

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JUNE 3, 1996
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Stallings at 2:08 p.m. Deputy Mayor Stallings gave official notice of the Budget Hearings which will be held Wednesday, June 5, 1996, at 10:00 a.m. in Council Chambers, twelfth floor; and again at 6:00 p.m. at St. Patrick's Catholic Church, in the church hall, at 3585 30th Street, San Diego; and Thursday, June 6, 1996, at 2:00 p.m. in Council Chambers, twelfth floor. The meeting was adjourned by Deputy Mayor Stallings at 3:00 p.m. into Closed Session on Tuesday, June 4, 1996, at 9:00 a.m. in the twelfth floor conference room to discuss pending and potential litigation and Meet and Confer matters.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-excused by R-287541
(out-of-town personal business)

(1) Council Member Mathis-present

(2) Council Member Wear-present

(3) Council Member Kehoe-present

(4) Council Member Stevens-excused by
R-287525 (out-of-town business)

(5) Council Member Warden-present

(6) Council Member Stallings-present

(7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Fishkin (lh)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-not present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-not present
- (5) Council Member Warden-not 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 Phil Teran of Grace Brethren.

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:

Don Stillwell commented on the diseases our military personnel and their families are being diagnosed with

since participating in Desert Storm. He is requesting a proclamation for an investigation into the deaths of Desert Storm veterans. Mr. Stillwell says our troops were required to take shots that contained DNA from the AIDS virus as well as ANTHRAX and now some military personnel have become very ill.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A039-065.)

ITEM-PC-2:

Joe Flynn gave a public comment in memory of Anthony "Tony" J. Pluth who was a long term employee of the City of San Diego. Mr. Pluth was an artist and illustrator for the Planning Department. His best work can be seen in Council Chambers because Mr. Pluth was the creator of the "Gold Leaf" City Seal.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A066-081.)

ITEM-PC-3:

Jesse Knighton, a spokesperson for Residents for Organized Allies for Realignment (ROAR), is in favor of keeping the military in San Diego. He said that when all the Marines are in place there will be 3,875 more personnel than when the Navy occupied Miramar; over \$338,500,000 will be spent on construction over a three year period; and there will be 2,670 more jobs. Mr. Knighton said that we cannot afford to give this up to Riverside. He also commended Council Member Mathis, Council Member Warden, and Council Member McCarty for their stand on this issue.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A088-112.)

ITEM-PC-4:

Bob Scheidt commented on endangered species involving the interbreeding of two species of politically protected RATS, the American and the Communist. He said that Mikhail Gorbachev is a known communist and is an enemy of freedom and he wonder's why Mayor Golding is inviting him into our community.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A113-140.)

ITEM-PC-5:

Reverend Sky, formerly known as David Bruce Thompson, representing "Missionaries of Healing," has appeared before Council numerous times asking Council to do something about substance abuse in our community. He said that 40 percent of our police officers use drugs and that the Columbia cartel intends to demoralize our country by the infiltration of cocaine.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A142-163.)

COUNCIL COMMENT:

ITEM-CC-1:

Deputy Mayor Stallings thanked the many people who have sent her cards and letters and have given her their greetings, prayers, and good thoughts. She said her spirits were raised greatly knowing the many people out there who care about her.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A189-196.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

5/13/96
5/14/96
5/14/96 Special Joint Meeting
5/20/96 Adjourned
5/21/96 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A208-219.)

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

ITEM-31:

SUBJECT: National Trails Day.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1490) ADOPTED AS RESOLUTION R-287448

Commending the San Diego County Trails Council;

Proclaiming June 1, 1996 to be "National Trails Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A197-207.)

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

ITEM-32:

SUBJECT: Proclaiming July 1996 to be Parks and Recreation Month.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1469) CONTINUED TO JULY 1, 1996

Proclaiming the month of July 1996 to be "Parks and Recreation Month" in San Diego;

Encouraging all citizens of San Diego to join in this nationwide celebration bringing recognition to all the benefits derived from quality public and private recreation and park resources at the local level.

