

19891211

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, DECEMBER 11, 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 Wolfsheimer at 2:05 p.m. Deputy Mayor Wolfsheimer adjourned the meeting at 8:20 p.m. to meet in Closed Session on Tuesday, December 12, 1989, at 9:00 a.m. in the twelfth floor conference to discuss pending and potential litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-274977
(other official City business)
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (jb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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

- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Father Francis Penko of Our Lady of the Sacred Heart.

FILE LOCATION: MINUTES

Dec-11-1989

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Hartley.

FILE LOCATION: MINUTES

ITEM-30: PRESENTED

Presentation to the Mayor and City Council from Mary Ann Green, representing the International Cultural Festival.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A055-130.)

ITEM-31: CONTINUED TO MARCH 5, 1990

(Continued from the meetings of September 18, 1989, Item 34 and October 16, 1989, Item 33; last continued at Rebecca Michael's request, to allow time to find an alternate location.)

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: A131-168.)

MOTION BY HARTLEY TO CONTINUE TO MARCH 5, 1990, AT REBECCA MICHAEL'S REQUEST. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-32: GRANTED HEARING

Matter of the request of Reza Paydar by Matthew A. Peterson, Attorney, for a hearing of an appeal from the decision of the Planning Commission in denying Hillside Review Overlay Zone and Coastal Development Permits HRP/CDP-88-0923 for a single-family residence. The subject property (approximately 1.1 acres) is located at the westerly terminus of Clemson Circle, west of Rutgers Road and is more particularly described as Parcel 2, Lot 14, Muirlands Vista Map-3133 in Zone R1-20,000/HR in the La Jolla Community Plan area.

(HRP/CDP-88-0923. District-1.)

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

FILE LOCATION: PERM - HRP/CDP-88-0923

COUNCIL ACTION: (Tape location: A201-224.)

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

ITEM-33: GRANTED HEARING

Matter of the request of Patricia Paz, Don M. Paz, Lawrence

D. Tomlinson, Joyce Dunne, Aubrey C. Dunne, Sandra Wexler and Helen F. Smith, for a hearing of an appeal from the decision of the Planning Commission in approving Planned Commercial Development Permit and Conditional Use Permit PCD/CUP-88-0494 to demolish an existing office complex and construct a 19,020-square-foot retail/office center with associated parking and landscaping. The applicant is requesting a variance to allow a 10 foot rear yard setback where 15 feet is required, and a Conditional Use Permit for parking in a residential zone. The subject property is located on the north side of Navajo Road at the corner of Lake Murray Boulevard and is further described as Lot 1 of San Carlos Commercial Site No. 1, Resubdivision No. 1, Map-5298 and portions of Lots 12, 13 & 19 of Map-4396, in the Navajo Community Plan area.

(PCD/CUP-88-0494. District-7.)

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

FILE LOCATION: PERM - PCD/CUP-88-0494

COUNCIL ACTION: (Tape location: A225-245.)

MOTION BY McCARTY TO GRANT THE HEARING. Second by Pratt.

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

ITEM-50:

Three actions relative to the Administrative Citations

Ordinance:

(See Committee Consultant Analysis TLU-89-22; Planning Department Report PDR-89-508; and Memorandum from City Attorney Witt dated 11/8/89.)

Subitem-A: (O-90-101) INTRODUCED, TO BE ADOPTED JANUARY 8, 1990

Introduction of an Ordinance amending Chapter VIII, Article 4 of the San Diego Municipal Code by amending Section 84.03 relating to Vehicles on Private Property.

Subitem-B: (O-90-102) INTRODUCED, TO BE ADOPTED JANUARY 8, 1990

Introduction of an Ordinance amending Chapter 1, Article 3, Division 3 of the San Diego Municipal Code by adding

Sections 13.0340, 13.0341, 13.0342, 13.0343, 13.0344, 13.0345, 13.0346, 13.0347 and 13.0348, relating to the Issuance of Administrative Citations for Minor Violations of the Code.

Subitem-C: (O-90-103) INTRODUCED, TO BE ADOPTED JANUARY 8, 1990

Introduction of an Ordinance amending Chapter I of the San Diego Municipal Code by adding Article 1, Division 1, renumbering and retitling Sections 11.01 and 11.08, and renumbering Sections 11.02 and 11.05; adding Division 2, renumbering and retitling Section 11.14 and renumbering Sections 11.03, 11.04, 11.06, 11.07 and 11.11; adding Division 3 and renumbering Section 11.15; adding Article 2, Division 1 and renumbering Sections 11.09, 11.10 and 11.18; adding Article 3, Division 1 and renumbering Sections 11.12 and 11.13; adding Division 2 and renumbering Sections 11.12.1 and 11.17; adding Division 3 and renumbering and amending Section 11.16; and amending Sections 29.0115, 33.0105(b), 44.0300(b), 62.0402.1, 63.08, 63.17.15, 63.17.16(B), 84.1609, 84.1709, 86.2014(a), 86.2014(d), 95.0110C, 98.0106(b), 101.0212D, 101.0304B, 101.0406C.12, 101.0462A, 101.0309B, 102.0700, 44.0116, 55.0311.0412(d)(1), 55.0311.0412(d)(14)(h), 95.0127(a), 55.0311.0412(d)(2), 55.0311.0412(d)(12) and 95.0127(d) to reflect the renumbering.

COMMITTEE ACTION: Initiated and reviewed by TLU on 11/13/89.

Recommendation to approve the proposed Administrative Citations Ordinance with the program to be reviewed in a year and application Citywide. Districts 2, 4, 5, and 8 voted yea. District 1 not present.

CITY MANAGER SUPPORTING INFORMATION: On September 11, 1989, the Transportation and Land Use Committee approved the concept of an administrative citation program for minor violations of the Municipal Code. On November 13, 1989, the Committee approved an implementation plan provided by the Planning Department and the related enabling legislation. The enabling legislation (proposed Chapter I, Article 3, Division 3, Section 13.0350) must now be adopted by Council. Concurrently, with the adoption of this new section, the City Attorney has restructured and renumbered all of Chapter I to make it consistent with other chapters and compatible with the Legis System. Other than the new section, there is no change in language or substance in this Chapter.

In addition to these changes in Chapter I, it is proposed that

Chapter XIII, Article 4, Section 84.03 be amended to allow zoning inspectors to issue parking citations for illegal parking on private property, even if the owner permits such parking. This will provide an alternative to administrative citations for the enforcement of parking regulations on private property. The Zoning Investigations Unit of Planning's Neighborhood Service Division will be testing these new tools in 1990, primarily in relation to certain sign code and parking violations. If effective, use of administrative citations will be expanded to other types of violations.

NOTE: See Item 116 on today's docket for a companion Item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A531-B210.)

MOTION BY ROBERTS TO INTRODUCE THE ORDINANCES. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-100: (R-90-830) ADOPTED AS RESOLUTION R-274830

Declaring the results of the General Municipal Election held in the City of San Diego on Tuesday, November 7, 1989.

Abdelnour

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A477-530.)

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

ITEM-101: TRAILED TO TUESDAY, DECEMBER 12, 1989, AT 2:00 P.M.

Two actions relative to the Improvement of Project First Class Alley and Sewer Main Replacement - Contract No. 5 (1911 Improvement Act):
(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-90-819)

Awarding a contract to Engicon Corporation for the Improvement of Project First Class Alley Sewer Main Replacement - Contract No. 5.

Subitem-B: (R-90-820)

Authorizing the expenditure of an amount not to exceed \$80,646.33 from Fund 18517, Dept. 5988, Org. 8814; \$184,620.33 from Fund 18518, Dept. 5613, Org. 1304; \$13,760.17 from CIP-58-007, Fund 30244; and \$319,110.27 from CIP-44-001, Sewer Revenue Fund 41506, for the purpose of providing funds for the Improvement of Project First Class Alley and Sewer Main Replacement - Contract No. 5 and related costs.

