573

Establishing an Underground Utility District to be known and denominated as the Governor Drive (Regents Road to Genesee Avenue) Underground Utility District.

Subitem-B: (R-90-76) ADOPTED AS RESOLUTION R-274574

Authorizing the expenditure of an amount not to exceed \$5,500 from CIP-37-028, Gas Tax Fund 32191, for the purpose of administering the Governor Drive (Regents Road to Genesee Avenue) Underground Utility District, minor City Force work and other related work.

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Governor Drive between Regents Road and Genesee Avenue. This is a scheduled project in the Calendar Year 1990 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 22. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 9000063.

FILE LOCATION: STRT K-189

COUNCIL ACTION: (Tape location: A457-480.)

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

ITEM-S400:

(Continued from the meeting of October 10, 1989, Item 30, at Council Member Pratt's request, to allow the recipients to be present.)

Three actions relative to commendation of the Skyline Recreation Center Staff:

(Skyline/Paradise Hills Community Area. District-4.)

Subitem-A: (R-90-469) ADOPTED AS RESOLUTION R-274575

Commending the Skyline Recreation Center staff for their brave and exemplary behavior in the performance of their jobs by preventing loss of life and/or serious injury to the public; expressing the deepest appreciation and gratitude to Stacy McKenzie, Dwight Magee, Anthony Hampton, Sondra Harrison, Gary Chambers, Stephanie Hill and Annette Bell, for exhibiting and performing a high standard of public service and dedication to the people of San Diego.

Subitem-B: (R-90-521) ADOPTED AS RESOLUTION R-274576

Expressing the deepest appreciation and gratitude to Dwight Magee for exhibiting and performing a high standard of public service and dedication to the people of San Diego.

Subitem-C: (R-90-522) ADOPTED AS RESOLUTION R-274577

Expressing the deepest appreciation and gratitude to Sondra Harrison for exhibiting and performing a high standard of public service and dedication to the people of San Diego.

CITY MANAGER SUPPORTING INFORMATION: On Friday, August 11, 1989, at approximately 3:15 p.m., two rival gangs began firing shots at each other at Skyline Community Park. Seventy-five

children participating in a recreation program were in the area of the gun fire. Recreation center staff: Center Director, Stacy McKenzie, Recreation leaders, Dwight Magee, Anthony Hampton, Sondra Harrison, Gary Chambers, Stephanie Hill and Annette Bell, all began moving the children inside the recreation building at the onset of the altercation between the gangs. Staff immediately called for police assistance. All of the children had been moved to safety except one remaining boy. Dwight Magee went out to get the boy and in doing so, was shot in the abdomen. He managed to get back into the building where staff administered first aid until paramedics arrived. Sondra Harrison was also injured in the incident as she was moving children out of danger.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A199-309.)

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

ITEM-S401: (R-90-626) ADOPTED AS RESOLUTION R-274578

(Continued from the meeting of October 10, 1989, Item S408, at Mayor O'Connor's request, for further review.)

Waiving the payment of fees assigned for use of Balboa Park facilities, in the amount of \$3,170, for the Third Annual Kidzarts Festival, to be held at various sites throughout Balboa Park on October 14 and 15, 1989. (See Committee Consultant Analysis PFR-89-10. Balboa Park Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 9/27/89.

Recommendation to deny the request for a waiver of fees. Districts 6, 7 and 8 voted yea. Districts 1 and 5 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A159-180.)

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

ITEM-S402:

(Continued from the meeting of October 10, 1989, Item 50, at Council Member Henderson's request, to allow him to be present.)

Two actions relative to the Hillside Review Overlay Zone and rezoning properties within the Clairemont Mesa Community:

(Clairemont Mesa Community Area. Districts-5 and 6. Introduced as amended on 9/26/89. Council voted 7-0. Districts 1 and 4 not present.)

Subitem-A: (O-90-45) ADOPTED AS ORDINANCE O-17371 (New Series)

Amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by amending Section 101.0454 relating to the HR (Hillside Review) Overlay Zone.

