

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, NOVEMBER 12, 1991
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:44 a.m. The meeting was recessed by Chairperson McCarty at 12:13 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:10 p.m. The meeting was recessed by Mayor O'Connor at 4:37 to convene the Special Joint Council/Redevelopment Agency Meeting and the regular Redevelopment Agency Meeting. The meeting was reconvened by Mayor O'Connor at 4:45 p.m. with Council Members Hartley, Pratt, Henderson and Filner not present. Mayor O'Connor adjourned the meeting at 4:46 p.m. to meet in Closed Session in the 12th floor conference room to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-excused by R-279230 (Illness)
- (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/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-not present
- (4) Council Member Pratt-present
- (5) Council Member Behr-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Richard L. Dresselhaus from First Assembly of God Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Wolfsheimer.

FILE LOCATION: MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

10/21/91

10/22/91

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A030-039.)

MOTION BY HENDERSON TO APPROVE. Second by Filner. 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: WELCOMED

Welcoming a group of 25 students from Doing Education Better Preparatory School, located in La Mesa, accompanied by their teacher, Debbie Beyer. This group will arrive at approximately 10:30 a.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A040-047.)

ITEM-50: (O-92-63) ADOPTED AS ORDINANCE O-17708 (New Series)

Amending Chapter II, Article 2, of the San Diego Municipal Code by amending Division 24 to repeal Sections 22.2401 and 22.2402;

and adding a new Section 22.2401, relating to the Planning Department, placing the Planning Department and Planning Director under the authority of the City Manager.

(Introduced on 10/29/91. Council voted 7-2. Districts 1 and 3 voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A180-190.)

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

O'Connor-not present.

ITEM-51: (O-92-61 Rev.1) ADOPTED AS ORDINANCE O-17710 (New Series)

Amending and extending Interim Zoning Ordinance O-17562 (New Series), adopted December 10, 1990, and amended by Ordinance O-17621 (New Series), adopted March 18, 1991, affecting the North City Future Urbanizing Area.

(Introduced as amended on 10/29/91. Council voted 7-2. Districts 4 and 5 voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A191-209; E498-520.)

Motion by Wolfsheimer to dispense with the reading and adopt. Second by McCarty. Failed. Yeas-1,2,7,8. Nays-4,5,6. Not present-3,M.

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

* ITEM-100: (R-92-637) ADOPTED AS RESOLUTION R-278944

Awarding a contract to Emergency Medical Products for the purchase of pre-hospital automatic transport ventilators, as may be required for a period of one year beginning October 1, 1991 through September 30, 1992, for an estimated cost of \$88,410, including tax and terms, with an option to renew the contract for one additional one year period, with option period price increase not to exceed the prices in effect for the previous contract period by more than 4 percent. (BID-I2670/92)

FILE LOCATION: CONT-Purchase - Emergency Medical Products
CONFY92-1

COUNCIL ACTION: (Tape location: A210-247.)

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

* ITEM-101: (R-92-633) ADOPTED AS RESOLUTION R-278945

Awarding contracts to San Diego Turf and San Diego Tractor, Inc. for miscellaneous grounds-keeping equipment, as follows:

1. San Diego Turf for Items 1, 3 and 4 at a total cost of \$45,552, including tax.
2. San Diego Tractor, Inc. for Items 2 and 5 at a total cost of \$8,058, including tax.

Authorizing the expenditure of an amount not to exceed \$53,610, from Department No. 443, Fund No. 100, Organization No. 520, Object Account No. 6010, and Job Order No. 44352, 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-P2636/92)

Aud. Cert. 9200296.

FILE LOCATION: CONT-Purchase - San Diego Turf and San Diego Tractor, Inc. CONFY92-2

COUNCIL ACTION: (Tape location: A210-247.)

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

* ITEM-102: (R-92-643) ADOPTED AS RESOLUTION R-278946

Rescinding the contract awarded to Hawthorne Machinery Co. for Item 10 of BID-B1948/91, two tractor dozers, authorized by Resolution R-277437, adopted on March 4, 1991; authorizing the Purchasing Agent to readvertise bids for this item.
(BID-B1948/91)

FILE LOCATION: CONT-Purchase - Hawthorne Machinery Co.

COUNCIL ACTION: (Tape location: A210-247.)

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

* ITEM-103: (R-92-715) ADOPTED AS RESOLUTION R-278947

Approving the final subdivision map of Campus Condominiums, a one-lot subdivision located on the east side of Campus Avenue, between Monroe Avenue and Madison Avenue.

(Uptown Community Area. District-2.)

FILE LOCATION: SUBD-Campus Condominiums

COUNCIL ACTION: (Tape location: A210-247.)

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

* ITEM-104: (R-92-712) ADOPTED AS RESOLUTION R-278948

Approving the acceptance by the City Manager of a grant deed of Carmel Mountain Ranch, granting to the City easements for public street purposes in portions of

Lots 1 through 141 inclusive, and 144 through 192 inclusive, 194 through 199 inclusive, "A", "B" and "D" of Carmel Mountain Ranch Unit No. 22A, Map-12258, Lots 1, 2 and 6 through 49 inclusive, and 52 through 181 inclusive, of Carmel Mountain Ranch 22B, Map-12652, together with portions of Parcels 1 and 2 of Parcel Map PM-16467, 1 through 4 of Parcel Map PM-16496, and 1 and 2 of Parcel Map PM-16494; dedicating the land as and for public streets and naming the same Chalon Lane, Coldwater Court, Esprit Avenue, Essence Road, Etude Road, Lindamere Lane, Mulholland Court, Scarsdale Way and Tradition Street.

