

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, FEBRUARY 24, 1992  
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 2:01 p.m. The City Manager gave a brief report on the status of the Pt. Loma outfall. The meeting was adjourned by Chair Person Wolfsheimer at 6:38 p.m. into Closed Session in the 12th floor conference room on Tuesday, February 25, 1992 at 9:00 a.m. 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-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-not present
- Clerk-Abdelnour (11)

ITEM-1:

ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-not present

- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-not present

ITEM-10: INVOCATION

Invocation was given by Rabbi Martin Levin of  
Congregation Beth El.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
Stevens.

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell on Lawmaking.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A076-095.)

ITEM-PC-2:

Comment by Robert Hoffman on Traffic Signal Report.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A096-115.)

ITEM-PC-3:

Comment by Lincoln Pickard on equality in government and  
equality in all areas of life.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A115-134.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:  
2/3/92  
2/4/92  
2/4/92 Special  
2/5/92 Special  
2/6/92 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A134-135.)

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

ITEM-31: (R-92-1191) ADOPTED AS RESOLUTION R-279438

Proclaiming February 24 through 29, 1992 to be "Kick the Habit: Drug Free San Diego" week; and commending the many individuals, schools and organizations who have played key roles in the establishment of this event.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A135-250.)

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

ITEM-32: PROCLAIMED

Proclaiming February 23 through 29, 1992, to be "Energy and Environmental Management Week" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A254-298.)

ITEM-33: (R-92-1208) ADOPTED AS RESOLUTION R-279439

Proclaiming February 24, 1992, to be "Arthur L. Powell Day" in San Diego, and commending him for his efforts and accomplishments as a product of San Diego.  
(District-4.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-349.)

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

\* ITEM-50: (O-92-98) ADOPTED AS ORDINANCE O-17740 (New Series)

Amending Chapter V, Article 9, Division 1 of the San Diego Municipal Code, by amending Sections 59.0102 and 59.0103, relating to Smoking at San Diego Jack Murphy Stadium, to prohibit smoking at the stadium in all open-seating areas during all events.  
(Mission Valley Community Area. District-6. Introduced on 2/10/92. Council voted 8-1. District 5 voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A470-569.)

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

\* ITEM-51: (O-92-101) ADOPTED AS ORDINANCE O-17741 (New Series)

Amending Chapter VII, Article 1, Division 1 of the San Diego Municipal Code by amending Section 71.0103 and by repealing Section 71.0161, both relating to Transportation Demand Management.

(Introduced on 2/10/92. Council voted 8-0. District 3  
not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A470-569.)

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

ITEM-52: (O-92-104 Rev.1 Cor. Copy) ADOPTED AS ORDINANCE  
O-17742 (New Series)

Amending Chapter X, Article 1, Division 5, of the San  
Diego Municipal Code by amending Section 101.0580,  
relating to Child Care Facilities.

(Introduced as amended on 2/11/92. Council voted 5-4.  
Districts 2,3,6,8 and Mayor voted yea. Districts  
1,4,5,7 voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A470-569; F073-171.)

MOTION BY HARTLEY TO CONTINUE TO MARCH 2, 1992 FOR FULL  
COUNCIL AND FURTHER CLARIFICATION. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

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

MOTION BY ROBERTS TO ADOPT ORDINANCE AND TO DIRECT STAFF  
THAT WHEN THEY COME BACK TO COUNCIL IN SIX MONTHS WITH AN  
ANALYSIS AND EVALUATION OF THE EFFECTIVENESS OF NOT DELETING  
THE 150' BUFFER ZONE FROM THE ORDINANCE, THAT  
RECONSIDERATION BE GIVEN FOR DELETION AT THAT TIME. ALSO  
DIRECT STAFF TO ADVISE COUNCIL OF ANY APPLICATIONS WITHIN  
THE NEXT SIX MONTHS FOR A CHILD CARE FACILITY WHICH WOULD BE  
DENIED BECAUSE OF THIS 150' BUFFER ZONE. Second by Hartley.  
Passed by the following vote: Wolfsheimer-nay, Roberts-yea,

Hartley-yea, Stevens-nay, Behr-nay, Stallings-yea,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-53: (O-92-109) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17743 (New Series)

Introduction and adoption of an Ordinance calling a  
Municipal Primary Election in the City of San Diego on  
June 2, 1992, for the purpose of nominating Mayor and  
City Attorney candidates or electing a Mayor or City  
Attorney if a candidate receives a majority of the  
votes cast for the office.

CITY CLERK SUPPORTING INFORMATION: This is to request that the  
City Council adopt an ordinance calling the Municipal Primary  
Election in the City of San Diego on June 2, 1992. A resolution  
requesting the consolidation of this election with the Statewide  
primary to be held June 2, 1992 is on today's docket as a  
companion item. The Municipal Primary Election will be held for  
the purpose of conducting elections for Mayor and City Attorney,  
as well as any and all propositions the Council approves for  
placement on the Ballot. The estimated cost of this election,  
including the ballot proposals being considered by Council, is  
\$500,000.

Aud. Cert. 9200606.

NOTE: See Item 100 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A573-B042.)

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

ITEM-100: (R-92-1231 Rev.1) ADOPTED AS AMENDED AS  
RESOLUTION R-279440

Requesting that the Board of Supervisors consolidate  
the Municipal Primary Election with the Statewide  
election to be held June 2, 1992;  
authorizing and directing the City Auditor and

Comptroller to make payments to the Registrar of Voters in compliance with the Board of Supervisor's advance payment policy.

CITY CLERK SUPPORTING INFORMATION: This is to request that the City Council adopt a resolution requesting the consolidation of the Municipal Primary election with the Statewide primary to be held June 2, 1992. The Municipal Primary Election will be held for the purpose of conducting elections for Mayor and City Attorney, as well as any and all propositions the Council approves for placement on the Ballot. The resolution requesting consolidation includes a request for the services of the Registrar of Voters. The estimated cost of this election, including the ballot proposals being considered by Council, is \$500,000.

Aud. Cert. 9200606.

NOTE: See Item 53 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F174-185.)

