

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, OCTOBER 5, 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 2:00 p.m. with no quorum present. A quorum was present at 2:14 p.m. with all Council Members present. Mayor O'Connor recessed the meeting at 2:16 p.m. into Closed Session in the 12th floor Conference Room to discuss potential litigation. The meeting was reconvened by Mayor O'Connor at 2:30 p.m. with all Council Members present. A presentation was made to Planning Department staff of "Outstanding Planning Awards" and recognition of Planning Department and SDDPC staff relative to completion of the 1990 Census Conversion Project. Deputy Mayor Roberts adjourned the meeting at 9:09 p.m. into Closed Session in the 12th floor Conference Room at 9:30 a.m. on Tuesday, October 6, 1992 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-present
- Clerk-Abdelnour (11)

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

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Master Yi Ray of Seifong Chinese Temple.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Wolfsheimer.

PUBLIC COMMENT:

ITEM-PC-1:

Presentation of certificate and comment by Phil Dulin to Council Member Behr.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A146-250.)

ITEM-PC-2: REFERRED TO CITY MANAGER

Comment by Bill Saunders regarding the continued construction of the Hawthorne Shopping Center in the western clear/flight activity zone of Montgomery Field.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A146-250.)

ITEM-PC-3:

Comment by Don Stillwell on responsibility of the Council Members, in particular how it relates to the budget.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A146-250.)

COUNCIL COMMENT:

ITEM-CC-1: REFERRED TO THE CITY ATTORNEY

Comment by Council Member Hartley requesting the City Attorney to provide procedural/legal information as to how to clean up prostitution on El Cajon Blvd., including both "hookers and johns".

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A146-250.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:  
9/14/92  
9/15/92  
9/21/92  
9/22/92

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A250-255.)

MOTION BY HARTLEY 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-93-412) ADOPTED AS RESOLUTION R-280789

Proclaiming the week of October 4 through 10, 1992 to be "Fire Prevention Week," in commemoration of the Great Chicago Fire of 1871, which killed 250 persons, left 100,000 homeless and destroyed more than 17,400 buildings; urging the people of San Diego to participate in fire prevention activities at home, work and school, and to heed the message "Test Your Detector, It's Sound Advice" as the 1992 Fire Prevention Week theme suggests.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A256-295.)

MOTION BY ROBERTS 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: (R-93-326) ADOPTED AS RESOLUTION R-280790

Declaring the month of October to be "Breast Cancer Awareness Month" in the City of San Diego; supporting the efforts of the Women's Cancer Task Force to ensure that women's health care needs receive a fair share of the federal research and education budget.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A296-366.)

MOTION BY ROBERTS TO ADOPT. Second by Stevens. Passed by

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

ITEM-33: GRANTED THE HEARING

(Continued from the meeting of September 9, 1991.)

Matter of the request of Thomas Jensen for a hearing of an appeal from the decision of the Planning Commission in denying Coastal Development Permit CDP-89-0867 for the construction of three, attached, two-story units behind an existing single-family residence. The subject property is located at 1956 Pacific Beach Drive and is more particularly described as Lots 27 and 28, Block 307, Pacific Beach Map-922, in the R-1500 Zone in the Pacific Beach Community Plan Area. (CDP-89-0867. District-6.)

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

FILE LOCATION: PERM-CDP-89-0867

COUNCIL ACTION: (Tape location: A454-473.)

MOTION BY STALLINGS TO GRANT THE REQUEST FOR THE HEARING AS THE MATTER IS OF CITYWIDE SIGNIFICANCE AND REQUIRES COUNCIL ACTION. 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.

\* ITEM-50: (O-93-54) INTRODUCED, TO BE ADOPTED OCTOBER 19, 1992

Introduction of an Ordinance amending Chapter VIII, Article 4, of the San Diego Municipal Code by amending Section 84.12, relating to Skateboards, to ban skateboard riding from 10 p.m. to 7 a.m. daily, year-round, upon the most westerly public walkway between San Diego Place and Law Street, known as Ocean Front Walk or Ocean Boulevard, and upon any portion of the public rights-of-way in the Mission Beach Community.

