

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JANUARY 31, 1995
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 10:10 a.m. Mayor Golding recessed the regular meeting at 11:06 a.m. to convene the Housing Authority. The regular meeting was reconvened by Mayor Golding at 11:10 a.m. with Council Member Vargas not present. Mayor Golding adjourned the meeting at 11:51 a.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Harvey-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-not present
Clerk-Fishkin (ew)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Harvey-not 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-not present

ITEM-10: INVOCATION

Invocation was given by Dr. Ken Harper of Chula Vista Presbyterian Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mathis.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Terry Quast regarding the poor in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A042-069.)

ITEM-PC-2:

Comments by David Bruce Thompson regarding the youth, drugs, and the City government.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A070-081.)

ITEM-PC-3:

Comments by Art Salzberg regarding the San Diego Civilian Review Board.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A082-114.)

COUNCIL COMMENT:

ITEM-CC-1:

Comments by Mayor Golding, Council Member McCarty, and Council Member Stevens thanking the citizens of San Diego for their warm reception of the San Diego Chargers and thanking the San Diego Chargers for a wonderful season.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A115-134.)

ITEM-CC-2:

Comments by Mayor Golding reporting that she received a commitment from the Speaker of the House to take the City's amendment to the Clean Water Act as a Legislative Exemption as opposed to a waiver for five years.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A512-534.)

ITEM-30:

SUBJECT: Recognizing the Lunar New Year: The Year of the Pig.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1086) ADOPTED AS RESOLUTION R-285252

Welcoming the Year of the Pig and recognizing the historical and traditional significance of celebrating the beginning of a new year.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A138-232.)

MOTION BY McCARTY TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

* ITEM-50:

SUBJECT: Creation of a New Classification of Plant Process Control Supervisor.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 1/17/95. (Council voted 9-0):

(O-95-71) ADOPTED AS ORDINANCE O-18155 (New Series)

Amending Ordinance O-18072 entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1994-95," by amending Exhibit B to create and add a new class entitled "Plant Process Control Supervisor" in the Skilled Trades Occupational Group;

Amending Exhibit A of the Ordinance to provide a new salary rate of 66.8 for the position in the Classified Service.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-51:

SUBJECT: Two actions related to the La Jolla Community Plan and Local Coastal Program Land Use Plan Update.
(La Jolla Community Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances. Subitem A was introduced on 1/17/95. (Council voted 8-0. Mayor Golding not present.) Subitem B was introduced as amended on 1/17/95. (Council voted 8-1. Councilmember Stallings voted nay. Mayor Golding not present):

Subitem-A: (O-95-77) ADOPTED AS ORDINANCE O-18156 (New Series) (Superseded by O-18322 (New Series) adopted on July 29, 1996)

Amending Chapter X, Article 3, Division 12, of the San Diego Municipal Code by amending Sections 103.1204 and 103.1205, relating to the La Jolla Planned District Ordinance.

Subitem-B: (O-95-79 Cor.Copy) ADOPTED AS ORDINANCE O-18157 (New Series)

Amending Chapter X, Article 5, Division 2, of the San Diego Municipal Code by amending Section 105.0204, relating to Coastal Development Permits, adopting the categorical exclusion for the proposed areas as shown on the Categorical Exclusion Map and Zone Map Drawing No. C-867.1.

FILE LOCATION: LAND - LJPDO - La Jolla Planned District Ordinance

COUNCIL ACTION: (Tape location: C049-122.)

MOTION BY MATHIS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by McCarty. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea (nay on Subitem B), McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-52:

SUBJECT: State Legislation Addressing Graffiti.

(See City Manager Report CMR-94-352.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-95-76) INTRODUCED, TO BE ADOPTED ON FEBRUARY 13, 1995

Introduction of an Ordinance amending Chapter V, Article 4, of the San Diego Municipal Code by amending Sections 54.0411 and 54.0412, relating to Graffiti Abatement.

OTHER RECOMMENDATIONS:

Public Services and Safety Committee's Recommendation: On 11/16/94 PS&S voted 4-0 to recommend adoption of an ordinance increasing the maximum liability for graffiti damage to \$25,000 to conform with State Law. The Committee requested an information report from the City Manager on the number of arrests for graffiti damage for the past year and the final disposition of those cases. (Councilmembers Kehoe, Stevens, McCarty and Vargas voted yea. Councilmember Roberts not present.)

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C123-149.)

MOTION BY STALLINGS TO INTRODUCE. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

* ITEM-53:

SUBJECT: Three actions related to Conflict of Interest Codes for City Advisory Boards.
(See City Clerk's Report 95-02.)

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution and introduce the ordinances:

Subitem-A: (R-95-1083) ADOPTED AS RESOLUTION R-285253

Rescinding Resolution No. R-275742, adopted on May 21,

1990.

Subitem-B: (O-95-16) INTRODUCED, TO BE ADOPTED ON
FEBRUARY 13, 1995

Introduction of an Ordinance amending Chapter I,
Article 1, Division 2 of the San Diego Municipal Code
by amending Section 11.0210 relating to Construction,
Interpretation and Definitions, to allow the City Clerk
to take enforcement actions.

