

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JUNE 24, 1991
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 2:08 p.m. Chairperson Wolfsheimer adjourned the meeting at 6:06 p.m. to meet in Closed Session on June 25, 1991, at 9:00 a.m. in the 12th Floor Conference Room to discuss litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-excused by R-278266
(vacation)
 - (3) Council Member Hartley-present
 - (4) Council Member Pratt-present
 - (5) Council Member Behr-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour/Fishkin (rb)

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 Hartley-not present
- (4) Council Member Pratt-present

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

ITEM-10: INVOCATION

Invocation was given by Reverend Henry De Graff, Mira Mesa United Church of Christ.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Deputy Mayor Filner.

FILE LOCATION: MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
5/13/91
5/13/91 Special
5/14/91
5/13/91 Special, held 5/14/91
5/20/91
5/21/91
5/21/91 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A038-042.)

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

ITEM-31: PRESENTED

Presentation to City Employees from the City Manager
for Outstanding Drivers of 1990.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A043-064.)

ITEM-32: (R-91-2121) ADOPTED AS RESOLUTION R-278113

Authorizing a suggestion award and making a
presentation to Dennis Simmons - General Services
Department - \$2,157.75.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A064-098.)

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

ITEM-33: DENIED HEARING

Matter of the request of Shawn Elihu for a hearing of
an appeal from the decision of the Planning Commission
in denying Planned Residential Development Permit
PRD-90-0715 for the construction of a two-story
apartment building containing six units above
underground parking. The subject property is located
at 5615 Gaines Street and is more particularly
described as Lot 2, Block D, Bayview Quarters, Map-1654
in the R-1000 Zone in the Linda Vista Community Plan
area.
(PRD-90-0715. District-6.)

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

FILE LOCATION: PERM PRD-90-0715

COUNCIL ACTION: (Tape location: A106-118.)

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

- * ITEM-50: (O-91-154 CORR.COPY) ADOPTED AS ORDINANCE O-17657
(New Series)

Amending Chapter X, Article 1, Division 1, of the San
Diego Municipal Code, relating to Child Care
Facilities, to regulate large day care homes and child
care centers throughout the City.
(Introduced on 6/4/91. Council voted 7-0. Districts 5
and 8 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A489-493.)

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

- * 51: (O-91-178) ADOPTED AS ORDINANCE O-17639 (New Series)

Authorizing a Facilities Lease and a Site and
Facilities Lease with the San Diego Facilities and
Equipment Leasing Corporation in connection with
improvements in Balboa Park and Mission Bay Park;
authorizing a Trust Agreement and approving the form of
Assignment Agreement with Bank of America National
Trust & Savings Association.
(Dists. 2 and 3)

NOTE: 6 votes required.

FILE LOCATION: LEAS - San Diego Facilities and Equipment
Leasing Corporation Leas FY91-1

COUNCIL ACTION: (Tape location: A489-493.)

CONSENT MOTION BY FILNER TO DISPENSE WITH THE READING AND
ADOPT. Second by Pratt. Passed by the following vote:

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

- * ITEM-52: (O-91-131) ADOPTED AS ORDINANCE O-17658 (New Series)

Rezoning 90.8 acres generally bounded on the east by Otay Valley Road and on the north by the San Diego City limits, more specifically identified on Map C-778, within the Robinhood Ridge Precise Plan into R-1-5000, R-3000, R-1750 and CN Zones.
(Case-86-1014. Otay Mesa Community Area. District-8. Introduced on 6/4/91. Council voted 9-0.)

FILE LOCATION: ZONE ORD NO.

COUNCIL ACTION: (Tape location: A489-493.)

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

- * ITEM-53: (O-91-185) INTRODUCED, TO BE ADOPTED JULY 8, 1991

Introduction of an Ordinance authorizing the execution of an agreement with the San Diego Unified School District, for construction, operation, maintenance and lease of turfed field and recreation facilities at Pacific Beach Middle School, as well as 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 this project and agreement.
(Pacific Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Pacific Beach Middle School is located between Diamond Street and Felspar Street on the north and south and between Ingraham Street and Gresham Street on the east and west. The City and San Diego Unified School District have a joint use agreement which allows the City to use a portion of the school's playground as a lighted softball field after school hours. That agreement expires in August 2002.

The City desires to add turf to the softball field and the District agrees. Under the proposed joint use agreement, the City will be permitted to construct the turfed field and maintain it in exchange for public use during non-school hours. The District uses the field during school hours. The new agreement, which grants the City use for 25 years, expires in April 2016. The requested Council action only approves an agreement with the School District. The construction of the turfed field will be approved by a separate Council action.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A494-513.)

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

* ITEM-54: (O-91-184) INTRODUCED, TO BE ADOPTED JULY 8, 1991

Introduction of an Ordinance authorizing the execution of an agreement with the San Diego Unified School District, for construction, operation, maintenance and lease of turfed field and recreational facilities at King Elementary School, as well as 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 this project and agreement.

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

CITY MANAGER SUPPORTING INFORMATION: King Elementary School is located on the south side of Island Avenue between 31st Street and 32nd Street. The City and San Diego Unified School District have a joint use agreement which allows the City to use the playground for recreational purposes after school hours until August 2008. The City desires to add turf to the playground and provide a new backstop and other minor improvements, and the District agrees. The proposed joint use agreement permits the City to construct improvements, maintain them and use them during non-school hours. The District uses the improved playground during school hours and grants the City use of the facilities for 25 years until April 2016. The requested Council action only approves an agreement with the School District. The construction of improvements was approved by Council in January 1991. A construction contract has been awarded and work will start in

June 1991.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A494-513.)

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

* ITEM-100: (R-91-1345) ADOPTED AS RESOLUTION R-278114

Awarding a contract to 3M Company for the purchase of
non-reflective and reflective pressure-sensitive,
adhesive vinyl sheeting, as may be required for a
period of one year beginning May 1, 1991 through April
30, 1992, for an estimated cost of \$114,264, including
tax, with an option to renew the contract for four
additional one year periods, with increases not to
exceed 5 percent of prices in effect at the end of each
prior contract period. (BID-H2210/91)

FILE LOCATION: CONT-PURCHASE-3M Company CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-101: (R-91-1359) ADOPTED AS RESOLUTION R-278115

Awarding a contract to American Eagle Ammunition, Inc.
for the purchase of reloaded ammunition, as may be
required for a period of one year beginning July 1,
1991 through June 30, 1992, for an estimated cost
\$116,178, including tax and terms, with an option to
renew the contract for four additional one year
periods. (BID-I2276/91)

FILE LOCATION: CONT-PURCHASE-American Eagle Ammunition,
Inc. CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-102: (R-91-1358) ADOPTED AS RESOLUTION R-278116

Awarding a contract to Imperial West Chemical Co. for
furnishing liquid caustic soda, as may be required for
a period of one year beginning July 1, 1991 through
June 30, 1992, for an estimated cost of \$456,699.54,
including tax, with an option to renew the contract for
one additional one year period, with price escalation
not to exceed 15 percent of the bid price; in the event
the contract vendor fails to deliver material meeting
specifications, the Purchasing Agent is authorized to
terminate the contract and award to the next
responsible and responsive bidder, and to successive
bidders, if necessary, or to purchase liquid caustic
soda on the open market until the contract can be
rebid. (BID-2285/91)

FILE LOCATION: CONT-PURCHASE-Imperial West Chemical Co.
CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-103: (R-91-1350) ADOPTED AS RESOLUTION R-278117

Awarding a contract to Thermo Jarrell Ash Corporation
for the purchase of one computer controlled double beam
atomic absorption, atomic emission spectrometer with
Computer Upgrade at an actual cost of \$88,533.94,
including tax; authorizing the expenditure of not to
exceed \$88,533.94 from Department 700, Organization
422, Object Account 6010, and Job Order 81508, for
providing funds for said project and related costs;
authorizing the Auditor and Comptroller, upon advice

from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-B2248/91)

Aud. Cert. 9100918.

FILE LOCATION: CONT-PURCHASE-Thermo Jarrell Ash Corporation
 CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-104: (R-91-1351) ADOPTED AS RESOLUTION R-278118

Awarding a contract to Hewlett-Packard Company for one gas chromatograph/mass spectrometer for air toxics analysis for an actual cost of \$139,396.60, including tax; authorizing the expenditure of not to exceed \$139,396.60, from Department 700, Organization 422, Object Account 6010, and Job Order 81528, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-B2259/91)

Aud. Cert 9100919.

FILE LOCATION: CONT-PURCHASE-Hewlett-Packard Company
 CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-105: (R-91-1348) ADOPTED AS RESOLUTION R-278119

Awarding a contract to Pacific Sewer Maintenance Corp. for sewer line chemical root treatment for approximately 97,243 feet of City sewer lines at a cost of \$1.08 per foot, for an estimated cost of \$110,688.40, including tax and terms; authorizing the expenditure of not to exceed \$100,688.40 from Department 700, Organization 490, Object Account 4222, and Job Order 4205, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-G2247/91)
(Districts 3, 5, and 6.)

Aud. Cert. 9100920.

FILE LOCATION: CONT-PURCHASE-Pacific Sewer Maintenance Corp. CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-106: (R-91-1352) ADOPTED AS RESOLUTION R-278120

Awarding a contract to Sur-Lite Corporation, for one landfill gas flare station for a total cost of \$190,460, including tax and terms; authorizing the expenditure of not to exceed \$190,460 from Department 30244, Fund 41201, Organization 106, Object Account 4922, and Job Order 372500, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-G2298/91)

Aud. Cert. 9100914.

