

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, AUGUST 2, 1993  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:06 p.m. Mayor Golding welcomed the Mayor and four Council Members of Rabot, Morocco. City Manager Jack McGrory clarified the controversy of the art grant for the Public Art Project mentioned in the paper by stating that the sponsors of the art project are the Centro Cultural De La Raza and the Museum of Contemporary Art. He also confirmed that the City was not involved in the selection process and that no City funds were used in this particular project. Mayor Golding adjourned the meeting at 4:55 p.m. to meet in Closed Session on Tuesday, August 3, 1993 at 9:30 a.m. in the twelfth floor conference room to discuss pending litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-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 Vargas-present
- Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-not 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 Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend Dr. Tafatolu Filemoni of the Samoan Congregational Christian Church of San Diego.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stevens.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO CITY MANAGER

Comment by Don Stillwell regarding fraud.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A057-083.)

ITEM-PC-2: REFERRED TO CITY MANAGER

Comments by Anna Major, Dimple Santos and Catherine Montgomery requesting the reconsideration of Item 331 of the Tuesday, July 27, 1993 City Council Meeting regarding the Valencia Park Public Library.

**Minutes of the Council of the City of San Diego  
for the Regular Meeting of Monday, August 2, 1993**

**Page 3**

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A085-152.)

ITEM-PC-3: REFERRED TO CITY MANAGER

Comment by Joe Cuseo regarding the Balboa Park Security Plan for the homeless. He also recommended that the City Council once again provide a cold winter shelter as they did last April to house the homeless during the cold winter nights.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A154-169.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Hartley regarding the camp-out at the Reuben H. Fleet protesting the museums' campaign of misrepresentation, deceit against the Balboa Park Security Plan.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A173-222.)

ITEM-CC-2:

Council Member Stallings commented on San Diego's participation in hosting the World Children's Baseball Fair and also presented Mayor Susan Golding with an award from the World Children's Baseball Committee.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A223-251.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

07/12/93  
07/13/93  
07/19/93 Adjourned  
07/20/93 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B057-060.)

MOTION BY STALLINGS TO APPROVE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31: PRESENTED

Presentation by the Mayor to the National Council of Jewish Women's local organizations in celebration of the "National Day of the Working Parent."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A282-322.)

ITEM-32: PRESENTED

Presentation in the matter of the opening of Hollister Street in the Tijuana River Valley. (District-8.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A323-387.)

ITEM-33: (R-94-63) ADOPTED AS RESOLUTION R-282420

Commending the Broadway Heights Community Council for its outstanding leadership and community service; proclaiming August 2, 1993 to be "Broadway Heights Neighborhood Council Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B005-056.)

MOTION BY COMMON CONSENT TO ADOPT. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-34: PRESENTED

Presentation of awards for the City Clerk's Office YouthVote '93 logo and writing contests:

12th Grade Writing Contest:

1st Place: Leanne Fornaca  
Academy of Our Lady of Peace  
Resident of District 5

2nd Place: Chatrisa A. Webber  
Point Loma High School  
Resident of District 2

3rd Place: Rosera Larkins  
Academy of Our Lady of Peace  
Resident of District 2

12th Grade Logo Contest:

1st Place: Nicole Cretelle  
Academy of Our Lady of Peace  
Resident of District 6

2nd Place: Uyen D. Le  
Clairemont High School  
Resident of District 6

3rd Place: Yesenia Rodriguez  
Point Loma High School  
Resident of District 3

CITY CLERK SUPPORTING INFORMATION: Because of the City Clerk's continuing concern over voter apathy in general, and low voter participation by young adults in particular, the City Clerk's Office has created YouthVote, a non-partisan election education program for San Diego schoolchildren. YouthVote has attracted the attention of election officials in municipalities across the nation. The Clerk's Office has prepared and distributed to local teachers a collection of curriculum materials designed to educate students in grades 3-12 about the election process. Additionally, students have the opportunity to participate in a

mock election. During the program pilot, some 2,100 students from 19 local public and private schools voted a mock ballot in the June 1992 primary election. In the November 1992 general election, over 23,300 students in 106 schools cast mock ballots for the offices of U.S. president, California senator, and San Diego mayor, in addition to voting on California propositions 161, 163, 164 and 165. In both instances, votes were tallied and results posted at Elections Central. As part of the YouthVote program, essay and logo contests were held in 1992 for students in grades 5 and 8, and in 1992-93 for students in grade 12. Winning entries have been and will be used to promote future elections. All prizes, printing and postage costs related to the YouthVote program have been paid for with generous donations from a variety of local businesses and organizations.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A389-B004.)

ITEM-50: (O-94-8) INTRODUCED, TO BE ADOPTED SEPTEMBER 7,  
1993

Introduction of an Ordinance authorizing the issuance, sale and delivery of Multifamily Housing Refunding Revenue Bonds 1985 Issue J (University Town Center Apartments at 7110 Shoreline Drive) in a principal amount not to exceed \$16,000,000.

(See the San Diego Housing Commission Report dated 7/15/93. District-1.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: D067-E009.)

MOTION BY WOLFSHEIMER TO INTRODUCE. Second by Vargas.  
Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-nay, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-100: (R-94-41) ADOPTED AS RESOLUTION R-282421

Awarding a contract to Holchem, Inc., for furnishing liquid caustic soda, as may be required for a period of one year beginning September 1, 1993 through August 31, 1994, for an estimated cost of \$351,258.97, including

tax, with options to renew the contract for four additional one year periods; in the event the contractor does not perform to specifications, the Purchasing Agent is authorized to terminate the contract and award to the next low responsive and responsible bidder, or obtain material on the open market until the contract can be rebid.  
(BID-B3843/93)

FILE LOCATION: CONT - Purchase - Holchem, Inc. CONFY94-1

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-101: (R-94-39) ADOPTED AS AMENDED AS RESOLUTION  
R-282422

Awarding contracts for furnishing HVAC maintenance at various facilities, as may be required for a period of one year beginning July 1, 1993 through June 30, 1994, with options to renew the contracts for four additional one year periods, for an estimated cost of \$104,784, including terms, as follows: (BID-F3862/93)

1. Jackson & Blanc for Reuben H. Fleet Space Theatre/Science Center.
2. ISS Energy Services, Inc. for Casa del Prado.
3. University Service Company for Timken Art Galley, Museum of Art, and Charles C. Dail Community Concourse.

