

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, SEPTEMBER 13, 1994  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:14 a.m. Mayor Golding adjourned the meeting at 11:10 a.m. to convene the Special Joint Meeting with the Redevelopment Agency, and thereafter, to meet in Closed Session in the 12th floor Conference Room to continue discussion on potential negotiations and meet and confer.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-Present
  - (1) Council Member Mathis-present
  - (2) Council Member Roberts-present
  - (3) Council Member Kehoe-present
  - (4) Council Member Stevens-present
  - (5) Council Member Warden-present
  - (6) Council Member Stallings-present
  - (7) Council Member McCarty-present
  - (8) Council Member Vargas-present
- Clerk-Fishkin (rb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Roberts-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

PUBLIC COMMENT:

ITEM-PC-6:

Comments by Don Stillwell regarding delivering Americans to U.N. Control.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A011-036.)

ITEM-PC-7:

Comments by Warren Nielsen regarding hazardous conditions on property.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A039-060.)

ITEM-101:

SUBJECT: Awarding a Contract for Type III Asphalt Concrete.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-277) ADOPTED AS RESOLUTION R-284597

Awarding a contract to Sim J. Harris Co. (San Diego, CA), for furnishing Type III Asphalt Concrete, as may be required for a period of one year beginning July 1, 1994 through June 30, 1995, for an estimated cost of \$1,519,045, including tax and terms.

(BID-I4356/94)

FILE LOCATION: CONT-PURCHASE-Sim J. Harris Co. (San Diego, CA) CONT FY 95-1

COUNCIL ACTION: (Tape location: A100-168.)

MOTION BY ROBERTS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206:

SUBJECT: Fee Schedule for Neighborhood Code Compliance Department. (See City Manager Report CMR-94-239.) (Continued from the meeting of August 8, 1994, Item 212, at Mayor Golding's request, for further review.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1569 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-284598

Directing the City Clerk to revise the Ratebook of City Fees and Charges to add four new fees and revise three fees charged by the Neighborhood Code Compliance Department; making certain findings with respect to the new and revised fees administered by the Neighborhood Code Compliance Department and directing the City Clerk to repeal certain obsolete index numbers in the ratebook of City Fees and Charges.

FILE LOCATION: GEN'L-Ratebook of City Fees and Charges

COUNCIL ACTION: (Tape location: A169-B141.)

Hearing began at 10:28 a.m. and halted at 11:10 a.m.

Motion by Kehoe to not approve new fees for Tape Duplication, the Earthquake Bracing System and the Re-level Permits for Mobile homes, and for actions related to Removal of Recorded Notices of Violation. Approve the revised fees for Re-inspection of Sidewalk Cafe Permits and Pushcart Permits where they are lower than they are now. Also, ask the City Manager to come back with a plan to eliminate the Sidewalk Cafe Permit. Second by Roberts. Vote not taken. Motion by Mathis to approve Items 4 through 7 of the City Manager Report. Second by Vargas. Vote not taken. Council Member McCarty requested that Item 4 be voted on separately.

MOTION BY MATHIS TO APPROVE ITEMS 5 THROUGH 7 OF THE CITY MANAGER REPORT. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-nay, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY MATHIS TO APPROVE ITEM 4 OF THE CITY MANAGER REPORT. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-nay, Kehoe-nay, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-nay.

MOTION BY ROBERTS TO NOTE AND FILE ITEMS 1, 2, AND 3 OF THE CITY MANAGER REPORT. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330: CONTINUED TO OCTOBER 4, 1994

SUBJECT: Two actions related to the Clairemont Mesa Boulevard (Missile Road to Ruffin Road) Underground Utility District. (Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-120)

Establishing the Clairemont Mesa Boulevard (Missile

Road to Ruffin Road) Underground Utility District.

