

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, OCTOBER 7, 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 2:00 p.m. The meeting was adjourned by Deputy Mayor Filner at 8:47 p.m. into Closed Session at 9:15 a.m. on Tuesday, October 8, 1991 in the 12th floor conference room to discuss pending litigation, whether or not litigation should be initiated and meet and confer items.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (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 (11)

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

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Gerald Borgie of Penasquitos Lutheran Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Behr.

FILE LOCATION: MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

9/09/91
9/10/91

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A040-051.)

MOTION BY ROBERTS TO APPROVE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-

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

ITEM-31: PROCLAIMED

Proclaiming October 6-12, 1991 as "Fire Prevention Week" in San Diego in commemoration of the Great Chicago Fire of 1871; asking residents to participate in fire prevention activities and heed the message: "Fire Won't Wait - Plan Your Escape."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A053-065.)

ITEM-32: (R-92-263) ADOPTED AS RESOLUTION R-278706

Supporting the efforts of the Women's Cancer Task Force to ensure that women's health care needs receive a fair share of the federal research and education budget; declaring October to be "Breast Cancer Awareness Month" in the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A066-135.)

MOTION BY ROBERTS TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-33: DENY THE HEARING

Matter of a request for an appeal by Shirley J. Bell, from the decision of the Planning Commission in granting Mid-City Development Permit, MCD-91-0459, Center for Social Services, proposing to convert two residential units totaling 2,293 square-feet in size to offices located on the second floor of a 6,639 square-foot office building and to use a 938 square-foot accessory building for offices. The applicant is requesting a variance to allow the use of 14 on-site

parking spaces where 33 spaces are required. The subject property is 14,000 square-feet in size and is located at 3916 Normal Street and is described as Lots 24-27 of Block 189 according to amended map thereof made by S.A. D'Hemecourt in Book 36 of Lis Pendens. The CN-2A zoned site is within the Uptown Community Plan Area.

(Case-MCD-91-0459. District-3.)

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

FILE LOCATION: PERM-Case-MCD-91-0459

COUNCIL ACTION: (Tape location: A188-197.)

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

* ITEM-50: (O-92-36) ADOPTED AS ORDINANCE O-17694 (New Series)

Amending Chapter I, Article 3 of the San Diego Municipal Code by adding Division 4 entitled Cost Recovery; and adding Sections 13.0401, 13.0402, 13.0403, 13.0404, 13.0405 and 13.0406, relating to the Establishment of Reinspection Fees by City Departments.

(Introduced on 9/16/91. Council voted 7-1. District 3 voted nay. District 4 not present.)

WU-M-91-220.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A206-258.)

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

* ITEM-51: (O-92-37) ADOPTED AS ORDINANCE O-17695 (New Series)

Amending Chapter I, Article 3, Division 4, by adding Sections 13.0420, 13.0421, 13.0422, 13.0423, 13.0424 and 13.0425 relating to the Recordation of Code Enforcement Liens; and amending Chapter I, Article 3, Division 3 of the San Diego Municipal Code by amending Sections 13.0335, 13.0336, 13.0337 and 13.0347.

(Introduced on 9/16/91. Council voted 8-0. District 4 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A206-258.)

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

ITEM-52: (O-92-43) ADOPTED AS ORDINANCE O-17696 (New Series)

Amending Chapter I, Article 3, Division 2, of the San Diego Municipal Code by amending Section 13.0202, relating to the Imposition of Civil Penalties Imposed by Judicial Actions, establishing a maximum of \$2,500 civil penalty per violation per day. (Introduced on 9/16/91. Council voted 8-0. District 4 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A235-258; H352-375.)

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

* ITEM-53: (O-92-46) ADOPTED AS ORDINANCE O-17697 (New Series)

Amending Chapter II, Article 2, Division 1 of the San Diego Municipal Code by amending Section 22.0101, Rule 23, to provide for implementation of a two-year budget process based on a five-year plan.

(Introduced on 9/16/91. Council voted 8-0. District 4 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A206-258.)

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

* ITEM-54: (O-92-35) ADOPTED AS ORDINANCE O-17698 (New Series)

Setting aside and dedicating various portions of Los Penasquitos Canyon Preserve and Lopez Canyon for a public park.

(Introduced on 9/16/91. Council voted 8-0. District 4 not present. Los Penasquitos Canyon Community Area. Districts-1 and 5.)

FILE LOCATION: DEED F-5691 DEED FY92-1

COUNCIL ACTION: (Tape location: A206-258.)

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

* ITEM-55: (O-92-45) INTRODUCED, TO BE ADOPTED OCTOBER 21, 1991

Introduction of an Ordinance amending Chapter IX, Article 3, Division 2, of the San Diego Municipal Code

by amending Section 93.0206, relating to the
Installment of Low Water-Use Plumbing Fixtures in New
Construction.

CITY MANAGER SUPPORTING INFORMATION: On March 14, 1991, the City Council approved an Ordinance requiring the installation of ultra-low flush toilets in all new construction. This Ordinance has been in effect since May 1, 1991. A Memorandum Decision was issued on March 28, 1991, by U.S. District Court Judge Brewster in concluding the lawsuit filed by the United States and the State of California against the City of San Diego over violations of the Clean Water Act. The Memorandum Decision requires that the City undertake specific water conservation activities, including installation of ultra-low flush toilets, low-flow showerheads and faucets in all new construction by December 1, 1991. The recommended revisions to the Ordinance would require the installation, in all new construction, of showerheads and faucets with a maximum flow rate of 2.5 gallons of water per minute. These proposed revisions to the existing new construction Ordinance comply with the court mandate.

WU-92-036.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A259-260.)

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

ITEM-100: (R-92-504) TRAILED TO OCTOBER 8, 1991

Declaring the results of the Municipal Primary Election
held in the City of San Diego, Council Districts 2, 4,
6 and 8, on Tuesday, September 17, 1991.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A173-184.)

MOTION BY ROBERTS TO TRAIL TO OCTOBER 8, 1991 FOR RESULTS OF
THE RECOUNT AT THE REQUEST OF THE CITY MANAGER. Second by
Henderson. Passed by the following vote: Wolfsheimer-yea,

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

* ITEM-101: (R-92-81) ADOPTED AS RESOLUTION R-278707

Awarding contracts to Multiplier Industries Corp.,
Alexander Battery Co. West, House of Batteries,
Periphex for the purchase of radio, pager and cellular
telephonic batteries, as may be required for a period
of one year beginning September 1, 1991 through August
31, 1992, for an estimated cost of \$49,952, including
tax. (BID-2509/92)

FILE LOCATION: CONT-Purchase-Multiplier Industries
Corp., Alexander Battery Co. West, House of
Batteries, and Periphex CONT FY92-4

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-102: (R-92-454) ADOPTED AS RESOLUTION R-278708

Accepting the low base bid of \$213,378, which is 5.1%
over the City's estimate of \$203,000, and awarding a
contract to P&P Enterprises, Inc. for Construction of
Mid-City Commercial Revitalization Phase 6B (Partial),
Park Boulevard and Monroe; authorizing the Auditor and
Comptroller to transfer \$39,240 from Phase 6A, CDBG
Fund No. 18524, Dept. 5663, Org. 6314, Acct. 4220, W.O.
118695 to Phase 6B partial, CDBG Fund No. 18525, Dept.
5883, Acct. 4279, W.O. 119685 for the purpose of
executing this contract and related costs; authorizing
the additional expenditure of \$39,240 from CDBG Fund
No. 18524 to supplement funds previously authorized by
Resolution R-278215 for \$227,500, 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-K2478/91)

(University Heights Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: This contract was advertised on July 5, 1991. Sixty-four bid packages were picked up and eight bids submitted. The estimated construction cost, prepared by the City's design consultant, was \$203,000. A low bid submitted by P&P Enterprises, Inc. was for \$213,378.35 which is \$10,378.35 (5.1%) over the consultant estimate. All bids received exceeded the estimate. Based on the range of the eight bids received (\$310,914, \$291,647, \$277,336, \$275,688, \$274,141, \$244,769 and \$227,140), it is recommended that the low bid of \$213,378.35 be accepted and the contract be awarded to P&P Enterprises, Inc. The additional funds are available in the Mid-City Commercial Revitalization Program specifically from the Phase 6A contract, in which funds were retained to complete scheduled 6A improvements as part of the Phase 6B work.

Aud. Cert. 9200197.

FILE LOCATION: W.O. 119685 CONT-P&P Enterprises, Inc.
CONT FY 92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-103: (R-92-85) ADOPTED AS RESOLUTION R-278709

Awarding a contract to San Diego Rotary Broom Co., Inc., for the purchase of filled gutter broom cores, as may be required for a period of one year beginning November 1, 1991 through October 31, 1992 for an estimated cost of \$51,675, including tax, with options to renew the contract for four additional one year periods, with increases not to exceed 25 percent of the prices in effect in each prior period. (BID-C2584/92)

FILE LOCATION: CONT-Purchase-San Diego Rotary Broom
Co., Inc. CONT FY 92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-104: (R-92-82) ADOPTED AS RESOLUTION R-278710

Accepting the sole bid and awarding a contract to Chemstar Lime Company for the purchase of bulk quicklime, as may be required for a period of one year beginning November 1, 1991 through October 31, 1992, for an estimated cost of \$122,980, with an option to renew the contract for four additional one year periods, with price escalations not to exceed five percent of prices in effect at the end of each prior year. (BID-B2558/92)

FILE LOCATION: CONT-Purchase-Chemstar Lime Company
CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-105:

Two actions relative to the Crown Point Trunk Sewer Replacement:

(Pacific Beach Community Area. District-2.)