Subitem-C: (O-94-130) INTRODUCED, TO BE ADOPTED ON
FEBRUARY 13, 1995

Introduction of an Ordinance amending Chapter II,
Article 6, of the San Diego Municipal Code by adding
Division 1, entitled "General" adding Sections 26.0101,
26.0103, 26.0104, 26.0105, 26.0106, 26.0107 and
26.0108; by renumbering Section 26.03, by adding
Division 2 entitled "Board of Library Commissioners";
and by renumbering Section 26.01, all relating to
Boards and Commissions, to establish filing
requirements for City advisory boards not covered by
State law, that address land use issues.

OTHER RECOMMENDATIONS:

Rules Committee's Recommendation:

Reviewed by RULES Committee on 1/9/95. Rules voted 5-0 to
approve on consent. (Councilmembers Kehoe, Warden, Stallings,
Vargas and Mayor Golding voted yea.)

FILE LOCATION: Subitem-A: MEET; Subitem-B,C: NONE

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT THE RESOLUTION AND
INTRODUCE THE ORDINANCES. Second by Mathis. Passed by the
following vote: Mathis-yea, Harvey-not present, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-
not present, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Awarding a Contract to Varian Associates, Inc., for one

Gas Chromatograph/Mass Spectrometer.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-899) ADOPTED AS RESOLUTION R-285254

Awarding a contract to Varian Associates, Inc. (Sugar Land, TX), for furnishing one gas chromatograph/mass spectrometer, for a total cost of \$142,468.90, including tax;

Authorizing the expenditure of not to exceed \$142,468.90, from Fund No. 41500, Department No. 700, Organization No. 425, Object Account No. 6010, and Job Order No. 010398;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-P4559/95)

Aud. Cert. 9500728.

FILE LOCATION: CONT - Purchase - Varian Associates, Inc.
(Sugar Land, TX) CONFY95-1

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

* ITEM-101:

SUBJECT: Awarding a Contract to California Turf for Three Five Gang Mowers.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-996) ADOPTED AS RESOLUTION R-285255

Awarding a contract to California Turf (San Diego) for three five gang mowers, for a total estimated cost of \$136,906.50, including tax;

Authorizing the expenditure of not to exceed \$136,906.50 from Fund No. 50031, Dept. 8201, Object Account No. 6013, and Job Order No. 88095;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-P4525/95)

Aud. Cert. 9500757.

FILE LOCATION: CONT - Purchase - California Turf (San Diego)
 CONFY95-1

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

* ITEM-102:

SUBJECT: Awarding Contracts for Janitorial Paper Products.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-897) ADOPTED AS RESOLUTION R-285256

Awarding contracts for janitorial paper products, as may be required for a period of one year beginning December 1, 1994 through November 30, 1995, for an estimated combined total of \$270,837.33, including tax, as follows:

1. Cameo Paper and Janitorial Supply Company (El Cajon, CA) - for Items 2, 3, 4, 5, 6, 7, 10 and 11, with options to renew the contract for four additional one year periods, with option period increases not to exceed 10 percent of the prices in effect at the end of

the prior contract period;

2. Mission Janitorial Supplies (San Diego, CA) - for Items 1 and 9, with options to renew the contract for four additional one year periods, with option period increases not to exceed 5 percent of the prices in effect at the end of the prior contract period;

3. Waxie Sanitary Supply (San Diego, CA) - for Item 8, with options to renew the contract for four additional one year periods, with option period increases not to exceed 10 percent of the prices in effect at the end of the prior contract period. (BID-J4469/95)

FILE LOCATION: CONT - Purchase - Cameo Paper and Janitorial Supply Company (El Cajon, CA) - Mission Janitorial Supplies (San Diego, CA) - Waxie Sanitary Supply (San Diego, CA) CONFY95-3

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Two actions related to Inviting Bids for Construction of Carmel Creek Neighborhood Park - Phase II. (Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-787) ADOPTED AS RESOLUTION R-285257

Inviting bids for the Construction of Carmel Creek Neighborhood Park on Work Order No. 119409;

Authorizing a contract with the lowest responsible bidder;

Authorizing the Auditor and Comptroller to transfer not to exceed \$44,000 from PSD Fund No. 11190 to CIP-29-415.0, Carmel Valley Neighborhood Park - Neighborhood #1;

Authorizing the expenditure of not to exceed \$1,205,000 from CIP-29-415.0, Carmel Valley Neighborhood Park - Neighborhood #1, \$576,000 from FBA Fund No. 79002, and \$629,000 from PSD Fund No. 11190;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K95063)

Subitem-B: (R-95-788) ADOPTED AS RESOLUTION R-285258

Stating for the record that Negative Declaration DEP-90-0523 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines and that the information contained in the Declaration has been reviewed and considered by Council.

CITY MANAGER SUPPORTING INFORMATION:

Carmel Creek Neighborhood Park is located adjacent to Carmel Creek Elementary School at 4260 Carmel Center Road, between Carmel Creek Road and Camarena Road in the Carmel Valley Community Planning Area. This project was originally to have been designed and constructed by Baldwin Builders per a reimbursement agreement approved by City Council on 9/29/92. Baldwin has requested to be terminated from the reimbursement agreement upon completion of the design phase and the City Manager agrees. Phase I has been constructed by the Solana Beach School District under a reimbursement agreement with the City. Phase II of the project will provide a multi-purpose turf area, picnic facilities, a sand volleyball court, children's play area, security lighting, landscaping, a comfort station and other miscellaneous improvements. The park will be fully accessible to people with disabilities. The General Development Plan for this park was approved by the North City West (Carmel Valley) Recreation Council on 5/3/90; the Northern Area Committee on 6/7/90; the Facilities Committee on 6/13/90; and the Park and Recreation Board on 6/21/90.