FILE LOCATION: CONT - Purchase - Jackson & Blanc; ISS Energy Services, Inc. (See MEET file for University Service Company)  
CONFY94-3

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT AS AMENDED TO AWARD CONTRACTS TO JACKSON & BLANC AND ISS ENERGY SERVICES, INC. AND TO RETURN THE UNIVERSITY SERVICE COMPANY CONTRACT TO THE CITY MANAGER AT HIS REQUEST. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-102: (R-94-4) ADOPTED AS RESOLUTION R-282423

Inviting bids for the Tyler Avenue Storm Drain on Work Order No. 119518; authorizing a contract with the lowest responsible bidder; authorizing the transfer of \$154,710 from CIP-17-001.0, Annual Allocation - Minor Drain Requirements, Fund 30245, \$109,262 Capital Outlay Fund and Fund 30300, \$45,448 from Proposition A TransNet, \$45,290 from CIP-52-327.0, Annual Allocation-Safety All-Weather Walkways, Fund 30300-TransNet, to CIP-112-63.0, Tyler Avenue Storm Drain; authorizing the expenditure of not to exceed \$304,447 from CIP-11-263.0, Fund 30300 TransNet Fees;

authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.  
(BID-K94004)

(Uptown Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: Capital Improvement Project CIP-11-263.0 provides for the design and construction of a storm drain system on Tyler Avenue from Cleveland Avenue to Maryland Street. The storm drain system will alleviate potential storm damage and allow for improved runoff in the area.

Aud. Cert. 9300779.

FILE LOCATION: W.O. 119518 CONT - El Cajon Grading and Engineering Co. CONTFY94-1

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-103: (R-94-5) ADOPTED AS RESOLUTION R-282424

Inviting bids for the Plaza de Balboa Cascades and Tile Refurbishment on Work Order No. 119495; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$129,055 from CIP-21-840.0, Balboa Park Plaza de Balboa Cascades and Tile Rehabilitation, \$123,600 from San Diego Facility and Equipment Leasing Construction Fund No. 91101, and \$5,455 from Capital Outlay Other Fund No. 302453; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K94005)  
(Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: Plaza de Balboa is located immediately west of Park Boulevard, between the Natural History Museum and Reuben H. Fleet Space Theater. This project includes the renovation of the existing cascades and the replacement of 5,000 square feet of broken clay tiles with stamped concrete.

Aud. Cert. 9301173.

FILE LOCATION: W.O. 119495 CONT-Tri-Core Construction  
CONFY94-1

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-104: (R-94-6) ADOPTED AS RESOLUTION R-282425

Inviting bids for the Replacement and Upgrade of Centre City Traffic Signal System from Broadway to G Street and from India Street to Third Avenue on Work Order No. 112094; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$342,950 from CIP-68-011.0, Annual Allocation - Modernize Top 5-10 Prioritized Traffic Signals, Fund 30300; authorizing the City Auditor and Comptroller, upon advice from the administering

department, to retain excess monies, if any, in  
CIP-68-011.0. (BID-K94006)  
(Centre Cit Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvement Program Project to replace and upgrade the traffic signal system includes the installation of traffic signal standards, programmed visibility signal heads, the replacement of 8" signal heads with 12" signal heads and standardized pole mounted street name signs. The traffic signal system provides for the safe passage of pedestrians and vehicle through the intersections.

Aud. Cert. 9301060.

FILE LOCATION: W.O. 112094 CONT - Trasig Corporation  
CONFY94-1

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-105:

Three actions related to the final subdivision map of Scripps Ranch North Unit No. 13, a 112-lot subdivision located southeasterly of Spring Canyon Road and Scripps Ranch Boulevard:  
(Miramar Ranch North Community Area. District-5.)

Subitem-A: (R-93-2175) ADOPTED AS RESOLUTION R-282426

Authorizing the execution of a Subdivision Improvement Agreement with Miramar Ranch North Partnership for the installation and completion of public improvements.

Subitem-B: (R-93-2174) ADOPTED AS RESOLUTION R-282427

Approving the final map.

Subitem-C: (R-93-2176) ADOPTED AS RESOLUTION R-282428

Approving the acceptance of a grant deed of Miramar Ranch North, formerly McMillin-BCED/Miramar Ranch

North, granting to the City Lot 103 of Scripps Ranch  
North Unit No. 13 for open space purposes.

FILE LOCATION:                   Subitems A & B: SUBD - Scripps Ranch  
                                  North Unit No. 13; Subitem C: DEED  
                                  F-6097    CONTFY94-1; DEEDFY94-1

COUNCIL ACTION:                 (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-106:     (R-94-96)   ADOPTED AS RESOLUTION R-282429

Calling a public hearing to determine whether the  
public health, safety or general welfare requires the  
formation of the Field Street (Burgener Boulevard to  
Cowley Way) Underground Utility District.  
(Clairemont Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION:   The proposed district will  
underground the overhead utility facilities on Field Street  
(Burgener Boulevard to Cowley Way). This is a scheduled project  
in the calendar year 1992 Capital Improvement Program. The  
formation of this district will require the affected property  
owners to underground the portion of their utilities on their  
parcel prior to removal of the overhead utilities. Council  
Policy 800-2 provides for the use of San Diego Gas and Electric  
Company's Annual Allocation Funds (Case 8209) to make  
reimbursement payments to affected property owners based on the  
length of their electrical service trench. A future resolution  
will establish the date for removal of overhead utilities as the  
undergrounding work approaches completion.

