

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, APRIL 27, 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 2:05 p.m. Mayor O'Connor adjourned the meeting at 6:36 p.m. to meet in Closed Session on Tuesday, April 28, 1992, in the twelfth floor Conference Room to discuss pending litigation and meet and confer issues.

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-present
- Clerk-Abdelnour/Fishkin (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present

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

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend Michael Nagger, Mira  
Mesa First Assembly of God.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
Roberts.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding voting.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A031-058.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

4/6/92

4/7/92

4/7/92 Special Joint Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A060-064.)

MOTION BY WOLFSHEIMER TO APPROVE. Second by Stevens.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-31: (R-92-1608) ADOPTED AS RESOLUTION R-279810

Acknowledging the special contributions made by the  
Small Business Development Center of the Greater San  
Diego Chamber of Commerce and the small businesses  
within our community and wishing them maximum success  
in the future; urging all San Diegans to participate in  
this special tribute to small businesses, pursuant to  
the proclamation of the President designating May 10  
through 16, 1992 to be "Small Business Week".

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A080-110.)

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

ITEM-32: GRANTED HEARING

Matter of the request of Michel Anderson for Community  
Services Corporation for a hearing of an appeal from  
the decision of the Planning Commission in denying  
Conditional Use Permit CUP-91-0711 and Coastal  
Development Permit CDP-91-0711 to convert two existing  
industrial buildings for the use of a Private Work  
Furlough Facility (Sorrento Valley Counseling Complex).  
The subject property, containing 3.2 acres, is located  
at 11339 and 11353 Sorrento Valley Road and is more  
particularly described as Lots 13 and 14 of Via  
Sorrento Valley Industrial Park, Unit No. 3, Map-5693.  
The M-1A/FPF zoned site is within the Torrey Pines  
Community Plan area.

(CUP/CDP-91-0711. District-1.)

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

FILE LOCATION: PERM CUP/CDP-91-0711

COUNCIL ACTION: (Tape location: A066-079.)

MOTION BY WOLFSHEIMER TO GRANT THE HEARING BASED ON CITY-WIDE SIGNIFICANCE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-100: (R-92-1401) ADOPTED AS RESOLUTION R-279811

Awarding a contract to Hawthorne Machinery Co. for lease and maintenance of one heavy duty wheel tractor scraper, Caterpillar 657E, with options to lease up to two additional scrapers, for a total cost of \$279,288, including tax and terms, with options to renew the contract for four additional one year periods.

(BID-B3049/92)

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

COUNCIL ACTION: (Tape location: G560-563.)

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

\* ITEM-101: (R-92-1399) ADOPTED AS RESOLUTION R-279812

Awarding a contract to San Diego Petroleum Corp. for the purchase of gasoline and diesel fuel, as may be required for a period of one year beginning May 1, 1992 through April 30, 1993 for an estimated cost of \$4,000,000, with options to renew the contract for two additional one year periods. (BID-F3039/92)

FILE LOCATION: CONT-PURCHASE-San Diego Petroleum Corp.  
CONFY92-1

COUNCIL ACTION: (Tape location: A578-617.)

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

\* ITEM-102: (R-92-1397) ADOPTED AS RESOLUTION R-279813

Inviting bids for the Renovation of Roof - Sewer Pump  
Station No. 1 on Work Order No. 039111; authorizing the  
execution of a contract with the lowest responsible  
bidder; authorizing the expenditure of \$95,200 from  
Fund 41508, for providing funds for said project and  
related costs; authorizing the City Auditor and  
Comptroller, upon advice from the administering  
department, to retain excess budgeted funds, if any, in  
Sewer Revenue Fund 41508. (BID-K3093/92)

(District-8.)

CITY MANAGER SUPPORTING INFORMATION: The roof and ventilation  
louvers are in need of replacement at Sewer Pump Station No. 1.  
This project will replace the roof and ventilation louvers,  
located at 3550 East Harbor Dr., San Diego, California.

Aud. Cert. 9200732.

FILE LOCATION: W.O. 039111 CONT - Allied Roof Company  
CONFY92-1

COUNCIL ACTION: (Tape location: A578-617.)

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

\* ITEM-103:

Two actions relative to the construction of Montclair  
Neighborhood Park: (BID-K3507/92)

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

Subitem-A: (R-92-1553) ADOPTED AS RESOLUTION R-279814

Inviting bids for the Construction of Montclair  
Neighborhood Park on Work Order 119083; authorizing the

execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$453,850 from Park North-East Park Development Fund No. 39095 to CIP-23-756.0, Montclair Neighborhood Park - Development; authorizing the expenditure of funds not to exceed \$885,740 from CIP-23-756.0, Montclair Neighborhood Park - Development, \$10,000 from PSD Fund No. 11640 and \$875,740 from Park North-East Park Development Fund No. 39095; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Subitem-B: (R-92-1554) ADOPTED AS RESOLUTION R-279815

Certifying the information contained in Negative Declaration, DEP-89-0205, dated March 15, 1989, in connection with the Construction of Montclair Neighborhood Park - Development, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: Montclair Neighborhood Park is located at the end of Nile Street south of Quince Street in the Greater North Park Community Planning Area. The proposed project will provide a children's play area with equipment, picnic facilities, a par-course, landscaping, street improvements, a water main extension, street lights and a cul-de-sac. The park improvements will occupy 3.4 acres. The estimated total project cost is \$949,350. The estimated cost of park improvements is \$713,802 and street improvements is \$235,548.

Aud. Cert. 9200770.

FILE LOCATION: W.O. 119083 CONT - MARINA CONTRACTORS, INC.  
CONFY92-1

COUNCIL ACTION: (Tape location: A578-617.)

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

ITEM-104: (R-92-1557) ADOPTED AS RESOLUTION R-279816

Inviting bids for the Construction of Guard Rail at Waring Road and Oro Vista Road on Work Order No. 119675; authorizing the execution of a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$176,000 from CIP-68-006.0, Annual Allocation - Guardrails, Proposition "A", Fund 30300, 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-K3119/92)

(Navajo and Otay Mesa-Nestor Community Areas.  
Districts-7 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The City maintains an ongoing program to promote safety within the public right-of-way. The Traffic Engineering Division has identified several locations where guardrails are required to provide added safety to both vehicles and pedestrians.

This project will install guardrails, sidewalk, and fencing at four of these locations (two on Waring Road and two on Oro Vista Road).

Aud. Cert. 9200788.

FILE LOCATION: W.O. 119675 CONT - Doug Kost Konstruction  
CONFY92-1

COUNCIL ACTION: (Tape location: G367-392.)

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

ITEM-105: (R-92-1558) ADOPTED AS RESOLUTION R-279817

Inviting bids for The Expansion and Modernization of Traffic Signal Master Control System on Work Order No. 119421;

Authorizing the execution of a contract with the lowest

responsible bidder; authorizing the expenditure of \$418,700 from CIP-68-007.0, Traffic Signal Master Control System Expansion, and \$150,000 from CIP-68-008.0, Traffic Signal Subsystems, 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, in CIP-68-008.0. (BID-K3120/92)

(Centre City Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvements Program Project will expand and modernize the City's Traffic Signal Master Control System. The upgraded system will initially provide computer control of approximately 300 signalized intersections and will be capable of controlling up to 1,100 traffic signals citywide. The Master Control System features includes a color graphics package for surveillance and system status. The system operator will have the ability to monitor all signalized locations connected to the system and will be able to modify timing parameters at each of the local signalized intersections from central control.

Aud. Cert. 9200795.

FILE LOCATION: W.O. 119421 CONT FY92-1

COUNCIL ACTION: (Tape location: G393-395.)

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

\* ITEM-106: (R-92-1535) ADOPTED AS RESOLUTION R-279818

Approving the acceptance by the City Manager of a street easement deed of RTM West, Inc., granting to the City an easement for public street purposes in a portion of Pueblo Lot 220 of the Pueblo Lands of San Diego; dedicating said land as and for a public street and naming the same Midway Drive and Duke Street.

(Midway Community Area. District-2.)

FILE LOCATION: DEED F-5804 DEED FY92-1

COUNCIL ACTION: (Tape location: A578-617.)