(See Legislative Specialist Analysis PFR-92-8; letter from Mission Beach Town Council dated 6/12/92. Mission Beach, Mission Bay Park, and Pacific Beach Community Areas. District-2.)

COMMITTEE ACTION: Reviewed by PFR on 9/23/92. Recommendation to approve the Mission Beach Town Council's request for a ban on skateboarding in the Mission Beach Community from 10:00 p.m. to 7:00 a.m, including the courts and bayside walk on the bay side and the boardwalk and courts on the ocean side and including the affected boardwalk in Pacific Beach. Districts 3, 5, 6 and 7 voted yea.

CITY MANAGER SUPPORTING INFORMATION: On September 23, 1992 the PF&R Committee considered a request from the Mission Beach Town Council to ban skateboarding in the Mission Beach Community from 10:00 p.m. to 7:00 a.m. The letter cited unacceptable noise levels generated by a dramatic increase in skateboard activity between these hours. Councilmember Stallings indicated that Pacific Beach Town Council verbally requested that Pacific Beach be included in any skateboard ban that affected the boardwalk. The Committee directed the City Attorney and City Manager to present an ordinance to Council in the week of September 28, 1992 which bans skateboard riding on the Ocean Front Walk boardwalk and in the entire Mission Beach Community from 10:00 p.m - 7:00 a.m. In the City of San Diego, skateboard riding is currently banned at all times in areas of Balboa Park, on City fishing piers, on open roadways, upon the sidewalk on public plaza in any business district, and on the inclined surface of any parkade which is signed to prohibit skateboards.

CODE ENFORCEMENT IMPACT ANALYSIS: Police and Lifeguards will enforce the ordinance with existing staffing as resources and priorities permit.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A578-590.)

CONSENT MOTION BY ROBERTS TO INTRODUCE THE ORDINANCE.  
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-93-55) ADOPTED AS RESOLUTION R-280791

Awarding a contract to Transcontinental Sales Co., for the purchase of wildland brush clothing for the Fire Department, as may be required for a period of one year beginning November 1, 1992 through October 31, 1993, with options to renew the contract for four additional one year periods, for an estimated cost of \$49,435.70, including tax and terms. (BID-Q3313/93)

FILE LOCATION: CONT-Purchase-Transcontinental Sales Co.  
CONT FY93-1

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. 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-101: (R-93-54) ADOPTED AS RESOLUTION R-280792

Awarding contracts for miscellaneous custodial supplies to Padre Janitorial Supplies, National Sanitary Supply Company, Cameo Paper and Janitorial Supply, R-B Enterprises, Safety West, American Chemical and Sanitary Supply, Mission Janitorial Supplies, Loukelton Distributing, Waxie Sanitary Supply, Maintex, Inc., C.M. Sanitary Supply, and Ball Industries, as may be required a period of one year beginning October 1, 1992 through September 30, 1993, for an estimated cost of \$101,722.93. (BID-P3253/92)

FILE LOCATION: CONT-Purchase-Padre Janitorial Supplies,  
National Sanitary Supply Company, Cameo Paper  
and Janitorial Supply, R-B Enterprises,  
Safety West, American Chemical and Sanitary  
Supply, Mission Janitorial Supplies,  
Loukelton Distributing, Waxie Sanitary  
Supply, Maintex, Inc., C.M. Sanitary Supply,  
and Ball Industries CONT FY93-12

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.

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-93-53) ADOPTED AS RESOLUTION R-280793

Awarding contracts to OPS Fleet Specialists and Genuine Parts Co., for the purchase of automotive belts, hoses, fuses, spark plugs and miniature lamps and lights, as may be required for a period of one year beginning October 1, 1992 through September 30, 1993, for a total cost of \$45,000, including tax and terms. (BID-C3334/93) (Three bids received. For use by the General Services Department, Equipment Division, and the Police and Fire Departments.)