CITY MANAGER SUPPORTING INFORMATION:

Each year, the month of July is recognized nationally as "Parks and Recreation Month." This action will designate July 1996 as "Parks and Recreation Month" within the City of San Diego. Special events focused around the "Celebrate the Family" and "Star Spangled Summer" themes will be held at most recreation centers Citywide. In addition, this action recognizes the importance of the City's 1,600 plus Park and Recreation Department staff in improving the quality of life of the citizens and tourists 365 days a year.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A220-456.)

MOTION BY MATHIS TO CONTINUE THIS ITEM TO JULY 1, 1996, AS REQUESTED BY THE CITY MANAGER. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-50:

SUBJECT: Transfer of Bicycle Licensing from the Fire Department to Retail Outlets.

(See City Manager Report CMR-96-113.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-82) INTRODUCED, TO BE ADOPTED JUNE 24, 1996

Introduction of an Ordinance amending Chapter III, Article 4, of the San Diego Municipal Code by amending Sections 34.02, 34.09, 34.10, and 34.12 relating to the Transfer of Bicycle Licensing from the Fire Department to Bicycle Retailers.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A220-456.)

CONSENT MOTION BY MATHIS TO INTRODUCE THE ORDINANCE. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-51:

SUBJECT: Two actions related to Lease and Joint Use Agreements for Kimbrough and Chavez Elementary Schools.

(Southeast San Diego Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinances:

Subitem-A: (O-96-161) INTRODUCED, TO BE ADOPTED JUNE 24, 1996

Introduction of an Ordinance authorizing a 25-year lease agreement with the San Diego Unified School District regarding the No-fee Joint Use of Kimbrough Elementary School.

Subitem-B: (O-96-162) INTRODUCED, TO BE ADOPTED JUNE 24, 1996

Introduction of an Ordinance authorizing a 25-year lease agreement with the San Diego Unified School

District regarding the No-fee Joint Use of Chavez Elementary School.

CITY MANAGER SUPPORTING INFORMATION:

The proposed lease agreements provide for a 25-year no-fee joint use facility adjacent to the Kimbrough Elementary School and Chavez Elementary School sites. The terms of the agreements allow for the development, operation and maintenance of two irrigated turfed multi-use playing fields of approximately 1.0 acre and 1.7 acres, respectively, in size. The San Diego Unified School District shall fund the design and construction of the improvements and the City shall be responsible for maintaining the improvements.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A220-456.)

CONSENT MOTION BY MATHIS TO INTRODUCE THE ORDINANCES.
Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-100:

SUBJECT: Lot Line Adjustment and Easement Abandonment - Parcel Map W.O. No. 95-243.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1507) ADOPTED AS RESOLUTION R-287449

Approving Parcel Map W.O. No. 032000 (95-243), including the abandonment of an unneeded building restricted easement.

FILE LOCATION: DEED F-6775 DEEDFY96-1

COUNCIL ACTION: (Tape location: A220-456.)

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

* ITEM-101:

SUBJECT: Improvement of Alley in Block 32, Fortuna Park.

(Pacific Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1481) ADOPTED AS RESOLUTION R-287450

Granting the petition for the Improvement of the Alley
in Block 32, Fortuna Park, under the provisions of the
Improvement Act of 1911;

Directing the City Manager to prepare plans, drawings,
typical cross-sections, profiles and specifications for
the improvement of Block 32, Fortuna Park, together
with estimates of the costs and expenses of such work
and to furnish the Council with a description of the
district to be included in the assessment for the work
and improvements.

CITY MANAGER SUPPORTING INFORMATION:

The City has received a petition from property owners who are
interested in improving their alley through the formation of an
assessment district under the provisions of the Improvement Act
of 1911, which provides the means to install public improvements
with the cost assessed to the benefitting property owners. The
improvements would consist of construction of a 15' wide alley,
retaining wall, grading northerly end of alley to drain,
pedestrian ramps, and sewer manhole adjustment.

As required in these proceedings a petition of this improvement
was circulated and signed by the owners of 73 percent of the
property area involved. After acceptance of the petition this
project will proceed to design. Upon design completion, City
Council approves the Resolution of Intention and the plat and
plans and sets the date and time of the public hearing. The

project area is located between Promontory Street, Haines Street, La Playa Avenue and Moorland Drive.