MOTION BY STEVENS TO ADOPT AS AMENDED TO REFLECT THE LANGUAGE CHANGE MADE TO THE ELECTIONS ORDINANCE PERTAINING TO ALLOCATION OF PROCEEDS FROM THE SAN DIEGO COUNTY REGIONAL JUSTICE AGENCY'S HALF-CENT SALES TAX FOR POLICE SERVICES CHANGING THE DOLLAR AMOUNT FROM \$150 MILLION TO \$170 MILLION AND USING THE WORD "PUBLIC" WHEN IT PERTAINS TO TRUST, AS IN "PUBLIC TRUST". Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-101: (R-92-963) ADOPTED AS RESOLUTION R-279441

Awarding a contract to Frankson's for 13 parking control scooters (GO-4 Model P-35) at a cost of \$14,000 each, for a total combined cost of \$182,000, including sales tax and terms, less trade-in allowances as follows:

	Unit	Allowance
Trade-In Equipment	Allowance	Extension
1 Each 1983 Cushman 3-Wheel Scooter	\$1,200	\$1,200
2 Each 1984 Cushman 3-Wheel Scooter	\$1,200	\$2,400
1 Each 1985 Cushman 3-Wheel Scooter	\$1,200	\$1,200
2 Each 1986 Cushman 3-Wheel Scooter	\$1,200	\$2,400
2 Each 1987 Cushman 3-Wheel Scooter	\$1,200	\$2,400
Total Trade-In Allowance		\$9,600



Authorizing the expenditure of not to exceed \$187,415, from Department No. 110, Fund No. 100, Organization No. 385, Object Account No. 6010, and Job Order No. 111506 is hereby authorized solely and exclusively for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-C2863/92)

Aud. Cert. 9200589.

FILE LOCATION:           CONT-Purchase-Frankson's           CONT FY92-1

COUNCIL ACTION:       (Tape location: F578-595.)

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

ITEM-102:       (R-92-956)           CONTINUED TO MARCH 2, 1992

Awarding contracts to Drew Ford and Fuller Ford for misc. Police Department support vehicles for a total estimated cost of \$50,332.16, including tax and terms, less trade in allowances, as follows:

1. Drew Ford for Item 1 - one utility vehicle (Ford Ranger Pickup L.W.B.) at a cost of \$9,744 and Item 4 - two utility vehicles (Ford E 150 Econo-line Cargo Van) at a cost of \$14,293 each; for a combined total of \$38,330, including tax and terms, less trade in allowances as follows:

Trade-In equipment for Items 1, 3, 4 and 5	
1 each 1986 Nissan Pickup	\$1,700
1 each 1988 Chevrolet Van	\$3,500
Total trade-in allowance	\$5,200

2. Fuller Ford for Item 2 - one off road enforcement vehicle (Ford Bronco) at a cost of \$16,666, including tax and terms, less trade-in allowance as follows:

Trade-In Equipment for Item 2	
1 each 1988 Chevrolet KB Blazer	\$4,001

Authorizing the expenditure of not to exceed \$50,332.16 from Fund No. 100, Department No. 110, Organization Nos. 200, 385, 214, 304 and 380, Object Account No. 6010, and Job Order Nos. 111475, 111514, 111201, 111275 and 111265, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-C2856/92)

Aud. Cert. 9200579.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B052-102.)

MOTION BY HARTLEY TO CONTINUE AT THE REQUEST OF THE CITY MANAGER. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-103: (R-92-957) ADOPTED AS RESOLUTION R-279442

Awarding a contract to Coast-to-Coast Analytical Services, Inc. for laboratory services for fish tissue analysis, as may be required for a period of one year beginning March 1, 1992 through February 28, 1993, for a total estimated cost of \$118,560, including terms, with options to renew for four additional one year periods with price escalations not to exceed 10 percent of prices in effect at the end of the prior year. (BID-B2857/92)

FILE LOCATION: CONT-Purchase-Coast-to-Coast Analytical Services, Inc. CONT FY92-1

COUNCIL ACTION: (Tape location: F596-G020.)

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

\* ITEM-104: (R-92-967) ADOPTED AS RESOLUTION R-279443

Awarding a contract to Standard Fusee Corporation for furnishing Fusees (Flares), as may be required for a period of one year beginning January 29, 1992 through January 28, 1993, for a total estimated cost of \$114,805.62, including tax and terms, with an option to renew the contract for one additional one year period. (BID-H2983/92)

FILE LOCATION: CONT-Purchase-Standard Fusee Corporation CONT  
FY92-1

COUNCIL ACTION: (Tape location: B052-102.)

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

\* ITEM-105: (R-92-1085) ADOPTED AS RESOLUTION R-279444

Inviting bids for the Balboa Park Palisades Building - Rehabilitation on Work Order No. 119269; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$357,500 from CIP-21-834.0, Balboa Park/Mission Bay Park Requirements, San Diego Facilities and Equipment Leasing Construction Fund No. 91101 to CIP-21-830.0, Balboa Park Palisades Remodel; and authorizing the expenditure of \$357,500 from CIP-21-830.0, Balboa Park Palisades Building - Remodel, for the purpose of executing this contract and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K2984/92)  
(Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The Balboa Park Palisades Building is located at 2130 Pan American Plaza. This project will remodel the old Management Center Office space in the Palisades Building to accommodate the park Development Division now located in the Balboa Park Club. The Balboa Park Club will

be remodeled and returned to public use with the help of a \$2,478,000 Community Parklands Act Grant. The Park Development Division will move to the Palisades Building as soon as the remodeling has been completed.  
Aud. Cert. 9200562.

FILE LOCATION: W.O. 119269 CONT - BrodWolf Construction,  
Inc. CONT FY 92-1

COUNCIL ACTION: (Tape location: B052-102.)

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

ITEM-106: (R-92-1084) RETURNED TO THE CITY MANAGER

Rejecting all bids received on October 4, 1991 and re-advertising for bids for the Construction of Sewer Replacement Group 614 on Work Order No. 171671; authorizing the execution of a contract with the lowest responsible bidder. (BID-K2542/92)  
(Centre City, East San Diego, Encanto, North Park, University Heights, Kensington, and Linda Vista Community Areas. Districts-3, 4, 5 and 8.)