FILE LOCATION: CONT-Purchase-OPS Fleet Specialists and  
Genuine Parts Co. CONT FY93-2

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. 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:

Three actions relative to the Sewer Pump Station No. 20 Force Main: (BID-K3430/93)

(La Jolla Community Area. District-1.)

Subitem-A: (R-93-292) ADOPTED AS RESOLUTION R-280794

Inviting bids for Pump Station No. 20 Force Main on Work Order No. 171941; authorizing the City Manager to execute a contract with the lowest responsible bidder; authorizing the expenditure of not to exceed \$469,828 from Sewer Revenue Fund 41506, CIP-46-106, for providing funds for said project and related costs.

Subitem-B: (R-93-293) ADOPTED AS RESOLUTION R-280795



Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, DEP-90-1014, dated December 4, 1990, in connection with Sewer Pump Station No. 20 Force Main, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Declaration has been reviewed and considered by the Council.

Subitem-C: (R-93-294) ADOPTED AS RESOLUTION R-280796

Authorizing the use City Forces to make connections and perform operational checks involving Sewer Pump Station No. 20 Force Main; declaring that the cost of the work shall not exceed \$5,000.

CITY MANAGER SUPPORTING INFORMATION: This project is to construct a parallel force main and rehabilitate the old and deteriorated force main servicing Sewer Pump Station No. 20 located in the La Jolla Community Plan area. The pump station and the force main were built in 1950. In 1971, the force main was extended to discharge into the second La Jolla-Pacific Beach Trunk Sewer. The pipe has experienced two breaks in one year near the intersection of Camino De La Vista and Vista De La Mesa. To prevent sewage spills from force main breaks, Sewer Pump Station No. 20 Force Main project proposes the installation of a new 1,400 foot, 6-inch pipe. The new pipe will parallel the existing force main in Camino De La Costa and La Canada. To further minimize the impact of sewage spills and to provide reliable pump station operation, the project will also rehabilitate the existing 6-inch force main. The dual force main system will keep the pump station in service should one of the force mains break. Sewer Pump Station No. 20 improvements are currently being pre-designed. A separate construction contract ahead of the pump station improvements project is proposed in order to accelerate the force main replacement.

Aud. Cert. 9200743.

WU-P-91-198.

FILE LOCATION: W.O. 171941 CONT-Mur-Vic Construction Co.,  
Inc. CONT FY93-1

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.  
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-93-470) ADOPTED AS RESOLUTION R-280797

Calling a public hearing to determine whether the  
public health, safety or general welfare requires the  
formation of the 54th Street (Westover Place to Laurel  
Street) Underground Utility District.

(Oak Park Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: The proposed district will  
underground the overhead utility facilities on 54th Street  
between Westover Place and Laurel Street. This was a scheduled  
project in the Fiscal Year 1991 Capital Improvements Program.  
The formation of this district will require the affected property  
owners to underground the portion of their utilities on their  
parcel prior to removal of the overhead utilities. Council  
Policy 800-2 provides for the use of San Diego Gas & Electric  
Company's Annual Allocation Funds (Case 8209) to make  
reimbursement payments to affected property owners based on the  
length of their electrical service trench. A future resolution  
will establish the date for removal of overhead utilities as the  
undergrounding work approaches completion.

Aud. Cert. 9300225.

FILE LOCATION: STRT-K-209

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.  
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-105: (R-93-278 Cor.Copy) ADOPTED AS RESOLUTION R-280798

Amending the Conflict of Interest Code for the City of  
San Diego Housing Commission.  
(See Housing Commission Report HCR-92-008CC.)