CITY MANAGER SUPPORTING INFORMATION: The lowest of the two bids received was from Engicon Corporation, in the amount of \$655,000 which is two percent lower than the estimate of \$663,376. The project improvements consist of grading and

paving eight alleys. Some of the alleys will have the existing sewer mains replaced because of their deteriorated condition and inadequate capacity. Alley improvements are being financed under the CDBG/Assessment District cost sharing program. Sewer replacement costs are funded by the City annual allocation for that purpose. While the overall low bid for the eight alleys as a group was only two percent below the estimate, bid analysis indicates that the costs for Alley Blocks 1 and 3, and Block C exceed the estimate by about 17 percent. The owners of property in Alley Blocks 1 and 3, and Block C have been informed of the 17 percent cost increase and today's proposed award of contract in accordance with Council Policy 800-3. The cost increase for the remaining six alleys is less than 10 percent.

Aud. Cert. 9000470.

WU-ED-90-055.

FILE LOCATION: STRT D-2281 CONTFY90-1

COUNCIL ACTION: (Tape location: B211-270;G351-430.)

* ITEM-102:

Two actions relative to the final subdivision map of Prestmont, a 53-lot subdivision located southwesterly of Entreken Way and Carmel Mountain Road:

(Penasquitos East Community Area. District-1.)

Subitem-A: (R-90-790) ADOPTED AS RESOLUTION R-274831

Authorizing the execution of a Subdivision Improvement Agreement with Crestmont 53 Limited for the installation and completion of public improvements.

Subitem-B: (R-90-789) ADOPTED AS RESOLUTION R-274832

Approving the final map.

FILE LOCATION: SUBD - Prestmont CONTFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

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

* ITEM-103:

Three actions relative to the final subdivision map of Resubdivision of Carmel Mountain Ranch Units 4 and 36, a 19-lot subdivision located northeasterly of Rancho Carmel Drive and North City Parkway:

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

Subitem-A: (R-90-797) ADOPTED AS RESOLUTION R-274833

Authorizing the execution of a Subdivision Improvement Agreement with Lyon Communities, Inc., for the installation and completion of public improvements.

Subitem-B: (R-90-796) ADOPTED AS RESOLUTION R-274834

Approving the final map.

Subitem-C: (R-90-798) ADOPTED AS RESOLUTION R-274835

Authorizing the street name change of Shadow Oaks Court to Provencal Place.

FILE LOCATION: Subitems A-B SUBD - Carmel Mountain Ranch Units 4 and 36; Subitem C DEED F-5121 CONTFY90-1;DEEDFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-104: (R-90-791 Corr.Copy) ADOPTED AS RESOLUTION R-274836

Authorizing the execution of an amendment to the Subdivision Improvement Agreement for Sunburst Scripps Unit 2, on file in the office of the City Clerk as Document No. RR-272245, to provide for the substitution of BPKC/GADCo I

for Sunburst Homes Company, as subdivider; accepting the rider issued by Insurance Company of the West, in the amount of \$1,333,390 to substitute BPKC/GADCo I for Sunburst Homes Company as principal on the surety for the required improvements in the subdivision.

(Located northeasterly of I-15 and Pomerado Road. Scripps Miramar Ranch Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On October 31, 1988 the City entered into an agreement with Sunburst Homes Company for the construction of public improvements for Sunburst Scripps Unit 2. The agreement expires on October 31, 1990. The property is now owned by BPKC/GADCo I, a California General Partnership. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The new subdivider has provided a rider to the existing performance bond for the same amount as the original bond, changing the principal on the bond to BPKC/GADCo I, a California General Partnership.

FILE LOCATION: SUBD - Sunburst Scripps Unit 2 CONTFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

ITEM-105: (R-90-817) CONTINUED TO JANUARY 16, 1990

Authorizing the execution of a deed conveying to Whispering Palms Community Service District an easement for sewer pipelines, mains, manholes, sewer lateral pipelines and right-of-way, in a portion of Lot 2 of Fairbanks Country Club Unit No. 1, Map-10730.

(Fairbanks Ranch Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The Whispering Palms Community Service District is now converting its area from septic tank systems to municipal sewer hook-up and requires a sewer easement over City-owned land in order to connect to the Metropolitan Sewer System. The portion of the Fairbanks Ranch Country Club sought is an easement 20 feet wide and 247.54 feet

long containing 4,950 square feet. This portion of the Country Club is actually roadside setback, moderately sloping, and is considered excess property which doesn't contribute to its highest and best use of the adjacent property as developed. The Fairbanks Ranch Golf Course, which is the lessee of this property, is very much in favor of this action as it will alleviate a leaching problem that now effects the golf course operations and maintenance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A403-475.)

MOTION BY BERNHARDT TO CONTINUE TO JANUARY 16, 1990, AT DEPUTY MAYOR WOLFSHEIMER'S REQUEST, FOR ADDITIONAL INFORMATION. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-106: (R-90-815) ADOPTED AS RESOLUTION R-274837

Approving the acceptance by the City Manager of a grant deed of Genstar Development, Inc., granting to the City Parcel A of Carmel Penasquitos Plaza, Map-7202; dedicating said land as and for a public street, and naming the same North City Parkway.

(Penasquitos Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The North City Parkway has been created as an interim right-of-way between Rancho Penasquitos Boulevard and Interstate 15 until State improvements are constructed for SR-56. This 9.69 acres has been donated by Genstar Development, Inc. who will receive deferred FBA reimbursements for construction of the interim facility (CIP-52-419.0).

FILE LOCATION: DEED F-5123 DEEDFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-107: (R-90-821) ADOPTED AS RESOLUTION R-274838

Authorizing the execution of a quitclaim deed, quitclaiming

to Dunfee Properties and Sorrento Mesa Associates, all of the City's right, title and interest in the drainage easement in Lots 2 and 3 of Lusk Mira Mesa Business Park East I, Unit I, Map-11024.
(Located southeasterly of Mira Mesa Boulevard and Steadman Street. Mira Mesa Community Area. District-5.)

FILE LOCATION: DEED F-5124 DEEDFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-108: (R-90-787) ADOPTED AS RESOLUTION R-274839

Vacating the City's interest in an unneeded slope easement affecting Lots 8, 9 and 10 of Rancho Bernardo Technology Park pursuant to Section 8300 et seq. of the Streets and Highways Code.

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Application has been received by the Engineering & Development Department for the vacation of a slope easement that encumbers property on the west side of Bernardo Center Drive adjoining the technology park in Rancho Bernardo. Slope rights were acquired by the City of San Diego at no cost in 1978 on the Subdivision Map of Bernardo Industrial Park West. Bernardo Center Drive has since been

fully improved, eliminating the slopes and the need for continued maintenance by City Forces. The easement is therefore an unnecessary encumbrance upon the property. It is the recommendation of both the Engineering & Development and Property Departments that the easement be abandoned by adoption of a Council Resolution.

FILE LOCATION: DEED F-5125 DEEDFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-109: (R-90-515) ADOPTED AS RESOLUTION R-274840

Authorizing the City Manager to enter into exclusive negotiations with the adjacent owners, Smith, Weintraub, Lu and Scarano, for the sale of portions of Parcels A and B of Carmel Valley Unit No. 7.

(See City Manager Report CMR-89-470. North City West Community Area. District-1.)

COMMITTEE ACTION: Reviewed by PFR on 11/8/89. Recommendation to authorize the City Manager to enter into exclusive sales. Districts 1, 5, 6, and 7 voted yea. District 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-110: (R-90-887) ADOPTED AS RESOLUTION R-274841

Recognizing and commending Delores Serafin for her many years of extensive community involvement; wishing her the best of luck in her future endeavors.

(District-7.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-111:

Two actions relative to authorizing Suggestion Awards to the following City employees:

Subitem-A: (R-90-843) ADOPTED AS RESOLUTION R-274842

Charyle Minet - Treasurer's - \$1,230.83

Subitem-B: (R-90-844) ADOPTED AS RESOLUTION R-274843

Robert Tobias - Utilities - \$320.

Lillian Stewart - Risk Management - \$ 90.

Christine Davis - Library - \$ 80.

Tony Padilla - Utilities - \$ 45.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A172-200;A477-530.)

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

* ITEM-112: (R-90-898) ADOPTED AS RESOLUTION R-274844

Excusing Council Member Ed Struiksma from attending the regularly scheduled Public Facilities and Recreation Committee meeting of Wednesday, November 22, 1989, for the purpose of vacation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A477-530.)