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

\* ITEM-107: (R-92-1548) ADOPTED AS RESOLUTION R-279819

Approving the acceptance by the City Manager of a grant deed of La Jolla Country Day School, granting to the City an irrevocable right to dedicate to public street purposes all that real property described as a portion of Lot 1 of Prospect Acres, Map-3803; and setting the land aside for a future public street.

(University Community Area. District-1.)

FILE LOCATION: DEED F-5805 DEED FY92-1

COUNCIL ACTION: (Tape location: A578-617.)

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

ITEM-108: (R-92-1051) ADOPTED AS AMENDED AS RESOLUTION  
R-279820

Approving the recommendations of the Public Facilities and Recreation Committee on the following City-owned sites: 58, 72, 219, 220, 256, 280, 310A, 320, 326, 353, 359, 362, 363, 373, 375, 376, 384, 398, 406, 409, 412, 413, 429, 435, 436, 437, 480, 492, 495C, 512, 523, 525, 541, 556, 560A, 561A, 570B, 576, 579, 581, 582, 628, 632, 655A, 657, 667, 682, 686, 694, 700, 707, 711, 716, 717, 718, 719, 720, 721, 722, 723, 726, 727, 730, 731, 733, 734, 735, 737, 742, 743, 744, 746, 748, 758, 764, 768, 771, 772, 773, 774, 775, 776, 777, 778, 779, 782, 783, 785, 795, 796, 815, 828, 829, 830, 835, 839, 841, 853, 854, 866, 867, 877, 879, 885, 888, 889, 890, 891, 908, 920, 923; declaring that this designation serves as a tentative guide to City staff with regard to potential use of vacant City-owned land, and that it is the Council's intent that this designation and past

designations of this nature have no legal or binding effect beyond serving as a tentative guide.

(See City Manager Report CMR-92-24.)

Reviewed by PFR on 3/25/92. Recommendation to approve the City Manager's Recommendation. Districts 3, 5, 6, and 7 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A410-450; G485-490.)

MOTION BY WOLFSHEIMER TO REFER PARCEL 655A TO THE CITY MANAGER FOR FURTHER EVALUATION. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

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

\* ITEM-109: (R-92-1606) ADOPTED AS RESOLUTION R-279821

Authorizing the City Manager to enter into exclusive negotiations with the adjacent owners, Pardee Construction Company, for the sale of a portion of the Southwest Quarter of the Southwest Quarter of Section 29, and a portion of the Northwest Quarter of the Northwest Quarter of Section 32, in Township 14 South, Range 2 West, S.B.M.

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: Pardee Construction Company proposed to purchase a City-owned lot adjacent to Pardee's residential development, Casa Mira View, in Mira Mesa. The lot is 1,045 square feet of dedicated street and was deeded to the City in 1975 by the State. It is located on the NE corner of Westview Parkway and Capricorn Way and is no longer needed for street purposes. Pardee will maintain and landscape the property in conformance with the Casa Mira View development. Pardee may also install a monument sign depicting the name of the residential development. The sale will be contingent upon a completed street vacation, filing of a parcel map, and

recordation of a lot consolidation map, to be completed at Pardee's expense. The property was appraised at \$2,500 by a City-approved appraiser as of July 24, 1991. The appraisal will be updated before final approval of the sale is sought.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A578-617.)

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

\* ITEM-110: (R-92-1668) ADOPTED AS RESOLUTION R-279822

Proclaiming April 1992 to be "Fair Housing Month" in  
San Diego;

Commending the individuals and organizations who  
continue to play a key role in the elimination of  
illegal housing discrimination in the City of San  
Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A578-617.)

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

ITEM-111: (R-92-1652) CONTINUED TO JUNE 1, 1992

Declaring May 18, 1992 as "Stu Segall Day" in the City  
of San Diego; recognizing the accomplishments of Stu  
Segall and commending him for his commitment to  
community service.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A450-460.)

MOTION BY WOLFSHEIMER TO CONTINUE THE ITEM TO JUNE 1, 1992,  
AS REQUESTED BY DEPUTY MAYOR ROBERTS. Second by Hartley.

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

\* ITEM-112: (R-92-1656) ADOPTED AS RESOLUTION R-279823

Declaring the week of June 20, 1992 to be "National Sheriffs Week" and commending the efforts of the National Sheriffs' Association to provide for constitutional, effective and professional law enforcements throughout the United States.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A578-617.)

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

\* ITEM-113: (R-92-1625) ADOPTED AS RESOLUTION R-279824

Excusing Councilmember Ron Roberts from attending the afternoon portion of the regularly scheduled Council meeting of Tuesday, April 7, 1992, to attend to personal business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A578-617.)

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

ITEM-114: (R-92-1507) TRAILED TO APRIL 28, 1992 DUE TO LACK OF TIME

Authorizing the City Manager to accept a donation of two vehicles from Infiniti Division of Nissan Motor Corporation, to be used for vocational training of police officers at the Police Academy;

Expressing the gratitude of the citizens of San Diego  
for this act of civic generosity.

CITY MANAGER SUPPORTING INFORMATION: Infiniti Division of Nissan Motor Corporation is willing to donate two vehicles to the Police Department. The cars will be used for training officers in routine and high risk driving at the Police Academy. This is the second donation to the Police Department from Infiniti Division. On October 7, 1991, the City of San Diego accepted two vehicles from them, also to be used for vocational training of officers at the Police Academy (Resolution R-278737.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: G491-555.)

\* ITEM-115: (R-92-1631) ADOPTED AS RESOLUTION R-279825

Creating a Hospital Blue Ribbon Task Force under Charter Section 43b, for the following purposes:

- 1) To determine the health care needs of the Greater Golden Hills/Sherman Heights/Logan Heights area and recommend the best course of action regarding utilization of the now closed San Diego General Hospital.
- 2) To determine the funding sources and amounts necessary to remedy the hospital's state of bankruptcy.

Declaring that the Task Force shall be subject to the State's Brown Act; declaring that the Task Force shall serve for a term commencing upon Council adoption of this resolution and ending upon City Council hearing the Task Force's findings and recommendations or after 180 days, whichever first occurs;

Authorizing the Chair of the Task Force to appoint new members in the event that vacancies occur; directing the City Manager and City Attorney to provide staff support as requested by the Task Force; appointing the following members to the Task Force:

Hospital Blue Ribbon Task Force  
Honorable Bob Filner, Chairman  
City of San Diego - District 8  
Honorable George Stevens, Vice-Chair

City of San Diego - District 4  
Ronald O. Battle  
M. D. Associates  
Richard O. Butcher  
Doctor  
Fran Butler-Cohen  
Executive Director  
Logan Heights Family Health Center  
Bob Colasanto  
Community Care Network  
Charles Cook  
Senior Vice President/Administrator  
Sharp Health Care  
Lorraine Freitas  
American Nurses Associates, Inc.  
Carmen Galang  
President  
California Nurses Association - Region 2  
Robert Hertzka  
American Medical Association  
Sumi Kastelic  
Senior Associate Director for Hospital and Clinics  
UCSD Medical Center  
Sol Lizerbram  
Doctor  
Tom Murray  
Luce, Forward, Hamilton and Scripps  
Blair L. Sadler  
President/CEO  
Children's Hospital  
R. Michel Scarano, Jr.  
Weissburg and Aronson, Inc.  
Paul Simms  
Deputy Director  
San Diego County Health Services  
Amy Somers  
Executive Director  
AIDS Foundation of San Diego  
Edwin M. Yorobe  
Doctor

CITY MANAGER SUPPORTING INFORMATION: In 1972 the City of San Diego issued approximately \$4.4 million in tax exempt bonds to finance the construction of a 189 bed hospital at 26th Street and Island Street.

That hospital, which has undergone several name changes, is currently known as "San Diego General Hospital". Under the terms of the debt issuance, the City is not liable for any financial

support to the hospital or the bonds.

National Medical Enterprises (NME) assumed operation of the hospital in 1982 after the original operator went bankrupt. In April, 1988 NME reported to the City that "since the acquisition of the Lease by National Medical Enterprises, Inc., ("NME") in 1982, the operator of the hospital has resulted in a substantial loss." NME determined that a sale of the property to a new operation was the only potential remedy to the situation.