CITY MANAGER SUPPORTING INFORMATION: The Political Reform Act of 1974 (Government Code Section 87300, et. seq.) requires all agencies to prepare and submit for approval a Conflict of Interest Code to the City Council. On April 1, 1979, Council approved the Conflict of Interest Code for the San Diego Housing Commission. The Conflict of Interest Code has been amended six times to reflect organizational changes. This amendment again updates Appendix A, Attachment 1 of the Code. This exhibit lists the duties and categories of those designated positions, the incumbents of which are required to submit Conflict of Interest statements. Several organization changes render Appendix A, Attachment 1 obsolete. This amendment changes Appendix A, Attachment 1 of the Code. It also incorporates Section 8.6 titled, "State Agency Prohibition on the Receipt of Honoraria," to comply with State law. The City Attorney's office has reviewed the proposed revisions to the San Diego Housing Commission's designated positions and Section 8.6 and has determined that they conform to the standards set by the Fair Political Practice Commission (FPPC). Employees filling new positions designated as having potential conflicts of interest were afforded the opportunity to review and comment on this amendment.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. 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-106: (R-93-543) ADOPTED AS RESOLUTION R-280799

Adopting the revised Conflict of Interest Code for the City of San Diego's International Affairs Board.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. 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-93-544) ADOPTED AS RESOLUTION R-280800

Adopting the revised Conflict of Interest Code for the City of San Diego's Commission on the Status of Women.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. 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-93-573) ADOPTED AS RESOLUTION R-280801

Excusing Mayor Maureen O'Connor from attending the regularly scheduled Council meetings of September 21 and 22, 1992, and the Special Council Workshop of September 24, 1992, due to personal reasons.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. 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-109: (R-93-537) ADOPTED AS RESOLUTION R-280802

Excusing Councilmember Abbe Wolfsheimer from attending the City Council's Special Budget meeting of Tuesday, September 8, 1992, due to surgery.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.  
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-93-516) ADOPTED AS RESOLUTION R-280803

Excusing Councilmember Abbe Wolfsheimer from attending  
the following meetings, due to her out of town City  
business in London representing MTDB and for vacation:

1. The regularly scheduled Public Services and Safety  
Committee meeting of September 16, 1992.
2. The regularly scheduled Transportation, Planning  
and Environment Committee meeting of September 23,  
1992.
3. The regularly scheduled Council meetings of  
September 21, 22 and 29, 1992.
4. The regularly scheduled Housing Authority and  
Redevelopment Agency meetings of September 22,  
1992.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.  
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-93-539) ADOPTED AS RESOLUTION R-280804

Proclaiming October 1992 as "Crime Awareness Month."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.  
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-112: (R-93-507) ADOPTED AS RESOLUTION R-280805

Proclaiming Wednesday, October 14, 1992 to be "The Logan Heights Library Day" in San Diego; honoring the Logan Heights Library's contributions to the community.

(Logan Heights Community Area. District-8.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. 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-93-578) ADOPTED AS RESOLUTION R-280806

Designating October 3, 1992 as "Judge Ross G. and Betty Tharp Day" in San Diego; taking great pleasure in saying "Well Done" to this exemplary couple, who have given so much of themselves toward the enrichment of our City and extending them sincere best wishes for continued success in their future endeavors.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. 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-93-473) CONTINUED TO OCTOBER 19, 1992 AT 2:00

P.M.

Approving the revised golf fee schedule for inclusion in the Park and Recreation Department's Fee Schedule.

(See Legislative Specialist Analysis PFR-92-5 and City Manager Report CMR-92-205.)

COMMITTEE ACTION: Reviewed by PFR on 6/24/92. Referred the Monthly Golf Tickets (Age 62 and over) to Council without a recommendation; recommended approval of the temporary reduction of Golf Fees during construction in Balboa Park; recommended approval of the complimentary rounds for Volunteer Marshals and Junior Golf Clinic Participants. Districts 3, 5, 6 and 7 voted yea.

CITY MANAGER SUPPORTING INFORMATION: On June 24, 1992, the Public Facilities and Recreation Committee considered the Park & Recreation Department's New Fees for FY 93. The PF&R Committee approved two of the four new golf fees, and forward the other two fees on to City Council without a recommendation. The two fees to be considered by the City Council are Senior Monthly Tickets and non-resident fees at Balboa Park Golf Course. Staff recommends approval of the following fees, which were also endorsed by the Golf Advisory Council:

1. Monthly Golf Tickets (Age 62 and over)

Current Fee	Proposed Fee
\$38.00/20 rounds	\$45.00/15 rounds

Increase Fees from \$1.90/round, if all possible rounds are used, to \$3.00/round. This recovers only a portion of the \$9.50/round cost to operate the golf facilities. It is a 79 percent discount at Torrey Pines and a 76 percent discount at Balboa Park.

