

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, OCTOBER 28, 1991  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:08 p.m. Mr. & Mrs. Callahan were recognized and congratulated by Council Member Roberts on their 50th wedding anniversary. Mayor O'Connor adjourned the meeting at 3:44 p.m. to meet in Closed Session on Tuesday, October 29, 1991, at 9:15 a.m. in the twelfth floor conference room to discuss pending litigation matters.

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 (mc)

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

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend Joseph Mai of the Episcopal Church of the Resurrection Mission.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Roberts.

FILE LOCATION: MINUTES

ITEM-30: APPROVED MINUTES

Approval of Council Minutes for the Meetings of:

10/7/91  
10/8/91

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A043-050.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Behr. Passed by

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

ITEM-31: (R-92-437) ADOPTED AS RESOLUTION R-278902

Proclaiming November 1, 1991 through December 1, 1991 to be "AIDS/HIV Month" in San Diego; commending the many citizens and organizations giving of their time, resources and hearts in the struggle to address the many ramifications of HIV infection.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A096-146.)

MOTION BY ROBERTS 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-32: PRESENTED

Presentation by the Police Athletic League to Mary Ann Oberle, for her award by the National Police Athletic League.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A050-095.)

ITEM-33: GRANTED HEARING

Matter of the request for an appeal by J. Timothy Martin of Don Edson Architect A.I.A. & Associates, from the decision of the Planning Commission in denying the Thompson Residence, Coastal Development Permit/Conditional Use Permit 91-0158 proposing the demolition of an existing single-family residence and the construction of a new 10,050 square-foot single-family residence with a 2,500 square-foot basement

garage. A Conditional Use Permit will also be considered for the proposed guest quarters. The subject property totals approximately 19,384 square-feet and is located at 6405 Muirlands and is described as Lot 1, Block 21 of the Muirlands Map No. 2024. The R1-10000 zoned site is within the La Jolla Community Planning Area.

(CDP/CUP-91-0158. District-1.)

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

FILE LOCATION: PERM CDP/CUP-91-0158

COUNCIL ACTION: (Tape location: A147-188.)

MOTION BY WOLFSHEIMER TO GRANT HEARING ON NOVEMBER 12, 1991. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-34: DENIED HEARING FOR THE NURSERY/GRANTED HEARING FOR THE CARWASH

Matter of the request of William R. Knight, for a hearing of an appeal from the decision of the Planning Commission in granting an amendment to Planned Commercial Development Permit PCD-91-0244 (Tierrasanta Gateway), proposing to delete 20,000 square feet of office space and adding 24,000 square feet of nursery retail use. The amendment also proposes to build a gas station and car wash on the site which was originally approved for a bank. The subject property is located in Zone CC, in the Tierrasanta Community Plan area, and is more particularly described as Lots 1-7 of Tierrasanta Gateway Map 12678.

(PCD-91-0244. District-7.)

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

FILE LOCATION: PERM PCD-91-0244

COUNCIL ACTION: (Tape location: A189-286.)

MOTION BY MCCARTY TO DENY THE REQUEST FOR HEARING OF THE NURSERY AND TO GRANT THE REQUEST FOR HEARING OF THE CARWASH. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-35: DEEMED DENIED

Matter of the request of University Community Planning Group, by Harry Mathis, Chairman, for a hearing of an appeal from the decision of the Board of Zoning Appeals in granting the request of Moishe Leider, Owner, Chabad of La Jolla University City (Friends of Chabad Lubavitch San Diego), Lessee, Case C-20744, to 1) convert two existing, one-story, single-family dwellings on adjoining lots to a synagogue and preschool with office where such use is permitted by Conditional Use Permit only; 2) maintain an existing curb cut and driveway accessing two parking spaces within the front setback (resulting from said conversion) where off-street parking must be located behind the 20'-0" established front setback; and 3) provide three off-street parking spaces where 25 parking spaces should be provided. The subject property is located at 3152 and 3160 Governor Drive, in Zone R1-5000, in the University Community Plan area, and is more particularly described as Lots 2 and 3, University City Manor Unit 1, Map-4716. (Case C-20744. District-1.)