NME secured a commitment from Nationwide Medical Systems Inc. (Nationwide) to purchase the hospital. In 1989, after substantial negotiations between the City, Nationwide and San Diego General Hospital, Nationwide agreed that, upon its purchase of the hospital, they would continue operation of the acute care facilities for a 5 year period ending June 30, 1994.

In Spring of 1991, Nationwide ceased operation of the hospital and NME, the titleholder, closed the hospital. With the closure of the hospital there remains an unmet need of medical care in the Greater Golden Hills/Sherman Heights/Logan Heights Area. It is recommended that a Hospital Blue Ribbon Task Force be formed to review the health care needs of this area.

The Hospital Blue Ribbon Task Force would look at the existing San Diego General Hospital facility, determine whether it can be brought out of bankruptcy, and determine if and how the facility can meet the community's health care needs.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A578-617.)

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

ITEM-116: (R-92-1612) ADOPTED AS RESOLUTION R-279826

Authorizing the City Auditor and Comptroller to expend the sum of \$916,000 in FY 1992, for the purpose of payment to the contractor to provide residential curbside recycling service, as set forth in the agreement with Waste Management of San Diego, Inc., to continue the service previously authorized by Resolution R-277355 for an amount not to exceed \$916,000 each year; authorizing the expenditure of

funds that may be appropriated for each fiscal year, for the agreement between the City and Waste Management of San Diego, Inc., as authorized by Resolution R-276355.

CITY MANAGER SUPPORTING INFORMATION: As part of the City's commitment to recycling, outlined in Council Policy 900-6, a Pilot Curbside Recycling Program was initiated in October of 1988 for providing service to 13,000 single family homes. Due to the successful results of the program, in November of 1990 service was expanded to include approximately 83,000 single family homes, at least 40,000 of which would be serviced under a private contract. On June 20, 1990 Council authorized the City Manager to enter into a five year agreement with Waste Management of San Diego (WMSD) to provide curbside recycling service to 40,142 of those homes. Initial service began in November 1990 and payments commenced on a monthly basis. The contract overlaps Fiscal Years, therefore expenditures to date have been made from the previously authorized funds. This request is to continue expending funds already appropriated for payment to the contractor for curbside recycling service. In Fiscal Year 1992 service continues to be provided to the same community areas.

Aud. Cert. 9200802.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G084-135.)

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

\* ITEM-117:

Two actions relative to two park and ride lots:

(Sabre Springs Community Area. District-5.)

Subitem-A: (R-92-1628) ADOPTED AS RESOLUTION R-279827

Authorizing the City Manager to execute two 20-year lease agreements with the State of California, Department of Transportation, for the construction, operation and maintenance of two park and ride lots, one located east of Route 15, north of Poway Road, on

Sabre Springs Parkway, and one located south of North City Parkway, on Sabre Springs Parkway.

Subitem-B: (R-92-1629) ADOPTED AS RESOLUTION R-279828

Certifying that the information contained in Mitigated Negative Declaration, DEP-88-0408, in connection with the State of California, Department of Transportation's, construction, operation and maintenance of two park and ride lots, together with any comments received during the public review process, 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;

Finding that there is no substantial evidence that the project will have any significant effect on the environment.

CITY MANAGER SUPPORTING INFORMATION: In 1989, the City Council approved the expenditure of monies from the Sabre Springs Facilities Benefit Assessment for the acquisition and subsequent exchange of land between the City and Pardee Construction Company. The exchange made available two City-owned sites for future development as park and ride lots in accordance with the amended Sabre Springs Community Plan. The first site is located east of Route 15, north of Poway Road on Sabre Springs Parkway. The second site is also on Sabre Springs Parkway just south of North City Parkway. The State is now ready to proceed with the development of the lots. The proposed lease agreements provide for a term of 20 years commencing on the first day of the calendar month following execution by the City Manager. The State will assume full responsibility for the cost of the construction, operation and maintenance of the 1 and 1.3 acre park and ride lots. Consideration to the City shall be the development of the park and ride lots benefitting the Sabre Springs community.

FILE LOCATION: LEAS-State of California, Department of  
Transportation LEAS FY92-2

COUNCIL ACTION: (Tape location: A578-617.)

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

ITEM-118: (R-92-1581) ADOPTED AS RESOLUTION R-279829

Authorizing the execution of an agreement with the California Department of Transportation, for the construction of the Mira Mesa Boulevard/Miramar Road Traffic Signal System; authorizing the City Manager to accept for and on behalf of the City a 1992 Traffic Systems Management Plan grant from the California Department of Transportation in the amount of \$1,272,000 for the Mira Mesa Boulevard/Miramar Road Traffic Signal System;

Establishing Capital Outlay Grant Fund No. 38513, Mira Mesa Boulevard/Miramar Road Traffic Signal System; modifying the FY 1992 Capital Improvements Program by adding CIP-63-013.0, Mira Mesa Boulevard/Miramar Road Traffic Signal System; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$1,272,000 from Capital Outlay Grant Fund No. 38513 to CIP-63-013.0; authorizing the expenditure of an amount not to exceed \$1,272,000 from CIP-63-013.0, for the above project.

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The California Department of Transportation has awarded the City \$1,272,000 for the construction of an interconnected traffic signal network in the Mira Mesa Boulevard/Miramar Road area. The grant award is through the Traffic Systems Management Plan grant program and is funded by gas tax revenues from Proposition 111, which was approved by voters in June, 1990. The Traffic Systems Management Plan grant program is earmarked exclusively for projects which increase the efficiency of the transportation network within existing rights-of-way. This project will improve the efficiency and responsiveness of traffic signals in the Mira Mesa Boulevard/Miramar Road area. Traffic signal optimization has been shown to be a cost-effective means of reducing delays, exhaust emissions, and fuel consumption.

Aud. Cert. 9200771.

FILE LOCATION: MEET CONFY92-1

COUNCIL ACTION: (Tape location: G162-231.)

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

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

\* ITEM-119: (R-92-1582) ADOPTED AS RESOLUTION R-279830

Authorizing the City Manager to execute an agreement with the California Department of Transportation (CalTrans), for the construction of the Del Mar Heights Road/Interstate 5 High Occupancy Vehicle Bypass; authorizing the City Manager to accept a 1992 Traffic Systems Management Plan grant from the California Department of Transportation in the amount of \$28,000 for the Del Mar Heights Road/Interstate 5 Occupancy Vehicle Bypass;

Authorizing the City Manager to establish Capital Outlay Grant Fund No. 38514, "Del Mar Heights Road/Interstate 5 High Occupancy Vehicle Bypass"; modifying the FY 1992 Capital Improvements Program by adding CIP-52-542.0, "Del Mar Heights Road/Interstate 5 High Occupancy Vehicle Bypass"; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$28,000 from Capital Outlay Grant Fund No. 38514 to CIP-52-542.0; authorizing the expenditure of an amount not to exceed \$28,000 from CIP-52-542.0, for the purpose of providing funds for the above project. (Torrey Pines Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The California Department of Transportation has awarded the City \$28,000 for the construction of a high occupancy vehicle bypass at the ramp from eastbound Del Mar Heights Road onto southbound Interstate 5. The grant award is through the Traffic Systems Management Plan grant program and is funded by gas tax revenues from Proposition 111, which was approved by voters in June, 1990. The Traffic Systems Management Plan grant program is earmarked exclusively for projects which increase the efficiency of the transportation network within existing rights-of-way. This project will widen the throat of the ramp from eastbound Del Mar Heights Road to southbound Interstate 5, allowing high-occupancy vehicles direct access to the existing HOV lane on the ramp. At present, HOVs must enter the ramp in mixed traffic before gaining access to the HOV lane. This project will provide a time savings to high occupancy vehicles such as carpools and busses by allowing them to bypass queuing on Del Mar Heights Road and proceed directly to the HOV lane on the ramp to southbound Interstate 5.

Aud. Cert. 9200772.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A578-617.)