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

ITEM-113: (R-90-831) CONTINUED TO JANUARY 22, 1990

Changing the name of Scripps Ranch Boulevard, located west of Carmel Canyon Road, to Scripps Ranch Court; declaring that the signage shall indicate both the old street name and the new street name for a period of one year, for the convenience of the general public; authorizing the installation and removal of the necessary signs and markings.

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

CITY MANAGER SUPPORTING INFORMATION: The proposed street name change has been requested to eliminate an awkward, confusing and generally deficient situation which arises when the same street name is used for three of four legs at an intersection. This unfavorable situation was created when Scripps Ranch Boulevard was redesigned and realigned, in 1983, in a northerly direction rather than the original westerly direction. Presently, most of the westerly segment of Scripps Ranch Boulevard west of Carroll Canyon Road serves several properties of which two would be likely to be affected. The

westerly segment of Scripps Ranch Boulevard to be renamed deadends 500 feet west of Carroll Canyon Road, adjacent to undeveloped property. Staff has sent letters to the affected property owners requesting their support of the name change. Of the two affected properties adjacent to the right of way, only the southerly owner has returned a response, which was favorable. The property owner on the north side of Scripps Ranch Boulevard has not responded. However, there may be no adverse affect to this property as a result of the name change,

since this property has access to the northerly continuation of Scripps Ranch Boulevard. The Planning Commission recommended approval on October 5, 1989, by a 5-0 vote. Although 100 percent support for the street name change has not been obtained, the situation that exists must be corrected to eliminate the awkwardness and confusion. Furthermore, the name change should occur before the undeveloped property to the west is developed. If the westerly segment is extended and the name Scripps Ranch Boulevard is continued, a more detrimental affect may arise with regards to mail delivery, delayed/misrouted emergency services, and additional confusion. Therefore, staff which includes comments from the Police Department, Fire Department, Building Inspection Department, and Engineering and Development Department recommends approval of the subject name change.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B271-305.)

MOTION BY BERNHARDT TO CONTINUE TO JANUARY 22, 1990, AT HER REQUEST, SO THAT STAFF CAN CONTACT THE SAN DIEGO UNIFIED SCHOOL DISTRICT TO SEE IF THEY WILL BE NAMING THE STREET TRINA COURT WHEN THEY BUILD THE HIGH SCHOOL THERE. Second by Roberts.

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

* ITEM-114: (R-90-827) ADOPTED AS RESOLUTION R-274845

Authorizing the City Manager to create the Scripps Ranch Branch Library Fund with proceeds to be used to purchase furniture, fixtures, equipment, supplies, and library materials; authorizing the City Auditor and Comptroller to establish a trust fund account for the purpose of handling the accounting for the Scripps Ranch Branch Library Fund. (Scripps Ranch Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: A new branch library is scheduled to be constructed in the Scripps Ranch area. The Friends of the Scripps Ranch Library have made a commitment to initiate a fundraising campaign to help enhance the new library. This request will establish a trust account in the name of the Scripps Ranch Branch Library Fund to facilitate the process of receiving private gifts. The proceeds of the fund, plus all the

earned interest, will be used to purchase furniture, fixtures, equipment, supplies, and library materials.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-115: (R-90-509) ADOPTED AS RESOLUTION R-274846

Approving City Manager Report CMR-89-469, Complimentary Rounds at Torrey Pines and Balboa Park Golf Courses; authorizing the City Manager and the City Auditor and Comptroller to waive or allow the waiver of fees for the categories of players listed in the City Manager's Report, provided that written course evaluations are submitted by each individual for whom the complimentary round is authorized.

(See City Manager Report CMR-89-469. University City and Balboa Park Community Areas. Districts-1 and 8.)

COMMITTEE ACTION: Reviewed by PFR on 11/8/89. Recommendation to approve the City Manager's recommendation to approve waiving of green fees for complimentary rounds in categories listed in CMR-89-469. Districts 5, 6, 7 and 8 voted yea. District 1 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A477-530.)

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

ITEM-116: (R-90-877) ADOPTED AS RESOLUTION R-274847

Authorizing the Planning Director to implement a Code Enforcement Program which utilizes both administrative and parking citations as enforcement methods for certain types of violations; directing the City Manager and the Planning Director to monitor and evaluate the use of these enforcement tools and report back to the Transportation and Land Use Committee regarding their effectiveness at the end of one year of implementation.
(See Planning Department Reports PDR-89-556 and Committee Consultant Analysis TLU-89-22.)

COMMITTEE ACTION: Initiated and reviewed by TLU on 11/13/89. Recommendation to approve the proposed Administration Citations Ordinance with the program to be reviewed in a year and application Citywide. Districts 2, 4, 5 and 8 voted yea. District 1 not present.
NOTE: See Item 50 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A531-B210.)
MOTION BY ROBERTS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-117: (R-90-868) CONTINUED TO JANUARY 22, 1990
Authorizing the execution of an agreement with Belmont Park Associates for construction of water and sewer improvements in the Mission Beach District, together with any modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purpose and intent of this project and agreement; authorizing the expenditure of an amount not to exceed \$662,880 consisting of \$217,511 from Water Revenue Fund No. 41502, Water Systems Construction Program, Annual Allocation for Water Main Replacements (CIP-73-083); \$23,798 from Sewer Revenue Fund No. 41506, Wastewater Systems Construction Program, Annual Allocation for Sewer Main Replacements (CIP-44-001); and \$421,571 from Sewer Revenue Fund No. 41506, Wastewater

Systems Construction Program, Annual Allocation for Pump Station Restorations, for the purpose of providing funds for the above project.

(Mission Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: In conjunction with development of the project commonly known as "Belmont Park," Belmont Park Associates was required to make improvements to sewer and water facilities located in and around Belmont Park in the Mission Beach area. The improvements include replacement of 1,444 feet of 12-inch water pipe, 208 feet of 10-inch water pipe, and 501 feet of 8-inch sewer main and appurtenances (referred to as "Phase I Improvements"), and replacement of Sewer Pump Station No. 12 and appurtenances located near the Bonita Cove Parking lot (referred to as "Phase II Improvements") in the Mission Beach Area. The Phase I and Phase II Improvements are for the benefit of the City as a whole. The proposed agreement provides for reimbursement to the developer for the actual cost to design and construct these improvements. Aud. Cert. 9000517. WU-U-90-067.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A403-475.)

MOTION BY HENDERSON TO CONTINUE TO JANUARY 22, 1990, AT HIS REQUEST, AND REFER TO THE COMMUNITY GROUP FOR INPUT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-118: (R-90-813) ADOPTED AS RESOLUTION R-274848

Authorizing the execution of a one-year lease agreement (with a one-year option to renew) with C.A.S. Galleria, dba Gaslamp Court, for approximately 360 square feet of office space, Suites 9A, 10A and 11A located at 739 Fifth Avenue, at a monthly rental of \$460; authorizing the expenditure of an amount not to exceed \$3,670 from Fund 70212 (\$1,835), Fund 70213 (\$1,101) and Fund 70209 (\$734), for lease costs from November 3, 1989 through June 30, 1990.

(Gaslamp Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The Park & Recreation Department's Downtown Enhancement Program has been in the Gaslamp Building since June of 1987. Its lease agreement

expired May 31, 1989 and was put on a month-to-month holdover by C.A.S. Galleria, the building owner. The department wishes to renew its agreement on the existing office space (240 square feet) and expand into an additional office (120 square feet). The additional space is needed because the Grounds Maintenance Manager and Grounds Maintenance Supervisor now share a small 10 foot by 12 foot office. This overcrowded condition has a detrimental impact on work coordination and overall program effectiveness. Both supervisors need separate office spaces in order to better deal with sensitive personnel matters, conduct staff meetings, coordinate daily work activities and hold conferences with downtown merchants and local vendors. The lease agreement would be for a term of one year with an option to extend for an additional year. Total yearly costs will be \$5,510 for 360 square feet of space. Rent for the option year will be negotiated at the end of the first year as per the agreement.

Aud. Cert. 9000513.

