

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, OCTOBER 26, 1993
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Behr at 10:03 a.m. Deputy Mayor Behr recognized and welcomed students from Bird Rock Elementary School. The meeting was recessed by Deputy Mayor Behr at 11:56 a.m. to meet in Closed Session at 1:30 p.m., in the 12th floor conference room to discuss meet and confer issues, and to reconvene the regular meeting at 2:00 p.m. The meeting was reconvened by Deputy Mayor Behr at 2:07 p.m. with Mayor Golding not present. Deputy Mayor Behr convened the Redevelopment Agency and the Special Joint Council Meeting with the Redevelopment Agency to meet simultaneously with the City Council. Deputy Mayor Behr adjourned the meeting at 7:10 p.m. into Closed Session on November 1, 1993 at 8:00 a.m. and on November 8, 1993 at 4:00 p.m. in the 12th floor conference room to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-excused by R-282944
(meeting with NFL Site Committee)
- (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/Fishkin (rb/ll)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor Golding-not 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

PUBLIC COMMENT:

None.

COUNCIL COMMENT:

ITEM-CC-1:

Comments by Deputy Mayor Behr regarding televised viewing of the October 25, 1993, Council Meeting.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A010-015.)

ITEM-109:

SUBJECT: Inviting bids for the Northern Wildlife Preserve
Observation Deck.

(Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-348) ADOPTED AS RESOLUTION R-282910

Inviting bids for the Construction of Northern Wildlife Preserve Observation Deck on Work Order No. 119543;

Authorizing the execution of a contract with the lowest responsible bidder;

Authorizing the expenditure of \$60,641 from CIP-22-079.0, Northern Wildlife Preserve Requirements, Sludge Mitigation Fund No. 10507;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-K94055)

Subitem-B: (R-94-349) ADOPTED AS RESOLUTION R-282911

Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, DEP-91-0146, has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

This project will provide a wildlife preserve observation platform, on the southeasterly side of Crown Point Drive near Honeycutt Street. The platform is 6 feet wide and 35 feet long. It begins behind the sidewalk and extends toward the preserve. The sidewalk in this area was constructed as part of another City contract using this project's funds.

Aud. Cert. 9400219.

FILE LOCATION: W.O. 119543 CONT - Robert L. Fox CONT FY
94-1

COUNCIL ACTION: (Tape location: E345-527.)

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-not present.

ITEM-112:

SUBJECT: Two actions related to the final subdivision map of Stonecrest Plaza.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-564 Cor. Copy) ADOPTED AS RESOLUTION R-282893

Authorizing a Subdivision Improvement Agreement with Aero Drive Associates, L.P., for the installation and completion of public improvements.

Subitem-B: (R-94-565) ADOPTED AS RESOLUTION R-282894

Approving the final map.

FILE LOCATION: SUBD-Stonecrest Plaza CONT FY94-1

COUNCIL ACTION: (Tape location: C355-360.)

MOTION BY HARTLEY 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-not present.

ITEM-113:

SUBJECT: Two actions related to the final subdivision map of Palm Promenade.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-566) ADOPTED AS RESOLUTION R-282895

Authorizing a Subdivision Improvement Agreement with Palm 805 Investments Associates Limited Lt, for the installation and completion of public improvements.

Subitem-B: (R-94-567) ADOPTED AS RESOLUTION R-282896

Approving the final map.

FILE LOCATION: SUBD-Palm Promenade CONT FY94-1

COUNCIL ACTION: (Tape location: C361-379.)

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

ITEM-114:

SUBJECT: Acquisition of 20 acres of Penasquitos Canyon Preserve - North No. 4 for Open Space.
(North City Future Urbanizing Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-559) ADOPTED AS RESOLUTION R-282912

Resolution of Intention to acquire approximately 20 acres of Penasquitos Canyon Preserve - North No. 4, for the San Diego Open Space Park Facilities District No. 1.

CITY MANAGER SUPPORTING INFORMATION:

Los Penasquitos Canyon Preserve is priority number 1, Category A, on the Council's adopted open space retention list. This 20 acre parcel is a portion of the large finger canyon north of and adjacent to the Newland tradeland property. On September 15, 1986, Council approved an acquisition plan for this land, along

with funds to have it appraised for purposes of acquisition for open space. Further, on June 1, 1987, Council established priorities for the acquisition plan which identified this land as the number eight priority. Since available funds were not adequate to proceed with all of the parcels included in this priority, we have returned to Council for approval of funds on a parcel by parcel basis.

When acquisition of this parcel was originally recommended to Council in 1989, Jerry McCaw and Richard L. Fletcher, who identified themselves as the owners, stated to Council that they would grant the City an open space easement over the slopes and canyon bottom, approximately eleven acres, if the City would drop acquisition of the total parcel. Council Resolution R-272741 subsequently authorized the City Manager to accept a negative open space easement in lieu of acquisition.

After continued unfulfilled promises to deliver the easement, Mr. McCaw has now stated he is unable to get agreement of all of the owners to provide such an easement. Therefore, this request is for \$800,000 to purchase this parcel at fair market value plus funds to cover title, escrow and other miscellaneous costs.

Aud. Cert. 9400371.

FILE LOCATION: STRT OS-23

COUNCIL ACTION: (Tape location: E557-F067.)

MOTION BY WOLFSHEIMER 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-not present.

ITEM-132:

SUBJECT: Three Agreements for "Academy 2000."