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

FILE LOCATION: DEED F-5713 DEEDFY92-1

COUNCIL ACTION: (Tape location: A210-247.)

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

* ITEM-105: (R-92-681) ADOPTED AS RESOLUTION R-278949

Authorizing the Bank of America as paying agent for the 1966 Municipal Improvement Bonds, Series 3, to make payment on Bonds No. 593 through No. 597 for \$5,000 each maturing on 2/1/89 for a total of \$25,000.

CITY MANAGER SUPPORTING INFORMATION: The City Treasurer's Office has been notified that Bonds No. 593 through No. 597 for the 1966 San Diego Municipal Improvement Bonds, Series 3, were destroyed by the holder in error on February 1, 1989 when the bonds matured. In order for the paying agent to make payment for the destroyed bonds, the City Council must authorize payment. An indemnity agreement indemnifying the City against loss has been received.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A210-247.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Wolfsheimer.

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

* ITEM-106: (R-92-605) ADOPTED AS RESOLUTION R-278950

Approving the application and the assurances for grant funding for the State Route 15/40th Street Urban Forestry Project.

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The proposed urban forestry project would involve the planting of approximately 1,900 trees within the street rights-of-way in the residential and commercial areas for four blocks on either side of CalTrans' proposed State Route 15/40th Street transportation project through Mid-City. The tree planting would provide environmental enhancement and additional mitigation for the extensive transportation project. The addition of trees for beautification and visual buffers will significantly reduce the negative impacts to the area. The indirect environmental benefits that come from the biological processes of trees include the uptake of carbon dioxide and the reduction of atmospheric temperatures due to increased pavement. The proposed urban forestry project is consistent with all applicable local plans and ordinances and has been endorsed by the various representative community planning groups and Business Improvement Districts.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A210-247.)

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

* ITEM-107: (R-92-679) ADOPTED AS RESOLUTION R-278951

Establishing a parking time limit of two hours on the

north side of Adams Avenue between Hamilton Street and the east alley, effective between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of such signs.

(Park North-East Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The proposed time limit parking zone was petitioned by property owners representing 100 percent of the affected frontage. Recent parking studies determined the average parking occupancy to be over 76 percent and the average parking duration to be 3.6 hours. This location is adjacent to other two-hour time limit parking zones that receive a high level of enforcement. This meets the requirements of Council Policy 200-4. Therefore, this parking restriction is recommended for implementation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A210-247.)

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

* ITEM-108: (R-92-593) ADOPTED AS RESOLUTION R-278952

Declaring School Street from Hawley Boulevard to Mansfield Street to be a one-way street, eastbound; and declaring Mansfield Street from School Street to Adams Avenue to be a one-way street northbound; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of such signs.

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: A request to reverse the existing one-way operations on School Street and 4600 Mansfield Street to eastbound on School Street and northbound on Mansfield

Street was submitted by property owners representing 81 percent of the abutting property owners. Upcoming street improvements at this location are planned to improve pedestrian safety at Adams Elementary. To complete these street improvements, the existing one-way westbound operations on School Street and one-way southbound operations on Mansfield Street should be reverse to allow school buses to load and unload students at the curb adjacent to the school grounds. A reversal of the existing one-way operations will reduce the number of possible conflicts between school age pedestrians and vehicles at this location. Staff recommends the requested reversal of the one-way operation on School Street and Mansfield Street.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A210-247.)

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

* ITEM-109: (R-92-680) ADOPTED AS RESOLUTION R-278953

Establishing a parking time limit of two hours on the west side of Third Avenue between Arbor Drive and the terminus of Third Avenue, effective between the hours of 8:00 a.m. and 6:00 p.m., Saturdays, Sundays and certain holidays excepted; authorizing the installation of the necessary signs and markings; declaring that the regulations shall become effective upon the installation of such signs.

(Uptown Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The proposed time limit parking zone was petitioned by the County of San Diego, owner and operator of Hillcrest Receiving Home at 4307 Third Avenue, across from the requested time limit zone. This subject zone abuts a canyon and is adjacent to the Area A parking zone. It is the only street in the area for which permit parking is not required and parking is not restricted.

As a result, it is continuously parked by staff from nearby

medical offices for extended periods, excluding Hillcrest Receiving Home visitors from parking there. Two-hour time limit parking will allow the necessary parking turnover to better serve the fronting land use. Therefore, staff recommends establishing a two-hour time limit parking at this location.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A210-247.)

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

* ITEM-110: (R-92-721) ADOPTED AS RESOLUTION R-278954

Authorizing the execution of a participation agreement with Allred Collins Business Park Partnership for the construction of a pump station, force main, gravity sewer and expansion of the Kearny Mesa Trunk Sewer; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$1,349,236 within the Sewer Replacement Fund, No. 41506, from CIP-40-920.3, Tecolote Canyon Trunk Sewer, to CIP-43-016.3, Kearny Mesa Trunk Sewer - Phase III; authorizing the expenditure of an amount not to exceed \$3,257,236 from the Sewer Replacement Fund No. 41506, CIP-43-016.3, Kearny Mesa Trunk Sewer - Phase III, for the purpose of providing funds for this project; authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

(Serra Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: As a condition of Subdivision Board Resolution No. 5511, Tentative Map No. 90-0432, Allred Collins Business Park Partnership was required to provide a sewer study and install all improvements recommended in the approved study. Having prepared and analyzed the sewer study, the Water Utilities Department and Allred Collins have agreed that sewer service to the development should be provided via the Kearny Mesa sewer system. This will be accomplished by

Under this agreement, the County will supply crews of 12 or more persons with a Supervisor to assist Litter Control and Refuse Disposal with cleaning trash and weeds from along roadways, open space areas and the Miramar Landfill. The City will supply a lead person to designate the worksite and monitor the work. The cost to the City will be \$310 per crew per day.

