

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, NOVEMBER 23, 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 2:04 p.m. with no quorum present. A quorum was present at 2:07 p.m. with Deputy Mayor Roberts and Council Members Hartley and Filner not present. Deputy Mayor Roberts recessed the meeting at 3:20 p.m. to convene the Redevelopment Agency. The meeting was reconvened by Deputy Mayor Roberts at 4:45 p.m. with Mayor O'Connor and Council Member Filner not present. Deputy Mayor Roberts adjourned the meeting at 8:36 p.m. to meet in Closed Session on Tuesday, November 24, 1992, at 9:30 a.m. in the twelfth floor conference room to discuss pending litigation, significant exposure to litigation and meet and confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member Hartley-present
 - (4) Council Member Stevens-present
 - (5) Council Member Behr-present
 - (6) Council Member Stallings-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-not present
- (4) Council Member Stevens-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 Pastor Jay Buckingham of the Lakeside Wesleyan Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stallings.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding the need for the City Council to be more public friendly.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A061-074.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Behr commending City Manager Jack McGrory for the prompt processing of permits for Computer City in Kearny Mesa which will create \$25-30 million in revenue and 60 to 65 jobs.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A075-091.)

ITEM-50: (O-93-69 Cor. Copy 2) DEFEATED

Amending Chapter IX, Article 8, Division 3 of the San Diego Municipal Code, by amending Section 98.0301, relating to the San Diego Housing Commission, and designating the City Manager to serve as the Executive Director of the Housing Commission.

(Introduced as amended on 11/10/92. Council voted 5-2. Districts 5 and 7 voted nay. Districts 1 and 2 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F514-G108.)

Motion by Stevens to adopt. No second.

MOTION BY McCARTY TO REJECT THE AMENDMENT TO THE MUNICIPAL CODE RELATING TO THE HOUSING COMMISSION WHICH WOULD HAVE DESIGNATED THE CITY MANAGER TO SERVE AS THE EXECUTIVE DIRECTOR OF THE HOUSING COMMISSION. DIRECT THE CITY MANAGER TO CONTINUE MANAGING THE HOUSING COMMISSION FOR A PERIOD OF NO LONGER THAN SIX MONTHS AND TO COME BACK WITH A REPORT IMPLEMENTING A STRUCTURE THAT WOULD PROVIDE CITIZEN CONTROL AND REQUIRE TWO PUBLIC HOUSING RESIDENTS ON THE COMMISSION. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,

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

* ITEM-51: (O-93-70) ADOPTED AS ORDINANCE O-17863 (New
Series)

Amending Chapter X, Article 1, Division 9 of the San
Diego Municipal Code, by amending Section 101.0901,
relating to Planned Residential Developments (North
City Future Urbanizing Area pipeline provisions).
(District-1. Introduced on 11/10/92. Council voted 7-0.
District 2 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D431-465.)

CONSENT MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING
AND ADOPT THE ORDINANCE. 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-not present.

ITEM-52:

Ten actions relative to amending Chapters 6, 9, and 10
of the San Diego Municipal Code relating to land
development administration and procedures (Zone Code),
in order to be consistent with Chapter XI:
(Introduced on 11/9/92. Council voted 6-2. Districts 1
and 4 voted nay. District 8 not present.)

Subitem-A: (O-93-66) ADOPTED AS ORDINANCE O-17864
(New Series)

Amending Chapter VI, Article 2 of the San Diego
Municipal Code, relating to Public Improvements and
Public Rights-of-Way.

Subitem-B: (O-93-72) ADOPTED AS ORDINANCE O-17865
(New Series)

Amending Chapter IX, Article 1 of the San Diego

Municipal Code, relating to the Building Code.

Subitem-C: (O-93-73) ADOPTED AS ORDINANCE O-17866
(New Series)

Amending Chapter IX, Article 2 of the San Diego
Municipal Code, relating to the Electrical Code.

Subitem-D: (O-93-74) ADOPTED AS ORDINANCE O-17867
(New Series)

Amending Chapter IX, Article 3 of the San Diego
Municipal Code, relating to Permits.

Subitem-E: (O-93-63) ADOPTED AS ORDINANCE O-17868
(New Series)

Amending Chapter X, Article 1 of the San Diego
Municipal Code, relating to Zoning.

Subitem-F: (O-93-75) ADOPTED AS ORDINANCE O-17869
(New Series)

Amending Chapter X, Article 2 of the San Diego
Municipal Code, relating to Subdivisions.

Subitem-G: (O-93-65) ADOPTED AS ORDINANCE O-17870
(New Series)

Amending Chapter X, Article 3 of the San Diego
Municipal Code, relating to Planning and Zoning.

Subitem-H: (O-93-67) ADOPTED AS ORDINANCE O-17871
(New Series)

Amending Chapter X, Article 4 of the San Diego
Municipal Code, relating to Special Sign Districts.

Subitem-I: (O-93-68) ADOPTED AS ORDINANCE O-17872
(New Series)

Amending Chapter X, Article 5 of the San Diego
Municipal Code, relating to Development Agreements.

Subitem-J: (O-93-64) ADOPTED AS ORDINANCE O-17873
(New Series)

Amending Chapter XI to incorporate the Coastal
Commission suggested modifications.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G109-180.)

MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT THE
ORDINANCES WITH THE CHANGES THAT WERE MADE IN THE FIRST
READING. Second by Stevens. Passed by the following vote:
Wolfsheimer-nay, Roberts-yea, Hartley-nay, Stevens-yea,
Behr-yea, Stallings-yea, McCarty-yea, Filner-not present,
Mayor O'Connor-not present.

* ITEM-100: (R-93-490) ADOPTED AS RESOLUTION R-281094

Awarding a contract to Warlop Landscape for furnishing
complete landscape maintenance of the designated
medians, right-of-way, and landscaped slopes within
Carmel Mountain Ranch Landscape and Lighting
Maintenance District, as may be required for a period
of one year beginning November 1, 1992 through October
31, 1993, for an estimated cost of \$101,054.02,
including tax and terms, with options to renew the
contract for four additional one year periods, with
option period price increases not to exceed the prices
in effect for the previous contract period by more than
10 percent; declaring that in the event the contractor
does not perform to specifications, the Purchasing
Agent is to terminate the contract and award to the
next low responsive and responsible bidder and to
subsequent bidders, if necessary, until a bidder is
found who performs to the specifications. (BID-
C3389/93)
(District-5.)

FILE LOCATION: CONT - Purchase - Warlop Landscape
CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-101: (R-93-488) ADOPTED AS RESOLUTION R-281095

Extending the contract with Transportable Treatment Services, Inc., for rental of 4 two-meter trailer mounted filter belt presses, from December 1, 1992 through January 31, 1993, for an estimated cost of \$106,672.50, including tax (for two months), with options to renew on a month-to-month basis for up to four additional months pending delivery of the new filter belt presses purchased by the City. (BID-B3045/92)

FILE LOCATION: CONT - Purchase - Transportable Treatment Services, Inc. CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-102: (R-93-644) ADOPTED AS RESOLUTION R-281096

Inviting bids for the Construction of Groundwater Wells at Miramar Landfill on Work Order No. 119380; authorizing the execution of a contract with the lowest responsible bidder;

authorizing the expenditure of not to exceed \$145,000, from Refuse Disposal Enterprise Fund 41201, CIP-37-2500, Landfill Closure and Environmental Project, 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-K3513/93) (District-5.)

CITY MANAGER SUPPORTING INFORMATION: State law mandates that

landfill operators conduct Solid Waste Assessment Test (SWAT) Reports on all active and former refuse disposal sites, to identify potential water and air pollutants that may be migrating offsite. The Regional Water Quality Control Board (RWQCB) has been designated as the enforcement agency for the water SWAT's. This project involves the construction of a RWQCB approved monitoring network that will detect possible leachate leakage into the groundwater from the Miramar facility. The monitoring network will consist of both groundwater/alluvium wells and vadose zone monitoring probes. The vadose zone is the area between the surface and groundwater. Monitoring of this zone will provide an early detection system that will help prevent costly groundwater clean-up efforts, should a leak occur. Our consultant on this project, Ninyo & Moore, will oversee all construction activities to assure approval by the RWQCB. Four rounds of sampling of these wells is required before the SWAT Report can be deemed complete.

Aud. Cert. 9300445.

FILE LOCATION: W.O. 119380 CONT - Layne Environmental Services, Inc. CONTFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-103: (R-93-645) ADOPTED AS RESOLUTION R-281097

Inviting bids for the Construction of Arizona Street Landfill Groundwater Monitoring Wells on Work Order No. 112010; authorizing the execution of a contract with the lowest responsible bidder;

authorizing the expenditure of not to exceed \$159,000, from Waste Management Enterprise Fund 30244 (Source Fund 41201), CIP-37-250, 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-K3520/93)
(Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego operated the Arizona Street Landfill between 1952 and 1974. This landfill is located in Balboa Park. In 1984, AB 3525 (Calderon) was adopted requiring all landfills be assessed for potential contamination to surface water and groundwater. The design of the proposed groundwater monitoring program was submitted in June to the San Diego Regional Water Quality Control Board (RWQCB). This construction contract will install and develop the required groundwater wells. The RWQCB has set a deadline of July, 1993 for completion of the Solid Waste Assessment Test (SWAT) Report for this site.

Aud. Cert. 9300377.

FILE LOCATION: W.O. 112010 CONT-Layne Environmental
Services Inc. CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-104:

Two actions relative to Parcel Map No. W.O. 920374:

(Kearny Mesa Community Area. District-5.)

Subitem-A: (R-93-765) ADOPTED AS RESOLUTION R-281098

Approving Parcel Map No. W.O. 920374.

Subitem-B: (R-93-766) ADOPTED AS RESOLUTION R-281099

Vacating Shawline Court, west of Shawline Street, in
connection with a consolidation Parcel Map (TPM-92-
0374).

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation has
been requested in conjunction with the filing of a consolidation

parcel map in order to accommodate a 120,000 square foot retail warehouse within the McGrath Corporate Center. The vacated area is to be consolidated with the adjoining parcels in order to create one large parcel and a second, smaller parcel at the northeast corner of the project. Development of this site is controlled by Planned Industrial Development/Planned Commercial Development (PID/PCD) Permit No. 88-1147, which was approved by the Planning Commission on August 17, 1989. The subject vacation is located in the Kearny Mesa community in an M1-A Zone. The area-of-vacation totals approximately 28,000 square feet (0.64 acres) in area. Although the vacated area will provide additional development entitlements, all development will be controlled by the related PID/PCD Permit. Because the Planning Department has found this project to be in substantial conformance with the existing designated uses, no amendments to the PID/PCD Permit will be required.