Subitem-A: (R-92-297) ADOPTED AS RESOLUTION R-278711

Inviting bids for the Construction of Crown Point Trunk Sewer on Work Order No. 171481; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$598,657 from

Sewer Revenue Fund 41506, CIP-44-001.0, and \$18,477 from CIP-22-079.0, Northern Wildlife Reserve Requirements, Fund No. 10507, Fiesta Island Sludge Mitigation, for said project and related costs. (BID-K2656/92)

Subitem-B: (R-92-298) ADOPTED AS RESOLUTION R-278712

Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program DEP-90-0210, dated 6/13/91, in connection with Construction of Crown Point Trunk Sewer, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: This project proposes to replace approximately 1200 feet of the Crown Point Trunk Sewer and construct 500 feet of walkway along the northern wildlife preserve in Mission Bay Park. The existing 12-inch trunk sewer will be replaced with an 18-inch trunk sewer. In addition, flows from two smaller sewer mains will be diverted from the Crown Point Trunk Sewer to the La Jolla-Pacific Beach Trunk Sewer with the replacement of 126 feet of 8-inch main. This will insure that sufficient capacity is available to accommodate ultimate sewage flows as well as low, dry weather storm drain flows from the Mission Bay Sewage Interceptor System. The walkway or concrete sidewalk will be located adjacent and east of Crown Point Drive near the trunk sewer replacement. There is currently no sidewalk at this location. Installation of this sidewalk will provide improved access for pedestrians around Mission Bay Park. This slope area adjacent to the sidewalk will be improved and restored with natural vegetation, and monitored for a three-year period.

Aud. Cert. 9200137.

WU-P-92-006.

FILE LOCATION: W.O. 171481 CONT FY92-1
CONT - Drainage Construction Co., Inc.

COUNCIL ACTION: (Tape location: A260-300.)

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

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

* ITEM-106: (R-92-460) ADOPTED AS RESOLUTION R-278713

Authorizing the City Manager to declare Petar Artukovich Construction Company in default of its contract with the City for the Construction of Sewer and Water Main Replacement Group 69, for willful failure to complete the contract work, and to terminate the contract; authorizing and directing the City Attorney to take the necessary actions to recover costs associated with the termination in accordance with the terms of the contract; declaring Petar Artukovich Construction Company, Inc. and its officers, to be a non-responsible contractor; directing the Purchasing Agent to not consider any future bids submitted by or on behalf of this contractor for a period of three years.

(See City Manager Report CMR-91-421.)

FILE LOCATION: CONT-Petar Artukovich Construction Co.

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-107: (R-92-296) ADOPTED AS RESOLUTION R-278714

Inviting bids for the Construction of Bicycle Detector Loops at Various Locations, Flashing Beacons on Linda Vista Road between Fulton Street and Comstock Street and Machine Count Program Detector Loops at Various Locations on Work Order No. 119297; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$74,142 from CIP-64-004.0 - Annual Allocation - Railroad Warning Devices (\$29,928 from Fund 30300 and \$44,214 from Fund 3245) to CIP-58-079.0 - Bicycle Detector Loops; authorizing the transfer of \$40,208

from CIP-63-001.0 - Annual Allocation - Traffic Operations and Safety (\$20,208 from Fund 3245 and \$20,000 from Fund 30300) to CIP-58-079.0 - Bicycle Detector Loops; authorizing the expenditure of \$214,350 from CIP-58-079.0 - Bicycle Detector Loops, \$100,000 from Fund 39005, \$64,422 from Fund 3245 and \$49,928 from Fund 30300, for the purpose of executing this contract and related costs. (BID-K2648/92)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvement Program Project to install Bicycle Detector Loops at various locations provides for bicycle loops at existing traffic signal locations or replaces existing loops to be more sensitive to bicyclists. The project to install flashing beacons on Linda Vista Road between Fulton Street and Comstock Street provides for four flashing beacons to be installed as supplemental warning devices, ahead of two mid-block crosswalks. The project to install machine count detectors at various locations provides for permanent loop detectors and machine count locations. Aud. Cert. 9200188.

FILE LOCATION: W.O. 119297 CONT - Southwest Traffic Signal Service Co. CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-108:

Two actions relative to Sewer and Water Main Replacement Group 70: (Uptown Community Area. District-3.)

Subitem-A: (R-92-299) ADOPTED AS RESOLUTION R-278715

Inviting bids for Sewer and Water Main Replacement Group 70 on Work Order Nos. 148191 and 147211; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$1,562,842 from Sewer Revenue Fund 41506 Construction Outlay (70492), CIP-44-001, and \$904,551 from Water

Revenue Fund 41502, Water Construction Outlay (70592),
CIP-73-083, 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-K2657/92)

Subitem-B: (R-92-300) ADOPTED AS RESOLUTION R-278716

Authorizing the use of City Forces to make connections
and perform operational checks involving Sewer and
Water Main Replacement Group 70; declaring that the
cost of said work shall not exceed \$52,754.

CITY MANAGER SUPPORTING INFORMATION: Sewer and Water Main
Replacement Group 70 includes the installation of approximately
1.85 miles of sewer mains and 0.84 mile of water mains to replace
existing deteriorated facilities in the Uptown Community area.
Having served the area east of Texas Street between Upas Street
and Polk Avenue for over 75 years, the existing facilities have
been experiencing, at an increasing rate, over 6.4 stops per year
per mile of sewer main and over 3.6 breaks per year per mile of
water main. This project will alleviate these stoppages and
breaks and provide more reliable sewage collection and water
distribution service for this service area well beyond the
foreseeable future.

Aud. Cert. 9100743.

WU-P-91-127.

FILE LOCATION: W.O. 148191/147211 CONT - MUR-VIC
Construction Co. CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-109:

Three actions relative to the Construction of Sewer and Water Group 84:
(La Jolla Community Area. District-1.)

Subitem-A: (R-92-456) ADOPTED AS RESOLUTION R-278717

Inviting bids for the Construction of Sewer and Water Group 84 on Work Order No. 170481/180381; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$1,946,724 from Sewer Revenue Fund 41506 Sewer Construction Outlay (70492), CIP-44-001; and \$134,270 from Water Revenue Fund 41502 Water Construction Outlay (70592), CIP-73-083, 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; financing contingent upon approval of FY-92 budget. (BID-K2667/92)

Subitem-B: (R-92-457) ADOPTED AS RESOLUTION R-278718

Authorizing the use of City Forces to make connections and perform operational checks; declaring that the cost of said work shall not exceed \$14,257.

Subitem-C: (R-92-458) ADOPTED AS RESOLUTION R-278719

Certifying that the information contained in Environmental Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, DEP-91-0153, dated April 3, 1991, in connection with the Construction of Sewer and Water Group 84, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: Sewer and Water Main Replacement Group 84 includes the installation and replacement of approximately 2.98 miles of sewer main and 0.34 miles of water main in the La Jolla Community area. Having served the area bounded by Pearl Street, Torrey Pines Road, and the Pacific Ocean for over 75 years, the existing sewage collection facilities have been experiencing an excessive number of stops and 9 flood claims between 1984 and 1986. The short length of water main

replacement is needed to avoid conflicts with a nearby sewer main replacement and to avoid future resurfacing needs. This project will alleviate these stoppages and provide more reliable and cost effective sewage collection service for the area.

Aud. Cert. 9200004.

WU-P-91-150.

FILE LOCATION: W.O. 170481/180381 CONT FY92-1
CONT - Dietrich Corporation

COUNCIL ACTION: (Tape location: A314-324.)

MOTION BY WOLFSHEIMER TO ADOPT AND EXTEND APPRECIATION TO THE CITY MANAGER AND WATER UTILITIES STAFF. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110:

Two actions relative to the Tecolote Shores parking lot: (Mission Bay Park Community Area. District-2.)

Subitem-A: (R-92-451) ADOPTED AS RESOLUTION R-278720

Inviting bids for the Improvement of Tecolote Shores Parking Lot on Work Order No. 119542; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$167,000 from CIP-22-081.0, Tecolote Shores Parking Lot, Sludge Mitigation Fund No. 10507, 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-K2658/92)

Subitem-B: (R-92-452) ADOPTED AS RESOLUTION R-278721

Certifying the information contained in Negative Declaration DEP-91-0200, dated April 25, 1991, in connection with Improvements of Tecolote Shores Parking Lot, has been completed in compliance with the

California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: This project will provide a 54-space parking lot on the west side of East Mission Bay Drive, in the Tecolote Shores area in Mission Bay Park. The parking lot will be adjacent to a sand filled play area now being designed for use by physically disabled children. One-third of the parking spaces will be for the physically disabled.

Aud. Cert. 9200134.