Aud. Cert. 9500749.

FILE LOCATION: W.O. 119409 CONT - Tony Wanket Construction
Inc. CONFY95-1

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Harvey-not
present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-not present, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Approving Parcel Map W.O. 032000 (94-067).
(Located west of Pomerado Road and Paseo Monte Batalla.
Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1071) ADOPTED AS RESOLUTION R-285259

Approving Parcel Map W.O. 032000 (94-067), being a Lot
Consolidation of Lots 5 and 6 of Bernardo Vista Del
Lago, according to Map-12768.

FILE LOCATION: SUBD - Lots 5 and 6 of Bernardo Vista Del
Lago

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Harvey-not
present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-105:

SUBJECT: Pacific Bell Easement Grant at Camino Del Rio North.
(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1023) ADOPTED AS RESOLUTION R-285260

Authorizing the City Manager or his designee to execute a deed conveying to Pacific Bell an approximately 375 square-foot easement for telecommunication purposes at the northeast corner of a parcel of City-owned property at Camino Del Rio North, in an amount of \$2,700, which will be deposited in Water Utilities Capital Outlay Fund 30246.

CITY MANAGER SUPPORTING INFORMATION:

Pacific Bell is upgrading its facilities to fiber optic in the Mission Valley area and has requested an easement over a 3.87-acre City Water Utilities property at Camino Del Rio North. The easement area being requested by Pacific Bell is 375 square feet. The easement area is located within an unusable and inaccessible area of the City property. Pacific Bell will compensate the City for the easement grant in the amount of \$2,700 as established by a City staff appraisal review. The remainder of this property along with the adjacent CalTrans property is planned as a future Family Fun Center site. The Water Utilities Department has reviewed and approves of this easement grant.

FILE LOCATION: DEED F-6420 DEEDFY95-1

COUNCIL ACTION: (Tape location: C150-181.)

MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-106:

SUBJECT: Sister City Affiliation between San Diego and Campinas, Brazil.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1085) ADOPTED AS RESOLUTION R-285261

Expressing the desire to be a Sister City to Campinas, Brazil, and accepting the invitation of the Mayor of Sao Paulo/Campinas, the Honorable Jose Magalhaes Teixeira, to seek Sister City affiliation together.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C123-149.)

MOTION BY STALLINGS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

* ITEM-107:

SUBJECT: Grant to Fund a Needs Assessment for a California Manufacturing Excellence Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1067) ADOPTED AS RESOLUTION R-285262

Authorizing the City Manager to apply for, and if selected, expend and administer a grant in the amount of \$20,000 from the State of California, Office of Strategic Technology, to fund a Needs Assessment for a California Manufacturing Excellence Program;

Designating the Director of Economic Development Services as the grant administrator to execute all documents, including any grant amendments, as necessary to administer the grant.

CITY MANAGER SUPPORTING INFORMATION:

This grant is recommended in accordance with Section 3 of the Council approved Economic Development Strategic Plan, dated July 3, 1993, to pursue funding and resources for the San Diego Economic Adjustment Program. This grant of \$20,000 from the California Trade and Commerce Agency will provide funds to prepare a summary that reviews, evaluates, and assesses existing reports and surveys of resources available to assist manufacturing and defense related firms. A final analysis and

report will be prepared to determine the unmet needs of such companies not addressed by existing programs and resources. This action will also designate the Director of Economic Development Services as having the authority to execute all documents, contracts, and reports as necessary to administer the grant.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

* ITEM-108:

SUBJECT: Two actions related to Amendments to Agreements for I-15/Aero Drive Improvements.

(Kearny Mesa and Tierrasanta Community Areas. Districts-6 & 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1060) ADOPTED AS RESOLUTION R-285263

Authorizing a First Amended and Restated Cooperative Agreement with the California Department of Transportation, for improvements on I-15 and Aero Drive.

Subitem-B: (R-95-1061) ADOPTED AS RESOLUTION R-285264

Authorizing a First Amendment to the Freeway Interchange Improvement Agreement (Aero Drive) with Stonecrest Associates, for improvements on I-15 and Aero Drive.

CITY MANAGER SUPPORTING INFORMATION:

On December 4, 1989, the City of San Diego entered into an agreement with Caltrans (Document No. RR-274807) and with Stonecrest Associates (Document No. RR-274809) for improvements

to the I-15/Aero Drive Interchange. These improvements were to be done in phases over a long period of time as certain building thresholds were met. Reconstruction of the entire I-15/Aero Drive Interchange is one of the series of improvements. In the meantime, development priorities have changed and there is now a need to modify the eastbound Aero Drive on-ramp to southbound I-15 before the appropriate threshold has been met. The original agreements were written in such a manner that we cannot modify a ramp by itself without modifying the entire interchange. Therefore, in order to modify just one ramp, the agreements need to be amended. This action will amend the agreements to allow the developer to improve the eastbound Aero Drive on-ramp to southbound I-15. The developer will obtain permits from the City and Caltrans to do the work.