The Kearny Mesa Community Planning Group and the Planning Department have no objections to this vacation. The Planning Commission recommended approval of this item on October 15, 1992, by a vote of 6-0. The area-of-vacation is fully improved with curb, gutter, sidewalk, and asphalt paving. There are also public utilities and franchise facilities within the area which must be relocated or removed, satisfactory to the affected utility companies, or easements must be reserved.

Upon consolidation of the adjoining parcels, by the proposed consolidation parcel map, the right-of-way will no longer be required for access or circulation and may be considered excess. As a condition of the vacation, curb, gutter, and sidewalk must be constructed across the opening at Shawline Street, in a manner satisfactory to the City Engineer. The drainage easement does contain drainage structures which will need to be removed or relocated, in a manner satisfactory to the City Engineer, in order to adequately convey the existing drainage.

FINDINGS: Staff review has indicated that the right-of-way vacation is consistent with the General Plan, the community plan, and Council Policy 600-15 and may be vacated. The right-of-way is not required for present or prospective public use and the facilities for which it was originally acquired will not be detrimentally affected. The public will benefit from the vacation through improved utilization of the land, additional off-street parking, and an increased tax base.

FILE LOCATION: Subitem A: SUBD - McGrath Corporate Center, Lots 8-10, Map 12664; Subitem B: DEED F-5923,

STRT J-2783 DEEDFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-105:

Two actions relative to the final subdivision map of
The Short Subdivision, a 5-lot subdivision located
northwesterly of Worsch Drive and Portilla Place:
(Carmel Valley Community Area. District-1.)

Subitem-A: (R-93-750) ADOPTED AS RESOLUTION R-281100

Authorizing the execution of a Subdivision Improvement
Agreement with Karl G. and Margaret Short, for the
installation and completion of public improvements.

Subitem-B: (R-93-749) ADOPTED AS RESOLUTION R-281101

Approving the final map.

FILE LOCATION: SUBD - The Short Subdivision CONTFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-106: (R-93-776) ADOPTED AS RESOLUTION R-281102

Releasing a portion of the surety issued by Insurance
Company of the West for Bernardo Vista Del Lago in the
form of Performance Bond No. 116 06 02, so that the
same is reduced as follows:

1. For faithful performance, to the sum of \$1,418,610.

(Located southeasterly of I-15 and Pomerado Road.
Rancho Bernardo Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On January 9, 1991, the City entered into an agreement with Battle Mountain, a California Limited Partnership, for the construction of public improvements for Bernardo Vista Del Lago. Performance Bond No. 116 06 02 issued by Insurance Company of the West in the amount of \$4,934,294 was provided by the subdivider. The agreement expires January 9, 1993. Ninety-five percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety.

The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. In accordance with Council Policy 800-11, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 71.25 percent of the original surety will be released which will reduce the surety to \$1,418,610.

FILE LOCATION: SUBD - Bernardo Vista Del Lago

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-107: (R-93-772) ADOPTED AS RESOLUTION R-281103

Releasing a portion of the sureties issued by Developer Insurance Company for Robinhood Creek in the form of Performance Bond Nos. 217257S and 217258S, so that the same is reduced as follows:

1. For faithful performance, to the sums of \$130,792 and \$353,931, respectively.

(San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On July 15, 1991, the City entered into an agreement with Robinhood Creek, a General Partnership, for the construction of public improvements for Robinhood Creek. Performance Bond Nos. 217257S and 217258S issued by Developers Insurance Company in the amounts of \$402,437 and \$1,089,017, respectively, were provided by the subdivider. The agreement expires July 15, 1993. Ninety percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been previous partial release. In accordance with Council Policy 800-11, it is recommended that the sureties be reduced by amounts which are 75 percent of the value of the work completed. Therefore, 67.5 percent of the original sureties will be released which will reduce the sureties to \$130,792 and \$353,931 respectively.

FILE LOCATION: SUBD - Robinhood Creek

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-108: (R-93-777) ADOPTED AS RESOLUTION R-281104

Granting the petition for the Improvement of Alley Block 13, Bird Rock Addition, under the provisions of the Improvement Act of 1911; directing the City Manager to prepare plans, drawings, typical cross-sections, profiles and specifications for the Improvement of Alley Block 13, Bird Rock Addition, together with estimates of the costs and expenses of the work, and to furnish Council with a description of the district to be included in the assessment for the work and improvements.

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The City has received a petition from property owners who are interested in improving their alley through the formation of an assessment district under the provisions of the Improvement Act of 1911, which provides the

means to install public improvements with the cost assessed to the benefitting property owners.

The improvements would consist of grading and paving the alley, and some driveway reconstruction. As required in these proceedings, a petition for this improvement was circulated and signed by the owners of 73 percent of the property area involved.

FILE LOCATION: STRT D-2292

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-109: (R-93-787) ADOPTED AS RESOLUTION R-281105

Vacating an excess portion of North Torrey Pines Road south of La Jolla Shores Drive in Pueblo Lot 1311, under the procedure for the summary vacation of streets; declaring that upon acquisition of an encroachment permit from the City Engineer, the owners of the underlying fee may utilize the parcel of land for structures, the planting or growing of trees, or the installation of privately owned pipelines; declaring that the Resolution shall not become effective unless and until a land transfer of the City's title interest has been approved by Council action; in the event that the land transfer is not completed within 18 months following adoption of the Resolution, the Resolution shall become void and of no further force or effect; directing the City Engineer to advise the City Clerk of the completion of the land transfer.

(North University City Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The abutting property owner has requested the proposed vacation in order to implement the completion of a loop road around the University of California, San Diego (UCSD) campus. The loop road will provide internal campus circulation, which will reduce the number of trips on City streets, thereby improving traffic circulation.

Since the City owns the underlying fee to the area-of-vacation, the title is to be transferred to UCSD in exchange for areas of additional right-of-way adjacent to the campus. These areas are needed for future City roadway improvement projects and are to be determined at a later date, pursuant to an agreement which is a companion item. The subject vacation is located in the North University City Community, adjacent to the La Jolla Shores Planned District, and is situated in an R1-5000 Zone. The area-of-vacation totals approximately 45,085 square feet and would not affect density, due to the institutional nature of the UCSD campus. The Planning Department, the University Community Planning Group, and the La Jolla Shores Association have no objections to the proposed vacation, and the Planning Commission recommended approval by a vote of 5-0 on May 9, 1991.

The area-of-vacation is unimproved, excess right-of-way, which is landscaped and not required for access nor future circulation. The right-of-way contains public and franchise facilities which will require easement reservations. The existing improvements for North Torrey Pines Road will not be affected. Staff review has indicated that the vacation is consistent with the General Plan, the community plan, and Council Policy 600-15 and may be summarily vacated, conditioned upon approval by the City Council of a land transfer/exchange with UCSD. The excess right-of-way is not required for present or prospective public use, and the facilities for which it was originally acquired will not be detrimentally affected. The public will benefit from the vacation through improved utilization of the land and a reduction of traffic on North Torrey Pines Road due to usage of the proposed loop road.

FILE LOCATION: DEED F-5924; STRT J-2768 DEEDFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-110: (R-93-764) ADOPTED AS RESOLUTION R-281106

Making a minor boundary adjustment in the Crosby Street (Harbor Drive to Kearny Avenue) Underground Utility District; authorizing the undergrounding of the 69 KV

overhead utility lines contained within the revised district; acknowledging that this undergrounding is an exception to the general policy and procedure of the City as described in Resolution R-261978; authorizing the expenditure of an amount not to exceed \$54,000 from Annual Allocation - Undergrounding of City Utilities, CIP-37-028.0, Capital Outlay Fund 30245, and an amount not to exceed \$11,000 from Annual Allocation - Undergrounding of City Utilities, CIP-37-028.0, Capital Outlay/Other, Fund 302453, for the purpose of administering the district, minor City Force work, and street acquisition costs.

(Barrio Logan Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The Crosby Street Public Improvement Project provides for the widening of Crosby Street from Harbor Drive to Kearny Avenue to a modified four lane major street in conjunction with the Mercado Redevelopment Project in Barrio Logan. To dovetail with this, an underground utility district was previously established on Crosby Street to underground the existing 12 KV lines. However, a 69 KV overhead line also exists and it must be relocated if not under-grounded. It is recommended that the City Council authorize the inclusion of this 69 KV in this undergrounding district because this will prevent future disruption of the newly installed street improvements in the area and provide the community support at a nominal increase in cost. This will require that an exception be made to Resolution R-261978, which mandates the undergrounding of all 12 KV overhead utility lines before funds can be expended on the conversion of 69 KV lines. The cost differential in undergrounding the 69 KV lines versus relocating the poles is approximately \$300,000. PUC Case 8209 funding is available to do this additional 69KV work.

Aud. Cert. 9300346.

FILE LOCATION: STRT K-204

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-111: (R-93-802) ADOPTED AS RESOLUTION R-281107

Adopting the Conflict of Interest Code for the City of San Diego's Quality of Life Board.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-112: (R-93-827) ADOPTED AS RESOLUTION R-281108

Excusing Deputy Mayor Ron Roberts from attending the regularly scheduled Council meeting of Tuesday, November 10, 1992, due to personal reasons.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

ITEM-113: (R-93-786) ADOPTED AS RESOLUTION R-281109

Amending Council Policy 600-12, entitled "Street Names," to allow new City streets to be named after City employees who have been killed in the line of duty.

CITY MANAGER SUPPORTING INFORMATION: At the August 12, 1992, Public Facilities and Recreation Committee meeting, a proposal was adopted to name new City streets after slain police officers. At the request of Councilmember Stallings, this proposal has since been expanded to include all City employees who have been killed in the line of duty.

The implementation of such a policy may be accomplished by the modification of existing Council Policy 600-12, entitled "Street Names." A strikeout/underline version of modified Council Policy 600-12 has been prepared as Attachment 1 to the exhibit material. The Engineering and Development Department does not foresee any problem with the implementation of the proposed modifications to Council Policy 600-12, and the City Manager recommends approval of the changes.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D522-541.)

MOTION BY HARTLEY 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-not present.

* ITEM-114: (R-93-756) ADOPTED AS RESOLUTION R-281110

Authorizing the City Manager to submit requests to the Resources Agency of California for the purpose of preparing final engineering design plans for the construction of a Class I bicycle path along the south side of State Route 52 between Santo Road and Mast Boulevard.

(East Elliott and Tierrasanta Community Areas. District-7.)

CITY MANAGER SUPPORTING INFORMATION: Council Resolution R-280428, adopted July 27, 1992, requested that CalTrans install Class II bicycle lanes along State Route 52 between Santo Road and Mast Boulevard. The resolution also directed staff to seek funding for the upgrade of this bikeway to a Class I bicycle path. This action authorizes staff to submit an application to the California Resources Agency for the 1993-94 Environmental Mitigation Grant Program. The request will be for \$500,000, the maximum allowed under this funding source, for final design plans, specifications, and estimates for the construction of the bicycle path. The grant application is due November 30 and is being prepared.