Subitem-B: (R-95-131)

Authorizing the expenditure of not to exceed \$26,000 from the Annual Allocation - Undergrounding of City Utilities, CIP-37-028.0 (\$22,500 from TransNet Fund 30300 and \$3,500 from the Gas Tax Fund 30219), for administering the Clairemont Mesa Boulevard (Missile Road to Ruffin Road) Underground Utility District, minor City Force work, and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district will underground the overhead utility facilities on Clairemont Mesa Boulevard between Missile Road and Ruffin Road. 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. 9500066.

FILE LOCATION: STRT K-223

COUNCIL ACTION: (Tape location: A070-074.)

MOTION BY WARDEN TO CONTINUE THE ITEM TO OCTOBER 4, 1994, AS REQUESTED BY THE CITY MANAGER. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331:

SUBJECT: Two actions related to the Ocean View Boulevard (29th Street to SR-15) Underground Utility District.  
(Memorial Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-135) ADOPTED AS RESOLUTION R-284599

Establishing the Ocean View Boulevard (29th Street to SR-15) Underground Utility District.

Subitem-B: (R-95-136) ADOPTED AS RESOLUTION R-284600

Authorizing the expenditure of not to exceed \$27,400 from the Annual Allocation - Undergrounding of City Utilities, CIP-37-028.0 (\$22,400 from TransNet Fund 30300 and \$5,000 from Gas Tax Fund 30219), for administering the Ocean View Boulevard (29th Street to SR-15) Underground Utility District, minor City Force work, and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district will underground the overhead utility facilities on Ocean View Boulevard between 29th Street and SR-15. 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. 9500064.

FILE LOCATION: STRT K-224

COUNCIL ACTION: (Tape location: A075-098.)

Hearing began at 10:20 a.m. and halted at 10:22 a.m.

CONSENT MOTION BY STEVENS TO ADOPT ITEMS 331, 332, 333, 334, AND 335. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: Two actions related to Skyline Drive (66th Street to

Sychar Road) Underground Utility District.  
(South Encanto Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-117) ADOPTED AS RESOLUTION R-284601

Establishing the Skyline Drive (66th Street to Sychar Road) Underground Utility District.

Subitem-B: (R-95-118) ADOPTED AS RESOLUTION R-284602

Authorizing the expenditure of an amount not to exceed \$25,000 from Annual Allocation - Undergrounding of City Utilities, CIP-37-028.0 (\$19,000 from Transnet Fund 30300 and \$6,000 from Gas Tax Fund 30219) for the purpose of administering the Skyline Drive (66th Street to Sychar Road) Underground Utility district, minor City Force Work, and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district will underground the overhead utility facilities on Skyline Drive between 66th Street and Sychar Road. 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 their overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case No. 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. 9500065.

FILE LOCATION: STRT K-225

COUNCIL ACTION: (Tape location: A075-098.)

Hearing began at 10:20 a.m. and halted at 10:22 a.m.

CONSENT MOTION BY STEVENS TO ADOPT ITEMS 331, 332, 333, 334, AND 335. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: Two actions related to the Sabre Springs Facilities Benefit Assessment. (See City Manager Report P-94-120. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-48 Cor.Copy) ADOPTED AS RESOLUTION R-284603

Designating an area of benefit in Sabre Springs; confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to the Public Facilities Projects; the method for apportioning the costs of the Public Facilities Projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each parcel; the basis and methodology for assessing and levying discretionary automatic annual increase in Facilities Benefit Assessments; and ordering the proposed public facilities project in the matter of the Sabre Springs Facilities Benefit Assessment Area.

Subitem-B: (R-95-47) ADOPTED AS RESOLUTION R-284604

Declaring the assessment fee schedule contained in the Sabre Springs Public Facilities Financing Plan, to be an appropriate and applicable development impact fee for all properties within the Sabre Springs Community that have either never been assessed under the Sabre Springs Public Facilities Financing Plan or have not otherwise agreed to the payment of Facilities Benefit Assessment fees as prescribed by the City Council.

TRANSPORTATION AND LAND USE COMMITTEE'S RECOMMENDATION:

On 7/6/94, T&LU voted 4-0 to approve the City Manager's recommendation and forward the Facilities Financing Plan to the City Council. Councilmembers Mathis, Roberts, Warden, and Stallings voted yea. Councilmember Vargas not present.