FILE LOCATION: MEET CONTFY95-2

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

* ITEM-109:

SUBJECT: Agreement with George A. Koteen, Associates, Inc., for Utility Rate Analysis Consultant Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-888) ADOPTED AS RESOLUTION R-285265

Authorizing an agreement with George A. Koteen, Associates, In ., for utility rate analysis consultant services for a one year period dating back to July 1, 1994 through June 30, 1995;

Authorizing the expenditure of not to exceed \$48,421 from General Services/Buildings Division, Fund 100 - \$16,463.14, Water Utilities (Water), Fund 41500 - \$10,652.62, Water Utilities (Municipal Sewer) Fund 41506 - \$10,652.62, and Metropolitan Water Department,

Fund 41508 - \$10,652.62.

CITY MANAGER SUPPORTING INFORMATION:

This action authorizes the City of San Diego to enter into an agreement with George A. Koteen Associates Incorporated, Contractor, to provide Utility Rate Consultant Services. The purpose of this Utility Rate Consultant Service is to obtain analysis and recommendations for electric and gas accounts as follows:

- 1) To determine if the City is being billed under the most favorable rate schedule available;
- 2) To determine if cost reductions can be realized by adjusting plant operating procedures to effect eligibility for more favorable rate schedules;
- 3) To determine if any billing errors appear on billing statements, as they are received.

These services will help the City realize savings, which might result from qualifying for different rate structures or which might result from discovery of utility billing errors. In previous years, savings have been realized in the amount of one million dollars per year over the last four years. George A. Koteen Associates, Incorporated, will be retained under contract to provide desired services for a period of one year, with the City retaining the option to renew the contract on a year to year basis not to exceed five years. The consultant will be required to provide rate analysis starting from July 1, 1994. The term of the contract shall run from July 1, 1994 to June 30, 1995.
Aud. Cert. 9500710.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

* ITEM-110:

SUBJECT: Agreement with Simon Wong Engineering for Design of

Seismic Retrofit Measures for the Washington Street Bridge over 6th Avenue.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-909) ADOPTED AS RESOLUTION R-285266

Authorizing an agreement with Simon Wong Engineering to provide professional services for the design of seismic retrofit measures for the Washington Street Bridge over 6th Avenue;

Authorizing the transfer of not to exceed \$44,238 from CIP-53-037.0, Annual Allocation - Earthquake Restrainers for Bridges, TransNet Fund No. 30300 to CIP-52-597.0, Seismic Retrofit of the Washington Street Bridge over 6th Avenue to provide funds for this project until receipt of the Highway Bridge Replacement and Rehabilitation (HBRR) Funds;

Authorizing the expenditure of not to exceed \$49,970 from CIP-52-597.0, Seismic Retrofit of the Washington Street Bridge over 6th Avenue, TransNet Fund 30300;

Authorizing reimbursement of \$44,238 from CIP-52-597.0 upon receipt of the HBRR Funds to CIP-53-037.0, Annual Allocation - Earthquake Restrainers for Bridges, for fronting the project.

CITY MANAGER SUPPORTING INFORMATION:

The Washington Street Bridge over 6th Avenue has been identified as a seismically deficient bridge by CalTrans. This consultant agreement with Simon Wong Engineering provides for the detailed seismic analysis of the bridge and the subsequent completion of design documents which will incorporate the seismic retrofit measures approved by CalTrans. In accordance with Council Policy 300-7 and A.R. 25.60, the Consultant Coordinator provided the names of five firms from the "As-Needed" list for consideration; however, one firm, Stedman & Dyson Structural Engineers, requested that they be removed from consideration after the pre-interview meeting took place. The remaining four firms were

interviewed, and Simon Wong Engineering (MBE) was recommended to provide professional services.

Aud. Cert. 9500602.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

* ITEM-111:

SUBJECT: First Amendment to the City/Navy Agreement for Support on City Projects.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1070) ADOPTED AS RESOLUTION R-285267

Authorizing an amendment to the agreement of August 2, 1993 with the United States Navy, for continuing support services on City projects;

Authorizing the expenditure of not to exceed \$150,000 from Metropolitan Wastewater Department (Clean Water Program) Sewer Fund 41509, CIP-45-910.2, Clean Water Program - Predesign and Engineering Support, to provide funds for the above amendment.

CITY MANAGER SUPPORTING INFORMATION:

On August 2, 1993 the City Council approved an agreement with the U.S. Navy for Support Services for the siting of the Clean Water Program, now Metropolitan Wastewater Department (MWWD) and the Waste Management Department, now Environmental Services Department (ESD) Projects. It was in the not to exceed amount of \$200,000 and was to run through September 30, 1995, unless modified by amendment. This agreement is working well and is

being used to support projects under the Miramar Landfill General Development Plan (GDP) including MWWD's Fiesta Island Replacement Project/Northern Sludge Processing Facility (FIRP/NSPF) at NAS Miramar as well as North Metro Interceptor Sewer at Naval Training Center (NTC) and Marine Corps Recruit Depot (MCRD) and projects at the Point Loma Wastewater Treatment Plant. In order to continue with programs currently underway and to support those in the near future, it is desired to amend the original agreement. Therefore, the Council is requested to approve Amendment No. 1 which increases the not to exceed amount to \$350,000 and changes the completion date to September 30, 1997. Aud. Cert. 9500739.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-200:

SUBJECT: Declaring a Continued State of Emergency regarding the Discharge of Raw Sewage from Tijuana, Mexico.
(San Ysidro and Tijuana River Valley Community Areas. District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1069) ADOPTED AS RESOLUTION R-285268

Declaring a continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

CITY MANAGER SUPPORTING INFORMATION:

For over 50 years, renegade raw sewage flows from Tijuana, Mexico have flowed across the international border in the Tijuana River into the United States. These flows have impacted the health and safety of San Diego residents. The permanent solution to this border situation is the construction of the proposed International Treatment Plant by the federal government. This

plant is expected to be operational by 1998 and will treat raw sewage from Mexico. In the interim, until the international plant is constructed, the City in 1991, agreed to accept and treat 13 million gallons per day of Tijuana sewage in the Metropolitan Sewerage System. The amount of flow that the City can accept is limited due to the capacity of the emergency connection. Due to increased water availability and usage in Tijuana, raw sewage flows in the Tijuana River have increased. These flows are beyond the capacity that can be handled by the Mexican treatment system and the emergency connection. These increased flows threaten the health, safety and welfare of the citizens of San Diego. The continued declaration of emergency will enable the City to assist state and federal agencies in expediting the treatment of this international sewage. The government code requires the local governing body to review a State of Emergency every fourteen days until the local emergency is declared to be terminated. The State of Emergency was first declared by City Council on September 7, 1993. This action requests the continuation of the State of Emergency and authorization for the City Manager to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-201:

SUBJECT: Three actions related to Construction Contract for the Fiesta Island Replacement Project Pump Station.

(See City Manager Report CMR-95-11. Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-541) ADOPTED AS RESOLUTION R-285269

Inviting bids for the Fiesta Island Replacement Project Pump Station (Point Loma Sludge Pump Station) on Work Order No. 198084;

Authorizing a contract with the lowest responsible bidder, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for expenditure under the contract are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller to transfer not to exceed \$2,400,000 from Sewer Fund 41509, CIP-46-170.0, Point Loma Digester Facility Upgrade and Expansion to Sewer Fund 41509, CIP-46-055.0, FIRP Pump Station;

Authorizing the expenditure of not to exceed \$12,385,000 from Fund 41509, CIP-46-055.0, FIRP Pump Station, provided that the City Auditor first furnishes one or more certificates demonstrating that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves. (BID-K95105)

Subitem-B: (R-95-1029) ADOPTED AS RESOLUTION R-285270

Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program DEP-93-0157, dated December 23, 1994, in connection with Point Loma Wastewater Treatment Plant - Sludge Pumping Station, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, that the Declaration reflects the independent judgement of the City of San Diego as Lead Agency, and that the Declaration has been reviewed and considered by Council prior to approving the project; and adopting the Mitigation Monitoring and Reporting Program.

Subitem-C: (R-95-542) ADOPTED AS RESOLUTION R-285271

Authorizing the use of City Forces to make connections and perform operational checks involving Fiesta Island Replacement Plant Pump Station (Point Loma Sludge Pump Station); declaring that the cost of the work shall not exceed \$20,000.

Aud. Cert. 9500699.

FILE LOCATION: W.O. 198084 CONT - Nielsen-Dillingham
Builders Joint Venture CONFY95-1

COUNCIL ACTION: (Tape location: A566-B080.)

MOTION BY McCARTY TO ADOPT THE CITY MANAGER'S RECOMMENDATION TO ADVERTISE, AWARD THE CONTRACT, AND CERTIFY THE MITIGATED NEGATIVE DECLARATION. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-202:

SUBJECT: Two actions related to an Agreement with the Sweetwater Authority for Bonita Pipeline Phase 1B.

(Paradise Hills, Valencia Park, Lincoln Park and Alta Vista Community Areas. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1047) ADOPTED AS RESOLUTION R-285272

Authorizing an agreement with the Sweetwater Authority for the relocation and adjustment of water main facilities in connection with the Bonita Pipeline Phase 1B.

Subitem-B: (R-95-1048) ADOPTED AS RESOLUTION R-285273

Stating for the record that the information contained in Mitigated Negative Declaration and Mitigation, Monitoring, and Reporting Program DEP-89-1044, has been reviewed and considered by the Council in connection

with the Bonita Pipeline Phase 1B.
CITY MANAGER SUPPORTING INFORMATION:

On June 20, 1994, the City Council authorized the City Manager per Resolution R-284105 to execute a contract with the lowest responsible bidder for construction of the Bonita Pipeline Phase 1B, CIP-73-195.1. Subsequently, a construction contract was awarded to E.J. Meyer Company in the amount of \$3,081,923. To provide the most cost effective alignment, a portion of the pipeline will be constructed in the City of National City. The City of San Diego's contractor must relocate conflicting water facilities owned by the Sweetwater Authority in the City of National City. Since the Sweetwater Authority has prior rights, the cost of relocation will be borne by the City of San Diego, and is included in the original construction contract. This agreement with the Sweetwater Authority allows the City's contractor to perform the necessary relocations.
WU-U-95-099.

