

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, NOVEMBER 6, 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 2:09 p.m. At the request of Deputy Mayor Vargas, Mayor Golding asked for a moment of silence for Prime Minister Yitzhak Rabin. Council Member Warden welcomed Sam Knott. Mr. Knott presented a rare and endangered native oak tree to the City Council. Several Oak Memorial Gardens have been planted in the City in memory of his daughter, Cara Knott, who was killed at Mercy Road. An Oak Memorial Garden is planned for the open space area designated in Item 109. Mayor Golding adjourned the meeting at 4:31 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)

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-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Thomas Simpson of the Hispanic Presbyterian Church

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Kehoe.

FILE LOCATION: MINUTES

CLOSED SESSION ACTION:

City Attorney Witt announced that in Closed Session the City Council voted unanimously, with Council Members Kehoe and Stevens not present, to appeal the court's decision in Applied Waterproofing Technology v. City, San Diego Superior Court Case No. 66615.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding government crime and the penalties.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A040-060.)

ITEM-PC-2:

Comment by Janice Jordan, representing the American-Irish Committee for Human Rights, urging the Council to pass a resolution to help Kevin Barry Artt.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A063-090.)

ITEM-PC-3:

Comment by Bob Scheidt regarding politics as usual and his anti-Jewish sentiments.

Response by Council Member Stallings voicing her outrage of the bigotry expressed in public comment, particularly today when we are in mourning for Prime Minister Rabin who gave his life for peace.

Council Member Vargas said that in our democracy everyone is given an opportunity to speak up and voice their opinion. Bigotry and hatred exist and we have to listen to it and react against it, especially while we are in mourning for Prime Minister Rabin, a great man of peace who has worked to bring peace to a very troubled land.

Mayor Golding said she has no respect for anyone that is not unhappy about someone murdered, someone trying to create peace in an area of the world where countless people have been killed and murdered because of long-standing hatred.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A090-116, A190-227,
A270-278.)

ITEM-PC-4:

Comment by James Reed, representing IPS Services, Inc., regarding City W.O. #119118 and the difficulties they have had. Referred to the City Manager.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A120-154.)

ITEM-PC-5:

Comment by Mark Carroll, representing SANPAC, regarding airport operations and commending Council Member Stallings for her work.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A158-183.)

COUNCIL COMMENT:

ITEM-CC-1:

Council Member Stevens recognized Mike Tripoli who is leaving our City. Mr. Tripoli has contributed much to the City and to District 4. He has worked in many ways to organize and reform and to develop pride in the neighborhoods. Council Member Stevens commended and acknowledged Mr. Tripoli for his commitment and dedication. He will be greatly missed in San Diego.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A227-268.)

ITEM-CC-2:

Mayor Golding announced that Parker Hannefin, a major manufacturing concern, has decided to come to San Diego. They will probably start with about 50 employees here.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A514-535.)

ITEM-30:

Approval of Council Minutes for the Meetings of:

10/16/95
10/17/95
10/23/95 Adjourned
10/24/95 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A297-299.)

MOTION BY McCARTY TO APPROVE. 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: Casa De Maqana Day.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-440) ADOPTED AS RESOLUTION R-286511

Recognizing Casa de Maqana for their contributions to the San Diego Community;

Proclaiming Monday, November 6, 1995 to be "Casa de

Maqana Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A299-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-50:

SUBJECT: Lease Renewal with Organic Recycling West, Inc.

(See City Manager Report CMR-95-137. Otay Mesa
Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-72) INTRODUCED, TO BE ADOPTED NOVEMBER 20, 1995

Introduction of an Ordinance authorizing the City
Manager to execute a 10-year lease agreement, with one
five-year option to renew, with Organic Recycling West,
Inc., for a green waste recycling center at Brown Field
Airport, at a minimum initial rent of \$60,000 per year.

NOTE: 6 votes required pursuant to Section 99 of the City
Charter.

NATURAL RESOURCES, CULTURE AND THE ARTS COMMITTEE'S
RECOMMENDATION:

On 6/14/95, NRC&A voted 5-0 to approve the City Manager's
recommendation with direction to the City Manager to research
similar public and private facilities' lease prices to ensure the
City is receiving fair market value for the land and, in the
final report related to the lease agreement, provide data
supporting the recommended lease price. (Councilmembers Mathis,
Harvey, Warden, Stallings and McCarty voted yea.)

