

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, OCTOBER 7, 1996  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:03 p.m. The meeting was adjourned by Mayor Golding at 3:30 p.m. into Closed Session on Tuesday, October 8, 1996, at 9:00 a.m. in the twelfth floor conference room to discuss existing litigation and potential real property negotiations.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
  - (1) Council Member Mathis-present
  - (2) Council Member Wear-present
  - (3) Council Member Kehoe-excused by R-287964  
(Out-of-town travel)
  - (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)

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-not present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Katherine Faulcomer of the San Diego Friends Quakers Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Warden.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding the subject of "Responsibilities."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A040-063.)

ITEM-PC-2:

Comment by Robert Leholm urging Council to consider passing a resolution to call on the U.S. Attorney General to immediately conduct a thorough investigation of the evidence reported in the San Jose Mercury series, as well as the role played by former Vice President George Bush, in the 1980s illegal trafficking of drugs and weapons to American citizens in order to support the efforts of the Nicaraguan Contra Army.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A066-101.)

ITEM-PC-3:

Comment by Kamil Salem regarding the alleged misconduct of the Federal Government with regard to the trafficking of drugs/weapons.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A102-115.)

ITEM-PC-4:

Comment by Forrest Curo regarding invocators for City Council meetings; providing winter shelter for the homeless; and organizing a plan for a homeless newspaper.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A118-137.)

COUNCIL COMMENT:

None.

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

9/16/96  
9/17/96  
9/23/96 Adjourned  
9/24/96 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A138-142.)

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

ITEM-31:

SUBJECT: Celebrating the Marston Building Centennial.  
(District-2.)

COUNCILMEMBER WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-97-366) ADOPTED AS RESOLUTION R-287893

Acknowledging the Marston Department Store at 427 "C" Street on its 100th Anniversary and recognizing this downtown building as an excellent example of historic preservation;

Extending congratulations to everyone whose vision and commitment has led to the ongoing rehabilitation of a true City landmark for a job well done during this week of celebration.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A173-232; A301-307.)

MOTION BY STALLINGS TO ADOPT ITEMS 31 AND 33, AND TO CONTINUE ITEM 32 TO OCTOBER 21, 1996, SO THAT COUNCIL MEMBER KEHOE CAN HEAR THIS ITEM. Second by Warden. Passed by the

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

ITEM-32: CONTINUED TO MONDAY, OCTOBER 21, 1996

SUBJECT: Hillcrest Association Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-97-274)

Commending the Hillcrest Association members, volunteers, and community supporters for their dedication to the citizens of San Diego;

Proclaiming October 24, 1996 to be "Hillcrest Association Day" in San Diego.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A172-173; A301-307.)

MOTION BY STALLINGS TO ADOPT ITEMS 31 AND 33, AND TO CONTINUE ITEM 32 TO OCTOBER 21, 1996, SO THAT COUNCIL MEMBER KEHOE CAN HEAR THIS ITEM. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-33:

SUBJECT: Breast Cancer Awareness Month.

DEPUTY MAYOR STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-97-342) ADOPTED AS RESOLUTION R-287894

Declaring that beginning on October 8, 1996, the Council will commit to fight against breast cancer through increasing awareness of the disease, and by informing women about how they can best protect themselves from it;

Recognizing the need to learn more about breast cancer, and proclaiming the month of October 1996 to be "Breast Cancer Awareness Month" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A233-307.)

MOTION BY STALLINGS TO ADOPT ITEMS 31 AND 33, AND TO CONTINUE ITEM 32 TO OCTOBER 21, 1996, SO THAT COUNCIL MEMBER KEHOE CAN HEAR THIS ITEM. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-100:

SUBJECT: Awarding a Contract to SCW Contracting Corporation for the Lower Otay Reservoir Improvements.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-29) ADOPTED AS RESOLUTION R-287895

Rejecting the low base bid of C&W Diving Services, Inc., and awarding a contract to SCW Contracting Corporation for the Lower Otay Reservoir Improvements, in the amount of \$1,298,430, which is 20.3 percent over the City's estimate of \$1,079,279;

Authorizing the City Auditor and Comptroller to transfer \$174,967 within the Water Revenue Fund 41500 from Annual Allocations for Water Main Replacement, CIP-73-083, to Otay Reservoir Raw Water Pipeline Rehabilitation, CIP-70-910.0;

Authorizing the expenditure of not to exceed \$174,967 from the Otay Reservoir Raw Water Pipeline Rehabilitation, CIP-70-910.0, to supplement funds previously authorized by Resolution R-287624 for the Lower Otay Reservoir Improvements, adopted on 7/15/96, for said project and related costs.