Aud. Cert. 9200017.

FILE LOCATION: MEET CONFY92-1

COUNCIL ACTION: (Tape location: A210-247.)

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

* ITEM-112: (R-92-695) ADOPTED AS RESOLUTION R-278956

Authorizing the execution of an agreement with Soon Woo Lee, et al, for construction and reimbursement of PVC sewer main and manholes in Menlo Avenue and vicinity, as well as any necessary modifications or amendments; authorizing the expenditure of an amount not to exceed \$119,235 from Sewer Revenue Fund No. 41506, CIP-44-001.0, Annual Allocation for Sewer Main Replacements, for the purpose of providing funds for this project; authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: As a condition of Mid-City Development Permit No. 88-0173, the developer is required to make improvements to Menlo Avenue and vicinity, including replacement of approximately 908 feet of 6-inch concrete sewer pipe with 8-inch P.V.C. sewer pipe, together with four manholes. The sewer main will benefit the City as a whole. After acceptance of the facilities, the City will reimburse the developer for 100 percent of the design and construction cost, except that the cost reimbursement shall not exceed \$119,235.

Aud. Cert. 9200264.

WU-U-91-093.

FILE LOCATION: CONT-Soon Woo Lee, et al CONTFY92-1

COUNCIL ACTION: (Tape location: A210-247.)

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

ITEM-200: (R-92-531) RETURNED TO CITY MANAGER

(Continued from the meeting of October 28, 1991, Item
102, at the City Manager's request, for further
research to determine if the funding source is
appropriate.)

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: AGENDA

COUNCIL ACTION: (Tape location: A341-386.)

MOTION BY WOLFSHEIMER TO RETURN TO THE CITY MANAGER AND BE BROUGHT BACK TO COUNCIL WITH THE DEVELOPER'S FINAL MAP NEXT MONTH. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-201:

Two actions relative to the San Diego Data Processing Corporation:

Subitem-A: (R-92-724) ADOPTED AS RESOLUTION R-278957

Adoption of a Resolution authorizing the execution of a consultant agreement with the Warner Group, Management Consultants, to perform an independent management audit of the San Diego Data Processing Corporation.

Subitem-B: (O-92-67) HEARING HELD

First public hearing in the matter of amending the FY 1992 Appropriation Ordinance by \$150,000 in the General Fund, Non-departmental Expenditures, Annual Audit Program Funded by a Reimbursement from the San Diego Data Processing Corporation.

FILE LOCATION: Subitem A: MEET; Subitem B: -- CCONFY92-1

COUNCIL ACTION: (Tape location: A210-247.)

CONSENT MOTION BY ROBERTS TO ADOPT THE RESOLUTION AND TO APPROVE THE FIRST HEARING OF THE ORDINANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-202: (R-92-518) CONTINUED TO DECEMBER 9, 1991

(Continued from the meeting of October 29, 1991, Item 332, at Councilmember Behr's request, for further review.)

Approving the Comprehensive Housing Affordability Strategy (CHAS) covering the period of October 1, 1991 to September 30, 1996; authorizing the Executive Director of the Housing Commission to submit the City of San Diego's CHAS to the U.S. Department of Housing and Urban Development (HUD) on behalf of the City.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A089-106.)

MOTION BY BEHR TO CONTINUE TO DECEMBER 9, 1991 FOR FURTHER REVIEW. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-nay, Behr-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (O-92-57) ADOPTED AS ORDINANCE O-17709 (New Series)

Adoption 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.

(Introduced on 10/28/91. Council voted 8-0. District 6 not present.)

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: LEAS - San Diego Community College District
LEASFY92-1

COUNCIL ACTION: (Tape location: A387-395.)

Hearing began at 11:13 a.m. and halted at 11:14 a.m.

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

ITEM-204:

Two actions relative to the North Mission Valley
Interceptor Sewer:

(See City Manager Report CMR-91-465. Mission Valley
Community Area. District-5.)

Subitem-A: (R-92-688) ADOPTED AS RESOLUTION R-278958

Determining and declaring that the public interest, convenience and necessity of the City of San Diego require the construction, operation and maintenance of the North Mission Valley Interceptor Sewer, to provide additional sewer capacity for East City and East County Communities; that the public sewer or sewers will necessarily require the acquisition of a permanent sewer easement and temporary right-of-entry work easement over, under, along and across portions of real property located in Lot 44 of Rancho Mission, and that the public interest, convenience and necessity demand the acquisition; declaring the intention of the City of San Diego to acquire the property under eminent domain proceedings; directing the City Attorney of the City of San Diego to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning and acquiring said property.

Subitem-B: (R-92-689) ADOPTED AS RESOLUTION R-278959

Authorizing the expenditure of an amount not to exceed \$44,000 from Fund 41506, Org. 386, Object Account 4638, Job Order 170407, (CIP-43-033.0, North Mission Valley Interceptor) solely and exclusively for costs related to condemnation of sewer easements in connection with the North Mission Valley Interceptor.

Aud. Cert. 9200148 Rev.

WU-PR-91-210.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A396-B056.)

Hearing began at 11:16 a.m. and halted at 11:29 a.m.