CITY MANAGER SUPPORTING INFORMATION: Bids were opened on October 4, 1991 for the construction of Sewer Group 614. Of 68 bid packages issued, 3 bids were received. The low bid of \$478,302.40 was 34.4 percent below the engineer's estimate of \$728,608. During the contract review process, EOCP staff determined that the low bidder, Universal Liner, Inc. had 0 percent WBE and 0 percent MBE which did not meet MBE and WBE goals and did not demonstrate a good faith effort to achieve minority business enterprise and women business enterprise job participation. It is recommended that the City reject all bids and re-bid this project.  
Aud. Cert. 9200054. WU-P-92-084.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A374-470.)

MOTION BY BEHR TO RETURN TO THE CITY MANAGER AT THE REQUEST OF THE CITY MANAGER TO REVIEW THIS MATTER FURTHER AND COME BACK TO COUNCIL WITH A SEPARATE REPORT; REQUEST STAFF TO CONTACT HEADS OF THE ASSOCIATED GENERAL CONTRACTORS

ASSOCIATION AND MINORITY CONSTRUCTION GROUPS TO FIND OUT WHY THEY DID NOT BID ON THIS PARTICULAR JOB. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-107:

Two actions relative to the Lakeside Industry Road Sewer Interceptor: (Lakeside Community Area.)

Subitem-A: (R-92-1201) ADOPTED AS RESOLUTION R-279445

Authorizing the execution of a Sewer Easement Deed, a Real Property Contract, and a Statement of Just Compensation, with Lakeside Sanitation District, County of San Diego, for an easement for right-of-way within the Upper San Diego River Improvement Project (USDRIP), for the Lakeside Industry Road Sewer Interceptor.

Subitem-B: (R-92-1202) ADOPTED AS RESOLUTION R-279446

Certifying that the information contained in Environmental Negative Declaration County File No. ER-90-14-46, Log No. 90-14-46, in connection with Lakeside Industry Road Sewer Interceptor, together with any comments received during the public review process, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that the negative declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The Lakeside Sanitation District of the County of San Diego will be upgrading sewer services in the Upper San Diego River Improvement Project (USDRIP) in Lakeside by construction of a sewer interceptor. The City owns property slated for industrial development in USDRIP which will benefit from this project. The area of the proposed easement is in Industry Road between the San Diego River and Hwy 67, east of Riverford Road. The easement covers 36,180 sq. ft. and contains provision for a temporary construction area of 105,703 sq. ft.

It is anticipated that the sewer will be constructed within 6 months after the easement deed is executed by the City. The City Water Utilities Department has reviewed and approved the easement request.

FILE LOCATION: DEED F-5762 DEED FY92-1

COUNCIL ACTION: (Tape location: B052-102.)

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

\* ITEM-108: (R-92-1112) ADOPTED AS RESOLUTION R-279447

Authorizing Jack McGrory, City Manager; Maureen Stapleton, Assistant City Manager; Arthur Duncan, Assistant to the City Manager; and William R. Wolf, Emergency Management Coordinator to execute applications and documents for the purpose of obtaining financial assistance under the Federal Civil Defense Act of 1950, the Federal Disaster Relief Act, and the California Natural Disaster Assistance Act; rescinding Resolution R-267012, adopted November 10, 1986, and Resolution R-276362, adopted August 6, 1990.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B052-102.)

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

\* ITEM-109: (R-92-1190) ADOPTED AS RESOLUTION R-279448

Proudly saluting the officers and sailors who served on the USS San Diego and who represented our City with honor and dignity; declaring September 4, 1992 as "USS San Diego Day."  
(District-2.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B052-102.)

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

\* ITEM-110: (R-92-1199) ADOPTED AS RESOLUTION R-279449

Excusing Mayor Maureen O'Connor from attending the  
regularly scheduled Council meeting of January 27,  
1992, due to her attendance to other official City  
business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B052-102.)

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

\* ITEM-111: (R-92-1177) ADOPTED AS RESOLUTION R-279450

Excusing Councilmember Bob Filner from attending the  
regularly scheduled Council Meeting of January 27,  
1992, due to his attendance to other official City  
business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B052-102.)

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

\* ITEM-112: (R-92-1210) ADOPTED AS RESOLUTION R-279451

Authorizing the City Manager to accept the generous  
donation of three microcomputers from Apple Computers,  
Inc., and associated packet radio hardware from  
Tetherless Access Limited and Memex Research Institute,

for use by the Central Library for participation in the Packet Radio Internet Extension ("PRIE") pilot program; expressing appreciation and gratitude for such an extraordinary display of civic generosity by Apple Computers, Inc., Tetherless Access Limited and Memex Research Institute.

CITY MANAGER SUPPORTING INFORMATION: In conjunction with the San Diego State University (SDSU) Library, the San Diego Zoo Library, and the Memex Research Institute, the San Diego Public Library is cooperating in a demonstration project funded by the Council on Library Resources. The PRIE pilot project is designed to demonstrate the capacity of radio-wave transmission of library related information between the Central Library and SDSU. Through this wide area, wireless network, the Library intends to be able to access the SDSU library computer catalog, the University of California's MELVYL library system and over 200 other university library computer catalogs internationally. Apple Computers, Inc., has donated the necessary computer hardware; Tetherless Access Limited has donated the hardware for the interface between the packet radio network; Internet and SDSU and Memex have donated the packet radios.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B052-102.)

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

ITEM-113: (R-92-1209) ADOPTED AS RESOLUTION R-279452

Authorizing the City Manager to submit an application to Jostens Learning Corporation for \$3,000 in grant monies for the purpose of purchasing computer hardware for the Mira Mesa Branch Library; the grant will be used to purchase one computer, one monitor, and one printer, as well as software and reference tools to provide additional educational and informational resources for young patrons.  
(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: Jostens Learning Corporation contributes grant monies to nonprofit organizations to enhance the overall well-being of the communities in which it operates. Grants are made for one year only; specific areas of

interest include education, youth programs, health, social services and community development. Grants are awarded competitively and generally will not exceed \$3,000 to a single organization. The Mira Mesa Branch Library was invited to apply for a \$3,000 grant by Jostens Learning Corporation to enhance the library's resources and services which meet the needs of youth at risk. The library seeks to apply for a grant to purchase one computer, monitor and printer as well as software and reference tools to provide additional educational and informational resources for young people, especially those at risk.

