

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, FEBRUARY 20, 1996
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 10:04 a.m. City Manager Jack McGrory announced the winners of the 1995 Earl Hayden Awards. The Earl Hayden Awards are Citywide awards honoring individuals who have distinguished themselves as outstanding Project Managers of Capital Improvement Projects. Mario Sierra received the Project Manager of the Year Award; Ann Sasaki received the Honorable Mention Award, and Vic Bienes received the Citation Award. The second group of awards honors exceptional Capital Improvement Projects. Mr. McGrory presented the Best Park Project Award to Cynthia Meinhardt, for the Tecolote Shores Play Area; the Best Utility Project Award was presented to Hans Torabi, for the Dulzura Conduit Renovation; and Mario Sierra was presented the Best Building Project Award, for the Mission Trails Regional Park Visitor and Interpretative Center.

Mayor Golding recessed the meeting at 10:50 a.m. to meet as the Redevelopment Agency and thereafter as the Housing Authority. The meeting was reconvened by Mayor Golding at 10:52 a.m. with all Council Members present. Mayor Golding recessed the meeting at 12:04 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Golding at 2:12 p.m. with all members of the Council present. Council Members Mathis and Warden announced that the City has received a check for \$1,000,000.00 from the County of San Diego for the completion of State Route 56. City Manager McGrory announced that the Convention Center Model would be on display in the lobby of the City Administration Building for about two weeks. Mayor Golding recessed the meeting at 5:45 p.m. to reconvene the Housing Authority. The meeting was reconvened at 5:46 p.m. with Council Members Mathis and Kehoe not present. Mayor Golding adjourned the meeting at at 5:55 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
 - (1) Council Member Mathis-present
 - (2) Council Member Wear-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/mp)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

- Clerk Abdelnour called the roll:
- (M) Mayor Golding-present
 - (1) Council Member Mathis-present
 - (2) Council Member Wear-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 Reverend Thomas R. Ritchie of the

Linda Vista Church of the Nazarene.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mathis.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding the subject "We've Been Robbed!"

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A036-062.)

ITEM-PC-2: REFERRED TO CITY MANAGER

Comments by Brenda Baker, Ann Marie Haney, Gary Stemple, Maxine Mahon, Bruce Glasser, Faye Wilson, and Ian Campbell regarding the privatization of the Civic Theatre and the affect it would have on the La Jolla Chamber Music Society, the California Ballet, the Community Council for Music in the Schools, and the San Diego Opera.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A064-278.)

COUNCIL COMMENT:

ITEM-CC-1: REFERRED TO CITY MANAGER

Comment by Council Member Wear requesting that the City Manager find an alternative site for dumping rather than the Point Loma Park dumping site currently used by City crews.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B097-104.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

01/29/96

01/30/96

02/05/96

02/06/96

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A283-286.)

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

ITEM-31:

SUBJECT: Celebration of Chinese New Year/Honoring Chinese Consolidated Benevolent Association.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-919) ADOPTED AS RESOLUTION R-286935

Joining with the Asian Community in welcoming the Year of the Rat and recognizing the historical and traditional significance of celebrating the Lunar New Year.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A397-471; A366-395;
A472-B064.)

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

ITEM-32: DENIED HEARING

SUBJECT: Request by David Summers, George Vano, and Thomas Brown
for a hearing of an appeal from the decision of the
Planning Commission in approving the request to
demolish an existing two-story structure and build a
new residence located at 8391 Whale Watch Way. (Scott
Residence.)

(CDP/LJS No. 94-0286. La Jolla Community Plan Area.
District-1.)

TODAY'S ACTION IS:

A motion either granting or denying the request for a
hearing of the appeal.

NOTE: Pursuant to the requirements of the San Diego Municipal
Code, no oral presentations shall be made to the Council by
either the proponents or opponents of the project. If the
request to allow an appeal is granted, time has been reserved for
the project to be heard on March 19, 1996 at 10:00 a.m.

SUPPORTING INFORMATION:

The appeal is being requested for a Coastal Development/La
Jolla Shores Development Permit No. 94-0286 located at 8391
Whale Watch Way in the La Jolla Community Planning Area to
demolish an existing single-family residence and construct a
new 12,010 square foot single-family residence.

FILE LOCATION: PERM - CDP/LJS NO. 94-0286

COUNCIL ACTION: (Tape location: B105-147.)

MOTION BY MATHIS TO DENY THE REQUEST FOR A HEARING. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-50:

SUBJECT: Recommendations for Park Alcohol Bans City-Wide.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as amended on 2/5/96. (Council voted 9-0):

(O-96-103 Rev.) ADOPTED AS ORDINANCE O-18265 (New Series)

Amending Chapter V, Article 6, of the San Diego Municipal Code by amending Section 56.54 relating to Alcoholic Beverage Consumption Prohibited in Certain Areas.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A366-395; A472-B064; I260-290.)

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

* ITEM-51:

SUBJECT: Establishing the Diamond Area Business Improvement District (BID).