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-455) ADOPTED AS RESOLUTION R-282913

Authorizing agreements with: 1) Systemics, 2)

Organization Systems, Inc., and 3) Southwest Communication Resources, Inc., to provide professional services for a continuing City program entitled "Academy 2000";

Authorizing the expenditure of an amount not to exceed \$51,000 from FY 1994 Special Training Fund (\$18,000 - Systemics; \$16,000 - Organization Systems, Inc.; \$17,000 - Southwest Communication Resources, Inc.) for providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

Supervisor's Academy, now called Academy 2000, was established in 1976 and is the City's ongoing program designed for training of first-line supervisors. Supervisor's Academy was renamed Academy 2000 in 1988, when the course content was thoroughly revised and updated. The goal of Academy 2000 is to enhance the management, supervisory, and professional skills of City supervisors in order to increase their effectiveness in current job assignments and prepare them for future management opportunities. Academy 2000 is essential for ensuring that supervisors receive the training and knowledge required to be effective in the City environment.

Academy 2000 takes place six to eight times a year, with an average attendance of twenty-five participants per session. Each Academy session lasts seven days. The Organization Effectiveness Program administers Academy 2000. This action extends for another year the contracts of the three consulting firms which provide training services for Academy 2000. These consultants have been involved in Academy 200 program design and implementation and are sustaining high-quality delivery of Academy sessions through a series of program upgrades. For the City to maintain the continuity of Academy program content and delivery, therefore, it is not recommended to go out to bid again at this time; we are however, in the process of writing a Request for Proposals to provide an as-needed list of consultants able to deliver a variety of organization development, facilitation and training services to the City.

Aud. Certs. 9400330, 9400331 and 9400332.

FILE LOCATION: MEET CCONT FY 94-3

COUNCIL ACTION: (Tape location: E535-552.)

MOTION BY McCARTY 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-not present.

ITEM-160:

SUBJECT: ISTEА/TEA Grant Applications.
(See Legislative Specialist Analysis TLU-93-9.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-423 Rev. 1) ADOPTED AS AMENDED AS RESOLUTION R-
282914

Authorizing the City Manager to submit an ISTEА/TEA
Grant Application to SANDAG;

Approving the prioritized list of projects as presented
by the City Manager.

TRANSPORTATION AND LAND USE COMMITTEE'S RECOMMENDATION:

On 10/13/93, T&LU voted 3-1 to revise the priority list as
follows: 1) Ward Canyon Bike Path; 2) Prospect Street
Realignment; 3) SR15/40th Street Linear Parks; 4)
University/Euclid Revitalization; 5) Mid-City Streetscape
Revitalization; 6) Broadway Enhancements; 7) SR52 Bike Path.
(Councilmembers Wolfsheimer, Roberts and Stallings voted yea;
Councilmember McCarty voted nay; Councilmember Behr not present.)

CITY MANAGER SUPPORTING INFORMATION:

Under the Federal ISTEА/Transportation Enhancement Activities
program, the San Diego County region is eligible to receive up to
\$11 million in the current 3-year cycle of grants. Grant
applications were sent from City departments and other agencies
to SANDAG by the September 10 deadline. SANDAG also requires a
resolution from Council authorizing the grant applications and
prioritizing the projects.

The project applications have been prioritized as follows:

1. Ward Canyon Bicycle Path (SR-15)
2. Prospect Street Realignment (Girard Avenue)
3. University/Euclid Improvement Project
4. Mid-City Streetscape Revitalization
5. SR-15/40th Street Linear Parks

6. Broadway Enhancements
7. State Route 52 Bicycle Path

The Manager also supports a project application submitted jointly by the cities of Coronado, Imperial Beach, and San Diego for enhancements to State Route 75. Approximately \$100,000 from this joint grant will be used for billboard removal and median landscaping along Palm Avenue.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F070-349.)

Motion by McCarty to amend the prioritization of these projects as follows:

1. University/Euclid Improvement.
2. Mid-City Streetscape revitalization.
3. Ward Canyon Bicycle Path.
4. SR-15/40th Street Linear Parks
5. Prospect Street Realignment.
6. Broadway enhancements
7. State Route 52 Bicycle Path.

Second by Stevens. Failed. Yea-4,6,7; Nay-1,2,3,5,8; Not present-M.

MOTION BY HARTLEY TO ADOPT AND ACCEPT THE CITY MANAGER'S RECOMMENDATION WITH THE EXCEPTION OF SWITCHING THE MID-CITY STREETScape REVITALIZATION PROJECT WITH THE SR-15/40TH STREET LINEAR PARKS PROJECT. SECOND BY Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-nay, Stallings-yea, McCarty-nay, Vargas-nay, Mayor Golding-not present.

ITEM-162: TRAILED TO NOVEMBER 8, 1993

SUBJECT: Police Assessment Districts.

(See City Manager Report CMR-93-201, and City Attorney's Memorandum of Law dated 6/25/93.)

PUBLIC SERVICES AND SAFETY COMMITTEE'S RECOMMENDATION:

On 6/30/93, PS&S voted 4-0 to recommend introduction of the following ordinance: (Councilmembers Wolfsheimer, Roberts, Hartley and Stevens voted yea; Councilmember Vargas not present):

(O-94-163)

Introduction of an ordinance amending Chapter VI, Article 1, of the San Diego Municipal Code by adding Division 25, Sections 61.2501 - 61.2524, relating to the San Diego Public Safety and Supplementary Crime Suppression District Procedural Ordinance.

FILE LOCATION: None.

COUNCIL ACTION: (Tape location: B099-C349; F353-G220.)