CITY MANAGER SUPPORTING INFORMATION:

Organic Recycling West, Inc. (ORW) is currently a tenant at Brown Field and has a 3-year lease expiring 2/28/97. ORW has completed the preliminary work on the leasehold and has determined that the concept of recycling can be successful. ORW would like to purchase additional equipment, continue to develop and upgrade the site and to take advantage of the green recycling opportunities in San Diego. ORW has already invested in excess of \$175,000 in equipment and \$325,000 in site preparation to activate their current leasehold. ORW works closely with the cities of San Diego, San Ysidro, Nestor, Coronado, Chula Vista, Spring Valley, Lemon Grove and various contract haulers. Currently, approximately 120 tons of green waste per day is successfully diverted from City and County landfills and brought to the site. ORW has requested a new longer term lease to enable it to amortize its improvements and investment. The new lease contains a 10-year term with a 5-year renewal option; rent increases every two and one-half years; and a 180-day Notice of Cancellation, after the first 5 years of the lease, in the event that the area is needed for airport or aviation related development. The NRC&A Committee recommended exclusive negotiations for a new 10-year agreement on June 14, 1995, Report No. 95-137, under the same basic terms and conditions as proposed in this agreement.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT MOTION BY McCARTY 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-yea, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Inviting Bids for the Improvement of Sutherland Boat Facilities.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-239) ADOPTED AS RESOLUTION R-286512

Inviting bids for the Improvement of Sutherland Boat Facilities on Work Order No. 182971;

Authorizing a contract with the lowest responsible bidder, 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 transfer of \$59,900 from Water Service Revenue Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement, to Water Service Revenue Fund 41500, CIP-73-325.0, Sutherland Reservoir Boating Facilities - Phase II;

Authorizing the expenditure of \$260,000 from Water Service Revenue Fund 41500, CIP-73-325.0, Sutherland Reservoir Boating Facilities - Phase II, for the purpose of executing this contract 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.
(BID-K96036C)

CITY MANAGER SUPPORTING INFORMATION:

The Sutherland Reservoir Boating Facility has deteriorated significantly since construction in 1961. Pavement has broken from the roadways, slopes have eroded and the existing utilities have become outdated. There has never been a modern restroom at the reservoir nor adequate parking next to the existing concession stand. Upgrades are required to keep up with the anticipated growth in the number of boat launchers. In 1982, the City entered into a grant agreement with the State Department of Boating and Waterways for the construction of boating facilities at Barrett Reservoir.

In 1994, due to problems encountered with the original project, the Council approved (RR-283709) a request to transfer the grant funds to new projects at Sutherland and El Capitan Reservoirs. The work at El Capitan Reservoir will be covered under a separate action. This project will provide a four-stall comfort station,

widened roadways, additional parking, upgraded utilities (including drainage, sewer, water, and electric) for both the comfort station and the existing concession stand.

This project will also provide slope protection, drainage ditches, asphalt berms, concrete curbs, and concrete sidewalks. Upgrades to the existing landscaping and irrigation are also included.

WU-P-96-195.

FILE LOCATION: W.O. 182971 CONT - Orion Construction CONT
FY96-1

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-101:

SUBJECT: Four actions related to the Final Subdivision Map of
Scripps Ranch North Unit No. 15.

(A 6-lot subdivision located east of Scripps Ranch
Boulevard. Miramar Ranch North Community Area.
District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-479) ADOPTED AS RESOLUTION R-286513

Authorizing a Subdivision Improvement Agreement with
Miramar Ranch North, for the installation and
completion of public improvements.

Subitem-B: (R-96-478) ADOPTED AS RESOLUTION R-286514

Approving the final map.

Subitem-C: (R-96-480) ADOPTED AS RESOLUTION R-286515

Terminating the Subdivision Improvement Agreement of January 11, 1988, Document No. RR-270105; releasing Performance Bond Nos. 945739S, 945740S, 945741S and 945742S, totalling \$5,288,370, issued by Developers Insurance Company, guaranteeing the improvements in the subdivision known as Lago Dorado Industrial Park.

Subitem-D: (R-96-481) ADOPTED AS RESOLUTION R-286516

Approving the acceptance of a grant deed of Miramar Ranch North, granting to the City all of Lots 3 through 6 of Scripps Ranch North Unit No. 15.

FILE LOCATION: Subitems A & B: SUBD-Scripps Ranch North Unit 15; Subitem C: SUBD-Lago Dorado Industrial Park; Subitem D: DEED F-6597 CONT FY96-1, DEED FY 96-1

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-102:

SUBJECT: Two actions related to the Final Subdivision Map of Scripps Ranch North Unit No. 16.