Subitem-B: (O-90-46 Rev.1) ADOPTED AS ORDINANCE O-17372

(New Series)

Incorporating various properties within the Clairemont Mesa Community Plan Area into the Community Plan Implementation Overlay Zone (CPIOZ), Institutional Overlay Zone (IOZ), Hillside Review Overlay Zone (HR), Open Space (OS-P and OS-R), R1-40000, R1-15000, R1-5000, R-1500, R-2000, R-1000, CN, CV, CO, C-1, M-IP and M-1A Zones, as associated with an update of the 1970 Clairemont Mesa Community Plan and with implementation of that update.

FILE LOCATION: Subitem A MEET; Subitem B LAND - Clairemont
Mesa Community Plan

COUNCIL ACTION: (Tape location: F060-098.)

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

MOTION BY McCARTY TO SUSPEND THE RULES AND EXTEND THE MEETING TIME PAST 5:30 P.M. Second by Roberts. Passed:

Yeas-1,2,4,5,6,7,8,M. Not present-3.

ITEM-S403: TRAILED TO TUESDAY, OCTOBER 17,1989, A.M.

(Continued from the meetings of October 2, 1989, Item 200 and October 10, 1989, Item S407; last continued at Council Member Pratt's request, for further review.)

Three actions relative to Banking Service Agreements:

(See City Manager Reports CMR-89-483 and CMR-89-456.)

Subitem-A: (O-90-55)

First public hearing in the matter of:

An Ordinance amending Ordinance O-17326 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-90 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. OO-17326-1 and No. OO-17326-2, as amended and adopted therein, by increasing the General Fund 100 Revenue Estimates by \$105,000; and directing the City Auditor and Comptroller to allocate the \$105,000 to the Treasurer's Department (052) for the purpose of funding Banking Service Contracts.

Subitem-B: (R-90-467)

Adoption of a Resolution authorizing the execution of an

agreement with the Bank of America to provide deposit and other optional banking services to the City of San Diego, together with reasonably necessary modifications or amendments which do not increase the agreement's scope or cost, which the City Manager shall deem necessary to carry out the purposes and intent of the agreement.

Subitem-C: (R-90-468)

Adoption of a Resolution authorizing the execution of an agreement with Security Pacific National Bank to provide disbursement and other optional banking services to the City of San Diego, together with any reasonably necessary modifications or amendments which do not increase the agreement's scope or cost, which the City Manager shall deem necessary to carry out the purpose and intent of the agreement.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G561-H250.)

ITEM-S404: (O-90-71) HEARING APPROVED

First public hearing in the matter of:

Amending the Annual Appropriation Ordinance No. O-17326, by directing the Auditor and Comptroller to transfer the sum of \$9 million between and within the various funds of the City of San Diego; authorizing the City Manager and the Auditor to expend said funds for the purpose of satisfaction and full settlement of litigation matters in the case of Woolrich v. City of San Diego.

NOTE: See Item S501 on the docket of Tuesday, October 17, 1989 for the introduction and adoption of the ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A457-480.)

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

* ITEM-S406: (O-90-69) INTRODUCED, TO BE ADOPTED OCTOBER 30, 1989

Introduction of an Ordinance amending Chapter V, Article 9.5, Division 5, of the San Diego Municipal Code by amending Sections 59.5.0502 and 59.5.0601 relating to the Declaration of Certain Acts Constituting Disturbing,

Excessive or Offensive Noises, and the Penalty therefor, by outlawing the operation of a sound device in such a way as to be heard and felt 50 feet from the source, and by increasing the penalty for violation of nuisance noise provisions ("Boom Box" Ordinance.)
(See memorandum from the City Attorney dated 8/3/89.)

