

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, OCTOBER 17, 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 10:07 a.m. Mayor Golding simultaneously convened the Redevelopment Agency and Council at 10:10 a.m. The regular meeting was recessed by Mayor Golding at 10:39 a.m. to reconvene at 2:00 p.m. Mayor Golding reconvened the regular meeting and the Redevelopment Agency simultaneously at 2:13 p.m. with Council Member Stevens not present. Mayor Golding adjourned the regular meeting at 3:45 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-excused by  
R-286487 (no reason given)
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

Clerk-Abdelnour/Fishkin (ew/ms)

FILE LOCATION: MINUTES

ITEM-300: 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-present

PUBLIC COMMENT:

ITEM-PC-7:

Comment by Warren Nielsen regarding Cesar Chavez Elementary School.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A007-025.)

COUNCIL COMMENT:

None.

ITEM-330:

SUBJECT: This is the second of two scheduled public hearings regarding the proposed acquisition of Parcel A and Parcel B of Carmel Valley Neighborhood 8A for an open space park and preserve (Assessment District No. 4084).

The City Council will take action following public testimony at today's meeting.

(Carmel Valley Community Area. District-1.)

(R-96-441 Cor.Copy) DISTRICT ABANDONED, ADOPTED AS  
RESOLUTION R-286449

Absent a majority protest, determine whether to initiate the assessment district proceedings required for the proposed acquisition of open space in Assessment District No. 4084, Neighborhood 8A Acquisition.

FILE LOCATION: STRT - OS-39

COUNCIL ACTION: (Tape location: A062-345.)

Hearing began at 10:15 a.m. and halted at 10:38 a.m.

Council Member Harvey entered at 10:21 a.m.

Testimony in opposition by Mike Madigan, Doug Boyd, and Kathleen McCormick.

Testimony in favor by Anne Harvey, Michael Beck, and Opal Trueblood.

MOTION BY MATHIS TO ABANDON ASSESSMENT DISTRICT NO. 4084 IN ACCORDANCE WITH THE STREETS AND HIGHWAYS CODE. Second by Vargas. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331: HEARING HELD

SUBJECT: This is the first of two scheduled public hearings regarding the Hillery Drive Traffic Signal Cost Reimbursement District. Council will take action at the subsequent hearing scheduled for October 31, 1995 at 10:00 a.m. Public testimony will also be taken at that meeting.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Accept testimony from members of the public and refer the matter to the second public hearing which has been scheduled for October 31, 1995 at 10:00 a.m.

CITY MANAGER SUPPORTING INFORMATION:

In September 1991, Council authorized execution of a reimbursement agreement with Pardee Construction Company to provide a traffic signal at the intersection of Hillery Drive and Black Mountain Road. In accordance with the terms of the reimbursement agreement, the estimated project cost of \$110,000 was to be recovered from two distinct funding sources. Fifty percent of the project cost was to be reimbursed from CIP-68-010.0 with the remaining 50 percent recovered through the formation of a cost reimbursement district affecting property owned by Kaiser Permanente. In August 1992, Council authorized the formation of the Hillery Drive Traffic Signal Cost Reimbursement District and placed liens in the amount of \$55,000 against benefitted parcels owned by Kaiser Permanente. Since the

recorded liens were based on estimated project costs, they are subject to modification to reflect actual costs upon completion of the project. The traffic signal is in place and the actual project cost of \$156,546.60 has been verified by a City audit. Based on confirmation of the project cost, the reimbursement agreement between the City and Pardee Construction Company should be amended to provide compensation for the \$46,546.60 increase. Half of the increase would be funded from CIP-61-001.0 and the other half by amending the liens on the Kaiser parcels. Since formation of the district, Kaiser has sold a three acre portion of one of their liened parcels to the County Water Authority (CWA) for right-of-way to construct a water pipeline. Based on the intent of the reimbursement district, liens will be reallocated on the Kaiser parcels without placing any lien on the CWA property. This reallocation recognizes that construction of the traffic signal would have a condition to accommodate future traffic generated by Kaiser's development. Since the CWA pipeline does not generate any traffic, no benefit is received by the CWA from the traffic signal project.

FILE LOCATION: STRT - CR-21

COUNCIL ACTION: (Tape location: A026-061.)

Hearing began at 10:10 a.m. and halted at 10:14 a.m.

MOTION BY McCARTY TO APPROVE THE HEARING FOR ITEM 331 AND ADOPT ITEMS -332, -333, AND -S500. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: One-Year Extension of the Centre City Project Area Committee. (See Centre City Development Corporation's Memorandum dated 9/28/95. Centre City Community Area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-96-343) ADOPTED AS RESOLUTION R-286450

Authorizing a one-year extension of the Centre City Project

Area Committee's term.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A026-061.)