(District-4.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 2/6/96. (Council voted 9-0):

(O-96-107) ADOPTED AS ORDINANCE O-18262 (New Series)

Establishing the Diamond Business Improvement District pursuant to the Parking and Business Improvement Law of 1989 and levying an assessment and charge for upgrading and promoting the area.

FILE LOCATION: STRT L-15

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

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

* ITEM-52:

SUBJECT: Establishing the College Area Business Improvement District.

(College Community Area. District-7.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as amended on 2/6/96. (Council voted 9-0):

(O-96-108 Rev.) ADOPTED AS AMENDED AS ORDINANCE O-18263 (New Series)

Establishing the College Area Business Improvement District pursuant to the Parking and Business Improvement Law of 1989 and levying an assessment and charge for upgrading and promoting the area.

FILE LOCATION: STRT L-14

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE AS AMENDED TO ADD THE FOLLOWING LANGUAGE: "THAT REAL ESTATE BROKERS BE EXEMPT FOR THE REMAINDER OF THIS FISCAL YEAR." Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-53:

SUBJECT: Proposed New Lease with Kathryn Crake Huntington, Sports Arena Area.

(Midway Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 2/5/96. (Council voted 9-0):

(O-96-99) ADOPTED AS ORDINANCE O-18264 (New Series)

Authorizing the City Manager to execute a 10-year lease agreement with Kathryn Crake Huntington, for approximately five acres of property located at 3340 Sports Arena Boulevard, at an initial minimum annual rent of \$70,000.

NOTE: 6 votes required. Pursuant to Section 99 of the City Charter, a notice regarding the adoption of this ordinance was published in the Daily Transcript on 1/30/96.

FILE LOCATION: LEAS - Kathryn Crake Huntington
LEASFY96-1

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea,

Mayor Golding-yea.

* ITEM-54: RETURNED TO CITY MANAGER

SUBJECT: Exclusive Sale or Lease of the East Half of City-Owned Site 409.

(Located on the northwest corner of Ocean View Boulevard and 49th Street. Lincoln Park Community Area. District-4.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 2/5/96. (Council voted 9-0):

(O-96-104)

Authorizing a 15-year lease agreement with Housing Our People Economically Community Development Corporation (H.O.P.E.) for the east half of City-owned Site 409, at an annual rent of \$600, including an option to purchase with rent paid credited against the fair market value purchase price;

Rejecting H.O.P.E.'s offer to purchase of \$500.

NOTE: 6 votes required. Pursuant to Section 99 of the City Charter, a notice regarding the adoption of this ordinance was published in the Daily Transcript on 1/29/96.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

CONSENT MOTION BY STALLINGS TO RETURN THIS ITEM TO THE CITY MANAGER BECAUSE THE PROPERTY IN THE FOURTH DISTRICT AT 49TH AND OCEANVIEW BOULEVARD IS UNUSABLE FOR BUILDING. THE CITY MANAGER IS REQUESTED TO MEET WITH CDC TO SEE IF THEY WOULD LIKE TO ACQUIRE THE PROPERTY FOR A TOT LOT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-55:

SUBJECT: Joint Powers Agreements for the Operations and Maintenance of Tijuana River Valley and Mission Trails Regional Parks.

(Mission Trails and Tijuana River Valley Community Areas. Districts-7 & 8.)

TODAY'S ACTION IS:

Introduction of the following ordinance:

(O-96-60) INTRODUCED, TO BE ADOPTED MARCH 4, 1996 APPROVING THE AGREEMENT AS AMENDED

Introduction of an Ordinance authorizing Joint Powers Agreements with the County of San Diego regarding the operation and maintenance of Tijuana River Valley Park and Mission Trails Regional Park.

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

RULES COMMITTEE'S RECOMMENDATION:

On 11/20/95, RULES voted 5-0 to authorize the City Manager or his representative to execute Joint Powers Agreements between the City and the County of San Diego related to the operations and maintenance of Tijuana River Valley and Mission Trails Regional Parks. (Councilmembers Kehoe, Warden, Stallings, Vargas and Mayor Golding voted yea.)

CITY MANAGER SUPPORTING INFORMATION:

The City Council adopted City Manager's Report CMR-94-74 on March 22, 1994. In that report, the Manager provided the status of consolidating certain City and County services. As it related to park and recreation functions, the report stated that City and County staff studied the feasibility of consolidation of like services in both departments. An analysis was conducted of operating efficiency, capacity, possible economies of scale, administrative and legal requirements, levels of management, supervision and staff, and relative operating efficiency. Staff determined that there could be increased integration and coordination in a number of areas. These include park reservation services, equipment back up, joint staff meetings,

small capital improvement projects, joint facilities marketing, staff training and the volunteer program. In addition, it was concluded that there should be coordinated operation of Mission Trails and Tijuana River Valley regional parks through a Joint Powers Agreement. The Agreement would provide that the City should maintain and operate Mission Trails Regional Park and that the County should maintain and operate Tijuana River Regional Park. It was later agreed that separate agreements would be more practical. There was discussion between the two agencies about potential land use conflicts; the Tijuana River Valley Park area encompasses some Water Utilities land which had to be excluded from the agreement, as well as the leasehold revenue related to that acreage. Also, some property was acquired with Coastal Conservancy funds, which requires any revenue generated on those lands must go to the Conservancy. The agreement for Mission Trails requires that all revenues obtained on Mission Trails Regional Park, including antenna and use fees are to be used solely for development, operation and maintenance of Mission Trails. A similar clause is included in the Tijuana River Valley Park agreement exclusive of the Water Utilities leasehold revenues which cannot be used for the park. Once signed by the City Manager, the agreements will go to the County Board of Supervisors for approval. The agreements would be in effect for 25 years and could be extended for 25 years with joint approval. Execution of the agreements will not impact the service levels provided at either park.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