FILE LOCATION: STRT - D-2301

COUNCIL ACTION: (Tape location: A220-456.)

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

* ITEM-102:

SUBJECT: Two actions related to the Business Improvement District Budgets for FY 1997.

(Mid-City, Centre City, Uptown, Greater North Park, Old San Diego, Ocean Beach, La Jolla, Southeast San Diego, and College Community Areas. Districts-1, 2, 3, 4 and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-1483) ADOPTED AS RESOLUTION R-287451

Accepting the Budget Report for each Business Improvement District for July 1, 1996 through June 30, 1997 (FY 1997).

Subitem-B: (R-96-1484) ADOPTED AS RESOLUTION R-287452

Resolution of Intention to levy an annual assessment within previously established Business Improvement Districts for July 1, 1996 through June 30, 1997 (FY 1997); and setting June 25, 1996 as the noticed public hearing for that purpose.

CITY MANAGER SUPPORTING INFORMATION:

Business Improvement District (BIDs) are authorized by State law to assess benefitted businesses for the cost of certain activities. These activities are generally promotional in

nature. Once a BID is established the City collects the assessments and disburses them to an appropriate entity representing the district pursuant to an annual operating agreement.

There are currently 14 active districts in the City of San Diego: Adams Avenue, City Heights, College Area, Diamond, Downtown, El Cajon Boulevard-Gateway, El Cajon Boulevard Central, Gaslamp, Hillcrest, La Jolla, Mission Hills, North Park, Ocean Beach, and Old Town. State law requires that the City Council annually adopt a budget for each BID and hold a public hearing to levy appropriate assessments. The actions being taken today accept the budget reports and set Tuesday, June 25, 1996 for the public hearing to levy the proposed assessment for each BID for FY 1997.

FILE LOCATION: Subitems A,B: STRT - L-1,L-2,L-3,L-4,L-5,L-6,L-7, L-8,L-9,L-11,L-12,L-13,L-14,L-15

COUNCIL ACTION: (Tape location: A220-456.)

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

* ITEM-103:

SUBJECT: Two actions related to the Lopez Canyon Stormwater Retention Basin Maintenance District.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-1437) ADOPTED AS RESOLUTION R-287453

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-96-1438) ADOPTED AS RESOLUTION R-287454

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

The district was established in August 1984 to provide funding for as required structural repairs, debris and silt removal to the stormwater basin. The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

	FUND		
DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 3,123	\$ 3,123
REVENUE:			
Assessments	\$ 0	0	\$ 0
Interest	0	90	90
TOTAL REVENUE	\$ 0	\$ 90	\$ 90
TRANSFER	2,500	(2,500)	0
EXPENSE:			
Personnel	\$ 0	\$ 0	\$ 0
Contractual	0	0	0
Incidental	2,500	0	2,500
TOTAL EXPENSE	\$ 2,500	\$ 0	\$ 2,500
ENDING BALANCE	\$ 0	\$ 713	\$ 713

For Fiscal Year 1997, it is proposed that the reserve fund pay for the annual district monitoring and administration which are estimated not to exceed \$2,500. This will result in a zero assessment to all parcels within the district for Fiscal Year 1997. The assessment is the same as Fiscal Year 1996. The district contains 6,765.6 equivalent dwelling units.

FILE LOCATION: STRT - M-409

COUNCIL ACTION: (Tape location: A220-456.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea,

McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-104:

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

(Mission Hills Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-1408) ADOPTED AS RESOLUTION R-287455

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-96-1409) ADOPTED AS RESOLUTION R-287456

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

The district was established in July 1993 to provide maintenance for the landscaping improvements on the Washington Street center islands approximately 380 feet west of the University Avenue overpass to Hawk Street. The landscaping will also include the small triangular traffic island between Washington Place, Washington Street and Ibis Street and a small area near the southerly intersection of Washington Street and Hawk Street. The landscaping improvements include 13,500 feet of landscaped medians.