(BID-K96202C)

CITY MANAGER SUPPORTING INFORMATION:

On July 15, 1996, Council approved plans and specifications for the Otay Reservoir Raw Water Pipeline Rehabilitation CIP-70-910 and authorized award to the lowest responsible bidder estimated at \$1,079,279. Due to the highly specialized and multi-disciplinary nature of the work, eight contractors were pre-qualified to bid on this project and four bidders responded to the bid call on August 29, 1996.

The low bid from C&W Diving Services, Inc. was for \$1,143,628.90 and the second low bid from SCW Contracting Corporation is for \$1,298,430. The first and second low bids are 6.0 percent and 20.3 percent, respectively above the engineers' estimate of \$1,079,279. It is recommended that a contract be awarded to the lowest responsible bidder, SCW Contracting Corporation, for \$1,298,430. The bid by C&W Diving Services, Inc. has been deemed non-responsive. A listed sub-contractor by C&W Diving Services, Inc., did not meet the licensing requirements of the State of California. The State Division of Safety of Dams (DSOD) requires that the Otay Reservoir Outlet Pipeline be rehabilitated and completed by April 1997. It is highly desirable to complete the project during the lower water demand period between November 1996 and March 1997. It is felt that readvertising would delay the start of construction, result in a loss of system reliability in the effected areas, increase cost for additional imported water purchases, and will not result in securing a lower bid.

Aud. Cert. 9700334.

WWF-97-265.

FILE LOCATION:           CONT - SCW Contracting Corporation;  
                          W.O. 181891                   CONFY97-1

COUNCIL ACTION:       (Tape location: A143-172.)

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

ITEM-101:

SUBJECT: Habitat Conservation Fund Grant Application.

(Rancho Penasquitos and Mira Mesa Community Areas.  
Districts-1 & 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-316) ADOPTED AS RESOLUTION R-287896

Authorizing the City Manager to apply for grant funds  
under the Habitat Conservation Fund Grant Program of  
the California Wildlife Protection Act for the Los  
Penasquitos Canyon Preserve Trail Project.

CITY MANAGER SUPPORTING INFORMATION:

The Habitat Conservation Fund Program was created under the  
California Wildlife Protection Act of 1990. The program provides  
\$2 million annually for competitive grants to local public  
agencies. Projects selected by State parks for funding will be  
presented to the State Legislature and included in the Fiscal  
Year 1998 State Budget. Funding should be available to local  
agencies by August 1997. The grant requires a 50 percent non-  
state match. After review of the program criteria for Fiscal  
Year 1998, Park and Recreation Department staff have identified a  
trail project in the Los Penasquitos Canyon Preserve. Staff  
proposes building a new trail along the Los Penasquitos Creek  
which will connect to the Trans-County Trail system.

The Trans-County Trail system is part of a Public Property  
Corridor from Torrey Pines State Park on the west, passing  
through City, County, State and Federal property to reach Anza-  
Borrego Desert State Park on the east. If approved, the Trans-  
County Trail Los Penasquitos Canyon Preserve Connector will abut  
the City of Poway Corridor on the east. The trail is consistent  
with the Los Penasquitos Canyon Preserve Natural Resource  
Management Plan and is supported by the Citizens Advisory



Committee and the Friends of Los Penasquitos Canyon Preserve, and the San Diego Trails Council. The City's match to the grant will be with "in-kind" services, in the form of labor, both on the part of volunteers and park ranger staff.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A418-468.)

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

ITEM-102:

SUBJECT: HUD Economic Development Initiative (EDI) Grant for Application for Capitalization of San Diego's Neighborhood Development Bank.

(Districts-3, 4, and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-324) ADOPTED AS RESOLUTION R-287897

Authorizing the City Manager to submit an application for a HUD Economic Development Initiative (EDI) Grant for \$1 million dollars;

Authorizing the City Manager to take all actions necessary to prepare an application for \$1 million in HUD 108 Loan Guarantee Funds should the EDI Grant be awarded.