1. Non-Resident Golf Fees/Balboa Park

Current Fee	Proposed Fee
(9 Holes)	(9 Holes)
\$16.00/round	\$10.00/round
(18 Holes)	(18 Holes)
\$33.00/round	\$25.00/round
\$38.00/round	\$30.00/round

Non-resident play at Balboa Park has declined from 13 percent of total rounds in 1987 to 2 percent of total

rounds in 1991. The reduction addresses the market rates for competitive courses and the need to insure viability of the enterprise fund.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B010-084.)

MOTION BY McCARTY TO CONTINUE TO OCTOBER 19, 1992 AT 2:00 P.M. IN ORDER TO ALLOW TIME TO INSPECT THE COURSE FOR RENOVATION. 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-yea.

\* ITEM-115: (R-93-455) ADOPTED AS RESOLUTION R-280807

Authorizing the City Manager to reimburse City lessee, Horseman's Park, Inc., an amount not to exceed \$36,000 from CIP-58-004.0, Miscellaneous Requirements - City Streets (\$36,000 from Gas Tax Fund 30219), for additional drainage work done by lessee in conjunction with the widening of Black Mountain Road. (Penasquitos Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: During construction of the northbound lanes and bridge on Black Mountain Road it was determined that the new elevation of the road would create additional drainage problems at the leasehold known as Horseman's Park in the Penasquitos Preserve. Because of its location near Penasquitos Creek, the leasehold has consistently been subject to inundation during heavy rains. The lessee has completed the work to protect that portion of the park near the road from flooding, in return for being reimbursed for work done. The cost of the improvements is \$36,000. A portion of the reimbursement will be applied to an \$8,830.78 audit deficiency which is outstanding on the account.

Aud. Cert. 9300258.

FILE LOCATION: LEAS-Horseman's Park, Inc. LEAS FY93-1

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.



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-93-531) ADOPTED AS RESOLUTION R-280808

Authorizing the execution of an amendment to the agreement of November 25, 1991 with BSHA, Inc., for professional services required for Balboa Park - House of Charm Reconstruction; authorizing the expenditure of an amount not to exceed \$48,000 from CIP-21-834.0, Balboa Park/Mission Bay Park Requirements, Transient Occupancy Tax Fund 102242, to provide funds for the project.

(Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: On November 25, 1991, the City Council authorized an agreement with BSHA, Inc. for the professional services required for the House of Charm reconstruction, located in Balboa Park and designated as a historic structure on the National Register. The project is to include a new structure consisting of two basement levels and two levels above grade comprising approximately 80,000 sq. ft. The two levels above grade will be constructed essentially within the footprint of the existing structure. The tenants include the Old Globe Theater, the San Diego Art Institute and the Children's Museum. Also included are the arcades extending from the Museum of Man to the Plaza De Panama. The exterior ornamentation will be replicated utilizing a light-weight molded material system approved by the City. The proposed first amendment to the agreement provides the additional professional services necessary to complete requirements recommended by the National Park Service and the local Historic Site Board to include, but not necessarily be limited to an Historic American Building Survey (HABS), salvage plans, a bound document describing the historic reconstruction process, assistance with the environmental impact report, as well as additional efforts for required public meetings and historic presentations to appropriate governing and regulatory agencies.

Aud. Cert. 9300290.

FILE LOCATION: MEET CCONT FY93-1

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.  
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-117: (R-93-466) ADOPTED AS RESOLUTION R-280809

Authorizing an agreement with the California Department  
of Transportation (Caltrans), for the project report,  
plans, specifications, estimate and improvements for  
Phase I of Interstate 5/Carmel Mountain Road  
Interchange.