Testimony in favor by Matt Peterson.

Testimony in opposition by Charles Deem and Leonard E. Teyssier.

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

ITEM-330: CONTINUED TO DECEMBER 10, 1991

(Continued from the meeting of October 8, 1991, Item 330, at the request of Councilmember Roberts, to meet with CCDC and the proponents to develop alternatives.)

Matter of the following actions for Park Plaza Case-90-0236:

- 1) Request to amend the Gaslamp Quarter Planned District Ordinance (Section 103.0407 of the San Diego Municipal Code), to allow a building height exception up to 315 feet with an FAR up to 7.3 for the parcel bounded by Fourth Avenue, "K" Street, Fifth Avenue and the Linear Park/MTDB right-of-way, if all other relevant design criteria of the Gaslamp Quarter Planned District Ordinance are met and if an Owner Participation Agreement is entered into between the

property owner and the Redevelopment Agency.

2) If the ordinance amendment is introduced and if the Park Plaza permits receive conceptual approval, the Council will consider the issuance of Resource Protection and Gaslamp Quarter Permits Case-90-0236 for the limited purpose of allowing immediate demolition of buildings and structures on the site including two historic buildings (T. M. Cobb Warehouses).

The total property under consideration and where all permits apply is located south of "K" Street between Fifth and Third Avenues, north of Linear Park/MTDB right-of-way and is further described as Lots A, B, H, I, J, K and L and portions of Lots C and D, Block 140, Horton's Addition and portions of Lots A, K and L, Block 141, Horton's Addition. The site is within the Gaslamp Quarter, Centre City Community Plan area and partially within the Marina Planned District.

(Case-90-0236. District-2.)

Subitem-A: (R-92-16)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-90-0236 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; statement of overriding considerations; and Mitigation Monitoring and Reporting Program, pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-92-3)

Introduction of an Ordinance amending the San Diego Municipal Code.

Subitem-C: (R-92-)

Adoption of a Resolution granting or denying the Resource Protection Permit, with appropriate findings to support Council action.

Subitem-D: (R-92-)

Adoption of a Resolution granting or denying the Gaslamp Quarter Planned District Permit, with appropriate findings to support Council action.

FILE LOCATION: LAND-Gaslamp Quarter Planned District

COUNCIL ACTION: (Tape location: A071-087.)

MOTION BY ROBERTS TO CONTINUE TO DECEMBER 10, 1991 TO CONTINUE MEETING WITH CCDC AND THE PROPONENTS TO DEVELOP ALTERNATIVES. Second by Filner. 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-331:

Two actions relative to the Columbia Street (Ash Street to Juniper Street) Underground Utility District:

(Centre City Community Area. District-2.)

Subitem-A: (R-92-397) ADOPTED AS RESOLUTION R-278968

Establishing an Underground Utility District to be known as the Columbia Street (Ash Street to Juniper Street) Underground Utility District.

Subitem-B: (R-92-398) ADOPTED AS RESOLUTION R-278969

Authorizing the expenditure of an amount not to exceed \$106,100 from the Annual Allocation - Miscellaneous Req. City Streets, CIP-58-004.0 (TransNet Fund), for the purpose of administering the Columbia Street (Ash Street to Juniper Street) Underground Utility District, minor City Force work, payment to SDG&E for the purchase and installation of street lights, and other related work.

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Columbia Street between Ash Street and Juniper Street. This is a scheduled project in the calendar year 1991 Capital Improvements Program.

The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas & Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. As part of the City's Utility Undergrounding Program, existing pole-mounted street lights must be replaced with new street lights when the overhead utilities are removed. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 9200189.

FILE LOCATION: STRT K-200

COUNCIL ACTION: (Tape location: F037-042.)

Hearing began at 2:54 p.m. and halted at 2:55 p.m.

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

ITEM-332: CONTINUED TO DECEMBER 10, 1991

Matter of the appeal of William R. Knight, from the decision of the Planning Commission in granting an amendment to Planned Commercial Development Permit PCD-91-0244 (Tierrasanta Gateway), proposing to build a gas station and car wash on the site which was originally approved for a 5,200 square foot 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.)

Subitem-A: (R-92-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration No. 91-0244 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-)

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

FILE LOCATION: PERM-PCD-91-0244

COUNCIL ACTION: (Tape location: F045-475.)

Hearing began at 2:55 p.m. and halted at 3:30 p.m.

Testimony in favor by John Powell, Kimberly Johnson and William Knight.

Testimony in opposition by Gordon Dunfee, Doug Austin, John R. Carter and Mark Hayden.

MOTION BY McCARTY TO CONTINUE TO DECEMBER 10, 1991 TO ALLOW TIME FOR THE PREPARATION OF A SITE PLAN AND TO REACH A CONSENSUS WITH HOMEOWNERS ACROSS THE STREET REGARDING CONCERNS WITH TRAFFIC, HOURS OF OPERATION AND IMPACTS TO THE ENVIRONMENT FROM THE CAR WASH. Second by Henderson. Passed by the following vote: Wolfsheimer-ineligible, Roberts-yea, Hartley-not present, Pratt-not present, Behr-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-333: (R-92-) CONTINUED TO DECEMBER 3, 1991 AT 2:00 P.M.

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.)

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

FILE LOCATION: PERM-CDP/CUP-91-0158

COUNCIL ACTION: (Tape location: E014-060.)

Hearing began at 2:18 p.m. and halted at 2:21 p.m.

Testimony in opposition to the continuance by Marty Bohl and Ivor Royston.