The equipment will be used to allow the young people to spend additional time practicing fundamental skills such as reading, writing and mathematics. Among other uses are learning to use a broader range of resource materials to complete school projects and learning or improving computer skills.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F636-681.)

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

\* ITEM-114: (R-92-1123) ADOPTED AS RESOLUTION R-279453

Authorizing the City Manager or his designee to file a grant application, with the U.S. Department of Commerce, Economic Development Administration (EDA), in the amount of \$1,000,000 for the purpose of obtaining a grant to assist in the funding of the improvements to Crosby Street in the Barrio Logan Redevelopment Project Area; authorizing local matching funds of \$1,689,506 to be provided from prior Council authorizations including \$1,000,000 from local TransNet funding per Council Resolution R-277701, dated April 15, 1991, and \$689,506 from a Section 108 loan request to the U.S. Department of Housing and Urban Development per Council Resolution R-278798, dated October 8, 1991.

(Barrio Logan/Harbor 101 Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: In March 1991, the Council added to the City's CIP Project CIP-52-513.0, Crosby Street Public Improvement Project, and approved an initial \$1,000,000 from TransNet funds. The \$1,000,000 in TransNet funds is identified as the City's Local Match in order to apply to the

U.S. Department of Commerce, Economic Development Administration (EDA) for \$1,000,000 from EDA's Local Public Works program.

As part of EDA's process, the City submitted a pre-application to EDA in December, 1991. The City was fortunate to receive a formal invitation from EDA in January, 1992 to submit an application for a \$1,000,000 grant for the Crosby Street project. Staff requests approval to file the application with EDA. Approval of the grant is anticipated by the summer of 1992 with the funding to be received after October 1st, the commencement of the new federal fiscal year.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B052-102.)

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

ITEM-115: (R-92-1129) ADOPTED AS RESOLUTION R-279454

A Resolution approved by the City Council in Closed Session on Tuesday, January 21, 1992 by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-yea; Stevens-yea; Behr-yea; Stallings-yea; McCarty-yea; Filner-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$25,000 to Gray, Cary, Ames and Frye, in the settlement of each and every claim against the City, City Council, its agents and employees, resulting from the settlement of Strobl, et al. v. City of San Diego, et al, Superior Court Case No. 641951, for attorney's fees and costs incurred in the suit concerning the "PLAN" initiative; authorizing the City Auditor and Comptroller to expend from the Public Liability Reserve (81140) the sum of \$25,000 for the purpose of providing funds to pay Gray, Cary, Ames & Frye; authorizing the City Auditor and Comptroller to issue one check in the amount of \$25,000 made payable to Gray, Cary, Ames & Frye, attorneys of record for petitioner Strobl, et al., in full settlement of this suit and all claims.

Aud. Cert. 9200608.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F681-G051.)

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

ITEM-116: (R-92-904) ADOPTED AS RESOLUTION R-279455

Authorizing the firm of McCutcheon, Doyle, Brown & Enersen to act as co-counsel for the second phase of Clean Water Program monitoring as provided in the Partial Consent Decree entered in U.S.A. v. The City of San Diego, U.S. District Court No. 88-1101-B; authorizing the expenditure of an amount not to exceed \$400,000 from the Clean Water Program Fund No. 41509, CIP-45-910.2, Clean Water Program Management and Administration, to provide funds for such legal services;

authorizing the City Manager to finance or refinance these services with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION: On March 7, 1988 City Council authorized the retention of the law firm of Pepper, Hamilton & Scheetz with Special Counsel James Dragna to assist in the settlement negotiations and subsequent trials which allowed the City, United States and the State of California to enter into a consent decree on January 30, 1990 to settle alleged violations by the City of the Clean Water Act. Part of the settlement involved the upgrading of the City's sewage system, which is now in progress. Continuing services are required to provide counsel and assistance in matters pertaining to the Consent Decree and compliance with the Clean Water Act. Mr. Dragna is now with the firm of McCutcheon, Doyle, Brown & Enersen; In light of his experience and specific knowledge of this case, it is recommended that McCutcheon, Doyle, et al, with James Dragna as Special Counsel assist in the necessary monitoring of the Consent Decree provisions. Mr. Dragna's expertise will also be needed in the establishment of the Multiple Species Conservation Program (MSCP).

Although MBE/WBE Participation under this agreement has not as yet been identified, it is felt that, due to the considerable prior involvement of Mr. Dragna in this matter, retention of McCutcheon, Doyle, et al, would most benefit the City's interests.

Aud. Cert. 9200581. WU-CWP-91-200.

FILE LOCATION: WATER-Clean Water Program Management and  
Administration CCONT FY92-1

COUNCIL ACTION: Tape location: G052-084.)

Motion by Stevens to deny. No second.

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

ITEM-117: (R-92-1153) ADOPTED AS RESOLUTION R-279456

Prohibiting commercial vehicles with a gross vehicle  
weight rating of over 10,000 pounds from operating on  
Ingraham Street between Garnet Avenue and Foothill  
Boulevard, and on Foothill Boulevard between Ingraham  
Street and Fanuel Street; authorizing the installation  
of the necessary signs and markings; declaring that the  
regulations shall become effective upon the  
installation of the signs. (Pacific Beach Community  
Area. Districts-2 and 6.)

CITY MANAGER SUPPORTING INFORMATION: Ingraham Street and  
Foothill Boulevard between Garnet Avenue and Fanuel Street are  
residential streets. The preferred commercial route through this  
area is along Grand Avenue or Garnet Avenue and Mission  
Boulevard. In addition, there are two schools and playgrounds  
impacted by the existing truck traffic. Due to these existing  
conditions, a truck prohibition of commercial vehicles with a  
gross vehicle weight rating over five tons is recommended in  
order to improve safety on these streets. Trucks making local  
deliveries and providing service on these streets will still be  
permitted to use the roadways. This prohibition has been  
requested by 75 percent of the residents of Foothill Boulevard  
and approved by the Pacific Beach Community Planning Committee.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G130-134.)