FILE LOCATION: MEET CCONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-115: (R-93-757) ADOPTED AS RESOLUTION R-281111

Authorizing the City Manager to file an application for
supplemental funding for the grade separation project,
widening of the bridge on Miramar Road over the
Atchison, Topeka and Santa Fe Railroad.
(Mira Mesa and North University City Community Areas.
Districts-1 and 5.)

CITY MANAGER SUPPORTING INFORMATION: On September 29, 1986,
under Resolution R-266679, the City entered into an agreement
with CalTrans for widening of the Miramar Road Railroad Bridge
over the AT&SF railroad. Under the agreement CalTrans would
provide 80 percent of the funds for construction. The cost
estimate for the project was \$600,000. CalTrans provided
\$480,000. The project has been completed.

A Notice of Completion was recorded on the project on July 11,
1989. The actual total cost to construct was \$951,736. Under
Title 21 Department of Transportation Subchapter 13, the City may
file for supplemental funding. This request proposes a request
for \$281,389 which together with funds previously received would
be 80 percent of the actual cost of constructing the
improvements.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-116: (R-93-762) ADOPTED AS RESOLUTION R-281112

Approving the application for land water conservation

funds for the Hospitality Point Picnic Shelter.
(Mission Bay Park Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Applications are now being accepted for park projects to be funded out of the Land and Water Conservation Fund (LWCF). These are Federal grant monies administered by the California Department of Parks and Recreation. LWCF funds are granted based on a highly competitive review process. A total of \$500,000 has been earmarked for Southern California projects. This is reimbursement based on a matching fund program: LWCF will reimburse the City for up to 50 percent of project costs after completion of the project. The City must fully fund the project up front. The types of projects most often funded are the acquisition or development of neighborhood, community or regional parks. The LWCF system for judging projects favors development over acquisition and prefers passive recreation activities (camping, walking, picnicking, bird watching) over active recreation activities. Combination acquisition and development projects are not eligible. Also ineligible for funding are projects such as the restoration or preservation of historic structures, construction of facilities marginally related to outdoor recreation, or indoor facilities. Based on the stringent grant criteria, staff has selected the Hospitality Point Picnic Shelter as a project appropriate for application. The project is in conformance with the 20-year needs list to install picnic shelters throughout Mission Bay Park. It will provide a pre-engineered picnic shelter with a brown-painted tubular steel frame and a red tile roof to match the existing restroom. In addition to the picnic shelter, barbecues, picnic tables and walkways will be installed. Total project cost is estimated at \$70,000 and the project is being paid for by the Sludge Mitigation Fund. We would be requesting a 50 percent or \$35,000 reimbursement of total costs in our grant application.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-117: (R-93-719) ADOPTED AS RESOLUTION R-281113

Authorizing the execution of an agreement with Donahue/Schriber, for reimbursement from the Carmel Valley Facilities Benefit Assessment (FBA) for completed work on FBA projects 21-26 Carmel Valley Transit Center.

CITY MANAGER SUPPORTING INFORMATION: Donahue/Schriber has completed the construction of the Carmel Valley Transit Center in Neighborhood 9 adjacent to the Towne Center commercial area. This project is funded by the Carmel Valley Facilities Benefit Assessment (FBA and identified in the Carmel Valley Public Facilities Financing Plan (PFFP) as projects 21-26. The project agreement will authorize reimbursement to Donahue/Schriber in FBA credit, or cash only if available, for the cost for design and construction of this project.

Aud. Cert. 9300437.

FILE LOCATION: STRT FB-8 CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-118: (R-93-759) ADOPTED AS RESOLUTION R-281114

Authorizing the execution of an agreement with Health Examintics, Inc., for the provision of employee respiratory clearance medical examinations, for a one-year period beginning October 1, 1992 through February 28, 1993, with three options to renew periods beginning March 1, 1993 and ending February 28, 1996; authorizing the expenditure of an amount not to exceed \$32,000 from Fund 50061, Account No. 9544, for the purpose of providing funds for the execution of the agreement.

CITY MANAGER SUPPORTING INFORMATION: A number of operations performed by City employees require the use of a respirator. Examples include painting, welding and applying herbicides/pesticides. As an employer, the City must provide these employees with annual medical examinations, training and

respirator fit tests. These services are required to: 1) Eliminate the risk of serious injury and/or trauma present if an employee, in less than acceptable health, uses a respirator to perform job duties, and 2) fulfill employer's responsibility to comply with California Code of Regulations, Title 8, Section 5144-5155. It is recommended that a contract with Health Examinetics, Inc. be approved for the provision of medical examinations. These services are not included within the scope of the City of San Diego's current Industrial Medical Contract. Existing City staff will provide the annual training. Respirator fit testing will be conducted by City staff and consultants already under contract with the City. A Request for Proposals (RFP) for the provision of medical examinations was issued to 34 firms. The RFP was advertised in the Union-Tribune, Voice & Viewpoint, Asian Journal, La Prensa and Daily Transcript. Five firms responded by the deadline. All five firms submitted responsive proposals and were asked to participate in the final interview process.

Four participated (Health Examinetics, Inc., Industrial Medical Centers, San Diego Industrial Medical Consortium, and Sharp Rees-Stealy Medical Group, Inc.). The four firms were evaluated by the Consultant Selection Committee composed of representatives from the Risk Management, Personnel, and Water Utilities Departments and a medical physician, Board Certified in Occupational Medicine, from the Barlow Occupational Health Center. The evaluation criteria included cost of services, medical experience, medical resources, medical program management, administrative program management, and commitment to equal opportunity. Health Examinetics, Inc. was the highest-rated firm.

Aud. Cert. 9300448.

FILE LOCATION: CONT - Purchase - Health Examinetics, Inc.
CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-119: (R-93-771) ADOPTED AS RESOLUTION R-281115

Authorizing the execution of an agreement with JHK & Associates to provide consulting services for the development of a Bicycle Accident Records System; authorizing the expenditure of an amount not to exceed \$75,000 from FY 1992 Transportation Development Act Claims 288, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: The City was awarded a \$75,000 grant from the San Diego Association of Governments (SANDAG) for the development of a bicycle accident records system. The grant covers the cost of researching, analyzing, and retrieving bicycle accidents from the records of the Police Department, hospital emergency rooms, and emergency medical services; developing a pc-based computerized records system for the accident data; and operating the records system for one year. Ten consulting firms responded to advertising for this job. Five were "short-listed" for interview. JHK and Associates, in association with Monica Brown, MPH, an MBE and WBE firm, was selected to perform the required services. Both JHK and Monica Brown have offices in the City of San Diego.
Aud. Cert. 9300415.

FILE LOCATION: MEET CCONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-120: (R-93-622) ADOPTED AS RESOLUTION R-281116

Authorizing the execution of an agreement with San Diego Neighborhood Housing Services, Inc., for the procurement of affordable housing to benefit low income owner/occupants;

authorizing the expenditure of an amount not to exceed \$50,000 from Fund 18528 (18th Year CDBG Entitlement), Dept. 4026, Org. 2603, to fund the Rehabilitation Loan Program; authorizing the expenditure of an amount not to exceed \$30,000 from Fund 18528, Dept. 4026, Org.

2602, for the purpose of providing funds to pay staff salaries.
(District-3.)

CITY MANAGER SUPPORTING INFORMATION: This CDBG project will provide for funds to make low income owner occupant rehabilitation loans in target areas, and CDBG funds will be used for the Neighborhood Housing Services staff cost to carry out housing activities in target areas.

Neighborhood Housing Services is contributing all other expenses to operate this low income housing program. This project is operated by target areas, the areas of the City in which the contractor is authorized to operate the project; specifically, Target Area I for residential rehabilitation and loans for site acquisition and new construction to benefit low income owner occupants, consisting of Census Tracts 24.00, 25.01, 25.02, 26.00, 15.00, 42.00 north of Juniper Street, 16.00, 22.00, and 23.00 south of El Cajon Boulevard; and Target Area II for acquisition/rehabilitation/resale to new low income owners, consisting of Census Tracts 24.00, 25.01, 25.02, 26.00, 16.00, 22.00, and 23.00 south of El Cajon Boulevard.

Aud. Cert. 9300329.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-121: (R-93-755) ADOPTED AS RESOLUTION R-281117

Authorizing the execution of agreements with Scripps Memorial Hospital, Chula Vista, Scripps Memorial Hospital, La Jolla, and Sharp Memorial Hospital, to provide clinical training for San Diego Firefighter/Paramedics.

CITY MANAGER SUPPORTING INFORMATION: In September 1990, the City Council authorized the City Manager to initiate a Fire Department Paramedic Program, training firefighters in paramedic

skills, certifying them, and supplementing the present City paramedic delivery system by placing firefighter/paramedic on board Fire Department engines. Sixty-one certified firefighter/paramedics would benefit from the clinical training in the hospital emergency room setting. Clinical training is necessary for these paramedics to acquire the experience and maintain the skill level required for paramedic practice in San Diego. The base hospitals participating in this program include Scripps Memorial in Chula Vista, Scripps Memorial in La Jolla, and Sharp Memorial. Shifts will be scheduled and tracked by the Fire Department Emergency Medical Services office. A portion of the clinical training cost for 42 of the 61 currently eligible paramedics could be reimbursable to the City via an agreement between the California Joint Apprenticeship Committee (JAC) and San Diego Fire Department Training Division. Net JAC reimbursement rate (when available) is \$1.98 per hour (\$2.70 per hour per paramedic less JAC administration fee).

FILE LOCATION: MEET CONTFY93-3

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-122: (R-93-735) ADOPTED AS RESOLUTION R-281118

Authorizing the execution of an amended Master Policy Statement for the CITYMED Health Plan, and authorizing the premium rates increase for employees and their dependents.

CITY MANAGER SUPPORTING INFORMATION: A review of the integrity and stability of the CITYMED Health Plan was conducted by A. Foster Higgins in March 1992. Based on their recommendations and discussions with the labor groups, the following premium rate structure was established for FY 1993:

Monthly Premiums	\$250	\$1,000	\$2,500	Retiree
	Deductible	Deductible	Deductible	
Employee only	\$145.96	\$ 89.22	\$ 77.84	\$386.35

(City paid)				
Retiree				\$133.96
(Medicare)				
Dependent	\$169.26	\$103.44	\$ 90.13	\$393.83
(Employee paid)				
1 Dependent				\$143.25
(Medicare)				
2+ Dependents	\$338.54	\$206.86	\$180.48	\$590.99
(Employee paid)				
2 + Dependents				\$286.50

Premium increases were based on current actuarial assumptions, experience and indicated plan modifications implemented to remain a competitive and viable health plan. The policy statement has been amended to reflect the following plan design changes: (1) Change deductible and benefit maximum tracking from calendar year to plan year (August 1 through July 31); (2) Enhance the mental health/chemical dependency benefits by offering an in-network coverage through APM with smaller co-payments and higher maximums; and provide coverage for day treatment/partial hospitalization; (3) Inclusion of immunizations for preventable contagious diseases for all covered members.