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

\* ITEM-120: (R-92-1607) ADOPTED AS RESOLUTION R-279831

Authorizing the execution of a 5-year lease agreement with Educational Enrichment Systems, Inc., for the operation and management of a child care center at 6960 Linda Vista Road, at an annual rental of \$3,000; authorizing the execution of an agreement with Educational Enrichment Systems, Inc., for the renovation of the City-owned building at 6960 Linda Vista Road;

Authorizing the expenditure of an amount not to exceed \$205,000 from CIP-37-223.0 (\$109,000 from CDBG Fund 18527, Dept. 4012, Org. 1207, \$46,000 from Fund 18524, Dept. 5662, Org. 6208; and \$50,000 from Fund 18525, Dept. 5883, Org. 8310), for the above purpose.

(Linda Vista Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: As a result of a Request for Proposal process, the Public Facilities and Recreation Committee directed staff to enter into lease negotiations with Educational Enrichment Systems, Inc. (EES) for the use of the old Linda Vista Library building as a child development center. The building located at 6960 Linda Vista Road, became available when the library branch moved to a larger newly constructed facility. EES proposes to renovate the 4,030-square foot building to accommodate approximately 65 children between five and ten years of age. The renovation project is funded through the Community Development Block Grant program. The term of the lease agreement will be five years with a rental rate of \$250 a month. EES will be responsible for the cost and maintenance of the leased premises except for the maintenance and repair of the building shell, roof and perimeter building plumbing which will be assumed by the City. This agreement is subject to the City's Child Care Ordinance which will, effective March 12, 1992, require the project to be reviewed by the Planning Department for a possible Conditional Use Permit.

Aud. Cert. 9200768.

FILE LOCATION: LEAS-Educational Enrichment Systems, Inc.  
LEASFY92-1

COUNCIL ACTION: (Tape location: A578-617.)

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

\* ITEM-121:

Two actions relative to lease agreements with Elderhelp  
of San Diego and Alpha of San Diego:

(North Park Community Area. District-3.)

Subitem-A: (R-92-1622) ADOPTED AS RESOLUTION R-279832

Authorizing the execution of a 20-year lease agreement  
(with a right of termination at any time with 180 days  
notice) with Elderhelp of San Diego, for the use of  
City-owned property located at 4069-71 30th Street,  
including contiguous parking lot, in consideration of  
community services provided by the lessee.

Subitem-B: (R-92-1623) ADOPTED AS RESOLUTION R-279833

Authorizing the execution of a 20-year lease agreement  
(with a right of termination at any time with 180 days  
notice) with Alpha of San Diego, for the use of  
City-owned property located at 4069-71 30th Street,  
including contiguous parking lot, in consideration of  
community services provided by the lessee.

CITY MANAGER SUPPORTING INFORMATION: In 1987, the City acquired  
the above-referenced property with Community Development Block  
Grant Funds for use by Elderhelp of San Diego, Inc. (formerly  
Mid-City Seniors, Inc.) and Alpha of San Diego Inc. This  
property consists of a 2-story, 7,960 sq.ft. commercial building  
and adjacent parking lot.

Both organizations currently occupy and share the building under  
Right of Entry permits. The goal of Elderhelp of San Diego, Inc.  
is to maximize independent living for senior citizens. The  
services provided at the premises include case management, shared

housing, skills bank, benefits counseling, rental bank, grocery shopping, telephone reassurance and volunteer programs. This group will occupy the ground floor of the building. The goal of Alpha of San Diego is to improve the quality of life of residents in the Mid-City area.

Alpha provides youth and family counseling, juvenile diversion services and parenting classes. The facility is also used for client intake for assessment of needs. This group will occupy the second floor. The agreements are for a period of 20 years, commencing on the first day of the month following execution by the City Manager, and may be terminated by either party on a 180-day notice. Consideration to the City is the above said community services provided by the lessees. The lessees are fully responsible for the operation and maintenance of the premises. The revenue from any sublease of the premises will be paid to the City. The leases contain the standard provisions required for nonprofit agreements.

FILE LOCATION:           SUBITEM-A: LEAS-Elderhelp of San Diego;  
                          SUBITEM-B: LEAS-Alpha of San Diego        LEAS  
                          FY92-2

COUNCIL ACTION:        (Tape location: A578-617.)

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

\* ITEM-122:       (R-92-1534)    ADOPTED AS RESOLUTION R-279834

Authorizing the execution of a month-to-month rental agreement with the House of Hospitality for the purpose of renting 390 square feet of office space within the House of Hospitality for use by the Police Department Community Relations Office at a monthly rental of \$292.50; authorizing the expenditure of not to exceed \$877.50 from Fund 100, Dept. 110, Org. 485, Account 4682, Job Order 111492, for lease costs from April 1, 1992 to June 30, 1992.

(Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION:    Since April 1991, the Police Department has maintained office space within the House of Hospitality, Balboa Park for a Community Relations office. The

office space was acquired on a month-to-month basis at a rental rate of \$292.50 per month (\$.75 per square foot). The agreement is scheduled to terminate March 31, 1992. It is proposed to renew the month-to-month agreement with the House of Hospitality Association, under the same terms and conditions. The agreement will remain in effect until terminated and may be cancelled with 30 days prior written notice by either party.

Aud. Cert. 9200756.

FILE LOCATION: LEAS-House of Hospitality LEAS FY92-1

COUNCIL ACTION: (Tape location: A578-617.)

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

\* ITEM-123: (R-92-1547) ADOPTED AS RESOLUTION R-279835

Authorizing the execution of an 18-month lease agreement with two additional 1-year options, with Commercial Center Bank, for the purpose of leasing approximately 9,960 square feet of office space located at Fisherman's Village, 4918 North Harbor Drive, for use by the Water Utilities Department, at a minimum monthly rental of \$13,844.40; authorizing the expenditure of an amount not to exceed \$27,688.80 from Fund 40012, Dept. 700, Org. 200, Account 4682, Job Order 002101, for lease costs from May 1, 1992, through June 30, 1992.

(District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Water Utilities Department's Metropolitan Wastewater Division Operations are presently located at Fisherman's Village under a lease agreement for 2,906 square feet of office space (\$1.39 per sq. ft.), and at the City's Point Loma Water Treatment Plant. The lease expires April 30, 1992.

The Division Operations have expanded beyond the space availability at the Point Loma plant. Also, construction planned to expand the Point Loma plant will require that the Metro Division eventually move its operations out of this facility. It is proposed to enter into a lease agreement with Commercial Center Bank, the property owner, for 9,960 square feet of office

space. The lease agreement would be for an initial term of 18 months with two 1-year renewal options. The space will rent for \$13,844.40 per month (\$1.39 per sq. ft.) and is subject to annual CPI adjustments, not to exceed 5 percent. All other terms and conditions are the same as in the existing agreement.

Aud. Cert. 9200752.

FILE LOCATION: LEAS-Commercial Center Bank LEAS FY92-1

COUNCIL ACTION: (Tape location: A578-617.)

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

ITEM-124: (R-92-1624) ADOPTED AS RESOLUTION R-279836

Authorizing the City Manager to implement a Mobile Home Showerhead Retrofit Program; authorizing the execution of an agreement with the San Diego County Water Authority, to implement the program;

Authorizing the expenditure of an amount not to exceed \$40,000 from Water Utilities Department Operating Fund (No. 41500), Water Conservation Program (70622), for the purpose of providing funds for the above programs.

CITY MANAGER SUPPORTING INFORMATION: On December 11, 1990, the City Council adopted the "City of San Diego Urban Water Management Plan and Conservation Program" (Plan). The Plan includes eight integrated and complementary water conservation programs. The Mobile Home Showerhead Retrofit Program (Mobile Home Retrofit Program) is one of the Plan's conservation measures that promotes permanent water savings through the installation of low-flow showerheads. The Mobile Home Retrofit Program will be implemented in conjunction with the San Diego County Water Authority (CWA), the San Diego Gas and Electric Company (SDG&E), and the Metropolitan Water District of Southern California (MWD).

Through this program, an estimated 10,000 Mobile Homes in the City will receive low-flow showerheads, compact fluorescent light bulbs, a 10 quart warm-up bucket, and program materials. The City is sharing the cost of installing the low-flow showerheads with CWA and MWD.

SDG&E is furnishing the low-flow showerheads, compact fluorescent

light bulbs and the program materials. This Citywide program is similar to a program that retrofitted 100,000 Single-Family residences with low-flow showerheads in 1991. Approval to implement the Mobile Home Showerhead Retrofit Program is sought with this action.

Aud. Cert. 9200798.