(A 32-lot subdivision located northeast of Scripps Ranch Boulevard. Miramar Ranch North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-408) ADOPTED AS RESOLUTION R-286517

Authorizing a Subdivision Improvement Agreement with Miramar Ranch North, for the installation and completion of public improvements.

Subitem-B: (R-96-407) ADOPTED AS RESOLUTION R-286518

Approving the final map.

FILE LOCATION: SUBD-Scripps Ranch North Unit No. 16 CONT
FY96-1

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Seven actions related to the Final Map of Scripps Ranch
North Unit No. 1A.

(A 4-lot subdivision located north of Scripps Poway
Park. Miramar Ranch North Community Area. District-
5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-469) ADOPTED AS RESOLUTION R-286519

Authorizing a Subdivision Improvement Agreement with
Miramar Ranch North, for the installation and
completion of public improvements.

Subitem-B: (R-96-468) ADOPTED AS RESOLUTION R-286520

Approving the final map.

Subitem-C: (R-96-470) ADOPTED AS RESOLUTION R-286521

Authorizing an agreement with Miramar Ranch North for
the construction of a community recreational building.

Subitem-D: (R-96-471) ADOPTED AS RESOLUTION R-286522

Authorizing an amended agreement with Miramar Ranch

North for park dedication and improvements for East Park.

Subitem-E: (R-96-472) ADOPTED AS RESOLUTION R-286523

Authorizing an amended agreement with Miramar Ranch North for the deletion of one pocket park.

Subitem-F: (R-96-538 Corr. 1/3/96) ADOPTED AS
RESOLUTION R-286524

Authorizing the sale by negotiation of a portion of Lot 28, Scripps Ranch North Unit No. 1 to Miramar Ranch North, which sale constitutes a forty foot strip of land containing 4.46 acres, the purchase price being the appraised fair market value of \$85,500 and which property is being sold by negotiation to the adjacent property owners because the property has no development potential as a separate parcel;

Authorizing the execution of a grant deed, conveying the above described property to Miramar Ranch North.

Subitem-G: (R-96-539) ADOPTED AS RESOLUTION R-286525

Terminating the Subdivision Improvement Agreement for Scripps Ranch North Unit No. 1, Document No. RR-277079, dated January 8, 1991;

Releasing Performance Bond No. 102574 issued by American Home Assurance Company, guaranteeing the improvements in the Scripps Ranch North Unit No. 1 Subdivision.

CITY MANAGER SUPPORTING INFORMATION:

On June 6, 1995, the City Council adopted Resolution Nos. R-285912 and R-285913 conditionally approving Tentative Map TM-94-0313 and a Planned Residential Development PRD-94-0313, respectively. Tentative Map Condition 36(i) required that an agreement be entered into to eliminate a pocket park (Lot 30, Map-12786) to the satisfaction of the Park and Recreation Director. Additional conditions placed on PRD-94-0313 required two additional agreements to be entered into. One agreement is for the grading and improvements for East Cypress Canyon Community Park. This agreement stipulates that the community park be completed and opened concurrently with the opening of the

Middle School (anticipated in September 1998). The other agreement is for the construction and completion of a recreational building within one year after acceptance of the community park improvements mentioned above. Miramar Ranch North is required as a condition of its final map to provide a brush management area between its development and City-owned Open Space. This action will require Miramar Ranch North to purchase a forty foot strip of City-owned land which contains 4.46 acres to satisfy this requirement. The City property has no development potential as a separate parcel. Fair market value of the land was established at \$85,500 by the City's staff appraiser. This sale was reviewed and recommended by the Park and Recreation Department.

FILE LOCATION: Subitems A, B, C, D, E, & G SUBD-Scripps Ranch North Unit No. 1A; Subitem F: DEED F-6607 CONT FY96-, DEED FY96-1

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Two actions related to the Final Subdivision Map of Scripps Ranch North Unit 1B.

(A 114-lot subdivision located north of Scripps Poway Parkway. Miramar Ranch North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-467) ADOPTED AS RESOLUTION R-286526

Authorizing a Subdivision Improvement Agreement with Miramar Ranch North for the installation and completion of public improvements.

Subitem-B: (R-96-466) ADOPTED AS RESOLUTION R-286527

Approving the final map.

FILE LOCATION: SUBD-Scripps Ranch North Unit 1B CONT FY96-1

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-105:

SUBJECT: Two actions related to the Final Subdivision Map of Scripps Ranch North Unit No. 1C.

(A 169-lot subdivision located north of Scripps Poway Parkway. Miramar Ranch North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-465) ADOPTED AS RESOLUTION R-286528

Authorizing a Subdivision Improvement Agreement with Miramar Ranch North, for the installation and completion of public improvements.