Aud. Cert. 9300417.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-123: (R-93-692) ADOPTED AS RESOLUTION R-281119

Authorizing the execution of a Master Policy Statement FY 93 for the Cash Reimbursement Plan.

CITY MANAGER SUPPORTING INFORMATION: This is the annual request for filing of the Cash Payment Plan Master Policy Statement. The FY 1993 master policy statement has been amended to reflect the change in state tax withholding rate from 3 percent to 6 percent.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-124: (R-93-694) ADOPTED AS RESOLUTION R-281120

Authorizing the execution of a Master Policy Statement
FY 93 for the Dependent Care Reimbursement Plan.

CITY MANAGER SUPPORTING INFORMATION: This is the annual request
for filing of the Dependent Care Reimbursement Plan Master Policy
Statement.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-125: (R-93-695) ADOPTED AS RESOLUTION R-281121

Authorizing the execution of a Master Policy Statement
FY 93 for the Dental/Medical/Vision/Reimbursement Plan.

CITY MANAGER SUPPORTING INFORMATION: This is the annual request
for filing of the Dental/Medical/Vision Reimbursement Master
Policy Statement. The FY 1993 Master Policy Statement has been
amended to eliminate the language limiting eligible expenses and
replace it with a more general description pertaining to
compliance with Internal Revenue Service eligible expenses.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-126: (R-93-741) ADOPTED AS RESOLUTION R-281122

Authorizing the execution of an amended Group Health Insurance Agreement with Aetna Health Plans of San Diego, Inc., to extend the agreement for a one-year period beginning August 1, 1992 through July 31, 1993, and to authorize a premium rate increase as follows:

	Per Month	
Monthly Premiums	From	To
Employee only (City paid)	\$132.88	\$144.16
One Dependent (Employee paid)	\$146.10	\$158.54
Two or More Dependents (Employee paid)	\$268.02	\$290.82

CITY MANAGER SUPPORTING INFORMATION: Aetna Health Plan was first offered to all employees in FY 90 effective August 1, 1989 as an alternative health plan in lieu of Greater San Diego. Aetna was awarded the contract as a result of a survey of health maintenance organizations conducted by A. foster Higgins in March 1989. Due to the two-year agreements with the employee organizations entered into in 1991, no market search was conducted in 1992. The premium rates for this contract year, August 1, 1992 through July 31, 1993, for City paid and employee paid rates have increased as follows:

	Per Month		
Monthly Premiums	From	To	Percent Increase
Employee only (City paid)	\$132.88	\$144.16	+8.5 percent
One Dependent (Employee paid)	\$146.10	\$158.54	+8.5 percent
Two or More Dependents (Employee paid)	\$268.02	\$290.82	+8.5 percent

Aud. Cert. 9300422.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-127: (R-93-733) ADOPTED AS RESOLUTION R-281123

Authorizing the execution of a fifth amendment to the agreement with American Family Life Assurance Company, for group cancer and hospital intensive care, for a one year period beginning July 1, 1992 through June 30, 1993.

CITY MANAGER SUPPORTING INFORMATION: Cancer expense and hospital intensive care protection insurance plans have been offered as an option in the City's benefits plans since FY 88. A market search was conducted by our consultant, A.Foster Higgins, in February 1992. Bid specifications were sent to three major carriers: American Family Life Assurance Company (AFLAC), the current provider; Colonial Life; and American Heritage Life. AFLAC was retained because Colonial Life did not submit a proposal and American Heritage Life did not duplicate the current plan design. The plans offered by AFLAC provide payments to an ill employee or on behalf of an ill family member for cancer, selected dread disease and intensive care hospitalization. There has been no change in rates or benefits from last year.

Aud. Cert. 9300418.

FILE LOCATION: MEET CONTFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-128: (R-93-731) ADOPTED AS RESOLUTION R-281124

Authorizing the execution of a second amendment to the agreement with First Equicor Life Insurance Company, to provide stop loss insurance for the CITYMED Health Plan, to extend the agreement for a one-year period beginning August 1, 1992 through July 31, 1993.

CITY MANAGER SUPPORTING INFORMATION: In FY 1991, the City

entered into an agreement with First Equicor Life Insurance Company for Stop Loss Insurance to hold CITYMED's risk exposure at \$150,000. In February 1992, the benefits consultant again conducted a market analysis and submitted bid specifications to 27 carriers for competitive bids for the life insurance and stop loss coverages together. First Equicor Life Insurance Company continued to have the most favorable agreement for the City and the agreement was extended for FY 1993. This agreement limits CITYMED's claim exposure to \$150,000 for specific individual claims and an aggregate amount of 125 percent of projected claims. Once these limits are reached, the stop loss insurance pays the remainder of the incurred claims. The cost of the coverage remains the same as in FY 1992 for a one-year period beginning July 1, 1992 through June 30, 1993.

Aud. Cert. 9300419.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-129: (R-93-737) ADOPTED AS RESOLUTION R-281125

Authorizing the execution of an amended agreement with First Equicor Life Insurance Company, to extend the agreement for a three-year period beginning July 1, 1992 through June 30, 1995.

CITY MANAGER SUPPORTING INFORMATION: On October 12, 1987, an agreement was executed between the City of San Diego and the Equitable Life Assurance Society of the United States (on file with the City Clerk as document RR-269450) for the employee group life insurance contract for a three-year period with guaranteed rates. It should be noted that, effective 7/1/89, the policy was transferred from the Equitable Life Assurance Society to First Equicor Life Insurance Company, who is a wholly owned subsidiary of Equicor which is a subsidiary of the Equitable. A market analysis was conducted in February 1992 by our benefits consultant, A. Foster Higgins. Bid specifications were submitted to 27 carriers. The carriers were required to provide quotes for

life and stop loss coverage for CITYMED together. Only 3 carriers, including Equicor, provided proposals.

First Equicor was determined to be the best choice for the City of San Diego employees. The rates continue to remain at the same levels from last year at .11 cents per \$1,000 for the Basic Employees Life coverage and .03 cents per \$1,000 for the Accidental Death & Dismemberment coverage. This amendment covers the three-year period of July 1, 1992 to June 30, 1995. Aud. Cert. 9300423.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-130: (R-93-732) ADOPTED AS RESOLUTION R-281126

Authorizing the execution of an amended CITYMED Utilization Review Agreement with International Rehabilitation Associates, Inc., dba Intracorp, to provide medical utilization review and case management services for CITYMED Health Plan, to extend the agreement for a one-year period beginning August 1, 1992 through July 31, 1993, to increase the Medical Case Management rates from \$115 to \$125 per hour and to decrease the Utilization Review rates effective May 1, 1992 to July 1, 1993, from \$1.39 to \$0.98 cents per member per month.

CITY MANAGER SUPPORTING INFORMATION: In 1991, in an attempt to better administer the CITYMED Health Plan, it was decided to "unbundle" the administration components that, since 1975, the San Diego Foundation for Medical Care had provided globally. This "unbundling" would allow for more expertise and a higher level of service and, in turn, provide greater savings to the City. A market search was conducted by our benefits consultant, A. Foster Higgins, to identify viable medical utilization review companies which met the City's needs. After interviewing those recommended by A. Foster Higgins, Intracorp was selected based on their responsiveness, professionalism, and level of service. Our

agreement with Intracorp is two-fold: The first piece provides for medial utilization review; the second piece provides for medical case management services. This amendment extends the agreement one year from August 1, 1992 to July 31, 1993. Intracorp's rate for utilization review services was decreased from \$1.39 per member per month to 98 cents per member per month effective May 1, 1992 to July 31, 1993. This decrease was due to low utilization. Intracorp's Medical Case Management services is utilized on an as-needed basis to manage high cost cases. This rate has increased from \$115 per hour to \$125 per hour.

Aud. Cert. 9300428.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-131: (R-93-736) ADOPTED AS RESOLUTION R-281127

Authorizing the City Manager to execute an amended Group Health Insurance Agreement with Health Net, to extend the agreement for a one-year period beginning August 1, 1992 through July 31, 1993, and to authorize a premium rate increase as follows:

	Per Month	
Monthly Premiums	From	To
Employee Only (City paid)	\$130.54	\$141.64
One Dependent (Employee paid)	\$150.42	\$163.20
Two or More Dependents (Employee paid)	\$273.80	\$297.08

CITY MANAGER SUPPORTING INFORMATION: The Health Net Health Plan was first offered to all City employees in FY 90, based on level of coverage provided; number and locations of providers within their network; and pricing. No market search was conducted in 1992 due to the two-year agreements with the employee organizations entered into in 1991. The premium rates for the contract year, August 1, 1992 through July 31, 1993, for City

paid and employee paid premiums have increased as follows:

	Per Month		
Monthly Premiums	From	To	Increase
Employee Only (City paid)	\$130.54	\$141.64	+8.5 percent
One Dependent (Employee paid)	\$150.42	\$163.20	+8.5 percent
Two or More Dependents (Employee paid)	\$273.80	\$297.08	+8.5 percent

Mental Health and Alcohol/Drug Abuse benefits have been enhanced by: (a) Providing for an inpatient maximum calendar year benefit of \$30,000 from a 30-day calendar year maximum; (b) Decreasing the outpatient co-payment from \$30 to \$10 per visit; and (C) Eliminating the 20 outpatient visit maximum. Through the mental health carve out study, a decision was reached by the Manager's Office to use Health Net's mental health Insight program as a pilot carve out for City Med's health plan. The benefits provided through this pilot program are the same as above.

Aud. Cert. 9300420.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-132: (R-93-734) ADOPTED AS RESOLUTION R-281128

Authorizing the execution of an amended Group Dental Agreement with Standard Insurance Company, to extend the agreement for a one-year period beginning August 1, 1992 through July 31, 1993.

CITY MANAGER SUPPORTING INFORMATION: The City offered the Standard Insurance Company indemnity dental insurance plan as part of its Flexible Benefits and Management Benefits Plans for the first time in FY 1987 (on file with the City Clerk as document RR-266300.) This plan provides for employees to choose their own dentist. However, if the employee chooses a preferred provider organization dentist, service costs are at a significant

discount and the plan pays a higher percentage of the dental service costs. Based on the City's claims experience for the past year, the current rates were able to be maintained.