The Fiscal Year 1997 proposed maintenance costs for the district are as follows:

FUND

DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0	\$ 9,400	\$ 9,400

REVENUE:

Assessments	\$ 17,815	0	\$ 17,815
Interest	0	0	0

City Contribution	1,620	0	1,620
TOTAL REVENUE	\$ 19,435	\$ 0	\$ 19,435
TRANSFER	(\$1,658)	1,658	0
EXPENSE:			
Personnel	\$ 2,690	\$ 0	\$ 2,690
Contractual	4,775	(0)	4,775
Incidental	7,037	0	7,037
Utilities	3,275	0	3,275
TOTAL EXPENSE	\$ 17,777	\$ 0	\$ 17,777
ENDING BALANCE	\$ 0	\$ 11,058	\$ 11,058

The proposed assessment for Fiscal Year 1997 is \$5.00 per equivalent dwelling unit (EDU). This is a reduction of \$2.00 per EDU (a 28.5% reduction) from the Fiscal Year 1996 assessment of \$7.00 EDU. The district contains 3,563 equivalent dwelling units.

FILE LOCATION: STRT - M-410

COUNCIL ACTION: (Tape location: A220-456.)

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

* ITEM-105:

SUBJECT: Granting an Easement to SDG&E on Orfila Vineyards, Inc., Leasehold.

(San Pasqual Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1503) ADOPTED AS RESOLUTION R-287457

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company an easement for electrical service to a well pump on the Orfila Vineyards, Inc. leasehold at 13445 San Pasqual Valley.

CITY MANAGER SUPPORTING INFORMATION:

SDG&E has been requested to provide electrical service to a well located on the Orfila Vineyards, Inc. leasehold. This easement will consist of 2 poles and above ground line, and is approximately 660 feet long and 12 feet wide. Water Utilities Department has reviewed and approved this easement.

FILE LOCATION: DEED F-6776 DEEDFY96-1

COUNCIL ACTION: (Tape location: A220-456.)

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

* ITEM-106:

SUBJECT: Accepting a Donation from Rancho Bernardo Recreation Council for the Purchase of Playground Equipment.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1456) ADOPTED AS RESOLUTION R-287458

Accepting the generous donation of \$22,000 from the Rancho Bernardo Recreation Council for the purchase of playground equipment, supplementing Capital Improvement Program Funding available in CIP-29-829.0, Rancho Bernardo Community Play Area;

Authorizing the Auditor and Comptroller to transfer not to exceed \$30,000 from the Rancho Bernardo Special Park

Fee Fund No. 39086 to CIP-29-829.0, Rancho Bernardo Community Park Play Area.

CITY MANAGER SUPPORTING INFORMATION:

Rancho Bernardo Community Park is located on the west side of West Bernardo Drive, north of Bernardo Center Drive. The park was developed in 1981. The proposed project will provide a new play area requested by the community. The scope of work has increased since the project was added to the FY 96 CIP in November 1995 due to community input and ADA requirements.

The project will also include an accessible concrete walk connecting the northwesterly parking lot to the children's play area and upgrading the existing play area to meet ADA requirements. The generous donation of \$22,000 by the Rancho Bernardo Recreation Council is designated for the purchase and installation of "Landscape Structures" play equipment in the new play area.

Aud. Cert. 9601189.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A220-456.)

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

* ITEM-107:

SUBJECT: Eldon Jacobs Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1519) ADOPTED AS RESOLUTION R-287459

Recognizing and commending Eldon Jacobs for his service as the Mira Mesa Volunteer of the Year for 1995;
Proclaiming Friday, May 31, 1996 to be "Eldon Jacobs Day" in San Diego in recognition and appreciation for his dedication to making Mira Mesa and San Diego

wonderful places to live.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A220-456.)

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

* ITEM-108:

SUBJECT: Excusing Deputy Mayor Valerie Stallings from Attending
the 5/8/96 NR&C Committee Meeting.

DEPUTY MAYOR STALLINGS' RECOMMENDATION:

Adopt the following resolution:

(R-96-1479) ADOPTED AS RESOLUTION R-287460

Excusing Deputy Mayor Valerie Stallings from attending
the regularly scheduled meeting of Natural Resources
and Culture Committee of May 8, 1996, due to her
recovering from major surgery.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A220-456.)