FILE LOCATION: W.O. 119542 CONT - CAVES, INC.
CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-111: (R-92-459) ADOPTED AS RESOLUTION R-278722

Inviting bids for Deck Treatment of Pacific Highway Bridge over San Diego River on Work Order No. 119656; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$198,000 from Gas Tax Fund 30219, 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-K2668/92)

(Mission Bay Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Pacific Highway bridge over the San Diego River is 938 feet long and provides two 23-foot wide roadways. This particular bridge was constructed in 1952. In recent years, however, progressive physical damage to the bridge deck has occurred. Linear fractures and delaminations have produced a rough riding surface, necessitating frequent deck

repairs. This project will repair and overlay the bridge deck to prevent further deterioration of the existing substrate while providing a relatively impermeable, skid resistant wearing surface, thereby reducing maintenance costs.

Aud. Cert. 9200206.

FILE LOCATION: W.O. 119656 CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-112: (R-92-453) ADOPTED AS RESOLUTION R-278723

Inviting bids for the Improvement of Seventh Avenue North of Ash Street on Work Order No. 037461; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$23,300 from Fund No. 41500, Water Utility Operating Fund, 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-K2659/92M)

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The water main located along Seventh Avenue between Ash Street and Beech Street failed, causing damage and local settlement to the street and sidewalk. The Water Utilities Department has repaired the main; however, they have requested that the Engineering and Development Department prepare plans and specifications and manage a project to repair the damage caused by the break. This project will replace the sidewalk and driveway and resurface street sections that have settled, as well as fill and compact any voids present.

Aud. Cert. 9200210.

WU-P-92-004.

FILE LOCATION: W.O. 037461 CONT - B. E. Moore Engineering
CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-113:

Six actions relative to the final subdivision map of Hampe Hills, a 148-lot subdivision located northwesterly of Carmel Mountain Road and Black Mountain Road:

(Penasquitos East Community Area. District-1.)

Subitem-A: (R-92-472) ADOPTED AS RESOLUTION R-278724

Authorizing the execution of a Subdivision Improvement Agreement with Sunburst Homes Corporation for the installation and completion of public improvements.

Subitem-B: (R-92-471) ADOPTED AS RESOLUTION R-278725

Approving the final map.

Subitem-C: (R-92-473 Cor.Copy) ADOPTED AS RESOLUTION
R-278726

Approving the acceptance by the City Manager of a grant deed of Sunburst Homes Corporation granting to the City Lot 147 of Hampe Hills (TM-87-0115).

Subitem-D: (R-92-474) ADOPTED AS RESOLUTION R-278727

Authorizing the execution of a Sewer Reimbursement Agreement with Sunburst Homes Corporation.

Subitem-E: (R-92-475) ADOPTED AS RESOLUTION R-278728

Approving the acceptance by the City Manager of deeds of Sunburst Homes Corporation; Raymond Hampe, Frederick W. Hampe, Eanne B. Hampe and Richard B. Williams; and

Poway Unified School District, granting to the City a portion of the Southwest Quarter of the Northeast Quarter of Section 12, Township 14 South, Range 3 West, San Bernardino Meridian; dedicating the land as and for a public street and naming the same Adobe Bluffs Drive.

Subitem-F: (R-92-483) ADOPTED AS RESOLUTION R-278729

Approving the acceptance by the City Manager of a quitclaim deed of Raymond H. Hampe, Frederick W. Hampe, Eanne B. Hampe and Richard B. Williams, quitclaiming to the City a portion of the south one-half of the northeast quarter of Section 12, Township 14 South, Range 3 West, San Bernardino Base and Meridian.

CITY MANAGER SUPPORTING INFORMATION: In addition to the standard Subdivision Improvement Agreement, Sunburst Homes Corporation is entering into a Sewer Reimbursement Agreement instead of establishing utility reimbursement districts. This agreement satisfies Condition No. 13 of Resolution R-275273 approving the tentative map.

FILE LOCATION: Subitems-A,B&D: SUBD-Hampe Hills;
Subitems-C: DEED F-5692; Subitem E: DEED F-5693; Subitem F: DEED F-5694 DEED FY92-3; CONT FY92-2

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-114: (R-92-325) ADOPTED AS RESOLUTION R-278730

Granting an extension of time to 5/6/92 to Pardee Construction Company, subdivider, to complete the improvements required in N.C.W. Neighborhood 3, Unit 11.

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

CITY MANAGER SUPPORTING INFORMATION: On April 21, 1986, the City entered into an agreement with Pardee Construction Company

for the construction of public improvements for N.C.W. Neighborhood 3, Unit 11. The agreement expired on April 21, 1988. The subdivider has requested an extension of time to May 6, 1992 in which to complete the required improvements. The improvements are approximately 95% complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD-N.C.W. Neighborhood 3, Unit 11

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-115: (R-92-396) ADOPTED AS RESOLUTION R-278731

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of the Columbia Street (Ash Street to Juniper Street) Underground Utility District. (Centre City Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Columbia Street between Ash Street and Juniper Street. This is a scheduled project in the calendar year 1991 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas & Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. As part of the City's Utility Undergrounding Program, existing pole-mounted street lights must be replaced with new street lights when the overhead utilities are removed. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 9200189.

FILE LOCATION: STRT K-200

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-116: (R-92-444) ADOPTED AS RESOLUTION R-278732

Approving the acceptance by the City Manager of a grant deed of Carmel Mountain Ranch granting to the City an easement for public street purposes in a portion of Parcel 2 of Parcel Map PM-16195; dedicating said land as and for a public street and naming the same Conference Way.

(Carmel Mountain Ranch Community Area. District-5.)

FILE LOCATION: DEED F-5695 DEED FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-117: (R-92-499) ADOPTED AS RESOLUTION R-278733

Proclaiming October 7, 1991 to be the "Mayor's Domestic Violence Council for San Diego Day" in San Diego, and supporting the purpose and goals of the Domestic Violence Council toward the reduction and prevention of domestic violence.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

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

* ITEM-118: (R-92-425) ADOPTED AS RESOLUTION R-278734

Declaring October 7, 1991 to be "World Habitat Day" in San Diego; urging all housing officials, community representatives, housing providers and others in the public and private sectors to seek innovative and creative regional solutions to the provisions of shelter and the creation of livable communities in the region.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-119: (R-92-349) ADOPTED AS RESOLUTION R-278735

Proclaiming October 14-18, 1991 to be "Red Ribbon Week" in San Diego; supporting the efforts of the San Diego Substance Abuse Committee and the City Manager's Advisory Committee on Substance Abuse and Prevention during this week; urging all employees to make a pledge to work towards making our communities and workplace substance abuse free.

CITY MANAGER SUPPORTING INFORMATION: The City Manager's Advisory Committee on Substance Abuse and Prevention (MACSAP) has met over the last several months to develop the City Employees Substance Abuse Bill of Rights and Responsibilities (CESABRR). The purpose for the CESABRR is to inform City employees that they have certain rights and responsibilities regarding the effects of alcohol and drug use and abuse on our communities and workplace. MACSAP has developed the CESABRR and a logo which we would like for the Mayor and City Council to adopt and then declare October 14-18, 1991, as the City of San Diego's Red Ribbon Week.

Supporting the efforts of MACSAP reflects the Commitment of the City to its employees. The Red Ribbon campaign originated when DEA agent Enrique Camarena was murdered by drug traffickers in 1985. The Red Ribbon became the symbol to eliminate the demand for drugs, just as the Yellow Ribbon symbolized support for our troops in Operation Desert Storm.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A139-186.)

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

* ITEM-120: (R-92-367) ADOPTED AS RESOLUTION R-278736

Accepting a grant of \$78,416 from the Weingart Foundation for a pilot of the Drug Abuse Resistance (DARE) program at the Junior High School level; expressing gratitude for this act of civic generosity.

CITY MANAGER SUPPORTING INFORMATION: The Drug Abuse Resistance Education (DARE) Program is designed to place Police Officers in direct contact with the City's youth through the elementary schools to provide the City's youth with information and education on the resistance of drug abuse. The Weingart Foundation's donation will enable DARE to initiate a pilot program at the Junior High level by this funding of one officer and supporting equipment. The Police Department will submit progress reports to the Wiengart Foundation funds have been completely expended.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-121: (R-92-366) ADOPTED AS RESOLUTION R-278737

Authorizing the City Manager to accept a donation of two vehicles from Infiniti Division of Nissan Motor Corporation to be used for vocational training of police officers at the Police Academy; expressing gratitude for this civic act of generosity.

CITY MANAGER SUPPORTING INFORMATION: The donated vehicles will be used by the Training Academy for driver and high risk vehicle stop training, as well as role play scenarios. These vehicles will enhance the quality of the learning experience for future San Diego Police Officers. This donation is valued at approximately \$61,000.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A326-360.)

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

* ITEM-122: (R-92-410) ADOPTED AS RESOLUTION R-278738

Accepting a \$20,000 grant from the NEA in support of the planning and fabrication of "Los Portales de Chicano Park" (South Gate); appropriating \$20,000 from the Fund for Public Art to match the NEA grant; authorizing the City Auditor and Comptroller to expend these funds to match the NEA grant for the planning and fabrication of "Los Portales de Chicano Park" (South Gate).

(See City Manager Report CMR-91-414.)

Aud. Cert. 9200150.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

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

* ITEM-123: (R-92-377) ADOPTED AS RESOLUTION R-278739

Authorizing the Bank of America as paying Agent for the City to issue a replacement for 1915 Act Limited Obligation Bond for Mission Valley Heights Assessment District 4025, Bond Series 3676, Certificate Number 593, in the amount of \$20,000.