Subitem-B: (R-96-464) ADOPTED AS RESOLUTION R-286529

Approving the final map.

FILE LOCATION: SUBD-Scripps Ranch North Unit No. 1C CONT
FY 96-1

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-106:

SUBJECT: Donation of Lot 34 - Detention Basin Site.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-484) ADOPTED AS RESOLUTION R-286530

Approving the acceptance by the City Manager of a grant deed of Pardee Construction Company, granting to the City Lot 34 of Westview Unit No. 1, Map-12680.

CITY MANAGER SUPPORTING INFORMATION:

The property owner, Pardee Construction Company, proposes a donation of the approximately 1.37-acre lot to allow the City to develop and maintain detention basin on the site. In the event of heavy rains, the detention basin serves to gather silt and debris from runoff, while diffusing the impact of the flow to downstream properties. Acceptance of the donation will allow the City to develop and maintain the needed detention basin.

FILE LOCATION: DEED F-6598 DEED FY96-1

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-107:

SUBJECT: Pacific Bell Easement at Quivira Basin.

(Located along Quivira Way at Mission Bay Park.
Mission Bay Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-450) ADOPTED AS RESOLUTION R-286531

Authorizing the execution of a deed conveying to Pacific Bell an easement for telecommunications purposes at Quivira Basin, Mission Bay.

CITY MANAGER SUPPORTING INFORMATION:

At the City's request and in preparation for the America's Cup races, the City granted permission to Pacific Bell to install two telecommunications cabinets and underground conduit to support the nearby boat syndicates at the Hyatt Hotel. The installations are located along Quivira Way at Marina Village. At this time, Pacific Bell wishes to obtain an easement from the City for its utilities. The Coastal Commission has granted an Administrative Permit to the City and Pacific Bell. Park and Recreation approves of this easement grant.

FILE LOCATION: DEED F-6599 DEED FY96-1

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-108:

SUBJECT: Granting Easement to Southwestern Cable for Cable Service.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-451) ADOPTED AS RESOLUTION R-286532

Authorizing the execution of a deed conveying to Time

Warner AxS of California, L.P., an easement in a portion of Lot 6, Corporate Research Park, Map-12745, for cable service to customers in the Mira Mesa area.

CITY MANAGER SUPPORTING INFORMATION:

Southwestern Cable has requested an easement to provide cable service to customers in the Mira Mesa area. The easement is 5 feet wide and 51 feet long. Fair market value of the easement was established at \$1,000 by an independent fee appraiser and approved by the City's staff appraiser.

FILE LOCATION: DEED F-6600 DEED FY96-1

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-109:

SUBJECT: Two actions related to Pegasquitos Trunk Sewer/Catholic Healthcare West (Mercy Hospital).
(See City Manager Report CMR-95-248. Mira Mesa and Miramar Ranch North Community Areas. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-424) ADOPTED AS RESOLUTION R-286533

Approving the acceptance of a grant deed from Catholic Healthcare West, conveying to the City 59 acres of land described as a portion of the Southeast Quarter of the Northeast Quarter, the Northwest Quarter of the Southeast Quarter and Lot 2, in Section 20, Township 14 South, Range 2 West, San Bernardino Meridian, for open space and pump station use;

Designating 52.18 acres of the land as open space to be added to Penasquitos Canyon Preserve;

Designating 6.82 acres of the land as general City land and authorizing the Metropolitan Wastewater Department to use the land for the construction and operation of an access road and pump station for the Pegasquitos Trunk Sewer;

Approving the acceptance of a grant deed of Catholic Healthcare West, conveying to the City a permanent easement and right-of-way for a public street in a portion of Parcel 2 of Parcel Map PM-14491;

Authorizing the execution of a quitclaim deed, quitclaiming to Catholic Healthcare West, all the City's right, title and interest in a portion of Lot 3 of Section 20, Township 14 South, Range 2 West, San Bernardino Base and Meridian, being a vacated portion of Alemania Road;

Authorizing the expenditure of not to exceed \$10,000 from Sewer Revenue Fund 41506, CIP-46-120, Pegasquitos Trunk Sewer Relief, for acquisition of property rights and related costs for the Pegasquitos Trunk Sewer.

Subitem-B: (R-96-425) ADOPTED AS RESOLUTION R-286534

Authorizing a summary vacation of an excess portion of Alemania Road, north of Mercy Road, in connection with the Pegasquitos Trunk Sewer Relief Project.

Aud. Cert. 9600390.