Motion by Wolfsheimer to approve the ordinance for introduction with one amendment to Section 61.2509, Paragraph "d" to read as follows:

"This service may be provided by a private security service under contract to the City or by non-sworn City employees trained in law enforcement and crime suppression, or by sworn officers at the sole discretion of the Chief of Police."

Second by Hartley. No vote.

Substitute Motion by Stevens to allow communities to establish a special assessment district for the purpose of hiring security with language citing "supplemental" to be deleted. Second by Hartley. No vote.

Item trailed to 2:00 p.m. with direction from Deputy Mayor Behr to the City Attorney to bring back correct document with current changes from the PS&S Committee.

Motion by Wolfsheimer to introduce and to include the amendment on page 5 of 12, first paragraph to read ... "The number of calls required for crime suppression on that property, type of liability insurance required, a structure's use, the number of dwelling units..." Second by Hartley. Failed. Yea-1,2,3,4; Nay-5,6,7,8; Not present-M.

ITEM-202:

SUBJECT: Two actions related to Awarding Contracts for the
Fiesta Island Facility Improvements.
(Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-443) ADOPTED AS RESOLUTION R-282915

Certifying that the information contained in Negative Declaration DEP-93-0419, dated October 8, 1993, in connection with Fiesta Island Facility Improvements and Fiesta Island Reclaimed Water Pipeline, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines and that the Declaration has been reviewed and considered by Council.

Subitem-B: (R-94-444) ADOPTED AS RESOLUTION R-282916

Awarding a contract to Suncoast Pipeline, Inc., for Fiesta Island Reclaimed Water Pipeline, in the amount of \$159,400 and awarding a contract to Hunter Corporation, for Fiesta Island Facility Improvements, in the amount of \$1,382,507;

Awarding a contract to Hydronix, for the purchase of one 40-HP Centrifugal Effluent Pump Station in an amount not to exceed \$63,027, plus sales tax;

Awarding a contract to Generator Power Systems, for the purchase of two 300-KW Propane Generators, in an amount not to exceed \$297,290, plus sales tax;

Awarding a contract to Cal Fab, Inc., for the purchase of two 5,000 Gallon Surge Tanks, in an amount not to exceed \$32,580, plus sales tax;

Authorizing the City Manager to award a contract to the lowest responsible bidder for the purchase of seven belt filter presses and ancillary equipment for the Fiesta Island Dewatering Facility on Work Order No. 030045;

Authorizing the City Manager to award a contract to the lowest responsible bidder in an amount not to exceed \$2,296,000;

Authorizing the City Manager to award a contract to the lowest responsible bidder for a temporary lease of four belt filter presses;

Authorizing the City Manager to award a contract to the

lowest responsible bidder for temporary lease of two 250-KW generator engine sets;
Authorizing the Auditor and Comptroller to transfer \$4,553,400 from the Metro Sewer Utility Fund 41508 CIP-44-001.0, Annual Allocation for Sewer Main Replacements to CIP-46-119.0, Annual Allocation for Point Loma Treatment Plant;
Authorizing the expenditure of not to exceed \$6,633,400 from Metro Sewer Utility Fund 41508, CIP-46-119, Annual Allocation for the Point Loma Treatment Plant, and authorizing the expenditure of \$300,000 for leases from Program Element 70228, Job Order No. 030046. (BIDS-K94034, K94035, E4010/94, B4003/94, F4005/94, B4004/94, B4047/94, B4049/94)

CITY MANAGER SUPPORTING INFORMATION:

In the past the City has periodically not been in compliance with Regional Water Quality Control Board (RWQCB) Cease and Desist Order 87-113 and Order No. 90-32 regarding suspended solids removal rates at the Point Loma Treatment Plant. This has occurred in part, due to insufficient wet weather capacity at the Fiesta Island Sludge Dewatering Facility. The City has pledged to the Regional Board that necessary improvements will be made to the Fiesta Island facilities. This project will provide for the purchase of seven belt filter presses and ancillary equipment, the installation of this equipment, and the construction of a 10-inch water line. The RWQCB requires that this project be completed by this winter. The manufacture and delivery schedule for some of the purchased equipment does not meet this timeframe. Therefore, this action also includes the temporary (4 month) lease of equipment for installation prior to the delivery of the purchase equipment. The authorization to advertise for bid for the installation of the belt filter presses and the construction of the 10-inch water line was approved by Council on September 28, 1993.

The bid opening is scheduled for October 8, 1993. Bid opening for the purchased equipment was held on September 24, 1993. Bid opening for the leased equipment is scheduled for October 14, 1993. At this time approval is requested to award the contracts to the lowest responsible bidders. A Negative Declaration DEP-93-0419, was prepared for this action.

Aud. Cert. 9400417.
WU-CWP-94-049.

FILE LOCATION: WATER-Fiesta Island Facility Improvements and

Fiesta Island Reclaimed Water Pipeline
CONFY 94-4

COUNCIL ACTION: (Tape location: D011-E344.)

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

ITEM-330:

SUBJECT: Consideration of amendments to the North City Future Urbanizing Area Framework Plan/ the Progress Guide and General Plan/ the City of San Diego Local Coastal Program (LCP) Land Use Plan and Implementing Ordinances/ the Planned Residential Development Ordinance and Council Policies 600-29 and 600-30. (NCFUA Framework Plan. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions and introduce the ordinance:

Subitem-A: (R-94-191) ADOPTED AS RESOLUTION R-282897

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-91-0809 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-94-22) INTRODUCED, TO BE ADOPTED NOVEMBER 8, 1993

Introduction of an Ordinance amending Chapter X, Article 1, Section 101.0901 of the San Diego Municipal Code.