WU-U-92-120.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: G134-159.)

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

\* ITEM-125: (R-92-1646) ADOPTED AS RESOLUTION R-279837

Authorizing the execution of an amendment to the agreement of July 29, 1991 with Ogden Environmental and Energy Services Company (formerly ERCE), for consulting services in connection with the Multiple Species Conservation Program; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$60,000 within the Clean Water Program Sewer Revenue Fund (41509), CIP-46-154.0, to CIP-45-910.3; authorizing the expenditure of an amount not to exceed \$60,000 from Clean Water Program Sewer Revenue Fund (41509), CIP-45-910.3, Program Planning and Studies Activities, for the purpose of providing funds for Phase I (7/29/91 - 7/31/92) of this agreement.

CITY MANAGER SUPPORTING INFORMATION: On July 29, 1991, Council authorized the City Manager to enter into an agreement with ERCE (now called Ogden) Environmental and Energy Services Company to develop a Multiple Species Conservation Program (MSCP) plan. The Scope of Work for this agreement included gathering current data on land use and ownership and natural vegetation communities within the Metropolitan Sewerage System Service Area (MSSSA). The Scope of Work also calls for population viability assessments to be conducted on a selection of the most sensitive of native species within the MSSSA, preparation of wildlife preserve design criteria, delineation of a preserve planning area, development of preserve management criteria, and identification and evaluation

of alternative sources of the funding for acquisition of lands. Development of the MSCP plan is progressing smoothly. Work on the MSCP plan is ahead of schedule. Identification and evaluation of alternative funding sources is scheduled to begin in the second year of the agreement between the City and Ogden (August 1, 1992 to July 31, 1993). This task could begin now if funds are moved forward from the second year. Given the proposal of the U.S. Fish and Wildlife Service to list the California gnatcatcher as an Endangered Species, it is important that habitat conservation planning efforts in Southern California be completed as soon as possible.

Aud. Cert. 9200808.

WU-CWP-92-123.

NOTE: See Item 126 for a companion item.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: A578-617.)

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

\* ITEM-126: (R-92-1639) ADOPTED AS RESOLUTION R-279838

Approving City Manager Report P-92-123 regarding  
Enrollment in the State Natural Community Conservation  
Planning (NCCP) Project;

Authorizing the execution of an enrollment agreement  
with the State of California Natural Community  
Conservation Planning (NCCP) Project.

(See City Manager Report CMR-P-92-123.)

NOTE: See Item 125 for a companion item.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: A578-617.)

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

Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-127: (R-92-1611) ADOPTED AS RESOLUTION R-279839

Authorizing the execution of a first amendment to the agreement with Sharp Rees-Stealy Medical Group, Inc. to extend the contract for 92 days.

CITY MANAGER SUPPORTING INFORMATION: This first amendment to the agreement with Sharp Rees-Stealy Medical Group (SRSMG) would extend the terms and conditions of the agreement through July 31, 1992. The City of San Diego entered into a contractual agreement, pursuant to Resolution R-275628, on May 1, 1990, for a two year period with SRSMG to provide medical treatment to the City's industrially injured and ill employees. This contract period will terminate on April 30, 1992.

The City Manager is presently conducting negotiations with SRSMG. The 92 day extension is required due to the need for additional time to conclude the negotiations or if negotiations are unsuccessful, additional time is needed to conduct a Request for Proposal process for industrial medical services.

Aud. Cert. 9000835. Rev.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: G276-352.)

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

ITEM-150: (R-92-1689) ADOPTED AS AMENDED AS RESOLUTION  
R-279840

Authorizing the City Manager to: 1) submit to the U.S. Department of Housing and Urban Development the required Final Statement of Community Development Objectives and Projected Use of Funds for the 1992 Community Development Block Grant Program, including all appropriate certifications and assurances; and 2) upon approval of the Statement by the U.S. Department

of Housing and Urban Development to execute a Grant Agreement with said Department to implement those projects contained in the Statement.

(See City Manager Report CMR-92-119.)

COMMITTEE ACTION: Reviewed by COMM on 4/1/92. Testimony Taken. The Committee directed the City Manager to revise CDBG funding recommendations to incorporate funding that became available with the withdrawal of the proposal for Housing for Rural Homeless. The Committee announced April 27 as the date the Council would deliberate the funding recommendations. Districts 1, 2, 3, 4, 5, 6, 7, 8 and Mayor voted yea.

CITY MANAGER SUPPORTING INFORMATION: At the April 1, 1992 meeting of the Committee of the Whole, one of the projects recommended for Community Development Block Grant (CDBG) funding was withdrawn, resulting in the availability of \$1,105,000 which was redistributed by the Manager in City Manager Report CMR-92-119. The remainder of the City Manager's original recommendations contained in City Manager Report CMR-92-111 were forwarded to the City Council without comment.

The Manager's revised recommendations are indicated in the attachment to City Manager Report CMR-92-119. Today's action will determine which programs will receive 1992 CDBG funding and will be included in the required Statement of Objectives that is submitted to the Department of Housing and Urban Development (HUD).

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: C081-F097.)

Motion by Filner to fund the following projects: Item No. 3, Adams Avenue Business Association, \$400,000; Item No. 6, Bayside Settlement House, \$41,900; Item No. 8, Beach Area Family Health Center, \$318,000; Item No. 10, Clairmont Boys & Girls Club, \$135,000; Item No. 13, Linda Vista Boys & Girls Club, \$81,000; Item No. 14, Center for Women's Studies & Services, \$137,000; Item No. 15, Chicano Federation, \$50,000; Item No. 16, City Heights CDC, Community Development & Revitalization, \$100,000; Item No. 18, City Heights CDC, Lighting, \$105,000; Item No. 20, City Heights CDC, University Avenue Improvements, \$60,000; Item No. 26, City Heights Redevelopment Committee, \$350,000; Item No. 27, Social Services, \$1,685,000; Item No. 28, CDGB Administration, \$400,000; Item No. 31, Linda Vista Community Park, \$250,000; Item No. 32, Hollywood Park Design, \$20,000; Item No. 33, Washington School Turfing, \$150,000; Item No.

34, Sherman School Turfing, \$250,000; Item No. 35, Housing for Rural Homeless, \$200,000; Item No. 36, 61st & Brooklyn Storm Drain, \$224,700; Item No. 37, Olive Street Improvements, \$60,000; Item No. 40, Architectural Barrier Removal, \$500,000; Item No. 42, San Ysidro Boulevard, \$270,000; Item No. 45, Redevelopment Projects, \$1,057,000; Item No. 46, Logan Avenue Improvements, \$106,000; Item No. 47, Logan Avenue Improvements, \$101,000; Item No. 48, Enterprise Zone, \$250,000; Item No. 49, El Cajon Blvd. (37th to 39th), \$60,000; Item No. 51, Commercial Facade Program, \$57,000; Item No. 55, Valencia Park Library, \$1,200,000; Item No. 58, Carver Arts Center, \$130,000; Item No. 59, 30th & Fern Street Improvements, \$370,000; Item No. 60, Golden Hill CDC, \$100,000; Item No. 61, El Campo Santo Cemetery, \$50,000; Item No. 62, Labor's Community Service Home Security, \$300,000; Item No. 63, Linda Vista CDC, \$90,000; Item No. 67, North Park Org. of Business, \$185,000; Item No. 68, Ocean Beach Merchants Association, \$180,000; Item No. 71, Service Center for the Blind, \$190,000; Item No. 73, Neighborhood Housing Services, Rehab., \$30,000; Item No. 74, Neighborhood Housing Services, Revolving Loan, \$50,000; Item No. 76, SDYCS, Ocean Beach Community Services, \$60,000; Item No. 78, San Ysidro Revitalization Project, \$150,000; Item No. 79, Housing Commission, \$1,000,000; Item No. 83, Sherman Heights National Registry, \$5,400; Item No. 84, Sherman Heights Lighting, \$33,000; Item No. 87, SEDC, Business Innovation Center, \$350,000; Item No. 96, Park Boulevard Revitalization, \$300,000. Second by Roberts. Motion was amended before final vote.