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

FILE LOCATION: ZONE-Zoning Appeal Case C-20744

COUNCIL ACTION: (Tape location: A300-409.)

MOTION BY WOLFSHEIMER TO GRANT HEARING. Second by Hartley. Failed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Pratt-nay, Behr-nay, Henderson-nay, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

\* ITEM-50: (O-92-57) INTRODUCED, TO BE ADOPTED  
NOVEMBER 12, 1991

Introduction of an Ordinance authorizing the execution of a 15-year agreement with the San Diego Community College District for joint use of City and District facilities.

CITY MANAGER SUPPORTING INFORMATION: Renewal of this agreement allows the City to continue to utilize Community College District facilities for community and recreation purposes and for the District to continue to use City Park and Recreation Department facilities for educational purposes. The agreement has been in effect for many years and expires September 30, 1991. This request revises the agreement term to 15 years and will terminate September 30, 2006.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A442-511.)

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

\* ITEM-100:

Two actions relative to the Improvement of Logan Heights Alley and Street Replacement - Contract No. 5 (1911 Improvement Act):

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

Subitem-A: (R-92-524) ADOPTED AS RESOLUTION R-278903

Awarding a contract to Sapper Construction Company, Inc. for the Improvement of Logan Heights Alley and Street Replacement - Contract No. 5.

Subitem-B: (R-92-525) ADOPTED AS RESOLUTION R-278904



CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvement Program Projects coordinate the operation of traffic signals on University Avenue from Park Boulevard to 35th Street and on 30th Street between Howard Avenue and North Park Way. Features include installation of approximately 11,400 lineal feet of interconnect conduit and cable; and the replacement of nine obsolete traffic signal controllers. This project includes the installation of emergency vehicle preemption equipment at Park Boulevard and University Avenue, and the replacement of 8-inch signal heads with 12-inch signal heads. This project will interconnect 16 traffic signals. On May 28, 1991 the Council authorized advertisement for bids and the City Manager to award a contract to the lowest responsible bidder. \$406,000 was authorized by Resolution R-277976 (\$281,000 from CIP-62-291.0 and \$125,000 from CIP-68-008.0) for the project. Twenty-five bid packages were issued and five bids were received. The low bid was received from Knox Electric Inc., for \$260,025 which was 4.9 percent over the City's estimate of \$247,900. The amount needed to execute this contract is \$440,525, which is an increase of \$34,525. The expenditure increase is due to the following: (1) increase the design costs; (2) the low bid exceeding the construction estimate and (3) increase in cost of City furnished equipment. It is the Engineer's opinion that re-advertising for bids would not result in securing a significantly lower bid.

Aud. Cert. 9200268.

FILE LOCATION: CONT-Knox Electric, Inc.; Add to W.O.  
119581 & 119589 CONFY92-1

COUNCIL ACTION: (Tape location: A512-524.)

CONSENT MOTION BY FILNER 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-92-531) CONTINUED TO NOVEMBER 12, 1991

Awarding a contract in the amount of \$79,370 to Lekos Electric, Inc. for the Construction of Traffic Signal and Street Lighting Systems at La Jolla Scenic Drive South and Soledad Mountain Road; authorizing the City Auditor and Comptroller to transfer \$15,000 from DIF Fund 79514 into CIP-62-292.0, Traffic Signals - DIF

Funded; authorizing the additional expenditure of \$15,000 from CIP-62-292.0, DIF Funded Fund 79514, to supplement funds previously authorized by Resolution R-278261, for said project and related costs.

(BID-K2490/91) (La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvement Program Project to install a traffic signal system provides for the safe passage of emergency equipment, pedestrians and vehicles through the intersection. Traffic signal features include emergency vehicle preemption equipment on La Jolla Scenic Drive South and Soledad Mountain Road. On July 8, 1991 the Council authorized the City Manager to award a contract to the lowest responsible bidder in an amount not to exceed \$115,000 (Resolution R-278261). The amount needed to execute this contract is \$130,000 which is an increase of \$15,000. The expenditure change is due to the added expenses in Preliminary Engineering. The increase is due to the project needing to be redesigned to conform to new design standards, thereby significantly exceeding the anticipated design costs.