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

\* ITEM-118: (R-92-1175) ADOPTED AS RESOLUTION R-279457

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 4:00 p.m., Saturdays, Sundays and certain holidays excepted, on both sides of Calle Saucillo between Paseo Lucido and Avenida Alcachofa, and on both sides of Avenida Rorras between Calle Saucillo and Avenida Venusto; authorizing the installation of the necessary signs and markings;

declaring that the regulations shall become effective upon the installation of the signs. (Rancho Bernardo Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The proposed two-hour parking time limit zone on Calle Saucillo and Avenida Rorras was petitioned by property owners representing 100 percent of the affected frontage, and approved by the Rancho Bernardo Community Council and the Traffic Committee of the Rancho Bernardo Planning Board. The area residents near the Rancho Bernardo High School and Rancho Bernardo Junior High School have requested that two-hour parking time limit zones be established on Calle Saucillo and Avenida Rorras. The residents complained of students and faculty members parking on residential streets instead of parking in the school's parking lot. Our field observation revealed that only about half of the available parking spaces in the school's large parking lot are being utilized by students.

Parking studies conducted on these streets indicate that only the portion of Calle Saucillo between Paseo Lucido and Avenida Rorras meets the City's adopted standards for installation of two-hour time limit zones. We believe that establishing a two-hour parking time limit zone on Calle Saucillo at this location would only provide a partial solution and could shift the parking problem from this street to the adjacent residential streets. The establishment of two-hour parking time limit zones on both Calle Saucillo and Avenida Rorras would avoid shifting the parking problem to the adjacent streets. The proposed parking time limit zones do not meet all the requirements of Council Policy 200-4 for establishment of parking time limit zones. However, the establishment of a two-hour parking time limit zone will help alleviate the current parking problem created by the Rancho Bernardo High School students at the above residential street. Based on the above, we recommend the establishment of a two-hour parking time limit zone on Calle Saucillo and Avenida Rorras.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B052-102.)

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

\* ITEM-119: (R-92-1188) ADOPTED AS RESOLUTION R-279458

Authorizing the execution of an agreement with the  
Emergency Medical Services Training Institute (EMSTI)  
of the University of California, San Diego Medical  
Center, for the paramedic training of City  
firefighters.

CITY MANAGER SUPPORTING INFORMATION: On September 18, 1990,  
the City Council authorized the City Manager to initiate a Fire  
Department paramedic program through the training of firefighters  
to the paramedic skill level and certification, and to place such  
designated firefighter/paramedics on board Fire Department  
engines to supplement the present City of San Diego paramedic  
delivery system. The Emergency Medical Services Training  
Institute (EMSTI) of the University of California, San Diego  
Medical Center provided the paramedic training for the first 27  
firefighter/paramedics which graduated August 12, 1991.

These firefighter/paramedics have been providing paramedic level  
of care since October 1, 1991. EMSTI is the only authorized  
training agency in San Diego County which is able to provide the  
training (in a schedule compatible with fire personnel shifts)  
for an additional 18 students necessary to fully staff the  
continued operation of the Fire Department's shared system.  
Aud. Cert. 9200599.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: B052-102.)

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

\* ITEM-120: (R-92-1178) ADOPTED AS RESOLUTION R-279459

Authorizing the execution of a 5-year concession  
agreement, with a five-year option, with Kruse

Concessions, Inc., for the operation of the City Lakes concession at various City reservoirs, at a minimum annual rent of \$34,600 v. 7 percent of gross sales, whichever is greater.

(See City Manager Report CMR-92-49. San Pasqual Valley and Scripps/Miramar Ranch Community Areas. Districts-5 and 7.)

COMMITTEE ACTION: Reviewed by PFR on 2/12/92. Recommendation to approve the City Manager's recommendation. Districts 1, 5, 6 and 7 voted yea. District 3 not present.

FILE LOCATION: LEAS-Kruse Concessions, Inc. LEAS FY92-1

COUNCIL ACTION: (Tape location: B052-102.)

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

\* ITEM-121: (R-92-1155) ADOPTED AS RESOLUTION R-279460

Authorizing the execution of an agreement with the City of Poway to implement a facilities planning report and environmental review for a water reclamation facility, including an option to acquire specified property. (See City Manager Report CMR-92-46. Sabre Springs Community Area. District-5.)

COMMITTEE ACTION: Reviewed by PFR on 2/12/92. Recommendation to approve the City Manager's recommendation. Districts 1, 5, 6 and 7 voted yea. District 3 not present.  
WU-CWP-92-087.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: B052-102.)

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

ITEM-122: (R-92-1162) ADOPTED AS RESOLUTION R-279461

Authorizing the execution of an agreement with Safe Moves to conduct 24 bicycle safety and commuting workshops over a one year period;

authorizing the expenditure of \$35,000 from TransNet Fund 30300 for the purpose of providing funds for the project.

CITY MANAGER SUPPORTING INFORMATION: This project would provide 24 bicycle safety and commuting workshops throughout the City over a one year period. There would be an average of two workshops conducted each month, primarily on weekends and open to the public. There would be three workshops conducted within each City Council District. The purpose of these workshops are to improve bicycle safety by providing information to the public on how to operate a bicycle safely. In addition, the consultant will promote bicycle commuting as an alternative mode of transportation to the single occupant motor vehicle. The workshops will be geared to audiences of all age groups. It is not feasible for City staff to conduct these workshops. Staff therefore recommends that we hire Safe Moves to conduct these workshops. Safe Moves was chosen in accordance with Council Policy 300-7.

Aud. Cert. 9200556.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: G084-127.)

MOTION BY STALLINGS TO ADOPT AND REQUEST STAFF TO SUBMIT TO COUNCIL A PROPOSAL ON HOW THESE WORKSHOPS ARE GOING TO BE SET UP AND PROVIDE A REPORT ON THE FIRST SERIES OF WORKSHOPS. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-200: (R-92-1221) ADOPTED AS RESOLUTION R-279462

Consideration of the following nominees for appointment to the San Diego Stadium Authority Governing Board to fill four vacancies for terms ending December 31, 1995: (See memorandum from Mayor O'Connor dated 2/12/92 with resumes and memos of support attached.)

