

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, SEPTEMBER 18, 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 2:02 p.m.

Betsy Morris, Executive Director of the San Diego Housing Commission, explained the waiting lists, renter incentives and payment of property taxes for the Maya apartments. Mayor Golding had asked Ms. Morris to speak at this City Council Meeting in response to issues raised at the City Council Meeting last week during public comment and a request by Council Member Warden for further information about the Maya Apartments.

Mayor Golding adjourned the meeting at 3:05 p.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-present
- Clerk-Abdelnour (ms)

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-not 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 Imam Fouad Hamouda of the Islamic Center of San Diego.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member McCarty.

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell encouraging everyone to vote tomorrow and comment regarding countering misinformation.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A044-069.)

ITEM-PC-2:

Comment by Darren Chaker regarding the San Diego Regional Law Enforcement Training Center.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A135-169.)

ITEM-PC-3: REFERRED TO CITY MANAGER

Comment by Glenn P. MacNary regarding "city policy of the Property Department".

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A170-181.)

ITEM-PC-4:

Comment by Libby Lucas regarding benefit car washes.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A182-213.)

ITEM-PC-5:

Comment by Reverend David Bruce Thompson regarding drugs and violence in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A216-240.)

ITEM-PC-6: REFERRED TO CITY MANAGER

Comment by Ben Linker regarding Acacia Mobile Home Park.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A244-281.)

ITEM-PC-7: REFERRED TO CITY MANAGER

Comment by Sidney Hall regarding Acacia Mobile Home Park.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A282-318.)

ITEM-PC-8: REFERRED TO CITY MANAGER

Comment by Cyndi Correa regarding Acacia Mobile Home Park. She has no running water and has a child. No manager is on the premises and she has no way of contacting a manager.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A318-347.)

COUNCIL COMMENT:

ITEM-CC-1:

Council Member McCarty brought greetings to Mayor Golding from the representatives of Wuhan, China who were visiting today. They have built a San Diego Friendship Garden in Wuhan with 2,000 rose bushes and named an island and bay for San Diego. Council Member McCarty also said she was proudly wearing a Crusader Soccer shirt for today's meeting. She said she read in the paper that the City would be enforcing the policy that cars parked in a driveway cannot extend onto the sidewalk, even if there is a substandard driveway which was approved by the City. City Manager McGrory responded that this policy would not be enforced in the areas where substandard length driveways had been approved.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A359-420.)

ITEM-CC-2:

Councilmember Warden commented on her trip to Washington,

D.C. last week with executives from the Padres, Sanyo, Honeywell, SDG&E, Metro International, San Diego Chamber of Commerce, Otay Mesa Chamber of Commerce and San Diego Dialogue. They met with the congressional delegation and our two senators regarding San Diego area border crossing issues.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A421-447.)

ITEM-CC-3:

Councilmember Vargas said that September is National Hispanic Heritage Month. The Latino City Employees and the Bomberos Firefighters Associations have organized a two day professional development conference to be held September 28 and 29.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A448-464.)

ITEM-CC-4:

Mayor Golding urged everyone to go to a Padre game, particularly when they play the Dodgers on September 29 and 30 and October 1, the last three games of the season. Promoting this as "No way LA" days, and as Fan and Padre Appreciation Days.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A464-488.)

ITEM-CC-5:

Councilmember Stevens urged everyone in Council Districts 2, 4, 6 and 8 to go to the polls and vote September 19.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A488-496.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
09/04/95 Adjourned
09/05/95 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A355-359)

MOTION BY MATHIS TO ADOPT. Second by Harvey. 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:

SUBJECT: City of Yokohama's Donation of Books to the San Diego Public Library.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-258) ADOPTED AS RESOLUTION R-286322

Gratefully accepting the books for incorporation in the collection of the San Diego Public Library and thanking the City of Yokohama, its Public Library and the people of Yokohama for this valuable contribution to the cultural exchange and goodwill that exists between our two cities.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A509-566.)

MOTION BY McCARTY TO ADOPT. Second by Stallings. 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-32:

SUBJECT: Cabrillo Festival Week.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-259) ADOPTED AS RESOLUTION R-286323

Proclaiming September 24 through October 1, 1995 to be "Cabrillo Festival Week" in San Diego and urging our citizens to join in the commemoration of this historic event.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A567-617.)

