

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, OCTOBER 21, 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 2:07 p.m. The meeting was recessed by Mayor O'Connor at 5:45 p.m. to meet in Closed Session in the 12th floor conference room to discuss possible acquisition of office space in the downtown area. The meeting was reconvened by Mayor O'Connor at 6:07 p.m. with Council Members Hartley, Pratt, Henderson and Filner not present. Mayor O'Connor adjourned the meeting at 6:09 p.m. to meet in closed Session at 9:00 a.m. on Tuesday, October 22, 1991 in the 12th floor conference room to discuss pending litigation, a personnel matter and possible acquisition of office space in the downtown area.

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 (so)

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

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Ivor Kraft of the All Saints Lutheran Church.

FILE LOCATION: MINUTES

ITEM-20 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member McCarty.

FILE LOCATION: MINUTES

ITEM-30: RECOGNIZED

Recognizing the nominees in KidsPlace's "Youth Make a Difference" Day held in honor of National Children's

Day, October 13, 1991, which acknowledge San Diego young people for their contributions to their communities in the categories of Leadership, Vision, Enterprise, Social Commitment, Environmental Service, Courage and Citizenship.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A077-121.)

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

ITEM-31: (R-92-529) ADOPTED AS RESOLUTION R-278832

Declaring Council support of the "Convention on the Rights of the Child," as supported by the United Nations General Assembly on November 20, 1989; requesting all City agencies, especially those concerned with housing, nutrition, education, child care protection, medical care, recreation and economic opportunities for children to work toward ensuring that their programs aim to achieve the goals established in the "Convention on the Rights of the Child" even in increasingly difficult economic times.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A038-077.)

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

ITEM-32: APPROVED

Approval of Council Minutes for the Meetings of:

09/16/91

09/17/91 Adjourned

09/23/91
09/24/91
09/30/91 Adjourned
10/01/91 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A121-127.)

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

ITEM-33: NOTED AND FILED

Matter of the request for an appeal of The Coral Cove at Del Mar Condominium Association by Daniel R. Kahn, from the decision of the Planning Commission in granting the Liu Veterinary Clinic, Conditional Use Permit, CUP-91-0496, proposing to operate and maintain a 1,371-square-foot veterinary care clinic and office facility within an existing retail structure on the subject property which was developed in accordance with a previously approved Carmel Valley Development Plan Permit on this site (PD-88-1103). The subject property is located at 3890 Valley Centre Drive, between Carmel Creek Road and Carmel View Road in the NC (Neighborhood Commercial) Zone and within the boundaries of the Neighborhood Nine Precise Plan area of the Carmel Valley Community Plan. The legal description of the site is Parcel 1 of Parcel Map PM-15946.

(CUP-91-0496. District-1.)

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

FILE LOCATION: PERM - CUP-91-0496

COUNCIL ACTION: (Tape location: A127-140.)

MOTION BY WOLFSHEIMER TO NOTE AND FILE AS A RESULT OF THE APPEAL BEING WITHDRAWN. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-not present,

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

ITEM-34: DENIED REQUEST

(Continued from the meeting of September 16, 1991, Item 35, at Councilmember Behr's request, for further review.)

Matter of the request of Village and Country Properties, by Donald R. Worley, of Worley, Schwartz, Garfield & Rice, for a hearing of an appeal from the decision of the Planning Commission in denying Vesting Tentative Map and Planned Residential Development Permit VTM & PRD-88-0767 (Rancho La Cresta), proposing to subdivide the 162.8-acre site into 382 lots for the construction of 367 detached single-family residential units. The subject property is located west of Pomerado Road, approximately 0.9 miles south of Poway Road in Zones A-1-10, R-1-6000, R-3000 and HR, in the Scripps Miramar Ranch Community Plan area, and is more particularly described as the northeast quarter of Section 27, Township 14 South, Range 2 West, S.B.B.M. (VTM & PRD-88-0767. District-5.)

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

FILE LOCATION: PERM - PRD 88-0767; SUBD - Rancho La Cresta

COUNCIL ACTION: (Tape location: A140-192.)

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

* ITEM-50: (O-92-45) ADOPTED AS ORDINANCE O-17701 (New Series)

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 (Ultra-Low Flush Toilets) in New Construction.
(Introduced on 10/7/91. Council voted 8-0. District 4
not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A362-373.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND
ADOPT. Second by Pratt. 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-51: (0-92-56) INTRODUCED, TO BE ADOPTED
NOVEMBER 4, 1991

Introduction of an Ordinance amending Chapter II,
Article 6, of the San Diego Municipal Code by amending
Section 26.13, to change the name of the "Advisory
Board on Women" to the "Commission on the Status of
Women."

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A373-385.)

CONSENT MOTION BY McCARTY TO INTRODUCE. 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-52: (0-92-15) INTRODUCED, TO BE ADOPTED NOVEMBER
4, 1991

Introduction of an Ordinance establishing a parking

meter zone

(Kearny Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: Judge Larry Stirling of
the San Diego Municipal Court on Clairemont Mesa Boulevard has

requested installation of parking meter zones on the west side of Complex Street north of Clairemont Mesa Boulevard and on the north side of the 8900 block of Clairemont Mesa Boulevard. Both the proposed zones would be adjacent to the courthouse building. City staff recently conducted a parking study around the courthouse. Staff found an average occupancy of 34.3 percent and 11.25 percent for the on-street spaces adjacent to the courthouse on Complex Street and on Clairemont Mesa Boulevard. The computed parking occupancy rates are well below the recommended occupancy rate of 75 percent that the City normally uses for meter zones establishment. However, the spaces are frequently filled during court hours. The installation of parking meter around the courthouse would free up those on-street spaces currently occupied by long-term parking, for use of short-term parking by courthouse visitors. Therefore, staff recommends that the parking meter zones be established, as requested by Judge Stirling. A total of 21 parking meters would be installed. The subject parking meter zones were requested by Judge Stirling prior to Council direction to hold parking meter installation until the "meterless" parking meter study is complete.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A373-385.)

CONSENT MOTION BY McCARTY TO INTRODUCE. 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-100: (R-92-80) CONTINUED TO NOVEMBER 4, 1991

Awarding a contract to Avis Rent a Car for leasing seven assorted vehicles to the Police Department, as may be required for a period of ten months beginning September 1, 1991 through June 30, 1992, for an estimated cost of \$42,434, including tax, with options to renew the contract for four additional one year periods, with option period price increases not to exceed the prices in effect for the previous contract period by more than 10 percent. (BID-C2578/92)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A288-315.)

MOTION BY FILNER TO CONTINUE TO OCTOBER 28, 1991 AT THE REQUEST OF THE CITY MANAGER TO EXPLORE THE POSSIBILITY OF RENTING, AS OPPOSED TO PURCHASING, THE CARS AND TO REVIEW THE CONDITIONS FOR TAKE-HOME CARS. Second by Henderson. 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-101: (R-92-84) ADOPTED AS RESOLUTION R-278833

Awarding a contract to Information Access Company for the purchase of Public Library Edition Indices, as may be required for a period of one year beginning October 1, 1991 through September 30, 1992, for an estimated cost of \$50,289, including tax, with options to renew the contract for four additional one year periods, with option period price increases not to exceed the prices in effect for the previous contract period by more than 5 percent. (BID-P2591/92)

FILE LOCATION: CONT-Purchase - Information Access
Company CONFY92-1

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-102: (R-92-86) ADOPTED AS RESOLUTION R-278834

Awarding a contract to Halprin Supply Company for the purchase of Turnout Clothing Sets, as may be required for a period of one year beginning October 1, 1991 through September 30, 1992, for an estimated cost of \$130,874.25, including tax and terms, with options to renew the contract for two additional one year with option period price increases not to exceed the prices in effect for the previous contract period by more than 10 percent. (BID-G2572/92)

FILE LOCATION: CONT-Purchase - Halprin Supply
Company CONFY92-1

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty.
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-103: (R-92-87) ADOPTED AS RESOLUTION R-278835

Awarding a contract to Hawthorne Machinery Co. for the
lease of one tractor bulldozer with multi shank
variable ripper, as may be required for a period of one
year beginning approximately October 1, 1991 through
September 30, 1992, for Alternate B Straight Monthly
Lease Rate, for a first year total cost of \$62,287.05,
including tax, with an option to renew for four
additional one year periods at no increased price
escalation, and the option to purchase at the end of
each contract year. (BID-B2517/92)

FILE LOCATION: CONT-Purchase - Hawthorne Machinery
Co. CONFY92-1

COUNCIL ACTION: (Tape location: A416-444.)

