

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, MAY 22, 1995
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:12 p.m. The meeting was adjourned by Mayor Golding at 3:43 p.m. into Closed Session on Tuesday, May 23, 1995, at 9:00 a.m. in the twelfth floor conference room to discuss existing litigation and Meet and Confer matters.

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-present
- Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (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-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend Leon Chow of the Chinese Evangelical Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Vargas.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell urging the City Council to investigate the use of executive orders by President Clinton.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A038-064.)

ITEM-PC-2:

Comment by Charles Stout asking the City Council to call a

press conference before HR-896 is passed, to demand answers from our administration, regarding the independent investigations that have been held on the Waco incident and the Oklahoma bombing.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A071-098.)

COUNCIL COMMENT:

ITEM-CC-1:

Comments by Mayor Golding, City Manager Jack McGrory, and Council Members Warden and Mathis, commending the efforts of the following City employees for their clean up and quick response after the tank that was stolen from the National Guard Armory was driven through the Clairemont area causing numerous damage: Police Chief Sanders and the police officers involved, Ronnie Lewis, Mark Cannon, Jesus Castillo, George Bugarin, Ventura Castillo, Bill Nunnink, James Smith, Jose Castillo, Regino Manuffo, Wayne Hancock, and Dan Roberts.

There will be a meeting on Wednesday, May 24, 1995, at 7:00 p.m. at the Kearny Mesa Recreation Center, for people who have concerns and need assistance in this matter.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A100-227.)

ITEM-CC-2:

Comment by Council Member Kehoe regarding the series that was reported in the Union Tribune on the region-wide graffiti problem. She announced that this issue would be on the next docket of the Public Safety and Neighborhood Services Committee, to review the possibility of seeing how effective offering a reward would be for getting taggers to turn in their cohorts.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A230-239.)

ITEM-CC-3:

Comment by Council Member Harvey thanking City employee, Martin Rollins, a grounds maintenance worker at the Pacific Beach Recreation Center, for performing CPR on a stricken tennis player, thereby saving his life.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A240-248.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
5/01/95
5/02/95
5/02/95 Special Meeting
5/08/95 Adjourned Meeting
5/09/95 Adjourned Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A250-252.)

MOTION BY KEHOE TO APPROVE. Second by Stevens. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31: RETURNED TO CITY MANAGER

Accepting the gift from the Sony Electronics Corporation to the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C066-067.)

ITEM-100: TRAILED TO TUESDAY, MAY 23, 1995

SUBJECT: Two actions related to Easement Grants to Point Loma Nazarene College at Sunset Cliffs Natural Park.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1092)

Authorizing the execution of an easement deed conveying to Pasadena College, dba Point Loma Nazarene College, easements for sewer, drainage, road and utility purposes in portions of Parcel 2 of Parcel Map PM-1889, Pueblo Lot 145, in Sunset Cliffs Natural Park.

Subitem-B: (R-95-1093)

Stating for the record that Environmental Impact Report DEP-87-0142 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines; that the declaration reflects the independent judgement of the City as Lead Agency; that the information contained in the report has been reviewed and considered by Council; adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

In 1973, U.S. International University (USIU) divided its lands at Point Loma into two parcels and sold one to the City of San Diego, and the other to Point Loma Nazarene College (PLNC). The City later dedicated its parcel as Sunset Cliffs Park and granted PLNC a Conditional Use Permit (CUP) for its parcel, to assure orderly development and compatibility with the adjacent properties. However, certain sewer, drainage, and utility improvements that supported the operations of PLNC were located on the City's Parcel. USIU did not make any private easement reservations on behalf of PLNC when it conveyed its property to the City. The City Council subsequently approved an amendment to the CUP which required PLNC to obtain the necessary easements for sewer, drainage and utility without reference to compensation. The amendment also required PLNC to recognize that these easements were dedicated park lands of the City and that all

necessary repairs and replacements would be completed by the College, with minimal impacts to the park. The easements are between 4 to 15 feet in width, and vary in length from approximately 150 to 2,000 feet and are located throughout the park, along the property line dividing the City and PLNC properties. In sum, there are three sewer, three drainage, and three utility easements. This action satisfies the terms of the CUP amendment.