Aud. Cert. 9300427.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-133: (R-93-738) ADOPTED AS RESOLUTION R-281129

Authorizing the execution of an amended Dental Insurance agreement with Safeguard Health Plans, Inc., to extend the agreement for a two-year period beginning August 1, 1992 through July 31, 1994, and to authorize a premium rate change as follows:

MONTHLY PREMIUMS	PER MONTH	
	FROM	TO
Employee Only (City Paid)	\$10.56	\$10.72
One Dependent (Employee Paid)	\$18.56	\$18.16
Two or More Dependents (Employee Paid)	\$24.36	\$23.42

CITY MANAGER SUPPORTING INFORMATION: Dental insurance coverage has been a benefit option since the inception of the Flexible Benefits and Management Benefits Plans. Safeguard Health Plans, Inc. was awarded the contract in 1984 (on file with the City Clerk as document RR-271680) based on the following factors: Financial stability; number and location of dental providers; level of coverage; and administrative needs. A market analysis was conducted in February 1992 by A. Foster Higgins to survey the prepaid dental insurance plans available. Bid specifications were sent to sixteen providers. Five proposals plus Safeguard Health Plans, Inc. were evaluated based upon three criteria: Benefits package, pricing and provider network. Based on the results of the evaluation, Safeguard Health Plans, Inc. was again awarded the contract period 8/92 through 7/94 based upon the factors cited above as well as continuity of care. The rates will change as follows:

	Monthly Premiums		
	From	To	% Change
Employee Only (City Paid)	\$10.56	\$10.72	+1.5%
One Dependent (Employee Paid)	\$18.56	\$18.16	-2.2%
Two or More Dependents (Employee Paid)	\$24.36	\$23.42	-3.9%

Aud. Cert. 9300421.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-134: (R-93-729) ADOPTED AS RESOLUTION R-281130

Authorizing the execution of an amended Vision
Insurance Agreement with Safeguard Health Plans, Inc.,
to extend the agreement for a two-year period beginning
August 1, 1992 through July 31, 1994.

CITY MANAGER SUPPORTING INFORMATION: Vision insurance coverage
has been a benefit option since the inception of the Flexible
Benefits and Management Benefits Plans. Safeguard Health Plans,
Inc. was originally awarded the contract in 1984 (on file with
the City Clerk as document RR-271690) based on the following
factors: Financial stability; number and location of providers;
level of coverage; and administrative needs.

A Request for Proposal was issued in 1988 to survey the prepaid
vision insurance needs. Based on the results of this survey,
Safeguard Health Plan's contract was extended to July 31, 1992. A
market search was conducted in February 1992 by our benefits
consultant, A. Foster Higgins, to provide a competitive arena and
ensure the City's needs were being best served. Based on the
responses to this search, a new two-year agreement has been
entered into with Safeguard Health Plans, Inc. supported by the
factors cited above as well as continuity of care. There will
not be any changes to the benefits, services or premiums.

Aud. Cert. 9300424.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-135: (R-93-728) ADOPTED AS RESOLUTION R-281131

Authorizing the execution of a fourteenth amendment to the agreement with San Diego Foundation for Medical Care, to provide preferred provider services for CITYMED Health Plan, to extend the agreement for a one-year period beginning August 1, 1992 through July 31, 1993; authorizing a premium rate increase from \$1.75 per member per month to \$1.87 per member per month.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Foundation for Medical Care and the City of San Diego have had a professional relationship in conjunction with the CITYMED Health Plan since 1975.

Beginning in FY 1992, San Diego Foundation for Medical Care (SDFMC) provided for preferred provider services and selected review. SDFMC was selected in FY 1992 as a result of A. Foster Higgins' market analysis. The size of the doctor/hospital network was identified as the primary reason for the selection. SDFMC's rate for Preferred Provider Services has increased from \$1.75 per member per month to \$1.87 per member per month for the one-year period August 1, 1992 to July 31, 1993. Aud. Cert. 9300426.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-136: (R-93-730) ADOPTED AS RESOLUTION R-281132

Authorizing the execution of the first amendment to the agreement with Risk Management Resources, Inc., to extend the agreement for a three-year period beginning August 1, 1992 through July 31, 1995, and to authorize a premium rate increase as follows:

8/1/92 to 7/31/93	\$7.75 per employee per month
8/1/93 to 7/31/94	\$8.15 per employee per month
8/1/94 to 7/31/95	\$8.64 per employee per month

CITY MANAGER SUPPORTING INFORMATION: The City entered into an agreement with Risk Management Resources, Inc. (RMR) in FY 1991, as our current third party administrator, Employee Benefits Plans, Inc. (EBP) negotiated a merger with RMR. The decision was made because RMR, a wholly owned subsidiary of EBP, would provide a higher level of service to CITYMED participants, assume more stringent performance standards, and provide claim administration operations in San Diego. Because RMR has performed up to expectations, and in order to retain a continuity of administration of the CITYMED Health Plan, we are hereby entering into a three-year agreement at the following rates:

Contract Period	Rates	Percent of Increase
8/1/92 to 7/31/93	\$7.75 per employee or family	12 percent
8/1/93 to 7/31/94	\$8.15 per employee or family	5 percent
8/1/94 to 7/31/95	\$8.64 per employee or family	6 percent

Aud. Cert. 9300425.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

ITEM-200: REPORTS ACCEPTED

In the matter of the City of San Diego's response to

the Los Angeles Civil Disturbance:

Subitem-A:

Presentation of the Civil Disturbance Preparedness Plans from the Police Chief and Fire Chief.

Subitem-B:

Presentation of the Urban Agenda from Carol Hallstrom and Arthur Ellis.

Subitem-C:

Presentation of the Coalition for Equality from Mike Madigan.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B385.)

MOTION BY STEVENS TO ACCEPT THE REPORTS AND DIRECT THE CITY MANAGER TO COME BACK WITH THE ACTION ITEMS. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-201: (O-93-12) ADOPTED AS ORDINANCE O-17874 (New Series)

(Continued from the meeting of November 11, 1992, Item 51, at Councilmember Stevens' request, for further review.)

Amending Chapter X, Article 1, Division 5, of the San Diego Municipal Code by amending Section 101.0510, relating to Correctional Placement Centers. (Introduced on 10/27/92. Council voted 7-0. Districts 2 and 8 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E436-594.)

Motion by Stevens to adopt. Second by Hartley. No vote.

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

ITEM-202: (0-93-27) INTRODUCED, TO BE ADOPTED DECEMBER 8, 1992

Introduction of an Ordinance amending Chapter V, Article 6, of the San Diego Municipal Code, by amending Section 56.54 relating to Alcoholic Beverage Consumption Prohibited in Certain Areas, to prohibit consumption of alcoholic beverages in certain areas to include all of the area within the boundaries of: The Central and Southeastern Divisions of the San Diego Police Department; That portion of the Eastern Division of the San Diego Police Department located south of Interstate 8; and That portion of the Western Division of the San Diego Police Department located within Council District 3.

Including within the ban the following parks situated beyond the boundaries described above as parks where the consumption of alcohol is banned at any time:

- (a) Montgomery Waller Park
- (b) Silver Wing Park

Exempting from the ban that portion of Balboa Park bounded by State Route 163 on the west, Park Boulevard on the east, Upas Street on the north, and I-5 on the south.

(See City Manager Report CMR-92-345).

FILE LOCATION:

COUNCIL ACTION: (Tape location: E595-F060.)

MOTION BY STEVENS TO INTRODUCE THE ORDINANCE AND TO DIRECT THE CITY MANAGER TO: 1) EXAMINE THE POSSIBILITY OF ADDING THE 8:00 P.M. TO 8:00 A.M. BAN TO CENTRAL MESA; AND 2) EXPAND THE BAN FOR THE MID CITY, COLLEGE AND EASTERN AREAS.

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

ITEM-203:

Five actions relative to Carmel Valley Village, Unit 4:

Subitem-A: (R-93-794) ADOPTED AS RESOLUTION R-281133

Approval of the final map of Carmel Valley Village,
Unit 4.

Subitem-B: (R-93-795) ADOPTED AS RESOLUTION R-281134

Approval of a Cooperative Agreement between the City,
CalTrans and the First Interstate Bank of California
(FICAL) for the installation of storm drain pipes under
SR-56.

Subitem-C: (R-93-796) ADOPTED AS RESOLUTION R-281135

Approval of an agreement with First Interstate Bank of
California for the payment of approximately \$3,150,000
in lieu of the construction of Carmel Valley Road.

Subitem-D: (R-93-896) ADOPTED AS RESOLUTION R-281136

Authorizing the execution of a Subdivision Improvement
Agreement with First Interstate Bank of California, for
installation and completion of public improvements.

Subitem-E: (R-93-897) ADOPTED AS RESOLUTION R-281137

Vacating Road Survey 190 within Sections 20 and 21,
Township 14 South, Range 3 West, San Bernadino
Meridian, under the procedure for the summary vacation
of streets.

FILE LOCATION: Subitems A-D: SUBD - Carmel Valley
Village, Unit 4; Subitem E: DEED F-5925, STRT
J-2786 CONFY93-3 DEEDFY93-1

COUNCIL ACTION: (Tape location: E385-435.)

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-not present, Mayor O'Connor-not present.

ITEM-204: (R-93-677) ADOPTED AS RESOLUTION R-281138

(Continued from the meeting of November 9, 1992, Item 107, at the City Manager's request, to work out additional equal opportunity contracting issues.)

Authorizing the execution of a second amendment to the Operating Memorandum Implementing Development Agreement with American Newland Associates, for the design and construction of Views West Park and Penasquitos Creek Park; authorizing the City Auditor and Comptroller to make payments from FBA Fund No. 79004 as funds become available, for providing funds for the above project. (Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: American Newland Associates (Newland), a California general partnership, is obligated to design and construct two parks in the Penasquitos East Community pursuant to Development Agreement 00-17179, dated November 14, 1988. The parks are Views West Park, and Penasquitos Creek Park which has been completed.

The City Council approved an operating Memorandum Implementing Development Agreement on November 13, 1989 which defines the specific obligations of Newland and the City in the development of these parks.

Newland was to perform the work and be reimbursed by the City for actual costs as FBA Funds become available. This reimbursement is scheduled in the Penasquitos East Public Facilities Financing Plan and Facilities Benefit Assessment (Financing Plan) beginning in FY 91.

Views West Park has gone to bid and the total project cost will be about \$1,638,000. The estimated total project cost in the Operating Memorandum was \$1,340,000. The proposed second

amendment to the Operating Memorandum increases the reimbursement amount by a maximum of \$298,000.

FILE LOCATION: MEET CCONFY93-1

COUNCIL ACTION: (Tape location: F064-083.)

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-not present, Mayor O'Connor-not present.

ITEM-205: (R-93-792) ADOPTED AS RESOLUTION R-281139

Authorizing the City Manager to execute a supplemental indenture and any related documents to allow for the re-marketing of outstanding Industrial Development bonds for the Carmel Mountain Healthcare Center Project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F084-116.)