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

* ITEM-104: (R-91-2091) ADOPTED AS RESOLUTION R-278836

Awarding a contract to Varian Associates Inc.
Analytical Instruments for the purchase of one gas
chromatograph for air toxin analysis at an actual cost
of \$68,836.93, including tax; authorizing the
expenditure of not to exceed \$68,836.93 from Department
No. 700, Organization No. 422, Object Account No. 6010,

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-B2258/91)

Aud. Cert. 9200246.

FILE LOCATION: CONT-Purchase - Varian Associates,
Inc. Analytical Instruments CONFY92-1

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-105: (R-92-464) ADOPTED AS RESOLUTION R-278837

Inviting bids for Sidewalk and Curb Replacement on Various City Streets - FY 92 - (C-6); authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$200,000 from the FY 92 General Fund 100 for providing funds for said project and related costs. (BID-K2693/92).

CITY MANAGER SUPPORTING INFORMATION: Beginning in FY 90, an accelerated sidewalk replacement program was undertaken using contractual labor. The FY 90 program which utilized \$400,000 and 2 contracts reduced the backlog from a 40 month, 1,800 job backlog to a 35 month, 1,434 job backlog. Continuing in FY 91, 3 contracts totaling \$600,000 are underway which will further reduce the backlog to a 27 month, 979 job status. The FY 92 program calls for the use of \$700,000 in 3 contracts and is expected to result in a FY 92 year end 6-12 month, 500 job backlog. This action which is the first of the three FY 92 contracts proposes the expenditure of \$200,000 and the completion of approximately 200 jobs towards the FY 92 program goal.

Aud. Cert. 9200234.

FILE LOCATION: CONT-Fox Construction CONFY92-1

COUNCIL ACTION: (Tape location: A444-503.)

MOTION BY FILNER TO ADOPT. Second by Hartley. 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-106: (R-92-466) ADOPTED AS RESOLUTION R-278838

Inviting bids for the Replacement of a Safety Lighting System at Quivira Basin in Mission Bay Park on Work Order No. 119885; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$135,000 from Fund 302191, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in Fund 302191. (BID-K2702/92)

(Mission Bay Park Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The subject project will replace safety lighting poles on Quivira Road, Quivira Way and Quivira Court in Mission Bay Park. The existing safety lighting poles are corroded and falling down. This project will replace the existing poles with a direct burial fiberglass pole.

Aud. Cert. 9200155.

FILE LOCATION: W.O. 119885 CONT - Southwest Signal Service
CONFY92-1

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-107:

Two actions relative to the San Vicente Reservoir Boat Launch Improvements:

Subitem-A: (R-92-467) ADOPTED AS RESOLUTION R-278839

Inviting bids for the Construction of San Vicente Reservoir Boat Launching Facility on Work Order No. 180791; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$189,900 from the Annual Allocation Various Lakes (CIP-73-230) to Water Revenue Fund 41502 (CIP-74-910); authorizing the expenditure of not to exceed \$839,900 from Water Revenue Fund 41502 (CIP-74-910), for the purpose of executing the contract and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to CIP-73-230.0. (BID-K2704/92)

Subitem-B: (R-92-468) ADOPTED AS RESOLUTION R-278840

Certifying that the information contained in Negative Declaration DEP-90-1104, dated June 21, 1991, in connection with Construction of San Vicente Reservoir Boat Launching Facility, 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: On June 21, 1988, the City entered into an agreement with the State Department of Boating and Waterways for the amount of \$625,400 in grant funding for the improvement of boat launching facilities at San Vicente Reservoir. This project will maximize public access to the recreational benefits of the reservoir. The improved boat launching facilities will provide boaters with new and improved concrete ramps, courtesy docks, a comfort station, and paved parking areas. The plans and specifications for the construction of this project were prepared in-house. These plans and specifications have been completed and this action will approve them, and authorize advertising and award of a construction contract to complete the project.

Aud. Cert. 9200262.

WU-P-92-042.

FILE LOCATION: W.O. 180791 CONT - Marathon Construction Corp. CONTFY92-1

COUNCIL ACTION: (Tape location: A503-595.)

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

* ITEM-108:

Two actions relative to Scripps Eastview Unit No. 2:

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

Subitem-A: (R-92-571) ADOPTED AS RESOLUTION R-278841

Authorizing the release of a portion of the surety issued by The American Insurance Company in the form of Performance Bond No. 111325 84 183, so that the same is reduced as follows: 1) For faithful performance, to the sum of \$278,215; 2) For the benefit of the contractor, subcontractor, and to persons renting equipment or furnishing labor or materials, to the sum of \$139,107.50.

Subitem-B: (R-92-572) ADOPTED AS RESOLUTION R-278842

Granting an extension of time to February 21, 1993 to Donald L. Bren Company, subdivider, to complete the improvements required in Scripps Eastview Unit No. 2.

CITY MANAGER SUPPORTING INFORMATION: On February 21, 1989, the City entered into an agreement with ITEC Properties, a California general partnership, for the construction of public improvements for Scripps Eastview Unit 2. Performance Bond No. 112 73 96 issued by Insurance Company of the West in the amount of \$794,900 was provided by the subdivider. The agreement expired February 21, 1991. The property was subsequently sold to Donald L. Bren Company. On September 25, 1989 the City entered into an amended subdivision improvement agreement with Donald L. Bren Company (RR-274440). Performance Bond No. 111325 84183 issued by The American Insurance Company in the amount of \$794,900 was provided by the subdivider. The subdivider has

requested a partial release of surety and an extension of time to February 21, 1993 in which to complete the required improvements. Eighty-six percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 65 percent of the original surety will be released which will reduce the surety to \$278,215.

FILE LOCATION: SUBD-Scripps Eastview Unit No. 2

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-109:

Two actions relative to a partial release of surety and extension of time for Scripps Eastview Unit 3: (Scripps-Miramar Ranch Community Area. District-5.)

Subitem-A: (R-92-573) ADOPTED AS RESOLUTION R-278843

Authorizing the City Manager to release a portion of the surety issued by the American Insurance Company in the form of Performance Bond No. 111325 84 191, so that the same is reduced as follows:

1. For faithful performance, to the sum of \$680,288.
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$340,144.

Subitem-B: (R-92-574) ADOPTED AS RESOLUTION R-278844

Granting an extension of time to May 15, 1993 to Donald L. Bren, subdivider, to complete the improvements required in Scripps Eastview Unit 3.

CITY MANAGER SUPPORTING INFORMATION: On May 15, 1989, the City entered into an agreement with ITEC Properties, a California general partnership, for the construction of public improvements for Scripps Eastview Unit 3. Performance Bond No. 113 18 25 issued by Insurance Company of the West in the amount of \$2,194,478 was provided by the subdivider. The agreement expired May 15, 1991. The property was subsequently sold to Donald L. Bren Company. On September 25, 1989 the City entered into an amended Subdivision Improvement Agreement with Donald L. Bren Company (RR-274441). Performance Bond No. 111325 84 191 issued by the American Insurance Company in the amount of \$2,194,478 was provided by the subdivider. The subdivider has requested a partial release of surety and an extension of time to May 15, 1993 in which to complete the required improvements. Ninety-two percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore 69 percent of the original surety will be released which will reduce the surety to \$680,288.

FILE LOCATION: SUBD-Scripps Eastview Unit 3

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-110:

Two actions relative to Scripps Eastview Unit 4:
(Scripps-Miramar Ranch Community Area. District-5.)

Subitem-A: (R-92-575) ADOPTED AS RESOLUTION R-278845

Authorizing the City Manager to release a portion of the surety issued by The American Insurance Company in the form of Performance Bond No. 111325 84 209, so that same is reduced as follows:

1. For faithful performance, to the sum of \$364,430.
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$182,215.

Subitem-B: (R-92-576) ADOPTED AS RESOLUTION R-278846

Granting an extension of time to May 30, 1993, to Donald L. Bren Company, subdivider, to complete the improvements required in Scripps Eastview Unit 4.

CITY MANAGER SUPPORTING INFORMATION: On May 30, 1989, the City entered into an agreement with ITEC Properties, a California General Partnership, for the construction of public improvements for Scripps Eastview Unit 4. Performance Bond No. 013 18 26 issued by Insurance Company of the West in the amount of \$1,138,843 was provided by the subdivider. The agreement expired May 30, 1991. The property was subsequently sold to Donald L. Bren Company. On September 25, 1989 the City entered into an amended subdivision improvement agreement with Donald L. Bren Company (RR-274442). Performance Bond No. 111325 84 209 issued by The American Insurance Company in the amount of \$1,138,843 was provided by the subdivider. The subdivider has requested a partial release of surety and an extension of time to May 30, 1993 in which to complete the required improvements. Ninety-one percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. It is recommended that the time extension be granted since improvements to be delayed are not necessary to serve adjacent developments or the general public. In accordance with Council Policy 800-11 and 600-21, respectively, it is

recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 68 percent of the original surety will be released which will reduce the surety to \$364,430.