COMMITTEE ACTION: Initiated by PFR on 8/9/89.
Recommendation to approve an amendment to the San Diego Municipal Code relating to public nuisance noise. Districts 1, 5, 6, 7 and 8 voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A457-480.)
CONSENT MOTION BY PRATT TO APPROVE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S407: (R-90-656) ADOPTED AS RESOLUTION R-274580

Authorizing the City Auditor and Comptroller to establish an interest bearing trust fund to be entitled "San Diego Scholarship Trust Fund" for the purpose of serving as a repository for funds donated to the City for scholarship program purposes, to provide educational opportunities for needy students; designating the President and Treasurer of San Diego Scholarship Fund, Inc. as the administrators of the fund; waiving Council Policies and Administrative Regulations dealing with procurement for all donations and expenditures of scholarship funds.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A457-480.)
CONSENT MOTION BY PRATT TO APPROVE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S408: (R-90-642) ADOPTED AS RESOLUTION R-274581

Recognizing James A. Shively for his 33 years of service

and dedication to public safety; commending him for his devotion not only to the San Diego Police Department, but to the citizens of San Diego; extending warmest wishes to him upon his retirement from the San Diego Police Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A457-480.)

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

ITEM-S409: TRAILED TO TUESDAY, OCTOBER 17, 1989, A.M.

(Continued from the meeting of October 10, 1989, Item S410, at Council Member Roberts' request, for further review.)

In the matter of the clarification of certain Council action taken by Resolution R-274001 on July 17, 1989, relative to water and sewer service and capacity charges and whether to exempt from such charges projects in designated redevelopment districts and SROs not within designated redevelopment districts, and to refer such issues regarding exemptions to the Public Services and Safety Committee for further consideration.

(See Memorandums from PSS Committee Consultant dated 10/5/89 and 10/4/89; Memorandum from the City Manager dated 10/6/89; and City Manager Report CMR-89-477.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A361-418.)

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

ITEM-S410: (R-90-653) ADOPTED AS RESOLUTION R-274582

Council confirmation of the reappointment by the Mayor of Elida Chavez (Member at Large) to serve as a member of the Small Business Advisory Board, for a term ending July 1, 1991.

(See Memorandum from Mayor O'Connor dated 10/9/89 with

resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A457-480.)

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

ITEM-S411: (R-90-641) TRAILED TO TUESDAY, OCTOBER 17, 1989,
A.M.

Authorizing the City Manager to initiate and conduct a design/build competition for the proposed new Civic Center, and expenditures of funds not to exceed \$693,000 for honoraria and for competition support expenses from Fund 41300, Org. 106, Acct. 4279, CIP-37-220; declaring that the honoraria is contingent upon the sale of bonds in connection with the project and shall be reimbursed from bond proceeds.

(See City Manager Report CMR-89-484.)

Aud. Cert. 9000385.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A361-418.)

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

ITEM-S412: PRESENTED

In the matter of the presentation to the Council, from Bill Fox, First Vice-President of the San Diego Zoological Society.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A310-349.)

* ITEM-S413: (R-90-639) ADOPTED AS RESOLUTION R-274583

A Resolution approved by the City Council in Closed Session

on Tuesday, October 3, 1989 by the following vote:
Wolfsheimer-yea; Roberts-yea; McColl-not present;
Pratt-yea; Struiksma-not present; Henderson-not present;
McCarty-yea; Filner-not present; Mayor-not present.

Authorizing the City Manager to settle the following
actions with the payment of the following sums:

City of San Diego v. Murray Joanne Hansen, et al. (San
Diego Superior Court Case No. 600709), Parcel 4, (Albatross
Canyon), \$28,250;

City of San Diego v. W. Michael Forys, et al. (San Diego
Superior Court Case No. 600717), Parcel 26; City of San
Diego v. Adele M. Forys (San Diego Superior Court Case No.
600718), Parcel 27; and City of San Diego v. Thomas J.
Perry, et al. (San Diego Superior Court Case No. 600714),
Parcel 15, (Goldfinch Canyon), \$276,500;

Said payments are for the acquisition of real property by
the City of San Diego located in Albatross and Goldfinch
Canyons pursuant to the Uptown Open Space Project which
was authorized by City Council in Resolutions R-270416 and
R-270419, adopted February 23, 1988; declaring that the
following sums have already been deposited with the County
Treasurer in accordance with the eminent domain actions
referred to above:

Case No. 600709, Hansen (Parcel 4)

(Albatross Canyon) \$ 7,175

Case No. 600717, W. M. Forys (Parcel 26)

Case No. 600718, A. Forys (Parcel 27)

Case No. 600714, Perry (Parcel 15)

(Goldfinch Canyon \$165,325;