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

ITEM-206: (R-93-574) ADOPTED AS RESOLUTION R-281140

Authorizing the execution of an agreement with the Joint Venture of Superior Ready Mix Concrete and West Coast General Corporation, for the excavation, processing and removing of aggregate material, dirt and sand from the Phase II area of West Miramar Landfill;

authorizing the execution of an amendment to the United States of America Grant of Easement N6247482RPOOQ77 to permit the excavation, processing and removing of aggregate resources from the Phase II portion of West Miramar Landfill; certifying the finding of No Significant Impact for DEP-89-1144, which was prepared

by the United States Navy in accordance with the National Environmental Policy Act, including any comment received during the public review process; certifying that the federal document, DEP-89-1144, meets the requirements of the California Environmental Quality Act of 1970, as amended, in accordance with California Code of Regulations, Title 14, Section 15221, and the City of San Diego's Environmental Ordinance found in San Diego Municipal Code Sections 69.0101-69.0304.

(NAS Miramar Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: In October 1988 the City issued a Request for Proposal for Aggregate Extraction at West Miramar Landfill. On August 7, 1989, pursuant to Resolution R-274257, an agreement was executed with the West Coast General Corp. for the excavating, processing and removing of aggregate in the Phase I area of the landfill. Additionally, the City Manager was authorized to negotiate an agreement with West Coast General Corp. for extraction of aggregate in the Phase II area of the landfill. The contractor successfully complied with their obligations under the Phase I agreement. Approximately 2,500,000 tons were excavated (half of which was provided to the City for landfill cover). This generated 1,750,000 cubic yards, or approximately 9 months, of additional landfill capacity. The Navy received approximately \$450,000 in royalty payments and the City realized approximately \$100,000 during the course of the Phase I part of the contract. It is estimated that there are 8-15 million tons of aggregate material in the Phase II area of the landfill. Excavation and export of this material is expected to generate at least 4-5 years of additional landfill capacity, royalty payments to the Navy of approximately \$3.3 million, and net revenue to the City of \$500,000 to \$800,000 over the course of the 10 year project. The City via the bill of sale shall purchase the aggregate material from the Navy and through the agreement with the contractor, the contractor shall pay the royalty for the material. These payments shall pass through the City to the Navy. All Federal and State environmental regulations shall be complied with by the contractor.

FILE LOCATION: MEET CONFY93-2

COUNCIL ACTION: (Tape location: F116-184.)

MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-

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

ITEM-207: (R-93-879) CONTINUED TO JANUARY 26, 1993

Authorizing the establishment of an Inclusionary Housing Program in the City of San Diego and directing the City and Housing Commission staffs to prepare and submit the documents to implement the program within 120 days of Council action.

(See San Diego Housing Commission Report HCR-92-232.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: G181-I150.)

Motion by Stevens to adopt, accepting the Inclusionary Housing Task Force Report, with the amendment to replace the Task Force's recommendation regarding In-Lieu Fee's on page 28 and 29 of the Task Force Report with the following: "Up to 25% of a development of affordable housing obligation may be met through payments of "an in-lieu fee to the Housing Trust Fund". These fees should be: A) Established and updated regularly by the Housing Commission; B) Calculated to reflect the cost of providing below market rate units as required by the Inclusionary Housing Program which will also include the cost of construction and land acquisition; and C) Use solely for the purpose of increasing home ownership opportunities in the impacted communities." No second.

MOTION BY BEHR TO CONTINUE ITEMS 207 AND 208 TO JANUARY 26, 1993 TO ALLOW FOR FURTHER EVALUATION WITH THE FOLLOWING DIRECTIVE:

1. HAVE EACH COUNCIL MEMBER ADDRESS THEIR AREAS OF CONCERN TO STAFF, WITH STAFF RESPONDING BEFORE JANUARY 26, 1993.
2. DIRECT THE CITY MANAGER TO MEET WITH THE PLANNING DEPARTMENT AND HOUSING COMMISSION TO INTEGRATE ALL THE ISSUES DISCUSSED TODAY WITH THE TANDEM PARKING AND THE DENSITY BONUS PROGRAM.
3. STAFF TO PROVIDE A MAP THAT WILL CLARIFY ALL THE ISSUES OF THIS PROJECT AS THE CITY MANAGER DID WITH THE DEL MAR MESA PROJECT. MAP TO INCLUDE: 1) THE VARIOUS AREAS AND DISTRICTS THAT WILL BE AFFECTED WITH THIS PROJECT; 2) TRANSIT CORRIDOR AND TODS AS A POSSIBLE LOCATION FOR THE LOW AND MODERATE INCOME HOUSING; 3) THE ECONOMIC DEVELOPMENT OF HAVING JOBS LOCATED NEAR THE HOUSING; 4) URBAN FORM; AND 5)

ANYTHING ELSE THAT WOULD CLARIFY THE PROJECT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-208: CONTINUED TO JANUARY 26, 1993

Consideration of a proposal to amend the San Diego Municipal Code relating to the Affordable Housing Density Bonus Program to comply with State Legislative Requirements.

The proposed amendment of the Affordable Housing Density Bonus Program also constitutes an amendment to the City of San Diego's Local Coastal Program. If approved by the City Council, the proposed Local Coastal Program Amendment must be submitted to the California Coastal Commission for review and final approval. The proposed Local Coastal Program Amendment would not become effective until after approval by the California Coastal Commission.
(City-wide.)

Subitem-A: (0-92-39 Cor. Copy)

Introduction of an Ordinance amending Chapter X, Article 1, Division 3, of the San Diego Municipal Code by amending Sections 101.0307.1 through 101.0307.6 relating to the affordable housing density bonus.

Subitem-B: (0-92-40)

Introduction of an Ordinance amending Chapter X, Article 1, Division 5, of the San Diego Municipal Code by amending Section 101.0500 and amending Chapter X, Article 3, Division 1, by amending Section 103.0101 relating to the utilization of the affordable housing density bonus.

FILE LOCATION:

COUNCIL ACTION: (Tape location: G181-I150.)

MOTION BY BEHR TO CONTINUE ITEMS 207 AND 208 TO JANUARY 26, 1993 TO ALLOW FOR FURTHER EVALUATION WITH THE FOLLOWING

DIRECTIVE:

1. HAVE EACH COUNCIL MEMBER ADDRESS THEIR AREAS OF CONCERN TO STAFF, WITH STAFF RESPONDING BEFORE JANUARY 26, 1993.
2. DIRECT THE CITY MANAGER TO MEET WITH THE PLANNING DEPARTMENT AND HOUSING COMMISSION TO INTEGRATE ALL THE ISSUES DISCUSSED TODAY WITH THE TANDEM PARKING AND THE DENSITY BONUS PROGRAM.
3. STAFF TO PROVIDE A MAP THAT WILL CLARIFY ALL THE ISSUES OF THIS PROJECT AS THE CITY MANAGER DID WITH THE DEL MAR MESA PROJECT. MAP TO INCLUDE: 1) THE VARIOUS AREAS AND DISTRICTS THAT WILL BE AFFECTED WITH THIS PROJECT; 2) TRANSIT CORRIDOR AND TODS AS A POSSIBLE LOCATION FOR THE LOW AND MODERATE INCOME HOUSING; 3) THE ECONOMIC DEVELOPMENT OF HAVING JOBS LOCATED NEAR THE HOUSING; 4) URBAN FORM; AND 5) ANYTHING ELSE THAT WOULD CLARIFY THE PROJECT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-209: (O-93-88) CONTINUED TO JANUARY 26, 1993

Introduction of an Ordinance amending Ordinance O-17838 (New Series), relating to Tandem Parking. This Ordinance amended the San Diego Municipal Code Section 101.0821 to delete tandem parking by reducing from two to one the number of parking spaces in a tandem configuration that are included in the calculation of required parking for residential projects.

FILE LOCATION:

COUNCIL ACTION: (Tape location: I151-475.)

Hearing began at 8:01 p.m. and halted at 8:20 p.m.

Motion by Behr to introduce the ordinance. No second.

Motion withdrawn.

Motion by McCarty to reinstate tandem parking as an option citywide excluding the exempted areas. No vote.

MOTION BY HARTLEY TO CONTINUE TO JANUARY 26, 1993 AND TO:
1) DIRECT THE CITY MANAGER WITH THE HELP OF THE COUNCIL

OFFICES TO NOTICE THE COMMUNITY PLANNING GROUPS TO SOLICIT THEIR COMMENTS ON THE TANDEM PARKING ORDINANCE; 2) DIRECT THE COMMUNITY PLANNING GROUPS TO ADDRESS THE ISSUE OF TANDEM PARKING AS APPLICABLE TO ALL OR PART OF THEIR COMMUNITY PLANNING AREAS; AND 3) REPORT BACK TO COUNCIL ON JANUARY 26, 1993 WITH A REPORT OUTLINING EACH COMMUNITY PLANNING AREA AND THE RECOMMENDATIONS OF EACH COMMUNITY PLANNING GROUP ON TANDEM PARKING. Second by Stallings. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, Filner-not present, Mayor O'Connor-not present.

Direct the City Manager to bring back the Pipeline Ordinance to take action on December 8, 1992. Passed. Yeas-1,2,3,4,5,6,7. Nays-none. Not present-8,M.

ITEM-S400:

Two actions relative to a Special Election to fill a vacancy in the Office of Councilmember for District 8: (See City Clerk Report dated 11/17/92.)

Subitem-A: (O-93-89) INTRODUCED AND ADOPTED AS
ORDINANCE O-17875 (New Series)

Introduction and adoption of an Ordinance ordering, calling, providing for and giving notice of a Special Election to be held on February 16, 1993 in Council District 8.

Subitem-B: (R-93-840) ADOPTED AS RESOLUTION R-281141

Adoption of a Resolution requesting the services of the County Registrar of Voters in connection with the Special Election on February 16, 1993.

CITY CLERK SUPPORTING INFORMATION: District 8 Councilmember Bob Filner was elected to the U. S. House of Representatives on November 3, 1992. On Friday, November 13, 1992, Councilmember Filner submitted to the City Clerk his resignation from the City Council, effective January 3, 1993. Pursuant to City Charter Section 12, the Council must immediately call a Special Election to be held in the District within 90 days of the date of vacancy.

The candidate receiving the greatest number of votes in that election shall be elected, and shall serve only until the next municipal election, to be held on September 21, 1993, and, if necessary, November 2, 1993. February 16, 1993 represents the earliest possible date for the Special Election.

The Auditor shall make payments in the amount of \$200,000 from the City Clerk-Elections Department 036, of the general fund. Payments will be made to the Registrar of Voters for contract services to conduct the election.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F185-194.)