CITY MANAGER SUPPORTING INFORMATION: The City Treasurer's Office has been notified that a registered bond for Mission Valley Heights Assessment District 4025, Bond Series 3676, was mailed to the registered bondholder and was never received by addressee. In order for the paying agent to replace the lost bond, the City Council must authorize the replacement. A Sole Obligor Bond with Unlimited Liability has been received, indemnifying the City against possible loss due to such action. A Mail Loss Affidavit has also been received.

FILE LOCATION: STRT D-2273

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-124: (R-92-418) ADOPTED AS RESOLUTION R-278740

Excusing Councilmember Tom Behr from attending the regularly scheduled Transportation and Land Use Committee meeting of July 25, 1991, for the purpose of vacation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-125: (R-92-446) ADOPTED AS RESOLUTION R-278741

Excusing Councilmember Bob Filner from attending the Council meeting of September 16, 1991, in observance of Rosh Hashanah.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-126: (R-92-476) ADOPTED AS RESOLUTION R-278742

Excusing Councilmember Bob Filner from attending the September 11, 1991 meeting of the Public Facilities and Recreation Committee, to attend to other official City business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-127: (R-92-422) ADOPTED AS RESOLUTION R-278743

Excusing Councilmember Judy McCarty from the Council meetings of August 7 and 8, 1991, to attend official city business in Chicago, Illinois, relating to library matters.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-128: (R-92-477) ADOPTED AS RESOLUTION R-278744

Excusing Councilmember Abbe Wolfsheimer from attending the Council meetings of September 23 and 24, 1991, to attend the Immigration Funding Project in Washington, D.C.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-129: (R-92-) RETURNED TO CITY ATTORNEY

Changing the name of the San Diego Advisory Board on Women to the San Diego City Commission on the Status of Women.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A186-192.)

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

* ITEM-130: (R-92-430) ADOPTED AS RESOLUTION R-278745

Authorizing the execution of an amended agreement with Aetna Healthcare Programs of California, Inc., dba Choice, to extend the agreement for a one-year period beginning August 1, 1991 through July 31, 1992, to enhance the prescription coverage to 34 day/100 unit supply, as follows:

PER MONTH

MONTHLY PREMIUMS	FROM	TO
Employee Only (City Paid)	\$122.00	\$132.88
One Dependent (Employee Paid)	\$134.16	\$146.10
Two or More Dependents (Employee Paid)	\$242.74	\$268.02

CITY MANAGER SUPPORTING INFORMATION: Aetna Choice Healthcare Plan was first offered to all City employees in FY 90, effective 8/1/89 as an alternative health plan in lieu of Greater San Diego. Choice was awarded the contract as a result of a survey of health maintenance organizations conducted by A. Foster Higgins in March 1989. The premium rates for this contract year, 8/1/91 through 7/31/92, for City paid and employee paid rates have increased as follows:

	FROM	TO	% INCREASE
Employee only (City Paid)	\$122.00	\$132.88	8.9%
1 Dependent (Employee Paid)	\$134.16	\$146.10	8.9%
2 or More Dependents (Employee Paid)	\$242.74	\$268.02	10.4%

Choice has increased prescription coverage to 34 days/100 unit supply.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-131: (R-92-431) ADOPTED AS RESOLUTION R-278746

Authorizing the execution of an amended Master Policy Statement for the CITYMED Health Plan to authorize a premium rate increase for employees and their dependents.

CITY MANAGER SUPPORTING INFORMATION: A review of the integrity and stability of the CITYMED Health Plan was conducted by the actuarial firm of A. Foster Higgins in March, 1991. Based on their recommendations and discussions with the labor groups, the following premium rate structure was established:

MONTHLY PREMIUMS	\$250 DEDUCTIBLE	\$1000 DEDUCTIBLE	\$2500 DEDUCTIBLE	RETIREE
Employee Only				
(City Paid)	\$126.21	\$ 77.12	\$ 67.28	\$285.51
Retiree (Medicare)				\$ 99.00
1 Dependent (Employee Paid)	\$146.41	\$ 89.46	\$78.06	\$291.04
1 Dependent (Medicare)	\$105.86			
2+ Dependents (Employee Paid)	\$292.82	\$178.92	\$156.10	\$436.74
2+ Dependents (Medicare)	\$204.09			

Premium increases were based on current actuarial assumptions, experience and indicated plan modifications implemented to remain a competitive and viable health plan.

The policy statement has been amended to reflect the aforementioned plan design changes.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-132: (R-92-432) ADOPTED AS RESOLUTION R-278747

Authorizing the execution of an amended Group Health Insurance agreement with Health Net, to extend the agreement for a one-year period beginning August 1, 1991 through July 31, 1992, to add chiropractic coverage with \$5 co-payment, and to authorize premium rate increases as follows:

Per Month Monthly Premiums

	From	To	Employee Only (City Paid)
	\$117.98	\$130.54	

One Dependent

(Employee Paid)	\$128.94	\$150.42
-----------------	----------	----------

Two or More Dependents

(Employee Paid)	\$237.39	\$273.80
-----------------	----------	----------

CITY MANAGER SUPPORTING INFORMATION: The Health Net plan was first offered to all City employees in FY 1990, effective August 1, 1989, after a market survey was conducted to find a suitable replacement for the PruCare health plan. Health Net was selected based upon the level of coverage provided; number and location of providers within their net work; and pricing. The premium rates for the contract year, August 1, 1991 their network; and pricing. The premium rates for the contract year, August 1, 1991 through July 31, 1992, for City paid and employee paid premiums have increased as follows:

Per Month Monthly Premiums	From	To	
Increase Employee Only (City Paid)	\$117.98	\$130.54	10.6%
One Dependent (Employee Paid)	\$128.94	\$150.42	16.7%
Two or More Dependents (Employee Paid)	\$237.39	\$273.80	15.3%

An added benefit this year provides chiropractic coverage with a \$5 co-payment.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

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

* ITEM-133: (R-92-429) ADOPTED AS RESOLUTION R-278748

Authorizing the execution of an amended Group Health Insurance Agreement with Kaiser Foundation Health Plan, Inc. to extend the agreement for a one-year period beginning August 1, 1991 through July 31, 1992, and to authorize a premium rate increase as follows:

MONTHLY PREMIUMS	PER MONTH	
	FROM	TO
Employee Only (City paid)	\$116.26	\$125.14
One Dependent (Employee paid)	\$115.04	\$125.14
Two or More Dependents (Employee paid)	\$229.30	\$248.78

CITY MANAGER SUPPORTING INFORMATION: The Kaiser Health Plan with the added prescription coverage was offered to all employees and retirees in August 1990. The premium rates for the contract year, August 1, 1991 through July 31, 1992, have increased as shown below due to the increase in health care costs caused by the needs of increasing membership, new technology, drugs, therapies and increased medical needs of the aging population. The rates indicating amounts paid by the employee and the City follow:

	FROM	TO	%INCREASE
Employee only (City paid)	\$116.26	\$125.14	7.6%
One Dependent (Employee paid)	\$115.04	\$125.14	8.8%
Two+ Dependents (Employee paid)	\$229.30	\$248.78	8.5%

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-134: (R-92-428) ADOPTED AS RESOLUTION R-278749

Authorizing the execution of an amended agreement with San Diego Foundation for Medical Care, to provide preferred provider services, and to extend the agreement for a one-year period beginning August 1, 1991 through July 31, 1992, at the cost of \$1.75 per member per month.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Foundation for Medical Care and the City of San Diego have had a professional relationship in conjunction with the CITYMED Health Plan since 1975. The scope of their responsibilities are being reduced this year to provide for preferred provider services and selected review. Utilization review, which SDFMC provided in previous years, has been awarded to a separate utilization review company as a result of a market search. The Foundation was again selected this year as a result of A. Foster Higgins market analysis. The size of the doctor/hospital network was identified as the primary reason for the selection. The Foundation's rate for the continuing services has been reduced from \$2.75 per member per month to \$1.75 per member per month for the period of August 1, 1991 to July 31, 1992.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-135: (R-92-409) CONTINUED TO OCTOBER 21, 1991

Authorizing the third amendment to the agreement of September 15, 1986, with Architects Ralph Bradshaw/Richard Bundy and David Thompson for professional services in connection with the Alvarado Filtration Plant Laboratory and Training Facility projects; authorizing the expenditure of an amount not to exceed \$25,000, \$15,000 from CIP-73-258.0, Water Revenue Fund No. 41501 and \$10,000 from CIP-46-124.0, Sewerage Revenue Fund No. 41507, for the purpose of providing funds for this amendment.

(Navajo Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: Council authorized an agreement with Ralph Bradshaw/Richard Bundy and Associates on September 15, 1986 (RR-266599) to provide professional services for the Water Utilities-Joint Laboratory and Training Facility at the Alvarado Filtration Plant site for a total cost not to exceed \$630,220. On September 11, 1989, Council authorized the First Amendment to the Agreement (RR-274333) which provided additional architectural services for interior space requirements for the Joint Laboratory for a cost not to exceed \$100,748. On April 23, 1990, Council authorized the Second Amendment to the Agreement (RR-275546) for a cost not to exceed \$35,962 which provided architectural services to redesign the Training Facility to comply with the 1988 Uniform Building Code. The Third Amendment to the Agreement will provide architectural services to design three "control" areas on the main floor in order to meet the Fire Department's requirements. This amendment also provides for consultant services during the construction phase of the project.