FILE LOCATION: CONT-PURCHASE-Sur-Lite-Corporation CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-107: (R-91-1357) ADOPTED AS RESOLUTION R-278121

Awarding contracts to Star Tool & Supply, Ace Hardware,
Safety West, and Automotive Painting Products for the
purchase of paints, coatings, and brushes, for an
estimated cost of \$77,364, including tax and terms, as
may be required for a period of one year beginning July
1, 1991 through June 30, 1992, with options to renew
the contracts for two additional one year periods.
(BID-P2337/91)

FILE LOCATION: CONT-PURCHASE-Star Tool & Supply, Ace
Hardware, Safety West, and Automotive
Painting Products CONT FY91-4

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-108: (R-91-1344) ADOPTED AS RESOLUTION R-278122

Awarding contracts to Calolympic Glove and Safety Co.,
Safety West, and Vallen Safety Supply for the purchase
of gloves, for an estimated cost of \$143,619.50, as may
be required for a period of one year beginning May 1,
1991 through April 30, 1992, with options to renew the
contracts for four additional one year periods.
(BID-P2066/91)

FILE LOCATION: CONT-PURCHASE-Calolympic Glove and Safety
Co., Safety West, and Vallen Safety Supply
CONT FY91-3

COUNCIL ACTION: (Tape location: A514-509.)

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

ITEM-109: (R-91-1356) ADOPTED AS RESOLUTION R-278123

Awarding a contract to South Bay Fence Inc., for the
purchase of chain link fence repairs and miscellaneous
parts, as may be required for a period of one year
beginning June 1, 1991 through May 31, 1992, for an
estimated cost of \$50,000, including tax and terms,
with options to renew the contract for two additional
one year periods, with option period price increases
not to exceed the prices in effect for the previous
contract period by more than 5 percent. (BID-G2332/91)

FILE LOCATION: CONT-PURCHASE-South Bay Fence Inc.
CONT FY91-1

COUNCIL ACTION: (Tape location: A562-596; B089-097.)

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

* ITEM-110: (R-91-1355) ADOPTED AS RESOLUTION R-278124

Awarding a contract to Aztec Landscape Co. for
furnishing complete landscape maintenance of the
designated medians, rights-of-way, easements and open
space within Carmel Valley Landscape and Lighting
Maintenance District (Contract 2), as may be required
for a period of one year beginning July 1, 1991 through
June 30, 1992, for an estimated cost of \$170,335,
including terms, with options to renew the contract for
four additional one year periods with increases not to
exceed 15 percent of the prices in effect in each prior
period; declaring that in the event the Contractor does
not perform to specifications, the Purchasing Agent is
authorized to terminate the contract and award to the
next low responsive and responsible bidder and to
subsequent bidders, if necessary, until a bidder is
found who performs to specifications. (BID-C2261/91)

(District-1.)

FILE LOCATION: STRT M-231 CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-111: (R-91-1354) ADOPTED AS RESOLUTION R-278125

Awarding a contract to C. R. Jaeschke, Inc. and San
Diego Turf, for the purchase of commercial lawn mowers
for a total cost of \$89,132.48, including tax and
terms; authorizing the expenditure of not to exceed
\$89,132.48 from Fund 100, Department 443, Organization
550, Object Account 6010, and Job Order 44355, for
providing funds for said project and related costs;
authorizing the Auditor and Comptroller, upon advice
from the administering department, to transfer excess
budgeted funds, if any, to the appropriate reserves.
(BID-G2317/91)

Aud. Cert. 9100929.

FILE LOCATION: CONT-PURCHASE-C.R. Jaeschke, Inc. and San
Diego Turf CONT FY91-2

COUNCIL ACTION: (Tape location: A514-509.)

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

ITEM-112: (R-91-2096) ADOPTED AS RESOLUTION R-278126

Awarding contracts to Nationwide Papers and Unisource
Corporation for the purchase of bond xerographic high
speed copy paper, as may be required for a period of
six months beginning June 1, 1991 through November 30,
1991, with options to renew the contracts for five
additional six month periods. (BID-P2083/91)

FILE LOCATION: CONT-PURCHASE-Nationwide Papers and
Unisource Corporation CONT FY91-2

COUNCIL ACTION: (Tape location: B010-036; E181-234.)

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

* ITEM-113: (R-91-2092 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-278127

Awarding a contract to Reach All for three van-mounted
aerial towers (Reach All model LM40 mounted on a
Chevrolet P6S042 chassis), and to Contractors Equipment
Co. for one aerial tower crane (Simon - RO model
TC1647N mounted on a Ford F800 cab and chassis complete
with 19-foot flat bed body, for a total cost of
\$340,154.07; authorizing the expenditure of not to
exceed \$340,154.07 from Fund 50031, Department 8201,
Object Account 6013, and Job Order 88091, for providing
funds for said project and related costs; authorizing
the Auditor and Comptroller, upon advice from the
administering department, to transfer excess budgeted
funds, if any, to the appropriate reserves.
(BID-C2217/91)

Aud. Cert. 9100925.

FILE LOCATION: CONT-PURCHASE-Reach All and Contractors
Equipment Co. CONT FY91-2

COUNCIL ACTION: (Tape location: A514-509.)

CONSENT MOTION BY HARTLEY TO ADOPT AS AMENDED RETURNING ITEM
1 OF THE CONTRACT TO THE CITY MANAGER. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114: (R-91-1353) ADOPTED AS RESOLUTION R-278128

Awarding contracts to Air Cold Supply, Allied
Refrigeration, Appliance Parts Center, Chick's

Electrical, Grainger, Inc., George T. Hall Co., Heating & Cooling Supply, Honeywell, Inc., Johnson Controls, Inc., Johnstone Supply, Pameco Aire, and Refrigeration Supply Distribution for will call service for the purchase of parts and supplies relating to heating, ventilating, air conditioning, refrigeration and appliances, as may be required for a period of one year beginning February 1, 1991 through January 31, 1992, for an estimated total cost of \$50,000, including tax and terms, with an option to renew the contracts for two additional one year periods.
(BID-G1987/91)

FILE LOCATION: CONT-PURCHASE-Air Cold Supply, Allied Refrigeration, Appliance Parts Center, Chick's Electrical, Grainger, Inc., George T. Hall Co., Heating & Cooling Supply, Honeywell, Inc., Johnson Controls, Inc., Johnstone Supply, Pameco Aire, and Refrigeration Supply Distribution
CONT FY91-12

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-115: (R-91-1573) ADOPTED AS RESOLUTION R-278129

Rejecting all bids received on May 2, 1991 and readvertising for bids for the Construction of San Pasqual Aquatic Treatment Facilities - Contract No. 2 on Work Order No. 181061; approving the amended plans and specifications for the furnishing of all labor material, tools, equipment, transportation and other expense necessary or incidental for the Construction of San Pasqual Aquatic Treatment Facilities - Contract No. 2; rescinding the unamended plans and specifications for said project, as previously approved by Resolution R-277394; authorizing the execution of a contract with the lowest responsible bidder.
(BID-K2062/91)
(San Pasqual Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On February 25, 1991 Council approved the Construction of the San Pasqual Aquatic Treatment Facilities - Contract No. 2 project. The bid opening occurred May 2, 1991 and the low bid came in approximately 12 percent over the cost estimate. Since the bid opening, modifications to the project have been requested by the Clean Water Program as part of the Phase I San Pasqual Water Reclamation Master Plan. These modifications do not significantly alter the design; however, they represent a large dollar value. Therefore, it is necessary to rebid the project to include these modifications. Due to the favorable bidding climate, and the proposed modifications which will result in deducts, it is highly likely that bids will come in lower than the original set of bids. Contract No. 2 includes a pump station which will pump the sewage from Rancho Bernardo to the water reclamation treatment plant site and all other pipeline necessary for the project.

Aud. Cert. 9100544.

WU-U-91-196.

FILE LOCATION: W.O. 181061 (181064) CONT - PCL Civil
Construction, Inc. CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-116: (R-91-1577) ADOPTED AS RESOLUTION R-278130

Inviting bids for the Improvement of Pacific Beach
Middle School - Turfing on Work Order No. 119326;
authorizing the execution of a contract with the lowest
responsible bidder; authorizing the expenditure of
\$280,000 from CIP-29-695.0, Pacific Beach Middle School
- Turfing, (Proposition 70) Fund No. 38019, contingent
upon receipt of grant funds, 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-K2418/91)
(Pacific Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Pacific Beach Middle School is located at the intersection of Gresham and Felspar Streets in the Pacific Beach Community Planning Area. This project will provide turf, an automated irrigation system, and minor drainage structures on the school playground. The playground is used by the City after school hours for park purposes under the terms of a joint use agreement. Currently the field is composed of decomposed granite which limits use for park purposes.

Aud. Cert. 9100904.

FILE LOCATION: W.O. 119326 CONT - Rancho Landscape Co., Inc.
CONFY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-117: (R-91-1580) ADOPTED AS RESOLUTION R-278131

Inviting bids for Nestor Neighborhood Park Development on Work Order No.118912; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Manager to rescind Resolution R-273843, adopted June 26, 1989; authorizing the City Auditor and Comptroller to transfer \$15,361 from PSD Fund 16000 and \$37,639 from PSD Fund 11730 to CIP-29-447.0, Nestor Neighborhood Park Development; authorizing the expenditure of \$816,222 from CIP-29-447.0, Nestor Neighborhood Park Development (\$330,000 from 1984 State Bond Act Grant Fund 39039, contingent upon full receipt of grant funds, and \$20,000 from Private Contribution Fund 63022, and \$417,861 from PSD Fund 11730, and \$48,361 from PSD Fund 16000), for the purpose of executing this contract 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-0793/89A)
(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This project will develop

Nestor Neighborhood Park which is located on Grove Avenue adjacent to Nestor Elementary School in the Otay Mesa-Nestor Community Planning Area. The proposed improvements include site grading, storm drains, a tiny tot play area, picnic facilities, concrete walkways, safety lighting, off-street parking area, large turfed open play area, landscaping and irrigation. Bids for the construction of Nestor Park were opened on August 29, 1989. The process of awarding a contract began and the contractor started work and altered grades before receiving an Authorization of Notice to Proceed. The contractor was then ordered to stop work. A contract could not be awarded because the contractor could not obtain the required bonds. Council action rejected bids on May 14, 1990 and the process of revising the plans to show the changed existing conditions began. Plans were modified to show the site conditions created by the contractor and to alter the park design slightly. The revised plans provide different grades adjacent to the elementary school. This facilitates the proposed future improvement of the school playground for park use after school hours. Council action is requested to approve the new plans and specifications, to advertise for bids, to authorize the projects financing and the award of a construction contract by the City Manager. Resolution R-273843 is being rescinded because it pertains to the project defined by the old plans and specifications.