FILE LOCATION: SUBD-Scripps Eastview Unit 4

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-111: (R-92-449) ADOPTED AS RESOLUTION R-278847

Authorizing the execution of an Amendment to the Subdivision Improvement Agreement for Penasquitos Park View Estates Unit 8, to provide for the substitution of American Newland Associates for Genstar Development, Inc., as subdivider; declaring that the public improvements to be constructed shall be completed by August 12, 1992; accepting Performance Bond No. 111 3291 1618, issued by The American Insurance Company, in the amount of \$1,695,538 as the surety for the required improvements; releasing Performance Bond No. SC 645 40 02, issued by The American Insurance Company, in the amount of \$6,782,154.

(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On January 12, 1987, the City entered into an agreement with Genstar Development, Inc., now American Newland Associates, for the construction of public improvements for Penasquitos Park View Estates Unit No. 8. The agreement expired on January 12, 1989. The property is now owned by American Newland Associates. The new owner has signed an Amended Agreement to assume all of the obligations of the original subdivider and complete the required work. The Amended Agreement also provides for an extension of time to complete the work to August 12, 1992. The work is approximately 86 percent complete. The new subdivider has provided a performance bond for the approved amount of \$1,695,538. The Amended Agreement and time extension are in accordance with Council Policy 600-21. 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.

FILE LOCATION: SUBD - Penasquitos Park View Estates Unit 8
CONFY92-1

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-112: (R-92-450) RETURNED TO CITY MANAGER

Authorizing the execution of an amendment to the Subdivision Improvement Agreement for Penasquitos Park View Estates Units 9 and 10, to provide for the substitution of American Newland Associates, for Genstar Development, Inc., as subdivider; declaring that the public improvements to be constructed shall be completed by August 22, 1992; accepting Performance Bond No.111 3291 1626, issued by the American Insurance Company, in the amount of \$2,337,471, as surety for the required improvements in the subdivision, and releasing performance Bond No. SC 645 40 16, issued by The American Insurance Company, in the amount of \$5,861,598.

(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On June 22, 1987, the City entered into an agreement with Genstar Development, Inc., now American Newland Associates, for the construction of public improvements for Penasquitos Park view Estates Units 9 and 10. The agreement expired on June 22, 1989. The property is now owned by American Newland Associates. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to August 22, 1992. The work is approximately 60 percent complete. The new subdivider has provided a performance bond for the approved amount of \$2,337,471. The amended agreement and time extension are in accordance with Council Policy 600-21. 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.

FILE LOCATION: AGENDA CONFY92-1

COUNCIL ACTION: (Tape location: A319-360.)

MOTION BY McCARTY TO RETURN TO THE CITY MANAGER AT THE REQUEST OF THE DEVELOPER FOR AN OPPORTUNITY TO REDUCE THE AMOUNT OF BONDING WITH RESPECT TO PUBLIC IMPROVEMENTS.

Second by Henderson. Passed by the following vote: Wolfsheimer-ineligible, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-113: (R-92-503) RETURNED TO CITY MANAGER

Authorizing the execution of an amendment to the Subdivision Improvement Agreement for Penasquitos Park View Estates Units 11 and 12, to provide for the substitution of American Newland Associates, for Genstar Development, Inc., as subdivider; declaring that the public improvements to be constructed shall be completed by October 6, 1992; accepting Performance Bond No. 111 3291 1634, issued by The American Insurance Company, in the amount of \$2,681,991, as surety for the required improvements in the subdivision; releasing Performance Bond No. SC 645 48 26, issued by The American Insurance Company, in the amount of \$3,996,323.

(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On July 6, 1987 the City entered into an agreement with Genstar Development, Inc., now American Newland Associates, for the construction of public improvements for Penasquitos Park View Estates Units 1. The property is now owned by American Newland Associates. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The amended agreement also provides for an extension of time to complete the work to October 6, 1992. The work is approximately 33 percent complete. The new subdivider has provided a performance bond for the approved amount of \$2,681,991. The amended agreement and time extension are in

accordance with Council Policy 600-21. 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.

FILE LOCATION: SUBD-Penasquitos Park View Estates
Units 11 and 12 CONFY92-1

COUNCIL ACTION: (Tape location: A319-360.)

MOTION BY McCARTY TO RETURN TO THE CITY MANAGER AT THE REQUEST OF THE DEVELOPER FOR AN OPPORTUNITY TO REDUCE THE AMOUNT OF BONDING WITH RESPECT TO PUBLIC IMPROVEMENTS. Second by Henderson. Passed by the following vote: Wolfsheimer-ineligible, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114:

Two actions relative to vacating a sewer easement and accepting a drainage easement: (Park North-East Community Area. District-3.)

Subitem-A: (R-92-485) ADOPTED AS RESOLUTION R-278848

Vacating the City's interest in an unneeded sewer easement affecting Lots 8 through 11, Block 259, University Heights, pursuant to Section 8300 et seq. of the Streets and Highways Code.

Subitem-B: (R-92-486) ADOPTED AS RESOLUTION R-278849

Authorizing the City Manager to accept a drainage easement deed of Florida Partners Limited and 3627 Florida Limited, granting to the City an easement for drainage purposes in Lots 7 through 12, Block 259, University Heights.

FILE LOCATION: Subitem-A: DEED F-5707; Subitem-B:
DEED F-5708 DEEDFY92-2

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-115: (R-92-481) ADOPTED AS RESOLUTION R-278850

Authorizing the sale by negotiation of a portion of the Southwest Quarter of Section 31, Township 12 South, Range 1 East, San Bernardino Base and Meridian for the amount of \$2,800 to the State of California; authorizing the execution of a grant deed, granting to the State of California all that portion of the Southwest Quarter, Section 31, Township 12 South, Range 1 East, San Bernardino Base and Meridian; declaring that no broker's commission shall be paid by the City on the above mentioned sale; authorizing the execution of a Right of Way Contract with the State of California.

(San Pasqual Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The subject property is required by CalTrans for Route 78 improvements between 0.7 miles west of Bandy Canyon Road and 3.4 miles east of Wynola Road. The project consists of constructing turnouts at designated locations to provide passing opportunities in areas which have nearly continuous barrier striping. CalTrans has previously received a right-of-entry permit from the City to enter upon the property; the effective date of the permit is June 1, 1991. The subject consists of .27 acres of Water Utilities property, zoned A1-10. Water Utilities has studied the proposed sale and has no opposition. The parcel was appraised at \$2,800 by a CalTrans staff appraiser and reviewed by City Valuation staff.

WU-PR-92-040.

FILE LOCATION: DEED F-5709 DEEDFY92-1

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-116: (R-92-530) ADOPTED AS RESOLUTION R-278851

Recognizing Bob Gault and Sea World for their longstanding civic commitment and contributions in serving San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-117: (R-92-582) ADOPTED AS RESOLUTION R-278852

Designating Tuesday, November 5, 1991, as "Dal Watkins" Day in recognition of Dal Watkins' contributions to San Diego tourism, and wishing him well in his retirement.

(District-2.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-118:

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

Subitem-A: (R-92-506) ADOPTED AS RESOLUTION R-278853

Roger G. Howes - Police Department/Mission Bay Harbor - \$1,269.05.

Subitem-B: (R-92-507) ADOPTED AS RESOLUTION
R-278854

Karl Kierulff - Park and Recreation Department - \$320.

Timothy Dewey - Engineering and Development
Department/Design - \$231.

Subitem-C: (R-92-508) ADOPTED AS RESOLUTION
R-278855

Robert Davis - Water Utilities Department - \$160.
Jeffrey Jacobson - Treasurer - \$160.

Subitem-D: (R-92-509) ADOPTED AS RESOLUTION
R-278856

Robert Davis - Water Utilities Department - \$160. Allan
Morrow - Park and Recreation Department/Coastal - \$90.

Subitem-E: (R-92-510) ADOPTED AS RESOLUTION
R-278857

Norman H. Jones - Stadium - \$80. Jocelyn S. Wujick -
Police Department - \$60.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty.
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-119: (R-92-438) ADOPTED AS RESOLUTION R-278858

Authorizing the City Manager to submit an application
to the State of California for \$25,000 in grants
pursuant to the Library Services and Construction Act
for the purpose of establishing and developing five
pilot Grandparents and Books Programmes at the Central
Library and the four following library branches:
Beckwourth, East San Diego, Otay Mesa, and San Ysidro.