Aud. Cert. 9400040.

FILE LOCATION:                   STRT - K-217

COUNCIL ACTION:                 (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-107: (R-94-62) CONTINUED TO AUGUST 9, 1993

Vacating the excess portion of Kearny Mesa Road,  
between Mercury Street and Armour Street.  
(Kearny Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The proposed vacation has been requested by the applicant in order to enhance the development capabilities of the adjoining properties. The applicant proposes to use the area-of-vacation for off-street parking and landscaping. The subject right-of-way was originally utilized for Kearny Mesa Road. However, the widening of State Route 163 (Old Highway 395) terminated the improvements for Kearny Mesa Road at Mercury Street. The applicant proposes to vacate the remaining unused portion of Kearny Mesa Road, north of Mercury Street. The subject vacation is located in the M-1A Zone and totals approximately 6,500 square feet (0.149 acres) in area. The reversion of acreage would provide additional development entitlements, as allowed by the M-1A Zoning, but would not provide adequate area for any potential additional lots. The Kearny Mesa Community Planning Group and the Planning Department have no objections to this vacation, and the Planning Commission recommended approval, by a vote of 6-0, on April 23, 1992. The area proposed for vacation is unimproved right-of-way and is not needed for access or traffic circulation. It should be noted that the Metropolitan Transit Development Board (MTDB) has indicated that a 15-foot-wide strip of Kearny Mesa Road is needed in order to assure adequate right-of-way for a future Light Rail Transit (LRT) alignment in the SR-163 corridor. For this reason, a 15-foot-wide strip, adjacent to the freeway, will not be vacated. In addition, access rights on Mercury Street, adjacent to the vacation area, are being relinquished as a requirement of this action.

FINDINGS: Staff review has indicated that the vacation is consistent with the General Plan, the adopted community plan, and Council Policy 600-15 and may be summarily vacated. 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 additional off-street parking.

FILE LOCATION: STRT - J-2794

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO AUGUST 9, 1993 AT THE REQUEST OF THE CITY MANAGER FOR PROPER NOTICING. Second by Roberts. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-108: (R-94-52) ADOPTED AS RESOLUTION R-282430

Vacating portions of Kearny Villa Road, Aero Drive, and  
Aero Court between Kearny Villa Road and Aero Court  
adjacent to Lot 9 of New Riverside Map-679 and Lot "A"  
of Research Park Map-3568.  
(Kearny Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: On October 22, 1984, the  
City Council adopted Resolution R-261766, which conditionally  
vacated excess portions of Kearny Villa Road, Aero Drive, and  
Aero Court, between Kearny Villa Road and Aero Court. This  
resolution was conditioned upon approval of a parcel map  
(TM-83-0269) over the vacated area and construction of public  
improvements adjacent to the site. This action was initiated by  
the City of San Diego Property Department as part of an effort to  
sell the City-owned parcel, also known as "Site 787," although no  
definitive buyer had been identified at that time. Recently,  
Children's Hospital expressed an interest in purchasing the land  
for a daycare center, and the sale of the site to Children's  
Hospital was approved by Council on March 1, 1993. At that time,  
it was decided by Council that the required public improvements  
would be built as a condition of the land sale. Therefore,  
because the land sale will address the public improvement issues  
and the original parcel map will not be necessary for the  
proposed land use, the street vacation resolution must be amended  
accordingly. In addition, the expiration date for the vacation  
must be extended in order to allow time to complete the land sale  
process.

FINDINGS: Staff review has indicated that the findings, as  
required under Council Policy 600-15, can still be made and that  
the excess portions of Kearny Villa Road, Aero Drive, and Aero  
Court may be vacated. Staff therefore recommends that the  
resolution be amended to address only those conditions which  
apply and that the expiration date be extended to August 1, 1995,  
to accommodate the sale of Site 787 to Children's Hospital.

FILE LOCATION: STRT J-2540; DEED F-6099 DEEDFY94-1

COUNCIL ACTION: (Tape location: B062-146.)

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

Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-109: (R-94-106) ADOPTED AS RESOLUTION R-282431

Vacating the City's interest in an unneeded drainage easement affecting portions of the northeast quarter of the southeast quarter of Section 30, Township 14 South, Range 2 West, San Bernardino Meridian, and Lot 45 of Westview Unit No. 5, Map-12998. (Located on the south side of Compass Point Drive, northeast of Black Mountain Road and Capricorn Way. Mira Mesa Community Area. District-5.)

FILE LOCATION: DEED F-6100 DEEDFY94-1

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-110: (R-94-163) ADOPTED AS RESOLUTION R-282432

Adopting an increase of \$10.00 for all parking citation fees, as shown on the Parking Citation Fee Schedule dated July 28, 1993.

CITY MANAGER SUPPORTING INFORMATION: On July 26, the City Council approved raising all parking citation fines by \$10 effective immediately. The Parking Citation Fee Schedule (July 28, 1993) raises fines \$10 except as follows:

\* Fine #13 for disabled parking violations was raised to \$340 from \$275 in order to comply with State mandated collection of \$2 for every \$10 collected for violation of this section of the California Vehicle Code.

\* Fine #57 (Port District - Unauthorized Airport Parking) and Fines #68, & #73 (MTDB violations related to Trolley operation) were not raised because the issuing agencies did not authorize raising of those fines.

\* Fine #77 (Current Registration not displayed) was not raised because State law requires this fine to be \$60.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-nay.

\* ITEM-111: (R-94-108) ADOPTED AS RESOLUTION R-282433

A Resolution approved by the City Council in Closed Session on Tuesday, July 6, 1993 by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-yea; Stevens-yea; Behr-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$62,500 in the settlement of each and every claim against the City, its agents and employees, resulting from the property damage to Tri-Core Construction (Superior Court Case No. 656677, Gerald L. Williamson, individually and dba Tri-Core Construction v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$62,500 made payable to Gerald L. Williamson, individually and dba Tri-Core Construction and their attorney of record, Jack Balistreri, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of Tri-Core Construction property damage claim as a result of the incident of September 6, 1991.