FILE LOCATION: WATER - Sweetwater Authority Bonita Pipeline
Phase 1B CONFY95-1

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-203:

SUBJECT: Design Agreement for the South Bay Water Reclamation Plant.
(Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1040) ADOPTED AS RESOLUTION R-285274

Authorizing a phase funded contract with Parsons Engineering Science, Inc., for design services in connection with the South Bay Water Reclamation Plant;

Authorizing the expenditure of not to exceed \$7,076,686 from Fund No. 41509, CIP-42-910.6, South Bay Water Reclamation Plant, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

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

Authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION:

The South Bay Water Reclamation Plant (SBWRP) is a 7-mgd reclamation plant that will produce reclaimed water once it is constructed and operating. The SBWRP will share the Dairy Mart Road site with the International Wastewater Treatment Plant (IWTP) which is currently under design by International Boundary and Water Commission (IBWC). This project will also provide capacity relief to the South Metro Interceptor. In June 1992, as a result of the City implementing the Consumers Alternative, nine projects, including the South Bay Treatment Plant, were suspended. Prior to the suspension of these projects, the City had advertised for design engineering services, selected design firms in a competitive process and negotiated design contracts. Parsons Engineering Science, Inc. was one of the selected firms. The Metropolitan Wastewater Department feels that providing this firm the opportunity to perform on the South Bay Project would be fair and equitable since they were previously selected for a similar size project, and incurred costs participating in the competitive selection process. The agreement with Parsons Engineering Science, Inc., provides for design services and services during construction. The MBE participation is approximately 36.2 percent and WBE participation is approximately 6.1 percent.

Aud. Cert. 9500730.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Harvey-not
present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-204:

SUBJECT: Amending the Phase Funding Schedule for Western Summit
Contract.
(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1030) ADOPTED AS RESOLUTION R-285275

Revising the authorized expenditure for the
construction contract, contingencies, and related costs
for the North City Water Reclamation Plant Influent
Pump Station and Effluent Pump Station Completion to
\$9,458,265 from the Metropolitan Wastewater Department
Sewer Fund 41509, CIP-42-910.1, provided that the City
Auditor first furnishes one or more certificates
demonstrating that the funds necessary for expenditure
under established funding phases are, or will be, on
deposit in the City Treasury;

Revising the funding phases for the construction
contract based upon the actual bid of Western Summit
Constructors, subject to the issuance of certificates
by the City Auditor, as follows:

Phase 1 - \$293,774 from FY 1995 appropriations
Phase 2 - \$4,533,285 from FY 1995 appropriations
Phase 3 - \$3,424,588 from FY 1995 appropriations
Phase 4 - \$1,206,618 from FY 1996 appropriations,

contingent upon City Council appropriating funds for
this purpose in FY 1996;

Stating for the record that the previously certified
Environmental Impact Report DEP-91-0516 for the NCWRP
was reviewed and considered for this action. (BID-
K95101)

CITY MANAGER SUPPORTING INFORMATION:

Council Resolution R-284411 authorized the City Manager to execute a contract with the lowest responsible bidder for the North City Water Reclamation Plant-Influent and Effluent Pump Station Completion construction package. The Phase Funding which was approved by the Resolution was as follows:

Phase 1:	FY95	\$ 293,774*	(Previously approved)
Phase 2:	FY96	\$ 3,320,840	
Phase 3:	FY96	\$ 8,397,693	
Phase 4:	FY97	\$ 3,656,607	
Total:		\$15,668,914	

It is requested from the City Council to approve a revised Phase Funding Schedule for this contract which has been established based on the actual bid and cost loaded schedule negotiated with Western Summit Constructors as follows:

Phase 1:	FY95	\$ 293,774*	(Previously approved)
Phase 2:	FY95	\$4,533,285	
Phase 3:	FY95	\$3,424,588	
Phase 4:	FY96	\$1,206,618	
Total:		\$9,458,265	

The revised phasing will allow expeditious construction at a cost of \$6,210,649 below the previous authorization. This request is for the issuance of an Auditor's Certificate for the purpose of funding the Second Phase of the contract and other related costs. Aud. Cert. 9500729.

FILE LOCATION: CONT - Western Summit Constructors CONFY95-
1

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Harvey-not
present, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-205:

SUBJECT: Cooperative Agreement for Environmental Document for
SR-56 in the Future Urbanizing Area.

(Future Urbanizing Area, Rancho Penasquitos and Carmel Valley Community Areas. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1025) ADOPTED AS RESOLUTION R-285276

Authorizing a Cooperative Agreement with CalTrans for the preparation of an environmental document for State Route 56 in the Future Urbanizing Area.

CITY MANAGER SUPPORTING INFORMATION:

State Route 56 will provide a freeway link between Interstate 5 and Interstate 15 in northern San Diego. The end segments of the freeway have been built or are under construction in Rancho Penasquitos and Carmel Valley. The State Department of Transportation (CalTrans) has prepared a Project Report for the connecting segment of SR-56, from Black Mountain Road to Carmel Country Road, through the Future Urbanizing Area. The City and CalTrans have prepared an Alternative Analysis Report. Preparation of an Environmental Document is the next step toward the construction of this segment of the freeway. Because the State is unable to prepare the Environmental Document in time to meet the City's needs, the City has offered to undertake the environmental review process at its own expense. The State will provide engineering support, oversight, and review of the document preparation. This Cooperative Agreement will memorialize the responsibilities of the City and the State for the preparation of the Environmental Document. Separate agreements will be required for the freeway's design and construction phases.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: A305-565.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-nay, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-206:

SUBJECT: Memorandum of Understanding with the County of San Diego Regarding Economic Development.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1022) ADOPTED AS RESOLUTION R-285277

Authorizing a Memorandum of Understanding with the County of San Diego, for cooperation and collaboration in specific areas of economic development.