MOTION BY WOLFSHEIMER TO CONTINUE TO DECEMBER 3, 1991 AT THE REQUEST OF THE APPLICANT FOR A REDESIGN. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-not present, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-334: CONTINUED TO DECEMBER 3, 1991 AT 2:00 P.M.

Consideration of an amendment of Chapter X (Planning and Zoning Regulations) of the San Diego Municipal Code by: Modifying, repealing or deleting certain existing sections and by adding new sections pertaining to the determination (measurement) of building and structure height as follows:

1. Amend Sec. 101.0101.62 HEIGHT (BUILDING)
2. Amend Sec. 101.0445 AIRPORT APPROACH OVERLAY ZONE Paragraph C. PERMITTED BUILDINGS, STRUCTURES AND USES
3. Amend Sec. 101.0452 HEIGHT LIMITATION ZONES- ESTABLISHMENT OF
4. Repeal Sec. 101.0452.1 HEIGHT LIMITATION ZONE - LA JOLLA
5. Amend Sec. 101.0452.5 HEIGHT LIMITATION ZONE - CLAIREMONT
6. Repeal Sec. 101.0452.17 HEIGHT LIMITATION ZONE - UPTOWN (Ordinance has expired)

7. Amend Secs. 101.0630 SATELLITE ANTENNA and 101.0620 FENCES Add corrected Illustrations
8. Amend Sec. 103.0202 OLD TOWN SAN DIEGO PLANNED DISTRICT, Paragraph C.1.b.(2) PROJECT REVIEW ADMINISTRATION
9. Amend Sec. 103.0205 OLD TOWN SAN DIEGO PLANNED DISTRICT, Paragraph E. HEIGHT
10. Repeal Sec. 103.0303.3, Amend Sec.103.0304.1.D., 103.0304.2.C, and 103.0304.4.B, LA JOLLA SHORES PLANNED DISTRICT
11. Amend Sec. 103.0407.A.2 GASLAMP PLANNED DISTRICT
12. Amend Sec. 103.0526.12 MISSION BEACH PLANNED DISTRICT
13. Amend Sec. 103.1008.E.6. MOUNT HOPE PLANNED DISTRICT
14. Amend Sec. 103.1203.B.14.d and 103.1203.B.16 and 103.1206.C. LA JOLLA PLANNED DISTRICT, Add Appendices A through G
15. Amend Sec. 103.1306.C. WEST LEWIS STREET PLANNED DISTRICT
16. Amend Sec. 103.1503.B.5 MID-CITY PLANNED DISTRICT
17. Amend Sec. 103.1606.C.1 CENTRE CITY
18. Amend Sec. 103.1705.D.4., 103.1706.G and 103.1708.E.1 SOUTHEAST SAN DIEGO PLANNED DISTRICT
19. Amend Sec.103.2007 MARINA PLANNED DISTRICT deleted building height
20. Add Sec. 101.0214 DETERMINATION OF MAXIMUM HEIGHT OF A STRUCTURE
21. Add Sec. 101.0215 PROCEDURAL REQUIREMENTS FOR DETERMINATION OF STRUCTURE HEIGHT
22. Add Sec. 101.0216 TOPOGRAPHICAL SURVEY REQUIREMENTS

The proposed amendment to the Municipal Code also constitutes an amendment to the City of San Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The LCP amendment would not become effective until after approval by the California Coastal Commission.
(Citywide.)

Subitem-A: (0-92-38)

Introduction of an Ordinance amending the Municipal

Code.

Subitem-B: (O-92-38 Alt.)

Introduction of an Ordinance (Alternative) amending the Municipal Code.

NOTE: Only one of these Ordinances (Subitem-A or Subitem-B) may be introduced.

NOTE: Pursuant to Resolution No. R-274498, adopted on October 3, 1989, the Planning Director is authorized and directed to transmit to the California Coastal Commission all amendments to the City's Local Coastal Program which have been adopted by the City Council.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E060-094.)

MOTION BY WOLFSHEIMER TO CONTINUE TO DECEMBER 3, 1991 AT 2:00 P.M. TO HAVE A MEETING WITH THE PLANNING DEPARTMENT AND THE CITY ATTORNEY'S STAFF WITH REGARD TO THE ORDINANCE. DIRECT PLANNING TO MEET WITH THE GOLDEN HILL PLANNING COMMITTEE DURING THE CONTINUANCE PERIOD. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: (R-92-763 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-278960

Directing the City Manager to return within 30 days with a plan to develop and fund future local mass transit related improvements along the northern I-15 corridor; requesting the City's representatives to the San Diego Association of Governments Board of Directors (SANDAG) and the Metropolitan Transit Development Board (MTDB) to solicit those agencies to return in 30 days with a plan to develop and fund such mass transit alternatives in the northern I-15 corridor, as a priority for future Transit Improvement Plans.
(District-5.)

SUPPORTING INFORMATION: For the past several years, the congestion along the northern I-15 corridor has been worsening, especially during the morning and evening peak commute periods. This problem is aggravated by the fact that few mass transit alternatives are available to the people who live and work along this I-15 corridor.

In addition, the recently passed State Clean Air Act requires local governments to implement strategies to comply with its air quality standards. One very important option for improving the air quality of the San Diego region is increased mass transit service levels along this I-15 corridor. This resolution directs the City Manager to place the northern I-15 corridor on an equal level of priority with other areas in the City regarding the planning, development and funding of mass transit. Further, in order for the City to communicate its position to those organizations responsible for acquiring the funding and providing the transit services, this resolution directs the City's representatives to the SANDAG Board of Directors and the Metropolitan Transit Development Board to include the planning, development and funding of increased mass transit in the northern I-15 corridor as a priority in future Transportation Improvement Plans.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B059-235.)