FILE LOCATION: LEAS - C.A.S. Galleria, dba Gaslamp Court
LEASFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-119: (R-90-810) ADOPTED AS RESOLUTION R-274849

Authorizing the addition of CIP-21-840.0, Balboa Park - Plaza de Balboa Cascades and Tile Rehabilitation to the Fiscal Year 1990 Capital Improvement Program; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$12,545 from CIP-21-834.0, Balboa Park Requirements, Transient Occupancy Tax Unappropriated Reserve - Balboa Park Improvements Fund No. 102242, to CIP-21-840.0, Balboa Park - Plaza de Balboa Cascades and

Tile Rehabilitation; waiving the application of Council Policy 300-07, Consultant Services Selection, to the Balboa Park - Plaza de Balboa Cascades and Tile Rehabilitation Project; authorizing the execution of an agreement with Delawie/Bretton/Wilkes Associates, AIA, for professional services required in connection with the Balboa Park - Plaza de Balboa Cascades and Tile Rehabilitation Project,

together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement; authorizing the expenditure of an amount not to exceed \$12,545 from CIP-21-848.0, Balboa Park - Plaza de Balboa Cascades and Tile Rehabilitation, for the above project; authorizing the City Auditor and Comptroller to transfer unexpended funds, if any, to the appropriate reserves upon advice of the Park and Recreation Department.

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The proposed agreement with Delawie Bretton Wilkes Associates, will provide the professional services required to prepare the plans and specifications for the Balboa Park Plaza de Balboa Cascades and Tile Rehabilitation project. The project will modify the water circulation system for the cascades located below the fountain. It will also replace the damaged tile on and adjacent to the Plaza. This consultant prepared the plans and specifications for the existing improvements and is uniquely qualified for this project. Therefore a waiver of Council Policy 300-07 is requested.

Aud. Cert. 9000475.

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-120: (R-90-851) TRAILED TO TUESDAY, DECEMBER 12, 1989,
AT 2:00 P.M.

Authorizing the execution of a contract with Engicon Corporation, the lowest responsible bidder, for the construction of Sewer Pump Station No. 15, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of the project and contract; authorizing the expenditure of an amount not to exceed \$335,730 from the Sewer Revenue Fund 41506, Sewer Systems Construction Program, CIP-46-106.0, Annual Allocation Sewer Pump Station

Restorations, for the purpose of supplementing the amounts previously allocated for the above project.

(Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: On November 8, 1989, three bids were opened for the construction of Sewer Pump Station No. 15. The lowest acceptable bid of \$998,000 was 43.6 percent over the engineer's estimate of \$695,000. Inherent in the high bids were the following additional construction and landscaping costs not reflected in the engineer's estimate: 1) Extensive architectural changes to the pump station structure, and additional landscaping for the area surrounding the pump station to mitigate the comments and concerns of the various reviewing committees after the engineer's estimate was submitted for Council approval; 2) replacement of the proposed diesel generators with natural gas generators for a more reliable secondary source of power; 3) stringent requirements associated with dewatering the construction site. Due to these factors, it is not anticipated that readvertisement will result in any savings to the City. Therefore, staff recommends that this project be awarded to the apparent low bid contractor, ENGICON Corporation, for the amount of \$998,000.

Aud. Cert. 9000509.

WU-P-90-072.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B211-270;G350-430.)

* ITEM-121: (R-90-829) ADOPTED AS RESOLUTION R-274898

Authorizing the execution of an agreement with Pardee Construction Company for construction and reimbursement of sewer pipeline diversion facilities in Sabre Springs, together with any modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement; amending the Capital Improvements Program of Revenue Fund No. 41506 by adding the Sabre Springs Sewer Diversion Facilities Project, CIP-46-167.0, to the Wastewater Systems Construction Program (No. 70492); authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$100,000 within the Sewer Revenue Fund No. 41506, from the Unallocated Reserve No. 70697, to the Wastewater Systems Construction Program No. 70492, Sabre Springs Sewer Diversion Facilities, CIP-46-167.0; authorizing the

expenditure of an amount not to exceed \$100,000 from Sewer Revenue Fund No. 41506, Wastewater Systems Construction Program No. 70492, Sabre Springs Diversion Facilities, CIP-46-167.0, for the purpose of providing funds for the above project; authorizing the City Manager, if circumstances warrant, to finance or refinance this project with tax exempt securities.

(Sabre Springs Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The City desires to have a by-pass sewer line for future diversion of the existing Chicarita Creek Trunk Sewer to the proposed Poway Sewage Treatment and Reclamation Plant to reclaim additional sewage from San Diego. The by-pass line will be constructed in the planned Sabre Springs Parkway between Poway Road and the proposed Poway Reclamation Plant. Pardee Construction Company is responsible for the construction of Sabre Springs Parkway; therefore, it is to the City's benefit to have the by-pass sewer pipeline designed and constructed by Pardee before final paving of Sabre Springs Parkway. In return, the City will reimburse Pardee for the actual cost of the design and construction. The by-pass sewer line includes the installation of approximately 1,000 feet of 18-inch pipeline. The proposed agreement provides for the design, construction and reimbursement of said pipeline. Aud. Cert. 9000441.

WU-U-90-046.

FILE LOCATION: CONT - Pardee Construction Company
CONTFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-122: (R-90-783) ADOPTED AS RESOLUTION R-274850

Authorizing the execution of a first amendment to Agreement for Partial Use and Occupancy of San Diego Jack Murphy Stadium between the City of San Diego and the San Diego National League Baseball, Inc. ("Club"), to allow for a rent credit for the construction of the Customer Service office at the Stadium, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City

Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement.
(Mission Valley Community Area. District-5.)

19891211

CITY MANAGER SUPPORTING INFORMATION: Prior to and during the 1989 baseball season, the San Diego Padres completed major renovations, improvements, and additions to various facilities at the Stadium including their ticket offices, locker room, and batting cage. In addition, the Padres have renovated an area located on the perimeter office of the Stadium and created a Customer Service office. The total cost of all these improvements was over \$1.3 million, which includes \$65,000 for the Customer Service office. The Padres requested that they be given a rent credit for the construction of the Customer Service office. The granting of rent credits are a standard practice at the stadium whenever a tenant constructs a permanent public improvement. Since the Customer Service office would be a permanent improvement that would be utilized by all tenants and provide a better service level to the public, it was agreed that the Padres would be reimbursed for \$60,000 in construction costs. The \$60,000 rent credit will be amortized over three years and deducted in equal annual payments of \$20,000 from the rent payments due to the City. It should be noted that the

Customer Service office has been successfully utilized by all Stadium tenants since April, 1989. The San Diego Stadium Authority Board of Governors at their September 7, 1989 meeting recommended approval of the rent credit.

FILE LOCATION: LEAS - San Diego National League Baseball, Inc.; 61 (Stadium) LEASFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

ITEM-123: TRAILED TO TUESDAY, DECEMBER 12, 1989

Two actions relative to Freeway Agreements for State Route 52:

(See City Manager Report CMR-89-558. Tierrasanta, Mission

Trails Regional Park and East Elliott Community Areas.
District-7.)

Subitem-A: (R-90-885)

Authorizing the execution of an amended agreement with the State of California for the construction and improvements of State Route 52 from 0.3 miles west of Santo Road.

Subitem-B: (R-90-886)

Certifying that the information contained in the Fortuna (Modified Variation No. 2) as the Final Environmental Impact Statement (FEIS), has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines, and has been reviewed and considered by the Council.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A403-475.)

MOTION BY McCARTY TO TRAIL TO TUESDAY, DECEMBER 12, 1989, AT THE CITY MANAGER'S REQUEST. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-124: (R-90-808) ADOPTED AS RESOLUTION R-274851

Authorizing the execution of a Second Amendment to the Agreement of September 28, 1987 with Stone Fisher and Associates, for professional services required in connection with Tecolote Park and Recreation Center Improvements; authorizing the expenditure of an amount not to exceed \$10,000 from PSD Fund No. 11410, CIP-29-616, Tecolote Park and Recreation Center Improvements, for the purpose of providing funds for the above project.