The Park and Recreation Department has reviewed and approves of this easement grant.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A255-273.)

* ITEM-101:

SUBJECT: Two actions related to the Waterline Easement Abandonment - I-805 at Palm Avenue.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1629) ADOPTED AS RESOLUTION R-285827

Vacating the City's interest in an unneeded waterline easement affecting the Southeast Quarter of the Southeast Quarter of Section 24, Township 18 South, Range 2 West, San Bernardino Meridian.

Subitem-B: (R-95-1630) ADOPTED AS RESOLUTION R-285828

Stating for the record that the information contained in Environmental Impact Report DEP-92-0736, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines; that the report reflects the independent judgement of the City as Lead Agency, and that the Declaration has been reviewed and considered by the Council.

FILE LOCATION: DEED F-6490 DEEDFY95-1

COUNCIL ACTION: (Tape location: A274-304.)

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

* ITEM-102:

SUBJECT: Two actions related to the Calle Cristobal Landscape
Maintenance District.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1668) ADOPTED AS RESOLUTION R-285796

Resolution of Intention to levy and collect
assessments.

Subitem-B: (R-95-1669) ADOPTED AS RESOLUTION R-285797

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

This action is the Resolution of Intention to establish the
annual assessments for the Calle Cristobal Landscape Maintenance
District. The district was established in 1987 to provide
maintenance for landscaped medians, streetscapes and the street
side of the sound attenuator wall along Calle Cristobal within
the district boundaries. In Zone 1 for Fiscal Year 1996, 56,391
square feet of median and 173,893 square feet of streetscape will
be maintained by the Landscape Maintenance District, while all
other maintenance will be performed by the developer. The Fiscal
Year 1996 proposed maintenance costs for Zone 1 of the district
are as follows:

Contractual Maintenance	\$40,000
Personnel	12,803

Utilities	21,550
Incidentals	32,534
Total Expenses	\$106,887
Reserve	10,451
Total	\$117,338
Less Carry-over and Interest	(40,618)
Less City Contribution	(2,239)
Assessed to District	\$ 74,481

The assessment amount per dwelling unit for Zone 1 in FY 96 is \$62.02, the same as FY 95. No assessments are levied for Zone 2 for FY 96.

FILE LOCATION: STRT M-358

COUNCIL ACTION: (Tape location: A274-304.)

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

* ITEM-103:

SUBJECT: Two actions related to the Carmel Valley Landscape Maintenance District.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1674) ADOPTED AS RESOLUTION R-285798

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-95-1675) ADOPTED AS RESOLUTION R-285799

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

This action is the Resolution of Intention to establish the

annual assessments for the Carmel Valley Landscape Maintenance District. The district (formerly North City West) was established in July 1987 to provide maintenance for open space in addition to medians, streetscapes, slopes and six mini-parks within the district boundaries. The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$668,910
Personnel	102,416
Utilities	189,042
Incidentals	175,421
Total Expenses	\$1,135,789
Reserve	505,110
Total	\$1,640,899
Less Carry-over and Interest	(571,768)
Less City Contribution	(36,920)
Assessed to District	\$1,032,211

The assessments per equivalent dwelling unit (EDU) for the various (one through seven) zones within the district for FY 96 and the previous Fiscal Year are tabulated below:

Zone Overlay	1	2	3	4	5	6	7
FY 96 per EDU	\$38.96	\$38.96	\$249.55	\$243.57	\$38.96	\$38.96	\$124.47 \$59.41
FY 95 per EDU	\$38.96	\$38.96	\$249.55	\$243.57	\$38.96	\$38.96	\$124.47 \$59.41

The total assessment to the district in FY 95 was \$1,055,272 and \$1,032,211 is proposed in FY 96.

FILE LOCATION: STRT M-360

COUNCIL ACTION: (Tape location: A274-304.)

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

* ITEM-104:

SUBJECT: Two actions related to the Carmel Mountain Ranch

Landscape Maintenance District.

(Carmel Mountain Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1671) ADOPTED AS RESOLUTION R-285800

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-95-1672) ADOPTED AS RESOLUTION R-285801

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

This action is the Resolution of Intention to establish the Fiscal Year 1996 assessments for the Carmel Mountain Ranch Landscape Maintenance District. The district was established in October 1985 to provide maintenance of certain paved and landscaped medians and streetscapes within the district boundaries.