Aud. Cert. 9100822 Rev.

FILE LOCATION: W.O. 118912 CONT - CGC Construction, Inc.
CONFY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-118: (R-91-1582) ADOPTED AS RESOLUTION R-278132

Inviting bids for the Construction of Traffic Signal Controller Modifications and Interconnect on Montezuma Road from Collwood Boulevard to El Cajon Boulevard on Work Order No. 119580; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$116,000 from CIP-68-008.0, Traffic Signal Sub-System, Fund 30300, 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-68-008.0. (BID-K2455/91FA)
(State University Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvement Program Project will coordinate the operation of nine traffic signals on Montezuma Road from Collwood Boulevard to El Cajon Boulevard and the traffic signal at College Avenue and Lindo Paseo. This coordination will provide for the orderly progression of vehicles on Montezuma Road between Collwood Boulevard and El Cajon Boulevard, a distance of approximately 1.9 miles.

Aud. Cert. 9100883.

FILE LOCATION: W.O. 119580 CONT - SELECT ELECTRIC, INC.
CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-119: (R-91-1578) ADOPTED AS RESOLUTION R-278133

Inviting bids for the Construction of Sewer Replacement Group 73A on Work Order No. 171171; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$1,155,125 from Sewer Revenue Fund 41506 Sewer Construction Outlay (70492), CIP-44-001, 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-K2419/91)
(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: Sewer Replacement Group 73A includes the installation of approximately 8,470 feet of 8-inch sewer main in the Mid-City Community area, east of 49th Street between Orange Avenue and El Cajon Boulevard. The existing sewer collection facilities have been experiencing, at

an increasing rate, over 13 stops per year per mile of sewer main. This project will alleviate these stoppages and provide more reliable and cost effective sewage collection service for the area.

Aud. Cert. 9100810.

WU-P-91-128.

FILE LOCATION: W.O. 171171 CONT - Western Utility
Contractors, Inc. CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-120:

Two actions relative to Partial Release of Surety and Extension of Time for Canyon Country Unit No. 11:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-91-2088) ADOPTED AS RESOLUTION R-278134

Authorizing the City Manager to release a portion of the surety issued by The American Insurance company in the form of Performance Bond No. 11126981312, so that the same is reduced as follows:

1. For faithful performance, to the sum of \$180,594.
2. For the benefit of the contractor, subcontractor, and to persons renting equipment or furnishing labor or materials, to the sum of \$90,297.

Subitem-B: (R-91-2089) ADOPTED AS RESOLUTION R-278135

Granting an extension of time to October 24, 1991 to The Fieldstone Company, subdivider, to complete the improvements required in Canyon Country Unit No. 11.

CITY MANAGER SUPPORTING INFORMATION: On October 24, 1988, the City entered into an agreement with The Fieldstone Company for the construction of public improvements for Canyon Country Unit No. 11. Performance Bond No. 11126981312 issued by The American Insurance Company in the amount of \$537,097 was provided by the

subdivider. The agreement expired on October 24, 1990. The subdivider has requested a partial release of surety and an extension of time to October 24, 1991 in which to complete the required improvements. Eighty-eight 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. 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. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced by an amount which is 75% of the value of the work completed. Therefore, 66% of the original surety will be released which will reduce the surety to \$180,594.

FILE LOCATION: SUBD - Canyon Country Unit No. 11

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-121: (R-91-1796) ADOPTED AS RESOLUTION R-278136

Making findings on Petition (Assessment District No. 4069, Arroyo Sorrento Road, Via Del Mar, Tierra Del Sur and Arroyo Sorrento Place).
(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The petition for this improvement was signed by the owners of 89.40% of the property area involved. A 67 percent petition is required by Council Policy 800-3, "Assessment Procedures," and it is recommended that the petition be accepted. The proposed street improvement would consist of grading, paving, drainage and street lighting. All property owners have been notified on September 11, 1990.

FILE LOCATION: STRT D-2289

COUNCIL ACTION: (Tape location: A514-509.)

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

present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-122:

Two actions relative to the El Cajon Boulevard Phase I
(I-805 to 38th Street) Underground Utility District:
(Mid-City Community Area. District-3.)

Subitem-A: (R-91-2138) ADOPTED AS RESOLUTION R-278137

Designating August 1, 1991 as the date upon which all
property in the El Cajon Boulevard Phase I (I-805 to
38th Street) Underground Utility District must be ready
to receive underground service and October 1, 1991 as
the date for the removal of all overhead utility
facilities.

Subitem-B: (R-91-2139) ADOPTED AS RESOLUTION R-278138

Authorizing the City Auditor and Comptroller to open
Fund 78055 for the purpose of depositing Public
Utilities Commission Case 8209 Utility Undergrounding
Allocation Funds for the El Cajon Boulevard Phase I
(I-805 to 38th Street) Underground Utility District;
authorizing the City Treasurer to receive these funds
from the San Diego Gas and Electric Company;
authorizing payment to all property owners in the El
Cajon Boulevard Phase I (I-805 to 38th Street)
Underground Utility District as reimbursement for
electrical service underground conversion work done on
private property whenever the required length of
trenching exceeds 15 feet; authorizing the City Auditor
and Comptroller to return to San Diego Gas and Electric
Company any undisbursed funds upon written notice from
SDG&E to the City that all electric service conversions
within a particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION: The El Cajon Boulevard
Phase I (I-805 to 38th Street) Underground Utility District was
created by the City Council on July 22, 1986. The Resolution
creating the district left the matter of the actual dates for
converting services and removing overhead facilities to be
established later. This action will set August 1, 1991 as the
Customer Ready Date, which will require that, upon this date, all
affected customers within the underground utility district must
have their services prepared to receive service from the new

underground system. This action will also establish October 1, 1991 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

FILE LOCATION: STRT K-165

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-123:

Two actions relative to the Carmel Mountain Ranch
Landscape Maintenance District:
(Rancho Carmel Community Area. District-5.)

Subitem-A: (R-91-2067) ADOPTED AS RESOLUTION R-278139

Resolution of Intention to levy and collect
assessments.

Subitem-B: (R-91-2068) ADOPTED AS RESOLUTION R-278140

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Carmel Mountain Ranch Landscape Maintenance District. The district provides maintenance of landscape medians and streetscapes within the district boundaries. In Fiscal Year 1992, the district will take over the maintenance of a large new area of the existing landscaping improvements. The developer will maintain other areas until they are turned over to the district. The Fiscal Year 1992 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$145,000
Personnel	22,447
Utilities	21,500
Incidentals	33,246*
Total Expenses	\$222,193
Reserve	21,097
Total	\$243,290
Less Carry-over & Interest	117,000
Less City Contribution	12,876
Assessed to District	\$113,414

* Includes Assessment District Management Fee of \$12,577.

The proposed assessment for Fiscal Year 1992 is approximately \$9.58 per dwelling unit compared to \$4.13 in Fiscal Year 1991. The increase in Fiscal Year 1992 assessment is due to the addition of a substantial area to be maintained by the district as well as the projected cost of converting to a drip system of irrigation as a water conservation measure.

FILE LOCATION: STRT M-248

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-124:

Two actions relative to the Lopez Canyon Stormwater Retention Basin Maintenance District:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-91-2070) ADOPTED AS RESOLUTION R-278141

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-91-2071) ADOPTED AS RESOLUTION R-278142

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Lopez Canyon Stormwater Retention Basin Maintenance District. The district provides maintenance for the open retention basin. The Fiscal

Year 1992 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 5,000
Personnel	-
Utilities	-
Incidentals	1,500
Total Expenses	\$ 6,500
Reserve	3,561
Total	\$10,061
Less Carry-over & Interest	10,061
Less City Contribution	0
Assessed to District	\$ 0

The carry-over amount from the previous year and the projected interest is \$10,061. The proposed expenditure to maintain the district including incidental expenses for Fiscal Year 1992 is \$6,500. The balance remaining in the district account (\$3,561) in Fiscal Year 1992 is sufficient to provide a continuing major maintenance reserve. Consequently, no assessments to the district are proposed for Fiscal Year 1992. The amount assessed to the district in Fiscal Year 1991 was also zero.

FILE LOCATION: STRT M-249

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-125:

Three actions relative to the San Diego Street Light Maintenance District No. 1:

Subitem-A: (R-91-2059) ADOPTED AS RESOLUTION R-278143

Initiating proceedings for annexations to the San Diego Street Light Maintenance District No. 1.

Subitem-B: (R-91-2060) ADOPTED AS RESOLUTION R-278144

Resolution of Intention to levy and collect assessments.

Subitem-C: (R-91-2061) ADOPTED AS RESOLUTION R-278145

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the San Diego Street Lighting Maintenance District No. 1. The district provides street light energy and maintenance for areas with lighting levels above the normal for City-wide "safety" lighting. As part of this action, it is proposed to annex the following areas to the San Diego Street Lighting Maintenance District No. 1. - 25th Street from "F" Street to Russ Boulevard.

- University Avenue from Euclid Avenue to Winona Avenue.
- All parcels south of Laurel Street, west of I-5, north of Commercial Street and Harbor Drive, and east of Pacific Highway, excluding those parcels which are already part of the San Diego Street Lighting Maintenance District No. 1.

The Fiscal Year 1992 proposed maintenance costs for the district are as follows:

Electrical Energy	\$ 233,820
Maintenance - Operation	250,000
Maintenance - Major Repair & Paint	300,000
Centre City Maintenance Program	11,500
Incidentals & Miscellaneous	131,700
Total Expenses	\$ 927,020
Total Fund Balance	731,689
Total Fund Balance & Expenses	\$1,658,709
Less Carry-over & Interest	1,142,694
Less City Contribution	316,015
Assessed to District	\$ 200,000

The amount assessed to the district for Fiscal Year 1992 is \$200,000, the same as in Fiscal Year 1991.

FILE LOCATION: STRT M-250

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-126:

Two actions relative to the San Ysidro Boulevard
Landscape Maintenance District:
(San Ysidro Community Area. District-8.)

Subitem-A: (R-91-2064) ADOPTED AS RESOLUTION R-278146

Resolution of Intention to levy and collect
assessments.