MOTION BY McCARTY TO ADOPT. Second by Stallings. 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-33:

SUBJECT: Jewell Williams Day.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-96-178) ADOPTED AS RESOLUTION R-286324

Recognizing and thanking Jewell Williams for her endless hours of volunteer service to the Carmel Mountain Ranch, Sabre Springs and Rancho Penasquitos communities;

Proclaiming September 18, 1995 to be "Jewell Williams Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A070-134.)

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

* ITEM-50:

SUBJECT: Ten Year Extension of Motorola Contract.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-36) INTRODUCED, TO BE ADOPTED OCTOBER 2, 1995

Introduction of an Ordinance authorizing a third amendment to the agreement with Motorola, Communications and Electronics, Inc., to extend the existing contract through September 23, 2005.

CITY MANAGER SUPPORTING INFORMATION:

On September 23, 1990, an agreement between Motorola, Inc., and the City of San Diego (RR-276605) was established for the provision of a public safety 800 MHZ radio system. This agreement allows the purchase of proprietary equipment for the expected life of the 800 MHZ system. Portions of the agreement were revised as of April 17, 1995, (RR-285604) with the MWWD - Point Loma Trunking System. It is the intent of this ordinance to extend the date of the agreement to September 23, 2005, in order to preserve the 15 year price guarantees specified in the original agreement.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B180-225.)

CONSENT MOTION BY MATHIS TO INTRODUCE THE ORDINANCE. 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-100:

SUBJECT: Household Hazardous Waste Discretionary Grant for
January 1996 - June 1997.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-250) ADOPTED AS RESOLUTION R-286325

Authorizing the City Manager to apply for and accept a Household Hazardous Waste Discretionary Grant award from the California Integrated Waste Management Board at \$120,000 or alternate/augmented award for activities from January 1996 through June 1997;

Authorizing the Deputy Environmental Services Director/Programs Division to sign grant related documents on behalf of the City of San Diego.

CITY MANAGER SUPPORTING INFORMATION:

The California Integrated Waste Management Board is authorized to award household hazardous waste discretionary grants to cities for programs that help prevent the illegal disposal of household hazardous wastes at landfills. This competitive grant provides funding for a proposed program or expansion of an existing program. The Board only accepts one proposal from each jurisdiction, and can award a maximum of \$120,000 to a jurisdiction. The construction and operation of a permanent collection facility such as the City's Household Hazardous Waste Transfer Facility, CIP-32-001.0, is a grant eligible project. An estimated \$450,000 will be needed to implement this project, and a grant award will reduce the fiscal impact of the overall project. The City will apply for the maximum award. The City has been working towards implementing a permanent facility. The City has received the Navy's approval on the Master Plan and related environmental impact study for the Miramar Landfill including the implementation of a permanent facility adjacent to the landfill. The City is working with the State on a streamlined permitting process for permanent facilities, and will be the pilot jurisdiction for using this permit process. For the City to be considered for the discretionary grant for activities performed from January 1996 through June 1997 the City must

submit by September 29, 1995 an application including both the proposal and a resolution supporting the submittal and acceptance of the grant and designating an authorized position to sign documents on behalf of the City. The Board is scheduled to award the discretionary grants at its December 1995 meeting.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-225.)

CONSENT MOTION BY MATHIS TO ADOPT. 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-101:

SUBJECT: Internet Workstation Expansion Grant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-246) ADOPTED AS RESOLUTION R-286326

Authorizing the City Manager or his designated representative to apply for, accept, and administer grant funds from the California State Library to purchase Internet workstations and printers for the Central Library, 30 branch libraries and READ/San Diego.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Public Library is requesting authorization to apply for a California State Library Internet Workstation Expansion Grant that will provide \$3,000 for the Central Library, 30 branch libraries and READ/San Diego to purchase a computer workstation, monitor, word processing software and a printer to increase public access to the Internet to alleviate the critical shortage of terminals. This grant will also provide up to five days of training for one staff member and one community representative at each location. Both the access and the training is crucial in order for the Library to serve the City population. The Internet offers community members a vast resource, and in many communities, the Library offers the only public access point.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-225.)

CONSENT MOTION BY MATHIS TO ADOPT. 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-102:

SUBJECT: Application for Mortgage Credit Certificate Allocation.

(See Housing Commission Report HCR-95-154.)

HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-96-201) ADOPTED AS RESOLUTION R-286327

Application to the Mortgage Bond Tax Credit Allocation
Committee for issuance of Mortgage Credit Certificates.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-225.)

CONSENT MOTION BY MATHIS TO ADOPT. 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-103:

SUBJECT: Designation of State Route 52, between Santo Road and
Mast Boulevard in Santee, as a "Scenic Highway."

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-96-218) ADOPTED AS RESOLUTION R-286328

Declaring State Route 52, between Santo Road in Tierrasanta and Mast Boulevard in Santee, to be a unique highway of significant aesthetic and environmental value worthy of designation and protection as a "Scenic Highway";

Directing the City Manager and Planning Director to take all necessary steps to secure "Scenic Highway" designation for State Route 52 under the provisions of the California Scenic Highway Program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-225.)

CONSENT MOTION BY MATHIS TO ADOPT. 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-104:

SUBJECT: Two actions related to Suggestion Awards.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions authorizing Suggestion Awards to City Employees:

Subitem-A: (R-96-241) ADOPTED AS RESOLUTION R-286329

Virginia Towery - Water Utilities - \$950.

Subitem-B: (R-96-242) ADOPTED AS RESOLUTION R-286330

Jennifer Champa and Betsy McCullough - Planning - \$75 and Certificate of Merit.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-225.)

CONSENT MOTION BY MATHIS TO ADOPT. 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-105:

SUBJECT: Dr. Shadrach Meshach Lockridge Day.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-96-252) ADOPTED AS RESOLUTION R-286331

Recognizing the accomplishments of Dr. S.M. Lockridge;

Proclaiming September 6, 1995 to be "Dr. S.M. Lockridge
Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B180-225.)

CONSENT MOTION BY MATHIS TO ADOPT. 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-150:

SUBJECT: Approval of Subdivision Tentative Map Extensions.

(See City Manager Reports CMR-95-208 and CMR-95-168.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-276) ADOPTED AS RESOLUTION R-286332

Directing the City Manager and the City Attorney to
revise the Municipal Code as required to limit staff

and Planning Commission review of extensions of tentative subdivision maps (and their related development permit extensions);

Directing the creation of a Council Policy to strictly limit any modifications to tentative subdivision map (and related development permit) conditions that would result from a request for extension of these approvals. Modifications to the map or permit conditions would only be allowed if they are mandated by changes in state or federal law, or when issues of imminent and serious public health and safety concerns exist;

Directing the City Manager to support Assembly Bill 771 to further extend tentative subdivision maps;

Supporting a revision to this bill which would allow for ministerial City Manager approval on extensions of tentative subdivision maps.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 7/19/95, LU&H voted 5-0 to direct the City Attorney, with the City Manager, to amend the City Municipal Code regarding time extensions for tentative maps. The amendment is to modify the existing process to a ministerial action by the City Manager. In addition, the Committee directed the City Manager to support Assembly Bill 771 to further extend tentative subdivision maps and take action to extend the local discretionary permits associated with those maps. (Councilmembers Mathis, Harvey, Stevens, Warden and McCarty voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-225.)

CONSENT MOTION BY MATHIS TO ADOPT. 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-200:

SUBJECT: Two actions related to Inviting Bids for Water Group Job 506.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-231) ADOPTED AS RESOLUTION R-286333

Inviting bids for the Construction of Group Job 506 on Work Order No. 181341;

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

Authorizing the expenditure of not to exceed \$1,334,473 from Water Revenue Fund 41500, CIP-73-083.0, provided that the City Auditor first furnishes a certificate demonstrating that 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 the final environmental document. (BID-K96015C)

Subitem-B: (R-96-232) ADOPTED AS RESOLUTION R-286334

Authorizing the use of City Forces to isolate and make connections and perform operational checks involving Construction of Group Job 506; declaring that the cost of the work shall not exceed \$17,373.

CITY MANAGER SUPPORTING INFORMATION:

The proposed Water Group Job 506 is approximately 3,600 feet of 16-inch PVC water main that will connect Soledad Reservoir and Country Club Reservoir. The pipeline spans the crest of Soledad

Mountain and will serve, along with the nearly completed La Jolla Shores Pipeline, as an alternate source of water for the Soledad Mountain and La Jolla areas. The construction of this pipeline is also necessary for the planned shutdown and improvements to the Bayview, Soledad and Country Club Reservoirs.
WU-P-96-187.