Aud. Cert. 9200276.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A410-441.)

MOTION BY WOLFSHEIMER TO CONTINUE TO NOVEMBER 12, 1991, AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW TO DETERMINE IF THE FUNDING SOURCE IS APPROPRIATE. 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-103: (R-92-89) ADOPTED AS RESOLUTION R-278906

Awarding a contract to ISS Energy Services, Inc. for furnishing full maintenance service on the heating, ventilation, air conditioning, temperature control system and other mechanical equipment at San Diego Jack Murphy Stadium, as may be required for a period of one year beginning November 1, 1991 through October 31, 1992, for a total estimated annual cost of \$74,472, including terms, with options to renew the contract for



Washington Street/El Cajon Boulevard on Work Order No. 118419; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$129,802 from CIP-68-008.0, Annual Allocation - Traffic Signal Subsystems, Fund 30300, into CIP-62-223.0, El Cajon Boulevard/Washington Street - from Pacific Highway to 73rd Street; authorizing the expenditure of funds not to exceed \$207,625 from CIP-62-223.0, El Cajon Boulevard/Washington Street - from Pacific Highway to 73rd Street (\$77,823 from Fund 30245 and \$129,802 from Fund 30300) for the purpose of executing this contract and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, in CIP-68-008.0. (BID-K2719/92FA)

(Greater North Park, Mid-City, and Uptown Community Areas. Districts-2, 3 and 7.)

CITY MANAGER SUPPORTING INFORMATION: On April 16, 1990, City Council authorized the "Improvement of Washington Street/El Cajon Boulevard from Goldfinch Street to Montezuma Road; and First Avenue between "A" Street and Washington Street-Traffic Signal Coordination." This improvement work is nearing completion. This Council action will provide for the installation of Fiber Optic Network equipment necessary for coordinated operation of 65 signalized intersections associated with the El Cajon Boulevard/Washington Street Improvement. The Fiber Optic Network Equipment will also be a part of projects coordinating the operation of signalized intersections along Grape Street, Hawthorne Street, Laurel Street, and University Avenue. These projects are now in advertisement or construction phase.

Aud. Cert. 9200094.

FILE LOCATION: W.O. 118419 CONTFY92-1

COUNCIL ACTION: (Tape location: A512-524.)

CONSENT MOTION BY FILNER 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-106: (R-92-465) ADOPTED AS RESOLUTION R-278909

Inviting bids for Mission Bay Tree Planting; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to modify the FY 92 CIP-22-084.0, Mission Bay Tree Planting; authorizing the City Auditor and Comptroller to transfer \$45,000 from Sludge Mitigation Fund 10507 to CIP-22-084.0, for the purpose of executing this contract and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to Sludge Mitigation Fund 10507.

(BID-P2694/92)

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

CITY MANAGER SUPPORTING INFORMATION: This project will be the first phase in a multi-phase project to begin an urban forestry program in Mission Bay Park. Trees that have died or experienced health or growth problems will be replaced. Most of the trees in Mission Bay Park are the same age causing them to come to maturity and decline at the same time. By planting different varieties throughout the park with varying longevity and growth patterns, the park will have trees for future generations of San Diegans to enjoy.

Aud. Cert. 9200130.

FILE LOCATION: MEET CONFY92-1

COUNCIL ACTION: (Tape location: A512-524.)