Subitem-B: (R-91-2065) ADOPTED AS RESOLUTION R-278147

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing
establishes the annual assessments for the San Ysidro Boulevard
Landscape Maintenance District. The district provides
maintenance for the landscaping, decorative pavement, decorative
sidewalk and street amenities such as bollards, benches and
planter boxes.

The Fiscal Year 1992 proposed maintenance costs for the district
are as follows:

Contractual Maintenance	\$12,660
Personnel	6,735
Utilities	2,125
Incidentals	8,412*
Total Expenses	\$29,932
Reserve	8,500
Total	\$38,432
Less Carry-over & Interest	8,500
Less City Contribution	343
Assessed to District	\$29,589

*Includes Assessment District Management Fee of \$1,706.

The assessments are based on the frontage along San Ysidro
Boulevard. The proposed unit assessment for Fiscal Year 1992 is
approximately \$1.58 per frontage foot of parcel. The assessment
amount in Fiscal Year 1991 was \$1.56 per frontage foot.

FILE LOCATION: STRT M-251

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-127: (R-91-2078) ADOPTED AS RESOLUTION R-278148

Authorizing the execution of a quitclaim deed with the Regents of the University of California, effecting the revestment of abutter's rights of access to North Torrey Pines Road, in a portion of Pueblo Lot 1299, Miscellaneous Map-36, heretofore relinquished to the City.

(La Jolla Community Area. District-1.)

FILE LOCATION: DEED F-5621 DEED FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-128: (R-91-2083) ADOPTED AS RESOLUTION R-278149

Vacating the City's interest in an unneeded access easement affecting Lots 25 and 30 of Westwood Valley Unit No. 8, Map-11936, pursuant to Section 8300 et seq. of the Streets and Highways Code.

(Rancho Bernardo Community Area. District-5.)

FILE LOCATION: DEED F-5622 DEED FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-129:

Two actions relative to the transfer of 1.6 acres for Scripps Miramar Ranch Library:

(Scripps Ranch Community Area. District-5.)

Subitem-A: (R-91-2084) ADOPTED AS RESOLUTION R-278150

Authorizing the transfer of 1.6 acres of vacant land adjoining the south side of Scripps Lake Drive from the Water Utilities Department to the General Fund, for parking for the new Scripps Miramar Ranch Library; authorizing the transfer of an amount not to exceed \$45,000 from CIP-35-060.0 (Scripps Miramar Ranch Library), FBA Fund 79007, to Water Utilities Capital Outlay Fund 30246, as payment to the Water Utilities Department for the above site.

Subitem-B: (R-91-2085) ADOPTED AS RESOLUTION R-278151

Certifying that the information contained in Addendum No. 91-0154 to Environmental Impact Report EIR-85-0762, in connection with Scripps Miramar Ranch Library, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Report has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: In 1988, the City acquired an 8.2 acre site from the developers of Scripps Ranch Business Park Phase III for the Scripps Miramar Ranch Library. An adjacent 1.6 acre triangular parcel of land owned by the Water Utilities Fund is required to provide adequate on-site parking for library patrons. Charter Section 53 necessitates that the use of any Water Utilities land for purposes other than for Water Utility purposes requires fair market value compensation to the Water Utilities Fund. Property Department appraisal staff has determined that the fair market value of the Water Utility land is \$45,000.

Aud. Cert. 9100843.

WU-PR-91-187.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-130:

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

Subitem-A: (R-91-2122) ADOPTED AS RESOLUTION R-278152

Karen Cordes - Police Department - \$653.
Rodney Ballard - Fire Department - \$500.

Subitem-B: (R-91-2123) ADOPTED AS RESOLUTION R-278153

Renee Beal - Treasurer Department - \$477.49.
Jill Degnan - Risk Management Department - \$477.08.

Subitem-C: (R-91-2124) ADOPTED AS RESOLUTION R-278154

William DeGrenier - Fire Department - \$320.
Dorothy Ellen Vega-Rios - Risk Management - \$140.

Subitem-D: (R-91-2125) ADOPTED AS RESOLUTION R-278155

Steven Marshall - Water Utilities Department - \$100.
Ken Evans - Risk Management - \$90.

Subitem-E: (R-91-2126) ADOPTED AS RESOLUTION R-278156

Gregory Thomas - Fire Department - \$80.
Ray Purtee - Engineering & Development Department - \$50.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-131: (R-91-2054) ADOPTED AS RESOLUTION R-278157

Excusing Councilmember Bob Filner from attending the
Council meeting of May 14, 1991 and the Rules Committee
meeting of May 15, 1991, due to personal matters.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-132: (R-91-2127) ADOPTED AS RESOLUTION R-278158

Excusing Councilmember Ron Roberts from attending the
regularly scheduled Council meeting of Monday, June 3,
1991, due to his attendance at the National Commission
on Distressed Public Housing in Atlanta, Georgia.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-133: (R-91-1929 Cor. Copy) ADOPTED AS RESOLUTION
R-278193

Formally recognizing a Community Planning Group for the
community of Sabre Springs by approval of the bylaws
and the initial membership list.
(See Planning Department Report PDR-91-187.
District-5.)

COMMITTEE ACTION: Reviewed by RULES on 6/5/91.
Recommendation to approve the proposed bylaws, and formally
recognize the Sabre Springs Planning Committee as representative
of the Sabre Springs Planning Area and approve both the initial
membership list and length of terms to be served. Districts 4, 7
and Mayor voted yea. Districts 1 and 8 not present.

FILE LOCATION: GEN'L-Community Planning Committees

COUNCIL ACTION: (Tape location: A514-509.)

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

present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-134: (R-91-2040) ADOPTED AS RESOLUTION R-278159

Approving the following definition of a "Special Project" for purposes of funding the "Special Projects Program":

- That City funds created for arts and culture through past Transient Occupancy Tax ("TOT") increases should promote "festivals" and "new art programs" that benefit both cultural tourism and growth of special projects.
- That an annual, focused, signature arts and cultural event with strong appeal to tourists is necessary, and that this event could focus on San Diego's unique cultural assets, thereby benefiting local arts and culture groups.
- That a special signature feature of major magnitude would be included to bolster attendance and increase interest.
- That an essential criterion for an applicant organization's inclusion in this signature event would be its business and marketing plan, which would demonstrate the organization's ability to draw visitors for overnight stays, generating further TOT by filling hotel rooms.
- That this event would be targeted to occur annually, on or about November, since November is characterized by low hotel occupancy.
- That funds allocated for Fiscal Year 1992 be used for a planning phase.
- That the first signature event would occur in November 1992 (FY 93).

The following criteria are suggested for inclusion in this signature event:

1. Planning, preparation, and strategy for achievement of goals. Special emphasis would be placed on the inclusion of a marketing plan that is well thought out and attainable. Joint efforts would be encouraged to prevent duplication and get more results for dollars spent.
2. Quality of proposed program (independent confirmation of quality.)
3. Demonstrated ability and/or potential to generate

- hotel room nights.
4. Broad community representation and support.
 5. Broad-based funding.
 6. Fiscal planning and cost-effective budgeting, including the potential to eventually attract ongoing sponsorship.
 7. Ability to respond to a stated festival format (as inclusive as possible) and a timeline that would coincide with the hotel/motel low occupancy period.
 8. A project that is unique, distinctive, innovative, and characteristic of San Diego. This criterion could be interpreted in many different ways and be further developed by choosing a festival theme.

(See City Manager Report CMR-91-198.)

COMMITTEE ACTION: Reviewed by RULES on 5/1/91. Recommendation to accept the City Manager's recommendation to approve the Commission for Arts and Culture's definition of a special project. Districts 1, 4, 7 and Mayor voted yea. District 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B042-063.)

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

ITEM-135: (R-91-2152) ADOPTED AS RESOLUTION R-278160

Approving the recommendation contained in Department of Legislative Services Report DLS-91-28, dated May 28, 1991 to support SB 712 (Lockyer), concerning Ticket Scalping, and seek amendments as set forth in the report.

(See Department of Legislative Services Report DLS-91-28.)

COMMITTEE ACTION: Initiated by RULES on 6/5/91. Recommendation to approve the Department of Legislative Services recommendation to support SB 712, and direct the DLS to monitor the progress of the bill. Districts 4, 7 and Mayor voted yea. Districts 1 and 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B067-084.)

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

* ITEM-136: (R-91-2079) ADOPTED AS RESOLUTION R-278161

Authorizing the expenditure of an amount not to exceed \$6,100 from the Tierrasanta Ordinance Fund 10584, for the purpose of providing the balance of funds required to pay for the Tierrasanta Community Council's military ordnance education safety video.
(Tierrasanta Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: For several years the City Fire Department and the Navy have made concerted efforts to remove all old and left over unexploded ordnance in the canyons and other open space areas of the Tierrasanta community. However, these areas could still be rendered dangerous to the unaware or uninformed citizen, especially to exploring or playful youngsters. The lack of information proved to be deadly. In 1983, the Tierrasanta community experienced the tragic death of two children who found a live military shell playing in one of the canyons. The Tierrasanta Community Council has produced a 12-minute educational military ordnance safety video and is continuing to make it available through schools, libraries and video outlets. The video was designed to complement the current programs sponsored by the San Diego Fire Department as well as serve as a tool to educate newcomers to Tierrasanta and users of Mission Trails Park. Fund raising efforts to date have raised \$8,900 of the \$15,000 production costs. The Tierrasanta Community Council has requested the City's assistance in funding the \$6,100 balance. They suggest that the monies come from the \$450,000 placed in the City's treasury, with specific designation for Tierrasanta related ordnance matters, during the Tierrasanta Norte development process. It is recommended that the funding be authorized.