CONSENT MOTION BY STALLINGS TO INTRODUCE THE ORDINANCE AND AMEND THE AGREEMENT TO ADD THE FOLLOWING LANGUAGE TO LINE 3 OF SECTION 8 THAT PERTAINS TO REVENUES: "...SHALL BE COLLECTED AND USED CONSISTENT WITH THE MANNER WHICH THE CITY EXPENDS ITS ANTENNA REVENUES AS REFLECTED IN COUNCIL RESOLUTION R-261333 ADOPTED AUGUST 6, 1984." Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Two actions related to the Final Subdivision Map of SR252 - Phase I.

(A 33-lot subdivision located east of 40th Street.
Southcrest Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-897) ADOPTED AS RESOLUTION R-286936

Authorizing a Subdivision Improvement Agreement with
Southeastern Economic Development Corp. for the
installation and completion of public improvements.

Subitem-B: (R-96-890) ADOPTED AS RESOLUTION R-286937

Approving the final map.

FILE LOCATION: SUBD - SR252 - Phase I CONTFY96-1

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

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

* ITEM-101:

SUBJECT: Amended Map of Lot 1 of N.C.W. Neighborhood 7, Unit 16A
Final Map.

(A 2-lot subdivision located north of Del Mar Heights
Road. Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-892) ADOPTED AS RESOLUTION R-286938

Approving the amended map.

FILE LOCATION: SUBD - Lot 1 of N.C.W. Neighborhood 7, Unit
16A

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

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

* ITEM-102: CONTINUED TO MARCH 4, 1996

SUBJECT: Two actions related to Fund Transfer Agreement for
Proposition 116 Funds.

(Pacific Beach and Mission Bay Park Community Areas.
Districts-2 & 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-881)

Authorizing a Fund Transfer Agreement with the State of
California, for \$137,000 from Proposition 116 Funds;

Authorizing the Auditor and Comptroller to deposit
funds received in Proposition 116 Fund 38539, Account
No. 76410, to CIP-58-094.0, Grand Avenue/Mission Bay
Drive Bike Lane Project.

Subitem-B: (R-96-882)

Certifying that the information contained in Negative
Declaration DEP-95-0168, has been completed in
compliance with the California Environmental Quality
Act of 1970 and State guidelines, and that the
Declaration reflects the independent judgment of the
City of San Diego as Lead Agency, and that the
information contained in the report, together with any
comments received during the public review process, has
been reviewed and considered by Council in connection
with the Fund Transfer Agreement for Proposition 116
Funds.

CITY MANAGER SUPPORTING INFORMATION:

This Agreement will transfer Proposition 116 funds from the State to the City for the construction of the Grand Avenue/Mission Bay Drive Bike Lane Project. This project will create a bicycle lane on Grand Avenue and Mission Bay Drive by narrowing the median. A ramp connection from the north side of Grand Avenue to the Rose Creek Bicycle Path will also be constructed as part of this project. This project is funded 72 percent (\$137,000) by Proposition 116 funds and 28 percent (\$53,000) by Local Transportation Funds, which has already been allocated.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

CONSENT MOTION BY STALLINGS TO CONTINUE THIS ITEM UNTIL MARCH 4, 1996 IN ORDER TO RESOLVE A FEW ISSUES IN THE COMMUNITY. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103: CONTINUED TO MARCH 25, 1996

SUBJECT: Two actions related to Fund Transfer Agreement for Proposition 116 Funds.

(Ocean Beach and Midway Community Areas. Districts-2 & 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-866)

Authorizing a Fund Transfer Agreement with the State of California, for \$350,000 from Proposition 116 Funds;

Authorizing the Auditor and Comptroller to deposit the funds received in Proposition 116 Fund 38540, Account No. 76410 to CIP-58-098.0, Ocean Beach Bikeway Extension.

Subitem-B: (R-96-867)

Certifying that the information contained in Mitigated Negative Declaration DEP-95-0103, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency, and that the Information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council in connection with the approval of Fund Transfer Agreement for Proposition 116 Funds.