(Centre City, Greater Golden Hills, Mid-City, Otay Mesa/Nestor, San Ysidro and Southeast San Diego Community Areas. Districts-2, 3, 4 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The Los Angeles Public Library Children's Services Department developed a pilot Grandparents and Books Programme in FY 1989 designed to provide volunteer adult assistance with reading, and additional reading materials, for children at local libraries. The Programme was further designed to increase use of libraries by children. The San Diego Public Library was invited by the California State Library to submit applications for Library Services and Construction Act funds to establish five such programs in San Diego. If funded, the programs will be at the Central Library and the four following library branches: Beckwourth, East San Diego, Otay Mesa and San Ysidro.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-120: (R-92-376) ADOPTED AS RESOLUTION R-278859

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$30,000 from Mid-City Park Development Fund No. 39094 to CIP-23-529.0, Chollas Community Park Development - Phase I; authorizing the expenditure of an amount not to exceed \$30,000 from CIP-23-529.0, Chollas Community Park Development - Phase I, to supplement the funds authorized by Resolution R-273841, adopted on June 26, 1989, in connection with this activity.

(Mid-City Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: Chollas Community Park is located on the north side of College Grove Drive east of the Chollas Operations Station. The Chollas Community Park Development - Phase I project is providing new park improvements

in an 11.27-acre area. The project suffered erosion damage during the March 1991 rains and additional work is required to repair eroded areas and to revise the way runoff is controlled at some parts of the park. The project is expected to cost more than has been previously authorized and the \$30,000 additional financing requested is to supplement the existing financing. Surplus funds will be returned to the fund balance.

Aud. Cert. 9200185.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-121: (R-92-445) CONTINUED TO OCTOBER 28,1991

Authorizing the City Auditor and Comptroller to accept \$125,000 in TransNet funds awarded per SANDAG Resolution No. 91-29 and \$335,600 in TDA funds awarded per SANDAG Resolution No. 91-86; modifying the Fiscal Year 1992, Capital Improvements Program, Annual Appropriations Budget, Ordinance O-17667 (NS), by the addition of the following projects:

- 1) Del Sol Boulevard Bikeway, CIP-58-090.0
- 2) Euclid Avenue/54th Street Bikeway, CIP-58-091.0
- 3) Fairmount Avenue/43rd Street/47th Street Bikeway, CIP-58-092.0
- 4) Federal Boulevard Bikeway, CIP-58-093.0
- 5) Grand Avenue/Mission Bay Drive Bikeway, CIP-58-094.0

- 6) Home Avenue Bikeway, CIP-58-095.0
- 7) Imperial Avenue/40th Street Bikeway, CIP-58-096.0

- 8) North Harbor Drive Bikeway, CIP-58-097.
- 9) Ocean beach Bicycle Path Extension, CIP-58-098.0

- 10) Ruffin Road Bikeway, CIP-58-099.0

- 11) Sea World Drive/Tecolote Road Bikeway, CIP-58-100.0
- 12) Sports Arena Boulevard Bridge Bikeway, CIP-58-101.0
- 13) University Avenue Bikeway, CIP-58-102.0
- 14) West Bernardo Drive Bikeway, CIP-58-103.0
- 15) Wightman Street/Swift Avenue Bikeway, CIP-58-104.0
- 16) Woodman Street Bikeway, CIP-58-105.0

Authorizing the transfer of an amount not to exceed \$20,000 of TDA funds, Fund 39005, to Bicycle Detector Loops, CIP-58-079.0; authorizing the transfer of an amount not to exceed \$9,600 of TDA funds, Fund 39005, to Miramar Road/Eastgate Mall Bikeway, CIP-58-088.0; authorizing the expenditure of an amount not to exceed \$155,000 in TDA funds, Fund 39005 and \$100,000 in TransNet funds, Fund 30300 for Bay Bikeway EIR, Bicycle Accident Analysis Study, Bicycle Helmet Study, Secure Bicycle Storage Facilities and Bicycle Safety Encouragement Campaign, for the purpose of providing funds for the above projects.

CITY MANAGER SUPPORTING INFORMATION: On June 28, 1991, the SANDAG Board of Directors allocated \$335,600 in TDA funds to the City of San Diego for the following bicycle projects: 1) Bay Route Bikeway EIR, \$25,000; 2) Bicycle Accident Analysis, \$75,000; 3) Bicycle Helmet Study, \$5,000; 4) Bicycle Loop Detectors, \$20,000; 5) Del Sol Boulevard, \$5,000; 6) Euclid Avenue/45th Street, \$11,000; 7) Fairmount Avenue/43rd Street/47th Street, \$14,000; 8) Federal Boulevard, \$7,000; 9) Grand Avenue/Mission Bay Drive, \$25,000; 10) Home Avenue, \$3,000; 11) Imperial Avenue/40th Street, \$5,000; 12) Miramar Road/Eastgate Mall, \$9,600; 13) North Harbor Drive, \$9,000; 14) Ruffin Road, \$7,000; 15) Sea World Drive/Tecolote Road, \$3,000; 16) Secure Storage Facilities, \$50,000; 17) Sports Arena Boulevard Bridge, \$15,000; 18) University Avenue, \$9,000; 19) West Bernardo Drive, \$25,000; 20) Wightman Street/Swift Avenue, \$6,000; 21) Woodman Street, \$7,000. Also on June 28, 1991, the SANDAG Board of Directors allocated \$125,000 in TransNet funds to the City of San Diego for the following bicycle projects: 1) Bicycle Safety and Encouragement Campaign, \$100,000; 2) Ocean Beach Bicycle Path, \$25,000.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A598-638.)

MOTION BY BEHR TO CONTINUE TO OCTOBER 28, 1991 WITH DIRECTION TO THE CITY MANAGER TO REVIEW THE METHOD OF PRIORITIZING THE CIP PROJECTS THAT ARE BEING AWARDED THE FUNDING. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-122: (R-92-511) ADOPTED AS RESOLUTION R-278860

Modifying the Fiscal Year 1992 Capital Improvements Program Annual Appropriations Budget, Ordinance No. O-17667 (NS) by the addition of the following projects, to be financed from Sludge Mitigation Fund No. 10507:

1. Adding CIP-22-092.0, South Crown Point Walkway, in the amount of \$150,000;
2. Adding CIP-22-093.0, West Mission Bay Drive Sidewalk, in the amount of \$80,000;
3. Adding an additional restroom at Crown Point Shores to CIP-22-075.0, New Mission Bay Restroom - Phase I, in the amount of \$250,000;
4. Adding lighting for the westerly parking lot on Southwest Vacation Isle to CIP-22-087.0, Bonita Cove Parking Lot Lighting, in the amount of \$22,000; and
5. Adding the amount of \$486,000 to CIP-22-086.0, Fiesta Island Improvement Reserve;
Distributing the funding of \$988,000 for the above projects in the following order as Sludge Mitigation Fund 10507 receives its monthly increments from Sewer Revenue Fund No. 41508:
CIP-22-093.0, West Mission Bay Drive Sidewalk
CIP-22-087.0, Bonita Cove Parking Lot Lighting
CIP-22-092.0, South Crown Point Walkway
CIP-22-075.0, New Mission Bay Restroom - Phase I
CIP-22-086.0, Fiesta Island Improvement Reserve.
(Mission Bay Park Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The California Coastal Commission has approved Third Year Sludge Mitigation Fund

financing for the following projects in Mission Bay Park:

CIP No.	Title	Budget	Comment
1. 22-093.0	West Mission Bay Project) Drive Sidewalk	\$ 80,000	(New CIP
2. Southwest Vacation Isle Parking Lot Lighting	\$ 22,000	(Add to CIP-22--087)	
3. 22-092.0	South Crown Point Project) walkway	\$150,000	(New CIP
4. Crown Point	\$250,000	(Add to CIP-22-075) Restroom	
5. 22-086.0	Fiesta Island CIP Improvement Project) Reserve	\$486,000	(Existing

The proposed Council action will add these projects to the FY 92 Capital Improvements Program. CIP-22-092.0 and CIP-22-093.0 are new projects. CIP-22-086.0 is an existing project and this action will increase the project's financing. The project listed as No. 2 will be added to existing CIP-22-087.0, Bonita Cove Parking Lot Lighting.

The project listed as No. 4 will be added to existing CIP-22.075.0, New Mission Bay Restrooms, Phase I. Monthly payments of \$83,333 are made to Sludge Mitigation Fund No. 10507 from Sewer Revenue Fund No. 41508. The projects should be financed in the order listed above.

Aud. Cert. 9200233.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-123: (R-92-519) ADOPTED AS RESOLUTION R-278861

Authorizing the City Manager to accept \$20,000 of additional grant money from the County of San Diego to be used for the preparation of two comprehensive Waste

Management documents: (1) a Source Reduction and Recycling Element, and (2) a Household Hazardous Waste Element, as required by State of California Law - AB 939, the Integrated Waste Management Act; increasing the authorized expenditure of \$70,000 for consulting services related to the preparation of the two comprehensive Waste Management documents to \$90,000; authorizing the City Manager to accept any additional grant money that may be available for preparation of the two comprehensive Waste Management documents, and to amend the agreement with the County without Council action.