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

* ITEM-109:

SUBJECT: Excusing Deputy Mayor Valerie Stallings from attending
the 5/14/96 City Council Meeting.

DEPUTY MAYOR STALLINGS' RECOMMENDATION:

Adopt the following resolution:

(R-96-1516) ADOPTED AS RESOLUTION R-287461

Excusing Deputy Mayor Valerie Stallings from attending the City Council meeting of May 14, 1996, due to her recovering from major surgery.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A220-456.)

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

* ITEM-110:

SUBJECT: Establishing a Parking Time Limit on Canon Street.

(Point Loma Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1509) ADOPTED AS RESOLUTION R-287462

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the north side of Canon Street from the northwest corner of Rosecrans Street to a point 200 feet west of Rosecrans Street;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action will establish a two-hour un-metered time-limit parking zone on the north side of Canon Street from the northwest corner of Rosecrans Street to a point 200 feet west of Rosecrans Street. It was requested by the property owners representing 100

percent of the affected fronting property. A parking study was conducted and revealed an average occupancy of 88 percent, an average duration of four hours and an average turnover of two parkers per space. Parking on this segment is currently unrestricted. The south side of Canon Street is a two-hour unmetered time-limit parking zone (per Resolution No. R-213220 adopted on May 8, 1975). This roadway is under the California Department of Transportation's (CalTrans) jurisdiction and they are in favor of this change. CalTrans' policy is to delegate time-limit parking regulations on state highways to the local jurisdiction. The result of this study meets the City Council Policy 200-04 requirements for the installation of time-limit parking, therefore, this parking restriction is recommended for implementation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A220-456.)

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

* ITEM-111:

SUBJECT: Parking Time-Limit of Two Hours on Herschel Avenue.
(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1508) ADOPTED AS RESOLUTION R-287463

Establishing a parking time-limit of two hours, effective between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the west side of Herschel Avenue between Pearl Street and a point approximately 80 feet to the north;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

Property owners of 1030 Pearl Street have submitted a favorable petition (representing 100 percent of the affected property) requesting that a two-hour un-metered time-limit zone be established on the west side of Herschel Avenue north of Pearl Street adjacent to their property. This is a medical building; the rest of the block is residential frontage. The zone would be effective between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted. Recent studies indicate the average parking occupancy to be 87 percent and the average parking duration to be 4.4 hours. This proposed area is adjacent to the downtown La Jolla Business District and receives a high level of enforcement. This meets the requirements of Council Policy 200-04, therefore, this parking restriction is recommended for implementation. Currently, parking is unregulated in this area. The proposed time-limit regulation would only apply to the portion of the block with commercial fronting property, not to the residential portion. La Jolla Traffic and Transportation Board has reviewed and approved the two-hour time-limit parking zone.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A220-456.)

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

* ITEM-112:

SUBJECT: Reimbursement for Traffic Signal - Otay Mesa Road and Heritage Road.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1499) ADOPTED AS RESOLUTION R-287464

Authorizing the Auditor and Comptroller to set aside and expend \$51,511 from CIP-68-013.0, Traffic Signals -

Otay Mesa, Fund 39062 for reimbursement to Weyerhaeuser Mortgage Company, which represents DIF's proportionate share.

CITY MANAGER SUPPORTING INFORMATION:

Condition No. 9 for Pacific Gateway Park Subdivision (TM-86-0413) required the Developer to construct a traffic signal at the intersection of Heritage Road and Otay Mesa Road. This traffic signal system is included in the approved Otay Mesa Public Facilities Financing Plan as being funded on a shared basis between the subdivider and DIF funds. Weyerhaeuser Mortgage Company, a California Corporation, took possession of the subdivision through bankruptcy court from the original developer (Gateway Otay Park c/o Gentry Construction Company, Inc.) and constructed the signal for a total actual cost of \$102,050. The DIF's proportionate share as budgeted in the Otay Mesa facilities financing plan for design and construction is \$51,511. This action will authorize a payment of \$51,511 from the Development Impact Fee Fund No. 39062 to Weyerhaeuser Mortgage Company.