CITY MANAGER SUPPORTING INFORMATION:

This Agreement will transfer Proposition 116 funds from the State to the City for the construction of the Ocean Beach Bikeway Extension. This project will construct a bicycle facility along the San Diego River Floodway Channel from Sunset Cliffs Boulevard to Pacific Highway. This project is funded 93 percent (\$350,000) by Proposition 116 funds and 7 percent (\$25,000) by Local Transportation Funds, which has already been allocated.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

CONSENT MOTION BY STALLINGS TO CONTINUE THIS ITEM FOR THIRTY DAYS, AT THE REQUEST OF COUNCIL MEMBER WEAR, AND TO DIRECT THE CITY MANAGER TO GET INPUT FROM THE LOCAL COMMUNITY PLANNING GROUPS AND TOWN COUNCILS REGARDING THIS ISSUE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Two actions related to Mid-City Police Substation and Community Facility.

(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-895) ADOPTED AS RESOLUTION R-286939

Authorizing the expenditure of not to exceed \$80,000 from the Mid-City Park Development Fund No. 39094 to provide funds for gymnasium fixtures and equipment for the Mid-City Police Substation and Community Facility, to be provided by CityLink Investment Corporation after the City Manager has amended their agreement of November 10, 1994 with the City;

Authorizing the increase in Fund 39094, CIP-36-057.0, for the purchase of furnishings and equipment for the Mid-City Police Substation.

Subitem-B: (R-96-896) ADOPTED AS RESOLUTION R-286940

Stating for the record that the information contained in Negative Declaration DEP-94-0571 BG, 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 of San Diego as Lead Agency; that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council in connection with the approval of the Mid-City Police Substation and Community Facility.

CITY MANAGER SUPPORTING INFORMATION:

An agreement between the City of San Diego Redevelopment Agency and CityLink Investment Corporation (CIC) was approved on November 10, 1994. The agreement provided the services of CIC as developer and construction contract manager for the Mid-City Police Substation and Community Facility. The building will be constructed by CIC and acquired by the City after construction has been completed. The furnishings, fixtures and equipment required to complete the gymnasium part of the facility are not included in the work required of CIC under the terms of the agreement. Having a complete gymnasium facility when the building is accepted will allow immediate use by the public. The City Manager will amend that agreement and have CIC provide the required equipment after funds have been authorized for that purpose.

Aud. Cert. 9600751.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

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

ITEM-105:
SUBJECT: Temporary Partially Paid Military Leave.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-850 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-286954

Providing for additional temporary partially paid
military leave of absence and continued benefits for
City employees called to active duty with the armed
forces in connection with the Bosnia peacekeeping
mission.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A366-395; A472-B064;
I292-356.)

MOTION BY WARDEN TO ADOPT THE RESOLUTION AS AMENDED TO
EXPRESSLY INCLUDE ALL CITY EMPLOYEES WHO ARE AFFECTED BY THE
PRESIDENTIAL RESERVE CALL-UPS FOR ACTIVE DUTY, AND TO DIRECT
THE CITY MANAGER TO ADD THIS ISSUE TO THE MEET AND CONFER
PROCESS WITH CITY EMPLOYEE GROUPS TO STUDY AND DISCUSS THE
POTENTIAL IMPACTS, BENEFITS, AND COSTS OF IMPLEMENTING AN
EXPANDED POLICY AFTER JULY 1, 1997. Second by Vargas.
Passed by the following vote: Mathis-not present, Wear-yea,
Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106:
SUBJECT: Amendment No. 2 to the Agreement with BSI Consultants,
Inc. to Perform Engineering Services for Sewer Pump

Station No. 20.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-889) ADOPTED AS RESOLUTION R-286941

Authorizing Amendment No. 2 to the Agreement with BSI Consultants, Inc. for additional engineering consulting services in connection with Pump Station 20;

Authorizing the expenditure of not to exceed \$18,141 from Sewer Revenue Fund 41506, CIP-46-106.0, Annual Allocation for Sewer Pump Station Restoration.

CITY MANAGER SUPPORTING INFORMATION:

On February 11, 1991, the City entered into an agreement with BSI Consultants, Inc. to provide engineering services for the modification of the existing pump station, Document No. RR-277343. On November 25, 1991, the original agreement was amended, by Document No. RR-279016, to provide additional engineering design services for the construction of a new pump station. Contract Amendment No. 2 encompasses additional work not anticipated in the previous authorizations. The additional tasks were required during the construction phase. During construction, it was determined that an additional \$18,141 was needed to perform additional geotechnical investigation, and to monitor the effect of the pump station excavation on the adjacent private properties. This is the final amendment on the project. Construction has now been completed.

Aud. Cert. 9600788.

WWF-96-202.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

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

* ITEM-107:

SUBJECT: Agreement with Center for Social Services for Design and Renovation of its Center at 3916 Normal Street.

(Uptown Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-879) ADOPTED AS RESOLUTION R-286942

Authorizing an agreement with Center for Social Services for design and renovation of its center at 3916 Normal Street;

Authorizing the expenditure of an amount not to exceed \$35,000 from CDBG Fund 18531, Dept. 4082, J.O. 112590.