Aud. Cert. 9100902.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-137: (R-91-2168) ADOPTED AS RESOLUTION R-278162

Authorizing the transfer of an amount not to exceed
\$530,000 from Sorrento Hills Development Fund 39063 to
CIP-52-356, Route 56/Carmel Valley Restoration
Enhancement Plan Project; authorizing the expenditure
of an amount not to exceed \$530,000 from CIP-52-356.0
(Sorrento Hills Facility Development Fund 39063) for
acquisition of real property and related costs for the
Route 56/Carmel Valley Restoration Enhancement Plan
Project.
(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action requests the
expenditure of funds in the amount of \$530,000 to acquire one of
the seven remaining properties required for the Route 56/Carmel
Valley Restoration Enhancement Plan (CVREP). Total acquisition
costs for the entire project is \$10,000,000 of which \$530,000 is
currently being requested. The property owner is a willing
seller and it is felt that acquisition at this time would benefit
the project. The CVREP portion of the project will provide
100-year flood protection for Carmel Valley west of Carmel County
Road; reduce sediment transport to Los Penasquitos Lagoon; create
an enhanced riparian floodway/wildlife habitat area, and provide
hiking, biking and equestrian trails within a permanent
greenbelt. This portion of Route 56 will begin the initial link
that will eventually provide east-west access to Interstate 15
and 5.

Aud. Cert. 9100924.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-138: (R-91-2150) ADOPTED AS RESOLUTION R-278163

Authorizing the transfer of an amount not to exceed \$20,600 within Water Revenue Fund No. 41502, from CIP-73-083.0, Annual Allocation Water Main Replacement, to CIP-73-195.0, Bonita Pipeline Replacement Project; authorizing the expenditure of an amount not to exceed \$20,600 from Water Revenue Fund 41502, CIP-73-195.0, Bonita Pipeline Replacement Project, to provide funds for the purpose of surveying, potholing and engineering by the Sweetwater Authority.
(Skyline/Paradise Hills and Southeast San Diego Community Areas. District-4.)

CITY MANAGER SUPPORTING INFORMATION: A portion of the alignment for the Bonita Pipeline Replacement Project passes through National City. This area is under the jurisdiction of the Sweetwater Authority. Surveying and potholing of Sweetwater Authority facilities is necessary to complete the engineering design of the Bonita Pipeline project. The Sweetwater Authority will provide the required services for a fee not to exceed \$20,600.

Aud. Cert. 9100937.

WU-U-91-197.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A514-509.)

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

ITEM-139: CONTINUED TO JULY 1, 1991

Two actions relative to acquisition of property rights of Phase I of CIP-52-182.0, Fairmount Avenue - Federal Boulevard to Home Avenue:
(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-91-2171)

Authorizing the expenditure of an amount not to exceed \$560,000 from Transnet Fund 30300, CIP-52-182.0

(Fairmount Avenue - Federal Boulevard to Home Avenue)
for the acquisition of property rights and related
costs in connection with the construction of Phase I of
CIP-52-182.0, Fairmount Avenue - Federal Boulevard to
Home Avenue.

Subitem-B: (R-91-2172)

Certifying that Environmental Impact
Report/Environmental Assessment EIR-85-0809, in
connection with the Fairmount Avenue - Federal
Boulevard to Home Avenue, CIP-52-182.0 - Phase I, has
been completed in compliance with the California
Environmental Quality Act of 1970 (California Public
Resources Code Section 21000 et seq.) as amended, and
State guidelines, and that said Report has been
reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: This request authorizes
the expenditure of \$560,000 to acquire property rights necessary
for the construction of Phase I of CIP-52-182.0, Fairmount Avenue
- Federal Boulevard to Home Avenue. It also provides funds for
the "opportunity acquisition" of one parcel required for Phase II
of the project. Phase I will realign and widen Fairmount Avenue
between Federal Boulevard and Ridge View Drive, including
construction of a new bridge over Chollas Creek. The existing
street alignment contains steep grades and a switch back
alignment which do not meet established criteria for collector
street geometrics. Approximately \$4,350,000 of the construction
funds for the project will be provided by a Federal Grant.

Aud. Cert. 9100935.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A321-384.)

MOTION BY HARTLEY TO CONTINUE ONE WEEK AT THE REQUEST OF
JOHN STUMP. Second by Pratt. Passed by the following vote:
Wolfsheimer-yea, Roberts-not present, Hartley-yea,
Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

* ITEM-140: (R-91-2134) ADOPTED AS RESOLUTION R-278164

Authorizing the Bank of America, as paying agent for
the San Diego Open Space Park Bond 1978 Series 81A, to

make payment on lost bearer Bond Certificate Numbers 1781 and 1782 called on January 1, 1991, in the amount of \$5,000 each for a total of \$10,000.

CITY MANAGER SUPPORTING INFORMATION: The City Treasurer's Office has been notified that 2 bearer bonds, 1781 and 1782 San Diego Open Space Park Bond 1978 Series 81A, were lost in the U.S. Mail. The bonds were mailed "CERTIFIED" to the City Treasurer's Office. In order for the bank to make payment for the lost bonds, the City Council must authorize payment for the lost bonds. An indemnity agreement indemnifying the City against loss has been received and a stop payment order on the bonds has been issued.

FILE LOCATION: STRT OS-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-141: (R-91-2049) ADOPTED AS RESOLUTION R-278165

Establishing a parking time limit of two hours on the east side of La Jolla Boulevard between Bird Rock Avenue and Camino de la Costa, effective between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of such signs.

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The owners of over 75 percent of the properties fronting the east side of La Jolla Boulevard between Bird Rock Avenue and Camino de la Costa have requested that a two-hour time-limit parking zone be implemented at this location to provide short term parking for their business patrons. A recent parking study conducted at the subject locations, showed that the average parking occupancy to be over 83 percent and the average parking duration to be 2.6 hours. The average parking duration is slightly below the three-hours suggested in the current Council policy. However, in order to provide the needed short term parking in this area the Traffic Engineering Division recommends that the two-hour time-limit

parking zone be established, as requested.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-142: (R-91-2087) ADOPTED AS RESOLUTION R-278166

Establishing a No Stopping, Tow Away Zone on the north
side of "F" Street between Seventh Avenue and 17th
Street, effective between the hours of 7:00 a.m. and
8:30 a.m. (Saturdays, Sundays and holidays excepted);
authorizing the installation of the necessary signs and
markings; declaring that the regulations shall become
effective upon the installation of such signs.
(Centre City Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The morning peak hour
(7:00-8:30 a.m.) part-time "parking-stopping" restriction with
"tow-away" provision is proposed to relieve traffic congestion on
"F" Street between Seventh Avenue and 17th Street. This will be
accomplished by converting the parking lane along the north side
of "F" Street to a travel lane during the morning peak hours.
Presently, this portion of "F" Street is a one-way street,
striped for three lanes in the westbound direction with some
metered two-hour time limit parking and some open parking. During
morning peak times, the street becomes congested with traffic.
The proposed part-time "parking-stopping" restriction and the
addition of a fourth travel lane will help relieve congestion,
and allow better service for buses and turning vehicles. This
capacity improvement will result in high benefit at a very low
cost and is part of the Transportation Systems Management effort
of the City's Mobility Program. Signs indicating the part-time
"parking stopping" restriction with "tow-away" provision will be
posted at the above location. The "tow-away" is needed to
prevent blockage of this through traffic lane, and it is in
accordance with the CVC Section 22651(n) and the San Diego
Municipal Code Sections 81.09 and 86.05. Adjacent property
owners and tenants were notified, with no objections.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-143: (R-91-2141) ADOPTED AS RESOLUTION R-278167

Authorizing the execution of a first amendment to the
Operating Memorandum Implementing Development Agreement
with American Newland Associates, for the design and
construction of Views West Park and Penasquitos Creek
Park; authorizing the City Auditor and Comptroller to
make payments from FBA Fund No. 79004 as funds become
available, for the purpose of providing funds for the
above project.

(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: American Newland
Associates (Newland), a California general partnership, is
obligated to design and construct two parks in the Penasquitos
East Community pursuant to Development Agreement 00-17179, dated
November 14, 1988. The parks are Views West Park and Penasquitos
Creek Park. City Council approved an Operating Memorandum
Implementing Development Agreement on November 13, 1989 which
defines the specific obligations of Newland and the City in the
development of these parks. Newland will perform the work and
the City will reimburse Newland for actual costs as FBA Funds
become available. This reimbursement is scheduled in the
Penasquitos East Public Facilities Financing Plan and Facilities
Benefit Assessment (Financing Plan) beginning in FY91.
Penasquitos Creek Park is under construction and the actual cost
will be about \$550,000. The estimated total project cost in the
Operating Memorandum was \$420,000. The proposed First Amendment
to the Operating Memorandum increases the reimbursement amount to
a maximum of \$550,000.

Aud. Cert. 9100635.

FILE LOCATION: MEET CCONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

CONSENT MOTION BY HARTLEY TO ADOPT. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-144: (R-91-2169) ADOPTED AS RESOLUTION R-278168

Authorizing the execution of a first amendment to the agreement with Central City Association to extend the term for the Downtown Marketing Program to August 6, 1991.

(Centre City Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The City Council on August 6, 1990, via Resolution R-276313, entered into an agreement with the Central City Association (CCA) for the implementation of the Downtown Marketing Program. The term of the agreement is July 1, 1990 through June 30, 1991, and the payment from the City is \$100,000. It is recommended that the Council approve a proposed extension of the term of the agreement to August 6, 1991, to allow CCA a full year to utilize the provided funds.

FILE LOCATION: MEET CCONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-145: (R-91-2167) ADOPTED AS RESOLUTION R-278169

Authorizing the execution of a two-year lease agreement with three one-year renewal options, with Benjamin W. Cloud, Trustee of the Sarah L. Cloud Trust, for the continued use of 2878 Imperial Avenue as office space for the Police Department, at an annual rent of \$6,480; authorizing the expenditure of an amount not to exceed \$6,480 from the General Funds (Fund 100, Dept. 110, Org. 455, Account 4682, Job Order 111475) for lease costs from July 1, 1991 to June 30, 1992.)

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: In December 1990, Benjamin W. Cloud, Trustee for the Sarah L. Cloud Trust, donated to the City the use of office space at 2878 Imperial Avenue for six months at no cost to the City. The space is utilized to increase

Police presence within the community. This effort has been endorsed by the Office of Congressman Duke Cunningham, and has received such an overwhelming positive response from the community that the Police Department wishes to continue use of this office space. The agreement expires May 31, 1991 and specifies that any use beyond six months shall be on a month-to-month basis at the fair market rental rate for the area. It is proposed to enter into a lease agreement with the Sarah L. Cloud Trust, the property owner, for approximately 1,200 square feet of office space. The rental agreement would be for a term of two years with three one-year renewal options. The space will rent for \$540 per month (.45[per sq. ft.]), and is subject to annual increases of 5 percent. This office provides a good location at a reasonable rate.