The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$142,000
Personnel	25,604
Utilities	31,500
Incidentals	47,056
Total Expenses	\$246,160
Reserve	25,446
Total	\$271,606
Less Carry-Over & Interest	(55,147)
Less City Contribution	(18,784)
Assessed to District	\$197,675

The proposed assessment fee for the Fiscal Year 1996 is \$21.13 per equivalent dwelling unit, the same amount as Fiscal Year 1995.

FILE LOCATION: STRT M-361

COUNCIL ACTION: (Tape location: A274-304.)

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

* ITEM-105:

SUBJECT: Two actions related to the Coronado View Landscape
Maintenance District.

(South Encanto Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1665) ADOPTED AS RESOLUTION R-285802

Resolution of Intention to levy and collect
assessments.

Subitem-B: (R-95-1666) ADOPTED AS RESOLUTION R-285803

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

This action is the Resolution of Intention to establish the FY
1996 assessments for the Coronado View Landscape Maintenance
District. The district was formed by City Council resolution in
July 1983 to provide maintenance for one acre of landscaped
street slope within the district.

The Fiscal Year 1996 proposed maintenance costs for the district
are as follows:

Contractual Maintenance	\$ 5,300
Personnel	5,120
Utilities	1,740
Incidentals	4,478
Total Expenses	\$16,638
Reserve	1,493
Total	\$18,131
Less Carry-over & Interest	(2,348)

Less City Contribution (0)
Assessed to District \$15,783

The proposed unit annual assessment for Fiscal Year 1996 is \$136.06 per dwelling unit, the same as for Fiscal Year 1995.

FILE LOCATION: STRT M-359

COUNCIL ACTION: (Tape location: A274-304.)

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

* ITEM-106:

SUBJECT: Two actions related to the Gateway Center East Landscape Maintenance District.

(Mount Hope Neighborhood Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1659) ADOPTED AS RESOLUTION R-285804

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-95-1660) ADOPTED AS RESOLUTION R-285805

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

This action is the Resolution of Intention to establish the Fiscal Year 1996 assessments for the Gateway Center East Landscape Maintenance District. The district was established in May 1987 to provide maintenance for the 6 acres of landscaped open space easements as well as landscaping along the frontage of all lots and for 11,800 square feet of landscaped medians on Market Street and Gateway Center Drive.

The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$65,000
Personnel	10,242
Utilities	33,600
Incidentals	17,341
Total Expenses	\$126,183
Reserve	11,969
Total	\$138,152
Less Carry-over and Interest	(55,243)
Less City Contribution	(944)
Assessed to District	\$ 81,965

The assessment cost for Fiscal Year 1996 is \$2,185 per acre of net pad area of each parcel, the same amount as Fiscal Year 1995 (net pad area is defined as buildable acreage for each parcel).

FILE LOCATION: STRT M-352

COUNCIL ACTION: (Tape location: A274-304.)

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

* ITEM-107:

SUBJECT: Two actions related to the La Jolla Village Drive
Landscape Maintenance District.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1656) ADOPTED AS RESOLUTION R-285806

Resolution of Intention to levy and collect
assessments.

Subitem-B: (R-95-1657) ADOPTED AS RESOLUTION R-285807

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

This action is the Resolution of Intention to establish the Fiscal Year 1996 assessments for the La Jolla Village Drive Landscape Maintenance District. The district was established by City Council in January 1988 to provide maintenance for 44,597 square feet of landscaped medians along La Jolla Village Drive between I-5 and Regents Road.

The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 5,000
Personnel	5,120
Utilities	2,700
Incidentals	8,946
Total Expenses	\$21,766
Reserve	109,444
Total	\$131,210
Less Carry-over & Interest	(87,815)
Less City Contribution	(695)
Assessed to District	\$42,700

The proposed assessment for Fiscal Year 1996 is \$18.65 per equivalent dwelling unit, the same as Fiscal Year 1995.

FILE LOCATION: STRT M-351

COUNCIL ACTION: (Tape location: A274-304.)

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

* ITEM-108:

SUBJECT: Two actions related to the Mid-City Landscape and
Lighting Maintenance District.