Aud. Cert. 9400061.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-112: (R-94-105) ADOPTED AS RESOLUTION R-282434

Approving the proposal by Organic Recycling West to modify the County Solid Waste Management Plan to allow consideration of a green materials composting facility to be located on the northeast corner of Brown Field Municipal Airport within the San Diego Recycling Market Development Zone (RMDZ).

(Otay-Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The Integrated Waste Management Act of 1989, AB939, requires counties to replace existing County Solid Waste Management Plans (CoSWMPs) with County Integrated Waste Management Plans (CoIWMPs). This requirement resulted in a "gap" in legislation governing solid waste facility siting issues. A subsequent bill, AB2296, established approval procedures for siting solid waste facilities not included in existing CoSWMPs during the gap until the CoIWMPs are approved. It required cities and counties to select an approval process for solid waste transfer facilities that recycle less than 15 percent of the total volume of materials processed. On January 28, 1991, the City of San Diego, in concurrence with the majority of cities in the County, selected a review by the County and a majority of the cities having a majority of the population of the incorporated areas, followed by host jurisdiction consideration and review by the California Integrated Waste Management Board (CIWMB). Organic Recycling West, Inc., is proposing to site a green materials composting facility which is not included in the CoSWMP. In order for the CIWMB to consider the proposed project under local land use laws and issue a permit, the project must first gain the approval of the majority of the cities containing a majority of the population in the County to include the facility in the CoSWMP. AB939 and AB2296 do not limit a jurisdiction's ability to impose local land use restrictions. Council action on this CoSWMP amendment will not infer approval of the proposed project, it merely allows the project to be considered through the City's normal approval process. The proposed facility is consistent with the City of San Diego's waste management goals and policies, and will increase landfill diversion. The composting facility will be located on a 25-acre parcel leased from the City of San Diego for a period of three years. The project is expected to process 40,000 to 50,000 tons of yard waste per annum. The yard waste received will be processed into compost and horticultural mulch using intensive open windrow composting technology. The facility consists of pre-composting and composting areas where green materials are separated, ground and composted, and post-composting areas where end-products (sold as a soil amendment) are screened and stored pending their sale. Most of

the work at the facility will be similar to an agricultural activity. To control odors, windrows will be regularly aerated and watered. Compost tea, a concentrated form of compost containing a strong population of aerobic bacteria, will be added as necessary to speed up the composting process. The temperature, pH, oxygen level, potential odor and moisture of the windrows will be monitored to ensure the efficiency of the aerobic process.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-113: (R-94-107) ADOPTED AS RESOLUTION R-282435

Requesting the Air Pollution Control Board to favorably consider the City's request for current and ongoing funding to administer the City's employer trip reduction program efforts.

CITY MANAGER SUPPORTING INFORMATION: In response to an RFP, the City submitted a proposal to the Air Pollution Control Board (APCB) for funding of the City's Employer Trip Reduction Program using vehicle registration fees (AB2766). The Air Pollution Control District (APCD) staff is recommending that funding for program implementation be delayed until APCB adopts a regional regulation and delegates its implementation to the cities. This APCD recommendation could result in only partial funding for the City efforts beginning in FY95 with full funding possible in FY96. This resolution requests that APCB include funding for the City's current program in their upcoming FY94 allocation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-114: (R-94-82) CONTINUED TO AUGUST 9, 1993

Authorizing the City Manager to continue the Ultra-Low Flush Toilet Rebate Program; authorizing an agreement with the San Diego County Water Authority ("CWA") for the receipt of funds from the Metropolitan Water District of Southern California ("MWD") to be used to pay for one-half of the program costs for approximately 14,000 ultra-low flush toilet rebates; authorizing the City Manager to enter into an agreement with the consulting firm of Viewtech, for services associated with the day-to-day operation of the Ultra-Low Flush Toilet Rebate Program in an amount not to exceed \$1,500,000; authorizing the Auditor and Comptroller to increase the annual appropriation in Operating Fund No. 41500, Program 70622, by \$750,000 for the implementation of the City of San Diego's Ultra-Low Flush Toilet Rebate Program; authorizing an expenditure of not to exceed \$1,500,000 from the Water Utilities Operating Fund No. 41500, Administrative Services Program, for the purpose of operating the Ultra-Low Flush Toilet Rebate Program for the contract period ending June 30, 1994.

CITY MANAGER SUPPORTING INFORMATION: The City has been an active participant in the regional Ultra-Low Flush Toilet Rebate Program (Rebate Program) managed by the San Diego County Water Authority (CWA) since May of 1991. City residents have responded in a very positive way to this voluntary conservation program which provides them with a rebate of up to \$75 for each installed ultra-low flush toilet (ulft). Between May of 1991 and February of 1993, City residents received rebates for more than 30,000 ulft's. The City has been successful in securing matching funds from the CWA and the Metropolitan Water District (MWD) of Southern California for the majority of rebates given to City residents. The day to day operations of the CWA's regional Rebate Program were managed by a firm under contract with the CWA. The CWA's contract with the firm, and their agreement with the City, only encompassed rebates co-funded by the CWA. These CWA co-funded rebates accounted for one-fourth of the total number of rebates that the City had budgeted. The MWD has agreed to provide matching funds for the remaining City rebates. In order for the City to continue the Rebate Program, and avail itself of matching funds currently available from the MWD, the City has undertaken the task of designing its own Rebate Program. A request for proposals was issued and a vendor has been selected to manage the City's own rebate program. With the MWD's co-funding, the City will be able to issue rebates for an estimated 14,000 ulft's. There are currently 4,000 applications

on file awaiting rebates. Approval to implement a City of San Diego Rebate Program is being sought with this action.