Aud. Cert. 9601201.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A220-456.)

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

* ITEM-113:

SUBJECT: Commercial, Industrial and Institutional Water Conservation Survey Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1492) ADOPTED AS RESOLUTION R-287465

Authorizing an amendment to the Memorandum of Understanding of March 27, 1995 with the San Diego County Water Authority, regarding the Commercial,

Industrial, and Institutional Water Conservation Survey Program.

CITY MANAGER SUPPORTING INFORMATION:

This action introduces an amendment to the original Memorandum of Understanding (MOU) with the San Diego County Water Authority (CWA), Resolution No. R-285530 dated March 27, 1995, which authorized the implementation of the Commercial, Industrial and Institutional Water Conservation Survey Program (CII Program). The CII Program offers complimentary water use surveys of commercial, industrial and institutional facilities to identify water usage patterns and opportunities to conserve water. The CWA is the CII Program's contracting agency on behalf of the City and other member agencies. This amendment to the existing agreement with the CWA is recommended in order to provide a more appropriate level of service to City commercial, industrial and institutional water customers. Non-residential customers using more than 200 hundred cubic feet (hcf) presently qualify for Analyst Water Use Surveys (Analyst Surveys). However, some facilities using 200 or more hcf a month do not require a lot of time and effort to survey and analyze water usage, such as department stores, fast food restaurants and gas stations. Therefore an intermediate category, a Walk-Through Water Use Survey (Walk-Through Survey), has been created for these customers. Walk-Through Surveys cost less than Analyst Surveys because they are not as labor intensive, yet they still provide the customer with a thorough analysis of the facility and identify ways to conserve water. Both the customer and the City benefit from the addition of this category. Other modifications to the MOU are designed to simplify the program while providing the same level of service to commercial, industrial, and institutional customers.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A220-456.)

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

* ITEM-114:

SUBJECT: Annual School Safety Patrol Summer Camp.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1453) ADOPTED AS RESOLUTION R-287466

Authorizing the City Manager to enter into a Letter of Agreement with the San Diego Unified School District for the Annual School Safety Patrol Summer Camp;

Authorizing the expenditure of approximately \$100,000 from Police Department budgeted funds (Fund 100, Department 110, Organization 497, Job Order 111507, Object Account 4455), for providing funds for the School Safety Patrol Summer Camp.

CITY MANAGER SUPPORTING INFORMATION:

For over 35 years, the City of San Diego has conducted, through the Police Department, a School Safety Patrol Summer Camp. Attendees are fifth and sixth grade students who have served a minimum of one year as school patrol crossing guards. This camp is held in recognition of the contributions made by these children, and provides an educational and recreational experience for them. This summer, approximately 1,200 students and 100 student counselors are expected to participate. This action provides for entering into an agreement with the San Diego Unified School District for the transportation of the Students to and from Camp. In the past, the School District has provided the buses, drivers and insurance. The City of San Diego is responsible for the conduct of the students while on the buses, and agrees to share equally in liability in excess of the School District's insurance policy. This action further provides for paying expenses associated with conducting the School Safety Patrol Summer Camp, such as payment to the San Diego County Schools, Department of Outdoor Education, for the use of the facilities at Palomar Mountain School Camp.

Aud. Cert. 9601167.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A220-456.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea,

McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-115:

SUBJECT: Agreement with Dudek and Associates, Inc., for As-needed Annual Environmental Consultant Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1373) ADOPTED AS RESOLUTION R-287467

Authorizing an agreement with Dudek and Associates, Inc., for as-needed annual environmental consultant services for the Water Utilities Department;

Authorizing the expenditure of not to exceed \$250,000 from the Sewer Revenue Fund, No. 41506.