Aud. Cert. 9200012.

FILE LOCATION: LEAS-Benjamin W. Cloud, Trustee of the Sara
L. Cloud Trust LEAS FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-146: (R-91-2154) ADOPTED AS RESOLUTION R-278170

Authorizing the execution of an amendment to the Second Amended Joint Powers Agreement with the City of Los Angeles, County Sanitation District 1 of Orange County and County Sanitation District 2 of Los Angeles County, for the Southern California Coastal Water Research Project Authority, together with any 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 this project and agreement; authorizing the expenditure of a sum not to exceed \$200,000 from the Water Utilities Department budget (Sewer Revenue Fund 41508), to provide funds for this project in Fiscal Year 1991-1992, and be fundable, with Council approval, each year of the agreement.

CITY MANAGER SUPPORTING INFORMATION: This is a joint project which began in 1969 to study the interrelationships of treated wastewater discharges and the marine ecology for the purpose of

ensuring protection and conservation of marine resources. The study areas have extended from the Mexican border to the Santa Barbara County line. Other participants to this agreement include the City of Los Angeles, County Sanitation District No. 1 of Orange County, and County Sanitation District No. 2 of Los Angeles County. Several changes are incorporated in the First Amendment to the Second Amended Joint Powers Agreement. It increases the maximum amount due annually from the signatory agencies from \$1,100,000 to \$1,200,000 for Fiscal Year 1992. This amount will increase 5% for each successive fiscal year. As in the past, funding for this project will come from the four dischargers and is apportioned according to effluent flow. Although providing less than 20% of the budget, San Diego benefits from all of the work the project does. Also, this amended agreement will remain in full force and effect from July 1, 1991 through June 30, 1994.

Aud. Cert. 9200010.

WU-U-91-165.

FILE LOCATION: WATER-Southern California Coastal Water
Research Project Authority CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-147: (R-91-2145) ADOPTED AS RESOLUTION R-278171

Authorizing the execution of an amendment to the agreement of December 11, 1989, with Pardee Construction Company, for installation of sewer pipeline diversion facilities in Sabre Springs; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$15,000 within Sewer Revenue Fund 41506, from CIP-46-120.0, Penasquitos Canyon Interceptor Sewer II, to CIP-46-167.0, Sabre Springs Sewer Diversion Facilities; authorizing the expenditure of an amount not to exceed \$15,000 from Sewer Revenue Fund 41506, Wastewater System Construction Program, Sabre Springs Sewer Diversion Facilities, CIP-46-167.0, for the purpose of providing funds for the amendment.

(Sabre Springs Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: Council approved the original Participation Agreement (Resolution R-274898) with Pardee Construction on December 11, 1989. The agreement provided financial reimbursement for the design and construction of 1,000 feet of 18-inch bypass sewer pipeline diversion facilities into the Sabre Springs community. The original estimated cost of the total project was \$100,000. Construction of the project is now complete. However, during construction a rock zone was encountered within the path of the sewer. The excavation through the rock zone slowed construction and required the removal of excess rock, causing costs to exceed the authorized budget by \$15,000. Under terms of the original agreement Section C, Paragraph 6, the City is required to reimburse the contractor for 100 percent of the actual costs of construction.

Aud. Cert. 9100911.

WU-U-91-051.

FILE LOCATION: CONT-Pardee Construction Company
CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

ITEM-148: (R-91-2142) CONTINUED TO JULY 1, 1991

Authorizing the execution of an agreement with Metro Traffic Control, to broadcast ridesharing messages live in conjunction with air traffic reports for the period of June 10, 1991 throughout September 27, 1991 at an estimated cost of \$50,000.

CITY MANAGER SUPPORTING INFORMATION: On September 26, 1989, the City Council adopted the "Transportation Demand Management" (TDM) Ordinance. The Ordinance includes a public information and education program. The Program is designed to include the broadcast of ridesharing messages in conjunction with live air traffic reports. In March of 1991, a request for these services was competitively bid. However, only Metro Traffic, one of two firms that broadcast traffic reports for radio stations,

provided a bid. The Metro Traffic network offers a broad mixture of stations including minority population audiences. It is recommended that the City Manager enter into an agreement with Metro Traffic for these services. Funds for these services are available within the Engineering and Development Department's Transportation Demand Management Division Budget.

Aud. Cert. 9100917.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B099-114; F174-409.)

MOTION BY HENDERSON TO CONTINUE ONE WEEK FOR STAFF TO PROVIDE INFORMATION ON COST EFFECTIVENESS. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-149: (R-91-2037) ADOPTED AS RESOLUTION R-278172

Authorizing the execution of an amendment to the agreement of May 31, 1988 with Ahmanson Developments, Inc. for design and construction of the Nobel Athletic Area; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$32,497 from PSD Fund 13000 to CIP-29-406.0, Nobel Athletic Area; authorizing the expenditure of an amount not to exceed \$32,497 from CIP-29-406.0, Nobel Athletic Area, to provide funds for the above amendment.
(University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Ahmanson Developments, Inc. (Ahmanson), a California Corporation, entered into an agreement with the City of San Diego, approved on May 31, 1988. The agreement obligated Ahmanson to design and construct Nobel Athletic Area at the east end of Nobel Drive at Judicial Drive in University City. The agreement also obligated the City to reimburse Ahmanson for 100% of the actual costs of the park, less \$500,000 to be paid by Ahmanson. Ahmanson has completed Nobel Athletic Area, and the athletic area is now open to the public. The final cost of construction, including all construction changes, was higher than originally anticipated. The agreement required Ahmanson to contribute \$500,000 and the City to reimburse Ahmanson \$800,000 of the actual costs of the project. The original Estimated Total Cost was \$1,300,000; the Final Total Cost is \$1,332,497. The construction changes consisted of

modifications to the irrigation system to provide adequate coverage; additional perimeter fencing to protect the public from hazardous off-site conditions and facilitate maintenance; revisions to the parking lot construction due to geotechnical test results; and modifications to the storm drainage system to respond to actual site conditions. The proposed first amendment to agreement increases the reimbursement amount to a maximum of \$832,497.

Aud. Cert. 9100880.

FILE LOCATION: MEET CCONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-150: (R-91-2178) ADOPTED AS RESOLUTION R-278173

Authorizing the execution of an agreement with Larry Walker Associates, on a sole source basis, for professional consultant services in connection with EPA Step 1 grant management for Clean Water Act grant projects and training of City staff on EPA grants and related projects; authorizing the expenditure of an amount not to exceed \$75,732, consisting of \$42,983 from Water Utilities Department Fund 41500 and \$32,749 from Clean Water Program Fund 41509, for the purpose of providing funds for the above project; authorizing the City Manager to finance or refinance this agreement with tax exempt securities, should circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION: In 1974, the City was awarded through the State Water Resources Control Board (SWRCB) an Environmental Protection Agency (EPA) Clean Water Act Grant. As grantee for over \$36 million, the City expends its funds on the grant project and requests reimbursement for those expenditures deemed allowable and eligible by SWRCB. In February, 1991, the City received an informal eligibility decision letter on requests for reimbursement submitted September, 1989 and January, 1990. At this time, \$5.9 million has been declared ineligible according to the SWRCB calculation sheets. The City does not agree with those decisions. In their

evaluation of the City's requests for reimbursement SWRCB has reviewed expenditures and actions dating back to the beginning of the projects. The extent of this review and the amount of funding at stake gives the City reason to seek expert assistance to maximize possible grant shares of project costs. Grants Management Assistance is so specialized that Larry Walker Associates (LWA) is the only firm in California with the expertise specifically oriented to EPA Clean Water Act Grant projects. LWA assists Clean Water Grant recipients in avoiding program errors and in realizing maximum grant benefits. They are familiar with the latest EPA audit practices and strategies and defend against eligibility disallowances. LWA is under contract with the City to assist in final audit resolution for various other EPA grants and has worked with City projects since 1981.

Aud. Cert. 9100926.

WU-S-91-183.

FILE LOCATION: MEET CCONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

ITEM-160: (R-91-2076) ADOPTED AS RESOLUTION R-278174

Authorizing the execution of a Second Amendment to the Personal Agreement with John R. O'Donnell and John H. Montgomery, for Washington, D.C. representation, for the period beginning July 1, 1991 through December 31, 1992; directing the Water Utilities Department and the Clean Water Program to continue paying their share of the agreement established by Council at 25 percent of the annual cost.

(See City Manager Report CMR-91-23.)

COMMITTEE ACTION: Initiated by RULES on 5/1/91. Not acted upon due to a lack of quorum, and referred to the full Council by the Rules Committee Chairperson. Districts 4, 7 and Mayor present. Districts 1, 5 and 8 not present.

Aud. Cert. 9200009.

FILE LOCATION: MEET CCONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

ITEM-161: (R-91-2182) CONTINUED TO JULY 1, 1991

Declaring the City Council's intention to place the issue of the scope of an alcohol ban in certain City parks and beaches on the June 2, 1992 ballot, pursuant to the recommendation of the Public Facilities and Recreation Committee; directing the City Attorney to prepare an Ordinance similar to Ordinance O-17609, whose terms will be subject to further direction of the Council, for placement on the June 2, 1992 ballot. (See City Attorney Report dated 5/21/91 and memorandum from Councilmember Henderson dated 5/22/91.)

COMMITTEE ACTION: Initiated by PFR on 5/22/91 and 6/12/91. Recommendation to have Council place an ordinance similar to referended Ordinance O-17609 on the 6/2/91 ballot. 5/22/91 vote: Districts 1, 3, 6, 7 and 8 voted yea. 6/12/91 vote: Districts 1, 3 and 7 voted yea. Districts 6 and 8 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A130-310.)

MOTION BY WOLFSHEIMER TO CONTINUE ONE WEEK AS RECOMMENDED BY MAYOR O'CONNOR FOR THE PRESENCE OF COUNCIL MEMBER ROBERTS. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-nay, McCarty-nay, Filner-nay, Mayor O'Connor-yea.