FILE LOCATION: W.O. 181341 CONT - Southern California
Underground Contractors, Inc. CONT FY 96-
1

COUNCIL ACTION: (Tape location: B180-225.)

CONSENT MOTION BY MATHIS TO ADOPT. 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: Street Vacation of an Excess Portion of Laurel Street
between Harbor Drive and Pacific Highway.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-184) ADOPTED AS RESOLUTION R-286335

Vacating the excess portion of Laurel Street, between Harbor Drive and Pacific Highway in connection with the Immediate Action Program for Lindbergh Field, under the procedure for the summary vacation of streets;

Reserving a general utility easement for public utilities and franchise facilities.

CITY MANAGER SUPPORTING INFORMATION:

The proposed vacation of an excess portion of Laurel Street, adjacent to Lindbergh Field, has been requested by the Unified Port District of San Diego in conjunction with the Immediate Action Program, which provides for a series of upgrades for the

airport. The upgrades include additional street improvements for Laurel Street. The proposed vacation is located in the Centre City Community Plan Area. The area of vacation totals 13,590 square feet and would be joined with the airport property. The vacation proposal has been reviewed by the Centre City Development Corporation, which indicated no objection to the proposed vacation. The area of vacation may be considered surplus right-of-way that is no longer required for public street purposes. The vacation would allow for a symmetric right-of-way consistent with the future street improvements. The right-of-way proposed for vacation contains public utilities and franchise facilities, for which a general utility easement will be reserved.

FINDINGS: Staff review has indicated that the right-of-way to be vacated may be summarily vacated and that the four required findings for vacation can be made.

FILE LOCATION: DEED F-6577; STRT-J-2826 DEEDFY96-1

COUNCIL ACTION: (Tape location: B180-255.)

CONSENT MOTION BY MATHIS TO ADOPT. 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-S400:

SUBJECT: Hank "Dirty Harry" Callahan Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-298) ADOPTED AS RESOLUTION R-286336

Commending Hank "Dirty Harry" Callahan on the occasion of his retirement from the Stadium and in appreciation for his outstanding service;

Proclaiming Monday, September 18, 1995 to be "Hank 'Dirty Harry' Callahan Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B001-055.)

MOTION BY McCARTY TO ADOPT. Second by Stallings. 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-S401:

SUBJECT: San Diego Shines Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-96-229) ADOPTED AS RESOLUTION R-286337

Recognizing the outstanding contributions of the citizens of San Diego;

Proclaiming September 30, 1995 to be "San Diego Shines Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B056-098.)

MOTION BY KEHOE TO ADOPT. 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-S402:

SUBJECT: Two actions related to Park in the Valley Final Map.

(A 7-lot subdivision located east of Mission Center Road. Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-277) ADOPTED AS RESOLUTION R-286338

Approving the final map.

Subitem-B: (R-96-286 Cor. Copy) ADOPTED AS RESOLUTION
R-286339

Vacating the City's interest in an unneeded easement in Lot 2, Mission Valley Shopping Center, Map-4244, for drainage, proposed right-of-way for the San Diego River flood channel, and 22-foot slope easement.

CITY MANAGER SUPPORTING INFORMATION:

The City Council approved Tentative Map TM-92-0608 which reflects the Park in the Valley amendment to the Specific Plan on May 4, 1993 as Resolution No. R-281916. On August 14, 1995, the City Council, in satisfaction of Superior Court Case No. 674773, authorized the City Manager to:

1. Take title to the Park in the Valley property in Assessment District No. 4007 (FSDRIP) pursuant to a nonjudicial foreclosure.
2. Execute a sale of a portion of this property to the Metropolitan Transit Development Board (MTDB).
3. Execute a sale of the balance of the property to Sunbelt Management Company (Developer) (RR-286245).

The City now has the title to this property and a portion of this property has been conveyed to MTDB. Sunbelt Management Company requested the City to file a Final Map prior to taking the title to the remaining portion of this property. They also proposed some modifications to the original Tentative Map. The proposed changes are minor in nature and staff finds the new proposal in substantial conformance to the originally approved Tentative Map. All Tentative Map conditions are appropriately revised to reflect the new proposal and will be recorded against the property concurrent with the recordation of the Final Map.

FILE LOCATION: SUBITEM A: SUBD-PARK IN THE VALLEY; SUBITEM
B: DEED F-6579 DEED FY96-1

COUNCIL ACTION: (Tape location: B180-225.)