FILE LOCATION: Subitem A: DEED F-6601; Subitem B: DEED F-6602, STRT-J-2829 DEED FY96-4

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-110:

SUBJECT: Sewer Easement Abandonment - Hazard Center.

(Located on the south side of Hazard Center Drive, west of Mission Center Road. Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-338) ADOPTED AS RESOLUTION R-286535

Authorizing the sale by negotiation of a surplus sewer easement in Lot 6 of Hazard Center, Map-11949, and in a portion of Parcel 1 of Parcel Map PM-15912, to R.E. Hazard Contracting Co., for the cost of processing;

Authorizing the execution of a quitclaim deed, quitclaiming to R.E. Hazard Contracting Co. the sewer easement;

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

FILE LOCATION: DEED F-6603 DEED FY96-1

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-111:

SUBJECT: Annual Election of College Community Project Area Committee (PAC).

(See City Manager Report CMR-95-258.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-434) ADOPTED AS RESOLUTION R-286536

Ratifying the results of the College Community Project

Area Committee election of October 3, 1995.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-112:

SUBJECT: California Arts Council Challenge Grant/Cultural
Tourism Initiative.

(See City Manager Report CMR-95-256.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-483) ADOPTED AS RESOLUTION R-286537

Authorizing the City Manager to accept the California
Arts Council (CAC) challenge grant in the amount of
\$25,000 to implement the Cultural Tourism Initiative
over a two-year period;

Authorizing the expenditure of not to exceed \$63,781
from the Arts and Culture Program's Grant Matching Fund
reserve for purposes of meeting in large part the CAC's
three to one matching fund requirement;

Directing the City Manager to use his best efforts to
set aside \$11,219 in Transient Occupancy Tax arts
funding in the FY 97 budget for purposes of meeting the
remaining matching fund requirement.

Aud. Cert. 9600469.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

ITEM-113:

SUBJECT: Two actions related to Construction Contingency Funding for the South Effluent Outfall Channel Project.

(Point Loma Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-448) ADOPTED AS RESOLUTION R-286538

Authorizing the expenditure of not to exceed \$462,500 from Sewer Fund No. 41508, CIP-46-134.0, South Effluent Outfall Channel, for the purpose of providing additional construction contingency funding and related costs.

Subitem-B: (R-96-449) ADOPTED AS RESOLUTION R-286539

Stating for the record that Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Program DEP-91-0889, including any comments received during the public review process, has been reviewed and considered by the Council, as Lead Agency, in connection with the South Effluent Outfall Channel Project.

CITY MANAGER SUPPORTING INFORMATION:

The South Effluent Outfall Channel Project once completed will provide a new primary on-shore effluent conveyance system and a renovated back-up conveyance system. The south leg of the South Effluent Outfall Channel has recently been completed and is in operation. A comprehensive repair of the north leg is under way. This will ensure a reliable and redundant on-shore effluent outfall disposal system. Extra construction contingency funding is needed for unforeseen repairs to the 108-inch and 84-inch outfall pipe wye structure in the north leg system. Only at this time during construction has the City been able to perform an

inspection in a dry pipe condition. This recent inspection of a portion of the 84-inch pipe shows considerable corrosion. Additional repair is needed to assure reliable operation of the outfall system. Because the specific changes work has not been identified at this time, it is not possible to accurately identify the participation of MBE/WBE and DBVE. City staff will ensure that any changes issued are in compliance with the City's Interim Equal Opportunity Contracting Program.

Aud. Cert. 9600462.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D055-060.)

MOTION BY WARDEN 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-yea, Mayor Golding-yea.

* ITEM-114:

SUBJECT: Agreement with Barrett Consulting Group to Provide Engineering Services Related to a Brine Management System.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-463) ADOPTED AS RESOLUTION R-286540

Authorizing an agreement with Barrett Consulting Group (San Diego, CA), for engineering services in connection with the construction of a brine management system;

Amending the Fiscal Year 1996 CIP Budget by adding CIP-46-190.0, Brine Management System;

Amending the Fiscal Year 1996 Appropriation Ordinance to increase the total appropriations in the Sewer Revenue Fund 41506, by \$300,000 from funds currently held in trust for increasing capacity to the sewer

system, and to appropriate those funds in CIP-46-190.0, Brine Management System;

Authorizing the expenditure of not to exceed \$300,000 from Sewer Revenue Fund 41506, CIP-46-190.0, Brine Management System, as follows: an amount not to exceed \$266,419 for the above agreement, and an amount not to exceed \$33,581 for ancillary project related work.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego owns 5 MGD of wastewater treatment capacity at Escondido's Hale Avenue Facility (HARRF). Most of the wastewater generated in Rancho Bernardo goes to HARRF, via Pump Station No. 77, to be treated. Various projects are currently being planned to upgrade and modernize the HARRF facility. In order to generate additional wastewater treatment capacity, produce reclaimed water, and have a failsafe treated effluent disposal system, a brine management system must be constructed. The brine management system would collect industrial brines from Rancho Bernardo and the San Pasqual Reclamation Facility, separate them from the residential flows, and deliver them to HARRF to be treated separately. This, along with the discharge permit modifications and the sale of reclaimed water, will increase the wastewater treatment and disposal capacity in the area. The consultant is to provide engineering, environmental, planning and public outreach services in support of developing a viable project alternative.