Aud. Cert. 9200076.

WU-U-91-158.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A365-390.)

MOTION BY McCARTY TO CONTINUE TO OCTOBER 21, 1991 FOR A REPORT FROM THE CITY MANAGER AS TO WHY ADDITIONAL ARCHITECTURAL FEES ARE BEING INCURRED AND WHAT THEY ARE BEING USED FOR. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-136: (R-92-433) ADOPTED AS RESOLUTION R-278750

Authorizing the execution of an agreement with International Rehabilitation Associates, Inc., to provide medical utilization review for the CITYMED Health Plan for a one-year period beginning August 1, 1991 through July 31, 1992, at the cost of \$1.39 per member per month.

CITY MANAGER SUPPORTING INFORMATION: Since 1975, the San Diego Foundation for Medical Care has been responsible for providing medical utilization review for the CITYMED Health Plan. During 1991, however, a market search was conducted by our benefit consultant, A. Foster Higgins, and it was determined that medical utilization review could be provided on a stand-alone basis with greater savings to the City. After interviewing those recommended by A. Foster Higgins, INTRACORP was selected based on their responsiveness, professionalism and level of service. INTRACORP's rate for utilization review services is \$1.39 per month per member for the period of August 1, 1991 to July 31, 1992.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-137: (R-92-447) ADOPTED AS RESOLUTION R-278751

Authorizing the execution of a first amendment to the agreement with ElderHelp of San Diego, for the renovation of their facility and for the purpose of increasing the renovation budget; authorizing the execution of a first amendment to the agreement with San Ysidro Health Center, for the renovation of their facility and for the purpose of increasing the renovation budget; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$150,000 from Sunnyslope Park, Fund 18526, Dept. 5893, Org. 9307, J.O. 000001 and an amount not to exceed \$72,600 from San Ysidro Sewer Improvements, Fund 18526, Dept. 5893, Org. 9313, J.O. 00001 to Fund 18526, Dept. 5893, Org. 9314, CIP-37-226, San Ysidro Health Center, added to the previously authorized amount of \$202,000 on Resolution R-275655, for a total of \$424,600; authorizing the expenditure of an amount not to exceed \$150,000 from Fund 18527, Dept. 4012, Org. 1211, and \$222,600 from Fund 18526, Dept. 5893, Org. 9314, for the purpose of providing funds for the San Ysidro Health Center; authorizing the expenditure of an amount

not to exceed \$400,000 from CIP-37-215.0, ElderHelp of San Diego, CDBG Fund 18527, Dept. 4012, Org. 1208, added to the previously authorized amount of \$50,000 on Resolution R-274707-1, for a total of \$450,000, for the purpose of providing funds for Elderhelp of San Diego. (Mid-City and San Ysidro Community Areas. Districts-7 and 8.)

CITY MANAGER SUPPORTING INFORMATION: ElderHelp of San Diego is renovating the ground floor of their facility located at 4069 30th Avenue. The agency has funded the interior demolition and asbestos removal on the ground floor. Funds will be for tenant improvements including handicap access, classrooms, counseling rooms and administration offices. San Ysidro Health Center, located at 4004 Beyer Boulevard in San Ysidro will be constructing a 2,100 sq. ft. addition to their facility. This addition will include a pharmacy, waiting room, additional services and improved patient flow. This funding combined with private and State monies will comprise the budget for the total project. Transferring the additional funds into these Block Grant projects will enable these agencies to proceed toward a completion of their projects in a timely manner.

Aud. Cert. 9200222.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-138: (R-92-401) ADOPTED AS RESOLUTION R-278752

Authorizing the execution of an agreement with San Ysidro Revitalization Project, Inc. for specified economic development activities; authorizing the expenditure of an amount not to exceed \$150,000 from Fund 18527, Dept. 4016, Org. 1604, for providing funds for the above project.

(San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The City Council, in the 1991-92 Community Development Block Grant (CDBG) appropriation cycle, approved a \$150,000 grant to the SYRP, Inc. for neighborhood economic development activities. Major activities include coordination of economic development and redevelopment activities for citizens in the San Ysidro community. This grant will be administered by the Economic Development Division of the Property Department.

	SYRP, Inc.
Program Cost	\$140,000
Fiscal Monitor Cost	4,000
City Monitor Cost	6,000
Total Cost	\$150,000

Aud. Cert. 9200201.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-139: (R-92-497) ADOPTED AS RESOLUTION R-278753

Amending Resolution R-274888, dated December 12, 1989, by amending Section 4 to appoint Councilmember Tom Behr to replace Councilmember Ron Roberts as the City's primary representative to the Governance Advisory Group.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A382-520.)

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

* ITEM-140: (R-92-498) ADOPTED AS RESOLUTION R-278754

Recognizing the contribution of the Salvation Army to benefit San Diego and its very successful efforts and results, through the Adult Rehabilitation Center (ARC), in rehabilitating the chemically dependent.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-150: (R-92-360) ADOPTED AS RESOLUTION R-278755

(Continued from the meeting of September 16, 1991, Item S404, at the City Manager's request, as requested by a representative from Tanabe Research Laboratories, for further review.)

Approving the City Manager's recommendation regarding marketing of the Eastgate Technology Park; approving in concept, and authorizing the City Manager to negotiate, the sale of a 3 to 4-acre parcel within either Lots 3, 4 or 5, Eastgate Technology Park, to Tanabe Research Laboratories U.S.A., Inc. (See City Manager Report CMR-91-400 and Legislative Specialist Analysis PFR-91-16. University City Community Area. District-1.)

COMMITTEE ACTION: Reviewed by PFR on 9/11/91. Recommendation to forward to Council without recommendation to be heard at the September 16, 1991 Council meeting. Districts 3, 6 and 7 voted yea. District 1 voted nay. District 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H506-I334.)

Motion by Wolfsheimer to oppose the City Manager's recommendation to alter the policy, authorize the lease should Tanabe want to enter it, and if not, to assist them in finding other property to lease or to purchase, but not

in Eastgate Park. No second.

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

ITEM-200: (0-91-148) ADOPTED AS ORDINANCE 0-17699
(New Series)

(Continued from the meeting of September 9, 1991, Item 55, at Mayor O'Connor's request, to wait until other water items are before Council; and for reports on State water supply and new rate structures for commercial, industry, single and multi-family reports from the City Manager.)

Amending Chapter VI, Article 4, Division 4, of the San Diego Municipal Code, by amending Section 64.0411, and amending Chapter VI, Article 7 of the San Diego Municipal Code, by amending Section 67.59.1, relating to Sewer and Water Rate Adjustment.

(Introduced on 7/30/91. Council voted 7-0. Districts 2 and 8 not present.)

FILE LOCATION: WATER-Sewer and Water Rate Adjustment

COUNCIL ACTION: (Tape location: A645-F100.)

MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT ORDINANCE; THE CITY MANAGER AND CITY ATTORNEY WERE INSTRUCTED TO COME BACK WITH AN ACTION PLAN ON OCTOBER 22, 1991 TO FIGHT THIS PRICE HIKE AND TAKE A LOOK AT REQUESTING AN AUDIT OF THE COUNTY WATER AUTHORITY AND METROPOLITAN WATER DISTRICT'S BUDGET; STAFF WAS ALSO REQUESTED TO DETERMINE A WAY TO ADVISE THE PUBLIC VIA NOTICE ON BILLING, IN BOLD PRINT, THAT THIS INCREASE IS DUE TO THE COST OF PURCHASED WATER FROM THE CWA AND MWD; COUNCIL MEMBER ROBERTS REQUESTED MAYOR O'CONNOR TO CONTACT MAYORS OF LARGE CITIES EFFECTED BY THIS ISSUE TO GET THEIR COUNCIL'S SUPPORT FOR A UNIFIED ACTION. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-92-436 Rev. 1) ADOPTED AS AMENDED AS
RESOLUTION R-278756

(Continued from the meeting of September 23, 1991, Item S409, at the City Manager's request, for a report from Water Utilities and Council directives asking the Manager to bring back a future rate structure with input from the Citizens Advisory Committee along with modifications to the sewer rate structure.) Holding in abeyance the implementation of the drought related water rate structures set forth in Council Resolution R-278442, adopted on July 30, 1991 until subsequent action of the Council.

CITY MANAGER SUPPORTING INFORMATION: The proposed resolution holds in abeyance the effective date of a new drought-related water rate structure until further discussion by the Council on October 7, 1991. On July 23 and 30, 1991, Council adopted a new water conservation-inducing rate structure that is to become effective on October 1, 1991. In addition, with the assistance of a Citizens' Advisory Committee formed of representatives of various customer classes, the City Manager was directed to develop an amendment to the Municipal Code that would be applied in a fair and equitable manner. An implementation ordinance was to be brought to the Council for discussion on September 23, 1991. During Council discussions on September 9, 1991, of the pass-through of increased water purchase costs from the County Water Authority (CWA) and the Metropolitan Water District (MWD) to the City's rate payers, Council directed that this item be rescheduled for further discussion on October 7, 1991, along with the City Attorney's opinion on the City's relationship with CWA and MWD regarding this matter. It was also requested that on October 7, a report be provided on the State's water supply and that water conservation-inducing rate structures and the Citizens' Advisory Committee recommendations be considered. As the discussion of the new water rate implementation measures will not take place until after the date that the rates were originally scheduled to become effective, it is necessary that the effective date be held in abeyance, and the existing rate structure remain in place until subsequent action by the Council.