(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The subject agreement  
obligates the City to fund 100 percent of all costs to design and  
construct the interchange at Carmel Mountain Road and Interstate  
5, and to perform all necessary right-of-way activities (except  
utility relocation work and right-of-way engineering) to acquire  
the right-of-way needed for Phase I east of Interstate 5. The  
construction of the Interchange will be done during Phase III  
under a different agreement. The construction necessary during  
Phase I, in preparation for the interchange, will cause  
disruption to Sorrento Valley Road improvements. Due to this,  
this agreement contains conditions that require the City to  
obtain the necessary environmental clearance, permits, and design  
plans for the proposed relocation of Sorrento Valley Road, so  
that it can be constructed by the City on the new alignment  
concurrently with Phase I. If the City cannot obtain the  
necessary clearance to realign Sorrento Valley Road concurrently  
with Phase I, the State will restore the existing Sorrento Valley  
Road improvements in their existing location. On May 15 1989,  
the City Council approved the development agreement between the  
City of San Diego, Newland and others for Sorrento Hills (City  
Document No. 00-17300). Among other things, the development  
agreement places obligations on Newland with respect to financing  
the total cost of construction for the I-5/Carmel Mountain  
Interchange, and to obtain all necessary right-of-way east of  
Interstate 5 needed for Phase I from the other property owners  
within Sorrento Hills. Caltrans is obligated to acquire all  
right-of-way west of I-5. Therefore, the developer and Caltrans

are obligated to perform all work in respect to the Interchange and the acquisition of right-of-way, with the City only having oversight responsibility and Caltrans having final approval.

Aud. Cert. 9300146.

FILE LOCATION: MEET CONT FY93-1

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. 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-93-525) ADOPTED AS RESOLUTION R-280810

Authorizing the execution of an agreement with American Newland Associates, relating to the acceptance of certain improvements in the Lopez Ridge Subdivision, release of specified improvement security, providing for the completion of certain unfinished improvements within two years and accepting financial surety in the amount of \$621,448 to ensure faithful completion of the unfinished improvements.

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On February 29, 1988 American Newland Associates entered into a Subdivision Improvement Agreement with the City of San Diego for the installation and completion of public improvements for the Lopez Ridge Subdivision. All of the public improvements have been completed with the exception of a few minor ones which are the subject of this agreement, and which Newland will complete subsequent to this agreement. Upon acceptance of this agreement the City will execute the Notice of Completion for the Lopez Ridge Subdivision Improvement Agreement and release the bonds.

FILE LOCATION: SUBD-Lopez Ridge CONT FY93-1

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. 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-93-38) INTRODUCED AS AMENDED, TO BE  
REINTRODUCED OCTOBER 19, 1992

Introduction of an Ordinance amending Chapter IX, Article 1, Division 88, of the San Diego Municipal Code by repealing Sections 91.8801 and 91.8802, and by adding Sections 91.8801 through 91.8808 relating to Earthquake Hazard Reduction in Existing Buildings.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B094-C406.)

MOTION BY HARTLEY TO INTRODUCE AS AMENDED WITH THE FOLLOWING AMENDMENTS: IN LIEU OF THE PROVISION ESTABLISHING A 50% BUILDING VALUATION-NO TIME LIMIT FOR THE RENOVATION/REMODEL TRIGGER FOR FULL UPGRADE, SUBSTITUTE WHERE APPROPRIATE AND IN THE PROPER FORMAT: EXCEEDING 100% BUILDING VALUATION OVER A FIVE YEAR PERIOD. ADD THE FOLLOWING NEW PROVISIONS: 1) A NEW RENOVATION/REMODEL TRIGGER SHALL BE ESTABLISHED WHEN EXCEEDING 50% OF THE BUILDING VALUATION OVER A 5 YEAR PERIOD TO REQUIRE THE INSTALLATION OF FLOOR-AND-ROOF-TO-WALL TIES. 2) ALLOWING OWNERS WHO INSTALL FLOOR-AND ROOF-TO-WALL TIES TO EXCLUDE THE COST OF SUBSEQUENT NON-STRUCTURAL TENANT IMPROVEMENTS FROM THE COMPUTATION OF CUMULATIVE COSTS FOR TRIGGERING FULL UPGRADE. 3) ALL METHODS OF FLOOR-AND -ROOF-TO WALL TIE ATTACHMENTS APPROVED BY THE STATE OF CALIFORNIA SHALL BE DEEMED ACCEPTABLE IN THE ACCOMPLISHMENT OF THESE UPGRADES. PROVIDE THE FOLLOWING DIRECTION TO THE CITY MANAGER: PREPARE IN COOPERATION WITH THE BUILDING OWNERS FOR SEPARATE COUNCIL ACTION A RECOMMENDED PACKAGE OF ECONOMIC AND ADMINISTRATIVE INCENTIVES TO ENCOURAGE THE OWNERS OF REINFORCED MASONRY BUILDINGS TO SEISMICALLY UPGRADE THEIR BUILDINGS IN A TIMELY MANNER. 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-ineligible.