Aud. Cert. 9400034.  
WU-U-93-148.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO AUGUST 9, 1993 AT THE REQUEST OF THE CITY MANAGER TO RESOLVE PROBLEMS BETWEEN THE CONTRACTOR AND THE SUBCONTRACTOR. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-115: (R-94-102) ADOPTED AS RESOLUTION R-282436

Authorizing an agreement with the Historical Shrine Foundation for the restoration of the El Campo Santo Cemetery at 2410 San Diego Avenue; authorizing the expenditure of not to exceed \$50,000 from CDBG Fund 18528, Dept. 4027, Org. 2701, Job Order 112123. (Old Town Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Historical Shrine foundation is a non-profit organization devoted to the task of restoring and operating, in the interest of the public, various historic buildings and landmarks. This project proposes to construct the restoration of the El Campo Santo Cemetery (State of California Historic Landmark No. 68). El Campo Santo Cemetery (also known as "The Holy Field") is a Roman Catholic cemetery located at 2410 San Diego Avenue. This restoration will increase educational opportunities for children, and increase visitor attendance to historic Old Town. It is estimated that over 10,000 school children visit the cemetery each year. This agreement will provide CDBG funding for the restoration in the amount of \$50,000, which was approved by City Council on April 27, 1992 by Resolution R-279840. The project will include: boundary and archeological survey (using ground penetration radar); installation of interpretive signs; and replacement of paling fences, crosses and headboards to reflect the original design of that period.

Aud. Cert. 9400025.

FILE LOCATION: MEET CONFY94-1

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-116: (R-94-110) ADOPTED AS RESOLUTION R-282437

Authorizing an agreement with HYA Consulting Engineers for professional services in connection with the Genesee Avenue Subsystem - Reclaimed Water Project; authorizing the City Auditor and Comptroller to transfer not to exceed \$70,000 from CIP-70-912.0, Miramar Road Subsystem - Reclaimed Water Project, to CIP-70-911.0, Genesee Avenue Subsystem - Reclaimed Water Project; authorizing the expenditure of not to exceed \$664,967 from the Water Fund (41500) CIP-70-911.0, Genesee Avenue Subsystem - Reclaimed Water Project, to be expended in the following manner: \$577,289 from Fiscal Year 1994 appropriations; \$ 22,071 from Fiscal Year 1995 appropriations, contingent on Council approval of funds for this purpose in the FY 1995 CIP budget; \$56,645 from Fiscal Year 1996 appropriations, contingent on Council approval of funds for this purpose in the FY 1996 budget; \$10,962 from Fiscal Year 1997 appropriations, contingent on Council approval of funds for this purpose in the FY 1997 budget; Authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.  
(University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The Genesee Avenue Subsystem is an integral part of the Reclaimed Water Distribution System. This project is necessary to implement the Consumers' Alternative and to comply with the milestones set forth in the Interim Court Order dated September 18, 1992. As discussed in the Reclaimed Water Distribution System Master Plan, the Genesee Avenue Subsystem will carry Title 22 Reclaimed Water from the North City Tunnel Connector Project to the Torrey Pines Golf Course (via Eastgate Mall, Genesee Avenue, and Torrey Pines Road for a length of approximately 25,000 feet). The intent of serving additional users along the pipeline route will also be addressed in the design of this project. The MBE/WBE goals for this agreement are 12 percent MBE and 3 percent WBE. The MBE/WBE participation for this agreement is 41.3 percent MBE and 21.1

percent WBE. With this agreement, approximately 25 local jobs would be provided.

Aud. Cert. 9400071.  
WU-CWP-93-120.

FILE LOCATION: MEET CCONFY94-1

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-117: (R-94-109) ADOPTED AS RESOLUTION R-282438

Authorizing the execution of an agreement with Lee & Ro Consulting Engineers, for professional services in connection with the Miramar Road Subsystem - Reclaimed Water Project; authorizing the expenditure of an amount not to exceed \$638,934 from the Water Fund (41500), CIP-70-912.0, Miramar Road Subsystem - Reclaimed Water Project, to be expended in the following manner: \$534,374 from Fiscal Year 1994 appropriations; \$51,700 from Fiscal Year 1995 appropriations, contingent on Council appropriation of funds for this purpose in the FY 1995 CIP budget; \$47,300 from Fiscal Year 1996 appropriations, contingent on Council appropriation of funds for this purpose in the FY 1996 CIP budget;

\$5,560 from Fiscal Year 1997 appropriations, contingent on Council appropriation of funds for this purpose in the FY 1997 CIP budget.

Authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.  
(University City and Mira Mesa Community Areas.  
District-5.)

CITY MANAGER SUPPORTING INFORMATION: The Miramar Road Subsystem is an integral part of the Reclaimed Water Distribution System. This project is necessary to implement the Consumers' Alternative and to comply with the milestone set forth in the Interim Court Order dated September 18, 1992. As discussed in the Reclaimed Water Distribution System Master Plan, the Miramar Road Subsystem will carry Title 22 Reclaimed Water from the North City Water

Reclamation Plant to the NAS Miramar Memorial Golf Course (via Miramar Road for a length of approximately 20,000 feet). The intent of serving additional users along Miramar Road will also be addressed in the design of this project. Two crossings of the AT&SF Railroad will be required. The MBE/WBE goals for this agreement are 12 percent MBE and 3 percent WBE. The MBE/WBE participation for this agreement is 87.5 percent MBE and 10.7 percent WBE. With this agreement, approximately 20 local jobs would be provided.

Aud. Cert. 9400070.  
WU-CWP-93-119.

FILE LOCATION: MEET CCONFY94-1

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-118: (R-94-84) ADOPTED AS RESOLUTION R-282439

Authorizing a second amendment to the lease agreement with Torrey Pines Club Corporation for the operation and maintenance of Torrey Pines Golf Course.