Subitem-C: (R-94-192) ADOPTED AS RESOLUTION R-282898

Adoption of a Resolution approving the North City
Future Urbanizing Area Framework Plan Amendment.

Subitem-D: (R-94-193) ADOPTED AS RESOLUTION R-282899

Adoption of a Resolution amending Council Policy No.
600-29.

Subitem-E: (R-94-194) ADOPTED AS RESOLUTION R-282900

Adoption of a Resolution amending Council Policy No.
600-30.

CITY MANAGER SUPPORTING INFORMATION: On October 1, 1992, the City Council adopted the North City Future Urbanizing Area Framework Plan subject to certification by the California Coastal Commission in order to become effective within the Coastal Zone. The Framework Plan revised the North City Local Coastal Program Land Use Plan and was transmitted to the Coastal Commission for review and final approval. At a public hearing of May 14, 1993 the Coastal Commission recommended modifications to the Framework Plan, Council Policies 600-29 and 600-30, and Planned Residential Development (PRD) Ordinance.

The modifications are intended to conform with the standards established by the California Coastal Act for local coastal program components. The modifications reference the North City Local Coastal Program (LCP) and require subarea plans to specifically address LCP policies.

FILE LOCATION: SUBITEM-A,C,D,E: MEET; SUBITEM-B:--

COUNCIL ACTION: (Tape location: A123-231.)

Hearing began at 10:15 a.m. and halted at 10:20 a.m.

CONSENT MOTION BY McCARTY TO ADOPT ITEMS 330, 331, 332, 338, AND 339. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea (nay on 338 and 339), Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-331:

SUBJECT: Consideration of an amendment to the Scripps Miramar

Ranch Community Plan and to the Progress Guide and General Plan relating to Pomerado Road and Scripps Poway Parkway reclassification.
(Scripps Miramar Ranch (35-0326). District-5.)

Subitem-A: (R-94-378) ADOPTED AS RESOLUTION R-282901

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-91-0784 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-94-379) ADOPTED AS RESOLUTION R-282902

Adoption of a Resolution certifying that the Addendum DEP-92-0522 to Supplemental Environmental Impact Report EIR-88-0767 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-C: (R-94-380 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-282903

Adoption of a Resolution approving the Scripps Miramar Ranch Community Plan amendment, to reclassify Scripps Poway Parkway and deny the reclassification of Pomerado Road.

CITY MANAGER'S RECOMMENDATION:

DO NOT ADOPT SUBITEM A; Adopt Subitems B and C.

SUPPORTING INFORMATION:

The amendment relates to reclassify Pomerado Road from a contingency four-lane major street to a two-lane major street and to reclassify Scripps Poway Parkway from a four-lane major street to a six-lane major street within the Scripps Miramar Ranch Community Plan.

FILE LOCATION: LAND-Scripps Miramar Ranch Community Plan

COUNCIL ACTION: (Tape location: A123-231.)

Hearing began at 10:15 a.m. and halted at 10:20 a.m.

CONSENT MOTION BY McCARTY TO ADOPT ITEMS 330, 331, 332, 338, AND 339. ADOPT ITEM 331 WITH DEPUTY MAYOR BEHR'S RECOMMENDATION AS CITED IN THE RECORD: TO CERTIFY THE ADDENDUM TO THE SUPPLEMENTAL E.I.R. DOCUMENT TO RECLASSIFY SCRIPPS POWAY PARKWAY TO A SIX-LANE STREET; CERTIFY E.I.R. 91-0784 FOR POMERADO ROAD, ADOPT THE FINDINGS, STATEMENT OF OVERRIDING CONSIDERATIONS; AND ADOPT THE AMENDMENT TO RECLASSIFY POMERADO ROAD AS A TWO-LANE MAJOR ROAD. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea (nay on 338 and 339), Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-332:

SUBJECT: San Ysidro Revitalization Project/Financing Plan Amendment.
(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-541) ADOPTED AS RESOLUTION R-282904

Approving the amendment of the San Ysidro Public Facilities Financing Plan, to include the San Ysidro Revitalization Project;
Authorizing the expenditure of not to exceed \$45,000 from DIF 79518, and \$55,000 in CAPOTH 302453, not to exceed \$100,000, from CIP-36-060.0 (modifications to Old Southern Police Station) for facility renovation.

CITY MANAGER SUPPORTING INFORMATION:

The San Ysidro Revitalization Project (SYRP) has approached the City with a request to lease the old temporary police station in San Ysidro at 663 East San Ysidro Boulevard for a community center which would provide in-house services emphasizing economic development, redevelopment and revitalization to the San Ysidro community.

Previous Council action has authorized the City Manager to enter into exclusive negotiations with the San Ysidro Revitalization Project for the operation of a Community Center at 663 East San Ysidro Boulevard. SYRP would provide space for a police storefront and other entities such as San Ysidro/Otay Mesa Enterprise Zone, San Ysidro Chamber of Commerce, San Ysidro Business Improvement District, San Ysidro Planning and Development Group, San Diego Consortium, South Western College, Small Business and International Trade Center, and an EDD Outreach station. SYRP has identified certain repairs which need to be made to the premises. The cost of the repairs is estimated to be in the \$90,000 to \$100,000 range. It is recommended that the City Manager be authorized to approve an amount not to exceed \$100,000 to cover necessary repairs.

Aud. Cert. 9400108.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A123-231.)

Hearing began 10:15 a.m. and halted at 10:20 a.m.