CONSENT MOTION BY FILNER 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: (R-92-532) ADOPTED AS RESOLUTION R-278910

Rejecting all bids received on July 30, 1991 and inviting bids for the Construction of Seismic Retrofitting to University Avenue Bridge over Washington Street on Work Order No. 119742; authorizing

the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an additional amount, not to exceed \$45,300 from CIP-53-037.0, Capital Outlay Fund 30245, Earthquake Restrainers for Bridges, to supplement funds previously authorized for said project and related costs. (BID-K2396/91)

(Old San Diego Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The construction bids for the seismic retrofitting of the University Avenue Bridge over Washington Street were opened on July 30, 1991. Associated Industries, Inc., of Anaheim, was the lowest bidder with \$229,484 construction cost. The City's estimated construction cost was \$206,000. Associated subcontracted 31 percent of the work to two subcontractors with no subcontracts to MBEs and WBEs. EOCB staff evaluation indicates that the quantity and intensity of the contractor's good faith efforts to involve MBE/WBE in the performance of this contract were inadequate. Ten construction bids were received for this project. The average bid for the middle five bidders was around \$250,000. Therefore, an additional \$45,300, including 5 percent contingencies, will be needed to readvertise for the construction of this project. This project will increase the seismic resistance of City bridges to today's state-of-the-art in regard to structural stability during a strong earthquake.

Aud. Cert. 9200273.

FILE LOCATION: W.O. 119742 CONT-Landex Construction Corp.  
CONFY92-1

COUNCIL ACTION: (Tape location: A512-524.)

CONSENT MOTION BY FILNER 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-108: (R-92-579) ADOPTED AS RESOLUTION R-278911

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an Underground Utility District to be known as the El Cajon Boulevard (62nd Street to Seminole Drive) Underground Utility District. (College

Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on El Cajon Boulevard between 62nd Street and Seminole Drive. This is a scheduled project in the calendar year 1991 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 9200241.

FILE LOCATION: STRT K-201

COUNCIL ACTION: (Tape location: A512-524.)

CONSENT MOTION BY FILNER 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: (R-92-590) ADOPTED AS RESOLUTION R-278912

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an Underground Utility District to be known as the Mission Gorge Road (Greenbrier Avenue to Princess View Drive) Underground Utility District.  
(Navajo Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Mission Gorge Road between Greenbrier Avenue and Princess View Drive. This is a scheduled project in the calendar year 1993 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas & Electric Company's Annual Allocation Funds (Case

8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 9200238.

FILE LOCATION: STRT K-202

COUNCIL ACTION: (Tape location: B264-288.)

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

\* ITEM-110: (R-92-587) ADOPTED AS RESOLUTION R-278913

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an Underground Utility District to be known as the 73rd Street (El Cajon Boulevard to Amherst Street) Underground Utility District.

(College Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on 73rd Street between El Cajon Boulevard and Amherst Street. This is a scheduled project in the calendar year 1992 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 9200239.

FILE LOCATION: STRT K-203

COUNCIL ACTION: (Tape location: A512-524.)

CONSENT MOTION BY FILNER 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-92-677) ADOPTED AS RESOLUTION R-278914

Excusing Mayor Maureen O'Connor from attending the  
regularly scheduled City Council meetings of September  
23 and 24, 1991, due to her attendance to other  
official City business relating to the Challenger's  
Cup.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A512-524.)

CONSENT MOTION BY FILNER 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-92-619) ADOPTED AS RESOLUTION R-278915

Excusing Councilmember H. Wes Pratt from attending the  
following meetings:

1. The Council session on September 16, 1991, due  
to personal business.

2. The Council sessions on September 30, 1991 and  
October 1 through 8, 1991, due to out of town City  
business.

3. The Transportation and Land Use Committee  
meeting on October 9, 1991, due to out of town City  
business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A512-524.)

CONSENT MOTION BY FILNER 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-113: (R-92-620) ADOPTED AS RESOLUTION R-278916

Excusing Councilmember H. Wes Pratt from attending the  
Transportation and Land Use Committee meeting on  
September 25, 1991, due to personal business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A512-524.)

CONSENT MOTION BY FILNER 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-114: (R-92-598) ADOPTED AS RESOLUTION R-278917

Authorizing the expenditure of an amount not to exceed  
\$74,359 from PSD Fund No. 11730 to supplement the  
financing authorized by Resolution R-278131, adopted on  
June 24, 1991, for the construction of Nestor  
Neighborhood Park.