MOTION BY BEHR TO ADOPT AND RETURN IN 30 DAYS WITH A REPORT TO DEVELOP AND FUND SUCH MASS TRANSIT ALTERNATIVES AND DIRECTING THE CITY MANAGER TO WORK WITH THE STAFF OF MTDB TO DEVELOP A PLAN. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S401: (O-92-52) INTRODUCED, TO BE ADOPTED NOVEMBER 25, 1991

(Continued from the meetings of October 21, 1991, Item 200, and November 4, 1991, Item 201; last continued at Councilmember McCarty's request, to allow the POA time to write and file the grievance and hear it on the same date.)

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: B237-249.)

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

ITEM-S402: (O-92-4) INTRODUCED AS AMENDED, TO BE
ADOPTED NOVEMBER 25, 1991

(Continued from the meeting of November 4, 1991, Item S400, at Councilmember McCarty's request, to allow the Board of Realtors time to work out some of the details of the ordinance with staff.)

Introduction of an Ordinance amending Chapter IX, Article 3, Division 2, of the San Diego Municipal Code by adding Section 93.0208 establishing water conservation plumbing standards upon change of property ownership or upon alteration of existing structures.

(See City Manager Report CMR-91-466.)
WU-92-035.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B251-C178; E114-493.)

Motion by McCarty to introduce as amended to not require a plumbing permit for single family homes, privately owned multiple family units, condominiums or apartment buildings with 8 or less units. No second.

Trailed to afternoon session.

MOTION BY McCARTY TO INTRODUCE AS AMENDED TO NOT REQUIRE A PLUMBING PERMIT FOR RETROFIT PURPOSES FOR PLUMBING TOILETS IN SINGLE FAMILY RESIDENCES OR PRIVATELY OWNED MULTI-FAMILY UNITS OR APARTMENT BUILDINGS WITH EIGHT OR LESS UNITS. DIRECT STAFF TO PREPARE A REPORT TO COME BACK TO COUNCIL IN SIX MONTHS AFTER DETERMINING THE NUMBER OF UNITS IN SAN DIEGO TO BE TARGETED FOR RETROFITTING. DIRECT STAFF TO DEVELOP A PROGRAM THAT WOULD ENCOURAGE ALL OF THE TARGETED UNITS THROUGHOUT THE CITY AND THE METRO SYSTEM TO CONVERT ON A VOLUNTARY BASIS. STAFF IS TO DETERMINE THE CITY'S GOAL, WHAT IS IT THE CITY IS TRYING TO ACHIEVE, HOW MUCH WATER WOULD BE SAVED, HOW MANY TOILETS ARE OUT THERE THAT NEED TO BE RETROFITTED, AND WHAT WOULD STAFF SUGGEST BE DONE TO MEET THE GOALS THAT THEY CREATE. REPLACE THE SECTION IN THE ORDINANCE RELATING TO "MISDEMEANOR VIOLATIONS" FOR NONCOMPLIANCE TO THE ORDINANCE WITH "...SUBSTANTIAL INFRACTION FINE WITH NO CONTINUING VIOLATION STATUS."
Second by Roberts. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-

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

ITEM-S403: TRAILED TO NOVEMBER 25, 1991

(Continued from the meeting of November 4, 1991, Item 203, for full Council.)

Three actions relative to Downtown Office Space Leases:

(Introduced on 10/22/91. Council voted 6-0. Districts 1, 6 and Mayor ineligible. Centre City Community Area. District-2.)

Subitem-A: (O-92-58)

Adoption 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)

Adoption 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)

Adoption 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.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F560-580.)

MOTION BY COMMON CONSENT TO TRAIL TO NOVEMBER 25, 1991 FOR THE NECESSARY SIX VOTES. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S404: (O-92-64) INTRODUCED, TO BE ADOPTED NOVEMBER
25, 1991

Introduction of an Ordinance authorizing an agreement with National Steel and Shipbuilding Company and Morrison Knudsen Corporation, and an indenture of Trust with Morgan Guaranty Trust Company of New York, as Trustee, in connection with the issuance of City Refunding Revenue Bonds in an amount not to exceed \$21,000,000 for a term not exceeding 20 years, under the San Diego Economic Development Revenue Bond Law.

(See City Manager Report CMR-91-478. Barrio Logan Community Area. District-8.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E520-F037.)

Hearing began at 2:49 p.m. and halted at 2:54 p.m.

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

ITEM-S405: (R-92-746) CONTINUED TO NOVEMBER 25, 1991

Authorizing the expenditure of an amount not to exceed \$200,000 from Water Fund 41500 for the purpose of continuing the Weather Modification Project; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to Water Fund 41500.

CITY MANAGER SUPPORTING INFORMATION: In November 1989, Council approved a five-year agreement between the City of San Diego, the Helix Water District and the Sweetwater Authority, to jointly fund a Weather Modification Program in San Diego. Also approved was a five-year contract with Atmospherics, Inc. to execute the program. It is recommended that the City of San Diego, the Helix Water District and the Sweetwater Authority continue to fund the Weather Modification Program. This year's program is a continuation of the five-year agreement and contract mentioned

above. The results of last year's project appeared to be favorable, with an estimated rainfall increase (due to cloud seeding efforts) in the range of 12 to 15 percent over the target area. This project is still considered a pilot project to determine the feasibility and efficiency of cloud seeding in San Diego.