(Mid-City and Greater North Park Community Areas.
Districts-2 and 3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1631) ADOPTED AS RESOLUTION R-285808

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-95-1632) ADOPTED AS RESOLUTION R-285809

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

This action is the Resolution of Intention to establish the Fiscal Year 1996 assessments for the ten subdistricts in the Mid-City Landscape and Lighting Maintenance District. The district provides for maintenance of street trees, landscaped medians, benches and street lights.

The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$86,050
Personnel	24,585
Utilities	14,780
Incidentals	42,392
Total Expenses	\$167,807
Reserve	57,878
Total	\$225,685
Less Carry-over and Interest	(100,256)
Less City Contribution	(3,279)
Assessed to District	\$122,150

The assessments per frontage foot of parcel for each subdistrict are tabulated below:

Zone	1	2	3	4	5	6	7	8	9	10
FY96	\$9.34	\$6.99	\$18.78	\$5.14	\$5.25	\$22.65	\$10.53	\$9.44	\$4.31	\$0.00
FY95	\$9.34	\$6.99	\$18.78	\$5.14	\$5.25	\$22.65	\$10.53	\$6.74	\$4.31	\$4.60

%in-crease

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The increase of assessment in Zone 8 is due to providing energy for additional street lights requested by area constituents for crime prevention and safety.

FILE LOCATION: STRT M-355

COUNCIL ACTION: (Tape location: A274-304.)

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

* ITEM-109:

SUBJECT: Two actions related to the Penasquitos East Landscape
Maintenance District.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1634 Cor.Copy) ADOPTED AS RESOLUTION
R-285810

Resolution of Intention to levy and collect
assessments.

Subitem-B: (R-95-1635) ADOPTED AS RESOLUTION R-285811

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

This action is the Resolution of Intention to establish the
Fiscal Year 1996 assessments for the Penasquitos East Landscape
Maintenance District. The district was established in 1983 to
provide maintenance for seven miles of landscaped medians, and 87
acres of open space.

The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$117,660
Personnel	15,364
Utilities	19,500
Incidentals	43,214
Total Expenses	\$195,738
Reserve	78,786
Total	\$274,524
Less Carry-over and Interest	(93,538)
Less City Contribution	(25,660)
Assessed to District	\$155,326

The amount assessed to the district in Fiscal Year 1996 will be \$11.85 per dwelling unit, the same as the assessment for Fiscal Year 1995.

FILE LOCATION: STRT M-354

COUNCIL ACTION: (Tape location: A274-304.)

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

* ITEM-110:

SUBJECT: Two actions related to the San Ysidro Boulevard
Landscape Maintenance District No. 2.

(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1683) ADOPTED AS RESOLUTION R-285812

Resolution of Intention to levy and collect
assessments.

Subitem-B: (R-95-1684) ADOPTED AS RESOLUTION R-285813

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

This action is the Resolution of Intention to establish the Fiscal Year 1996 assessment for the San Ysidro Boulevard Landscape Maintenance District No. 2. The district was established in July 1994 to provide maintenance for the streetscapes along San Ysidro Boulevard between I-805 and Front Street. The improvement of the streetscapes along this section of San Ysidro Boulevard is currently under way. Completion of construction is scheduled for mid-July 1995. The contractor will be responsible for maintenance of the landscaping for a 90-day period following its acceptance by the City. The San Ysidro Boulevard Landscape Maintenance District will assume maintenance responsibility after this period. Fiscal Year 1996 is the first year assessments are being levied for this district.

The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$17,500
Personnel	5,120
Utilities	2,175
Incidentals	11,009
Total Expenses	\$35,804
Reserve	4,184
Total	\$39,988
Less Carry-Over & Interest	(996)
Less City Contribution	(32)
Assessed to District	\$38,960

The proposed amount to be assessed to the district for Fiscal Year 1996 is \$7.86 per frontage foot.

FILE LOCATION: STRT M-357

COUNCIL ACTION: (Tape location: A274-304.)

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

* ITEM-111:

SUBJECT: Two actions related to the Washington Street Landscape Maintenance District.

(Mission Hills Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1640) ADOPTED AS RESOLUTION R-285814

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-95-1641) ADOPTED AS RESOLUTION R-285815

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

This action is the Resolution of Intention to establish the Fiscal Year 1996 assessments for the Washington Street Landscape Maintenance District.