ITEM-162: (R-91-2133) ADOPTED AS RESOLUTION R-278175

Authorizing the execution of 32 agreements with community agencies, to operate social service programs during Fiscal Year 1992 at the funding levels

recommended by the Public Services and Safety Committee
on May 15, 1991 as follows:

Access, Inc.
AIDS Foundation of San Diego, Inc.
Barrio Station, Inc.
 (Barrio Station Project)
 (STAR Project)
Bayside Settlement House, Inc.
California Center of Victimology
Casa Familiar
Center for Social Services
Center for Women's Studies and Services
Centro de Salud
Clairemont Friendship Center
Community Service Center for the Disabled

County of San Diego
 (Food Bank)
 (Senior Nutrition/Counseling)
Elderhelp
Episcopal Community Services
Harmonium, Inc.
Legal Aid Society
Neighborhood House Association
 (Gang Diversion Program)
 (Youth Service Center)
Ocean Beach Child Care Project
San Diego Mediation Center
San Diego Service Center for the Blind
San Diego State University Foundation
San Diego Unified School District
San Diego Urban League
San Diego Youth Involvement Project
San Ysidro School District
Social Advocates for Youth
United Way
 (Info Line)
 (Staff Assistance Project)
Youth for Progress
YWCA of San Diego

Authorizing the City Auditor and Comptroller to
transfer an amount not to exceed \$2,375,177 from the
General Fund 100 to the Human Care Services Special
Fund 19664; authorizing the expenditure of an amount
not to exceed \$2,375,177 from the Human Care Services
Special Fund 19664 to operate 25 social services
programs, and \$1,448,993 from Fund 18527, Seventeenth
Year Community Development Block Grant Entitlement, to
operate 8 social service programs.

(See City Manager Report CMR-91-224.)

COMMITTEE ACTION: Initiated by PSS on 5/15/91.
Recommendation to approve City Manager Report CMR-91-224. The
Committee requested the City Manager to provide a description of
each program. Districts 2, 3, 4, 5 and 7 voted yea.

CITY MANAGER SUPPORTING INFORMATION: On May 15, 1991, the
Public Service and Safety (PS&S) Committee received public
testimony from social service agencies regarding FY'92 social
service funding. The PS&S Committee recommended that ongoing
social service programs receive their current funding allocation
plus a 3 percent cost of living adjustment. This action
authorizes the approval of the PS&S Committee's recommendations.

Aud. Cert. 9200007.

FILE LOCATION: MEET CONT FY91-32

COUNCIL ACTION: (Tape location: A514-509.)

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

ITEM-200: (O-91-170) CONTINUED TO JULY 1, 1991

(Continued from the meetings of May 20, 1991, Item 200,
and June 3, 1991, Item 201; last continued at the City
Manager's request to present the impacts of a lack of
revenue source in the budget for FY '92 as that tax was
not approved by the City Council.)

Introduction of an Ordinance amending the San Diego
Municipal Code by adding Section 38.0150 et seq. to
create a Transient Transportation Tax.
(See City Manager Report CMR-91-237.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A311-321.)

MOTION BY HENDERSON TO CONTINUE TO JULY 1, 1991, IN ORDER TO
TAKE ACTION AFTER THE BUDGET PROCESS. Second by Behr.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-yea, Pratt-yea, Berhr-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-91-1865) RETURNED TO CITY MANAGER

(Continued from the meetings of May 6, 1991, Item S403, May 20, 1991, Item 203, May 28, 1991, Item S405 and June 10, 1991, Item 200; last continued at the City Manager's request, for recommendation from a Special Committee regarding ramifications of imposing the charge.)

Establishing the San Diego Abandoned Vehicle Abatement Service Authority in San Diego County, pursuant to Section 22710 of the California Vehicle Code; imposing a \$1.00 vehicle registration fee in San Diego County, pursuant to California Vehicle Code Section 22710; declaring that the Board of Directors of the San Diego Service Authority for Freeway Emergencies shall constitute the members of the Board of Directors of the San Diego Abandoned Vehicle Abatement Service Authority.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A398-484.)

MOTION BY BEHR TO RETURN THE ITEM TO THE CITY MANAGER AT THE REQUEST OF THE CITY MANAGER. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-91-2055 Rev.1) ADOPTED AS RESOLUTION R-278176

(Continued from the meeting of June 10, 1991, at Councilmember Pratt's request, for a report from the City Attorney.)

Authorizing the City Manager to negotiate an agreement with Bank of America and Pryor, McClendon, Counts and Company, Inc. to purchase and market City of San Diego Short Term Tax Anticipation Notes in an amount not to exceed \$80,000,000; retaining the law office of Stradling, Yocca, Carlson and Rauth to perform legal duties and act as Bond Counsel in connection with Tax

Anticipation Notes issued for Fiscal Year 1991-92;
authorizing the expenditure of a sum not to exceed
\$20,000 from Fund 65013 to provide funds for the bond
counsel services.

CITY MANAGER SUPPORTING INFORMATION: Each year the City of San Diego issues short-term notes to fund temporary cash deficits experienced during the year in the City's General Fund. Last year the City issued \$49,000,000 worth of notes. In 1989-90, \$28,000,000 worth of notes were issued. At this time, it is estimated that we will be able to issue approximately \$50,000,000 worth of notes on July 1, and possibly \$10,000,000 more in a Series B issue in early November. The determination of the actual issue size and whether a Series B is necessary will be made just prior to the July and November issue dates based upon current estimates of cash requirements. The City Treasurer received seven proposals to serve as underwriter in response to a Request for Proposal issued in April. Bank of America and Pryor, McClendon, Counts and Co., Inc. were selected as underwriter based upon pricing of services and the experience of the firm in the Tax Anticipation Note market.

Aud. Cert. 9200006.

FILE LOCATION: MEET CONT FY92-2; CCONT FY91-1

COUNCIL ACTION: (Tape location: E238-306.)

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

ITEM-203: (R-91-2181) ADOPTED AS RESOLUTION R-278177

Council confirmation of the reappointments by the Mayor to the Park and Recreation Board, for terms ending March 1, 1993, as follows:

Robert E. Russell
Mark Bruce
Katharine J. Kharas
Terrence J. Curren

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A514-509.)

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

ITEM-204: (R-91-2175 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-278178

Authorizing the execution of a Memorandum of Understanding between the United States of America and the City of San Diego, regarding the exchange of the SANDER Site and certain City-owned sites.
(University and Tierrasanta Community Areas.
Districts-5 and 7.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E313-F086.)

MOTION BY PRATT TO ADOPT AS AMENDED, AS RECOMMENDED BY THE CITY ATTORNEY, BY ADDING AN ADDENDUM TO THE RESOLUTION "AUTHORIZING THIS EXECUTION WITH A PROVISIO THAT IT IS TO HAVE NO EFFECT WITH RESPECT TO THE STATUS OF THE CHOLLAS PROPERTIES." DIRECT THE CITY MANAGER TO OPEN NEGOTIATIONS WITH THE NAVY ON THE 44 ACRES AT CHOLLAS WITH SPECIFIC DIRECTION TO CHANGE THE DESIGNATION FROM HOUSING TO OPEN SPACE AND REPORT BACK TO COUNCIL IN ONE MONTH. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-205: (R-91-2144) ADOPTED AS RESOLUTION R-278179

Authorizing the execution of an agreement with four basic life support ambulance companies for referral of certain calls for service.

FILE LOCATION: MEET CONT FY91-4

COUNCIL ACTION: (Tape location: A514-509.)

MOTION BY HARTLEY TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present,

Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206:

Two actions relative to Retirement Changes:

Subitem-A: (R-91-2206) ADOPTED AS RESOLUTION R-278180

Authorizing the Retirement Officer to enroll all appropriate employees into the Retirement System; authorizing the City Manager to create a new SPSP-H Program in which hourly employees will contribute 3.75% of their salary with a City match.

Subitem-B: (R-91-2207) ADOPTED AS RESOLUTION R-278181

Authorizing the City Auditor to establish a health insurance reserve fund; and expend the necessary monies for retiree health costs.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A514-509.)

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

ITEM-207: (R-91-2173) ADOPTED AS RESOLUTION R-278182

Authorizing the cancellation and adjustment of specified CIP sewer and water appropriations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A514-509.)

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

ITEM-208: (R-91-2129 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-278183

Levying an annual assessment within previously established Business Improvement Districts for July 1, 1991 through June 30, 1992.

(Mid-City, Hillcrest, Mission Hills, Centre City, Ocean Beach and La Jolla Community Areas. Districts-1, 2 and 3.)

CITY MANAGER SUPPORTING INFORMATION: Business Improvement Districts (BIDs) are authorized by State law to assess benefitted businesses for the cost of certain improvement activities. These activities are generally promotional in nature. Once a BID is established, the City collects the assessments and disburses them to an appropriate entity representing the district pursuant to an annual operating agreement. There are currently 11 active districts in the City of San Diego: Adams Avenue, City Heights, Downtown, El Cajon Blvd.-Gateway, El Cajon Blvd. Central, Gaslamp, Hillcrest, La Jolla, Mission Hills, North Park and Ocean Beach. State law requires that the City Council annually adopt a budget for each BID and hold a public hearing to levy appropriate assessments.

Today's action is the public hearing to levy the proposed assessment for each BID for FY 1992. Pursuant to Section 36530 of the State law regulating Business Improvement Districts (BID's), the Gaslamp Quarter Merchants Association recommends that the assessments in the Gaslamp District for the next fiscal year be increased by 100%. These funds will be used to seed a security/goodwill ambassador program. A separate Council action is being prepared to be noticed to all Gaslamp merchants to amend the Gaslamp District Ordinance to reflect the proposed change.

FILE LOCATION: STRT- L-1,2,3,4,5,6,7,8,9,11,12

COUNCIL ACTION: (Tape location: B119-E176.)

Hearing began at 2:58 p.m. and halted at 5:06 p.m.

MOTION BY HENDERSON TO APPROVE ALL B.I.D.'S EXCEPT LA JOLLA AND NORTH PARK. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

Testimony by Ron Zapperdino and Edward Lawrence in favor of the La Jolla Business Improvement District.