(Otay Mesa/Nestor Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Nestor Neighborhood Park  
is located on Grove Avenue adjacent to Nestor Elementary School.  
Bids for construction of the park were opened on July 26, 1991  
and the low bid was significantly below the estimate. The low  
bid yielded an excess of \$255,641 in previously authorized  
project funds. That excess is in 1984 State Bond Act Grant funds  
and \$74,359 in grant funds remains with the project. The  
proposed expenditure of \$74,359 from PSD Fund No. 11730 will  
permit the entire \$330,000 grant to be used on two other under  
funded park projects. Sunnyslope Neighborhood Park will use  
\$150,000 of the grant to complete the park and \$180,000 will be  
used to complete the replacement of the irrigation system at  
Southcrest Community Park.

Aud. Cert. 9200245.

FILE LOCATION: Add to folder of W.O. 118912  
CONFY92-1

COUNCIL ACTION: (Tape location: A512-524.)

CONSENT MOTION BY FILNER 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-92-599) ADOPTED AS RESOLUTION  
R-278918

Authorizing the expenditure of an amount not to exceed  
\$50,000 from PSD Fund No. 11430, to supplement project  
financing previously authorized by Resolution R-277137,  
adopted on January 9, 1991, in connection with the  
Kearny Mesa Community Park-Comfort Station.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: Kearny Mesa Community Park  
is located southeast of Mesa College Drive on Armstrong Street in  
the Linda Vista Planning Area. This project will provide a  
restroom and picnic facilities. The restroom was designed to use  
a sewer service shown on plans as existing, but which did not  
exist. The problem was discovered during construction. This  
request will provide additional project funding for the  
construction of the sewer service.

Aud. Cert. 9200244.

FILE LOCATION: Add to file folder of W.O. 119335 CONFY9

COUNCIL ACTION: (Tape location: A512-524.)

CONSENT MOTION BY FILNER 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-92-526) ADOPTED AS RESOLUTION R-278919

Authorizing the execution of an agreement with CTL Environmental Services for asbestos consulting services; authorizing the expenditure of an amount not to exceed \$75,000 from Fund 10001, Dept. 901, Object Account 4222, Job Order 915323, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: A Request for Proposal for asbestos consulting services was issued on May 20, 1991. Staff reviewed nine proposals submitted in accordance with A.R. 25.70. CTL Environmental Services was selected based on overall cost, experience and resources available to provide consultation for a number of small asbestos projects. CTL Environmental Services will provide asbestos inspection, air monitoring, project design and project management services. These services are beyond the capability of City staff. Services will be employed on small asbestos abatement projects for a number of City-wide locations. Asbestos abatement work must be completed before scheduled repair, maintenance and/or renovation projects at these facilities can proceed.

Aud. Cert. 9200254.

FILE LOCATION: MEET CCONFY92-1

COUNCIL ACTION: (Tape location: A512-524.)

CONSENT MOTION BY FILNER 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-92-597) ADOPTED AS RESOLUTION R-278920

Authorizing the execution of a second amendment to the Master Agreement of May 12, 1980 with Brown and Caldwell - Heery for construction management services in connection with the Point Loma Wastewater Treatment Plant Accelerated Projects; authorizing the City Auditor and Comptroller to modify the Fiscal Year 1991 Capital Improvements Program Annual Appropriations Budget, Ordinance O-17667 (New Series) to reestablish

CIP-46-009, Point Loma Sewage Plant; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$6,308.48 from CIP-46-119.0, Annual Allocation Point Loma Treatment Plant, to CIP-46-009, Point Loma Sewage Plant; authorizing the expenditure of an amount not to exceed \$6,308.48 from Sewer Revenue Fund No. 41508, CIP-46-009, Point Loma Sewage Plant, to provide funds for the above projects.

(District-2.)

CITY MANAGER SUPPORTING INFORMATION: On May 12, 1980, Council authorized a Master Agreement with Brown & Caldwell-Heery, a joint venture, to provide construction management services for the Point Loma Accelerated Projects. This Master Agreement with Brown & Caldwell-Heery included a payment provision that provided for adjustment of overhead costs based on a future audit by a Federal Agency. This audit has been performed and this Amendment provides for payment of the adjusted overhead rates for Fiscal Year 1983 for Task Orders 3, 5 and 6; Fiscal Year 1984 for Task Orders 5 and 7; and Fiscal Years 1985 and 1986 for Task Order 7. Amendment No. 2 authorizes additional payment for overhead rate adjustments.