WU-U-92-045.

FILE LOCATION: WATER-Water & Sewer Utility Rates

COUNCIL ACTION: (Tape location: A645-F100.)

MOTION BY HENDERSON TO APPROVE THE CITY MANAGER'S RECOMMENDATIONS AS INDICATED IN THE MANAGER'S REPORT #91-436 WHICH RETAINS THE CURRENT WATER RATE STRUCTURE IN EFFECT AT THE PRESENT TIME AND NOT IMPLEMENT A DROUGHT SURCHARGE. COUNCIL MEMBER BEHR REQUESTED STAFF TO PROVIDE THE FOLLOWING ADDITIONAL POLICY GUIDANCE:

1. ADOPT THE CITIZENS' COMMITTEE RECOMMENDATION TO RETAIN THE CURRENT RATES ON THE CONDITION THAT THE COMMITTEE CONTINUE TO MEET WITH THE CITY MANAGER FOR THE NEXT THREE MONTHS TO DEVELOP A RECOMMENDED WATER RATE SCHEDULE FOR ALL CUSTOMER CLASSES AND WHICH EXPRESSLY SEPARATES THE COMMODITY COST OF WATER FROM THE COST OF SYSTEM OPERATION, MAINTENANCE AND CAPITAL IMPROVEMENT.
2. THE COMMITTEE WILL CONTINUE TO WORK WITH THE CITY MANAGER FOR A SIMPLIFIED EMERGENCY/DROUGHT RELATED STRUCTURE THAT ELIMINATES APPEALS, VARIANCES AND ADDITIONAL STAFF SUPPORT.
3. REQUEST THAT THE CITIZENS' COMMITTEE ANALYZE THE RELATIONSHIP BETWEEN WATER RATE INCREASES AND THE CITY'S NEW TWO YEAR BUDGET CYCLE AND DEVELOP A RECOMMENDATION ON THE TIMING OF POSSIBLE FUTURE RATE INCREASE.
4. ADOPT THE CITIZENS' COMMITTEE RECOMMENDATION REGARDING COMBINING METERS, BUT REFER THE QUESTION OF THE NEED FOR A COST RECOVERY FEE BACK TO THE CITIZENS' COMMITTEE FOR FURTHER DISCUSSION AND RECOMMENDATION.
5. THE CITIZENS' COMMITTEE SHOULD CONSIDER THE FOLLOWING ISSUES: SIMPLICITY OF RATES: THERE SHOULD BE A MINIMUM NUMBER OF RATE TIERS IN THE SINGLE FAMILY COMMODITY CHARGE. ALSO, SINCE MULTI-FAMILY FACILITIES AND COMMERCIAL AND INDUSTRIAL CLASSES OFTEN UTILIZE A SINGLE METER, A SINGLE TIER RATE APPEARS APPROPRIATE. EQUITY: THE PROPOSED WATER RATE SCHEDULES SHOULD PROVIDE A LIFELINE RATE. ALSO, DELIVERY CHARGES SHOULD BE AS UNIFORM AS POSSIBLE TO REFLECT THE FACT THAT THE COST OF DELIVERING WATER TO EACH CUSTOMER IN A CLASS IS EQUAL. FIXING THE PLUMBING: THE DELIVERY CHARGE MUST MORE REALISTICALLY PAY FOR THE COST OF IMPROVEMENTS TO THE WATER DELIVERY SYSTEM, COMPLIANCE WITH THE SAFE

DRINKING WATER ACT, OPERATION, MAINTENANCE AND REPAIR OF THE SYSTEM, AS WELL AS A PRUDENT CONTINGENCY RESERVE FOR EMERGENCIES. THE CITIZENS' COMMITTEE SHOULD PROPOSE A RANGE OF RESPONSIBLE DELIVERY CHARGES FROM A LOW AMOUNT (FOR MINIMUM INFRASTRUCTURE MAINTENANCE TO A HIGH LEVEL OF MAINTENANCE (TO PROVIDE FOR NECESSARY IMPROVEMENTS TO THE DELIVERY SYSTEM)).

6. THE CITY MANAGER SHOULD BRIEF THE COMMITTEE ON PRIOR AUDITS AND MANAGEMENT REVIEWS OF THE WATER UTILITIES DEPARTMENT. THE COMMITTEE, IN TURN CAN MAKE ITS RECOMMENDATIONS AS TO THE NEED FOR ANY FURTHER REVIEW OF THE DEPARTMENT. COUNCIL MEMBER WOLFSHEIMER REQUESTED THE CITIZENS' ADVISORY COMMITTEE TO TAKE A LOOK AT THE EXPANSION OF THE CAPACITY OF OUR RESERVOIRS AS, ULTIMATELY THERE WILL BE A TIME WHEN WE WILL HAVE HEAVY RAINS FOR SEVERAL YEARS, AND THE RESERVOIRS ARE THE MOST EFFECTIVE AND ECONOMICAL WAY TO HAVE MORE WATER FOR DISTRIBUTION AT ALL TIMES. THE COMMITTEE WAS DIRECTED TO COME BACK WITH AN INTERIM REPORT THE SECOND WEEK OF JANUARY, 1992 FOR DISCUSSION AND GUIDANCE FROM THE COUNCIL FOR A FINAL REPORT IN TIME FOR APRIL AND BUDGETING DISCUSSIONS. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ADDITIONAL BUSINESS: (R-92-625) ADOPTED AS RESOLUTION
R-278769

Authorizing approval of the City Manager's recommendations regarding modifications to the sewer rate structure for a \$52.00 capped monthly rate.

Motion by Henderson to adopt the City Manager's recommendation based on the Manager's Report #91-432 and put a cap on monthly sewer charges. No second.

MOTION BY BEHR TO GO BACK TO THE FLAT SEWER RATE OF \$19.24, WHICH WAS IN EFFECT PRIOR TO THE MANAGER'S RECOMMENDATION AND RECOMMEND THAT THE CHARTER OF THE CITIZENS' COMMITTEE BE INCREASED TO EXAMINE THE FLAT SEWAGE RATE ISSUE FOR SINGLE FAMILY CUSTOMERS AND RECOMMEND AN EQUITABLE FLAT RATE. THE FLAT RATE SHOULD BE BASED ON AN AVERAGE INTERNAL USE OF

WATER LEARNED FROM THE CITY-WIDE AVERAGE FOR MULTI-FAMILIES - APPROXIMATELY 7 TO 8 HCF PER MONTH. REQUEST THE COMMITTEE EXAMINE THE CONCEPT OF LIFELINE SEWAGE RATES FOR THOSE CUSTOMERS IN THE SINGLE FAMILY CLASS WHO HAVE VERY LOW MONTHLY WATER USAGE (3 HCF, OR LESS, FOR EXAMPLE). THE COMMITTEE WAS REQUESTED TO COME BACK WITH EQUITABLE RECOMMENDATIONS IN APRIL, 1992. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-nay, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-202: (R-92-314) ADOPTED AS RESOLUTION R-278757

(Continued from the meeting of September 9, 1991, Item 158, and from the adjourned meeting of September 30, 1991, Item 200.) Authorizing the execution of a Memorandum of Understanding with Caltrans, for Stage/Unit I of State Route 15/40th Street "Visions Project"; authorizing the City Manager to work with Caltrans and the Consultant to implement the actions contained in the State Route 15/40th Street "Visions Project" Report.
(See City Manager Report CMR-91-377. Mid-City Community Area. District-3.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F409-H342.)

MOTION BY HARTLEY TO ADOPT AND DIRECTED STAFF TO REQUEST THE ENVIRONMENTAL SUB-COMMITTEE MEET WITHIN THE NEXT SIX MONTHS, TO DETERMINE IF THERE ARE ANY CHANGES IN THE ENVIRONMENTAL PROCESSING, COUNCIL WOULD BE ADVISED AS QUICKLY AS POSSIBLE. STAFF TO COME BACK WITH A PLAN TO IMPLEMENT ALL PHASES OF VISIONS TO SHOW THAT NO DELAYS ARE ANTICIPATED. HOWEVER, SHOULD STAFF DETERMINE THERE MIGHT BE ANY DELAYS, IT WOULD THEN BE BROUGHT BACK TO COUNCIL TO DETERMINE THE OUTCOME AND NEXT STEPS. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-92-399) ADOPTED AS RESOLUTION R-278758

Authorizing the execution of an agreement with CH2M Hill California, Inc. for professional design and related services, and for preparation of a site specific Environmental Impact Report for the North City Water Reclamation Plant; authorizing the expenditure of an amount not to exceed \$13,339,000 from Clean Water Program Fund 41509, CIP-42-910.1 for providing funds for the base scope of work in said agreement, excluding options.

(See City Manager Report CMR-91-407. University Community Area. District-1.)

Aud. Cert. 9200205.

WU-CWP-91-214.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: H380-498.)

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

ITEM-204: (R-92-434) ADOPTED AS RESOLUTION R-278759

Authorizing the execution of an agreement with Parsons, Brinckerhoff, Quade & Douglas, Inc. to provide design services and an Environmental Impact Report (EIR) for the San Diego River Land and Ocean Outfalls; authorizing the expenditure of an amount not to exceed \$8,903,000 from the Clean Water Program Fund 41509, CIP-40-920.1, for the purpose of providing funds for the above project; authorizing the City Auditor and Comptroller to transfer \$3,900,000 within the Clean Water Program Revenue Fund 41509, from CIP-46-144.0, Tijuana Wastewater Defensive Measures Project, to CIP-40-920.1, San Diego River Outfall.