CITY MANAGER SUPPORTING INFORMATION:

A list of the as-needed Environmental Engineering Consultants was received from the Consultant Selection Coordinator on December 18, 1995. The Consultant Nominating Committee nominated nine firms to participate in the final selection process. In conformance with Council Policy 300-7, these firms were interviewed on January 24 and 25, 1996, and the firm of Dudek and Associates, Inc. was selected as the best qualified firm to provide the as-Needed Environmental Consultant Services. Sub-consultants on the project are: Gallegos and Associates, Inc. (MBE) - Cultural Resources; and RNW Paleo (WBE) - Paleontological Resources. The agreement provides for environmental services by task orders on an hourly basis not to exceed \$25,000 per task. These services would include environmental evaluation reports and preliminary hazardous waste analysis for both routine and emergency maintenance and operations of sewer lines, thus minimizing the impact on environmentally sensitive areas. The total contract shall not exceed \$250,000 for a period of two years from the date of execution by the City.

Aud. Cert. 9601166.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A220-456.)

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

ITEM-116:

SUBJECT: Report on Landscape, Architectural and Aesthetic Improvements to the Point Loma Wastewater Treatment Plant (PLWTP).

(See City Manager Report CMR-96-115. Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1514) ADOPTED AS RESOLUTION R-287468

Accepting the report of Mathieu Gregoire entitled "Comprehensive Plan for Landscape, Architectural and Aesthetic Improvements to the Point Loma Wastewater Treatment Plant";

Authorizing the expenditure of not to exceed \$230,600 from CIP-46-170.0, previously encumbered for the agreement with Mr. Gregoire by Resolution R-286420, adopted on October 9, 1995, to refine the concepts of the report.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A464-B023.)

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

* ITEM-117:

SUBJECT: Amendment to the Agreement with Kids' Copy for
Renovation of the Tubman Chavez Center.

(District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1526) ADOPTED AS RESOLUTION R-287469

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$83,430 to CIP-37-006.0, Tubman Chavez Center, and expend the amount for the renovation of the Tubman Chavez Center;

Authorizing the execution of an amendment to the agreement with Kids' Copy (Imani Kuumba College), for Project Gold Star activities and for building operation and maintenance of the Tubman Chavez Center;

Authorizing the expenditure of not to exceed \$166,570, for providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

This action authorizes the transfer of additional funds for the building at 415 Euclid Avenue to complete the renovation of this facility. Although construction has been completed and the facility has been leased to Kids' Copy, the administering agency, additional work was required by the Building Inspection Department to address safety, accessibility, and code requirements. In order to avoid delays to the project schedule payment for some of the additional improvements was accommodated by deferring City administration costs. The additional funding will balance the project budget, do additional repairs to the roof, electrical lighting and fencing. The center will be staffed and administered by the tenant, Kids' Copy, and this agency's budget and scope of service agreement has been amended to reflect these additional responsibilities.

Aud. Cert. 9601207.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A220-456.)

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

ITEM-150:

SUBJECT: Council Policy regarding Parking Zones on City Streets
for Persons with Disabilities (Blue Zones).

(See City Manager Report CMR-96-59; Allen Holden's
4/24/96 letter.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-96-1455) ADOPTED AS RESOLUTION R-287470

Establishing Council Policy 500-8 regarding Parking
Zones on City Streets for Persons with Disabilities.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 3/27/96, LU&H voted 4-0 to approve the City Manager's
recommendation, and for the City Manager to notify the Business
Improvement Districts, Downtown Partnership, and Small Business
Advisory Board of the pending City Council action and to report
their recommendations at this matter's City Council hearing.
(Councilmembers Mathis, Wear, Warden, and McCarty voted yea.
Councilmember Stevens not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A220-456.)

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

ITEM-151:

SUBJECT: Expanding the Business Cooperation Program (BCP).

(See City Manager Report CMR-96-92.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-96-1548) TRAILED TO TUESDAY, JUNE 4, 1996

Expanding the Business Cooperation Program, and officially requesting the participation of the business and research community;

Authorizing the City Manager to formally recognize participating companies; and directing the City Manager to appoint a committee of San Diego business leaders to recommend financial incentives designed to encourage participation.

RULES COMMITTEE'S RECOMMENDATION:

On 4/22/96, RULES voted 3-0 to accept the City Manager's report and forward to City Council. (Councilmembers Mathis, Kehoe and Stallings voted yea. Councilmember Warden and Mayor Golding not present.)