Aud. Cert. 9600448.

FILE LOCATION: MEET CCONT FY96-1

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-115:

SUBJECT: First Amendment to the Agreement with Pardee Construction Company for Construction of Gold Coast Drive.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-387) ADOPTED AS RESOLUTION R-286541

Authorizing a first amendment to the Reimbursement Agreement with Pardee Construction Company, for the construction of a portion of Gold Coast Drive in connection with Phase I of Mira Mesa Community Park No. 3, to increase the previous estimated reimbursement amount from \$150,000 to \$230,000;

Authorizing the expenditure of not to exceed \$80,000 from CIP-58-004.0, Annual Allocation - Miscellaneous Requirements - City Streets, Fund 30303.

CITY MANAGER SUPPORTING INFORMATION:

On October 22, 1987, the Planning Commission approved the Westview Vesting Tentative Map VTM-86-0969. On November 14, 1988, the City Council entered into a development agreement with Pardee Construction Company for the property included in the Tentative Map. Under the terms of the development agreement, Pardee agreed to design and construct a portion of Gold Coast Drive and to accept Facilities Benefit Assessment Credits and/or cash compensation for their design and construction costs. On September 9, 1991, Pardee and the City entered into a Reimbursement Agreement for construction of Gold Coast Drive, which provided for the design and construction of a portion of Gold Coast Drive, together with utilities and other appurtenances, in connection with Phase I of Mira Mesa Community Park No. 3. The agreement required the City to reimburse Pardee for the total cost of the project together with accrued interest. Construction of the project is complete and has been accepted by the City. The City and Pardee now desire to amend the agreement to increase the estimated amount from \$150,000 to \$230,000. The original cost estimate was prepared based on preliminary plans that did not include full improvements in front of the City owned park. Later the scope of work was expanded to include grading operations as well as slope embankments for the road construction. City staff recommends this amendment.

Aud. Cert. 9600405.

FILE LOCATION: MEET CONT FY96-1

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT 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-yea, Mayor Golding-yea.

* ITEM-116:

SUBJECT: Street Name Change - Paseo Valdear to Sundevil Way.

(Rancho Pegasus Community Area. District-1.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-96-486) ADOPTED AS RESOLUTION R-286542

Waiving the requirements regarding petitions,
circulation and sign-off by the affected property
owners contained in Council Policy 600-12 in
conjunction with their request to rename Paseo Valdear
to Sundevil way, at the request of the Associated
Student Body of Mount Carmel High School;

Changing the name of Paseo Valdear between Via Tres
Vista to its terminus northeast of Bassmore Drive to
Sundevil Way;

Declaring that the signage shall indicate both the old
street name and new street name for a period of one
year following the adoption of this resolution, for the
convenience of the general public;

Authorizing the installation and removal of the
necessary signs and markings.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 4/19/95, LU&H voted 5-0 to approve Councilmember Mathis's
recommendation to change Paseo Valdear to Sundevil Way.

(Councilmembers Mathis, Harvey, Stevens, Warden and McCarty voted yea.)

SUPPORTING INFORMATION:

The Associated Student Body of Mt. Carmel High School has contacted Councilmember Harry Mathis, First District, to request City assistance in changing the name of Paseo Valdear to Sundevil Way. The proposed name change was approved unanimously by the Committee on Land Use and Housing on April 19, 1995. Support of the proposed street name change has been received from the Rancho Pegasus Planning Board, Community Council and the adjacent property owners, the Poway Unified School District and the American General Land Development. There are no residences or businesses that front on this street, therefore, there will be no requirement for address changes. The Mt. Carmel High School Associated Student Body will provide the funding for the sign replacement cost of \$992. The required engineering drawing has been prepared and will be submitted to the Engineering Department for plan checking when the funds covering sign replacement have been received by the City. The action requested of the City Council would change the street name and waive the processing fee of \$350 and Council Policy 600-12.