NOMINEE	NOMINATED BY	ENDORSED BY
Beatrice Kemp	Councilmember Wolfsheimer	Councilmembers McCarty & Roberts
Lee H. Stein	Councilmember Wolfsheimer	Councilmembers McCarty & Roberts
John R. Wertz	Councilmember Stallings	Councilmembers Wolfsheimer, Filner, Hartley, Behr, Roberts
Andre L. Henderson		Councilmember Filner
Donald McGrath II	Councilmember Roberts	Mayor O'Connor Councilmember McCarty
Kevin J. Carlson	Councilmember McCarty	

Today's action is adoption of a Resolution making four appointments.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B102-322.)

MOTION BY STEVENS TO WAIVE THE CITY LIMIT RULES FOR NOMINEE ANDRE HENDERSON AS HE DOES NOT LIVE WITHIN THE CITY OF SAN DIEGO. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

The first ballot was taken, and Clerk Abdelnour announced the tally for Round 1: Kemp-8, Stein-8, Wertz-6, McGrath-6, Henderson-3.

MOTION BY STEVENS TO APPOINT BEATRICE KEMP, LEE STEIN, JOHN WERTZ AND DONALD McGRATH TO FILL THE VACANCIES TO THE SAN DIEGO STADIUM AUTHORITY GOVERNING BOARD. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-201: (R-92-1220) ADOPTED AS RESOLUTION R-279463

Council confirmation of the appointment by the Mayor of Anna M. Major to serve as a member of the Historical Site Board, replacing Robert J. Michaels, for a two-year term ending March 1, 1994.

(See memorandum from Mayor O'Connor dated 2/12/92 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D305-313.)

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

ITEM-S400: (R-92-1238) CONTINUED TO MARCH 2, 1992

Approving the Graffiti Control Plan as contained in City Manager's Report CMR-91-523, dated December 2, 1991; directing the City Manager to take the necessary steps to implement the items enumerated in the report; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$200,000 from the Park and Recreation Department (513) to the Waste Management Department (444); authorizing the expenditure of \$392,000 in General Fund 100 monies from the Waste Management Department for the purpose of implementing this plan.

(See City Manager Report CMR-91-523.)

Aud. Cert. 9200635.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B052-102.)

MOTION BY HARTLEY TO CONTINUE TO MARCH 2, 1992. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-S401: (R-92-1236) ADOPTED AS RESOLUTION R-279464

A Resolution approved by the City Council in Closed Session on Tuesday, January 14, 1992 by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-not present; Stevens-yea; Behr-nay; Stallings-yea; McCarty-yea; Filner-not present; Mayor-yea.

Authorizing the City Manager to pay a one time payment of \$200,000 as part of a sliding scale settlement agreement with a guarantee of up to an additional \$575,000, in the settlement of each and every claim of Gary and Karen Green against the City, its agents and employees, pending the outcome of the litigation between the Greens, Coopers, City and others in Green, et al. v. Cooper, et al., Superior Court Case No. 625379 resulting from earth movement beneath and in the vicinity of the Greens' residence at 5635 Desert View Drive; authorizing the City Manager to approve the additional payment, without further Council approval, of the guaranteed sum of up to \$575,000 as required depending on the outcome of the Green, et al. v. Cooper, et al. lawsuit; authorizing the City Auditor and Comptroller to issue one check in the amount of \$200,000, made payable to Gary Green and Karen Green and their attorneys of record, Barnhorst, Schreiner and Goonan, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of all claims of Gary Green and Karen Green against the City of San Diego as a result of damages arising from litigation of Green vs. Cooper.  
Aud. Cert. 9200618.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B052-102.)

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

\* ITEM-S402: (R-92-1245) ADOPTED AS RESOLUTION R-279465

Authorizing the City Manager to file an application for state and federal grants for the emergency repair of the Point Loma ocean outfall; authorizing the City Manager to execute the grant awards.

CITY MANAGER SUPPORTING INFORMATION: A federal grant in the amount of \$5,500,000 from the Environmental Protection Agency and a state grant in the amount of \$2,500,000 from the State Water Resources Control Board were awarded to the City for the repair of the Point Loma Outfall. In addition, a \$2,000,000

interest-free loan is being made to the City from the SWRCB's Cleanup and Abatement Fund. Due to the emergency nature of the situation, the normal grants and loan processes were suspended to allow immediate award of the grant and loan to the City. In addition to the previous action taken by Council declaring a state of emergency relating to the repair of the Point Loma Outfall, the City is required to provide to the SWRCB, as documentation for the awards, both grant and loan applications. The SWRCB requires City Council authorization for both applications and the execution of funding documents.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B052-102.)

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

ITEM-S403: TRAILED TO FEBRUARY 25, 1992 DUE TO LACK OF TIME

(Continued from the meetings of February 4, 1992, Item S503; Trailed from the meeting of February 18, 1992 as Unfinished Business, due to lack of time.)

In the matter of the continued discussion of the Council Committee System, including possible adoption of the following Resolutions:  
(See City Attorney Report dated 2/14/92.)

Subitem-A: (R-92-1225)

Establishing Temporary Rules of the Council which shall be in full force and effect until December 7, 1992 unless made permanent by enactment of an ordinance; declaring that these Temporary Rules supersede the Permanent Rules of the Council established by Section 22.0101 of the San Diego Municipal Code until December 7, 1992 unless made permanent by enactment of an ordinance.

Subitem-B: (R-92-1227)

Creating the following Focus Committees to be effective until December 7, 1992 or for a period of 18 months from adoption of this resolution if the temporary rules are extended or made permanent by adoption of an ordinance.

Focus Committee on Economic Development and on Neighborhood Policing Subject areas:

Economic Development Task Force Report	Neighborhood Pride & Protection
--	---------------------------------

Economic Development Department Competitiveness	Neighborhood Watch
--	--------------------

Members: Tom Behr, Chairperson	John Hartley, Chairperson
Bob Filner	Valerie Stallings
Ron Roberts	George Stevens
Abbe Wolfsheimer	

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G144-150.)