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego is required by State Law (AB 939, the Integrated Waste Management Act) to prepare two comprehensive Waste Management documents: a Source Reduction and Recycling Element, and a Household Hazardous Waste Element. Under Resolution Manager was authorized to accept \$20,000 from the County of San Diego. To this amount an amount not to exceed \$70,000 (from fund 412, Dept. 751, Object Account 4151, Job Order 7320) was added. Both sums were allocated for consulting services needed for the preparation of the two elements. The County has authorized the expenditure of an additional \$20,000 in grant money to the City of San Diego to be used for the preparation of the two elements. The purpose of this Resolution is to enable the City Manager to accept the additional money and to authorize the expenditure of the money for its designated purpose. In addition, this Resolution would enable the City Manager to, without bringing the matter before the City Council, accept any additional grant money that may be made available for the preparation of the elements and/or make adjustments to the agreement with the County.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-124: (R-92-448) ADOPTED AS RESOLUTION R-278862

Extending the expiration dates of the groundwater

discharge permit and sewer capacity charge waiver applicable to the St. Vincent de Paul Joan Kroc Center until June 30, 1992.

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On February 8, 1991, Section 64.0410 of the Municipal Code was amended to provide for the extension, upon Council approval, of a waiver of capacity charges for the pumping of groundwater for a maximum of two years beyond its original expiration date. The St. Vincent de Paul Center has been discharging groundwater to the City's sewer system under a temporary groundwater discharge permit since July of 1988, said permit having expired on June 30, 1990. Section 64.0410 provides for the extension of a temporary permit for no more than two years. Upon expiration of this extension on June 30, 1992, if approved, capacity charges will be levied at the then current rates, which are currently projected to be 16 percent higher than those noted in the fiscal impact statement below.

WU-U-92-038.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-125: (R-92-520) TRAILED TO OCTOBER 22, 1991

Confirming the contractual and administrative cost of \$34,378.46, to abate the public nuisance of the burnt construction project at 6201 El Cajon Boulevard, and levying these costs as a special assessment; authorizing the County Tax Assessor to place an assessment on the tax roll to collect these costs in the same manner as municipal property taxes, and then reimburse the City.

(District-7.)

CITY MANAGER SUPPORTING INFORMATION: On April 23, 1991, the City declared the burnt construction project at 6201 El Cajon

Boulevard a public nuisance and authorized the City manager to abate administratively by demolition. (Resolution R-277773). Demolition work at this site has been completed; debris has been removed; and the contractor has been paid from the City's Nuisance Abatement Superfund as previously authorized. A record of contractual and related administrative costs is hereby transmitted for confirmation by Council and for authorization to levy these costs as a special assessment:

Contractual	\$33,031.00	Administrative	1,347.46
	Totals Assessed		\$34,378.46

Upon authorization by the City Council, the County Auditor will be notified to place an assessment on the tax roll and these costs will be collected in the same manner as municipal property taxes, and then reimbursed to the City.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A640-B157.)

MOTION BY McCARTY TO TRAIL TO OCTOBER 22, 1991 AT THE CITY ATTORNEY'S RECOMMENDATION TO EXAMINE THE LITIGATION REPORT FOR POSSIBLE CONFLICTS OF INTEREST AND TO REVIEW THE NOTICING REQUIREMENTS. 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-126:

Two actions relative to the transfer of City-owned Site 131 to the Redevelopment Agency:

(See City Manager Report CMR-91-412. Southeast San Diego Community Area. District-4.)

Subitem-A: (R-92-389) ADOPTED AS RESOLUTION R-278863

Transferring an 8.46-acre City-owned parcel of land, known as Site 131 and located at the northwest corner of the intersection of 49th Street and Imperial Avenue, to the Redevelopment Agency; authorizing the execution of a grant deed conveying to the Redevelopment Agency Site 131; authorizing the execution of an agreement to

Purchase Real Property with the Redevelopment Agency regarding the parcel.

Subitem-B: (R-92-390) ADOPTED AS RESOLUTION R-278864

Certifying that the information contained in Environmental Negative Declaration END-89-1311, in connection with Site 131, together with any comments received during the public review process, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines and that said report has been reviewed and considered by the Council; making a finding that there is no substantial evidence that the project will have a significant effect on the environment.

COMMITTEE ACTION: Reviewed by PFR on 10/9/91.
Recommendation to approve the City Manager's recommendation.
Districts 3, 6, and 7 voted yea. Districts 1 and 8 not present.

FILE LOCATION: DEED F-5710 DEEDFY92-1

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty.
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-127: (R-92-517) ADOPTED AS RESOLUTION R-278865

Approving the temporary closure, to motor vehicle traffic, of Carmel Valley Road between Felson Road and Milbury Road, under the authority of California Vehicle Code Section 21101(a); declaring that the temporary closure would be in effect until that portion of Carmel Valley Road is extended to a major street to the west or the east. (Penasquitos East Community Area. District-1.)

COMMITTEE ACTION: Reviewed by TLU on 3/25/91. Recommendation to approve the temporary closure of Carmel Valley Road.
Districts 1, 4 and 5 voted yea. Districts 2 and 8 not present.

CITY MANAGER SUPPORTING INFORMATION: Transportation and Land

Use Committee has requested the closure of Carmel Valley Road between Felson Road and Milbury Road in Penasquitos East to discourage car racing. We have also received a signed petition from the community residents around Carmel Valley Road favoring the closure. The section of Carmel Valley Road between Milbury Road and Felson Road is approximately 1,800 feet long. It currently serves no adjacent land uses and carries no local or through traffic. It is bounded by a canyon on the north side and by a sound wall on the south side. On the west side, it terminates a few feet past El Vistido Street (a block west of Milbury Road). On the east side, it terminates at Milbury Road. This roadway has no significance in the traffic circulation of the area at the present time. However, the City's General Plan identifies Carmel Valley Road as a prime arterial roadway to connect North City West to Penasquitos East. Construction of the extension of Carmel Valley Road is not currently funded. Because of its limited access nature, Carmel Valley road in this area has become a car racing ground. Transportation and Land Use Committee, expressing the concerns of the area residents about the noise and potential safety problems associated with car racing activities there, has requested its closure. Traffic impact of the closure at the present time and until Carmel Valley Road is realigned and extended is negligible.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-128: (R-92-381) ADOPTED AS RESOLUTION R-278866

Authorizing the City Manager to extend certain holdover lease agreements on a month-to-month basis, for a period not to exceed three years, subject to cancellation on 30 days' notice; no such lease can be extended beyond three years without Council approval.

(See City Manager Report CMR-91-411.)

COMMITTEE ACTION: Reviewed by PFR on 10/9/91. Recommendation to approve the City Manager's recommendation. Districts 3, 6 and 7

voted yea. Districts 1 and 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-129: (R-92-480) ADOPTED AS RESOLUTION R-278867

Authorizing the execution of a First Amendment to Street Improvements and Right of Way Agreement with the City of Escondido, in connection with the realignment and widening of Via Rancho Parkway. (San Pasqual Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On July 16, 1984 the Cities of San Diego and Escondido entered into a Street Improvement Right-of-Way Agreement facilitating the realignment and widening of Via Rancho Parkway to six lanes easterly of Interstate 15. This was done in conjunction with the development of North County Fair shopping center at no cost to the City of San Diego. The road is maintained by Escondido. The agreement also required a realignment of the boundary line between the two cities, and two parcels of land have been exchanged to conform to these new boundaries. A third parcel owned by the City of Escondido, a portion of the then existing Sunset Drive, was to be conveyed to San Diego as access to City-owned land southerly of Via Rancho Parkway. It was later decided that the Sunset Drive parcel was no longer needed by San Diego. The proposed amendment would therefore eliminate the need for San Diego to acquire the parcel and require Escondido to continue to maintain it. Further, Escondido owns a 1.43-acre pump station in this area within the San Diego City limits. This amendment will allow this parcel to be annexed by Escondido. The consideration for the proposed amendment is the mutual benefits to be derived by the parties and no monetary exchange is recommended. All other provisions of the original document are to remain the same. Escondido, as the lead agency, is currently working with LAFCO in processing the boundary adjustment.

FILE LOCATION: ANNEX-Via Rancho Parkway/Sunset

Reorganization CONFY92-1

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-130: (R-92-583) TRAILED TO OCTOBER 22, 1991

Authorizing the execution of an agreement with the San Diego County Office of Education to produce 3/4-inch broadcast quality videotapes of Monday afternoon City Council meetings from the Council Chambers and to transmit the program via the County Office of Education's ITFS microwave transmission system to Southwestern and Cox cable systems which cablecast the programs to subscribers Monday evenings on their government access channels.