FILE LOCATION: DEED F-6604 DEED FY96-1

COUNCIL ACTION: (Tape location: A358-558, A580-633.)

CONSENT 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-yea, Mayor Golding-yea.

ITEM-150:

SUBJECT: 1995 Urban Water Management Plan and Conservation
Program.

(See City Manager Report CMR-95-243.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-432) ADOPTED AS RESOLUTION R-286543

Approving the 1995 City of San Diego Urban Water Management Plan and Conservation Program;

Authorizing the City Manager to submit the approved 1995 Urban Water Management Plan and Conservation Program to the California Department of Water Resources by December 31, 1995.

NATURAL RESOURCES, CULTURE AND THE ARTS COMMITTEE'S RECOMMENDATION:

On 10/18/95, NRC&A voted 4-0 to approve the City Manager's recommendation. (Councilmembers Mathis, Warden, Stallings, and McCarty voted yea. Councilmember Harvey not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT MOTION BY McCARTY TO ADOPT WITH THE FOLLOWING ADDITIONS: TO INCLUDE THE SWAP PLAN IN THE PROGRAM AND TO INCLUDE A REFERENCE TO THE SWAP PLAN IN THE SECTION ON "NEW SUPPLY OPPORTUNITIES" AND IN THE SECTION ON "DRAUGHT RESPONSE AND EMERGENCIES" AS REQUESTED BY MAYOR GOLDING. Second by Mathis. 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: CONTINUED, DATE TO BE DETERMINED

SUBJECT: Two actions related to Carmel Valley Facilities Benefit Assessment.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-388)

Approving the document entitled "Carmel Valley Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 1996, October 1995."

Subitem-B: (R-96-390)

Resolution of Intention to designate an area of benefit in Carmel Valley and setting the time and place for holding a public hearing.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A358-558.)

CONSENT MOTION BY McCARTY TO CONTINUE THIS ITEM AS REQUESTED BY CITY MANAGER McGRORY. Second by Mathis. 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-330:

SUBJECT: This is the first of two scheduled public hearings regarding the annual assessments for the Federal Boulevard Landscape Maintenance District. Council will take action at the subsequent hearing scheduled for December 5, 1995 at 10:00 a.m. Public testimony will also be taken at that meeting.

(Webster Community Area. District-4.)

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 December 5, 1995 at 10:00 a.m.

CITY MANAGER SUPPORTING INFORMATION:

The proposed Landscape Maintenance District consists of landscaped medians in Federal Boulevard from Euclid Avenue to 47th Street. If the district is formed, construction of the landscaping improvements will be financed by the City as part of a street improvement project for Federal Boulevard (CIP-52-520.8). Property owners within the proposed district would pay for the annual maintenance of the landscaping on the basis of benefit. The Webster Community Council circulated a petition among the 560 property owners and also sent a letter on May 4,

1995 to all property owners asking whether or not they favored the proposed Landscape Maintenance District. In response to the Webster Community Council's efforts, property owners representing 38 percent of the assessable property have indicated their support for the district. Property owners representing 4 percent of the assessable property have indicated their opposition. The remaining property owners have not responded to the Community Council's requests for input. The Federal Boulevard Street Improvement Project will begin upon the approval of the maintenance district. After construction in the Spring of 1996, the landscaping improvements will be maintained by the contractor for approximately 90 days. No assessments will be levied for FY '96. The FY 1997 annual maintenance cost for the proposed landscaping improvements is estimated at approximately \$18,700. The estimated annual assessment is approximately \$19 per single family dwelling unit. The estimated annual assessment for multi-family units and condominiums is approximately \$13.30 per dwelling unit.

FILE LOCATION: STRT-M-375

COUNCIL ACTION: (Tape location: B046-104.)

Hearing began at 2:59 p.m. and halted at 3:04 p.m.

MOTION BY STEVENS TO REFER THE MATTER TO THE SECOND PUBLIC HEARING WITH THE FOLLOWING ADDITIONS: (1) CHANGE THE NAME OF THE LANDSCAPE MAINTENANCE DISTRICT TO WEBSTER LANDSCAPE DISTRICT. IF THERE IS A REQUIREMENT TO HAVE THE WORD FEDERAL INCLUDED, PUT WEBSTER IN FRONT OF IT; (2) COORDINATE WITH SDG&E SO THE UNDERGROUND CABLES ARE PUT IN CONSISTENT WITH THE BEAUTIFICATION PROJECT, WITHOUT DELAYING THE PROJECT, AND (3) STAFF TO WORK WITH DARRYL WILLIAMS OF THE WEBSTER COMMUNITY COUNCIL WITH RESPECT TO RESPONSIBILITY FOR THE MAINTENANCE.