CITY MANAGER SUPPORTING INFORMATION:

The Center for Social Services (the Center) located at 3916 Normal Street, San Diego, is a non-profit agency providing support and maintenance to the Lesbian and Gay Community in San Diego. The Center provides support to the Lesbian and Gay community by providing counseling programs for HIV infected persons, chemical dependency, and Learning Immune Function Enhancement (L.I.F.E.), a treatment and research program done in collaboration with Pasteur Institute in Paris. The Center also provides other services such as mental health programs, military support, youth services, training for law enforcement officers and a crisis information line. The Center is proposing to renovate its facility to comply with Americans with Disabilities Act (ADA), repair the leaking roof, and improve safety and energy efficiency. On May 1, 1995, Council adopted Resolution R-285685 granting \$35,000 of Fiscal Year 1996 CDBG Funds for this project. This action will allow the \$35,000 to be used for this project. Aud. Cert. 9600799.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-

yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-108:

SUBJECT: George G. Glenner Alzheimer's Family Center - Office
Renovation.

(Hillcrest Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-905 Cor.Copy) ADOPTED AS RESOLUTION R-286943

Authorizing the transfer of not to exceed \$4,500 from
CDBG Fund 18531, Dept. 4081, Org. 8109, and not to
exceed \$4,500 from CDBG Fund 18531, Dept. 4093, Org.
9301, for a total of \$9,000, to Fund 18531, Dept. 4082,
Org. 8238, J.O. 112528;

Authorizing the expenditure of not to exceed \$9,000
from CDBG Fund 18531, Dept. 4082, Org. 8238, for tenant
improvement of the George G. Glenner Alzheimer's Family
Center located at 3686 4th Avenue.

CITY MANAGER SUPPORTING INFORMATION:

The George G. Glenner Alzheimer's Family Center, Inc. (GGG/AFC)
is a non-profit agency providing day care for Alzheimer's disease
patients. The GGG/AFC develops and operates a dynamic
evolutionary program of life-enhancing day care for moderately to
severely impaired persons with Alzheimer's disease and related
disorders. The GGG/AFC is proposing to renovate their existing
office building at 3686 4th Avenue to comply with the Uniform
Building Code (UBC) and improve their office functions. On May
9, 1994, Council adopted Resolution R-283845 granting \$22,000 of
CDBG funding for this project. On August 1, 1995, the Purchasing
Agent obtained four bids for the project. The low bid was 35
percent over budget. This action will allow the additional
\$9,000 to be transferred and used for this project.

Aud. Cert. 9600794.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

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

* ITEM-109:

SUBJECT: Amendment No. 1 to the Agreement with Villalobos &
Associates for the Concrete Restoration Project at the
Point Loma Wastewater Treatment Plant.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-907) ADOPTED AS RESOLUTION R-286944

Authorizing Amendment No. 1 to the agreement with
Villalobos & Associates for engineering services in
connection with the Concrete Restoration Project at the
Point Loma Wastewater Treatment Plant;

Authorizing the expenditure of not to exceed \$69,432
from Sewer Revenue Fund 41508, Miscellaneous
Contractual Services (Object Account 4222), Metro Point
Loma Maintenance Program 77715.

CITY MANAGER SUPPORTING INFORMATION:

The proposed Amendment No. 1 with Villalobos & Associates
Consulting Engineers, Inc. will provide the necessary
professional services to complete the design of the Concrete
Restoration Project at the Point Loma Wastewater Treatment Plant.
During the field investigation for the design of the original
project, it was determined that extensive concrete deterioration
was also occurring in the effluent channel and effluent trough
openings. In addition, because of construction logistics, it was
decided that this project be constructed with the Scum Removal
Improvement Project. This will require additional coordination
drawings and specifications. Amendment No. 1 provides for the
additional design and construction services required.
Aud. Cert. 9600839.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

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

* ITEM-110:

SUBJECT: Agreement with Women's Civic League for Renovation of
the Community Center.

(Memorial Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-883) ADOPTED AS RESOLUTION R-286945

Authorizing an agreement with Women's Civic League for
design and renovation of its Community Center at 2972
Clay Avenue;

Authorizing the expenditure of not to exceed \$25,000
from CDBG Fund 18531, Dept. 4082, J.O. 112602.

CITY MANAGER SUPPORTING INFORMATION:

The Women's Civic League was organized in 1934 to promote the
Y.W.C.A. as a Mother's Helper Committee. The purpose of the
League is to study, work, and act in civic affairs. The League's
prior involvement in civic affairs has included providing day
care for working mothers, providing scholarships to deserving
students, and acting as advocates for civil rights and equal
opportunity in the community. The League is proposing to replace
a leaking roof and renovate its Community Center at 2972 Clay
Avenue. On May 1, 1995, City Council adopted Resolution No. R-
285685 granting \$25,000 for this project. This action will allow
the \$25,000 to be used for this purpose.

Aud. Cert. 9600797.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

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

* ITEM-111:

SUBJECT: Change Order No. 1 with Doug Kost Construction for
Sidewalk and Curb Replacement C-11.

(Old Town, Ocean Beach and Nestor Community Areas.
District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-687) ADOPTED AS RESOLUTION R-286946

Approving Change Order No. 1, with Doug Kost
Construction, increasing the contract price by \$97,760;

Authorizing the expenditure of not to exceed \$97,760
from Community Development Block Grant Fund 18531,
Sidewalk and Curb Replacement City Wide C-11.