Aud. Cert. 9200253.

WU-U-91-190.

FILE LOCATION: MEET CCONFY92-1

COUNCIL ACTION: (Tape location: A512-524.)

CONSENT MOTION BY FILNER 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-150: (R-92-596) ADOPTED AS RESOLUTION R-278921

Directing the City Manager, in conjunction with the Planning Department, to prepare an Environmental Impact Report to site a ten million gallon per day (10 mgd) water reclamation plant in the northern area of the Metropolitan Sewerage System. (See Memorandum from Councilmember Behr dated 10/11/91. Sabre Springs

Community Area. District-5.)

COMMITTEE ACTION: Initiated by PSS on 10/17/91.

Recommendation to approve Councilmember Behr's recommendation to accept the City of Poway's request to direct the City Manager, in conjunction with the Planning Department, to prepare an EIR to site a 10-million gallon per day (mgd) water reclamation plant in the northern area of the Metropolitan Sewerage System. Districts 2, 4 and 5 voted yea. Districts 3 and 7 not present.

SUPPORTING INFORMATION: On June 10, 1991 City Council authorized the Manager to begin negotiations with the City of Poway to establish an agreement between the two cities for design, permitting, construction, and operation of a water reclamation facility to serve the northern area of the Metropolitan Sewerage System. At the time of that action, the City of Poway intended to continue in its role as lead agency on the Environmental Impact Report (EIR) through public review and certification, but had primarily focused on the site of its former treatment plant as the preferred location for the new facility. The Sabre Springs community expressed concerns about this location and questioned whether other sites had been evaluated. Subsequently, on September 10, 1991, the Poway City Council recommended that the lead agency responsibility for the EIR be transferred to the City of San Diego. This recommendation was based upon the following factors: 1) The lead agency for the EIR should be the same agency that ultimately designs, constructs, and operates the plant; 2) The draft EIR that had been prepared by Poway did not consider a full range of alternative sites; and, 3) This water reclamation plant is an integral part of the Clean Water Program, is included in the federal court order, and should be prepared by the same agency that has prepared the EIRs for all of the plants included in the system. The Poway City Council also committed to pay for the preparation of the EIR. The agreement between San Diego and Poway will be brought forward as a separate Council action prior to initiation of the EIR. Therefore Council is requested to direct the Manager, in conjunction with the Planning Department, to prepare an EIR to site a 10 mgd water reclamation plant in the northern area of the Metropolitan Sewerage System.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A512-524.)

CONSENT MOTION BY FILNER 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-S400: (R-92-690) ADOPTED AS RESOLUTION R-278922

Approving Change Order No. 3, issued in connection with the contract with Sim J. Harris Company, for the improvement of Skyline Drive, amounting to a net increase in the contract price of \$359,746.70; authorizing the City Auditor to transfer \$156,478 from CIP-58-004, Annual Allocation - Miscellaneous Requirements - City Streets, Fund No. 30300, and \$127,024 from Fund 30245 to CIP-52-377.0, solely and exclusively for the purpose of funding this Change Order; authorizing the expenditure of an amount not to exceed \$283,502 from CIP-52-377.0 for the execution of Change Order No. 3 and related costs; authorizing the City Manager to proceed with a City-initiated Cost Recovery District pursuant to Section 62.0208 of the Municipal Code.