CITY MANAGER SUPPORTING INFORMATION:

HUD is currently soliciting applications for EDI grant and 108 Loan funds for Homeownership Zones and for economic development projects. The Manager is proposing support of two applications, one for a Homeownership Zone in Centre City East and this one, which is for economic development purposes. The proposed EDI grant requests \$1 million for the Neighborhood Development Bank to supplement approximately \$5 million equity funds which have

been raised from the private sector. With an additional \$1 million to be requested in HUD 108 Loan funds, the capitalization will be complete and the bank's charter will be final.

Neighborhood Bancorp, the holding corporation for the Neighborhood Development Bank, was organized in August of 1992 with the mission to facilitate economic development in targeted low and moderate income areas by expanding the stock of affordable housing, creating jobs and offering a full array of retail banking services in an underserved area. The target area, which is roughly from the southern edge of Balboa Park and Highway 94 to the South Bay Freeway and National City border and from the eastern edge of downtown to the Lemon Grove border, incorporates most of the Enterprise Community as well as adjacent low and moderate income areas. A full service main bank office and one branch will be located in this area. A plan for resident stock ownership is included in the EDI proposal. Support of the Neighborhood Development Bank will facilitate economic development, including affordable housing, in the targeted central portion of San Diego and will complement other targeted efforts such as the Enterprise Community, Southeast Enterprise Zone, Weed and Seed, and redevelopment plans within the area. The proposed \$1 million grant and \$1 million 108 Loan will be leveraged by the \$5 million that has already been raised in the private sector. The Manager is therefore requesting authorization to submit the EDI grant application and to prepare a 108 Loan request should the EDI grant be awarded.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B208-585.)

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

ITEM-103:

SUBJECT: Submission of an Application to the U.S. Department of Housing and Urban Development.

(See CCDC's memorandum dated 9/23/96. Centre City East

Community Area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-97-325) ADOPTED AS RESOLUTION R-287898

Authorizing the submission of an application to the U.S. Department of Housing and Urban Development under the Homeownership Zone Category of the Fiscal Year 1996 Economic Development Initiative Competition.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A469-B174.)

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

\* ITEM-104:

SUBJECT: Tijuana River National Estuarine Sanctuary Management Authority (TRNESMA).

(Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-344) ADOPTED AS RESOLUTION R-287899

Designating the Director of Engineering and Capital Projects Department, or his designated alternate, to be the City's member on the Tijuana River National Estuarine Sanctuary Management Authority (TRNESMA).

CITY MANAGER SUPPORTING INFORMATION:

Tijuana River National Estuarine Sanctuary Management Authority (TRNESMA) is the body that is charged with the responsibility of setting management policies for the Tijuana River National

Estuarine Sanctuary which lies at the western end of the Tijuana River Valley adjacent to the Pacific Ocean, and is one of the few such sanctuaries in California. In 1985, the City Council approved the Tijuana River National Estuarine Sanctuary Management Plan which represents the guide by which the sanctuary is managed. The City of San Diego, one of eight agencies with a voting member on the Authority, must designate a member. It is proposed that the Director of Engineering and Capital Projects Department, or his designated alternate, be that member as this department has become intimately familiar with issues involving both the Sanctuary and the Tijuana River Valley.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A143-172.)

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

\* ITEM-105:

SUBJECT: Proposed Black Mountain Access Road Maintenance Agreement with AT&T.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-294) ADOPTED AS RESOLUTION R-287900

Authorizing a five-year agreement for the Joint Use of the Black Mountain Access Road at an initial annual use fee of \$600 per year;

Authorizing the City Auditor and Comptroller to pay AT&T a yearly fee for the City's share of costs associated with maintenance.

CITY MANAGER SUPPORTING INFORMATION:

In 1987, the City entered into a five year agreement with AT&T Communications of California, Inc. (AT&T) for the joint use of

the access road on Black Mountain. The 1987 agreement was placed on holdover pending preparation of a new agreement by AT&T. The City is one of four primary tenants using the top of Black Mountain. The City utilizes AT&T's road in order to gain access to its communication equipment. Over the past several years, the access road has required maintenance by AT&T, the cost of which has ranged from \$5,000 to \$8,000 per year. The old agreement and the agreement proposed require the City to pay its pro rata share to cover the yearly maintenance costs.