CONSENT MOTION BY McCARTY TO ADOPT ITEMS 330, 331, 332, 338, AND 339. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea (nay on 338 and 339), Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-333: CONTINUED TO NOVEMBER 9, 1993

SUBJECT: Amending the Montgomery Field Airport Master Plan and the Kearny Mesa Community Plan; requesting that the San Diego Association of Governments (SANDAG) initiate an amendment to the Montgomery Field Comprehensive Land Use Plan (CLUP); Appeal by San Diego Hawthorne Ltd. of the denial of a building permit.
(Kearny Mesa Community. Districts-5 & 6.)

OPTION 1:

CITY MANAGER'S RECOMMENDATION:

Adopt Subitems A, B,C, and D (Five votes required):

Subitem-A: (R-94-555)

Adoption of a Resolution amending the Montgomery Field Airport Master Plan.

Subitem-B: (R-94-557)

Adoption of a Resolution requesting SANDAG to initiate an amendment to the Comprehensive Land Use Plan for Montgomery Field Airport.

Subitem-C: (R-94-556)

Adoption of a Resolution to modify the Kearny Mesa Community Plan.

Subitem-D: (R-94-558)

Adoption of a Resolution granting the appeal filed for San Diego Hawthorne, Ltd.

OR

OPTION 2:

Subitem-E: (R-94-)

A motion to override the decision of the regional Airport Land Use Commission and maintain the current land use designations in the Kearny Mesa Community Plan and Progress Guide and General Plan; making specific findings as stated in City Manager Report P-93-082. (A two-thirds vote six votes and specific findings required to override the regional Airport Land Use Commission's decision of plan inconsistency.)

SUPPORTING INFORMATION:

OPTION 1:

1. Amending the Montgomery Field Airport Master Plan to make certain changes, including changing the length of the western Flight Activity Zone (FAZ) for Runway 10L from 1,700 feet to 1,000 feet which would, if approved, remove the FAZ from private properties on the west side of State Route 163.

2. Requesting that the San Diego Association of Governments (SANDAG), acting as the regional Airport Land Use Commission, initiate an amendment to the Montgomery Field Comprehensive Land Use Plan (CLUP) to reflect the proposed changes to the Montgomery Field Airport Master Plan.
3. Amending the Kearny Mesa Community Plan (Figure 27) to reflect the proposed changes to the Montgomery Field Airport Master Plan, subject to the approval of the Airport Master Plan amendment and SANDAG's amendment to the Montgomery Field Comprehensive Land Use Plan.
4. Considering the denial of building permit A003427-93 involving a proposed restaurant development located at 8055 Armour Street (Lot 4, Map-4776, see Ryan Tract), and the following Findings set forth in Municipal Code section 101.0444.K, pertaining to the Airport Environs Overlay Zone:
 - a. The proposed project has minimized the public's exposure to excessive noise and safety hazards to the extent feasible;
 - b. The proposed project is consistent with the protection of the public health, safety, and welfare;
 - c. The proposed project will meet the purpose and intent of Section 21670 of the Public Utilities Code.

OPTION 2:

5. Overriding a previous action by the regional Airport Land Use Commission, which stated that the Kearny Mesa Community Plan land use recommendations for properties lying within the area of the western Flight Activity Zone of the airport are inconsistent with the Montgomery Field Comprehensive Land Use Plan.

LEGAL DESCRIPTION: Lot 4, Map-4776, see Ryan Tract.

ENVIRONMENTAL IMPACT:

The proposed changes to the Montgomery Field Airport Master Plan are exempt from the California Environmental Quality Act (CEQA) pursuant to State Guidelines, Section 15061(b)(3).

In reference to the proposed Kearny Mesa Community Plan amendment and building permit appeal, the Council should review and consider the previously prepared Kearny Mesa Environmental Impact Report (DEP-87-0626) and Supplemental Environmental Impact Report

(DEP-91-0844) with Findings and Statement of Overriding Considerations, certified by the Council on October 6, 1992 by Resolution No. R-280820.

NOTE: Continued from the meetings of June 1, 1993, Item 332, June 15, 1993, Item 331 and August 3, 1993, Item 333; last continued for 60 days at Councilmember Behr's request to be present, and at the City Manager's request until discussions with the FAA are completed regarding the geographic definition of the crash zone at the west end of Montgomery Field.

FILE LOCATION: LAND-Montgomery Field Airport Master Plan;
The Kearny Mesa Community Plan

COUNCIL ACTION: (Tape location: A030-061.)

MOTION BY McCARTY TO CONTINUE THE ITEM TO NOVEMBER 9, 1993, AS REQUESTED BY REBECCA MICHAELS. 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-not present.

ITEM-334:

SUBJECT: Two actions related to Regulatory Relief.
(See memorandum from Maureen Stapleton dated 9/27/93; memorandum from the Planning Department dated 9/15/93; and memorandum from Maureen Stapleton dated 9/20/93.)

(Continued from the meetings of August 10, 1993, Item 344, Subitems X and AA and October 12, 1993, Item 335; last continued at Councilmember McCarty's request, to hear testimony from those who were not present to address the Council on 10/12/93.)

CITY MANAGER'S RECOMMENDATION:

- (1) Return Subitem X back to staff to revise the ordinance pursuant to the memo from Maureen Stapleton dated 9/20/93 and Council direction on 8/10/93; and
- (2) Introduce Subitem AA as amended to reduce from 14 to 7 days the required public review period for final environmental documents and delete the required 21-day public review period for addenda.

Subitem-X: (O-93-195) RETURNED TO CITY MANAGER

Amending Chapter X, Article 1, Division 5 of the San Diego Municipal Code, by amending Section 101.0500, relating Storage of Moved Buildings.