CITY MANAGER SUPPORTING INFORMATION:

At the request of Council District 2, the Street Division has
identified additional locations to improve pedestrian
accessibility. These additional locations can be funded by
\$97,760 in CDBG funds earmarked for the Second Council District.
The Street Division currently has an ongoing contract for similar
work that has both favorable prices and work performance. The
project (BID-K95045) was approved by Council on February 6, 1995
by Resolution No. R-285291 and was awarded to Doug Kost
Construction Co. on March 6, 1995. To expedite this work, we
request a change order to add \$97,760 of CDBG funding to the
existing sidewalk contract. The funding will fund the
installation of pedestrian access ramps and missing sidewalks in
the Old Town, Ocean Beach and Nestor areas.

Aud. Cert. 9600542.

FILE LOCATION: CONT - Doug Kost Construction
CONFY96-1

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

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

* ITEM-112: RETURNED TO MAYOR

SUBJECT: Appointment of Wesley R. Danskin to the Planning
Commission.

(See memorandum from Mayor Golding dated 2/12/96 with
resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-918)

Council confirmation of the appointment by the Mayor of
Wesley R. Danskin to serve as a member of the Planning
Commission, for a term ending January 28, 1998,
replacing Karen McElliott, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A366-395; A472-B064.)

CONSENT MOTION BY STALLINGS TO RETURN THIS ITEM TO THE MAYOR
AT HER REQUEST. Second by Warden. Passed by the following
vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-
yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-
yea.

ITEM-200:

SUBJECT: Inviting Bids for Reclaimed Water Package "B".
(Miramar Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-806 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-286947

Inviting bids for Reclaimed Water Package "B" on Work Order Nos. 197931/197131;

Authorizing the City Manager to establish contract funding phases with the lowest responsible bidder, based on the actual low bid submitted;

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

Authorizing the City Auditor to increase total appropriations in the Water Operating Fund 41500 by \$2,366,000 and authorizing the City Auditor to transfer \$1,651,000 to CIP-70-916.0, and \$715,000 to CIP-917.0 from the unappropriated Fund Balance in Water Fund 41500, pursuant to the FY 1996 Budget Ordinance;

Authorizing the expenditure of \$6,505,000 from Water Fund No. 41500; \$4,540,000 from CIP-70-916.0 for Miramar Road Subsystem Extension - Part 2, and \$1,965,000 from CIP-70-917.0, Miramar Storage Tank and Raw Water Connection Part 1 - Pipelines, provided that the City Auditor first furnishes a certificate 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.
(BID-K96115)

CITY MANAGER SUPPORTING INFORMATION:

The Northern Reclaimed Water Distribution System will convey reclaimed water produced at the North City Water Reclamation

Plant (NCWRP) to approximately 300 customers. This distribution system has been divided into nine construction packages in order to maximize the participation of the local contractors. The Miramar Road Subsystem Extension - Part 2/Miramar Storage Tank and Raw Water Construction Part 1 - Pipelines is one of the nine packages. This package consists of approximately 25,000 feet of pipeline. The work comprises the construction of 36-inch, 24-inch, 18-inch and 16-inch reclaimed water transmission pipelines, 12-inch, 8-inch, 6-inch and 4-inch reclaimed water distribution pipelines. Turnouts to users, identified in the Reclaimed Water Distribution Market Assessment dated November 1994, will be provided. A 4-inch fiber optic will also be installed parallel to the reclaimed water lines. The work is located in Carroll Canyon Road, Scripps Ranch Boulevard, Black Mountain Road, Gold Coast Drive, Westchester Avenue, Flanders Drive, Maya Linda Road, Business Park Avenue, Willow Creek Road, Old Grove Road, Miramar Road, Caminito Volar, Hoyt Park Drive, Meanley Drive and Scripps Lake Drive. Also included in this package are 1,100 lineal feet of 12-inch relocated potable water pipeline, 1,100 lineal feet of 24-inch raw water pipeline from Lake Miramar to Miramar Storage Tank and all related fittings and appurtenances. This project is included in the Interim Order issued by the Federal Court dated August 28, 1994. The Environmental Impact Report and the adoption of the Mitigation Monitoring and Reporting Program was approved by City Council Resolution No. R-286603. At this time only approval of the plans and specifications, authorization for advertisement and award for construction of Package "B" (Miramar Road Subsystem Extension - Part 2/Miramar Storage Tank and Raw Water Connection Part 1 - Pipelines) are being requested.

Aud. Cert. 9600748.

FILE LOCATION: W.O. 197931/197131 CONT - Albert W. Davies,
Inc. CONFY96-1

COUNCIL ACTION: (Tape location: B148-210.)