The second amendment provides that the lessee shall 1) assume maintenance responsibilities and provide liability insurance for the driving range operations at Torrey Pines Golf Course; 2) provides for a decrease from 30 percent of gross income to 11 percent of gross income in the rent from the driving range operations; and 3) includes an option to extend the lease term for ten years beyond the current expiration date of 2012. (Torrey Pines Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION:

The City entered into a concession agreement with the Torrey Pines Club Corporation (TPCC) in January 1988 to operate the pro shop, driving range and rent golf carts at the Torrey Pines Municipal Golf Course. The driving range is along side Torrey Pines Road. Since the commencement of operations, the City has received and paid a number of claims for golf ball related injuries. The City is also responsible for maintenance of the driving range grounds and fencing surrounding the driving range. The City and TPCC have discussed the possibility of TPCC taking

over the City's obligations for maintenance and liability for the driving range. After some extended negotiations, City staff and TPCC have prepared an amendment to the concession agreement to shift responsibilities for the driving range operation to TPCC. As a result of TPCC assuming the additional obligations, it is proposed that the percentage rent for the range operations be reduced to 5 percent for the first 6 months subsequent to the date of the amendment and 11 percent of gross income thereafter (the City currently receives 30 percent of the gross income). Additionally, TPCC would be granted a rent credit of \$25,000 to improve the fences, which will reduce the number of errant balls leaving the range and be given a renewal option for an additional 10 years beyond the current expiration date of 2012. Also, under the new arrangement, TPCC would provide insurance for the driving range, indemnify the City against claims and lawsuits arising from the operation of the range and pay the City additional consideration if TPCC transfers or encumbers the leasehold.

FILE LOCATION: LEAS - Torrey Pines Club Corporation  
LEASFY94-1

COUNCIL ACTION: (Tape location: E014-042.)

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

\* ITEM-119: (R-94-103) ADOPTED AS RESOLUTION R-282440

Authorizing an agreement with the U.S. Navy for support services for the siting of Clean Water Program and Waste Management Department projects; authorizing the expenditure of not to exceed \$200,000 to provide funds for these projects, to be expended in the following manner: \$150,000 from Clean Water Program Sewer Fund 41509, CIP-45-910.2, Clean Water Program Management and Administration; \$50,000 from Waste Management Fund 41201, CIP-37-056, West Miramar Refuse Disposal Facility, Phase II; declaring that advance deposits may be made to the U. S. Navy for services to be provided to the City by the U.S. Navy; authorizing the City Manager to finance or refinance this agreement with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION: Under the Clean Water Program's (CWP) Consumers Alternative and the Waste Management Department's (WMD) Comprehensive Waste Management Plan, there are

a number of City projects that are currently being considered for siting on various naval facilities. The major projects include: WMD's Materials Recovery Facility (MRF) and CWP's Fiesta Island Replacement Program/Northern Sludge Processing Facilities(FIRP/NSPF) at NAS Miramar; CWP's Point Loma Tunnel Outfall at NAS North Island, Naval Training Center (NTC), Marine Corps Recruit Depot (MCRD) and Naval Research and Development Division; and CWP's North Metro Interceptor at NTC and MCRD. In order to be able to site City projects on naval facilities, the U.S. Navy will have to be involved in the planning, environmental review, design review and construction monitoring for the projects.

It is requested that Council approve this agreement with a not-to-exceed amount of \$200,000. Specific tasks will be authorized by Task Requests. The City will provide advance deposits to the U.S. Navy based on the estimate for each Task Request. The City will pay the U.S. Navy for its actual cost incurred. The completion date of the agreement will be September 30, 1995.

Aud. Cert. 9400053.  
WU-CWP-93-155.

FILE LOCATION: MEET CONFY94-1

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-120: (R-94-125) ADOPTED AS RESOLUTION R-282441

Council confirmation of the reappointment by the Mayor of Earl Rod Barr, to serve as a member of the Historical Site Board, for a two-year term ending March 1, 1995.

(See memorandum from Mayor Golding dated 7/20/93 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B062-146.)

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

Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-121: (R-94-114) ADOPTED AS RESOLUTION R-282442

Council confirmation of the appointment by the Mayor of Robert James Walters, to serve as a member of the Waste Management Advisory Board, for a term ending October 1, 1993, replacing John Lormon, who has resigned.  
(See memorandum from Mayor Golding dated 7/14/93 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-122: (R-94-124) ADOPTED AS RESOLUTION R-282443

Council confirmation of the reappointment by the Mayor of Jerald P. Lewis to serve as a member of the City Employees' Retirement System Board of Administration, as the Officer of a Local Bank, for a six-year term ending December 7, 1998; waiving the term limitation provisions of Council Policy 000-13.  
(See memorandum from Mayor Golding dated 7/21/93.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-123: (R-93-1426) ADOPTED AS RESOLUTION R-282444

Approving the City Manager's Fiscal Year 1992 Annual Equal Opportunity Contracting Report on the status of the City's Equal Opportunity Contracting Program.  
(See City Manager Report CMR-93-69.)

COMMITTEE ACTION: Reviewed by PSS on 3/31/93.

Recommendation to accept the report and request the City Manager to return to PS&S Committee in 90 days with a program to make minority and women business Equal Opportunity Program participation more effective. Policies for further review and development include but are not limited to:

-Assuring that approved contracts live up to their original approved MBE/WBE proposal.

-Monitoring contractors' quarterly performance reports and withholding payment until reports are available in a timely fashion.

-Targeting small contracts for MBE/WBE and closely monitoring performance.

-Establishing a data link with the Small Business INC. IT Program, as a conduit for information of contracts available to small businesses.

-Identifying other ways to make the MBE/WBE contracting program more effective.

Districts 2,3,4, and 8 voted yea. District 1 not present.

CITY MANAGER'S RECOMMENDATION: Accept the report.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-124: (R-93-1136) ADOPTED AS RESOLUTION R-282445

Approving the Citizen's Equal Opportunity Commission Fiscal Year 1992 Annual Report.  
(See Equal Opportunity Commission Report EOC-15.)