Subitem-AA: (O-93-149 Cor. Copy) TRAILED TO NOVEMBER 8, 1993

Introduction of an Ordinance amending Chapter VI, Article 9, Division 2 of the San Diego Municipal Code, by amending Sections 69.0208, 69.0211 and 69.0212, to retain the current 14 days review period for final environmental documents and reduce the review period for addenda from 21 to 14 days.

FILE LOCATION: Subitem-X: MEET; Subitem-AA: None.

COUNCIL ACTION: (Tape location: G226-H468.)

Hearing began 4:34 p.m. and halted 5:33 p.m.

Testimony in favor by Marie Lia, Mac Strobl, Tom Sheffer.

Testimony in oppositon by Catherine Strohlein, Ginger LaGuardia, Louise Arnold, Dave O'dell.

Motion by McCarty to introduce Subitem-AA. Second by Roberts. No vote.

Motion by Vargas to adopt Subitem-X with the amendment that it does not include redevelopment areas for storage of homes. Second by Stevens. Failed. Yea-4,5,8; Nay-1,2,3,6,7; Not present-M.

MOTION BY McCARTY TO RETURN SUBITEM-X TO THE CITY MANAGER. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Vargas-nay, Mayor Golding-not present.

Motion by McCarty to introduce Subitem-AA for that portion only that deals with addendas. Second by Roberts. Failed. Yea-2,5,7,8; Nay-1,3,4,6; Not present-M.

Motion by Wolfsheimer to note and file Subitem-AA. Second by Hartley. Failed. Yea-1,3,4,6; Nay-2,5,7,8; Not present-

M.

ITEM-335: CONTINUED TO NOVEMBER 9, 1993

SUBJECT: Creation of The Centre for Organization Effectiveness.
(Continued from the meetings of September 27, 1993, Item 201, and October 11, 1993, Item 203; last continued at Councilmember Behr's request, for further review.)

(See memorandum from the City Manager dated 10/7/93, City Manager Report CMR-93-275, and Report from the City Attorney dated 9/24/93.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-396)

- 1) Authorizing the City Manager to establish The Centre for Organization Effectiveness for the purpose of developing, marketing, and distributing organization development, management development, training, and other products and services, which may include publishing related materials;
- 2) Authorizing the Auditor and Comptroller to establish The Centre for Organization Effectiveness Fund (The Centre Fund);
- 3(a) Authorizing the transfer of not to exceed \$75,000 from the Entrepreneurial Program and not to exceed \$15,000 from the Special Training Fund into The Centre Fund for the start up costs for this new venture;
- (b) Authorizing the appropriation of \$90,000 from the above two sources, plus any additional revenue, including interest, and receivables generated by The Centre, and any other monies received by The Centre for The Centre's Fiscal Year 1994 Budget;
- (c) Authorizing the Auditor and Comptroller to reimburse the Entrepreneurial Program for not to exceed \$75,000 and to reimburse the Special Training Fund for not to exceed \$15,000 from The Centre Fund by the end of Fiscal Year 1997 as follows:
 - 1) an annual amount to be transferred from The Centre Fund to the Entrepreneurial Program and Special Training Fund, in an amount to be determined by

- the Financial Management Department; and
- 2) any excess carryover monies from the prior year including interest earned by The Centre Fund may be appropriated and expended for the purposes for which the Fund was created or, upon direction of the Financial Management Department, may be transferred by the Auditor and Comptroller to the General Fund;
 - 4) Authorizing the City Manager to establish fees to charge for services provided by The Centre, as outlined in Attachment B of the City Manager's Report;
 - 5) Authorizing the City Manager to execute contractual obligations for not to exceed \$50,000 per contract as necessary for The Centre to deliver services requested;
 - 6) Authorizing the City Manager to apply for, accept and expend, and authorizing the Auditor and Comptroller to appropriate, grants and other contributions for The Centre.

Aud. Cert. 9400298.

FILE LOCATION: none

COUNCIL ACTION: (Tape location: A063-094.)

MOTION BY McCARTY TO CONTINUE THE ITEM TO NOVEMBER 9, 1993, ON BEHALF OF MAYOR GOLDING. 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-not present.

ITEM-336:

SUBJECT: Community Facilities District No. 1 (Miramar Ranch North) Amendments.
(Miramar Ranch North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-611) ADOPTED AS RESOLUTION R-282905

Resolution of Consideration to alter the types of authorized public facilities financed and the existing Rate and Method of Apportionment of Special Tax to

reduce the authorized bonded indebtedness within Community Facilities District No. 1 and setting a public hearing to consider the proposed alterations to the District.

FILE LOCATION: STRT CF-1

COUNCIL ACTION: (Tape location: A297-B082.)

MOTION BY STALLINGS TO ADOPT, APPROVING THE HEARING FOR NOVEMBER 30, 1993. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-337: CONTINUED TO NOVEMBER 16, 1993

SUBJECT: Adopting Written Findings regarding the College Community Redevelopment Project.
(College Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-599)

Adopting written findings in response to each written objection of an affected property owner or taxing entity to the proposed Redevelopment Plan for the College Community Redevelopment Project.

CITY MANAGER SUPPORTING INFORMATION:

On October 12, 1993, the City Council and Redevelopment Agency conducted a joint public hearing regarding the proposed College Community Redevelopment Project. During the hearing, members of the public spoke in "opposition" to and in "support" of the Project. As required by the California Redevelopment Law, Section 33363, the City Council is required to prepare and adopt written findings as its response to the written objections (or oral testimony) delivered or presented by affected property owners and taxing entities regarding the proposed Project. These "written findings" must be adopted by City Council resolution at

the first meeting following the joint public hearing on the proposed Project, and before the first reading of the City Council Ordinance to adopt the Project. The City Council written findings are contained in Attachment A to the above Resolution.