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

ITEM-S401:

(Continued from the meetings of September 15, 1992, Item 336, and October 20, 1992, Item 341, and November 10, 1992, Item 335, and November 17, 1992, Item S502; last continued at the applicant's request, for full Council.)

Appeal of Luis E. Garcia, from the decision of the Planning Commission in denying a Tentative Map, Hillside Review and Resource Protection Ordinance Permit (TM/HRP/RPO-90-0834), proposing a two-lot subdivision and the construction of a 2,270-square-foot single-family home, on a site with an existing single-family home. The subject property, a 1.22-acre site, is located at 3230 Welmer Place in the R1-5000 (Single-Family Residential - minimum lot size of 5,000 square feet) Zone and within the boundaries of the University Community Plan Area. The legal description of the site is The Bluffs, Lot 27 of Unit 1, Map-6208. (TM/HRP/RPO-90-0834. District-1.)

Subitem-A: (R-93-) NOTED AND FILED

Adoption of a Resolution certifying that the information contained in Mitigated Negative Declaration DEP-90-0834 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-94-1120) DENIED APPEAL AND PERMIT,
ADOPTED AS RESOLUTION R-281142
(see note at end of text)

Adoption of a Resolution granting or denying the appeal and granting or denying the Hillside Review Permit and the Resource Protection Ordinance Permit with appropriate findings to support Council action.

Subitem-C: (R-94-1120) DENIED APPEAL AND MAP, ADOPTED
AS RESOLUTION R-281143 RE-
ADOPTED ON FEBRUARY 22, 1994
(see note at end of text)

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

FILE LOCATION: Subitems A & B: PERM - HRP/RPO-90-0834;
Subitem C: SUBD - The Bluffs, Map 6208 Unit
1, Lot 27

(NOTE: Subitem-B and -C, above, were readopted on February 22, 1994, Item-116, as Resolution R-281143. This resolution incorporated all three actions. This action was taken due to the pending litigation of Luis E. Garcia & Donald and Connie Goertz vs. City, at the advice of outside counsel.)

COUNCIL ACTION: (Tape location: B386-440.)

Hearing began at 3:16 p.m. and halted at 3:20 p.m.

MOTION BY WOLFSHEIMER TO DENY THE APPEAL AND THE PROJECT.
Second by Stallings. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-nay, Stevens-nay,
Behr-yea, Stallings-yea, McCarty-yea, Filner-nay, Mayor
O'Connor-nay.

ITEM-S402: TRAILED TO NOVEMBER 24, 1992, DUE TO LACK OF FIVE

AFFIRMATIVE VOTES

(Trailed as Unfinished Business from the meeting of November 17, 1992, Item 339, due to lack of five votes.)

Two actions relative to a Freeway Agreement for the widening of Interstate 5, Interstate 805 and State Route 56:

(University, Mira Mesa, Torrey Pines, Sorrento Hills, and Carmel Valley Community Areas. Districts-1 and 5.)

Subitem-A: (R-93-745)

Authorizing the execution of a Freeway Agreement with the California Department of Transportation (CalTrans) for the widening of Interstate 5 from 0.5 mile north of Genesee Avenue to 0.7 mile south of Del Mar Heights Road, Interstate 805 from 0.5 mile north of Mira Mesa Boulevard to Interstate 5, and State Route 56 from Interstate 5 to 0.3 mile east of El Camino Real.

Subitem-B: (R-93-746)

Stating for the record that the City of San Diego as responsible Agency under CEQA has reviewed and considered the EIS prepared by CalTrans.

CITY MANAGER SUPPORTING INFORMATION: CalTrans projections indicate that traffic volumes at and near the I-5/I-805 junction will increase 100 percent in the next 20 years, causing severe congestion on I-5, I-805, and local streets. Peak periods will extend several hours beyond today's commuter times. A 1.3-mile grade between Carmel Valley Road and Del Mar Heights Road causes northbound trucks to slow and become hazards to faster auto traffic and to on-ramp and off-ramp traffic at the Carmel Valley Road and Del Mar Heights Road interchanges. An undesirable weaving condition at the I-5/I-805 junction where high-speed automobile traffic must cross slower-moving truck traffic also causes congestion. This Freeway Agreement will allow CalTrans to make improvements to I-5 and I-805 which are necessary to mitigate the anticipated future traffic congestion. I-5 will be widened from eight to ten lanes between Carmel Mountain Road and Carmel Valley Road. Six new freeway lanes (three lanes in each direction) will be built outside of and separated by a median barrier from existing I-5 between the I-5/I-805 junction and Carmel Valley Road, for a total of sixteen lanes. These outside

lanes would be for truck traffic and motorists destined to and from State Route 56 (Carmel Valley Road) and proposed Carmel Mountain Road, and will have direct connectors at the I-5/I-805 junction and at future State Route 56 (Carmel Valley Road). I-5 will be widened from eight to twelve lanes between Carmel Valley Road and Del Mar Heights Road. These lanes are for additional capacity and slow-moving trucks.

FILE LOCATION:

COUNCIL ACTION: (Tape location: F195-505.)

Hearing began at 5:55 p.m. and recessed at 6:15 p.m.

Motion by McCarty to adopt. Second by Stevens. Failed.
Yeas-2,3,5,7. Nays-1,4,6. Not present-8,M.

Trailed to November 24, 1992 due to lack of five affirmative votes.

ITEM-S403:

(Trailed as Unfinished Business from the meeting of November 17, 1992, Item 340, for full Council.)

A proposal to approve the Amended and Restated Development Agreement between Catellus Development Corporation (formerly Santa Fe Land Improvement Company) and the City, and a corresponding amendment of the City's Local Coastal Program.

The proposed Amended and Restated Agreements would provide for:

- Reduced densities to a total proposed above-grade authorization of 3,334,573 square feet, a reduction of 2,952,427 square feet from the existing Development Agreement and Owner Participation Agreement. Above-grade parking is to be treated as part of the total development entitlement, instead of an addition to it.

- Comprehensive redesign of the improvements proposed for the Site consistent with the Centre City Community Plan, with the exception of two grade-level improvements within view corridors (one for pedestrian

arcades to create the "transit courtyard" space, the other for a possible Amtrak passenger facility at the end of the C Street cul-de-sac off Pacific Highway).

- Six railway tracks that will run north-south through the center of the site which accommodate Amtrak, the San Diego Trolley, and Commuter Rail, as well as Santa Fe freights, and the creation of a "transit courtyard" within the site.

- An increase of the fine arts budget to 1.0 percent of then current base building costs and land value for each increment of new development that will be used for (a) publicly accessible works of art, (b) rehabilitation and seismic upgrades of the Santa Fe Depot including its facade, and (c) rehabilitation, seismic upgrades, base building improvements for a cultural facility in the Baggage Building.

- Preservation of the Santa Fe Depot and the Baggage Building by the granting of facade easements.

- Perimeter improvements and dedications around the Site that will be completed as portions of the Site are developed including Pacific Highway Street and Median Improvements.

- The obligations which Catellus must perform, and the schedule it must meet, to keep the Amended and Restated Development Agreement and Owner Participation Agreement in effect through December 7, 2012.

- The circumstances and procedures under which the Redevelopment Agency would initiate redevelopment of the Ash/Kettner Parcel (located adjacent to the Site) either by adding it to the Site, or by existing owners or others than Catellus.

The subject property is generally bounded by Pacific Highway, Ash, Kettner, and Broadway.
(Centre City Community Area. District-2.)

Subitem-A: (R-93-752) ADOPTED AS RESOLUTION R-281144

Adoption of a Resolution certifying that the City Council has reviewed and considered information contained in the Master Environmental Impact Report for

the Centre City Redevelopment Project, and the Secondary Study pertaining to the proposed Amended and Restated Development Agreement between the City and Catellus Corporation, and the amendment to the Local Coastal Program; making findings and determinations regarding environmental impacts of the development; adopting a mitigation reporting and monitoring program.

Subitem-B: (O-93-80) INTRODUCED AS AMENDED, TO BE
ADOPTED DECEMBER 8, 1992

Introduction of an Ordinance approving the Amended and Restated Development Agreement with Catellus Development Corporation.

Subitem-C: (R-93-751) ADOPTED AS RESOLUTION R-281145
(Cor.Copy 12/18/92)

Adoption of a Resolution approving the Amended and Restated Development Agreement between the City and Catellus Development Corporation, and the Amended and Restated Owner Participation Agreement between the Redevelopment Agency and Catellus Development Corporation, as an amendment to the Local Coastal Program, and authorizing transmittal to the California Coastal Commission for certification.

FILE LOCATION: DEVL - Catellus Development Agreement aka
Santa Fe CONFY93-2

COUNCIL ACTION: (Tape location: B441-D430.)

Hearing began at 3:20 p.m. and halted at 4:45 p.m.

Testimony in favor by Max Schmidt, Jack Limber, Dale Busch, Kay Carter and Daniel Marnell.

Testimony in opposition by Tim Lichty and Louis E. Goebel.

MOTION BY STEVENS TO ADOPT AS AMENDED TO: 1) INCLUDE THE "INSERT TO AMENDED AND RESTATED OWNER PARTICIPATION AGREEMENT AND DEVELOPMENT AGREEMENT"; AND 2) CHANGE THE WORD "SHALL" TO "MAY" ON THE PORTION OF THE AGREEMENT WHICH REFERENCES THE RECONSTRUCTION OF THE FORECOURT ARCADES. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present,

Mayor O'Connor-not present.

ITEM-S404: (R-93-870) ADOPTED AS RESOLUTION R-281146

Confirming the appointment by the Mayor of Donald Francis Tuzin to serve as a member of the Quality of Life Board, for a term ending March 1, 1994, replacing Linda Kaye Harder, who has resigned.

(See memorandum from Councilmember Stallings dated 11/9/92, with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

ITEM-S405: (R-93-833) ADOPTED AS RESOLUTION R-281147

(Continued from the meeting of November 16, 1992, Item S403, at the City Manager's request, on behalf of the Legislative Services Department.)

Approving the Personal Services Agreement with John R. O'Donnell, John H. Montgomery, and Raul Tapia for legislative advocacy services in Washington, D.C., from January 1, 1993 through December 31, 1994.

(See Department of Legislative Services Report DLS-92-39.)

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

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

ITEM-S406: (R-93-828) ADOPTED AS RESOLUTION R-281148

(Continued from the meeting of November 16, 1992, Item S404, at the City Manager's request, on behalf of the Legislative Services Department.)

Approving the Personal Services Agreement with Rees & Associates, Inc., for legislative advocacy services in Sacramento from January 1, 1993 through December 31, 1994.

(See Department of Legislative Services Report DLS-92-40.)