ITEM-201: (O-93-30) NOTED AND FILED

(Continued from the meetings of August 3, 1992, Item 206 and September 21, 1992, Item 200; last continued at Mayor O'Connor's request, to allow her to be present.)

Introduction of an Ordinance declaring that a shelter crisis exists among the homeless population of the City pursuant to Government Code Section 8698. (See memorandum from the City Manager dated 9/18/92.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C418-I142.)

MOTION BY HARTLEY TO DELETE THE PROPOSED ACTION ON THE URBAN CAMPSITES IN BALBOA PARK AND ROSE CANYON. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

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

Motion by Hartley to request the City Manager to initiate the expansion of the Interfaith Shelter Network and to direct the City Manager and City Attorney to come back in two weeks with the ordinance that would accomplish this recommendation. Second by Wolfsheimer. Passed by the following vote: Yea-1,2,3,4,5,6,7,8; Nay-None; Not present-M.

Motion by Hartley to request the local F.I.M.A. Board to consider an increased allocation for the hotel voucher program for use of emergency hotel rooms for families. If funding is not available through F.I.M.A., Staff to come back to council with recommendations on how the City can fund this program. Second by Wolfsheimer. Passed by the following vote: Yea-1,2,3,4,5,6,7,8; Nay-None; Not present-M.

Motion by Filner to note and file the rest of Council Member Hartley's motions. Second by McCarty. The City Attorney advised that as there were no motions on the floor, it was not necessary to take action. No vote.

Motion by Hartley to request the City Manager to set up a

policy that the City move toward the direction of setting up a permanent, 24 hour homeless facility in every district that would work with the community to meet the basic needs of the homeless and the community. Second by Roberts. Failed by the following vote: Yea-1,3,4,8; Nay-2,5,6,7; Not present-Mayor O'Connor.

MOTION BY FILNER TO MOVE THE AGENDA TO THE NEXT ITEM. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-nay, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-202:

Two actions relative to Animal Control Services for Fiscal Year 1993:

Subitem-A: (R-93-575) ADOPTED AS RESOLUTION R-280811

Adoption of a Resolution accepting the recommendations contained in City Manager Report CMR-92-298.

Subitem-B: (O-93-55) RETURNED TO THE CITY ATTORNEY

Introduction of an Ordinance amending the San Diego Municipal Code to increase Dog License Fees.

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

COUNCIL ACTION: (Tape location: I145-J056.)

MOTION BY STALLINGS TO ADOPT SUBITEM-A AND RETURN SUBITEM-B TO THE CITY ATTORNEY FOR THE FOLLOWING ADDITIONS AND BRING BACK TO COUNCIL ON OCTOBER 19, 1992 FOR INTRODUCTION: INCLUDE THE ADDITIONAL UNALTERED LICENSE FEE INCREASE OF \$.50, INCLUDE THE DOG LICENSE AMNESTY PROGRAM, AND THE REVISED DOG LICENSE FEES (REVISED AS OF 10/5/92) AS OUTLINED IN THE CITY MANAGER'S REPORT 92-298. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, Filner-yea, Mayor O'Connor-not present.