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A220-456.)

CONSENT MOTION BY MATHIS TO TRAIL ITEM TO TUESDAY, JUNE 4, 1996, AS REQUESTED BY THE CITY MANAGER. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-200:

SUBJECT: Three actions related to the Construction of Sewer and Water Replacement Group 604.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-1363) ADOPTED AS RESOLUTION R-287471

Inviting bids for the Construction of Sewer and Water Replacement Group 604 on Work Order No. 171631/182921;

Authorizing the City Manager to establish contract funding phases and execute a contract with the lowest responsible bidder, based on the actual low bid submitted, provided that the bid does not exceed \$1,710,626, and provided the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller to transfer \$1,400 from Water Revenue Fund 41500, and \$49,000 from Sewer Revenue Fund 41506, to Special Curb Ramp Fund 10521, for the installation of future curb ramps;

Authorizing the expenditure of not to exceed \$2,177,728 from the Sewer Revenue Fund 41506, CIP-44-001.0, Annual Allocation Sewer Main Replacement, and \$122,330 from Water Revenue Fund 41500, CIP-73-083.0, Annual Allocation for Water Main Replacement, contingent upon City Council approval of the Fiscal Year 1997 Budget and provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K96096C)

Subitem-B: (R-96-1365) ADOPTED AS RESOLUTION R-287472

Authorizing the use of City Forces to make connections and perform operational checks involving Construction of Sewer and Water Replacement Group 604; declaring that the cost of the work shall not exceed \$21,000.

Subitem-C: (R-96-1364) ADOPTED AS RESOLUTION R-287473

Certifying that the information contained in Negative Declaration DEP-95-0598, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

Sewer and Water Replacement Group 604 is part of the City's ongoing concrete sewer and cast iron water main replacement program. The water and sewer mains to be replaced by this project were constructed as early as 1926 and are approaching the end of their useful service life.

This work will alleviate sewer stoppages and water breaks in the existing system by replacing the old, deteriorated, and undersized pipes with 12,170 feet of new sewer mains and 680 feet of new water mains in the La Jolla Community Area. All of the existing pipelines that are currently inaccessible will be replaced with new pipelines in the public right-of-way to allow for periodic maintenance. Approximately 1,230 feet of the existing pipelines will be rehabilitated in-place to minimize the impacts to the community during construction. This project also includes street resurfacing for all of the areas where new sewer and water facilities are installed. The following streets will be affected by construction operations: Vista Del Mar Avenue, Gravilla Street, Neptune Place, Playa Del Sur Street, La Jolla Boulevard, Bonair Way, Tyrian Street, Bonair Place, Draper Avenue, Gravilla Place, Waverly Avenue, and numerous adjacent alleys.

Residents will be notified by mail at least one month before construction by the Water Utilities Department and by the Contractor at least 10 days before the work begins.

Aud. Cert. 9601186.

WWF-CSD-240.

FILE LOCATION: Subitems A,B,C: W.O. 171631/182921 CONT -
Basile Construction Inc. CONFY96-1

COUNCIL ACTION: (Tape location: A220-456.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Vargas.

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

ITEM-201:

SUBJECT: Two actions related to Lease Agreement with AM-SOD, Inc. regarding Acreage in the San Pasqual Valley.

(San Pasqual Valley/Lake Hodges Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Introduce the ordinance and adopt the following resolution:

Subitem-A: (O-96-163) INTRODUCED, TO BE ADOPTED JUNE 24, 1996

Introduction of an Ordinance authorizing a 30-year lease agreement with AM-SOD, Inc. regarding acreage in the San Pasqual Valley.

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

Subitem-B: (R-96-1510) ADOPTED AS RESOLUTION R-287474

Certifying that the information contained in Environmental Impact Report LDR/DEP-96-0256, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the Declaration reflects the independent judgment of the City as Lead Agency, and that Declaration has been reviewed and considered by the Council;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study;

Adopting the Mitigation, Monitoring and Reporting Program.

Admiral F.B. Gilkeson, as requested by Council Member
Wear;

Fro Brigham, as requested by Council Members Stevens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B028-056).