(Linda Vista Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: On September 9, 1987 the City Council authorized an agreement with Stone Fisher and Associates for the preparation of a General Development Plan for the undeveloped part of Tecolote Community Park. That plan has been prepared and was approved by the Park and Recreation Board and its committees in September of 1988. The agreement was then amended to provide the professional services needed to design a visitor center building, a comfort station, a small storage building and other park facilities.

During the design of the project, it was discovered that a water line shown on "as-built" drawings had not been constructed. It

is now necessary to design and construct approximately 2,300 linear feet of off-site water main in order to provide adequate fire protection to the visitor center building. It is also necessary to upgrade the on-site drainage system to accommodate an 18th inch diameter storm drain which discharges onto the site. This proposed Second Amendment to Agreement increases the additional services portion of the agreement by \$10,000 to pay the cost of the off site water main, and the drainage system modifications.

Aud. Cert. 9000476.

19891211

FILE LOCATION: MEET CCONFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-125: (R-90-834) ADOPTED AS RESOLUTION R-274852

Authorizing the execution of a First Amendment to Contract with Ticketmaster of Southern California, for the provision of a Computerized Ticket Printing and Agency System for the Convention and Performing Arts Center, which amendment extends the contract term three years beyond the current final option year of January 1, 1990 through December 31, 1990.

CITY MANAGER SUPPORTING INFORMATION: This contract with Ticketmaster of Southern California provides a computerized ticket printing and agency system for the Convention and Performing Arts Center's box office operation. The current contract is in its fourth year and has provisions for one additional option year beginning January 1990. However at this time, CPAC has requirements for additional Ticketmaster system capabilities that are beyond the scope of the current contract. Such requirements include subscription/series ticketing, on line

credit card authorization with electronic fund transfers, and computerized telephone charge line capabilities for the Center Box Office. Also, CPAC's ticketing volume necessitates additional computer hardware which under the current contract Ticketmaster would derive a monthly fee.

The proposed amendment provides the additional system capabilities as well as three times the current hardware. Additionally, this amendment establishes commissions paid to the City for Ticketmaster's outlet and telephone charge sales of CPAC tickets. In exchange for these contract enhancements, the amendment provides for increases in allowable ticket purchaser service charges and for a three year contract extension beyond the upcoming final option year.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-126: (R-90-836) ADOPTED AS RESOLUTION R-274853

Authorizing the City Manager to enter into lease negotiations with Reidy O'Neils, Inc. for the development and operation of a kiosk at Horton Plaza Park.

(See City Manager Report CMR-89-547. Centre City Community Area. District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-127: (R-90-837) ADOPTED AS RESOLUTION R-274854

Authorizing the expenditure of an amount not to exceed \$21,462 from Gas Tax Fund 32191, CIP-37-028, Annual Allocation, Undergrounding of City Utilities as payment to San Diego Gas and Electric Company, for the purchase and installation of three new street lights to replace existing

pole mounted street lights in the Taylor Street (Pacific Highway to Presidio Drive) Underground Utility District. (Old San Diego Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: As part of the City's Utility Undergrounding Program, existing pole-mounted street lights must be replaced with new street lights when the overhead utilities are removed. Since the City now owns all street lights, it is necessary for the City to pay this cost. SDG&E has estimated the cost of purchasing and installing new street

lights to be \$21,462 if installed by their contractor. The City has the option of purchasing and installing these street lights through a City contract. The City cost estimate for this project is \$23,190, which is more than SDG&E's cost estimate. Aud. Cert. 9000467.

FILE LOCATION: STRT K-147

COUNCIL ACTION: (Tape location: A477-530.)

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

ITEM-150: (R-90-764) ADOPTED AS AMENDED AS RESOLUTION R-274855

Authorizing the City Manager to submit transportation projects described in Table I, of City Manager Report CMR-89-519 to the San Diego County Regional Transportation Commission as the City's five-year expenditure plan (Fiscal Years 1990-1994) for Proposition A funds. (See City Manager Report CMR-89-519.)

COMMITTEE ACTION: Reviewed by TLU on 11/13/89.

Recommendation to approve the program as proposed by the City Manager subject to the following conditions: 1) Reaffirmed support at Jackson Drive and deletion of Clairemont Mesa Blvd; 2) Reaffirmed commitment to Tierrasanta Blvd. connection to Mission Gorge Road to be considered when SR-52 reaches East County, as originally planned; 3) Referred questions raised by the public regarding Texas Street, Carmel Valley Road and Sorrento Valley Road widening, and deletion of Kelton Road Improvements to be replaced by the 43rd and National/Logan realignment, to the City Manager for comment and report to the

City Council. Districts 2, 4, 5 and 8 voted yea. District 1 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G435-H275.)

MOTION BY McCARTY TO APPROVE THE LIST OF ONE-HALF CENT SALES TAX TRANSPORTATION PROJECTS AND NOT DELETE THE I-5/ARDATH ROAD PROJECT ON-RAMP FROM EAST BOUND TO NORTH BOUND. DEFER THE CARMEL VALLEY ROAD PROJECT FOR A PERIOD UP TO SEVEN OR EIGHT YEARS AND CONTINUE THE STUDY REGARDING ARDATH ROAD. REFER THE DOWNTOWN IMPROVEMENT PROJECTS TO STAFF FOR FURTHER EVALUATION.

Second by Henderson. Passed by the following vote:

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

ITEM-151: (R-90-816) ADOPTED AS RESOLUTION R-274856

Waiving Council Policy 700-43 in connection with the payment of fees by the ALBA 80 Society for purposes of holding the Mariachi Festival '89 at the Convention and Performing Arts Center; authorizing the transfer of an amount not to exceed \$6,534 from the General Fund Unallocated Reserve to the General Fund Allocated Reserve; authorizing the expenditure of an amount not to exceed \$6,534 from Fund 100, Dept. 605, Org. 100, Account 4903, to defray costs and expenses incurred by the Convention and Performing Arts Center in connection with the Mariachi Festival '89.

(See Committee Consultant Analysis PFR-89-12.)

COMMITTEE ACTION: Initiated by PFR on 11/8/89. Recommendation to approve the waiver of fees request in the amount of \$6,534.

The Committee identified the General Fund Unallocated Reserve to defray expenses for costs incurred by CPAC. Districts 5, 6 and 8 voted yea. District 7 voted nay. District 1 not present.

Aud. Cert. 9000487.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H276-350.)

MOTION BY FILNER TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-nay, Henderson-yea, McCarty-nay,

Filner-yea, Mayor O'Connor-not present.

ITEM-200: (R-90-832 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-274857

Accepting the San Diego Housing Trust Fund Task Force's Final Report and Recommendations; directing City staff to work with San Diego Housing Commission staff to prepare documents for future City Council consideration for establishment of the Housing Trust Fund and to prepare documents to establish policies, regulations and procedures which can help create affordable housing opportunities within the City.

(See Housing Commission Report HCR-89-009CC.)

19891211

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B306-G350.)

MOTION BY BERNHARDT TO INCLUDE THE ADDENDUM TO THE HOUSING COMMISSION REPORT NO. 89-009CC AND BRING BACK SO THAT THE COUNCIL CAN HAVE AN OPPORTUNITY TO REVIEW THE LAND USE POLICIES

OF THE CITY. Second by Pratt. Passed by the following vote:

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

MOTION BY PRATT TO ACCEPT THE SAN DIEGO TRUST FUND TASK FORCE'S RECOMMENDATIONS AND DIRECT THE CITY MANAGER, THE HOUSING COMMISSION AND THE CONSULTANT, DAVID ROSEN, TO DEVELOP AND PREPARE THE IMPLEMENTING ORDINANCES FOR THE CREATION OF A \$54,000,000 HOUSING TRUST FUND AND BRING THEM BACK FOR COUNCIL CONSIDERATION AND REVISIONS AT A SPECIAL COUNCIL MEETING TO BE HELD WITHIN 90 DAYS. Second by Bernhardt. Passed by the

following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea,
Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-nay,
Filner-yea, Mayor O'Connor-not present.

ADDITIONAL BUSINESS: (R-90-994) ADOPTED AS RESOLUTION R-274899

Approving the concept of creating the San Diego Housing Trust Fund, as described in the Housing Trust Fund Task Force's Final Report and Recommendations.