The City's 10 percent allocation of the maintenance costs are based on its use of the access road. The annual use fee paid by the City will not exceed \$878 per year. The basic terms of the agreement are:

Use: Use of the Black Mountain access road.  
Term: 5 years commencing upon City's execution of the maintenance agreement.  
Maintenance Cost: City is to pay 10% of the maintenance costs.  
Annual Use Fee: Not to exceed \$878 per year.

The City Manager recommends approval of this agreement.

Aud. Cert. 9700293.

FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: A143-172.)

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

ITEM-106:

SUBJECT: First Amendment to the Agreement with the National Association for the Advancement of Colored People (N.A.A.C.P.).

(Logan Heights Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-312) ADOPTED AS RESOLUTION R-287901

Authorizing an amendment to the agreement with the National Association for the Advancement of Colored People (N.A.A.C.P.), for remodel and addition to its office building at 2857 Imperial Avenue;

Authorizing the expenditure of not to exceed \$25,000 from CDBG Fund No. 18532, Dept. 4112, Org. 1222, JO 112538.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Branch of the National Association for the Advancement of Colored People (N.A.A.C.P.) is an all volunteer community-based organization with special interest in, but not limited to, civil rights, discrimination, youth outreach, education, violence prevention, and economic empowerment. The San Diego Branch (N.A.A.C.P.) also coordinates the annual open worship and Thanksgiving dinner for the needy and homeless. The N.A.A.C.P. is renovating and adding 220 sq. ft. to their office building. Renovation includes interior painting, carpet installation, and the addition of a wheelchair ramp at the front entrance.

On February 6, 1995, City Council adopted Resolution No. RR-285306 authorizing the expenditure of \$15,000 for this project. On April 23, 1996, City Council adopted Resolution No. R-287238 granting an additional \$25,000 of CDBG funding for this project. This action will allow the additional \$25,000 to be used to complete the renovation.

Aud. Cert. 9700307.

FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: B175-207.)

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

\* ITEM-107:

SUBJECT: Extended Agreement with YMCA to Provide After School Day Camp Program.

(City Heights, Golden Hill, Linda Vista, Logan Heights, Skyline/Valencia, Otay Mesa/Nestor, and San Ysidro Community Areas. Districts-3, 4, 5 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-279) ADOPTED AS RESOLUTION R-287902

Authorizing a one-year extension agreement with the YMCA of San Diego County, Inc., to provide youth after-school day camp programs as part of the Neighborhood Pride and Protection Program;

Authorizing the expenditure of not to exceed \$240,000 from Fiscal Year 1997 Fund No. 18532, Department 4121, Organization 2108.

CITY MANAGER SUPPORTING INFORMATION:

The Park and Recreation Department is proposing to extend the contract with the YMCA to operate youth after school day camp programs in seven high crime communities within the City as part of the Neighborhood Pride and Protection Program. The YMCA's PRYDE Program format was used in the implementation of this program in FY '92. The PRYDE Program is designed to reach "at risk" youth between the ages of 8 and 15 and features anti-drug/gang education as well as wholesale recreation activities. The PRYDE Program is conducted out of four YMCA centers and outreach into the seven communities: City Heights, Golden Hill, Logan Heights, Linda Vista, Otay Mesa/Nestor, San Ysidro and Skyline/Valencia. Approximately 50 percent of the program is conducted on park or school grounds and the remainder at YMCA sites.

The program includes a camping component and follow-up with families. The program has been in effect since FY '92 during which time it has proven to be effective and successful with positive evaluation. Per Resolution RR-284840, the Park and Recreation Department proposes to extend the program into FY '97. The program will serve 320 to 560 children and their families during the twelve month program in FY '97, beginning July 1, 1996.

Aud. Cert. 9700262.

FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: A143-172.)

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

\* ITEM-108:

SUBJECT: Joint Use Agreement with San Diego Gas and Electric  
Company.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-303) ADOPTED AS RESOLUTION R-287903

Authorizing a Joint Use Agreement with San Diego Gas  
and Electric Company (SDG&E), for a portion of Black  
Mountain Road's right-of-way that overlaps SDG&E's  
prior easement.