(See City Manager Report CMR-91-441.)

Aud. Cert. 9200265.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B157-568.)

Motion by Filner to adopt. Second by Roberts. Failed. Yeas-2,3,8,M. Nays-1,5,6,7. Not present-4.

Motion by McCarty to direct the Manager to begin negotiations to award a contract to Ace Video Productions. Second by Henderson. No vote; trailed to October 22, 1991.

ITEM-131: (R-92-479 Rev.1) ADOPTED AS AMENDED AS RESOLUTION R-278868

Establishing a citizens advisory committee to be known as the "Balboa Park Citizens Action Committee"; declaring that the Balboa Park Citizens Action Committee shall coordinate its activities

with the Park and Recreation Board and that the Board's subcommittees and shall be advisory to the City Manager and the City Council; declaring that the Committee membership shall initially consist of 49 individuals; authorizing the City Manager to appoint replacements for any of the 49 persons as vacancies occur.

(See City Manager Report CMR-91-388 and attachments: "Heart of the City Action Plan," Proposed Work Program, and Membership list.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B568-C339.)

MOTION BY HARTLEY TO ADOPT AS AMENDED THAT THE MEMBERSHIP ON THE COMMITTEE NOT BE LIMITED TO 49 IF ADDITIONAL PEOPLE ARE DEEMED TO BE NECESSARY. Second by Henderson. Passed by the following vote: Wolfsheimer-ineligible, Roberts-yea, Hartley-yea, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (O-92-52) CONTINUED TO NOVEMBER 4, 1991

Introduction of an Ordinance amending Ordinance O-17648 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for Fiscal Year 1991-92," to create a new position of Assistant to the Police Chief; exempting the new position from the Classified Service; amending Exhibit "C" to said ordinance to include the new position in Managerial Category B; and establishing a salary rate.

CITY MANAGER SUPPORTING INFORMATION: An internal audit of the Police Department was recently conducted at the request of the Police Chief to identify conditions within the Department that could undermine the commitment to giving San Diegans the finest in community policing. One particular adopted recommendation of the audit calls for the flattening of the steep hierarchy of the Police Department to bring the Police Chief closer to the men and women who police our City. This reorganization has considerably changed the duties of the Chief who now has direct supervision of seven Assistant Chiefs, a responsibility which places a greater

burden on his time. Therefore, many of the tasks to which he gave his personal attention will now be carried out by his staff. In order to accomplish these tasks, it will be necessary to increase the level of responsibility and scope of complexity of the present Adjutant to the Chief position which is currently being under-filled by a Police Sergeant. This reclassified Assistant to the Police Chief position will function as the Chief's primary advisor and aide, and, as such, will be a key managerial employee having significant responsibility for administering and formulating Police Department policies and programs. On September 5, 1991, the Civil Service Commission reviewed the request from the Police Department to create this position and exempt it from the Classified Service. The Commission determined that the position meets the criteria of the City Charter for exemption and commented favorably upon the request.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A288-315.)

MOTION BY FILNER TO CONTINUE TO NOVEMBER 4, 1991 AT THE REQUEST OF THE CITY MANAGER TO ALLOW THE POLICE OFFICERS ASSOCIATION AN OPPORTUNITY TO MEET AND CONFER. Second by Henderson. 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-201: (R-92-409) ADOPTED AS RESOLUTION R-278869

(Continued from the meeting of October 7, 1991, Item 135, at Councilmember McCarty's request, for a report from the City Manager as to what these fees will be used for, and why are there additional fees for the third time.)

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: MEET CCONFY92-1

COUNCIL ACTION: (Tape location: A385-416.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-202: (R-92-595) ADOPTED AS RESOLUTION R-278870

Council confirmation of the following reappointments by the Mayor to serve as members of the Waste Management Advisory Board, for terms ending October 1, 1993: (See memorandum from Mayor O'Connor dated 10/10/91.)

John J. Lormon (Chairperson)
Diane Takvorian

Evelyn C. Kleber
Jeanne Davies
Rev. James L. Whitmill

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A385-416.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-203: (R-92-594) ADOPTED AS RESOLUTION R-278871

Council confirmation of the following reappointments by the Mayor to serve as members of the Select Board on Binational Issues, for terms ending July 1, 1993: (See memorandum from Mayor O'Connor dated 10/10/91.)

Daniel L. Guevara
Clara Jo Brown
Susan Taylor (Chairperson)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A385-416.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-204: (R-92-618) ADOPTED AS RESOLUTION R-278872

Defining "extreme cold" for purposes of implementing City Council Policy 000-50, "Emergency Response Plan for the Homeless" to be 40 degrees F., or 50 degrees F. when precipitation is expected, to be consistent with the policy determinations of other agencies.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C339-469.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-205: (R-92-602 Rev.1) ADOPTED AS AMENDED AS RESOLUTION R-278928

Authorizing the City Manager to enter into an agreement with Sverdrup Corporation for services in connection with construction management services for modification and enlargement of the Metropolitan Sewerage System; authorizing the expenditure of an amount not to exceed \$10,406,306 from the Clean Water Program Fund 41509, CIP-42-910.1, for the purpose of funding this agreement; authorizing the transfer of \$346,475 within the Clean Water Program Fund 41509 from CIP-42-910.1, to the Clean Water Program Operation and Maintenance Fund 41509 for the purpose of purchasing data processing equipment and telecommunications equipment through the Data Processing Corporation.

Aud. Cert. 9200231. WU-CWP-92-027.

FILE LOCATION: WATER - SVERDRUP CORPORATION; METROPOLITAN SEWERAGE SYSTEM

COUNCIL ACTION: (Tape location: C469-D315.)

MOTION BY ROBERTS TO ADOPT AS AMENDED TO PROCEED WITH THE PT. LOMA OUTFALL PROJECT AND THE ENGINEERING FEASIBILITY STUDY AND TO CONTINUE THE REMAINDER OF THE ITEM TO NOVEMBER 25, 1991 TO ALLOW THE EXECUTIVE BOARD "PLUS" OF THE METROPOLITAN SEWER TASK FORCE TO IDENTIFY ISSUES AND MAKE RECOMMENDATIONS TO COUNCIL. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-not present.

ITEM-206: (O-92-34) HEARING HELD

First public hearing in the matter of: Amending Ordinance No. O-17667 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1991-92 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending the personnel authorization of the Park and Recreation Department (441) to exempt a new Deputy Director position for the Lifeguard Services Division (44700) from the Classified Service; and establishing a salary rate therefor.

(See memorandum from George Loveland dated 7/25/91.)

NOTE: Today's action is the first public hearing. See Item 336 on the docket of Tuesday, October 22, 1991 for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A385-416.)

MOTION BY WOLFSHEIMER TO APPROVE THE FIRST PUBLIC HEARING. Second by McCarty. 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-207: (O-92-53) HEARING HELD

First public hearing in the matter of: Amending Ordinance O-17667 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1991-92 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year," by amending the personnel authorization of the Park and Recreation Golf Course Operations Program 10530, Enterprise Fund 10530, to exempt a new Deputy Director position for the Golf Course Operations Program from the Classified Service; and establishing a salary rate.

CITY MANAGER SUPPORTING INFORMATION: Effective July 1, 1991, a new Golf Course Operations Enterprise Fund was created within the Park and Recreation Department. The Fiscal Year 1992 Budget

included a position to administer the new division. The Civil Service Commission and Personnel Director have subsequently reviewed this position and recommended that the position be exempted from the classified service.

NOTE: Today's action is the first public hearing. See Item 337 on the docket of Tuesday, October 22, 1991 for the introduction and adoption of the ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A385-416.)

MOTION BY WOLFSHEIMER TO APPROVE THE FIRST PUBLIC HEARING. Second by McCarty. 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-208: (O-92-50 CORR.COPY) ADOPTED AS ORDINANCE O-17702
(New Series)

Adoption of an Ordinance authorizing the execution of an agreement with San Diego Hall of Champions, Inc. for a fifty-five year lease of the Federal Building in Balboa Park.

(Introduced on 9/23/91. Council voted 6-0. Districts 1, 8 and Mayor not present. Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: On October 30, 1989, Council adopted Resolution R-274646 allocating future exclusive tenancy in the Federal Building to the Hall of Champions providing that, within 180 days of the date of adoption of the resolution, that the Hall of Champions confirm that the Federal Building suits its needs. The Hall of Champions has made such determination in a timely manner. The 55 year lease which is before Council today for approval describes the mutual responsibilities of the parties for operation and maintenance of a public museum. The lease agreement becomes effective upon completion of a new municipal gymnasium at the Nobel Athletic area which will accommodate all of the uses now housed in the Federal Building. The new facility is expected to come on line in 1994 at which time the Hall of Champions will occupy the

Federal Building.