The maintenance district was established in July 1993 for the purpose of maintaining the landscaping improvements on the Washington Street center islands approximately 380 feet west of the University Avenue overpass to Hawk Street. The landscaping improvements will consist of various types of trees, shrubs and ground cover. Fiscal Year 1996 is the first year that assessments are being levied for this district.

The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 8,000
Personnel	5,120
Utilities	3,350
Incidentals	8,265
Total Expenses	\$24,735
Reserve	12,339
Total	\$37,074
Less Carry-over & Interest	(664)
Less City Contribution	(1,080)
Assessed to District	\$35,330

The proposed amount to be assessed to the district for Fiscal Year 1996 is \$10 per equivalent dwelling unit.

FILE LOCATION: STRT M-353

COUNCIL ACTION: (Tape location: A274-304.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-ineligible, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112:

SUBJECT: Two actions related to the Scripps-Miramar Ranch Landscape Maintenance District.

(Scripps-Miramar Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1637) ADOPTED AS RESOLUTION R-285816

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-95-1638) ADOPTED AS RESOLUTION R-285817

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

This action is the Resolution of Intention to establish the Fiscal Year 1996 assessments for the Scripps-Miramar Ranch Landscape Maintenance District. The district was originally formed in May 1981 to provide maintenance for landscaped medians and open space within the district.

The Fiscal Year 1996 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$344,400
Personnel	51,208

Utilities	43,000
Incidentals	59,415
Total Expenses	\$498,023
Reserve	83,182
Total	\$581,205
Less Carry-over & Interest	(63,364)
Less City Contribution	(19,212)
Assessed to District	\$498,629

The proposed unit assessment for FY '96 is \$73.00. The unit assessment for FY '95 was \$62.76. The increase is due to the inclusion of several new landscaped projects in the district. It is recommended that Fiscal Year 1996 assessments be levied against property owners of the Business Park plus adjoining commercial/industrial properties that were not previously assessed.

FILE LOCATION: STRT M-356

COUNCIL ACTION: (Tape location: A274-304.)

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

* ITEM-113:

SUBJECT: Metropolitan Community Church of San Diego 25th Anniversary Celebration.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1643) ADOPTED AS RESOLUTION R-285818

Commending Metropolitan Community Church for their dedication to the citizens of San Diego for the past twenty-five years;

Commending Reverend David Farrell and Reverend Donna Eubanks, staff and congregation for their efforts to make the 25th Anniversary celebration an historical and memorable event;

Proclaiming June 4, 1995 to be "25th Anniversary of Metropolitan Community Church of San Diego Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A274-304.)

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

* ITEM-114:

SUBJECT: Non-Motorized Transportation Grant Application to SANDAG.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1592) ADOPTED AS RESOLUTION R-285819

Authorizing the City Manager to submit grant applications to SANDAG for Local Transportation Funds (LTF) and/or TransNet-Bikeway funds for the following non-motorized transportation projects:

1. 26th Street Road Bikeway
 2. Bernardo Center Drive Bikeway
 3. Bike-To-Work Day Campaign
 4. Camino De La Reina Bikeway
 5. Carmel Valley Road Bicycle Path II
 6. Chollas Parkway Bike Lanes
 7. Fairmount Avenue/Montezuma Road Bikeway
- Mitigation Project
8. Grand Avenue/Mission Bay Drive Bikeway
 9. Guymon Street Sidewalk Improvements
 10. Harbor Drive Bicycle Lane Reconstruction
 11. Harbor Drive Bikeway Corridor Study
 12. Kearny Villa Road Bikeway
 13. Miramar Road/Eastgate Mall Bikeway II
 14. Mission Gorge Road Bikeway II

- Widening
15. Monroe Avenue Bicycle/Pedestrian Bridge
 16. Morena Boulevard/West Morena Boulevard Bikeway
 17. Otay Mesa/Nestor Sidewalk Improvements
 18. Reo Drive Sidewalks
 19. Rose Creek Bridge Bikeway Feasibility Study
 20. San Andres Way Bikeway
 21. San Diego River Bicycle Path II
 22. Santa Fe Street/Damon Avenue Bikeway
 23. San Ysidro Community Sidewalks
 24. Scripps Lake Drive Sidewalk
 25. Secure Storage Facilities
 26. Tierrasanta Boulevard Bicycle Path Extension
 27. Via De La Valle Bike Lanes