CITY MANAGER SUPPORTING INFORMATION:

The purpose of this Memorandum of Understanding is to identify specific areas of economic development in which the City and the County will cooperate and collaborate on. Although the City and the County share common economic goals, differences in policy emphasis and priorities presently render the development of a single, joint economic development policy infeasible. However, the City and the County want to affirm their mutual interest to cooperate and collaborate in order to ensure the free flow of information and avoid the duplication of work and services to the extent feasible. This Memorandum of Understanding implements one of the recommendations of the City/County Consolidation Study.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: B216-258.)

MOTION BY McCARTY TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-207:

SUBJECT: Exclusive Sale of City-Owned Sites 556 and 700.
(Located on the corner of Brandywine Street and Paul Jones Avenue. Bay Park Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-929) ADOPTED AS RESOLUTION R-285278

Authorizing the sale by negotiation of Sites 556 and 700, being portions of Lots 20 through 26 in Block 13 of American Park Addition, Map-983, for the sum of \$21,975 to Raymond E. Fox and Bre'an Fox;

Authorizing the execution of a grant deed, granting to Raymond E. Fox and Bre'an Irwin Fox the property;

Determining that no broker's commission shall be paid by the City on the negotiated sale.

CITY MANAGER SUPPORTING INFORMATION:

City-owned Sites 556 and 700, located in the Bay Park area, are proposed for sale to the adjacent owner, Mr. and Mrs. Fox. Both sites are undeveloped and are excess portions of Morena Boulevard. These residentially zoned parcels are too small for independent development, so the City Council in 1993 designated them for sale to the adjacent owner. Mr. and Mrs. Fox have paid all engineering and processing costs for the street vacation and sale of Sites 556 and 700. The street vacation and sale are being processed for Council action as companion items. The total fair market value of Sites 556 and 700 was determined by City staff to be \$21,975. The value includes an encroachment fee of \$3,625 to cover the period of time that the adjacent owner has encroached on the two sites with paving and other improvements. Mr. and Mrs. Fox have agreed to pay this additional fee as well as all title and escrow costs.

NOTE: See Item 330 for a companion item.

FILE LOCATION: DEED F-6421 DEEDFY95-1

COUNCIL ACTION: (Tape location: B081-162.)

MOTION BY STALLINGS TO ADOPT THE CITY MANAGER'S RECOMMENDATION. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-330:

SUBJECT: Street Vacation of Excess Portions of Morena Boulevard
at Balboa Avenue (City Property Lots 556 & 700).
(Clairemont Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1019) ADOPTED AS RESOLUTION R-285279

Vacating excess portions of Morena Boulevard at Balboa
Avenue (City Property Lots 556 & 700), under the
procedure for the summary vacation of streets.

CITY MANAGER SUPPORTING INFORMATION:

This street vacation was initiated by the Property Department. These City-owned portions are located at the southeast side of the intersection of Balboa Avenue at Morena Boulevard. This excess right-of-way was relinquished to the City by the State of California upon completion of the Balboa Avenue/Morena Boulevard interchange. This street vacation will enable the sale of this excess right-of-way to the abutting property owners. On January 4, 1993, the Mayor and City Council authorized the City Manager to enter into exclusive sale negotiations with Raymond and Bre'an Fox for the sale of this property. The two portions of City property to be vacated, as indicated on drawing 18040-1-B, envelop areas of 1,245 square-feet and 2,154 square-feet respectively. A land sale for these portions to be vacated is a companion Council item. Both portions are zoned R-1-5. The parcel to which these portions abut is 9,750 square-feet and has one single-family residence on it. The property owners have no development planned for these portions at this time. The Clairemont Mesa Planning Committee considered the street vacation on November 5, 1992, and voted 12-0 to approve this action. Staff review has indicated that the excess rights-of-way are no longer needed for present or prospective use and may be summarily vacated.

NOTE: See Item 207 for a companion item.

FILE LOCATION: STRT - J-2818 DEED F-6423 DEEDFY95-1

COUNCIL ACTION: (Tape location: B081-162.)

Hearing began at 11:02 a.m. and halted at 11:05 a.m.

MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-331: CONTINUED TO FEBRUARY 14, 1995

SUBJECT: Reconsideration of a Planned Infill Residential Development Permit PIRD-89-0956 (Toone Residence) proposing to construct three single-family homes. (District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem A and adopt Subitem B to grant the permit:

Subitem-A: (R-95-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration DEP-89-0956 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-95-)

Adoption of a Resolution granting or denying the PIRD permit, with appropriate findings to support Council action.

SUPPORTING INFORMATION:

Planned Infill Residential Permit PIRD-89-0956, proposes to construct three single-family homes. The subject property (approximately 25,000 square feet) is located east of the Trenton Avenue alley between Ticonderoga and Bunker Hill Streets, in the R1-5000 Zone, in the Clairemont Mesa Community Area.

LEGAL DESCRIPTION:

The subject property is more particularly described as Lots 29-36, Block 5, American Park Addition, Map No. 983.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A233-304.)