COUNCIL ACTION: (Tape location: B306-G350.)

MOTION BY ROBERTS TO ENDORSE THE CONCEPT OF THE HOUSING TRUST FUND. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, O'Connor-yea.

ITEM-201: (R-90-828) ADOPTED AS RESOLUTION R-274858

Approving Council Policy 800-13, the Technical Requirements for the Transportation Demand Management Ordinance O-17349.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H351-I155.)

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

ITEM-202: (R-90-814) ADOPTED AS RESOLUTION R-274859

Authorizing the execution of an agreement with Security Pacific National Bank, to provide securities clearance, custody and safekeeping services to the City for a five year period, together with any modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement. (See City Manager Report CMR-89-548.)

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

ITEM-203: (O-90-106) HEARING APPROVED

First public hearing in the matter of:
Amending Ordinance No. 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 Document No. OO-17326-1, as amended and adopted therein, by amending the personnel authorization of the Water Utilities Department (700) Special Projects Division (70700) to delete one Senior Civil Engineer/Registered position and add in lieu one Assistant Deputy Director; exempting the Assistant Deputy Director from the Classified Service; and establishing a salary rate therefor.

CITY MANAGER SUPPORTING INFORMATION: This Ordinance will change the title of one Registered Senior Civil Engineer position to an Assistant Deputy Director and exempt the position from the Classified Service. This action will facilitate the planning and design phases of the Clean Water Program by assisting the Deputy Director in developing, directing, and coordinating departmental policies to ensure the timely implementation of the Clean Water Program. This position will oversee at least 23 City employees plus a large consultant staff for the engineering, environmental, financial, and public participation aspects of the Clean Water Program.
WU-U-90-056.

NOTE: See Item 335 on the docket of Tuesday, December 12, 1989 for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A477-530.)

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

ITEM-204: (R-90-772) ADOPTED AS RESOLUTION R-274860

(Continued from the meetings of October 31, 1989, Item 332, November 14, 1989, Item 335 and November 21, 1989, Item S503; last continued at the City Manager's request, due to lack of time.)

Confirming the costs of weed abatement against the following properties:

(See City Manager Report CMR-89-497.)

Parcel No.	Amount
551-390-42	\$29,624.43
551-390-43 (District-4.)	
543-270-06	\$ 1,604.51

(District-3.)

Authorizing the Fire Chief to bill the affected property owners for the costs of weed abatement to the City; authorizing the City Clerk, on or before August 10, 1990, to forward a copy of this resolution, together with a copy of the Report of the Fire Chief, to the Office of the County Recorder for filing as a lien against each affected parcel, and a copy to the County Auditor for recording on the assessment roll for each affected parcel.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I157-375.)

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

ITEM-S400: (R-90-761) ADOPTED AS RESOLUTION R-274861

(Continued from the meeting of December 4, 1989, Item 105, at Councilmember Wolfsheimer's request, to allow time to receive requested information.)

Approving the acceptance by the City Manager of the deed of PSM Venture No. 1 LTD., dated July 26, 1989, conveying to the City a water easement in Lot 2 of Surf and Turf Unit No. 1, Map-5610; authorizing the execution of a quitclaim deed, quitclaiming to PSM Venture No. 1 LTD. all of the City's right, title and interest in the water easement in Lot 2 of Surf and Turf Unit No. 1, Map-5610.
(Del Mar Community Area. District-1.)

FILE LOCATION: DEED F-5117 DEEDFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

ITEM-S401: (R-90-918) ADOPTED AS RESOLUTION R-274862

Approving the Mayor's and City Manager's recommendation for continuing existence of the San Diego Substance Abuse Commitment (SANDSAC) Committee through June 1990; removing Suzanne Dixon, M.D., Mr. Jack Merker, and Mr. Doug

Wilkerson from Committee membership; confirming the following appointments by the Mayor to serve as members of the San Diego Substance Abuse Commitment (SANDSAC) Committee, pursuant to Section 43(b) of the City Charter:

Will Kennedy, Ph.D.

Marc A. Schuckitt, M.D.

Captain Darrell Snook, Medical Services Corps

United States Navy

CITY MANAGER SUPPORTING INFORMATION: In order to meet the request of the Mayor and City Manager to develop a five-year plan for combatting drug abuse in San Diego, the following amendments to SANDSAC are required:

Extend the life of the Committee through June, 1990; remove three members who, due to professional demands, are unable to participate in Committee activities; approve the appointment of three new SANDSAC members.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A246-340.)

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

ITEM-S402: (R-90-922) ADOPTED AS RESOLUTION R-274863

Council confirmation of the following appointments and reappointments by the Mayor to serve as members of the Board of Appeals and Advisors (Buildings), representing categories as specified, for terms as indicated:

(See Memorandum from Mayor O'Connor dated 12/4/89 with resumes attached.)

NAME	CATEGORY	TERM	EPIRES
Milton Burgess (To replace Bobby Johnson, whose term has expired)	Mechanical Engineer	3/1/90	
Gene Hussey (To replace James Still, who has resigned)	General Contractor	3/1/90	
Anthony Court (To replace Robert E. Dyson, whose term has expired)	Structural Engineer	3/1/90	
Janice Fahey (To replace Thomas T.	Architect	3/1/90	

Williamson, whose term
has expired)

Berenice M. Bernard (Reappointment)	Disabled	3/1/91
Edward J. Tyler (Reappointment)	Electrical Industry	3/1/90
Richard L. Miller (Reappointment)	Structural Engineer	3/1/91

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A477-530.)

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

ITEM-S403: (R-90-921) ADOPTED AS RESOLUTION R-274864

Council confirmation of the appointment by the Mayor of
Jeff Fuller (Acoustician) to serve as a member of the Noise
Abatement and Control Board, for a two-year term ending
January 1, 1992, to replace Jack Zimmerman (Electronic
Engineer), who has resigned.

(See memorandum from Mayor O'Connor dated 12/4/89.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A477-530.)

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

ITEM-S404: (R-90-920) ADOPTED AS RESOLUTION R-274865

Council confirmation of the following appointments by the
Mayor to serve as members of the Park and Recreation Board
for terms ending March 1, 1991:

(See memorandum from Mayor O'Connor dated 12/4/89 with
resume attached.)

Terrence J. Curran

(To replace Verna Quinn, whose term has expired)

Mark Bruce

(Reappointment)

Lyndelle D. Fairlie
(Reappointment)
Katharine J. Kharas
(Reappointment)
Confirming the appointment of Bonnie Reading to serve as
Chair of the Board.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A477-530.)

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

ITEM-S405: (R-90-919) CONTINUED TO DECEMBER 12, 1989

Council confirmation of the following appointments by the
Mayor to serve as members of the Land Development Advisory
Board:

(See memorandum from Mayor O'Connor dated 12/4/89 with
resumes attached.)

NAME	CATEGORY	TERMS ENDS
William J. Kirchnavy (To replace Arthur L. Carver, who has resigned)	Licensed Contractor in Land Grading Operations	March 1, 1991
H. Tom Kuper (To replace Bruce M. Lang, who has resigned)	Engineering Geologist	March 1, 1990
Ure Kretowics (To replace John D. Read, who has resigned)	Builder - Developer	March 1, 1990
Mildred Love (Reappointment)	Architect	March 1, 1991
Robin Shifflet (Reappointment)	Landscape Architect	March 1, 1991
Douglas C. Paul (Reappointment)	Registered Civil Engineer	March 1, 1991

FILE LOCATION: --

COUNCIL ACTION: (Tape location: I376-380.)

MOTION BY HENDERSON TO CONTINUE TO DECEMBER 12, 1989, AT HIS REQUEST. Second by Pratt. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-not present.

ITEM-S406: (R-90-929) RETURNED TO THE MAYOR

Council confirmation of the following appointments by the Mayor to the Funds Commission for terms to expire as indicated:

(See memorandum from Mayor O'Connor dated 12/5/89 with resume attached.)

NAME	TERM ENDING
Janice A. Strode	January 28, 1994

(Appointment for a four-year term commencing January 28, 1990, to replace Richard Tartre, who has resigned)

Kenneth Kurtz	January 28, 1993
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(Bank Official)
(Reappointment)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A403-475.)