COMMITTEE ACTION: Reviewed by PSS on 3/31/93. Recommendation to accept the report. Districts 2, 3, 4 and 8 voted yea. District 1 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-125: (R-93-1443) TRAILED TO AUGUST 3, 1993

Approving the City Manager's Fiscal Year 1992 Annual Equal Opportunity Program Workforce and MBE/WBE Participation Report on the status of the City's Independent Corporations.  
(See City Manager Report CMR-93-68.)

COMMITTEE ACTION: Reviewed by PSS on 3/31/93. Recommendation to accept the report. Districts 2, 3, 4, and 8 voted yea. District 1 not present.

FILE LOCATION:

COUNCIL ACTION: (Tape location: E043-049.)

ITEM-150: (R-93-1933) ADOPTED AS RESOLUTION R-282446

Authorizing the City Manager to direct the Planning Department to complete a comprehensive update of and cause the preparation of any required environmental documents for the San Pasqual Valley Plan; approving the guidelines for the preparation of an update for the San Pasqual Valley Plan contained in City Manager Report CMR-93-162; including the comprehensive update of the San Pasqual Valley Plan in the Planning Department's work program for Fiscal Year 1994; including proposed funding for a comprehensive update of the San Pasqual Valley Plan in the Water Utilities budget for Fiscal Year 1994.  
(See City Manager Report CMR-93-162. San Pasqual Valley/Lake Hodges Community Area. District-5.)

COMMITTEE ACTION: Reviewed by TLU on 6/2/93. Recommendation to accept the City Manager's recommendation and forward to the City Council. Districts 1, 2 and 6 voted yea. Districts 5 and 7 not present.

CITY MANAGER'S RECOMMENDATION:

1. Direct the Planning Department to complete a comprehensive update of and an Environmental Impact Report for the San Pasqual Valley Plan.
2. Adopt the suggested policy guidelines contained in City Manager Report CMR-93-162.
3. Direct the Planning Department to include the comprehensive update of the San Pasqual Valley Plan and preparation of the Environmental Impact Report in the Department's work program for FY 94.
4. Direct the City Manager to include funding for the community plan update in the Water Utilities Department's FY 94 budget.

FILE LOCATION: LAND - San Pasqual Valley Plan

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-151: (R-93-2019) ADOPTED AS RESOLUTION R-282447

Authorizing a five-year Non-Exclusive Use and Operating Permit with Balboa Tennis Club, for the operation and maintenance of the 25-court Tennis Complex located at Morley Field, Balboa Park.  
(See City Manager Report CMR-93-189. Balboa Park Community Area. District-3.)

COMMITTEE ACTION: Reviewed by PF&R on 7/14/93. Recommendation to approve the City Manager's recommendation. Districts 6, 7 and 8 voted yea. Districts 3 and 5 not present.

CITY MANAGER'S RECOMMENDATION: Authorize the Manager to execute the Permit.

OTHER RECOMMENDATION: On May 20, 1993, the Park and Recreation Board approved the Park and Recreation Department's recommendation to authorize the Manager to execute the permit.

FILE LOCATION: LEAS - Balboa Tennis Club LEASFY94-1

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-152: (R-94-79) ADOPTED AS AMENDED AS RESOLUTION  
R-282448

Authorizing a five year lease agreement with UP  
International for the use and operation of Torrey Pines  
Gliderport.

(See City Manager Report CMR-93-217. Torrey Pines  
Community Area. District-1.)

COMMITTEE ACTION: Reviewed by PFR on 7/14/93.  
Recommendation to approve the City Manager's recommendation.  
Districts 6,7, & 8 voted yea. Districts 3 and 5 not  
present.

CITY MANAGER'S RECOMMENDATION: Authorize the City Manager to  
negotiate and execute the lease agreement.

OTHER RECOMMENDATIONS: None.

FILE LOCATION: LEAS - UP International of Torrey Pines  
Gliderport LEASFY94-1

COUNCIL ACTION: (Tape location: B147-C056.)

Motion by McCarty to continue this item until September.  
Second by Roberts. Motion withdrawn.

MOTION BY STALLINGS TO ADOPT AS AMENDED TO INCLUDE AT  
MIDPOINT IN THE TERMS OF THE FIVE-YEAR LEASE AGREEMENT  
(2-1/2 YEARS) A REOPENER PROVISION WITH RESPECT TO THE  
LIABILITY COVERAGE. DIRECT THE CITY MANAGER TO WORK WITH  
UCSD REGARDING THEIR CONCERNS OF THE LEASE AGREEMENT.  
Second by Vargas. Passed by the following vote:  
Wolfsheimer-yea, Roberts-nay, Hartley-yea, Stevens-yea,

Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor  
Golding-yea.

ITEM-200:

Three actions related to Municipal Elections:

Subitem-A: (O-94-16) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17948 (New Series)

Introduction and adoption of an Ordinance calling a  
General Municipal Election in the City of San Diego on  
November 2, 1993, for the purpose of electing  
Councilmembers for Council Districts No. 1, 3, 5 and 7  
for three year terms each, unless such candidates have  
been elected in the Municipal Primary Election.

Subitem-B: (O-94-15) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17949 (New Series)

Introduction and adoption of an Ordinance calling a  
Special General Municipal Election in Council District  
8 on November 2, 1993 for the purpose of electing the  
Councilmember for Council District No. 8, unless such  
candidate has been elected in the Special Municipal  
Primary Election; consolidating the election with the  
Special Statewide Election to be held on the same date.

Subitem-C: (R-94-135) ADOPTED AS RESOLUTION R-282449

Adoption of a Resolution requesting that the Board of  
Supervisors consolidate the Municipal General Election  
with the Special Statewide Election to be held November  
2, 1993; and authorizing the City Auditor and  
Comptroller to make payment to the Registrar of Voters  
in compliance with the Board of Supervisor's advance  
payment policy.