\* ITEM-S404: (R-92-1250) ADOPTED AS RESOLUTION R-279466

Declaring the continued Existence of a State of Emergency relating to the repair of the Point Loma Ocean Outfall; declaring that the measures previously taken by the Council in Resolution R-279384 shall continue to have full force and effect.

CITY MANAGER SUPPORTING INFORMATION: On February 3, 1992 the City Council declared a state of emergency as a result of a break in the Point Loma Ocean Outfall impacting public health and safety. The Government Code requires the local governing body to review that state of emergency every fourteen days until the local emergency is declared terminated. This action requests the continuation of the declared state of emergency.

FILE LOCATION: WATER-State of Emergency Point Loma Ocean Outfall

COUNCIL ACTION: (Tape location: B052-102.)

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

ITEM-S405: PLACE ON JUNE, 1992 BALLOT

(Continued from the meeting of February 18, 1992, Item S403D, at the request of Mayor O'Connor and Councilmember Filner, to bring back with new language in a draft ordinance to put on the ballot and also information on legal action if the City rescinds a transaction due to failure to disclose the parties involved.)

A proposed Charter amendment for the June 2, 1992 ballot, prohibiting the City from doing business with anonymous parties.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D319-F071.)

MOTION BY WOLFSHEIMER TO PLACE ON BALLOT IN JUNE. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S406: REFER TO COMMITTEE OF THE WHOLE

(Continued from the meetings of February 10, 1992, Item S409, and February 18, 1992, Item S405; last continued at Councilmember Stallings' request, due to lack of time.)

In the matter of continued discussion of proposed City Charter amendments, regarding parks, for the June 1992 ballot.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F186-576.)

MOTION BY STEVENS TO REFER TO THE COMMITTEE OF THE WHOLE FOR CLARIFICATION FOR THE NOVEMBER, 1992 BALLOT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-S407: (R-92-1230) ADOPTED AS RESOLUTION R-279467

Approving the recommendation contained in Department of Legislative Services Report DLS-92-8, dated January 30, 1992, to support H.R. 842, Ancient Forest Protection Act (Jontz), and S. 1536, Pacific Northwest Forest Community Recovery and Ecosystem Conservation Act (Adams); directing the Director of the Department of Legislative Services to communicate the City's support for H.R. 842 and S. 1536 to the authors and the appropriate legislative bodies through the City's legislative advocates.  
(See Department of Legislative Services Report DLS-92-8.)

COMMITTEE ACTION: Reviewed by RULES on 2/19/92. No action taken due to the lack of quorum. Docketed for full Council action by the Mayor. Districts 1 and Mayor present. Districts 2, 7, and 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B052-102.)

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

\* ITEM-S408: (R-92-1239) ADOPTED AS RESOLUTION R-279468

Approving map of South Villas, a One-lot subdivision located, northeasterly of Hollister Street and Grove Avenue.  
(Otay Mesa/Nestor Community Area. District-8.)

FILE LOCATION: SUBD-South Villas

COUNCIL ACTION: (Tape location: B052-102.)

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

\* ITEM-S409: (R-92-1232) ADOPTED AS RESOLUTION R-279469

Authorizing the execution of an 11-month lease agreement with three one-year renewal options with California Federal Bank for 1,268 square feet of office space at 5106 Federal Boulevard for use by Council District 4 as a field office at a minimum monthly rental of \$600 per month; authorizing the expenditure of an amount not to exceed \$3,000 from the General Fund/Council District 4 for lease costs from February 1, 1992 to June 30, 1992, and an additional \$3,600 from FY 1993 Funds for the period of July 1, 1992 through December 31, 1992, subject to availability of Fiscal Year 1993 funds.  
(Oak Park Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: The Fourth Council District wishes to establish a field office at 5106 Federal Boulevard. This facility was previously used as campaign headquarters for Councilmember Stevens, and represents a familiar and accessible location for residents of the Fourth Council District. It is proposed to enter into a lease with California Federal Bank, the property owner, for approximately 1,268 square feet of office space. The lease agreement would be for an initial term of eleven months with three one year renewal options. The space will rent for \$600 per month (\$.47/sq.ft.), and is subject to a mutually agreed upon increase at renewal. The \$600 monthly rent is to be offset by \$400 in revenue received from subleases, one with Ed Howard, a business consultant and another with Esther R. Evans, a legal services consultant. Mr. Howard and Ms. Evans presently occupy the space under a month to month agreement with the owner. Inasmuch as the owner does not wish to subdivide the space, and Mr. Howard and Ms. Evans wish to remain, subleases were arranged. As a result of the subleases the net cost to the City will be \$200 per month. Aud. Cert. 9200642.

FILE LOCATION: LEAS-California Federal Bank LEAS FY92-1

COUNCIL ACTION: (Tape location: B052-102.)

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

\* ITEM-S410: (R-92-1233) ADOPTED AS RESOLUTION R-279470

Resolution of Intention to vacate Father Junipero Serra  
Trail (Road Survey 627), between Mission Gorge Road and  
Simeon Drive, within Mission Trails Regional Park;  
fixing a time and place for a public hearing.  
(Navajo Community Area. District-7.)

FILE LOCATION: DEED F-5763, STRT J-2775

COUNCIL ACTION: (Tape location: B052-102.)

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

ITEM-S411:

Two actions relative to Route 56/Carmel Valley  
Restoration Enhancement Plan (CVREP):  
(See City Manager Report CMR-92-72. Carmel Valley  
Community Area. District-1.)

Subitem-A: (R-92-1244) ADOPTED AS RESOLUTION R-279471

Determining and declaring that the public interest,  
convenience and necessity of the City of San Diego  
require the construction, operation and maintenance of  
State Route 56/Carmel Valley Restoration and  
Enhancement Plan (CVREP) Project on portions of  
Sections 20 and 30, Township 14 South, Range 3 West,  
and Section 25, Township 14 South, San Bernardino  
Meridian; and that the public interest, convenience and  
necessity demand the acquisition of fee title to and  
slope, drainage and road easements in said property for  
State Route 56/Carmel Valley Restoration Plan and  
Enhancement Project (CVREP);

declaring the intention of the City to acquire the property under eminent domain proceedings; directing the City Attorney 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 the property.