FILE LOCATION: LAND-College Area Community Plan

COUNCIL ACTION: (Tape location: A095-122.)

MOTION BY McCARTY TO CONTINUE THE ITEM TO NOVEMBER 16, 1993, AS REQUESTED BY THE CITY MANAGER. 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-not present.

ITEM-338:

SUBJECT: Allocating certain Tax Revenues from the proposed College Community Redevelopment Project to the City of San Diego.
(College Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-598) ADOPTED AS RESOLUTION R-282906

Electing certain tax revenues to be allocated from the proposed College Community Redevelopment Project, pursuant to Section 33676 of the California Community Redevelopment Law.

CITY MANAGER SUPPORTING INFORMATION:

In November, 1988, the City Council adopted a Survey Area for the College Community Redevelopment Project. This action initiated the Redevelopment Plan process. The final Redevelopment Plan is scheduled for adoption upon the second reading of the Plan adoption ordinance on November 16, 1993. After the Redevelopment Plan has been adopted, the incremental increase in property taxes collected within the Project Area will go to the Redevelopment Agency of the City of San Diego instead of the affected taxing entities. However, each affected taxing entity, including the City of San Diego, can elect, by adoption of a resolution, to collect tax increment revenues at a (Proposition 13 allowed) 2

percent annual inflationary increase in property value. This option is recommended for the City of San Diego.

FILE LOCATION: LAND-College Area Community Plan

COUNCIL ACTION: (Tape location: A123-231.)

CONSENT MOTION BY McCARTY TO ADOPT ITEMS 330, 331, 332, 338, AND 339. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea (nay on 338 and 339), Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-339:

SUBJECT: Three actions related to the College Community Redevelopment Project.
(College Community Area. District-7.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 10/12/93 (Council voted 7-1. District 1 voted nay. District 3 not present):

Subitem-A: (O-94-19) ADOPTED AS ORDINANCE O-18004 (New Series)

Rezoning various properties within the College Area Community Plan Area, from the R1-5000, R-1000 and R-400 Zones to the R1-40000 Zone; from the R1-5000, R-3000, R-1000, R-400 and CN Zones to the R-600 Zone; from the R-400 Zone to the CN Zone; from the R1-40000 Zone to the CV Zone; and from the R1-5000 and CP Zones to the CO Zone; and, removing various properties within the College Area Community Plan Area, from the Community Plan Implementation Overlay Zone.

Subitem-B: (O-94-33) ADOPTED AS ORDINANCE O-18005 (New Series)

Amending Chapter X, Article 1, Division 9 of the San Diego Municipal Code by adding a new section 101.0940,

entitled "Master Project Plan and Phased Project
Redevelopment Permits for the College Community
Redevelopment Project Area."

Subitem-C: (O-94-32) ADOPTED AS ORDINANCE O-18006
(New Series)

Amending Chapter XI, Diagram Two, of the San Diego
Municipal Code, by adding new text under the Planning
Development Section relating to Decision Levels.

FILE LOCATION: LAND-College Area Community Plan

COUNCIL ACTION: (Tape location: A123-231.)

CONSENT MOTION BY McCARTY TO ADOPT ITEMS 330, 331, 332, 338,
AND 339. Second by Wolfsheimer. Passed by the following
vote: Wolfsheimer-yea (nay on 338 and 339), Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-not present.

ITEM-340:

SUBJECT: Refunding Bonds for Carmel Del Mar Apartments.
(See Reports to the Mayor and Council and the Housing
Authority. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-578) ADOPTED AS RESOLUTION R-282917

Authorizing the issuance, sale and delivery of
Multifamily Revenue Refunding Bonds of the Housing
Authority of the City of San Diego for the refinancing
of a multifamily rental housing development known as
Carmel Del Mar Apartments, located at 12582 Carmel
Creek Road.

NOTE: See the Housing Authority Agenda of October 26,
1993 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H514-J143.)

Motion by Vargas to adopt with the amendment that the Council approve the firm of DLJ Securities Corporation and not Newman as recommended by the Housing Authority. Second by Behr. Failed. Yea-5,7,8; Nay-4,6; Not present-1,2,3,M.

Motion by Stevens to adopt and accept the City Manager's recommendation and award the contract to the Newman & Associates. Second by McCarty. Failed. Yea-4,5,6,7; Nay-8; Not present-1,2,3,M.

MOTION BY STEVENS TO ADOPT AND ACCEPT THE CITY MANAGER'S RECOMMENDATION AND AWARD THE CONTRACT TO THE NEWMAN & ASSOCIATES. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-not present, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-S500:

SUBJECT: State Route 56/Carmel Valley Restoration Enhancement Plan (CVREP) Acquisition.
(Carmel Valley Community Area. District-1.)

Subitem-A: (R-94-592) ADOPTED AS RESOLUTION R-282907

Authorizing an increase of CIP-52-356.0, State Route 56/Carmel Valley Restoration and Enhancement Plan (CVREP) Acquisition, an amount not to exceed \$5,694,495, from Fund 790022, SANDAG Advance;

Authorizing the expenditure of not to exceed \$750,000 from CIP-52-356.0, State Route 56/CVREP Acquisition, SANDAG Advance Fund 790022, for the purpose of providing funds for miscellaneous costs and expenditures related to the property acquisition and condemnation settlement of the State Route 56/CVREP public project;

Authorizing the expenditure of not to exceed \$1,050,000 from CIP-52-356.0, State Route 56/CVREP, SANDAG Advance Fund 790022, for providing funds for the City of San Diego's share of the design and construction costs for the Carmel Creek Road Bridge.