CONSENT MOTION BY MATHIS TO ADOPT. 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-S403:

SUBJECT: Two actions related to Brown Field Taxiway Extension "A" Phase II.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-281 COR. COPY) ADOPTED AS RESOLUTION R-286340

Authorizing the City Manager to apply for, and if awarded accept, a federal grant of \$1,270,000 for the Brown Field Taxiway Extension "A" Phase II, CIP-31-166.0;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$141,000 from the Brown and Montgomery Field Annual Allocation, CIP-31-001.0 to CIP-31-166.0, Brown Field Taxiway Extension "A" Phase II;

Authorizing the expenditure of an amount not to exceed \$1,270,000 in federal grant funds and \$141,000 in City matching funds in CIP-31-166.0, Brown Field Taxiway "A" Extension, Phase II in order to execute any federal grant agreement if awarded.

Subitem-B: (R-96-284) ADOPTED AS RESOLUTION R-286341

Amending the FY 1996 Appropriation Ordinance by increasing the Airports Division CIP budget by \$111,111 for the purpose of acquiring additional federal grant funds.

CITY MANAGER SUPPORTING INFORMATION:

The concept of using an FAA grant to extend Taxiway "A" has been endorsed by two prior Council Actions. The first was the Brown

Field Immediate Action Plan (R-279999) passed on May 26, 1992. The second endorsement was the Brown Field Master Plan Update (R-283691) which was passed on April 11, 1994. The safety and efficiency of Brown Field would be enhanced by this project. The Phase II extension of Taxiway "A" will allow aircraft to bypass an old taxiway built in the 1950's. Bypassing this taxiway provides a more direct route for takeoff on the primary runway (Runway 26R) and allows other aircraft to land simultaneously on the secondary runway (Runway 26R). Such concurrent use of facilities is recommended by the FAA and is a world recognized standard for all modern airports. This new, replacement taxiway will provide state-of-the-art signs and lighting and a smoother operating surface for all aircraft, especially the exotic biz-jets clearing U.S. Custom or visiting our maquiladoras in Otay and Tijuana. The design and construction of this project is estimated to be eleven months. Fifteen percent or more of this contract will be performed by Disadvantaged Business Enterprises (DBE) in compliance with the Airports Division's Federally approved DBE program. The award of this grant is contingent upon federal approval of the grant request and Council approval. Aud. Cert. 9600310.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-225.)

CONSENT MOTION BY MATHIS TO ADOPT. 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-S404:

SUBJECT: Settlement of the Personal Injury Claim of Fausto Chanona.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-171) ADOPTED AS RESOLUTION R-286342

A Resolution approved by the City Council in Closed Session on Tuesday, August 8, 1995 by the following vote: Mathis-

yea; Harvey-yea; Kehoe-yea; Stevens-yea; Warden-yea;
Stallings-yea; McCarty-yea; Vargas-nay; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$25,000 in the settlement of each and every claim against the City, its agents and employees, resulting from an incident occurring on November 7, 1993 (Superior Court Case No. 682446, Fausto Chanona v. Mark Trisolini, et al.);

Authorizing the City Auditor and Comptroller to issue one check in the amount of \$25,000 made payable to Fausto Chanona-Gomez and his attorney, Carlos Castaneda, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the personal injury claim of Fausto Chanona against the City of San Diego, its agents and employees, as a result of an incident which occurred on November 7, 1993.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-225.)

CONSENT MOTION BY MATHIS TO ADOPT. 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-CS-1: (R-96-274) ADOPTED AS RESOLUTION R-286343

A Resolution adopted by the City Council in Closed Session on September 18, 1995:

Authorizing the City Manager to pay the sum of \$40,000.00 in the settlement of each and every claim against the City, its agents and employees, in Superior Court Case No. 679958, Catherine Greenberg v. City of San Diego, et al., resulting from the personal injuries of Catherine Ann Greenberg. Authorizing the City Auditor and Comptroller to issue one check in the amount of \$40,000.00 made payable to Catherine Ann Greenberg and Steven Boudreau, her attorney of record,

in full settlement of all claims.

FILE LOCATION: MEET

NON-DOCKET ITEMS:

NONE

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 3:05 p.m. in honor of the memory of D. H. "Bud" Bair, as requested by Council Member Warden.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B225-241).