Aud. Cert. 9200332.

WU-U-92-058.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A260-340.)

MOTION BY WOLFSHEIMER TO CONTINUE TO NOVEMBER 25, 1991 WITH A DIRECTIVE TO STAFF TO REPORT BACK TO COUNCIL AT THAT TIME WITH THE SCIENTIFIC DATA SUPPORTING THE CLOUD SEEDING EFFORTS. REPORT TO INCLUDE THE FOLLOWING: 1) HOW MANY INCHES OF WATER WERE ADDED TO EACH RESERVOIR; 2) EXACT AREA WHERE THE RAIN FELL; AND 3) HOW THE RAIN WOULD ENHANCE THE STORAGE OF THE UNDERGROUND AQUIFERS. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-not present.

* ITEM-S406: (R-92-720) ADOPTED AS RESOLUTION R-278961

Authorizing the execution of an agreement with the State Coastal Conservancy for a \$32,000 grant to the City for appraisal and documentation preparation for acquisition of property for the Otay Valley Regional Park.

(Otay Valley Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: A grant of \$1.5 million dollars is available to the City from the State Coastal Conservancy for the acquisition of property for the Otay Valley Regional Park. Of this grant an initial \$32,000 is being given to the City for the appraisal and documentation process for the proposed acquisition of 15 identified properties. The Coastal Conservancy has submitted an agreement to be entered into with the City for the administration of the \$32,000.

FILE LOCATION: MEET CONFY92-1

COUNCIL ACTION: (Tape location: A210-247.)

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

ITEM-S407: (R-92-767) ADOPTED AS RESOLUTION R-278970

Adopting the staff recommendation of completing a multi-modal regional transportation system, including light rail, and highways; adopting the staff recommendation to give priority in Flexible Congestion Relief (FCR) funding to those elements which are behind schedule and underfunded, namely the highway projects; adopting staff's recommended prioritized list of Flexible Congestion Relief (FCR) Program Candidate Projects as shown in Attachment B of City Manager Report CMR-91-476.
(See City Manager Report CMR-91-476.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F052-058.)

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

* ITEM-S408: (R-92-765) ADOPTED AS RESOLUTION R-278962

Authorizing the City Manager to pay the sum of \$32,043.48 in the settlement of each and every claim against the City, its agents and employees, resulting from a contract dispute with La Quinta Roofing, Inc. (Superior Court Case No. 631195, La Quinta Roofing, Inc. v. City of San Diego, et al.); authorizing the

City Auditor and Comptroller to issue two checks: 1) The first check in the amount of \$31,897.73, representing the arbitrator's award to the plaintiff, made payable to La Quinta Roofing, Inc. and Gerald E. Olson, their attorney of record; and 2) The second check, in the amount of \$145.75, representing court costs awarded to the plaintiff, made payable to La Quinta Roofing, Inc. and Gerald E. Olson, their attorney of record, in full settlement of all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes full and final settlement of the contract dispute with La Quinta Roofing, Inc.

Aud. Cert. 9200301.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A210-247.)

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

* ITEM-S409: (R-92-762) ADOPTED AS RESOLUTION R-278963

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$500,000 from the Unallocated Reserve Fund 100, Department 605, Organization 100, Object Account 4903, to the Police Department General Fund 110, for the funding of additional patrol officers on an overtime basis.

CITY MANAGER SUPPORTING INFORMATION: In response to the rising rate of crime and the alarming increases in violent crime and murder, the City Manager's Office and Police Department have devised a program to combat the City's rising crime rate. A component of the program, the funding of additional patrol officers on an overtime basis to work in various crime infested areas of the City, has a cost of \$1 million. In order to fund this unanticipated requirement, it is recommended that \$500,000 be transferred from the General Fund Unallocated Reserve and \$500,000 be appropriated from unanticipated revenue. The School

District negotiated an agreement with the City to share the City's new 800 MGz radio system, for which they would pay the City \$755,000 over 5 years. The District decided to make a lump sum payment of \$644,000 this fiscal year. This was unanticipated revenue to the City's General Fund. Approval of the \$500,000 from the Unallocated Reserve is being requested with this action. Consideration of the \$500,000 in additional revenue will be docketed in early calendar year 1992. A review of General Fund revenues received through the first quarter of fiscal year, indicates that the slow pace of economic recovery is impacting the growth in major General Fund revenue sources. Given these factors, staff will return to Council early in calendar year 1992 with a mid-year financial status report. This report will provide a forecast of revenue growth for the balance of the fiscal year, and the identification of any potential shortfalls between revenues and expenditures.

Aud. Cert. 9200346.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A210-247.)

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

* ITEM-S410: (R-92-770) ADOPTED AS RESOLUTION R-278964

Approving Parcel Map W.O. No. 900717, located on the southwest corner of El Cajon Boulevard and 67th Street.

(Mid-City Community Area. District-7.)

FILE LOCATION: SUBD - La Mesa Colony, Map 346, Lot "C" por.

COUNCIL ACTION: (Tape location: A210-247.)

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

* ITEM-S411: (R-92-768) ADOPTED AS RESOLUTION R-278965

Authorizing the execution of an agreement with Hood/Learner/Parenti (Partnership) for opening, managing and operating the City Store; authorizing the City Auditor and Comptroller to expend funds previously appropriated and authorized by Resolution R-278672, as may be needed for the implementation and operation of the City Store; authorizing the City Auditor and Comptroller to make additional expenditures necessary to operate the City Store out of the City's revenues received from sales made by the City Store.