\* ITEM-S400: (R-93-422) ADOPTED AS RESOLUTION R-280812

Amending the Conflict of Interest Code for the City of San Diego's Fire Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. 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-S401: (R-93-590) ADOPTED AS RESOLUTION R-280813

A Resolution approved by the City Council in Closed Session on Tuesday, September 22, 1992 by the following vote: Wolfsheimer-not present; Roberts-yea; Hartley-yea; Stevens-not present; Behr-yea; Stallings-yea; McCarty-yea; Filner-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$50,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Bettye Stern and Leo Stern (Superior Court Case No. 645206, Bettye and Leo Stern v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$50,000 made payable to Bettye Stern, Leo Stern and their attorney of record, Susan K. Mosich, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claims of Bettye and Leo Stern against the City of San Diego as a result of an incident which occurred on November 24, 1990.

Aud. Cert. 9300302.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.  
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-S402: CONTINUED TO OCTOBER 20, 1992

(Trailed as Unfinished Business from the meeting of  
September 29, 1992, Item S404, due to the lack of five  
votes.)

Two actions relative to Centre City Waterfront Planning  
Issues: (Centre City Community Area. District-2.)

Subitem-A: (R-93-542)

Finding that the Central Bayfront Design Principles,  
Centre City Community Plan and implementing ordinances,  
as adopted, establish appropriate comprehensive and  
cohesive land use and development goals, policies and  
implementation mechanisms for the Centre City  
Waterfront Area.

Subitem-B: (R-93-541)

Authorizing the execution of a Memorandum of  
Understanding with the Board of Port Commissioners of  
the San Diego Unified Port District.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A473-574.)

MOTION BY STALLINGS TO CONTINUE TO OCTOBER 19, 1992 TO ALLOW  
ADDITIONAL TIME FOR A PUBLIC PRESENTATION AND TO REVIEW ALL  
MATERIAL. Second by Hartley. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,  
Behr-nay, Stallings-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

ITEM-S403:

In the matter of a request for reconsideration of the  
City Council's action in adopting as amended, Item S403



of September 29, 1992, regarding initiating a Request for Proposal process consistent with all City, state, and federal regulations for the selection of state and federal lobbyists for the 1993-1994 Legislative Session, and selecting an Ad Hoc Committee to actively participate in the selection process. On 9/29/92, Council voted 6-0 (Districts 1, 7 and Mayor not present) on the motion by Councilmember Behr (second by Councilmember Stallings) to enter into renegotiations of the existing contract; broaden the scope of work within the contract and negotiate with regard to broadening the representation either through the major partners or through sub-contracting to designate additional scopes of work and additional expertise.

Subitem-A: NOTED AND FILED

A motion to suspend Rule 2 of the Permanent Rules of the Council (Municipal Code Section 22.0101) which requires that reconsideration of an item occur on the same date that the item was acted upon by the City Council.

Subitem-B: FAILED

A motion to reconsider the matter.

Subitem-C: NOTED AND FILED

A motion to set the matter for hearing.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J058-267.)

Motion by Stevens to suspend the rules and reconsider the matter. Second by Wolfsheimer. Failed by the following vote: Yea-1,4; Nay-2,3,5,6,7,8; Not present-Mayor.

\* ITEM-S404: (R-93-57) ADOPTED AS RESOLUTION R-280814

Awarding a contract to Hawthorne Machinery Co., for rental and full maintenance of five Caterpillar 657E motor scrapers without operator and lease and full maintenance of one Caterpillar 834B wheeled dozer with

grading box without operator, as may be required for a period of one month beginning approximately October 10 through November 9, 1992, for an estimated cost of \$325,545.08, including tax, with options to extend the rentals of any or all of the machines for up to six additional months; option to add two or more 657E scrapers, if required during the initial or extended rental periods; and option to obtain equipment operators from Hawthorne Machinery Company, if a sufficient number of City employed qualified operators are not available. (BID-B3434/93)

FILE LOCATION: CONT-Purchase-Hawthorne Machinery Co.,  
CONT FY93-1

COUNCIL ACTION: (Tape location: B001-007.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. 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.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Roberts at 9:09 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: J277.)