FILE LOCATION: LEAS-San Diego Hall of Champions,
Inc. LEASFY92-1

COUNCIL ACTION: (Tape location: D315-393.)

Hearing began at 4:34 p.m. and halted at 4:39 p.m.

Testimony in opposition by Monte Griffin.

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

ITEM-209: (R-92-143 Rev.2) ADOPTED AS AMENDED AS RESOLUTION
R-278873

Endorsing the apparent best site and system configuration recommended by the Clean Water Program for the Fiesta Island Facilities Replacement Project and Northern Sludge Processing Facility; certifying that the information contained in Environmental Impact Report DEP-91-0155, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council; adopting the Findings and Statement of Overriding Considerations in connection with Environmental Impact Report DEP-91-0155.

(See City Manager Reports CMR-91-440 and CMR-91-360. University Community Area. Districts-1, 2 and 6.)

COMMITTEE ACTION: Reviewed by PSS on 9/4/91. Recommendation to accept City Manager Report CMR-91-360 and requested the City Manager report to the Public Services and Safety Committee on the Planning Commission's recommendation(s) and a description of all alternatives. Districts 2, 4, 5 and 7 voted yea. District 3 not present.

NOTE: See Item 210 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D393-F172.)

MOTION BY WOLFSHEIMER TO ACCEPT ALTERNATIVE 1 OF THE MANAGER'S REPORT WHICH IS TO LOCATE BOTH THE FIESTA ISLAND FACILITIES REPLACEMENT PROJECT AND THE NORTHERN SLUDGE FACILITY TO NAS MIRAMAR WEST. DIRECT THAT IMMEDIATE NEGOTIATIONS WITH THE NAVY BEGIN WHILE SIMULTANEOUSLY PROCESSING THE EIS. FIND WAYS TO COMPLY WITH THE NAVY'S CONDITIONS REGARDING NON-INTERFERENCE WITH FLIGHTS, THE GEOTECHNICAL INVESTIGATION AND ADDRESSING THE BIOLOGICAL ISSUES. AMEND THE PROGRESS GUIDE TO THE GENERAL PLAN AND CERTIFY THE EIR TO COMPLY WITH THE AMENDMENT. REFER TO THE CITY MANAGER FOR COMMENT ON LETTERS FROM MISSION BAY LEASEHOLDERS. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-nay, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

Motion by Wolfsheimer to create a backup plan by conducting a study of operating an enclosed sludge drying facility on one of the five-acre sites on Fiesta Island that would not impair with the recreational capacity of Mission Bay Park. Second by McCarty. Failed. Yeas-1,7. Nays-2,4,5,6,M. Not present-3,8.

ITEM-210:

(Continued from the meetings of August 5, 1991, Item 208, and September 9, 1991, Item 206; last continued at the City Manager's request, so Planning Commission hearings regarding siting of sewer sludge facilities can be held.)

Proposal to amend the University and Mira Mesa Community Plans and to amend the Progress Guide and General Plan for the siting of a sewerage sludge mechanical dewatering and heat drying facility, a sludge processing facility, and associated conveyance, pipelines, pumping station, pipeline cleaning/inspection station, sewer pipeline, and optional in-vessel composting facility. The proposed project would replace the existing sludge drying operation located on Fiesta Island in

Mission Bay Park, and process future sludge from the North City, Santee, Mission Valley, and Poway Water Reclamation Plants.

Six sites within the City of San Diego are being considered for these facilities. Three of these sites would not require community plan amendments including two potential sites located on property owned by NAS Miramar which are not within a community planning area, and one site located within the existing Point Loma Wastewater Treatment Plant which is currently designated as a Public Utility Community Plan amendments would be required in order to locate the Clean Water facilities on the following sites:

Mira Mesa Community Plan

Carroll Canyon is a 41-acre parcel located in the northwestern corner of the intersection of Fenton Road The University Community Plan

Eastgate Mall, which has been approved for a water reclamation facility, is a 34-acre parcel located between Eastgate Mall Road and Miramar Road, east of I-805.

Eastgate Technology Park is a 64-acre parcel located north of Eastgate Mall Road and just west of I-805. (Districts-1 and 5.)

Subitem-A: (R-92-156 Rev.2) ADOPTED AS RESOLUTION R-278874

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-91-0155 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-92-155 Rev.2) ADOPTED AS RESOLUTION
R-278875

Adoption of a Resolution approving the siting of Sludge Facilities at Point Loma and NAS Miramar.

FILE LOCATION: LAND-University and Mira Mesa
Community Plans

COUNCIL ACTION: (Tape location: D393-F172.)

Hearing began at 4:45 p.m. and halted at 6:05 p.m.

Testimony in opposition by Norman Mangeson, Monty Griffin and Brian Bilbray.

MOTION BY WOLFSHEIMER TO ACCEPT ALTERNATIVE 1 OF THE MANAGER'S REPORT WHICH IS TO LOCATE BOTH THE FIESTA ISLAND FACILITIES REPLACEMENT PROJECT AND THE NORTHERN SLUDGE FACILITY TO NAS MIRAMAR WEST. DIRECT THAT IMMEDIATE NEGOTIATIONS WITH THE NAVY BEGIN WHILE SIMULTANEOUSLY PROCESSING THE EIS. FIND WAYS TO COMPLY WITH THE NAVY'S CONDITIONS REGARDING NON-INTERFERENCE WITH FLIGHTS, THE GEOTECHNICAL INVESTIGATION AND ADDRESSING THE BIOLOGICAL ISSUES. AMEND THE PROGRESS GUIDE TO THE GENERAL PLAN AND CERTIFY THE EIR TO COMPLY WITH THE AMENDMENT. REFER TO THE CITY MANAGER FOR COMMENT ON LETTERS FROM MISSION BAY LEASEHOLDERS. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-nay, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

Motion by Wolfsheimer to create a backup plan by conducting a study of operating an enclosed sludge drying facility on one of the five-acre sites on Fiesta Island that would not impair with the recreational capacity of Mission Bay Park.

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

ITEM-211:

(Continued from the meeting of October 8, 1991, Item 333, at Councilmember Wolfsheimer's request, for full Council.)

Matter of the appeal of Randolph, Louise and Parviainen Groom, by Leon E. Campbell, Attorney in Fact, from the decision of the Planning Commission in granting La Jolla Shores, Coastal Development and Sensitive Coastal

Resource Permits LJS, CDP and SCR-89-1235 (Simms Residence), proposing to construct a two-story, 10,450 square-foot, single-family home, including a subterranean level. The subject property, a 15,965 square-foot gross site area is located at 8406 El Paseo Grande, in a single-family zoned site, in the La Jolla Shores Community Plan area. The subject property is more particularly described as a portion of Pueblo Lot 1281, Miscellaneous Map-36 and Map-2615.

(LJS, CDP & SCR-89-1235. District-1.)

Subitem-A: (R-92-) NOTED AND FILED

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-89-1235 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.

Subitem-B: (R-92-) DEEMED DENIED

Adoption of a Resolution granting or denying the appeal and granting or denying the permits, with appropriate findings to support Council action.

FILE LOCATION: PERM-LJS, CDP & SCR-89-1235

COUNCIL ACTION: (Tape location: A218-285.)

Hearing began at 3:11 p.m. and halted at 3:15 p.m.

MOTION BY WOLFSHEIMER TO GRANT THE APPEAL AND DENY THE PROJECT. Second by Behr. Failed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-nay, Pratt-nay, Behr-yea, Henderson-nay, McCarty-nay, Filner-nay, Mayor O'Connor-yea.

* ITEM-S400: (R-92-90) ADOPTED AS RESOLUTION R-278876

Rescinding the contract with Geo. F. Kennedy, Inc. for furnishing radial/tubeless tires (passenger car/compact truck) in Section I of Bid I2472/91, as may be required

for the period of one year beginning September 1, 1991 through August 31, 1992, which was authorized by Resolution R-278536, adopted September 9, 1991; accepting the next low acceptable bid and awarding a contract to Dapper Tire Co. for radial/tubeless tires, passenger car/compact truck, Section I for an estimated cost of \$69,954.92, including tax and terms. (BID-I2472/91)

FILE LOCATION: CONT-Purchase - Dapper Tire Co.
CONFY92-1

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-S401: (R-92-604) ADOPTED AS RESOLUTION R-278877

A Resolution approved by the City Council in Closed Session on Tuesday, September 24, 1991 by the following vote: Wolfsheimer-not present; Roberts-yea; Hartley-yea; Pratt-yea; Behr-yea; Henderson-yea; McCarty-yea; Filner-not present; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$225,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury and property damage caused by sewer backups on the Trudell property known as 4039-4045 Estrella Avenue (Superior Court Case No. 578788, Trudell v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$225,000 made payable to the Trudell Family 1986 Trust in full settlement of all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes complete and final settlement of all claims against the City of San Diego.