(Southeast San Diego and Skyline-Paradise Hills Community Areas. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On October 12, 1990, the City Council awarded a construction contract to Sim J. Harris Company for the improvement of Skyline Drive from Valencia Parkway to Deerock Place, identified as CIP-52-377.0. Originally, this project did not include a traffic signal or the reconstruction of the intersection of Woodman Street and Skyline Drive because a private developer was obligated to do this work pursuant to a subdivision agreement. On May 22, 1989, per City Council Resolution R-273506, the private developer was found to be in default of his commitment to do the work. The traffic signal was then incorporated into the City project, with the intersection work anticipated to occur with the future development. During the construction of the subject project, it was discovered that the intersection design, approved with the site development in 1981 for the west half of Woodman Street and in 1985 for the east half of the street, was substandard and that the proposed traffic signal at that location could not be operated safely, either with the existing configuration or the subdivision's design, unless substantial modifications were made to the existing roadway. Change Order No. 3 will reconstruct this intersection by modifying the vertical and horizontal

alignment to facilitate the traffic signal operation.

Aud. Cert. 9200308.

FILE LOCATION:                   CONT-Sim J. Harris Company  
                                  CONFY92-1

COUNCIL ACTION:                 (Tape location:  A512-524.)

CONSENT MOTION BY FILNER 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:                       REFERRED TO PS&S

                  In the matter of Cable Television service and picture  
                  quality.

FILE LOCATION:                   AGENDA

COUNCIL ACTION:                 (Tape location:  B383-C100.)

MOTION BY HENDERSON TO REFER THE ITEM TO PS&S TO REPORT BACK  
TO COUNCIL SOMETIME IN JANUARY, 1992 WITH SPECIFIC  
PROCEDURES CONCERNING THE FOLLOWING:  1) HOW WE WOULD  
EXERCISE OVERSIGHT.  WHETHER WE WOULD USE THE CABLE  
COMMITTEE THAT COUNCIL TALKED ABOUT APPOINTING BACK IN  
JANUARY, HAVE THE COUNCIL ACT AS AN OVERSIGHT COMMITTEE OR  
HAVE A TECHNICAL PERSON.  2) HOW WE CAN ENCOURAGE  
COMPETITION AND MORE PARTICULARLY, FOLLOW UP ON THE  
SUGGESTION THAT THE TELEPHONE COMPANIES BE PROVIDED THE  
OPPORTUNITY TO PROVIDE CABLE SERVICE.  3) HOW WE CAN WORK  
WITH THE CABLE COMPANIES TO MAKE CERTAIN THAT THERE WAS THE  
MAXIMUM NOTICE PROVIDED TO CABLE SUBSCRIBERS.  Second by  
McCarty.  Passed by the following vote:  Wolfsheimer-yea,  
Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-  
yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S402:                       (R-92-80) ADOPTED AS RESOLUTION R-278923

                  (Continued from the meeting of October 21, 1991, Item

100, at the City Manager's request, to review the policy of renting cars in this situation as opposed to purchasing them, and whether or not the cars could be take home cars.)

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: CONT - Purchase - Avis Rent a Car CONFY92

COUNCIL ACTION: (Tape location: B290-301.)

MOTION BY HENDERSON 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-not present, Mayor O'Connor-yea.

ITEM-S403: (R-92-445 Rev.1) ADOPTED AS AMENDED AS RESOLUTION R-278924

(Continued from the meeting of October 21, 1991, Item 121, at Councilmember Behr's request, to see how the City Manager establishes the priority for the CIP projects and whether it should be different.)  
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-58-097.0
- 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: MEET

COUNCIL ACTION: (Tape location: B303-382.)

MOTION BY WOLFSHEIMER TO ADOPT SUPPORTING THE CITY MANAGER'S RECOMMENDATIONS FOR THE SPECIFIC PROJECTS AND TO TRAIL TO TUESDAY, OCTOBER 29, 1991 FOR A RESPONSE FROM STAFF REGARDING THE ISSUE OF REALLOCATING THE \$5,000 FOR THE HELMET STUDY AND THE \$100,000 FOR THE BICYCLE SAFETY STUDY TO MORE CONCRETE PROJECTS. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Gary Raddo regarding the need to have the PLAN Initiative back on the ballot.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C120-169.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 3:44 p.m.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C174.)

MOTION BY MCCARTY TO ADJOURN IN HONOR OF THE MEMORY OF THOSE WHO DIED IN THE OAKLAND FIRE. 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.