MOTION BY STEVENS TO ADOPT THE RESOLUTION AS AMENDED TO MODIFY THE OPERATING HOURS TO WEEKENDS ON THE PORTION OF MIRAMAR ROAD, FROM BLACK MOUNTAIN ROAD TO KEARNY VILLA ROAD. STAFF IS TO CONFIRM THIS BY WORKING WITH THE TRAFFIC DIVISION AND COUNCIL MEMBER WARDEN'S STAFF. THE SPECIFICATIONS WILL THEN BE AMENDED TO REFLECT THE CHANGE BEFORE IT GOES OUT FOR COMPETITIVE BID. Second by Warden.

Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Two actions related to South Bay Ocean Outfall - Upstream Structures.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-894) ADOPTED AS RESOLUTION R-286948

Stating for the record that the information contained in Environmental Impact Report DEP-94-0615 and the Mitigation, Monitoring and Reporting Program, including any comments received during the public review process, has been reviewed and considered by Council prior to approval of the South Bay Ocean Outfall construction project.

Subitem-B: (R-96-893) ADOPTED AS RESOLUTION R-286949

Authorizing the expenditure of not to exceed \$2,696,250 from Sewer Fund 41509, CIP-40-910.1, South Bay Ocean Outfall - Upstream Structures to provide additional funds in connection with the South Bay Ocean Outfall for construction, contingency, and related costs, provided that the City Auditor first furnishes a certificate 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.

CITY MANAGER SUPPORTING INFORMATION:

The 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 award of the construction contract for Package 1 - Upstream Structures to the lowest responsible bidder on November 20, 1995, R-286602. On January 9, 1996, the City opened bids for Package 1. Six bids were received. The bids are currently being reviewed for responsiveness. The apparent low bidder is Colich and Sons. The bid is for \$9,950,000. This is approximately 37 percent greater than the original construction contract estimate of \$7,273,000, which was approved by Council on November 20, 1995 (R-286602). The increase in cost is due, in part, to higher than anticipated cost for the pipe material. This request is to provide the additional funding necessary to award the construction contract to the lowest responsible bidder.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B211-248.)

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

ITEM-202:

SUBJECT: Master Lease Program - Extension of 1995 Master Lease Agreement with GE Public Finance.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-899) ADOPTED AS RESOLUTION R-286955

Authorizing the extension to the Master Lease Agreement of June 1, 1995 with GE Capital Public Finance, Inc., to increase the limit from the aggregate leasing of \$10 million of equipment to the aggregate leasing of \$13 million of equipment for the purpose of acquiring additional equipment in an amount not to exceed \$3 million, as referenced in City Manager Report CMR-95-76.

CITY MANAGER SUPPORTING INFORMATION:

Warden. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-not present, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: San Diego Jack Murphy Stadium Color Boards.
(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-910) ADOPTED AS RESOLUTION R-286950

In the matter of the selection of a vendor to provide and install color boards (large video screens) at San Diego Jack Murphy Stadium and authorizing the City Manager to execute a contract with such vendor.

FILE LOCATION: MEET (61 Stadium) CONTFY96-1

COUNCIL ACTION: (Tape location: B432-C052.)

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

ITEM-204:

SUBJECT: Three actions related to Convention Center Expansion.
(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinances and adopt the resolution:

Subitem-A: (O-96-112) INTRODUCED, TO BE ADOPTED ON
MARCH 4, 1996

Introduction of an Ordinance requesting the Convention

Center Expansion Financing Authority to authorize and approve the issuance and sale of the Convention Center Expansion Financing Authority Lease Revenue Bonds Series 1996A and approval of certain documents and actions.

Subitem-B: (O-96-113 Cor. Copy) INTRODUCED, TO BE ADOPTED
ON MARCH 4, 1996

Introduction of an Ordinance authorizing and approving the first amended and restated Convention Center Management Agreement between the San Diego Unified Port District and the City of San Diego, and approving certain documents and actions in connection with the Expansion of the San Diego Convention Center.

Subitem-C: (R-96-137 Cor. Copy) ADOPTED AS RESOLUTION
R-286956

Approving the Final Proposed Exterior Facade for the Convention Center Expansion; Authorizing the City Manager to enter into an agreement for the design and construction of the Convention Center Expansion Project with Centex-Golden Turner, in an amount not to exceed \$168,000,000, subject to certification by the City Auditor that appropriate financing is available.

FILE LOCATION: Subitems-A,B: None; Subitem-C: MEET;
(Convention Center Expansion #62)
CONFY96-1

COUNCIL ACTION: (Tape location: C053-076; C332-D065;
E038-I244.)

Trailed to afternoon session.

Motion by Wear to approve the City Manager report and to include the MOU. Second by Vargas.

Motion by Wear to amend the motion to approve the design only. Second by Vargas.