Aud. Cert. 9200274.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A385-416.)

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

* ITEM-S402: (R-92-603) ADOPTED AS RESOLUTION R-278878

Directing the Planning Commission to conduct a hearing on the Chateau Nord Amendment in December, 1991, unless a continuance request is granted at that time. (District-1.)

FILE LOCATION: LAND-Carmel Valley Community Plan

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-S403: TRAILED TO OCTOBER 22, 1991 Seven actions relative to Downtown Office Space Leases: (Centre City Community Area. District-2.)

Subitem-A: (O-92-58)

Introduction of an Ordinance authorizing the City Manager to enter into a 10-year lease with Pacific Southwest Realty for office space in the Security Pacific Plaza at 1200 Third Avenue.

Subitem-B: (O-92-59)

Introduction of an Ordinance authorizing the City Manager to enter into a 10-year lease with the Executive One Associates for office space in the Executive Complex at 1010 Second Avenue.

Subitem-C: (O-92-60)

Introduction of an Ordinance authorizing the City Manager to enter into a 10-year lease with Kowa Real Estate California, Inc., for office space in the 600 "B" Street Building.

Subitem-D: (R-92-671)

Adoption of a Resolution authorizing the City Auditor and Comptroller to transfer \$710,147 of lease expense savings from the General Fund Nondepartmental Outside Office Space Rental to the General Fund Allocated Reserve for the purpose of funding moves and transition costs.

Subitem-E: (R-92-672)

Adoption of a Resolution authorizing the City Auditor and Comptroller to carry forward \$51,743 of various enterprise fund lease savings for the purpose of funding moves and transition costs.

Subitem-F: (R-92-673)

Adoption of a Resolution authorizing the amendment of the Donovan/Irving Group, Inc., contract to provide space planning services for the City Administration Building and the City Operations Building at a cost not to exceed \$35,000.

Subitem-G: (R-92-674)

Adoption of a Resolution authorizing the City Manager to enter into an agreement to reimburse the lessors of the above three properties in an amount not to exceed a total of \$20,000 for any costs incurred during the period following introduction of the ordinances authorizing the leases and ending upon the effective date of such ordinances, in the event for any reason the ordinances do not become effective.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F172-179; G000-007.)

BY COMMON CONSENT THIS ITEM WAS TRAILED TO TUESDAY, OCTOBER

22, 1991 FOR THE REQUIRED SIX VOTES. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Behr-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S404:

The matter of the request of Councilmember Wolfsheimer to reconsider the actions of the City Council taken on October 8, 1991, regarding Item 335, Carmel Valley Facilities Benefit Assessment.

(District-1.)

Subitem-A: WAIVED

Waiving the Permanent Rules of Council to allow reconsideration.

Subitem-B: RECONSIDERED

Decision by a majority of the Council to reconsider.

Subitem-C: (R-92-702) ADOPTED AS RESOLUTION R-278927,
SET NOVEMBER 26, 1991 AT 10:00
A.M. FOR A HEARING

Setting a date for a hearing.

FILE LOCATION: STRT FB-8

COUNCIL ACTION: (Tape location: A194-218.)

MOTION BY WOLFSHEIMER TO ADOPT A RESOLUTION WAIVING THE PERMANENT RULES OF COUNCIL TO ALLOW RECONSIDERATION AND SET A DATE FOR A HEARING ON NOVEMBER 26, 1991. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

*ITEM-S405: (R-92-630)

ADOPTED AS RESOLUTION R-278879

Authorizing the execution of a First Extension to Grant Agreement for the Administrative Fellowship Program with grantee Christina E. Chacon to provide training opportunities for Fellows at the Commission for Arts and Culture; authorizing the Auditor and Comptroller to expend an amount not to exceed: 1) \$3,250 from Fund No. 10224, Object Account No. 4222, Job Order No. 916021; 2) \$5,750 from Fund No. 18604, Object Account No. 4222, Job Order No. 000100; and, 3) \$15,000 from Fund No. 19005, Object Account No. 4222, Job Order No. 019005, for a total of \$24,000 for the purposes of providing funds for the above described grant extension.

CITY MANAGER SUPPORTING INFORMATION: The Administrative Fellow Program has been awarded a grant from the California Arts Council State/Local Partnership Program to provide training opportunities for Fellows at the Commission for Arts and Culture. The program is considered short-term in nature and the participants are not considered City employees. The grant funding will be used for the Administrative Fellow to assist in the completion of the Public Art Master Plan and Allocations Program, as well as assisting in the City's participation in the National Assembly of Local Arts Agencies' Economic Impact Study. The Administrative Fellow will gain experience and expertise through the training opportunities with the City. This item extends the Administrative Fellow's 10-month agreement authorized by the City Manager in the amount of \$15,000 during FY 91. The procedure for selection and hiring of the Administrative Fellow was an exhaustive process which followed the City's established procedures and guidelines (A.R. 25.70). The Administrative Fellow was selected from an open and competitive process including a comparison of qualifications and output quality and each step in the process was objective and fully documented. Christina E. Chacon is a Hispanic/American woman and is in the process of seeking certification with the City of San Diego's Minority (MBE) and Women (WBE) Business Enterprise Program.

Aud. Cert. 9200292.

FILE LOCATION: MEET CONFY92-1

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty.

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-S406: (R-92-675) ADOPTED AS RESOLUTION R-278880

Authorizing the execution of a First Extension to Grant Agreement for the Administrative Fellowship Program with grantee Felicia W. Shaw to provide training opportunities for Fellows at the Commission for Arts and Culture; authorizing the Auditor and Comptroller to expend an amount not to exceed: 1) \$3,250 from Fund No. 10224, Object Account No. 4222, Job Order No. 916021; 2) \$5,750 from Fund No. 18604, Object Account No. 4222, Job Order No. 000100; and, 3) \$15,000 from Fund No. 19005, Object Account No. 4222, Job Order No. 019005, for a total of \$24,000 for the purposes of providing funds for the above described grant extension.

CITY MANAGER SUPPORTING INFORMATION: The Administrative Fellow Program has been awarded a grant from the California Arts Council State/Local Partnership Program to provide training opportunities for Fellows at the Commission for Arts and Culture. The program is considered short-term in nature and the participants are not considered City employees. The grant funding will be used for the Administrative Fellow to assist in the completion of the Public Art Master Plan and Allocations Program, as well as assisting in the City's participation in the National Assembly of Local Arts Agencies' Economic Impact Study. The Administrative Fellow will gain experience and expertise through the training opportunities with the City. This item extends the Administrative Fellow's 10-month agreement authorized by the City Manager in the amount of \$15,000 during FY 91. The procedure for selection and hiring of the Administrative Fellow was an exhaustive process which followed the City's established procedures and guidelines (A.R. 25.70). The Administrative Fellow was selected from an open and competitive process including a comparison of qualifications and output quality and each step in the process was objective and fully documented. Felicia W. Shaw is an African/American woman and is in the process of seeking certification with the City of San Diego's Minority (MBE) and Women (WBE) Business Enterprise Program.

Aud. Cert. 9200291.

FILE LOCATION: MEET CONFY92-1

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty. 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-S407: (R-92-629) ADOPTED AS RESOLUTION R-278881

Authorizing the execution of a first amendment to agreement with consultant Cindy Zimmerman for Allocations/Technical Assistance Program Services; authorizing the City Auditor and Comptroller to expend an amount not to exceed \$35,000 from Fund No. 10224, Object Account No. 4222, Job Order No. 916021 for purposes of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: The City sponsors an Allocations/Technical Assistance Program with the goal of providing a professional, responsive, and open funding process to San Diego's arts and cultural organizations under the Commission for Arts and Culture Ordinance (San Diego Municipal Code Sections 26.0701 - 26.0707). The work for this program is not complete and there is a need to achieve consistency and continuity necessary to keep up with the program's ongoing workload. The Consultant has the experience and expertise needed to provide the technical assistance the City requires.

This item extends the Allocations/Technical Assistant 12-month consultant agreement approved by the City Council (Ordinance No. O-17504 N.S) and authorized by the City Manager in the amount of \$30,000 for FY 91. The procedure for selection and hiring of the Allocations/Technical Assistant consultant was an exhaustive process which followed the City's established procedures and guidelines (A.R. 25.70). The consultant was selected from an open and competitive process including a comparison of qualifications and output quality and each step in the process was objective and fully documented. Cindy Zimmerman is a white woman and is in the process of seeking certification with the City of San Diego's Minority (MBE) and Women (WBE) Business Enterprise Program.

Aud. Cert. 9200293.

FILE LOCATION: MEET CCONFY92-1

COUNCIL ACTION: (Tape location: A385-416.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by McCarty.
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.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 6:10 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: F180.)