(See City Manager Report CMR-91-415. Mission Bay, Mission Valley and Ocean Beach Community Areas. District-2.)

Aud. Cert. 9200212.

WU-CWP-92-028.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-205: (R-92-388) ADOPTED AS RESOLUTION R-278760

Accepting the Report of the San Diego Affordable Housing Conference and urging housing officials, lenders, representatives from the community and the housing industry to join together to create more livable communities where all San Diegans can afford to live and work.

(See Report on Conference Proceedings dated March 1, 1991.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-206: (R-92-216) TRAILED TO OCTOBER 8, 1991 DUE TO LACK OF TIME

(Continued from the meeting of September 9, 1991, Item 140, at Councilmember Wolfsheimer's request, for a report from the City Manager regarding the current policy and how it was developed.)

Encouraging the Metropolitan Transit Development Board

to implement the recommendation outlined in Assembly Resolution No. 19 to allow off duty police officers, sheriffs, undersheriffs, and deputy sheriffs of a county in which the public transportation systems operates to use the public transportation system without charge.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: J475-480.)

ITEM-207: (R-92-478) ADOPTED AS RESOLUTION R-278761

Approving the issuance of not to exceed \$2 million aggregate principal amount of Industrial Development Revenue Bonds.

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: Johanson Dielectrics, Inc. (the Company), a ceramic chip capacitor manufacturer to be located at 6711 Nancy Ridge Drive in the Miramar area, has requested that the City hold a public hearing supporting issuance by the California Statewide Communities Development Authority Joint Powers Agency ("the JPA") of up to \$2,000,000 of Industrial Development Bonds ("IDB's"). The JPA passed its inducement resolution for the project on September 9, 1991 and will be the Issuer. The City's name will not appear on the bonds, and there will be no further City involvement in the transaction. The project must meet strict State and Federal public benefit considerations including the creation of one new job for each \$50,000 of IDB's completed in California in recent years and is endorsed by the League of California Cities and the County Supervisors' Association of California. The JPA issues only investment grade bonds. The Company, which manufactures ceramic chip capacitors, is headquartered in Burbank, California and is expanding. It intends to acquire a 1.6-acre site, renovate a 13,000-square-foot facility and purchase capital equipment to open a new plant in San Diego, creating over 40 new jobs. By approving this financing through the JPA, the Council will be supporting the growth and diversification of the local economy without any financial obligation on the part of the City.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-208: (R-92-490) ADOPTED AS RESOLUTION R-278762

Confirming the following appointments and reappointments by the Mayor, to serve as members of the Commission for Arts and Culture, for terms as indicated: (See memorandum from Mayor O'Connor dated 9/23/91 with resumes attached.)

Name	Term Expires:
Dr. Jess Stoddart (Chairperson) (Reappointment.)	August 31, 1994
Sylvia M. Thompson (Reappointment.)	August 31, 1994
David C. Copley (Reappointment.)	August 31, 1994
Pauline des Granges (Reappointment.)	August 31, 1994
Ramon M. Sanchez (To replace Milton Fredman, whose term has expired.)	August 31, 1994
Esther J. Burnham (To replace Roger Revelle, who is deceased.)	August 31, 1992

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-209: (R-92-491) ADOPTED AS RESOLUTION R-278763

Council confirmation of the following appointments and reappointments by the Mayor to serve as members of the

Board of Noise Abatement and Control:

(See memorandum from Mayor O'Connor dated 9/24/91 with resumes attached.)

TERM	NAME	CATEGORY
EXPIRES		
1/1/93	Egbert E. Mullins (Reappointment)	Member of Public
1/1/93	James Harrison Watts (Reappointment)	Architectural Field
1/1/92	Dr. Robert Novak (Reappointment)	Member of Public
1/1/92	Charles F. Jackson (Reappointment)	Audiologist
1/1/93	Dr. Roberto Cueva (Reappointment)	Physician
1/1/92	Connie J. Postma (Reappointment)	Construction
1/1/92	Albert Ickstadt (to replace Robert D. Blevins, whose term has expired)	Industry Contractor Electrical Engineer
1/1/93	Pamela Farnsworth (to replace Clarence McCoy, who has resigned)	Member of Public

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-210: (R-92-501) ADOPTED AS RESOLUTION R-278764

Council confirmation of the following appointments by the Mayor to serve as members of the Historical Site Board, for terms ending March 1, 1993:

(See memorandum from Mayor O'Connor dated 9/24/91 with resume attached.)

Earl Rod Barr (To replace Francis Stites, who has resigned.)

Carol A. Lindemulder (Reappointment)
Dorothy L. Hom (Reappointment)
Susan M. Hector (Reappointment)
Vonn-Marie May (Reappointment)
Gail Garbini (Reappointment)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-211: (R-92-495) ADOPTED AS RESOLUTION R-278765

Council confirmation of the appointment by the Mayor of Duane Shinnick to serve as a member of the Human Relations Commission for a term ending July 22, 1993. (See memorandum from Mayor O'Connor dated 9/25/91.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-212: (R-92-492) ADOPTED AS RESOLUTION R-278766

Council confirmation of the appointment by the Mayor of Marilyn L. Hardebeck to serve as a member of the San Diego County Water Authority Board, for a term ending December 31, 1996, to replace John P. Starkey, whose term has expired. (See Memorandum from Mayor O'Connor dated 9/23/91 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-213: (R-92-494) ADOPTED AS RESOLUTION R-278767

Confirming the following appointments and reappointments by the Mayor, to serve as members of the Senior Citizen Advisory Board, representing categories as indicated, for terms ending July 1, 1993:

(See memorandum from Mayor O'Connor dated 9/24/91 with resumes attached.)

Name	Representing
Marguerite Brodeur (Reappointment.)	City-at-Large
Susan J. Hoekenga (To replace B.J. Curry Spitler, whose term has expired.)	Council District 2
Ruth White (To replace Marty Altshuler, whose term has expired.)	Council District 5
Joyce James (To replace Ella Louise Bruce, whose term has expired.)	Council District 4

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

MOTION BY BEHR TO ADOPT. Second by Hartley. Passed by the

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

ITEM-214: (R-92-500) ADOPTED AS RESOLUTION R-278768

Council confirmation of the following appointments and reappointments by the Mayor to serve as members of the Transportation Demand Management Appeals Board, for terms ending May 1, 1994:

(See memorandum from Mayor O'Connor dated 9/23/91 with resume attached.)

Michael Strode (Reappointment)
Linda Bartholomew (Reappointment)
John Brand (To replace Tom Behr, who has resigned.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-215: TRAILED TO OCTOBER 8, 1991

(Continued from the meeting of September 16, 1991, Item 200, at the City Manager's request, in order to be discussed in conjunction with the management audit.)

In the matter of the selection process of the Planning Director.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A198-205.)

MOTION BY BEHR TO TRAIL TO OCTOBER 8, 1991. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-

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

ITEM-216: (O-92-33) ADOPTED AS ORDINANCE O-17700 (New Series)

Authorizing the execution of a 25-year agreement with the San Diego Unified School District for maintenance and operation of tennis courts at the Mission Bay Senior High School site, effective September 2, 1991.

(Introduced on 9/16/91. Council voted 8-0. District 4 not present. Pacific Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The City has Joint Use Agreements with the San Diego Unified School District for use of tennis courts at the following sites: Mira Mesa High School, Serra Junior/Senior High School, Hoover High School, and La Jolla High School. These agreements have been in effect since July 1977. This action will establish a joint use agreement for a period of 25 years for use of tennis courts at Mission Bay High School. The City and the San Diego Unified School District have been cooperating in the joint use of numerous recreational facilities in an agreement going back to September 1948. The District will use courts during hours of school operation. The City will have use of courts after school hours and on weekends. The District will provide daily maintenance of courts and be responsible for litter collection and removal during those days when school is in session. The City will assume responsibility for resurfacing the courts and provide nets and wind screens. This maintenance will be done by the newly formed Mission Beach Tennis Club who will operate and maintain the courts at no cost to the City. The club is non-profit and operates under the supervision of the Park and Recreation Department as 13 other tennis clubs have done since 1983. The Mission Bay Tennis Club will have open membership and will provide programs for both youth and adults in all phases of tennis including tournaments and lessons. There is a general need for more tennis facilities in the beach and Clairemont areas as general interest in tennis is increasing and these communities are growing in population.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

Hearing began 2:25 p.m. and halted 2:32 p.m.

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

* ITEM-S400: (R-92-482) ADOPTED AS RESOLUTION R-278770

A Resolution approved by the City Council in Closed Session on Tuesday, September 10, 1991 by the following vote: Wolfsheimer-yea; Roberts-not present; Hartley-not present; Pratt-not present; Behr-yea; Henderson-yea; McCarty-yea; Filner-yea; Mayor-yea. Authorizing the City Manager to pay the total sum of \$84,857.65 in the settlement of each and every claim against the City, its agents and employees, resulting from punitive damages to Carroll Davis (Superior Court Case No. 617180, Carroll Davis v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$84,857.65 made payable to Michael R. Marrinan, in Trust for Carroll A. Davis, in full settlement of the lawsuit and of all claims, costs and attorney's fees.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claim of Carroll A. Davis against the City of San Diego as a result of the incident of January 28, 1989.