CITY MANAGER SUPPORTING INFORMATION: On September 23, 1991 the Council approved Resolution R-278672 authorizing (1) the establishment of the Entrepreneurial Program Enterprise Fund, (2) the establishment of the City Store as the pilot project for the Program, (3) the issuance of an RFP for the management and operating of the City Store, and (4) the appropriation of \$100,000 for funding expenditures to establish the City Store project. Eighty-four RFP's were distributed to potential proposers and four proposals were received. The proposed contractor, a joint venture partnership of Hood/Learner/Parenti was unanimously recommended by the five person selection committee. The proposed contractor is exceptionally qualified to undertake the opening, management and operation of the City Stores. Collectively, Hood/Learner/Parenti have extensive experience in retail sales, special event merchandising, manufacturing, wholesaling, marketing, and promotion. In addition to their development, management, and selling of the licensed products for the San Diego Arts Festival: Treasures of the Soviet Union, they have been the exclusive concessionaire for the sale of licensed products within the America's Cup XXVII Village and the World Cup Village 1991. Learner/Parenti own and operate six very successful and long established retail stores in Seaport Village. Hood developed the official Super Bowl XXIII Host and Soviet Ship Visit souvenir merchandise. He is also distributing all licensed America's Cup and 1992 Baseball All-Star Game merchandise to local retailers.

The proposed agreement is incentive driven for both the City and the contractor. The City shall receive all net revenues generated through the store operation. The contractor shall receive a reimbursement of City-authorized operating expenses and

a management fee based on sales volume.

FILE LOCATION: MEET CONFY92-1

COUNCIL ACTION: (Tape location: A210-247.)

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

ITEM-S412: (R-92-737 Rev.2) ADOPTED AS RESOLUTION
R-278971

Requesting the City appointees to the Board of Directors of the San Diego County Water Authority (CWA) to call for full and impartial audits of the Authority and the Southern California Metropolitan Water District (MWD); requesting the City appointees to CWA and MWD to vote in the negative on any measure which would increase water rates, until both audits are completed and made available for review by all members of the Authority and the District.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E094-109.)

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

ITEM-S413: CONTINUED TO NOVEMBER 25, 1991 AT 2:00 P.M.,
TIME CERTAIN

In the matter of the City Council Committee System.

(See memorandum from Councilmember Behr dated 11/6/91.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F593-G203.)

MOTION BY BEHR TO CONTINUE TO NOVEMBER 25, 1991 TO ALLOW THE PUBLIC TIME TO COMMENT. STAFF IS DIRECTED TO RESPOND TO COUNCIL MEMBER WOLFSHEIMER'S MEMO AND TO SEND OUT COPIES OF BOTH COUNCIL MEMBER WOLFSHEIMER'S AND COUNCIL MEMBER BEHR'S MEMOS TO THE INTERESTED COMMUNITY PLANNING GROUPS AND TOWN COUNCILS. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

* ITEM-S414: (R-92-769) ADOPTED AS RESOLUTION R-278966

Approving the proposed budget for Sunday in the Park with Seuss, November 17, 1991; waiving Council Policy 100-2 to allow for the receipt of donations; authorizing the Auditor and Comptroller to establish a special fund to record all revenues and expenditures; authorizing the execution of all contracts necessary regarding the celebration.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A210-247.)

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

ITEM-S415: NOTED AND FILED

In the matter of a request for reconsideration of the City Council's action on October 8, 1991, concerning Item 336, Conditional Use Permit and Resource Protection Ordinance Permit CUP/RPP-91-0491, to allow the Toussant Teen Center to locate in a designated historic site in the Mixed-Use Residential District in Centre City. The subject property is located at 733 Eighth Avenue (Eagles Hall), between "F" and "G"

Streets.

On October 8, the Council voted 8-0 (District 4 not present) to deny the permit, and file the Environmental Negative Declaration.

(District-2.)

Subitem-A:

Waiving the Permanent Rules of the Council to allow reconsideration. (6 votes required.)

Subitem-B:

A motion to reconsider the matter. (5 votes required.)

Subitem-C:

Setting a date and time for a hearing, if the motion to reconsider passes. (5 votes required.)

FILE LOCATION: PERM-CUP/RPP-91-0491

COUNCIL ACTION: (Tape location: G203-507.)

ITEM-S500: (R-92-751) ADOPTED AS RESOLUTION R-278972

Determining that the use of funds from the Horton Plaza Low and Moderate Income Housing Fund to pay part of the cost of rehabilitating the housing under a proposed rehabilitation loan agreement between the Redevelopment Agency of the City of San Diego and the YWCA of San Diego will be of benefit to the Horton Plaza Redevelopment Project.

(See memorandum from CCDC Executive Vice President dated 10/29/91. Centre City Community Area. District-2.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G531-553.)

MOTION BY ROBERTS TO ADOPT. Second by McCarty. 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.

NON-DOCKET ITEMS:

ITEM-ND-1: (R-92-802) ADOPTED AS RESOLUTION R-278967

Adoption of a resolution commending Earvin "Magic" Johnson for his truly inspiring example of turning personal adversity into a positive force to educate, inspire and protect our nation's youth.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A048-069.)

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

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

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 4:46 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H059-065).

MOTION BY BEHR TO ADJOURN IN HONOR OF THE MEMORY OF FLOYD H. FLETCHER, CARL 'GENE' ERICSON, BEVERLY YIP AND DR. CHARLES M. CUTSHAW. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-yea, Behr-yea, Henderson-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.