Declaring that the additional funds required to settle Case
No. 600709, Hansen (Parcel 4), in the amount of \$21,075 are
available in the individual Albatross Canyon Open Space
Project Fund; authorizing the City Auditor and Comptroller
to transfer \$111,175 from the Open Space General Bond Fund
79104 to the individual Goldfinch Canyon Open Space Project
Fund to cover the additional funds required to settle Case
No. 600717, W. M. Forys (Parcel 26), Case No. 600718,
A. Forys (Parcel 27), and Case No. 600714, Perry (Parcel
15); authorizing the expenditure of the amounts totalling

the sum of \$304,750 for the settlement of these eminent
domain actions, including full payment for all parcels,
costs and interest, and for all damages of every kind and
nature suffered or to be suffered by reason of the
acquisition of the parcels.

(Uptown Community Area. District-2.)

Aud. Cert. 9000379.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A457-480.)

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

ITEM-S414: TRAILED TO TUESDAY, OCTOBER 17, 1989, A.M.

Three actions relative to the final subdivision map of Rancho Del Sol Unit 1, a 32-lot subdivision located southeasterly of El Camino Real and Black Mountain Road: (District-1.)

Subitem-A: (R-90-636)

Authorizing the execution of a Subdivision Improvement Agreement with Robert D. Barczewski and Zero Energy Systems, Inc., for the installation and completion of public improvements.

Subitem-B: (R-90-635)

Approving the final map.

Subitem-C: (R-90-637)

Authorizing the execution of an agreement with Pacific Solar Properties for the payment of fees for public facilities.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A361-418.)

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

ITEM-S415: (R-90-760) ADOPTED AS RESOLUTION R-274584

19891016

Directing the City Manager to prepare plans, specifications and estimates to grade Aero Drive Industrial Park, pursuant to Alternative 1 in City Manager's Report CMR-89-392.

(See City Manager Report CMR-89-392. Serra Mesa Community Area. District-5.)

NOTE: On 9/11/89 Council voted 8-0 to reconsider the action taken on 8/7/89 regarding this item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A457-480.)

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

ITEM-S416: (R-90-658) CONTINUED TO OCTOBER 30, 1989

Approving the recommendation contained in City Manager Report CMR-89-415 regarding tenancy in the Balboa Park House of Charm, and directing the City Manager to implement the recommendations.

(See City Manager Reports CMR-89-415 and CMR-89-490. Balboa Park Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 9/27/89. Council Member Filner made an initial motion to explore the possibility of accelerating the funding for the new Municipal Gymnasium in order to make the Federal Building available at the same time the House of Charm is ready to come on line. The matter would

then be returned to Committee. This motion was supported by Chairman Henderson. A substitute motion was then made and passed 3-2 which differed in only that the item would be moved on to the full Council and not returned to Committee. Districts 1, 5, and 7 voted yea. Districts 6 and 8 voted nay.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A571-F050.)

Motion by Filner to ask the City Manager to look at the use of Casa de Balboa, Federal Building and the House of Charm and take into account, as optimally as possible, the needs of those five institutions. Second by Henderson. No vote.

MOTION BY ROBERTS TO CONTINUE TO OCTOBER 30, 1989, AT HIS REQUEST, AND DIRECT THE CITY MANAGER TO MEET WITH THE CHILDREN'S MUSEUM, THE ART INSTITUTE AND THE OLD GLOBE THEATRE TO WORK OUT AN ARRANGEMENT THAT WOULD HOUSE THOSE INSTITUTIONS IN THE HOUSE OF CHARM. MEET WITH THE HALL OF CHAMPIONS AND MINGEI INTERNATIONAL MUSEUM TO WORK OUT A SOLUTION FOR A POTENTIAL BASEMENT FACILITY IN THE FEDERAL BUILDING SO THAT THOSE

INSTITUTIONS CAN SHARE THAT BUILDING. LOOK AT INTERIM HOUSING WHILE THE BUILDINGS ARE BEING REHABILITATED, AND INCLUDE AN ANALYSIS OF THE COST FOR DOING THIS WORK. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, 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 7:26 p.m. in honor of the memory of Benny Giacalone and Jim Orwig.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H268-269).