MOTION BY STALLINGS TO CONTINUE TO FEBRUARY 14, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-332:

SUBJECT: Appeal of Jeffrey Chine (attorney for applicant, Sally Flaherty) from the decision of the Planning Commission in upholding the decision of the Hearing Officer to deny Community Plan Implementation Overlay Zone Permit CPIOZ-93-0443.
(District-6.)

(Continued from the meeting of January 10, 1995, Item 331, at Councilmember Stallings' request, to allow her to look at the site.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution to deny the appeal and approve the project, with conditions.

(R-95-1203) GRANTED APPEAL/GRANTED PERMIT ADOPTED AS
RESOLUTION R-285280

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

SUPPORTING INFORMATION:

The appeal is being requested for a permit to remodel an existing concrete building and add a first and second story expansion with a request for a variance for a side yard setback. The site is located at 5322 Banks Street in the Linda Vista Community Plan area. The project is subject to the requirements of the M1-A Zone, Morena Revitalization Program and Community Plan Implementation Overlay Zone.

LEGAL DESCRIPTION:

The site is more particularly described as Lot 12, except southeasterly 11'-0" of southwesterly 72 feet and all of Lot 13, Block 3, Vernon Park Subdivision, Map-569.

FILE LOCATION: PERM - CPIOZ-93-0443

COUNCIL ACTION: (Tape location: B259-319.)

Hearing began at 11:13 a.m. and halted at 11:18 a.m.

MOTION BY STALLINGS TO ADOPT THE RESOLUTION TO GRANT THE PERMIT AND TO ACCEPT THE APPLICANT'S REQUEST FOR A ONE-FOOT SIDE YARD SETBACK AND APPLY THE CONDITIONS - ITEMS A, B, C, E, F, AND G - CONTAINED IN ATTACHMENT 4 ON PAGE 1 OF 6 UNDER SECTION 2 OF THE COMMUNITY PLAN IMPLEMENTATION OVERLAY ZONE PERMIT NO. 93-0443. DIRECT THE CITY MANAGER TO HAVE THE APPLICANT, SALLY FLAHERTY, BRING IN SOME PLANS THAT MEET THE CITY DEVELOPMENT REQUIREMENTS FOR THE SITE LOCATED AT 5322 BANKS STREET IN THE LINDA VISTA COMMUNITY PLAN AREA. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-333:

SUBJECT: Acquisition of 1.52 Acres for Open Space - Park de la Cruz.
(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-944) ADOPTED AS AMENDED AS RESOLUTION R-285281

Authorizing the acquisition of 1.52 acres for the San Diego Open Space Park Facilities District No. 1 under Resolution of Intention R-285173, adopted on January 9, 1995;

Authorizing the expenditure of an amount not to exceed \$929,000 as payment for the property and related costs from Open Space Park District Bond Funds 79103 and 79104;

Authorizing the City Manager to accept the deeds to the property without further Council action.

CITY MANAGER SUPPORTING INFORMATION:

This is an exception to the listings of open space for the following reasons. Park de la Cruz is a planned 8.22 acre park in Mid-City, an area deficient in park land per General Plan Standards. City staff has coordinated with CalTrans on this project to have CalTrans place excess dirt from their I-15 freeway expansion project within the adjacent canyon area to create parcels suitable for active and passive park uses. This will bring the total park acreage to 9.74. In that the land must be City-owned for us to accept the dirt placement, timing of the acquisition of this land is critical to successful completion of the park project. The estimated total cost for acquisition is \$1,300,000. Funds available in the Mid-City Park Fund are not sufficient to acquire the land needed to complete the park acquisition. It is therefore recommended that remaining open space bond funds be utilized to supplement available Mid-City Park Funds, to complete the acquisition, with the agreement that these funds will be repaid to the Open Space Acquisition Fund when they become available in the future. This request is for \$929,000 to purchase these parcels at fair market value plus funds to cover title, escrow, and other miscellaneous costs. Aud. Cert. 9500599.

FILE LOCATION: DEED F-6422 STRT-OS-1 DEEDFY95-1

COUNCIL ACTION: (Tape location: B320-C048.)

Hearing began at 11:19 a.m. and halted at 11:38 a.m.

MOTION BY KEHOE TO ADOPT THE RESOLUTION TO APPROVE THE MONEY FOR THE ACQUISITION WITH NO REQUIREMENT OF MID-CITY TO REPAY THESE FUNDS. Second by McCarty. Passed by the following vote: Mathis-nay, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

ITEM-S400: CONTINUED TO FEBRUARY 6, 1995

SUBJECT: Two actions related to the San Ysidro Redevelopment Project.

(See City Manager Report CMR-95-09. San Ysidro

Community Area. District-8.)

(Continued from the meeting of January 24, 1995, Item 335, at the City Manager's request, for further review with the community.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-802)

Calling for the formation of a Project Area Committee for the proposed San Ysidro Redevelopment Project and adopting a procedure for the formation of the Project Area Committee.

Subitem-B: (R-95-803)

Revising and expanding the San Ysidro Redevelopment Survey Area and requesting the Planning Commission select the recommended Project Area boundaries.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A230-304.)

MOTION BY STALLINGS TO CONTINUE TO FEBRUARY 6, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-not present, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 11:51 a.m. in honor of the memory of Suzanne Baker Bell.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C182-190).