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-S407: (O-93-90) INTRODUCED, TO BE ADOPTED DECEMBER 8, 1992

Introduction of an Ordinance amending Chapter VI, Article 1, Division 23 of the San Diego Municipal Code by adding a new Section 61.2310, by renumbering Sections 61.2310, 61.2311, 61.2312 and 61.2313 to Sections 61.2311, 61.2312, 61.2313 and 61.2314; and by adding a new Part 9, Section 61.2390, 61.2391, 61.2392 and 61.2393; and amending Chapter VI, Article 5, Division 2, Section 65.0219, all relating to the Distribution of Funds from Delinquent Payments, (Special Assessment District Delinquency Fund).

CITY MANAGER SUPPORTING INFORMATION: This Council action would authorize the establishment of a trust fund designated as the Special Assessment District Delinquency Fund. This fund would be for the deposit of 1915 Act Assessment District, Community Facilities District and Lighting and Landscape District penalties and interest collected with, and as part of, delinquent assessment payments. Currently, all penalties and interest assessed and collected within a specific district are deposited

into the bond interest and redemption fund maintained for that district. The existing practice would be modified upon establishment of the Special Assessment District Delinquency Fund which would; A) Provide partial financial protection in the event of a major default in assessment payments within a district; B) Serve as a source of funds to fulfill the City's obligation under the terms and conditions of the bond indenture to commence foreclosure action against delinquent parcels; and C) Discourage deferral of assessment payments to cover cash flow shortfalls in districts that have a single or majority property owner. In accordance with the California Streets and Highways Code, penalty and interest charges are assessed in the same proportional amount as for general tax delinquencies, 10% and 1.5% per month, respectively. On an annual basis a portion of these charges would be transferred from the trust fund to each district's bond interest and redemption fund in proportion to the interest that did not accrue during the period of delinquent assessments. The trust fund would not exceed a maximum balance equal to 1% of the outstanding principal of bonds issued for all the districts. Any amount in excess of 1% would be transferred to the City's General Fund.

FILE LOCATION:

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS TO INTRODUCE THE ORDINANCE.
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-not present.

* ITEM-S408: (R-93-878) ADOPTED AS RESOLUTION R-281149

Designating Tuesday, November 24, 1992 as "Steve
Alexander Day" in San Diego and thanking him for his
many years of volunteer work on behalf of Mission Bay
and the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-S409: (R-93-839) ADOPTED AS RESOLUTION R-281150

Authorizing the execution of a fourth amendment to the Convention Center Management Agreement between the City of San Diego and the San Diego Unified Port District.

CITY MANAGER SUPPORTING INFORMATION: On June 12, 1985, the City of San Diego entered into a Management Agreement with the San Diego Unified Port District for the San Diego Convention Center. It provided that the Port District build the Convention Center using Port District funds, and the City operate and maintain the Convention Center for 20 years. In Fiscal Year 1993, the State of California adopted a budget and related legislation that reallocated tax monies traditionally allocated to the City. This fourth amendment to the Management Agreement allows the Port District to financially assist the City in defraying the cost of operating and maintaining the Convention Center during Fiscal Year 1993. The Port District will pay an amount not to exceed \$4,517,126 to the City in two installments: the first, 30 days after Port District approval of the Convention Center Fiscal Year 1993 Budget for the operation and maintenance of the Convention Center; the second, by March 30, 1993. This amendment also gives the Port District the option to extend the Management Agreement for an additional one year, for a total agreement term of 21 years.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-S410:

Two actions relative to the Construction of the Mira Mesa Branch Library: (BID-K3511/93)
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-93-646)

ADOPTED AS RESOLUTION R-281151

Inviting bids for the Construction of the Mira Mesa Branch Library on Work Order No. 119622; authorizing the execution of a contract with the lowest responsible bidder, contingent upon the receipt of \$3,000,000 from the Pardee Construction Company, pursuant to the existing Westview/Casa Mira View Development Agreement; authorizing the City Auditor and Comptroller to transfer \$801,600 from the ANA-Mira Mesa Library Fund 392073 to CIP-35-076.0, Mira Mesa Library; authorizing the transfer, when received, of \$3,000,000 from Pardee-Mira Mesa Library Fund 392055 to CIP-35-076.0, Mira Mesa Library; authorizing the expenditure of \$3,919,000 from CIP-35-076.0 (\$3,000,000 from Pardee-Mira Mesa Library Fund 392055 to CIP-35-076.0, Mira Mesa Library;

authorizing the expenditure of \$3,919,000 from CIP-35-076.0 (\$3,000,000 from Pardee-Mira Mesa Library Fund 392055, \$916,000 from Mira Mesa FBA Fund 79006, \$3,000 from ANA-Mira Mesa Library Fund 392073), for providing funds for said project and related costs; authorizing the expenditure of an amount not to exceed \$798,600 from CIP-350-760, Mira Mesa Library ANA-Mira Mesa Library Fund 392073, to purchase library materials in an amount not to exceed \$420,000, and to purchase library furnishings in an amount not to exceed \$378,600.

Subitem-B: (R-93-647)

ADOPTED AS RESOLUTION R-281152

Certifying that the information contained in Environmental Negative Declaration, DEP-91-0639, dated October 11, 1991, in connection with the Construction of Mira Mesa Branch Library, 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.

CITY MANAGER SUPPORTING INFORMATION: This project will provide a 20,000 square foot library complete with books, furnishings, landscaping, and parking for 96 cars and will be serving the Mira Mesa community. The library will be located on the corner of New Salem Street and Camino Ruiz in the Mira Mesa shopping center. The project will be funded from the Mira Mesa FBA. Developers

are advancing construction funds and will be repaid in FY '95. The building is designed to comply with the latest established Branch Library Program.

The architectural style is distinctively modern. The design and architecture have been reviewed and approved by the Community Planning Group, the City Architect, the Friends of the Library, and Mira Mesa Town Council. This project is consistent with the Mira Mesa Community Plan and the City's General Plan guidelines. Aud. Cert. 9300465.

FILE LOCATION: W.O. 119622 CONT-Tony Wanket Construction
Inc. CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

ITEM-S411: (R-93-871) ADOPTED AS RESOLUTION R-281157

Authorizing the execution of an agreement through the City's broker of record, Marsh and McLennan, Inc., to renew the City's policy of Excess Public Liability Insurance beginning December 11, 1992 for the second year of a three-year insurance policy ending December 11, 1994; authorizing the expenditure of an amount not to exceed \$1,836,960 from Public Liability Reserve Fund (81140), Water Utilities Water Fund (41500), and Sewer Revenue Fund (41506), for providing funds for the above project.

(See City Manager Report CMR-92-356.)

Aud. Cert. 9300487.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: D542-E384.)

Motion by Hartley to adopt. No second.

MOTION BY McCARTY TO ADOPT WITH THE CONDITION THAT: 1)
MARSH MCLENNAN, INC. BE REQUIRED TO BE IN COMPLETE

COMPLIANCE WITH THE CITY'S MINORITY AND WOMEN OWNED BUSINESS ENTERPRISE PROGRAM; AND 2) REQUEST THAT THE CONTRACTOR NOTIFY CURTIS MORING INSURANCE AND ANY OTHER GROUPS THAT ARE INTERESTED. 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-not present.

ITEM-S412: (R-93-877) ADOPTED AS RESOLUTION R-281153

Council confirmation of the appointment by the Mayor of Frisco White, to serve as a member of the Planning Commission, for a term ending January 28, 1996, replacing Christopher Calkins, who has resigned. (See memorandum from Mayor O'Connor dated 11/18/92 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

ITEM-S413: ACKNOWLEDGED

Acknowledging the exemplary study program collaboration among the Valencia Park Pee Wee Hornets of the Pop Warner Football Association, their parents, tutors, and the Neighborhood Pride and Protection Youth Services program of the James P. Beckwourth Branch Library.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A092-178.)

* ITEM-S414: (R-93-650) ADOPTED AS RESOLUTION R-281154

Awarding a contract to RTB General Engineering Company,

Inc., for Construction of 1725 Robinson Avenue Drain in the amount of \$57,990, which is 15.5 percent over the City's estimate of \$49,000; authorizing the transfer of \$67,560 from CIP-17-002.0, Annual Allocation - Storm Drain Projects Not Yet Identified, TransNet Fund 30300, to CIP-17-001.0, Annual Allocation - Minor Drain Requirements; authorizing the additional expenditure of not to exceed \$178,000 from CIP-17-001.0, Annual Allocation Minor Drain Requirements, TransNet Fund 30300, for said project and related costs. (BID-K3521/93)

(Uptown Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: On November 8, 1990, a City water main broke at University Avenue and Park Boulevard flooding residences on Robinson Avenue, in which a claim was filed against the City (Julie Klements vs. City of San Diego), Case No. LP9305340832).

As a result, the corrugated metal pipe (CMP) drain that runs under the house at 1725 Robinson Avenue was displaced and now needs to be relocated before the upcoming rainy season. This project provides for the permanent repair by constructing a 36-inch storm drain, curb inlet, pipe collar, cleanouts, and energy dissipator. Bids were opened on November 13, 1992, with the low bid of \$57,990 from RTB General Engineering Co., Inc. This bid was the lowest of the five bids received from seven bid packages issued and was 15.5 percent over the engineer's estimate of \$49,000. The second low bid was from C.E.

Wilson Corporation for \$65.052. It is recommended that this contract be awarded to RTB General Engineering, Co., Inc. Stapleton/Rollinger/FB
Aud. Cert. 9300493.

FILE LOCATION: CONT - RTB General Engineering Company, Inc.
CONFY93-1

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

* ITEM-S415: (R-93-895) ADOPTED AS RESOLUTION R-281155

Urging the California Resources Agency to approve the application for a grant for improvements to Rose Creek. (Docketed at Deputy Mayor Roberts' request.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D467-517.)

CONSENT MOTION BY STEVENS 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-not present.

ITEM-S416: (R-93-1014) ADOPTED AS RESOLUTION R-281156

In the matter of an appointment procedure, and conflict of interest and financial disclosure policy for the Economic Development Corporation. (See City Manager Report CMR-92-349; and City Attorney Report dated 11/19/92.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I476-J058.)

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

MOTION BY HARTLEY TO DIRECT THE CITY MANAGER TO EXAMINE THE RAMIFICATIONS OF: 1) HAVING THE STAFF OF THE BOARD FILL OUT CONFLICT OF INTEREST DISCLOSURE STATEMENTS RATHER THAN THE BOARD MEMBER; AND 2) REQUIRING A CONFLICT OF INTEREST DISCLOSURE FOR ALL THE ORGANIZATIONS RECEIVING 50% OR MORE OF THEIR FUNDING FROM THE CITY COUNCIL AND RETURN TO COUNCIL ON JANUARY 11, 1993 WITH THEIR FINDINGS. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-not present, Filner-not present, Mayor O'Connor-not present.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Roberts at
8:36 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: I070.)