MOTION BY WEAR TO INTRODUCE THE ORDINANCES AND TO ADOPT THE RESOLUTION. WITH RESPECT TO THE REVISED MOU, ADD BACK IN THE RESTRICTIONS OF SET-BACKS REFLECTED ON PAGE 2, AND ADD WORDING TO INDICATE THAT THE CITY WILL SIT DOWN IN GOOD FAITH. FOR EXAMPLE: "THE CITY AND THE PORT DISTRICT WORK

TOGETHER, COOPERATIVELY, TO ENSURE THE DEVELOPMENT OF LANE FIELD IS ACCOMPLISHED IN ACCORDANCE WITH SOUND PLANNING PRINCIPLES TO ACHIEVE MAXIMUM ECONOMIC VALUE. THE CITY AGREES TO RE-EXAM THE PRESENT MOU REQUIREMENTS INCLUDING SET-BACKS AS PLANNING PROCEEDS." IN ADDITION, DIRECT THE CITY MANAGER COMMUNICATE TO THE PORT DISTRICT THAT AS THEY MOVE FORWARD WITH THE COMMERCIAL DEVELOPMENT THERE, THAT CONSIDERATION BE GIVEN TO PROVIDING A CONNECTION--A PROMENADE--SO THAT THE PEOPLE OF SAN DIEGO MAY ALSO HAVE USE OF THE BAYFRONT AND BE ABLE TO ENJOY IT. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330:

SUBJECT: Three actions related to Condemnation Action to Acquire Right-of-Way for Widening and Improvement of Federal Boulevard - 60th Street to MacArthur Drive.

(See City Manager Report CMR-96-22. Encanto Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-855) ADOPTED AS RESOLUTION R-286951

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 acquisition of fee title and easement interests for the construction, improvement, operation and maintenance of the Federal Boulevard from 60th Street to MacArthur Drive Project;

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 of the City of San Diego to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning the property and easements and acquiring immediate possession.

Subitem-B: (R-96-856) ADOPTED AS RESOLUTION R-286952

Authorizing the expenditure of not to exceed \$140,000 from Fund 30244, Organization 107, Object Account 4638, Job Order 521957, CIP-52-341.0, TransNet Prop A, for costs related to condemnation of fee title and easement interests in connection with the Federal Boulevard from 60th Street to MacArthur Drive Project.

Subitem-C: (R-96-865) ADOPTED AS RESOLUTION R-286953

Certifying that the information contained in Negative Declaration DEP-91-0706, in connection with the approval of a condemnation action for right-of-way of Federal Boulevard, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Declaration reflects the independent judgement of the City of San Diego as Lead Agency, and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Approving the Negative Declaration and finding that there is no substantial evidence that the project will have a significant effect on the environment.

Additional Business: (R-96-1010) ADOPTED AS RESOLUTION R-286959

Directing the City Manager to pay Ms. Maxine Sherard \$1,000.00 for her property.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C077-331.)

Hearing began at 11:32 a.m. and halted at 11:51 a.m.

Testimony in opposition by Maxine Sherard.

Motion by Stevens to adopt the resolutions and to direct staff to continue negotiating with the property owners. No vote.

MOTION BY STEVENS TO ADOPT THE RESOLUTIONS WITH THE AMENDMENT TO PAY MS. MAXINE SHERARD \$1,000.00 FOR HER PROPERTY. Second by Kehoe. Passed by the following vote: Mathis-nay, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-331:

SUBJECT: Requesting a Resource Protection Overlay Permit RPO-94-0077 (CIP-40-920.4) for the rehabilitation of the East Mission Gorge Trunk Sewer (EMGTS), a linear project that runs through portions of Mission Trails Regional Park, The U. S. Navy's Admiral Baker Field, and the Navajo, Tierrasanta, and East Elliott Community Planning areas.

(RPO-94-0077. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following Resolutions:

Subitem-A: (R-96-835) ADOPTED AS RESOLUTION R-286957

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-94-0077 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings pursuant to California Public Resources Code Section 21081 and adopting the Mitigation, Monitoring, and Reporting Program pursuant to California Public Resources Code Section 21081.6 and California Code of Regulations Section 15091.

Subitem-B: (R-96-836) ADOPTED AS RESOLUTION R-286958

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

SUPPORTING INFORMATION:

The EMGTS was first put into service in 1963 and transports wastewater flow from users in Santee, El Cajon, Alpine, and Lakeside, as well as the Padre Dam Municipal Water District and the Wintergarden Sanitation District, to the San Diego Metropolitan Wastewater System. The pipeline traverses approximately 42,800 linear feet. The upper, or easternmost 5,817 linear feet of the pipeline, is being replaced as part of a separate Caltrans project associated with the realignment of both State Route 52 (SR-52) and Mission Gorge Road. Rehabilitation of the lower 36,983 linear feet of the pipeline is the subject of this application.

LEGAL DESCRIPTION:

The existing EMGTS is located parallel to the San Diego River in a northeasterly direction from San Diego Mission Road at Twain Avenue, to the San Diego City limits at Mission Gorge Road west of Fanita Drive, within the Navajo, Tierrasanta, and East Elliott Community Plan areas, legally described as Rancho Mission of San Diego Map-330, and Fanita Ranchos.

FILE LOCATION: PERM - RPO-94-0077

COUNCIL ACTION: (Tape location: J040-202.)

Hearing began at 5:38 p.m. and halted at 5:45 p.m.

MOTION BY McCARTY TO ADOPT THE RESOLUTIONS. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-not present, 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 5:55 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: J238).