CITY CLERK SUPPORTING INFORMATION: This is a request that the  
City Council adopt ordinances calling the General Municipal  
Election to be held on November 2, 1993 and a Special General  
Municipal Election in Council District 8 to be held on the same  
date, and a resolution requesting the consolidation of these  
elections with the Special Statewide Election to be held November  
2, 1993. November 2, 1993 is the date for the regularly  
scheduled General Municipal Election for any run-off elections  
required in Council Districts 1, 3, 5, and 7. In addition, a  
Special General Municipal Election will be held in Council

District 8 on the same date, should a run-off election be required in this District. The resolution requesting consolidation includes a request for the services of the Registrar of Voters. The cost of the General Municipal Election and Special General Election with run-offs, held in each of the five districts, if needed, is estimated at \$450,000, but may be reduced by as much as 50 percent because this election is being consolidated with the Special Statewide Election. The actual cost will be determined by the number of jurisdictions participating and sharing the cost of the election.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B062-146.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201: REPORT ACCEPTED

A report from the City Manager regarding the following FY 1994 Social Service issues:

- Consolidation of the City/County Senior Nutrition Programs;
- Funding of the Access Project;
- A work program describing the impact of implementing a social service application process.

(See memorandums from the City Manager dated July 23, 1993 and July 22, 1993.)

NOTE: Docketed per Council directive from the meeting of July 27, 1993, Item S402.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C058-389.)

MOTION BY HARTLEY TO ACCEPT THE REPORT AND TO DIRECT THE CITY MANAGER TO PUBLICLY NOTICE THE FOLLOWING PROPOSED BUDGET CHANGES: 1) THE AMOUNT OF \$5,000 TO BE TAKEN FROM THE UNALLOCATED 3RD DISTRICT FUNDS TO FUND THE GOLDEN HILL SMART PROPOSAL WHICH WOULD BENEFIT THE COMMUNITY BY ENHANCING A PREVIOUSLY BLIGHTED AND ABANDONED LOT IN GOLDEN HILL THROUGH LANDSCAPING AND PUBLIC ART; 2) TRANSFER OF

FUNDS OF \$34,000 FROM THE EL CAJON BOULEVARD STREET IMPROVEMENT FUND TO THE CITY HEIGHTS UNIVERSITY AVENUE STREET IMPROVEMENT PROJECT TO COMPLETE THEIR DESIGN AND CONSTRUCTION DRAWINGS; 3) A 2.79% REDUCTION OF FUNDS TO THE ALPHA PROJECT, NEIL GOOD DAY CENTER AND THE COMMUNITY SERVICE FOR THE DISABLED; AND 4) COUNCIL MEMBER BEHR'S FUNDS OF \$24,000 WHICH HE WOULD LIKE TO PUT INTO VARIOUS SOCIAL SERVICE ORGANIZATIONS. Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

A proposal to amend the San Diego Municipal Code relating to the Mobile Home Park Overlay Zone.

On July 6, 1993, the City Council gave preliminary approval to the above referenced amendment. In doing so, the City Council also amended the definition of "mobile home" to include "structures transportable in one or more sections, which in the traveling mode is eight feet wide or 30 body feet or more in length, or when erected on site, is 240 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities."

This amended definition is similar to the definition of "manufactured home," as defined in Section 18007 of the California Government Code with the exception that the State definition refers to structures which in the traveling mode is 40 feet or more in length or when erected on site is 320 square feet or more in size. The amended definition does not specifically exclude recreational vehicles, travel trailers, commercial coaches, or factory built housing, as the previous definition did.

Today's action is:

(O-93-160 Cor. Copy)                      ADOPTED AS ORDINANCE O-17950 (New Series)

Adoption of an Ordinance amending Chapter X, Article 1, Division 10 of the San Diego Municipal Code, by amending Sections 101.1001 and 101.1002, relating to the Mobile Home Overlay Zone.

(Introduced as amended on 7/6/93. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C390-481.)

Hearing began at 3:57 p.m. and halted at 4:03 p.m.

Testimony in favor by Ted H. Ball and Paul Zamazanuk.

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

ITEM-S400: (R-93-1963) ADOPTED AS RESOLUTION R-282450

(Continued from the meetings of July 12, 1993, Item 104, and July 26, 1993, Item 200; last continued at the City Manager's request, for further review.)

Rejecting all bids received on March 4, 1993 and readvertising for bids for the Construction of Palisades Building Roof Repairs on Work Order No. 119269; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$21,229 from San Diego Facilities and Equipment Leasing Construction Fund No. 91101, to CIP-21-830.0, Balboa Park Palisades Building Rehabilitation; and authorizing the expenditure of \$52,689 from CIP-21-830.0, Balboa Park Palisades Building Rehabilitation, \$21,229 from San Diego Facilities and Equipment Leasing Construction Fund No. 91101, \$1,460 from Florida Canyon Capital Outlay Fund No. 302451, \$5,000 from Capital Outlay Other Fund No. 302453, and \$25,000 from Transient Occupancy Tax Fund No. 102242, to supplement funding authorized by Resolution R-281481, adopted on February 22, 1993. (BID-K3614/93A)

(Prime Construction Contract \$164,000. Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The Palisades Building is located at 2130 Pan American Plaza in Balboa Park. It is just north of the Automobile Museum. This contract will replace the roof on the entire building. Bids for the Palisades Building Roof Repairs project were received March 4, 1993. The low bid of

\$163,689 was submitted by Stricker Roofing, Inc. Stricker Roofing, Inc. failed to demonstrate their good faith effort to comply with the City's MBE-WBE Program goals. Therefore, it is recommended that all bids be rejected.

Aud. Cert. 9301205.

FILE LOCATION: W.O. 119269 CONT - Baldan Construction  
CONFY94-1

COUNCIL ACTION: (Tape location: C482-D066.)

MOTION BY STEVENS TO ADOPT. Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-nay, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:55 p.m. in honor of the memory of Harold Stocking.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E066.)