Subitem-B: (R-92-1251) ADOPTED AS RESOLUTION R-279472

Authorizing the transfer of an amount not to exceed \$700,000 from Facility Benefits Assessment Fund 79002 to CIP-52-356.0 - Route 56/CVREP Acquisition Fund; authorizing the expenditure of an additional amount not to exceed \$700,000 from CIP-52-356.0 - Route 56/CVREP Acquisition Fund to supplement those funds previously approved by Resolution R-279279, dated December 10, 1991, exclusively for costs related to condemnation of fee easement interests in connection with the acquisition of approximately 17 additional acres for Route 56/Carmel Valley Restoration Enhancement Plan Project.

Aud. Cert. 9200649.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D073-302.)

MOTION BY WOLFSHEIMER TO ADOPT AND REQUEST STAFF TO COME BACK TO COUNCIL WITHIN 30 DAYS WITH A STATUS REPORT ON SATISFACTORY SOLUTIONS WITH CALTRANS TO RESOLVE THE DRAINAGE DIFFERENCES KEEPING IN MIND THAT THESE NEGOTIATIONS ARE NOT TO INTERFERE WITH ANY DEADLINES OR FUNDING. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-nay, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S412: (O-92-108 Rev.1) INTRODUCED AND ADOPTED AS  
AMENDED AS ORDINANCE O-17744  
(New Series)

Introduction and adoption of an Elections Ordinance for the June 2,1992 election:

1) Repealing Ordinance No. 17713 (New Series) adopted on November 25, 1991.

2) Ordering, calling, providing for and giving notice of a Special Municipal Election to be held on June 2, 1992, for the purpose of submitting to the qualified voters:

A) One proposition amending Charter Sections 12, 24 and 40 establishing term limits for City Council Members, Mayor and City Attorney.

B) One proposition amending Charter Section 12 pertaining to elections of Council Members in the event of vacancy in office.

C) One proposition amending Charter Sections 4 and 5 and adding Charter Section 5.1 establishing a Redistricting Commission.

D) One proposition adding Charter Section 32.1 pertaining to City Manager and non-managerial officers' duty to report matters to the City Council.

E) One proposition adding Charter Section 225 requiring disclosure by persons doing business with the City.

F) One proposition pertaining to ratification of a transfer of a portion of Mt. Soledad Nature Park to a private non-profit corporation.

G) One proposition (advisory vote only) pertaining to allocation of proceeds from the San Diego County Regional Justice Agency's half-cent sales tax for police services.

3) Consolidating the Special Municipal Election with the State Primary Election to be held on June 2, 1992.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D319-F071.)

Motion by Behr to direct the City Manager to come back with new ballot language as soon as possible for: 1) repeal of the People's Ordinance; 2) Police Officers' Association initiative with amending language to include the Special Review Panel; 3) ordinance with language relative to recycling efforts and incentives and trash pick up.

Mayor O'Connor ruled that a reconsideration was necessary for this motion as these issues were voted on at a previous meeting.

Motion by Behr to overrule the Chair. Second by Roberts. Failed by the following vote: Yea-2,5,7; Nay-1,3,4,6,M; Not present-8.

Motion by Stallings to request the City Manager and City Attorney to come back with the appropriate language for the November ballot. No second. Motion by Wolfsheimer to delete item "D" relating to City Manager and non-managerial officers' duty to report matters to the City Council. Second by Stallings. Failed by the following vote: Yea-1,6,7; Nay-2,3,4,5,M; Not present-8.

MOTION BY ROBERTS TO INCLUDE ITEM "D" RELATING TO CITY MANAGER AND NON-MANAGERIAL OFFICERS' DUTY TO REPORT MATTERS TO THE CITY COUNCIL. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-nay, McCarty-nay, Filner-not present, Mayor O'Connor-yea.

MOTION BY WOLFSHEIMER TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT ALL ITEMS EXCEPT ITEM "G" RELATING TO REGIONAL SALES TAX ALLOCATION. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea. Council Member Stallings requested a nay vote on item "A" only, relating to the establishment of term limits for the City Council Members, Mayor and City Attorney.

Motion by Wolfsheimer to revise the words "police services" from item "G" relating to proceeds from the County Regional Justice Agency's sales tax and use "law enforcement" instead. Second by Stevens: No vote.

MOTION BY BEHR TO INCLUDE THE WORD "PUBLIC" IN ITEM "G", RELATING TO PROCEEDS FROM THE COUNTY REGIONAL JUSTICE AGENCY'S SALES TAX WITH THE WORD TRUST, TO READ "PUBLIC TRUST" WHEREVER IT APPEARS. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-S413: (R-92-1223) ADOPTED AS RESOLUTION R-279473

Acknowledging the National Association of Minority Contractors for its outstanding leadership, and community service.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B052-102.)

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

ITEM-S414:

Two actions relative to Mt. Soledad Nature Park:

(La Jolla Community Area. District-1.)

Subitem-A: (O-92-112) INTRODUCED AND ADOPTED AS ORDINANCE O-17745 (New Series)

Introduction and adoption of an Emergency Ordinance to remove a portion of Mt. Soledad Nature Park from dedicated park status, and transferring title of the same parcel to the Mt. Soledad Memorial Association.

NOTE: Six votes required.

Subitem-B: (O-92-113) INTRODUCED, TO BE ADOPTED MARCH 16, 1992

Introduction of an Ordinance to remove a portion of Mt. Soledad Nature Park from dedicated park status, and transferring title of the same parcel to the Mt. Soledad Memorial Association.

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

COUNCIL ACTION: (Tape location: B324-D068.)

MOTION BY STEVENS TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT SUBITEM-A, AND TO INTRODUCE SUBITEM-B. Second by McCarty. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-not present, Mayor  
O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Chair Person Wolfsheimer at  
6:38 p.m. in honor of the memory of Norberta A. Cazares and  
William Shaffman.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G152-170.).