Testimony by Margaret Berns, Joe Graham, Karsten Joehnk, Ann Harris, Connie Forest, Ronie Goodman, Bill Cohen, Lois Hobbs, Lew Musser, Barbara Anderson, and Bob Otilie in opposition of the La Jolla Business Improvement District.

MOTION BY PRATT TO CONTINUE THE BUDGET FOR THE LA JOLLA BUSINESS IMPROVEMENT DISTRICT TO JULY 1, 1991. DIRECT THE CITY ATTORNEY TO DRAFT A RESOLUTION OF INTENTION OF DISESTABLISHMENT, AND DIRECT STAFF TO VERIFY SIGNATURES OF PETITION IN OPPOSITION TO THE LA JOLLA BUSINESS IMPROVEMENT DISTRICT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

Testimony by Ralph Oliviea in opposition to the North Park Business Improvement District.

Testimony by Ellen Massena in favor of the North Park Business Improvement District.

MOTION BY HARTLEY TO APPROVE THE NORTH PARK BUSINESS IMPROVEMENT DISTRICT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S400: (R-91-2193) CONTINUED TO JULY 1, 1991

Supporting the efforts of "Fill the Murph" and commending the organizers of "Fill the Murph" for their hard work on behalf of San Diego State University football and the disadvantaged youth in San Diego county.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A122-123.)

MOTION BY FILNER TO CONTINUE ONE WEEK FOR THE PRESENCE OF COUNCIL MEMBER ROBERTS. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S401: (R-91-1589) ADOPTED AS RESOLUTION R-278184

Inviting bids for Fire Communications Uninterruptible Power Supply; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$80,500 from CIP-33-195.0, Fund 30244, for an uninterruptible power supply 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-K2486/91)
(Serra Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The Fire Communications Building is scheduled to become fully operational in September. A final component of the entire communications system is to install an uninterruptible power supply (UPS) system to ensure that radio and 911 system equipment is equipped with an emergency power supply should both conventional power and the emergency generator fail as a result of major disruption such as a severe earthquake. The equipment will provide four hours of total communications capability while repairs to primary power systems are made. The detailed plans and specifications are being prepared at this time and will be available to the Purchasing Agent upon Council approval to advertise for bids. The furnishing of the UPS equipment will be coordinated with work being done by San Diego Data Processing Corporation in conjunction with moving the Fire Department's Communications Center from the Operations Building to the new Communications Building at Kearny Mesa.

Aud. Cert. 9100971.

FILE LOCATION: MEET CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-S402: (R-91-2203) ADOPTED AS RESOLUTION R-278185

Recognizing the efforts of the Spreckels Organ Society in promoting and improving the Spreckels Organ and in

providing enjoyment to the people of San Diego and around the world by providing year round and summer concerts; designating July 1, 1991 as "Spreckels Organ Day".

(Balboa Park Community Area. District-3.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A514-509.)

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

* ITEM-S403: (R-91-2198) ADOPTED AS RESOLUTION R-278186

Authorizing the City Manager to continue membership with the Unified San Diego County Emergency Services Organization and to provide funding for that membership.

CITY MANAGER SUPPORTING INFORMATION: The Unified San Diego County Emergency Services Organization (USDCESO) consists of the County of San Diego and all of the cities of San Diego county and was formed in the early 1970's to act as a facilitator for regional emergency planning, training, assistance in public education, and development of special programs. Currently, the organization is 50 percent funded by the County with the cities providing the remaining 50 percent based on a formula of population and assessed real value. The Unified Disaster Council serves as the governing body for this organization.

Over the past several years, the City of San Diego has identified several policy problems related to the USDCESO agreement. Among these concerns are the scope of the USDCESO, the degree of control by the County Board of Supervisors, the funding formula utilized, fiscal accountability, and the types of services offered by the USDCESO to the member jurisdictions. At the request of the San Diego City Manager's Office, the Unified Disaster Council (UDC) authorized the formation of an Ad Hoc Committee to review and resolve these concerns. The Ad Hoc Committee has met several times since its formation in January of 1991 and has resolved most of the City's concern. Although there still remain a few issues to be resolved, the City Manager's Office is confident that these will be resolved soon. Existing contractual agreements and the showing of substantive action to

date by the Ad Hoc Committee would favor the City's continuing participation.

Aud. Cert. 9100973.

FILE LOCATION: MEET CONT FY91-1

COUNCIL ACTION: (Tape location: A514-509.)

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

ITEM-S404: (R-91-2197) CONTINUED TO JULY 1, 1991

A Resolution approved by the City Council in Closed Session on Tuesday, May 21, 1991 by the following vote: Wolfsheimer-yea; Roberts-not present; Hartley-not present; Pratt-not present; Behr-yea; Henderson-yea; McCarty-yea; Filner-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$450,000 in the settlement of each and every claim against the City, its agents and employees, resulting from extra contract work claims by the plaintiffs for the project known as Mission Bay South Shores Phase III Development (Superior Court Case No. 624061, T.B. Penick & Sons, Inc., et al. v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue two checks: 1) to T.B. Penick & Sons, Inc. and its attorney of record, Craig A. Ramseyer, for \$125,000; and (2) to William Kirchnavy Construction, Inc. and its attorney of record, Stephen E. Wittman, for \$325,000, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes full and final settlement of all damages claimed by T.B. Penick & Sons, Inc. and William Kirchnavy Construction, Inc.

Aud. Cert. 9200011.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A390-393.)

MOTION BY PRATT TO CONTINUE ONE WEEK AS RECOMMENDED BY THE CITY MANAGER. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: (R-91-1864 Cor. Copy) ADOPTED AS RESOLUTION
R-278187

Approving the City Manager Report entitled, "Revised Building Permit Fees and Charges"; directing the City Manager to promulgate the schedule of fees to be effective on and after July 1, 1991.
(See City Manager Reports CMR-91-241 and CMR-91-225.)

COMMITTEE ACTION: Reviewed by PSS on 5/15/91. Recommendation to approve the City Manager's recommendations. Districts 2, 3, 4 and 5 voted yea. District 7 voted nay.

NOTE: This item was first docketed on June 3, 1991, Item 150. It was referred to the Building Inspection Budget Hearing, and is now being redocketed for Council consideration.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A514-509.)

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

ITEM-S406: (R-91-2205) ADOPTED AS RESOLUTION R-278188

Approving the San Diego Convention Center Corporation's Fiscal Year 1992 Annual Budget, subject to the approval of the 1992 Annual Appropriation Ordinance.
(See SDCCC Report dated June 6, 1991.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F086-090.)

MOTION BY PRATT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea,

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

ITEM-S407:

Three actions relative to the Morena Boulevard
Interceptor Sewer - Condemnation:
(See City Manager Report CMR-91-252. Linda Vista
Community Area. District-5.)

Subitem-A: (R-91-2038) ADOPTED AS RESOLUTION R-278189

Determining and declaring that the public interest, convenience and necessity of the City of San Diego require the construction, operation and maintenance of the Morena Boulevard Interceptor Sewer, to serve and maintain sewer capacity for rapidly developing north city and coastal communities; that said public sewer requires the acquisition of four permanent sewer easements and three temporary right-of-entry work easements over, under, along and across portions of real property located in the Southwest Bay Park area between Tecolote Road on the north, Buenas Avenue on the south, West Morena Boulevard on the east, and Old Pacific Highway on the west; declaring the intention of the City of San Diego to acquire said property under eminent domain proceedings; and directing the City Attorney of the City of San Diego to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning and acquiring said property.

Subitem-B: (R-91-2047) ADOPTED AS RESOLUTION R-278190

Authorizing the expenditure of an amount not to exceed \$50,000 from Fund 41506, Org. 258, Object Account 4638, Job Order 170349, (CIP-43-123.0, Morena Boulevard Interceptor) for costs related to the condemnation of sewer easements in connection with the Morena Boulevard Interceptor.

Subitem-C: (R-91-2048) ADOPTED AS RESOLUTION R-278191

Certifying that the information contained in Environmental Mitigated Negative Declaration EMND-87-0497, and Addendum No. 91-0278, in connection with the Morena Boulevard Interceptor, together with any comments received during the public review process,

has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines, and that said Report has been reviewed and considered by the Council; approving the Negative Declaration, based upon the Initial Study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment.

Aud. Cert. 9100889.

WU-PR-91-191.

FILE LOCATION: WATER - Morena Boulevard Interceptor Sewer -
Condemnation

COUNCIL ACTION: (Tape location: F090-097.)

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

ITEM-S408: (R-91-2204) ADOPTED AS RESOLUTION R-278192

Authorizing the execution of a second amendment to the Operating Agreement with Wackenhut Corrections Corporation (Wackenhut), reducing the term for services for the Misdemeanor Pre-arraignment Determination Facility from 10 years to 5 years; authorizing the execution of a Hazardous Materials Certificate to obtain the financing for the facility.

CITY MANAGER SUPPORTING INFORMATION: The amendment to Operating Agreement Section 3.1 Initial Terms - Operation and Management is necessary to comply with the Federal Tax Guidelines. This amendment is necessary for the underwriter to obtain tax exempt status for the Certificates of Participation in compliance with Internal Revenue Procedures No. 82-14 and No. 82-15. As a result, the interest rate on the borrowed money will be lower and the City's debt service payments will be reduced substantially. The amendment will reduce the initial term of the Operating Agreement from ten years to five years in compliance with the Internal Revenue Procedures, with subsequent renewals subject to agreement by the parties. The City will have Right of Termination after three years. Financing and monthly debt service for the Pre-arraignment Detention Facility are based on

the original ten year term. With this amendment it is possible that at the end of five years, Wackenhut will opt not to renew the agreement. In this unlikely event, the City could contract with another corrections firm to continue operation of the facility. The signed Hazardous Material Certificate is necessary to obtain the financing for the facility.

FILE LOCATION: LEAS-Wackenhut Corrections Corporation
LEAS FY91-1

COUNCIL ACTION: (Tape location: F100-170.)

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

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding scheduling of meetings.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F412-439.)

ADJOURNMENT:

By common consent, the meeting was adjourned by Chairperson Wolfsheimer at 6:06 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: F440-441).