Motion by Stevens to amend Council Member Filner's motion to fund Item No. 41, Ozark Sewer, \$150,000; Item No. 89, Southeast Economic Develop Corp. (SEDC), \$700,000; Item No. 95, Twenty-first Century Harlem, Inc., \$100,000; Item No. 36, 61st Street & Brooklyn Storm Drain, \$250,000. Second by Mayor O'Connor. Failed. Yeas: 4,M. Nays: 1,2,3,5,6,7,8.

Motion by Hartley to amend Council Member Filner's motion to reduce Item No. 3, \$50,000; to reduce Item No. 18, \$25,000; to add \$50,000 to Item No. 66; and to add \$25,000 to Item No. 67. Amendment accepted by Filner and included in final vote.

Motion by Stevens to amend Council Member Filner's motion to reduce Item No. 45, \$50,000; to reduce Item No. 79, \$50,000; and to fund Item No. 95, \$100,000. Second by Mayor O'Connor. Passed. Yeas: 1,3,4,5,6,7,8,M. Nay: 2.

Motion by Stevens to amend Council Member Filner's motion to

reduce Item No. 87, \$80,000, and add the \$80,000 to Item No. 41. Reduce Item No. 35, \$25,000 and add to Item No. 94, \$25,000. Second by Mayor O'Connor. Amendment accepted by Filner and included in final vote.

MOTION BY FILNER TO APPROVE THE FUNDING AS AMENDED FOR THE FOLLOWING PROJECTS: ITEM NO. 3, ADAMS AVENUE BUSINESS ASSOCIATION, \$350,000; ITEM NO. 6, BAYSIDE SETTLEMENT HOUSE, \$41,900; ITEM NO. 8, BEACH AREA FAMILY HEALTH CENTER, \$318,000; ITEM NO. 10, CLAIRMONT BOYS & GIRLS CLUB, \$135,000; ITEM NO. 13, LINDA VISTA BOYS & GIRLS CLUB, \$81,000; ITEM NO. 14, CENTER FOR WOMEN'S STUDIES & SERVICES, SERVICES, \$137,000; CHICANO FEDERATION, \$50,000; CITY HEIGHTS CDC, COMMUNITY DEVELOPMENT & REVITALIZATION, \$100,000; ITEM NO. 18, CITY HEIGHTS CDC, LIGHTING \$80,000; ITEM NO. 20, CITY HEIGHTS CDC, UNIVERSITY AVE. IMPROVEMENTS, \$60,000; ITEM NO. 26, CITY HEIGHTS REDEVELOPMENT COMMITTEE, \$350,000; ITEM NO. 27, SOCIAL SERVICES, \$1,685,000; ITEM NO. 28, CDBG ADMINISTRATION, \$400,000; ITEM NO. 31, LINDA VISTA COMMUNITY PARK, \$250,000; ITEM NO. 32, HOLLYWOOD PARK DESIGN, \$20,000; ITEM NO. 33, WASHINGTON SCHOOL TURFING, \$150,000; ITEM NO. 34, SHERMAN SCHOOL TURFING, \$250,000; ITEM NO. 35, HOUSING FOR RURAL HOMELESS, \$175,000; ITEM NO. 36, 61ST & BROOKLYN STORM DRAIN, \$224,700; ITEM NO. 37, OLIVE STREET IMPROVEMENTS, \$60,000; ITEM NO. 40, ARCHITECTURAL BARRIER REMOVAL, \$500,000; ITEM NO. 41, OZARK STREET IMPROVEMENTS, \$80,000; ITEM NO. 42, SAN YSIDRO BLVD., \$270,000; ITEM NO. 45, REDEVELOPMENT PROJECT, \$1,007,000; ITEM NO. 46, LOGAN AVENUE IMPROVEMENTS, \$106,000; ITEM NO. 47, LOGAN AVENUE IMPROVEMENTS, \$101,000; ITEM NO. 48, ENTERPRISE ZONE, \$250,000; ITEM NO. 49, EL CAJON BLVD. (37TH TO 39TH), \$60,000; ITEM NO. 51, COMMERCIAL FACADE PROGRAM, \$57,000; ITEM NO. 55, VALENCIA PARK LIBRARY \$1,200,000; ITEM NO. 58, CARVER ARTS CENTER, \$130,000; ITEM NO. 59, 30TH & FERN STREET IMPROVEMENTS, \$370,000; ITEM NO. 60, GOLDEN HILL CDC, \$100,000; ITEM 61, EL CAMPO SANTO CEMETERY, \$50,000; ITEM NO. 62, LABOR'S COMMUNITY SERVICE HOME SECURITY, \$300,000; ITEM NO. 63, LINDA VISTA CDC, \$90,000; ITEM NO. 66, NORMAL HEIGHTS CDC, \$50,000; ITEM NO. 67, NORTH PARK ORG. OF BUSINESS, \$210,000; ITEM NO. 68, OCEAN BEACH MERCHANTS ASSOCIATION, \$180,000; ITEM NO. 71, SERVICE CENTER FOR THE BLIND, \$190,000; ITEM NO. 73, NEIGHBORHOOD HOUSING SERVICES, REHAB, \$30,000; ITEM NO. 74, NEIGHBORHOOD HOUSING SERVICES, REVOLVING LOAN, \$50,000; ITEM NO. 76, SDYCS, OCEAN BEACH COMMUNITY SERVICES, \$60,000; ITEM NO. 78, SAN YSIDRO REVITALIZATION PROJECT, \$150,000; ITEM NO. 79, HOUSING COMMISSION, \$950,000; ITEM NO. 83, SHERMAN HEIGHTS NATIONAL REGISTRY, \$5,400; ITEM NO. 84, SHERMAN HEIGHTS LIGHTING, \$33,000; ITEM NO. 87, SEDC, BUSINESS INNOVATION CENTER,

\$270,000; ITEM NO. 94, SUNSHINE LITTLE LEAGUES, \$25,000; ITEM NO. 95, TWENTY-FIRST CENTURY HARLEM, \$100,000; ITEM NO. 96, PARK BLVD. REVITALIZATION, \$300,000. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Wolfsheimer to direct the City Manager to return to Council with a formula for funding projects with CDBG funds based on percentages from the 1990 census tracts. Second by Stevens. Passed. Yeas: 1,2,3,4,5,6,7,8,M.

ITEM-151: (R-92-1630) ADOPTED AS RESOLUTION R-279841

Adopting the seven-year Transnet Local Street and Road Program of projects for Fiscal Years 1993 through 1999, City Manager Report CMR-92-100; amending the Fiscal year 1992 Transnet Local Street and Road Program of Projects.

(See City Manager Report CMR-92-100.)

Committee Action: Referred from the COMM agenda of 4/1/92 to the full Council by the Mayor due to lack of time.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F098-G076.)

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

ITEM-152: CONTINUED TO JUNE 1, 1992

In the matter of Street Light Conversion (Low Pressure Sodium/High Pressure Sodium).

(See City Manager Reports CMR-92-90 and CMR-91-493.)

COMMITTEE ACTION: Reviewed by PSS on 3/18/92. Recommendation to: 1) Refer the issue to City Council to consider use of HPS lights and ask the City Manager to recommend solutions which address: a) Cost, b) methods of installing white lights, c) high

crime areas and d) prioritization of areas of the City; 2) Give the observatory an opportunity to present to Council at the same time a plan that would increase security, safety, and lighting, but would not affect astronomical research, and could be implemented at a reasonable cost. Districts 1, 2, 3, 4 and 8 voted yea.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A357-409.)

MOTION BY STALLINGS TO CONTINUE THE ITEM TO JUNE 1, 1992 AS REQUESTED BY PAUL PETERSON. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (O-92-128) CONTINUED TO MAY 4, 1992

Introduction of an Ordinance amending Chapter V, Article 2, of the San Diego Municipal Code by adding Division 97, entitled "Hate Crimes Tracking," Sections 52.9701, 52.9702 and 52.9703, requiring the collection and reporting of data regarding Hate Crimes.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A339-357.)

MOTION BY BEHR TO CONTINUE TO MAY 4, 1992, AS REQUESTED BY THE CITY MANAGER. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-92-1669) ADOPTED AS RESOLUTION R-279842

Council confirmation of the appointment by the Mayor of Linda Legerrette to serve as a member of the Civil Service Commission, for a term ending January 9, 1997, replacing Margaret Sellers, whose term has expired.