Second by Vargas. 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-331:

SUBJECT: Five actions related to Vacation of Streets Within Four San Diego City Schools - New School Sites.

(Mid-City Community Area, Grant Hill Neighborhood and Southcrest Neighborhood of the Southeast San Diego Community Area. Districts-3 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-366) ADOPTED AS RESOLUTION R-286544

Vacating segments of Highland Avenue, 45th Street and an alley in Block 8 of Map-1001 and alleys in Blocks 9 and 9 1/2 of Map-1027, within the boundaries of the Rosa Parks Elementary School Site.

Subitem-B: (R-96-367) ADOPTED AS RESOLUTION R-286545

Vacating segments of 29th Street and "J" Street within the boundaries of the Kimbrough Elementary School Site.

Subitem-C: (R-96-368) ADOPTED AS RESOLUTION R-286546

Vacating segments of 44th Street, Highland Avenue and alleys in Blocks 9, 10, and 11 of Map-1028 within the boundaries of the Monroe Clark Middle School Site.

Subitem-D: (R-96-369) ADOPTED AS RESOLUTION R-286547

Vacating segments of 39th Street, Alpha Street and an alley in Block 2 of Map-1168 for the Cesar Chavez Elementary School Site.

Subitem-E: (R-96-383) ADOPTED AS RESOLUTION R-286548

Stating for the record that the information contained in SCH-92-051037 for Rosa Parks Elementary School Site, SCH-92-051038 for Kimbrough Elementary School Site, SCH-92-051040 for Monroe Clark Middle School Site, and SCH-93-101067 for Cesar Chavez Elementary School Site, prepared by the San Diego City School District, including any comments received during the public review process, has been reviewed and considered by the City Council as Responsible Agency under CEQA.

CITY MANAGER SUPPORTING INFORMATION:

The vacation of various street segments at four new school sites

has been requested by the San Diego City Schools. The street segments proposed for vacation are fully improved with curbs, gutters, sidewalks and contain existing public utilities and franchise facilities which require easement reservations. On January 2, 1995, the City Heights Area Planning Committee voted unanimously to support the street vacations at the Rosa Parks Elementary School site and voted 6-2-1 to support the street vacations at Monroe Clark Middle School site. On January 23, 1995 the Southeast San Diego Development Committee voted 9-0-2 to support the street vacations for both the Kimbrough Elementary and Cesar Chavez Elementary School sites. The Planning Department has no objection to the proposed vacation.

FINDINGS:

Staff review has indicated that the right-of-ways to be vacated can be vacated and that the four findings for vacation can be made.

FILE LOCATION: DEED F-6605, STRT-J-2827 DEED FY96-1

COUNCIL ACTION: (Tape location: A358-558.)

Hearing began at 2:40 p.m. and halted at 2:52 p.m.

CONSENT 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-yea, Mayor Golding-yea.

ITEM-332: CONTINUED TO NOVEMBER 20, 1995

SUBJECT: Consider a mapping error and amendments to the City of San Diego's Progress Guide and General Plan to change the phased development designation of four areas in the City of San Diego. (District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-442)

Adoption of a Resolution amending the Progress Guide and General Plan.

SUPPORTING INFORMATION:

Amending the Progress Guide and General Plan to change the designation of the Naval Training Center, Harbor Island, Lindbergh Field, Centre City Tidelands, Fort Rosecrans Military Reservation and the Marine Corps Recruit Depot from Future Urbanizing area to Urbanized area.

This project involves clarification of a mapping error that identifies the lands identified above as "Future Urbanizing" on the Phased Development Map contained in the City of San Diego's Progress Guide and General Plan.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B105-D048.)

Hearing began at 3:04 p.m. and halted at 4:24 p.m.

Testimony in opposition by Jay Powell, Sylvia Hampton, Craig Adams, Norma Sullivan, Opal Trueblood, Mark Mandel, and Fred Buenavista.

Testimony in favor by Scott Bernet and Karen McElliott.

MOTION BY KEHOE TO CONTINUE THIS ITEM FOR TWO WEEKS UNTIL THE NEXT COUNCIL MEETING AS REQUESTED BY MAYOR GOLDING.

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.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:31 p.m. in honor of the memory of:

David Heikkila, Jim Thompson, Ray W. Richardson and Robert Nalli as requested by Council Member Kehoe;

Jason Taylor and Alma de Paul Burton as requested by Council Member Stallings; and

Prime Minister Yitzhak Rabin as requested by Mayor Golding.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D060-120).