FILE LOCATION: STRT FB-9

COUNCIL ACTION: (Tape location: A075-098.)

Hearing began at 10:20 a.m. and halted at 10:22 a.m.

CONSENT MOTION BY STEVENS TO ADOPT ITEMS 331, 332, 333, 334, AND 335. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334:

SUBJECT: Two actions related to Abandonment of a Sewer Easement in Block 419, Map-403 of Duncan's Addition. (Mountain View Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-257) ADOPTED AS RESOLUTION R-284605

Vacating the City's interest in an unneeded sewer easement affecting all of Lot 1 and the south ten feet of Lots 2 through 24 inclusive, in Block 419 of Duncan's Addition, Map-403.

Subitem-B: (R-95-258) ADOPTED AS RESOLUTION R-284606

Accepting an Offer to Dedicate deed of the Redevelopment Agency of the City of San Diego, granting to the City an irrevocable offer to dedicate for public street purposes, an easement in a portion of Parcels 14 through 24 inclusive in Block 419, and a portion of Parcels 35 through 48 inclusive in Block 420 of Duncan's Addition, and a portion of Lot 1 and Lots 25 through 48 inclusive in Block 1 of Pacific Tract No. 1, and a portion of the fractional Lot 25 in Block 445 in Duncan's Addition;

Accepting the easement deed of the Redevelopment Agency of the City of San Diego, granting to the City an easement for a sewer line in a portion of Lots 15 through 24 inclusive in Block 419, and in a portion of

Lots 36 through 48 inclusive in Block 420 of Duncan's Addition, and in a portion of Lots 1 through 24 inclusive in Block 412 of H.C. Skinner's Addition, and in a portion of Lots 25 through 48 inclusive in Block 1 of Pacific Tract No. 1, and in a portion of fractional Lot 25 in Block 445 of Duncan's Addition.

CITY MANAGER SUPPORTING INFORMATION:

The Redevelopment Agency of San Diego (Agency) has requested abandonment of a sewer easement that encumbers all of Lot 1 and the southerly 10 feet of Lots 2 through 24 inclusive, in Block 419, of Duncan's Addition, in the City of San Diego, County of San Diego, State of California, according to Map-403, filed in the Office of the County Recorder, October 7, 1887. The Agency proposes to convey that portion of property to the San Diego Unified School District (SDUSD) for development of the proposed Cesar Chavez Elementary School. The Agency, on behalf of the proposed SDUSD development, has requested abandonment of the existing easement and relocation of the sewer line into the proposed alignment of Alpha Street. To that end, the Agency has agreed to provide the City with an easement and an Irrevocable Offer to Dedicate (IOD) a portion of its property for street purposes, the easement and IOD will allow for installation of the sewer and a 60' right-of-way.

NOTE: See the Redevelopment Agency Agenda of September 13, 1994 for a companion item.

FILE LOCATION: DEED F-6366 DEED FY95-1

COUNCIL ACTION: (Tape location: A075-098.)

CONSENT MOTION BY STEVENS TO ADOPT ITEMS 331, 332, 333, 334, AND 335. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335:

SUBJECT: Redevelopment Agency Funds Reallocation - Barrio Logan Redevelopment Project Area.  
(See City Manager Report CMR-94-250. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-358) ADOPTED AS RESOLUTION R-284607

Reprogramming and reallocating \$147,000 in Community Development Block Grant Funds among the following Redevelopment Agency Projects: \$55,000 to the Mercado Residential Project (Fund 98902, Department 98902); \$80,000 to the Mercado Commercial Project (Fund 98901, Department 98901); \$12,000 to the Barrio Logan General Project (Fund 98900, Department 98900).

Aud. Cert. 9500230.

NOTE: See the Redevelopment Agency Agenda of Tuesday, September 13, 1994 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A075-098.)

CONSENT MOTION BY STEVENS TO ADOPT ITEMS 331, 332, 333, 334, AND 335. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 11:10 a.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B142-145).