(See memorandum from Mayor O'Connor dated April 17, 1992 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A288-336.)

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

ITEM-202: (R-92-1667) ADOPTED AS RESOLUTION R-279843

Council confirmation of the appointments and reappointments by the Mayor to the Board of Appeals and Advisors (Buildings), for the terms as indicated:

(See memorandum from Mayor O'Connor dated April 16, 1992 with resume attached.)

REAPPOINTMENTS:

TERM EXPIRES:

Milton Burgess	March 1, 1994
Gene Hussey	March 1, 1994
Janice Fahey	March 1, 1994

APPOINTMENTS:

Simon Wong (Structural Engineer) (To replace Edward Tyler, whose term has expired.)	March 1, 1994
Jon Barbre (To replace Richard L. Miller, who has resigned.)	March 1, 1993

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A288-336.)

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

ITEM-S400: RECOGNIZED AND WELCOMED

Recognizing and welcoming a delegation of government officials and business leaders from Vladivostok, Russia, our sister city, who are part of a larger delegation of 156 made up of academics, business leaders, military officials and the Song and Dance Ensemble of the Russian Pacific Fleet.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A152-234.)

WELCOMED BY MAYOR O'CONNOR AND DEPUTY MAYOR ROBERTS.

ITEM-S401: PRESENTED

Presentation from the Childcare Resource Center to the following individuals, who were awarded the "1992 Legislative Symposium Commitment to Children Award," by the Legislative Symposium:

Councilmember Ron Roberts  
Wes Pratt  
Sunny Radio  
Target/Dayton Hudson Foundation  
Union-Tribune  
Channel 10  
Lynn Sharpe-Underwood, Mayor's Office

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A239-287.)

\* ITEM-S402:

Two actions relative to Black Mountain Road Assessment District No. 4070 (1913 Improvement Act):

(Mira Mesa Community Area. District-5.)

Subitem-A: (R-92-1688) ADOPTED AS RESOLUTION R-279844

Adopting a map showing the proposed boundaries of the Special Assessment District.

Subitem-B: (R-92-1200) ADOPTED AS RESOLUTION R-279845

Resolution of Intention for the acquisition and construction of certain improvements together with appurtenances in a proposed Assessment District pursuant to the provisions of the Municipal Improvement Act of 1913; declaring the work to be of more than local or ordinary benefit; describing the district to be assessed; and providing for the issuance of bonds.

CITY MANAGER SUPPORTING INFORMATION: On September 23, 1991, the City Council accepted the property owner petition for the improvement of Black Mountain Road through assessment district proceedings. Their petition was signed by the developer, Pardee Construction Company, representing 100 percent of the landowners within the proposed assessment district. The district to be established would be an acquisition-type district in which the developer would construct the public improvements and the City would acquire the completed improvements from the developer. The Municipal Improvement Act of 1913 requires the City Council to adopt a resolution indicating their intention to form a special assessment district. Subsequent to Council adoption of the Resolution of Intention, a preliminary Engineer's Report describing the work of improvement, proposed boundaries of the assessment district and estimated assessments would be submitted for consideration. The improvements to be installed and financed under assessment district proceedings consist of grading, paving, curb and gutter, sidewalk, sewer, water and storm drain facilities, traffic signalization and landscaping.

FILE LOCATION: STRT-D-2290

COUNCIL ACTION: (Tape location: A578-617.)

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

ITEM-S403: (R-92-1667) ADOPTED AS RESOLUTION R-279846

Authorizing the execution of an agreement with I Love a Clean San Diego, Inc., to provide vendor services for the Waste Management Department's public education information and referral services, and for the expenditure of \$156,131 from the Waste Management Department budget.

CITY MANAGER SUPPORTING INFORMATION: The Waste Management Department, through a joint Request For Proposal process with the

County Department of Public Works, has selected the low bid of I Love a Clean San Diego County, Inc. (ILACSDC, Inc.) as the vendor for the Department's public education, information and referral services needs. This is a one year agreement with four one year options for renewal and will also allow the Manager to extend the agreement on a month-to-month basis for up to three months if required. The agreement term will begin retroactively on February 1, 1992 and will extend through January 30, 1993. Under the terms of this contract ILACSDC, Inc. will continue to provide recycling and other waste management referral services to the citizens of San Diego. ILACSDC, Inc. will also assist the Waste Management Department's community cleanup and graffiti abatement efforts.

Aud. Cert. 9200835.

FILE LOCATION: MEET CONT FY92-1

COUNCIL ACTION: (Tape location: G237-257.)

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

\* ITEM-S404: (R-92-1584) ADOPTED AS RESOLUTION R-279847

Authorizing the execution of an agreement with Ogden Environmental and Energy Services Co. Inc., to provide roadway alignment studies and for the preparation of an Environmental Impact Report (EIR) for Del Mar Heights Road Extension between Carmel Valley and Penasquitos East Communities; authorizing the City Auditor and Comptroller to establish CIP-52-543.0, Del Mar Heights Road Extension, formerly known as East-West Roadway Environmental Studies, in the public facilities financing plans within the communities of Carmel Valley and Penasquitos East;

Authorizing the Auditor and Comptroller to transfer an amount not to exceed \$100,000 to CIP-52-543.0, Del Mar Heights Road Extension, \$50,000 from FBA Fund No. 79002, Job Order No. 119960 and \$50,000 from FBA Fund No. 79004, Job Order No. 119960, previously authorized by the public facilities financing plans within the communities of Carmel Valley and Penasquitos East;

Authorizing the transfer of an additional amount not to exceed \$45,000 from the Facilities Benefit Assessment, Fund No. 79002 and \$45,000 from Facilities Benefit Assessment Fund No. 79004 to CIP-52-543.0, Del Mar Heights Road Extension; authorizing the expenditure of an amount not to exceed \$190,000 from CIP-52-543.0, Del Mar Heights Road Extension, for the purpose of providing funds for the above project.

(Penasquitos East and Carmel Valley Community Areas.  
District-1.)

CITY MANAGER SUPPORTING INFORMATION: Preparation of the environmental studies for the Del Mar Heights Road extension project is consistent with the Carmel Valley and Penasquitos East Community Plans and the City's General Guidelines. This agreement would provide roadway alignment studies and an Environmental Impact Report (EIR) for the future six-lane facility connecting the above-mentioned communities. Ultimately, construction of this facility will contribute to the accommodation of future traffic volumes in those communities. It is proposed to utilize the services of a consultant to prepare the environmental documents and roadway alignment studies since City staff are already fully committed to other projects.

Consultants submitted letters of interest and five were interviewed in compliance with Council Policy 300-7. The firm of Ogden Environmental and Energy Services Co., Inc., was selected. They will be responsible for preparation of roadway alignment studies and the EIR. The proposed agreement represents MBE and WBE participation of 30 percent and 6 percent, respectively.

Aud. Cert. 9200823.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: A578-617.)

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

ITEM-S405: (R-92-1686) ADOPTED AS RESOLUTION R-279848

Council confirmation of the following appointments by

the Mayor to serve as members of the Elections, Campaign and Governmental Ethics Advisory Board, for terms expiring as indicated:

(See memorandum from Mayor O'Connor dated 4/22/92 with resumes attached.)

Three year terms ending February 1, 1995

Charles W. Ross (Chair)  
Juanita L. Majel (Dixon)  
Manny Lopez  
Mary E. Conn  
David Rodriguez

Two year terms ending February 1, 1994

Donna Hardesty Smith  
George Keller  
Walter Kudumu  
Joel H. San Juan

One year terms ending February 1, 1993

Dorothy Leonard  
Mark Zerbe  
Khalada Salaam-Alaji  
Michael Lloyd

Waiving the City residency requirements for Mary E. Conn, pursuant to Council Policy 000-13.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A288-336.)

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

ITEM-S406: (R-92-1480 Rev.1) ADOPTED AS AMENDED AS  
RESOLUTION R-279849

(Continued from the meetings of April 6, 1992, Item 204, and April 20, 1992, Item 203; last continued at Councilmember Hartley's request, to allow additional time to review and analyze new material received and to

have consultant available.)

Adopting the City Manager's recommendations regarding the State Route 15 Visions Project; directing the City Manager to enact the recommendations contained in Alternative B of City Manager Report CMR-92-110.