MOTION BY McCARTY TO RETURN TO THE MAYOR, AT THE MAYOR'S REQUEST. Second by Pratt. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-not present.

ITEM-S407: (R-90-924) ADOPTED AS RESOLUTION R-274866

Amending the Joint Powers Agreement between the City of San Diego and the County of San Diego as it relates to the San Diego City-County Camp Authority to amend Section 19 thereof, entitled "Termination" to provide a date certain as required by law.

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

CONSENT MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed

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

ITEM-S408: (O-90-109) HEARING APPROVED

First public hearing in the matter of:

Amending Ordinance No. 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 Document No. OO-17326-1, as amended and adopted therein, by exempting one Principal Planner position from the Classified Service; causing the personnel authorization schedule of the Planning Department (065) to reflect the Principal Planner Position as Unclassified; and establishing a salary rate therefor.

(See the memorandums from the City Planning Director dated 9/25/89 and from the Personnel Director dated 9/29/89.)

CITY MANAGER SUPPORTING INFORMATION: This ordinance will exempt one Principal Planner for the Maps and Special Permits Section of the City Planning Department from the Classified Service pursuant to City Charter Section 117 (17). This Principal Planner position was approved by the Council as a part of the Planning Department's Fiscal 1990 budget. The position will have significant responsibilities for formulating and administering departmental policies and programs related to the Planned District Group, the Subdivision Group, and through formulation of community plan implementing legislation. The proposed exemption was reviewed by the Civil Service Commission on October 5, 1989 and was found to meet the criteria of Charter Section 117 for exemption from Classified Service.

NOTE: See Item S500 on the docket of Tuesday, December 12, 1989 for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A477-530.)

CONSENT MOTION BY BERNHARDT TO APPROVE. Second by Pratt.

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

ITEM-S409: (R-90-809) ADOPTED AS RESOLUTION R-274867

Commending Berkman and Daniels for its efforts to promote

the "Real Change Helping Hand" campaign to assist the homeless and needy in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A341-400.)

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

* ITEM-S410: (R-90-609) ADOPTED AS RESOLUTION R-274868

Awarding a contract to Derek Downey Pool and Spa for the purchase and installation of fiberglass coating at Clairemont Pool for a total cost of \$29,500, including tax and terms; authorizing the City Auditor and Comptroller to expend funds for the purchase of said material.

(BID-G1080/90)

(District-6.)

Aud. Cert. 9000544.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-S411: (R-90-941) ADOPTED AS RESOLUTION R-274869

Rejecting all bids received on July 10, 1989 for the Construction of the Alvarado Filtration Plant Training Facility. (BID-0826/89)

(Navajo Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: Bids were opened on August 30, 1989 for the construction of the Water Utilities Department Training Facility - Phase II. 133 bid packages were issued and 4 bids were received. The low bidder requested that its bid be withdrawn based upon a clerical error. The request was acknowledged by the Purchasing Agent, and the award of the contract was then directed to the second low bidder. The second low bidder was unable to attain the equal opportunity program goals of 20 percent for Minority Business Enterprises (MBE)

and 7 percent for Women Business Enterprises (WBE). In addition, the second low bidder was unsuccessful in establishing a good-faith effort as defined by the Purchasing Agent. Therefore, this request to reject all bids is proposed. The existing building permit was issued on July 27, 1989, under the 1982 Uniform Building Code (UBC), and will expire on January 22, 1990, prior to the readvertisement. The plans and specifications will be modified to meet the newly adopted 1988

UBC. The Architect's Agreement will be amended at a later date to include the rework of the plans and specifications to meet the 1988 UBC requirements. This work will be done in a timely manner to minimize delays in the construction of the Training Facility.
WU-P-90-070.

FILE LOCATION: W.O. 170281/180241

COUNCIL ACTION: (Tape location: A477-530.)

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

- * ITEM-S412: (R-90-910) ADOPTED AS RESOLUTION R-274870
Approving Parcel Map TM-87-0885, being a division of Lots 6 and 7 of Lusk Industrial Park Unit No. 1.
(Located northwesterly of Scranton Road and Carroll Canyon Road. Mira Mesa Community Area. District-5.)

FILE LOCATION: SUBD - Lusk Industrial Park Unit No. 1

COUNCIL ACTION: (Tape location: A477-530.)

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

- * ITEM-S413: (R-90-855) ADOPTED AS RESOLUTION R-274871
Authorizing the execution of an agreement with the State of California, for joint participation in a state highway improvement project consisting of a half-diamond interchange at I-805 and Nobel Drive, together with any necessary modifications or amendments which do not increase

the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of the project and agreement; authorizing the

expenditure of an amount not to exceed \$580,000 from CIP-52-362.0, Nobel Drive and I-805 Interchange, Fund No. 79001, for the purposes of providing funds for the above project.

(University Community Area. Districts-1 and 5.)

CITY MANAGER SUPPORTING INFORMATION: This project is included in the Council approved Public Facilities Financing Plan and Facilities Benefit Assessment for North University City and FY 1990 Capital Improvement Program. The project consists of the construction of a half-diamond interchange at Nobel Drive and I-805. This agreement between the City of San Diego and the State of California identifies areas of responsibilities and financial obligation for the preparation of construction documents. The City of San Diego will be responsible for preparation of Environmental Documents, detailed Plans, Specification and Estimates (PS&E) and secure all necessary permits. The State of California will prepare the Project Report, review, monitor and approve all studies and plans and provide all necessary implementation activities through advertising of the project. The construction of the project will be the subject of a separate future agreement. This project will be 100 percent funded by Facilities Benefit Assessment. This agreement provides for \$360,000 to be deposited with the State for costs incurred during the development of the Project Report and \$220,000 for State oversight of the Environmental Documents and PS&E. The State will return the \$220,000 if a construction contract is awarded within five years or five years plus extension from the execution of this agreement.

Aud. Cert. 9000511.

FILE LOCATION: MEET CONFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-S414: (R-90-896) ADOPTED AS RESOLUTION R-274872

Authorizing the execution of a second amendment to

agreement with Rees and Associates, Inc. for legislative

representation services in Sacramento, California, for a period of 60 days from and after January 1, 1990.

(See Intergovernmental Relations Department Report IRD-89-39.)

COMMITTEE ACTION: Reviewed by RULES on 12/6/89.

Recommendation to approve a 60 day amendment to agreement with direction to IRD staff to negotiate a full year agreement and return to Rules with a full year agreement. Districts 1, 2, 4, 5, 8 and Mayor voted yea.

FILE LOCATION: MEET CONTFY90-1

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-S415:

Two actions relative to the weather modification program:

Subitem-A: (R-90-849) ADOPTED AS RESOLUTION R-274873

Authorizing the execution of a three party agreement with Helix Water District and Sweetwater Authority, to participate in a weather modification program, together with any reasonably necessary modifications or amendments, which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement; authorizing the execution of an agreement with Atmospherics Incorporated, for the purpose of administering a cloudseeding project, together with any reasonably necessary modifications or amendments, which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement; authorizing the expenditure of an amount not to exceed \$150,000 from the Water Fund No.41500 for the purpose of providing funds for the above contract.

Subitem-B: (R-90-850) ADOPTED AS RESOLUTION R-274874

Certifying that the information contained in Environmental

Negative Declaration DEP-88-1225 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: Last winter, the City of San Diego, the Helix Water District and the Sweetwater Authority entered into an agreement for a pilot project, to test the feasibility of cloud seeding in San Diego. This project was implemented in order to find a solution to partially alleviate the currently dry winter trend occurring in California. The results of the pilot project appeared to be favorable; however, not enough winter storms occurred to fully evaluate the program on a long term basis.

It is recommended that the City of San Diego, the Helix Water District and the Sweetwater Authority jointly fund a continuation of the pilot cloud seeding program. It is felt that the program should raise the existing low water levels of the reservoirs located in the target area. Furthermore, this project will serve as a continuation of last year's pilot project and will allow us to gather important data relating to the project and its efficiency. All data and results will be very useful to determine if future cloud seeding projects should continue. The contract with Atmospherics, Inc., provides funding for the 1989-1990 program only, but allows for the City to continue the program, at its option, for up to four more years.