MOTION BY McCARTY TO APPROVE THE HEARING FOR ITEM 331 AND ADOPT ITEMS -332, -333, AND -S500. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: Washington Elementary School Site Expansion and Park Development. (See Centre City Development Corporation's Memorandum dated 9/27/95. Little Italy Redevelopment District/Centre City Redevelopment Project. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-96-342) ADOPTED AS RESOLUTION R-286451

Making certain findings with respect to the payments for improvements for the Washington Elementary School Site Expansion and Park Development in the Little Italy Redevelopment District of the Centre City Redevelopment Project Area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A026-061.)

MOTION BY McCARTY TO APPROVE THE HEARING FOR ITEM 331 AND ADOPT ITEMS -332, -333, AND -S500. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S500:

SUBJECT: Two actions related to the Fairmount Avenue/Montezuma Road Interchange. (See City Manager Report CMR-95-228. District-7.) (Continued from the meeting of October 10, 1995, Item 330, at Councilmember McCarty's request, to allow the City Manager to meet with Mr. Lambron.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-311) ADOPTED AS RESOLUTION R-286452

FINDINGS MUST BE MADE AS PART OF COUNCIL ADOPTION

Determining and declaring that the public interest, convenience and necessity of the City of San Diego require the widening and improvement of the Fairmount Avenue/Montezuma Road Interchange affecting Lot 82 and portions of Lots 86, 87, 88, 89, 90, 92 and 93 of Alvarado Unit No. 2, in the City of San Diego; and that the public interest, convenience and necessity demand the acquisition of fee title to and easements in the above property; Declaring that the proposed project is planned in a manner that will be most compatible with the greatest public good and the least private injury; Declaring the intention of the City of San Diego to acquire the property and easements under eminent domain proceedings;

Directing the City Attorney to commence an action in Superior Court for the purpose of condemning the property and easements and acquiring immediate possession.

Subitem-B: (R-96-312) ADOPTED AS RESOLUTION R-286453

Authorizing the expenditure of an amount not to exceed \$15,000 from Fund 30244/30300, Organization 107, Object Account 4279, Job Order 524330 (CIP-52-433.0), for costs related to condemnation of fee title and easement interests in connection with the Fairmount Avenue/Montezuma Road Interchange Project.

Aud. Cert. 9600320.

FILE LOCATION: MEET F-6973 (Final Order of Condemnation

COUNCIL ACTION: (Tape location: A026-061.)

Hearing began at 10:10 a.m. and halted at 10:14 a.m.

MOTION BY McCARTY TO APPROVE THE HEARING FOR ITEM 331 AND ADOPT ITEMS-332, -333, AND -S500. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S501:

SUBJECT: Awarding a Contract to Soltek of San Diego for the Remodeling of the Office Building at 9601 Ridgehaven Court. (See City Manager Report CMR-95-231. Kearny Mesa Community Area. District-6.) (Continued from the meeting of October 9, 1995, Item 200, at the City Manager's request, for further review.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-236 Rev.) ADOPTED AS AMENDED AS RESOLUTION  
R-286454

Awarding a contract to Soltek of San Diego for the remodeling of the office building at 9601 Ridgehaven Court in the amount of \$2,318,100, per the base bid and selected additive and deductive alternates; Authorizing the City Manager to accept an amount up to \$230,000 in incentive payments and incremental financing from San Diego Gas & Electric Company for incorporating energy efficiency measures in the project;

Authorizing the building to be renovated as a "Green Building Demonstration Project." (BID-K95213C)

Aud. Cert. 9600341 Rev.

FILE LOCATION: CONT - Soltek of San Diego CONFY96-1

COUNCIL ACTION: (Tape location: E490-F079.)

Motion by Warden to stay within the initial consideration given to Council to keep this building project within the

four million dollar range. No second.

SUBSTITUTE MOTION BY McCARTY TO AUTHORIZE THE CITY MANAGER TO AWARD THE CONTRACT AT THE JUNE 1995 FIGURE GIVEN TO AND APPROVED BY COUNCIL; AUTHORIZE THE EXPENDITURE FROM THE REFUSE DISPOSAL ENTERPRISE FUND; AUTHORIZE THE CITY MANAGER TO ACCEPT THE INCENTIVE PAYMENTS FROM SAN DIEGO GAS AND ELECTRIC FOR INCORPORATING THE EXPENSE OF ENERGY EFFICIENCY; AND ACCEPT THE AMENDMENT BY MATHIS TO AUTHORIZE THE BUILDING TO BE RENOVATED AS A GREEN BUILDING DEMONSTRATION PROJECT. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-nay, Kehoe-yea, Stevens-not present, Warden-nay, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 3:45 p.m. in honor of the memory of:

Bruce Kammerling, as requested by Council Member Kehoe; and Bob McEvoy, as requested by Council Member Harvey.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F079-100).