CITY MANAGER SUPPORTING INFORMATION:

Twenty-seven grant applications for Local Transportation Funds (LTF) and TransNet-Bikeway Funds have been prepared for submission to SANDAG which administers bikeway and pedestrian transportation funding. Legislation provides that two percent of LTF may be used for the construction of bicycle and pedestrian facilities and that a total of \$1,000,000 of TransNet Funds may be used for bicycle facility improvements. These funds are made available to all jurisdictions within the county based on an area-wide priority list of facilities approved annually by the SANDAG Board of Directors. The resolution authorizes the City Manager to submit grant applications for LTF and/or TransNet-Bikeway Funds for 27 non-motorized transportation projects.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A274-304.)

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

* ITEM-115:

SUBJECT: Additional Funds for Fire Station No. 43.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1497 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-285820

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$96,054 from Fire Station No. 14 - Reconstruction, CIP-33-058.1, Capital Outlay Fund No. 302453 to Fire Station No. 43 - Otay Mesa, CIP-33-076.0, for increased costs for equipment and furnishing, utility hook-ups, and permits.

CITY MANAGER SUPPORTING INFORMATION:

Capital Improvement Project CIP-33-076.0, provides for the design and construction of Fire Station No. 43, located at Brown Field Airport near Otay Mesa Road and La Media Road. The station will house one engine, one aerial ladder truck, one crash/rescue apparatus, and ten personnel. The station is required because of anticipated growth in the Otay Mesa Area.

Aud. Cert. 9501008.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A274-304.)

CONSENT MOTION BY STALLINGS TO ADOPT AS AMENDED TO ACCEPT THE CITY MANAGER'S RECOMMENDATION TO CHANGE THE RESOLUTION TO STATE THAT WHEN FUNDS ARE AVAILABLE IN THE DEVELOPMENT IMPACT FEE FUND FOR OTAY MESA, THOSE FUNDS WILL BE USED TO REPAY THE \$96,054 TAKEN FROM THE CAPITAL OUTLAY FUND TO COMPLETE THIS PROJECT. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-116:

SUBJECT: Southwest Neighborhood Park Acquisition.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1648) ADOPTED AS RESOLUTION R-285821

Authorizing the expenditure of not to exceed \$50,000 from the Open Space Acquisition Fund 30252, for the acquisition of a .33-acre parcel located at the southeast corner of 25th Street and Grove Avenue, for Southwest Neighborhood Park.

CITY MANAGER SUPPORTING INFORMATION:

Over the past several years, the City acquired approximately 9.5 acres of land in the Otay Mesa-Nestor Community for future development as Southwest Neighborhood Park. The one remaining triangular-shaped parcel in private ownership at the southeast corner of 25th Street and Grove Avenue was offered to the City in late 1994. If this land is not acquired by the City, private development would be possible. This would negatively impact upon the future design and development of the Southwest Neighborhood Park. Acquisition of the approximately 1/3-acre parcel of vacant land is one of the top priorities of the Park and Recreation Board's Southern Area Committee.

Aud. Cert. 9501116.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A274-304.)

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

ITEM-200:

SUBJECT: Two actions related to Construction of the South Bay Outfall Extension Tunnel.

(Tijuana River Valley and San Ysidro Community Areas. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1681 Rev.) ADOPTED AS RESOLUTION R-285822

Authorizing the City Manager to execute a contract with the lowest responsible bidder, based on the actual low bid submitted, in connection with Construction of the South Bay Outfall Tunnel;

Authorizing the City Manager to establish contract funding phases for Construction of the South Bay Outfall Tunnel, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary under the contract are, or will be, on deposit in the City Treasury;

Authorizing the expenditure of not to exceed \$87,670,000 from Sewer Fund 41509, CIP-40-910.1, South Bay Outfall Extension, to provide funds for this project for construction, contingency, and related costs, provided that the City Auditor first furnishes certificate(s) demonstrating that 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 budgeted funds, if any, to the appropriate reserves;

Authorizing the use of City Forces to do additional minor construction services related to this project, with the cost of the work not to exceed \$20,000.