Aud. Cert. 9200215.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-S401: (R-92-502) ADOPTED AS RESOLUTION R-278771

Authorizing the execution of a Purchase and Sale Agreement with Robinhood Creek for the acquisition of a 1.334-acre parcel adjacent to Vista Terrace Park, for a total appraised value of \$275,000 consisting of cash, Development Impact Fee credits, and a donation by the seller; authorizing the expenditure of an amount not to exceed \$80,000 from Park Service District Fund 11740 toward the purchase price and related costs of the above parcel; authorizing the Facilities Financing Division of the Engineering and Development Department to grant up to \$165,000 in credits toward the park fee portion of the Development Impact Fee required for Robinhood Creek Map 12842 as a portion of the purchase price; approving the acceptance of the generous donation by the seller, Robinhood Creek, of \$40,000 of the appraised value of the property, representing the difference between the appraised value of \$275,000, less \$70,000 of the Park Service District funds, and \$165,000 in Development Impact Fee credits.

(San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Authorization of this request will provide for the "opportunity acquisition" of a 1.334-acre parcel of land adjoining the existing Vista Terrace Park in San Ysidro. This site was designated for park acquisition by the San Ysidro Planning Group at the Tentative Map review for Robinhood Creek Map-12842 held by the Planning Commission. The 1990 Draft San Ysidro Community Plan also identifies the site for future expansion of Vista Terrace Park. The seller-developer has agreed to donate \$40,000 of the appraised value of the property to help with the acquisition costs.

Aud. Cert. 9200243.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-S402:

Three actions relative to the Alvarado Pipeline No. 1
Relocation:
(District-7.)

Subitem-A (R-92-461) ADOPTED AS RESOLUTION R-278772

Inviting bids for the Alvarado Pipeline No. 1
Relocation on Work Order No. 181611; authorizing the
execution of a contract with the lowest responsible
bidder; authorizing the City Auditor and Comptroller to
transfer \$529,983 within the Water Revenue Fund 41502
from CIP-73-083.0, Annual Allocation - Water Main
Replacements, to the Water Systems Construction Program
(70592), CIP-73-024.0, Alvarado Pipeline No. 1
Relocation; authorizing the expenditure of funds not to
exceed \$529,983 from the Water Revenue Fund 41502,
CIP-73-024.0, and \$92,930 from Water Systems
Construction Program (70592), CIP-73-024.0, for a total
of \$622,913, for said contract 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-K2692/92)

Subitem-B: (R-92-462) ADOPTED AS RESOLUTION R-278773

Authorizing the use of City Forces to make connections
and perform operational checks involving Alvarado
Pipeline No. 1 Relocation; declaring that the cost of
said work shall not exceed \$17,242 from Water Systems
Construction Program (70592).

Subitem-C: (R-92-463) ADOPTED AS RESOLUTION R-278774

Authorizing the execution of Utility Agreement No.
25670, dated May 1, 1991, with the State of California
Department of Transportation, providing for
reimbursement to the City of up to \$611,627.01 for the
relocation of Alvarado Pipeline No. 1 transmission main
and parallel 8-inch distribution main; and \$6,750 for
construction of concrete protection over the 36-inch El
Capitan water main, in connection with Alvarado
Pipeline No. 1 Relocation.

CITY MANAGER SUPPORTING INFORMATION: At the request of CalTrans, the City initiated this relocation project along Alvarado Canyon Road. The existing 36-inch reinforced concrete steel cylinder (RCSC) water main is to be relocated approximately 10 feet northerly with 36-inch steel cylinder rod wrapped (SCRW) water main. In 1958, this same section of pipe was relocated at CalTrans' request. If not relocated, the 36-inch water transmission main would be situated under an 11-foot tall concrete retaining wall and sustain an excessive loading. This presents a maintenance problem, thus relocation is required. In the path of the relocated transmission main are existing 8 and 12-inch water distribution mains which require relocation. Funding for the \$622,913 project is mostly CalTrans. The \$11,285.99 not funded by CalTrans shall be funded by the City. The City's costs are for depreciation of the water main in accordance with standard CalTrans practice. CalTrans will construct concrete protection for the 36-inch Alvarado No. 1 and El Capitan Pipelines. The cost of \$6,750 will be funded by CalTrans under this agreement. The City will contract for the relocation of the water mains and CalTrans is responsible for the construction of the concrete protection. City Forces will be used for shutdown, dewatering and placing the pipeline back in service. In summary, CalTrans Utility Agreement No. 25670 will reimburse the City \$611,627.01 for the relocation of 36, 12, and 8-inch water mains. Of this amount, \$355,671 is for construction, \$250,000 for pre-purchase of 36-inch pipe, and \$17,242 for City Force work. The City's cost will be \$11,285.99 for depreciation of the pipes for 33 years of service. In addition, the agreement provides for \$6,750 for concrete protection construction, making the total estimated cost to the State \$618,377.01.

Aud. Cert. 9200192.

WU-P-92-029.

FILE LOCATION: W.O. 181611 CONT - El Cajon Grading &
Engineering Co. CONT FY92-2

COUNCIL ACTION: (Tape location: A260-300.)

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

* ITEM-S403:

Three actions relative to the final subdivision map of Miramar Road Auto Center, a 4-lot subdivision located at the northwest corner of Miramar Road and Miramar Place:

(University Community Area. District-5.)

Subitem-A: (R-92-515) ADOPTED AS RESOLUTION R-278775

Authorizing the execution of a Subdivision Improvement Agreement with Miramar Road Auto Center Properties, for the installation and completion of public improvements.

Subitem-B: (R-92-514) ADOPTED AS RESOLUTION R-278776

Approving the final map.

Subitem-C: (R-92-516) ADOPTED AS RESOLUTION R-278777

Authorizing the execution of a Traffic Signal Reimbursement Agreement with Miramar Road Auto Center Properties, for the traffic signal system at Miramar Road and Miramar Place.

CITY MANAGER SUPPORTING INFORMATION: In addition to the standard Subdivision Improvement Agreement, Miramar Road Auto Center Properties (developer) is entering into a second agreement to complete the construction of the traffic signal at Miramar Road and Miramar Place. The agreement requires the City to reimburse the developer for the total cost of construction of the traffic signal, not to exceed \$25,000, upon completion of the job. This agreement satisfies Condition No. 6 of City Council Conditions for Vesting Tentative Map TM-88-0612. Permit No. W-40375 was issued for construction of this signal on September 12, 1991. In accordance with the Environmental Mitigation agreement between the City and the developer, dated March 26, 1991 (RR-277584), within 30 days of the Council's approving the final map, the developer shall deposit with the City a standard grant deed conveying to the City approximately 19.1 acres as described in Exhibit "A" of the agreement. This conveyance satisfies the off-site mitigation requirements for this project. Concurrent with the developer's deposit of the grant deed, the developer shall deposit \$100,000 with the City for the

management, maintenance, and preservation of the vernal pool preserve. This deposit shall be consistent with Paragraph 2 of the above mentioned agreement.

Aud. Cert. 9200251.

FILE LOCATION: SUBD-Miramar Road Auto Center CONT
FY92-2

COUNCIL ACTION: (Tape location: A260-300.)

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

ITEM-S404: REPORT ACCEPTED

In the matter of a report from the City Manager and City Auditor on the Management Review of the Planning Department.

(Presentation by Deloitte and Touche.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H480-J465.)

BY COMMON CONSENT THE REPORT WAS ACCEPTED. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: (R-92-523) TRAILED TO CLOSED SESSION ON OCTOBER 8, 1991, THEN TO OPEN SESSION ON OCTOBER 8, 1991

A Resolution approved by the City Council in Closed Session on Tuesday, August 6, 1991 by the following vote: Wolfsheimer-nay; Roberts-yea; Hartley-yea; Pratt-not present; Behr-yea; Henderson-yea; McCarty-not present; Filner-not present; Mayor-yea. Authorizing the City Manager to pay the total sum of \$1,000,000 in

the settlement of each and every claim against the City, its agents and employees, resulting from the wrongful death claim of Carol Bolton, for plaintiffs Megan and Jenna Bolton (Superior Court Case No. 627038, Megan Bolton, et al., v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue three checks as follows: 1. \$569,500 made payable to Prudential Property & Casualty Co.; 2. \$500 made payable to Prudential Property & Casualty Co.; 3. \$430,000 made payable to C. Bradley Hallen, their attorney, and John Joseph Mottran guardian ad litem for Megan and Jenna Bolton.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the wrongful death claim of Carol Bolton, for plaintiffs Megan and Jenna Bolton, as a result of the incident on October 11, 1989.

Aud. Cert. 9200263.

WU-RM-92-055.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A550-640.)

MOTION BY WOLFSHEIMER TO TRAIL TO CLOSED SESSION ON OCTOBER 8, 1991 FOR FULL COUNCIL, THEN TO OPEN SESSION ON OCTOBER 8, 1991. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO CITY MANAGER

Comment by Larry Milligan regarding the homeless in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: J475-525.)

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Filner at 8:47 p.m. in honor of the memory of Chief Bill Brown, Rabbi Morton Cohn and Theodor "Dr. Seuss" Geisel.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: J533.)