Aud. Cert. 9000518.

WU-P-90-075.

FILE LOCATION: MEET CONFY90-3

COUNCIL ACTION: (Tape location: A477-530.)

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

ITEM-S416: (R-90-889) TRAILED TO TUESDAY, DECEMBER 12, 1989,
AT 10:00 A.M.

Accepting Mr. John Carlson's generous donation to pay for the costs of painting the mural on the back of the scoreboard at San Diego Jack Murphy Stadium, as described in City Manager Report CMR-89-571, subject to review of the proposed work by a joint committee of members of the

Stadium Authority Board and the Commission of Arts and Culture.

(See City Manager Report CMR-89-571. Mission Valley Community Area. District-5.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A403-475.)

MOTION BY McCARTY TO TRAIL TO TUESDAY, DECEMBER 12, 1989, AT 10:00 A.M., AT THE CITY MANAGER'S REQUEST. Second by Roberts.

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

ITEM-S417:

Alternate Resolutions relating to the settlement of the Property Damage Claim of Ronald J. Anderson, Superior Court Case No. 587008 (Anderson v. City of San Diego, et al): (See City Manager Report CMR-89-573. Navajo Park Community Area. District-7.)

Subitem-A: (R-90-904) FILED, AS A RESULT OF THE ADOPTION OF SUBITEM B

Directing the City Manager to begin the partial subdivision of the City owned property commonly known as the "Bedlow Court" site to subdivide that portion of the site fronting Monte Verde Drive into three separate parcels while retaining either a ten foot wide easement or fee for access from Monte Verde Drive to the remaining parcel; directing the City Manager, once the subdivision has occurred, to market the three separate lots for sale and dedicate the remaining parcel for park purposes as part of Tuxedo Neighborhood Park; directing the City Manager to deposit the sale proceeds from the sale of the three subdivided

lots into Fund 30252, Capital Outlay Open Space Fund, to reimburse that fund for the settlement proceeds used to settle the City's liability in the above described litigation, such deposit shall not exceed \$100,000; directing the City Manager to deposit any remaining sale proceeds over \$100,000 into Fund 302453, Capital Outlay Other Fund, to be used solely and exclusively for the improvement of the remaining City owned Bedlow Court site for park purposes.

Subitem-B: (R-90-906) ADOPTED AS RESOLUTION R-274875

Directing the City Manager to begin the partial subdivision

of the City owned property commonly known as the "Bedlow Court" site to subdivide that portion of the site fronting Monte Verde Drive into three separate parcels while retaining either a ten foot wide easement or fee for access from Monte Verde Drive to the remaining parcel; directing the City Manager, once the subdivision has occurred, to market the three separate lots for sale and dedicate the remaining parcel for park purposes as part of Tuxedo Neighborhood Park; directing the City Manager to deposit the sale proceeds from the sale of the three subdivided lots into Fund 30252, Capital Outlay Open Space Fund, to reimburse that fund for the settlement proceeds used to settle the City's liability in the above described litigation, such deposit shall not exceed \$100,000; directing the City Manager to deposit any remaining sale proceeds over \$100,000 into Fund 302453, Capital Outlay Other Fund.

NOTE: Council is to adopt either Subitem A or Subitem B.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I381-450.)

Motion by McCarty to adopt Subitem A. Second by Filner.

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

MOTION BY McCARTY TO ADOPT SUBITEM B. Second by Henderson.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,

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

ITEM-S418:

Two actions relative to the Construction of Sail Bay Improvement - Phase III:

(Mission Bay Park Community Area. District-6.)

Subitem-A: (R-90-610) ADOPTED AS RESOLUTION R-274876

Adoption of a Resolution accepting the low bid of \$1,296,000 and awarding a contract to Citadel Construction Inc. for the Construction of Sail Bay Improvements - Phase III; 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 \$78,900 Capital Outlay Other Reserve Fund 302453, CIP-90-245, Capital Outlay Fund Unallocated Reserve to CIP-22-031.2, Sail (Crescent) Bay - Development, Phase III; authorizing the expenditure of an

amount not to exceed \$194,489 (\$78,900 from CIP-22-031.2, Sail (Crescent) Bay - Development, Phase III and \$115,589 from Sewer Revenue Fund 41506, CIP-46-158, Mission Bay Sewage Interceptor System) to supplement funds previously authorized by Resolution R-274022, adopted on July 24, 1989 for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-0837/89A)

Subitem-B: (O-90-110) HEARING APPROVED

First public hearing in the matter of:

Amending Ordinance O-17326 entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1989-1990 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year," by increasing the Capital Improvements Program by adding \$78,900 in CIP-22-031.2, Sail (Crescent) Bay - Development, Phase III.

NOTE: See Item S504 on the docket of Tuesday, December 12, 1989, for the introduction and adoption of the ordinance.

CITY MANAGER SUPPORTING INFORMATION: The initial bid opening for the construction of Sail Bay Development - Phase III, including a portion of the Mission Bay Sewage Interceptor System (MBSIS), was on September 6, 1989, and resulted in a single bid, 44.3 percent over the engineer's estimate. On October 13, 1989, City Council authorized bid rejection and project

readvertisement. Subsequently, 3 bids were opened on November 9, 1989. The apparent low bid was submitted by Citadel Construction, Inc. with \$1,296,000. This low bid is 16 percent over the project construction cost estimate of \$1,117,958. As this project was readvertised once already, it is doubtful that readvertisement would result in a lower bid and the project schedule would suffer. Project construction must begin soon in order to not delay the MBSIS which is required by Regional Water Quality Control Board Cease and Desist Order.

Aud. Cert. 9000539.

WU-P-90-076.

FILE LOCATION: Subitem A CONT - Citadel Construction Inc.,
Subitem B-- CONFY90-1

COUNCIL ACTION: (Tape location: I460-600.)

MOTION BY HENDERSON TO APPROVE STAFF'S RECOMMENDATION. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-not present,

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

* ITEM-S419: (O-90-67) INTRODUCED, TO BE ADOPTED JANUARY 8, 1990

Introduction of an Ordinance amending Chapter II, Article 6, of the San Diego Municipal Code by adding Division 8, and adding Sections 26.0801, 26.0802 and 26.0803, relating to the Citizens Advisory Board on Police/Community Relations.

(See City Manager Reports CMR-87-310 and CMR-87-255.)

COMMITTEE ACTION: Reviewed by RULES on 12/6/89.

Recommendation to allow waivers to City residency requirement, and to include a provision which requires removal from the board after three consecutive missed meetings, unless good and valid reasons for such absences are presented. Districts 1, 2, 4, 5, 8 and Mayor voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A477-530.)

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

* ITEM-S420: (R-90-933) ADOPTED AS RESOLUTION R-274877

Approving the following workshop schedule recommended by the Rules Committee:

January 11, 1990, 2:00 p.m. - Growth Management

January 12, 1990, 10:00 a.m. - Charter Review, Campaign Reform, other ballot propositions

January 18, 1990, 2:00 p.m. - Budget, Citizens' Finance Committee

February 8, 1990, 2:00 p.m. - Budget Decisions

February 22, 1990, 2:00 p.m. - Council Committee System

March 1, 1990, 2:00 p.m. - Redevelopment Process

COMMITTEE ACTION: Initiated by RULES on 12/6/89. Recommendation to approve the above Council Workshop Schedule. Districts 1, 2, 4, 5, 8 and Mayor voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A477-530.)

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

NON-DOCKET ITEMS:

ITEM-ND-1: REFERRED TO CITY CLERK

Consideration of resignations of City appointees for Port Commission.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: I601-668.)

MOTION BY FILNER TO ACCEPT THE ITEM FOR CONSIDERATION. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

MOTION BY FILNER TO DIRECT THE CITY CLERK TO DOCKET THE MATTER OF THE RESIGNATIONS OF THE CITY'S APPOINTEES TO THE PORT COMMISSION FOR THE JANUARY 8, 1990 COUNCIL MEETING. Second by Hartley.

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

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy Mayor Wolfsheimer at 8:20 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: I669-J055).