Subitem-B: (R-95-1682 Rev.) ADOPTED AS AMENDED AS
RESOLUTION R-285823

Certifying that the information contained in Environmental Impact Report DEP-94-0615, in connection with the approval of the South Bay Ocean Outfall Extension, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the report reflects the independent judgment of the City as Lead Agency, and that the Report has been reviewed and considered by Council;

Adopting the Findings made with respect to the project, pursuant to California Public Resources Code Section 21081 and California Code of Regulations Section 15091;

Adopting the Statement of Overriding Considerations, pursuant to California Code of Regulations Section 15093;

Adopting the Mitigation, Monitoring and Reporting Program, pursuant to California Public Resources Code Section 21081.6.

CITY MANAGER SUPPORTING INFORMATION:

The South Bay Outfall Extension (South Bay Ocean Outfall) is a joint project between the City and the federal government. The outfall will convey treated effluent from the International Treatment Plant and future City of San Diego plants to the ocean for final disposal. The project is broken into three separate construction packages. The Council approved the advertisement of Package 2 - Tunnel in April 1995. At this time approval is requested to award the contract for Package 2 - Tunnel to the lowest responsible bidder. An Environmental Impact Statement for this project was prepared by the Environmental Protection Agency. A Record of Decision on this EIS was signed on May 6, 1994. The City has prepared an Environmental Impact Report (EIR) for this project. Due to circumstances beyond our control, the EIR was not released 14 days in advance of the anticipated public hearing. However, the EIR is being released to the public agencies which commented on the document 10 days in advance of the public hearing, which is deemed a reasonable period of time for comment under CEQA. It is requested that the City Council certify this EIR with this action.

FILE LOCATION: W.O. 191980 CONTFY95-1

COUNCIL ACTION: (Tape location: A305-C062.)

MOTION BY VARGAS TO ADOPT THE RESOLUTIONS AND TO ACCEPT THE CITY MANAGER'S RECOMMENDATION TO MAKE AN EXCEPTION TO THE 14-DAY PUBLIC NOTICE PERIOD FOR THE COMPLETED ENVIRONMENTAL DOCUMENTS, TO ALLOW AN 11-DAY PUBLIC NOTICE PERIOD, BASED ON THE FACT THAT THIS IS A FEDERAL PROJECT AND BECAUSE OF THE STATE OF EMERGENCY IN THE TIJUANA RIVER VALLEY. Second by McCarty. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Agreement with Parsons Engineering Science, Inc. for Professional Engineering Services for the South Bay Outfall Extension.

(Tijuana River Valley and San Ysidro Community Areas. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1474) ADOPTED AS RESOLUTION R-285824

Authorizing a phase funded contract with Parsons Engineering Science, Inc. (San Diego), for professional services during the construction of the South Bay Ocean Outfall Extension;

Authorizing the expenditure of not to exceed \$4,170,751 from Fund No. 41509, CIP-40-910.1, South Bay Outfall Extension, to provide funds for the phase funded agreement, contingency, and related costs, provided that the City Auditor first furnishes one or more certificates demonstrating that funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury, to be expended in six phases over four fiscal years, as follows:

Phase 1 - \$236,726 from Fiscal Year 1995 appropriations

Phase 2/3 - \$2,102,218 from Fiscal Year 1996 appropriations, provided that the City Council authorizes funding for this purpose in the Fiscal Year 1996 CIP budget

Phase 4/5 - \$1,627,448 from Fiscal Year 1997 appropriations, provided that the City Council authorizes funding for this purpose in the Fiscal Year 1997 CIP budget

Phase 6 - \$177,359 from Fiscal Year 1998 appropriations, provided that the City Council authorizes funding for this purpose in the Fiscal Year 1998 CIP budget;

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

CITY MANAGER SUPPORTING INFORMATION:

The South Bay Outfall Extension (South Bay Ocean Outfall) is a joint project between the City and the federal government. This outfall will convey treated effluent from the International Treatment Plant and future City of San Diego treatment plants to the ocean for final disposal. On December 5, 1994, the City Council (R-285069) approved a Memorandum of Agreement with the federal government designating the City as the Construction Manager for this project. The design of this project was completed by Parsons Engineering Science under a contract with the International Boundary and Water Commission (IBWC). This agreement is for the designer, Parsons Engineering Science, to provide technical services to the City during the construction of this project. The MBE participation is approximately 11.85 percent and WBE participation is approximately 5.80 percent. An Environmental Impact Statement (EIS) for this project was prepared by the Environmental Protection Agency. A Record of Decision on this EIS was signed on May 6, 1994. The City is also preparing a focused Environmental Impact Report (EIR) on this project. The request to certify the EIR and award construction funds for this project are scheduled for Council approval in May 1995.

Aud. Cert. 9501096.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: A274-304.)

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

ITEM-202:

SUBJECT: Inviting bids for the Northern Sludge Processing Facility - Digester Complex.

(NAS Miramar. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1483) ADOPTED AS RESOLUTION R-285825

Inviting bids for the Northern Sludge Processing Facility - Digester Complex on Work Order No. 198866;

Authorizing a contract with the lowest responsible bidder, and authorizing the City Manager to establish contract funding phases, based on the actual low bid submitted, provided that the City Auditor and Comptroller 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 expenditure of \$28,071,450 from Fund 41509, CIP-42-911.4, Northern Sludge Processing Facility, Phase II, for project construction, contingency, and related costs, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

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

Stating for the record that the City of San Diego as Lead Agency has reviewed and considered Environmental Negative Declaration DEP-91-0653. (BID-K94110)

CITY MANAGER SUPPORTING INFORMATION:

The Fiesta Island Replacement Project/Northern Sludge Processing Facility (FIRP/NSPF) project to be located at NAS Miramar will replace sludge drying facilities currently located at Fiesta Island. The Digester Complex is the sixth of nine construction contracts for FIRP/NSPF. This contract features 3 tanks where raw sludge is broken down to inert compounds by microorganisms and two storage tanks for this "digested" sludge. Mitigation measures related to this action have been incorporated into each package. At this time, approval is requested to advertise for

bid and award this contract package. The EIR was certified by City Council on December 5, 1994.

FILE LOCATION: W.O. 198866 CONT - APC-T&K Joint Venture
CONFY95-1

COUNCIL ACTION: (Tape location: A274-304.)

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

ITEM-203:

SUBJECT: Inviting Bids for the Northern Sludge Processing
Facility Operations Building.

(NAS Miramar. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1484 Cor.Copy) ADOPTED AS RESOLUTION R-285826

Inviting bids for the Northern Sludge Processing
Facility Operations Building on Work Order No. 198862;

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

Authorizing the expenditure of \$8,456,150 from Fund No.
41509, CIP-42-911, Northern Sludge Processing Facility,
Phase II for the purpose of providing funds for project
construction, contingency and related costs, provided
that the City Auditor first furnishes one or more
certificates demonstrating that 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 budgeted funds, if any, to the appropriate reserves;

Stating for the record that the City Council has reviewed and considered the final environmental document DEP-91-0653.

(BID-K94107)

CITY MANAGER SUPPORTING INFORMATION:

The Fiesta Island Replacement Project/Northern Sludge Processing Facility (FIRP/NSPF) project to be located at NAS Miramar will replace the sludge drying facilities currently located at Fiesta Island. The Operations Building is the fourth of nine construction contracts for FIRP/NSPF. This contract features the building where administration, maintenance, and most operator offices, conference rooms, shops, and storage areas exist. Mitigation measures related to this action have been incorporated into each package. At this time, approval is requested to advertise for bid and award this contract package. The EIR was certified by City Council on December 5, 1994.

FILE LOCATION: W.O. 198862 CONT - KVAAS Construction Co.
Inc. CONTFY95-1

COUNCIL ACTION: (Tape location: A274-304.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Kehoe.
Passed by the following vote: Mathis-yea, Harvey-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 3:43 p.m. in honor of the memory of Rear Admiral James "Jay" G. Prout, III, as requested by Mayor Golding and Council Member Stallings and Ruth Staniforth, as requested by City Attorney

John W. Witt.

FILE LOCATION:

AGENDA

COUNCIL ACTION:

(Tape location: C068-081.)