Subitem-B: (R-94-197) ADOPTED AS RESOLUTION R-282908

A Resolution approved by the City Council in Closed Session on Tuesday, June 8, 1993 by the following vote: Wolfsheimer-yea; Roberts-ineligible; Hartley-yea; Stevens-yea; Behr-nay; Stallings-yea; McCarty-not present; Vargas-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$3,287,020 from the CIP-52-356.0, State Route 56-- Property Acquisition and Floodway Construction, Fund 790022, for settlement of the condemnation proceedings entitled City of San Diego v. McIsa CV II Joint Venture, etc., et al., Superior Court of San Diego Case No. 648402 and the acquisition in fee of an approximate 59 acre remainder parcel from McIsa CV II Joint Venture. Said \$3,287,020 will supplement funds previously authorized by Resolution R-279180, dated December 10, 1991, for the Route 56/Carmel Valley Restoration and Enhancement Project, making a total settlement of \$5,035,165, inclusive of fees, costs and any and all other claims;

A Resolution approved by the City Council in Closed Session on Tuesday, August 10, 1993 by the following vote: Wolfsheimer-not present; Roberts-not present; Hartley-not present; Stevens-nay; Behr-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$607,475 from the CIP-52-356.0, State Route 56-- Property Acquisition and Floodway Construction, Fund 790022, for settlement of the condemnation proceedings entitled City of San Diego v. Marvin Del Carmel, etc., et al., Superior Court of San Diego Case No. 647359, said \$607,475 will supplement funds previously authorized by Resolution R-279180, dated December 10, 1991, for the Route 56/Carmel Valley Restoration and Enhancement Project, making a total settlement of \$1,550,000, inclusive of fees, costs and any and all other claims;

Authorizing the expenditure of \$3,894,495 by issuing two checks as follows:

1. The amount of \$3,287,020, made payable to McIsa CV II Joint Venture, Debtor in Possession, in full settlement of the case City of San Diego v. McIsa CV II Joint Venture, etc., et al. and for acquisition in fee of an approximate 59 acre

- remainder parcel from McIsa CV II Joint Venture;
and
2. The amount of \$607,475, made payable to Marvin del Carmel and its attorneys of record Best, Best & Krieger, by Bruce W. Beach, Esq., in full settlement of the case City of San Diego v. Marvin del Carmel, etc., et al. and of all claims.

CITY MANAGER'S RECOMMENDATION:

Adopt the Resolution in Subitem A; and, in addition, the City Council, by previous actions taken in Closed Session, recommends adoption of Subitem B. (NOTE: The Auditor's Certificate was not requested prior to the Closed Sessions. The vote taken in today's Open Session on Subitem B shall be the official vote.)

CITY MANAGER SUPPORTING INFORMATION:

This is a multi-phase action required for the State Route 56/Carmel Valley Restoration Enhancement Project. This action will pay \$3,894,495 for settlement of two condemnation court proceedings for acquisition of property required for the project. It will further authorize \$1,050,000 for the City's share of construction costs for the Carmel Creek Bridge which will provide immediate access to the property owners impacted by the project, and access to future communities to the south. The action will also provide additional funds in the amount of \$750,000 for ongoing expenditures related to property acquisition for this project.

Aud. Cert. 9400440.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B083-094.)

MOTION BY WOLFSHEIMER 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-not present.

ITEM-CS-1: (R-94-701) ADOPTED AS RESOLUTION R-282909

A Resolution adopted by the City Council in Closed Session on October 26, 1993:

Authorizing the City Manager to pay the additional sum

of \$3,963.00 in settlement of each and every claim against the City, its agents and employees, Municipal Court Case No. 549543, resulting from the property damage claim of William Hoese; authorizing the City Auditor and Comptroller to issue one check in the amount of \$12,000 (\$8,037.00 previously approved by the City Council, Resolution No. 282678, plus \$3,963.00 to be paid out of Public Liability Fund No. 81140), made payable to William Hoese and his attorney of record, Timothy Pestotnik, in full settlement of all claims.

Aud. Cert. 9400297-Rev.

FILE LOCATION: MEET

ITEM-CS-2: (R-94-625) ADOPTED AS RESOLUTION R-282922

A Resolution adopted by the City Council in Closed Session on October 26, 1993:

Authorizing the City Manager to pay the sum of \$73,596.02 in settlement of each and every claim against the City, its agents and employees resulting from the property damage to the residence of Frank Simpson, et al.; authorizing the City Auditor and Comptroller to issue one check in the amount of \$73,596.02 made payable to Luth & Turley, Inc., in full settlement of all claims.

Aud. Cert. 9400444.

FILE LOCATION: MEET

ITEM-CS-3: (R-94-626) ADOPTED AS RESOLUTION R-282923

A Resolution adopted by the City Council in Closed Session on October 26, 1993:

Authorizing the City Manager to pay the sum of \$342,538.13 in settlement of each and every claim against the City, its agents and employees resulting from the property damage claim of Josefina Harnish, et al.; authorizing the City Auditor and Comptroller to

issue multiple checks, in varying amounts, to cover costs of property acquisition and structural repairs up to but not exceeding \$342,538.13.

Aud. Cert. 9400445.

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Behr at 7:10 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: J466-477).