(See City Manager Report CMR-92-110. City Heights, Kensington, Talmadge, and Normal Heights Community Areas. District-3.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B234-582.)

MOTION BY HARTLEY TO ADOPT AS AMENDED TO MOVE FORWARD WITH I-15 CONSTRUCTION WITH CALTRANS' CURRENT S.T.I.P. SCHEDULE AND DESIGN; WITH THE FOLLOWING CHANGES: 1) DEVELOPMENT OF A PROJECT MANAGEMENT TEAM TO INCLUDE THE CITY MANAGER'S OFFICE, CALTRANS AND FEDERAL HIGHWAY ADMINISTRATION TO ENSURE COMPLETION OF I-15 WITHOUT ANY DELAYS. 2) DIRECT THE CITY MANAGER TO REPORT TO THE COUNCIL IN 60 DAYS WITH AN M.O.U. WITH CALTRANS TO PROVIDE FOR ENHANCED BRIDGES AT UNIVERSITY AVENUE AND EL CAJON BOULEVARD, AND ENHANCED LANDSCAPING ALONG THE FREEWAY CORRIDOR, RAMPS AND AT BRIDGE LOCATIONS. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-S407:

(Continued from the meetings of March 24, 1992, Item 333, March 31, 1992, Item S501, April 7, 1992, Item S500 and April 20, 1992, Item 212; last continued at Councilmember Behr's request, to allow the City Attorney to prepare an opinion as to the obligation on the part of the City of San Diego for \$1,050,000 to the City of Poway.)

A position 'In Favor' of this appeal is a position in favor of the project.

A position 'Opposed' to this appeal is a position against the project.

Appeal of Village and Country Properties, by Donald R. Worley, of Worley, Schwartz, Garfield & Rice, from the

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

(VTM & PRD-88-0767. District-5.)

Subitem-A: (R-92-1790) ADOPTED AS RESOLUTION R-279850

Adoption of a Resolution certifying that the information contained in the Addendum No. 91-0619 to Environmental Impact Report EIR-84-0744 and Supplemental No. 88-0767 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council; and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-92-1791) ADOPTED AS RESOLUTION  
R-279851, GRANTED APPEAL,  
GRANTED MAP

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

Subitem-C: (R-92-1792) ADOPTED AS RESOLUTION  
R-279852, GRANTED APPEAL,  
GRANTED PERMIT

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

FILE LOCATION: SUBITEM-A&C: PERM PRD 88-0767; SUBITEM-B:  
SUBD-Rancho La Cresta

COUNCIL ACTION: (Tape location: B594-C080.)

MOTION BY BEHR TO ADOPT ITEM S407, CERTIFYING THE ADDENDUM

TO E.I.R. 84-0744 AS SUPPLEMENTED IN THE E.I.R. 88-0767, AND ADOPT THE MITIGATION MONITORING PROGRAM AND FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, APPROVE THE VESTING TENTATIVE MAP AND APPROVE THE PLANNED RESIDENTIAL PERMIT SUBJECT TO THE REVISED CONDITIONS AS SUBMITTED MARCH 23, 1992. TO ADOPT ITEM S408, A RESOLUTION AMENDING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF POWAY AND THE CITY OF SAN DIEGO. IN ADDITION, A REQUIREMENT THAT WE EARMARK THESE FUNDS FOR THE CONSTRUCTION AND IMPROVEMENT OF ALTERNATE 8A. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S408: (R-92-1645) ADOPTED AS RESOLUTION R-279853

(Continued from the meetings of April 20, 1992, Item S409, at Councilmember Behr's request, for a report from the City Attorney to prepare an opinion as to the obligation of City of San Diego for \$1,050,000 to Poway.)

Authorizing the City Manager to execute a first amendment to the Memorandum of Understanding with the City of Poway and the Poway Redevelopment Agency relating to construction of an east-west arterial (Scripps North Parkway-Alternate 8A).

(District-5.)

CITY MANAGER SUPPORTING INFORMATION: On December 11, 1990, that City approved an agreement with the City of Poway regarding construction of the highway known as Alternative 8A within the City of San Diego, by the City of Poway. It is anticipated that the City Council will, as a prior companion item to this action, approve a Vesting Tentative Map, VTM-88-0767 and Planned Residential Development Permit, PRD-88-0767 (Rancho La Cresta) which includes a portion of the Alternate 8A alignment included in the December 11, 1990 agreement.

This amendment revises the original agreement as it pertains to the Rancho La Cresta property, to allow the City of San Diego to retain funds in the amount of \$1,050,000 that would have been paid to the City of Poway. The \$1,050,000 can only be used by the City of San Diego for constructing improvements to Scripps North Parkway, including but not limited to, the addition of the fifth and sixth lanes. This action does not authorize the construction but does provide funds for construction at such time

as such construction may be authorized by a future Council action.

NOTE: See Item S407 for a companion item.

FILE LOCATION: SUBD-Rancho LaCresta; PERM-PRD 88-0767  
CONFY92-2

COUNCIL ACTION: (Tape location: B594-C080.)

MOTION BY BEHR TO ADOPT THE RESOLUTION AMENDING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF POWAY AND THE CITY OF SAN DIEGO. IN ADDITION, A REQUIREMENT THAT WE EARMARK THESE FUNDS FOR THE CONSTRUCTION AND IMPROVEMENT OF ALTERNATE 8A. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S409: (R-92-1704) ADOPTED AS RESOLUTION R-279854

Proclaiming "Crime Victims Week" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A113-143.)

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

ITEM-S410: TRAILED TO APRIL 28, 1992, DUE TO LACK OF TIME

In the matter of a proposed new City Department relative to Code Enforcement.

FILE LOCATION:

COUNCIL ACTION: (Tape location: --.)

ITEM-S411: (R-92-1666) ADOPTED AS RESOLUTION R-279855

Council confirmation of the following appointments by the Mayor to serve as members of the City Public Utilities Advisory Commission:

(See memorandum from Mayor O'Connor dated 4/16/92 with resumes attached.)

FOUR-YEAR TERMS ENDING OCTOBER 1, 1995:

Benjamin S. Gage  
Joanne Cornwell-Giles  
Rachel M. Chavez  
Gene Yee

THREE-YEAR TERMS ENDING OCTOBER 1, 1994:

Frank Panarisi  
Evelyn L. Clarke  
Danna Givot  
Connie Johnson

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A288-336.)

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

\* ITEM-S412: (R-92-1489) ADOPTED AS RESOLUTION R-279856

A Resolution approved by the City Council in Closed Session on Tuesday, March 24, 1992 by the following vote: Wolfsheimer-not present; Roberts-not present; 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 \$105,000 in the settlement of each and every claim against the City, its agents and employees, resulting from damage to the Property of Cal Southwest Construction (Superior Court Case No. 634906, Cal Southwest Construction v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$105,000 made payable to Cal Southwest Construction and Craig Ramseyer, attorney of record, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the property damage claim of Cal Southwest Construction, Inc.

Aud. Cert. 9200810.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A578-617.)

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

\* ITEM-S413: (R-92-1559) ADOPTED AS RESOLUTION R-279857

Declaring East County Pipeline Construction, Inc. a non-responsible bidder in connection with the construction of University Avenue Storm Drain between Albatross Street and Front Street, and that their bid for this project be rejected on that basis; awarding the contract to RTB General Engineering Company, Inc., in the amount of \$71,185.70, which is 18.6 percent over the estimate of \$60,000; authorizing the City Auditor and Comptroller to transfer \$40,000 from CIP-58-004, Annual Allocation - Miscellaneous Requirements - City Streets, TransNet Fund 30300, CIP-11-297.0, Construction of University Avenue Storm Drain between Albatross Street and Front Street; authorizing the expenditure of \$40,000 from CIP-11-297.0 to supplement Resolution R-278543 for \$100,000 for a total of \$140,000. (BID-K2596/92)

(See City Manager Report CMR-92-144. Uptown Community Area. District-3.)

Aud. Cert. 9200860.

FILE LOCATION: CONT-East County Pipeline Construction, Inc.

COUNCIL ACTION: (Tape location: A578-617.)

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

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 6:36 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: G578).