CITY MANAGER SUPPORTING INFORMATION:

As part of the widening of Black Mountain Road between Mira Mesa  
Boulevard and Gemini Avenue, the City of San Diego has acquired  
five feet of right-of-way on the west side of Black Mountain  
Road. Prior to the acquisition, San Diego Gas & Electric holds  
an easement on one of the properties. The easement is now  
overlapped by the new right-of-way. Because San Diego Gas &  
Electric's facilities are in a prior easement, their relocation  
is not covered under the franchise agreement and the City of San  
Diego is financially responsible for the relocation of this  
equipment. This Joint Use Agreement formalizes the  
responsibilities of the City of San Diego and San Diego Gas &  
Electric when operating in the Joint Use area.



FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: A143-172.)

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

\* ITEM-109:

SUBJECT: Opportunity to Acquire Additional Parcel of Land for  
the Southwest Neighborhood Park.

(See City Manager Report CMR-96-182; and letter from  
Ruth Schneider dated 9/17/96. Otay Mesa-Nestor  
Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-280) ADOPTED AS RESOLUTION R-287904

Approving the acquisition plan for an additional parcel  
of land for the Southwest Neighborhood Park;

Authorizing the expenditure of not to exceed \$5,000  
from Open Space Bond Fund 79104, for the appraisal of  
the parcel.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S  
RECOMMENDATION:

On 9/18/96, PS&NS voted 4-0 to approve the City Manager's  
recommendation on consent. (Councilmembers Kehoe, Stevens,  
McCarty and Vargas voted yea. Councilmember Wear not present.)

Aud. Cert. 9700266.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A143-172.)

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

\* ITEM-110:

SUBJECT: Approving Parcel Map for Scripps Ranch Villages  
Shopping Center W.O. No. 960274.

Located south of Scripps Poway Parkway. Miramar Ranch  
North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-327 REV. 1) ADOPTED AS RESOLUTION R-287905

Approving Parcel Map W. O. No. 960274.

FILE LOCATION: SUBD - Scripps Ranch North Unit #2, W.O.  
960274

COUNCIL ACTION: (Tape location: A143-172.)

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

ITEM-200:

SUBJECT: Ordering Foreclosure Action Against Delinquent Parcels  
of Land.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-350) ADOPTED AS RESOLUTION R-287906

Ordering action to be brought in San Diego County Superior Court to foreclose assessment liens against delinquent parcels of land in Assessment District No. 4011 (De La Fuente Business Park - Phase I), and Assessment District No. 4030 (Otay Mesa Industrial Park).

CITY MANAGER SUPPORTING INFORMATION:

This City Council action will authorize our foreclosure counsel (Brown, Diven and Hentschke) to initiate judicial foreclosure actions in the Superior Court of San Diego County to foreclose the special assessment district liens against delinquent parcels of land in Assessment Districts 4011 and 4030. The City of San Diego is required, pursuant to resolutions adopted in connection with improvement district bond issues, to commence, diligently pursue, and prosecute to completion an action in the Superior Court to foreclose the delinquent liens. Parcels having a cumulative delinquency in excess of \$7,500 as of September 23, 1996 are as follows:

Assessment District 4011 (De La Fuente Business Park - Phase I):

Assessor's Parcel Number 646-150-47-00           \$ 8,536.16  
Owner: Residential Investments Inc.  
P.O. Box 667  
Bonita, California 91908

Assessment District 4030 (Otay Mesa Industrial Park):

Assessor's Parcel Number 646-250-06-00           \$15,923.20  
Owner: Intransport Services Corporation  
1564 Heritage Road  
San Diego, California 92173

FILE LOCATION:                   STRT D-2265

COUNCIL ACTION:                 (Tape location: A308-350.)

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

ITEM-S400:

(Continued from the meeting of September 30, 1996, Item 54, at Councilmember Warden's request, for further review.)

SUBJECT: Lease and Joint Use Agreement for Thurgood Marshall Middle School and Scripps Ranch Community Park Joint Use Facilities.

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

CITY COUNCIL'S RECOMMENDATION:

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

(O-96-173) ADOPTED AS ORDINANCE O-18351 (New Series)

Authorizing a 25-year lease agreement with the San Diego Unified School District for the construction, operation, maintenance, and lease of turf field and recreation facilities at the Thurgood Marshall Middle School-Scripps Ranch Community Park site.

FILE LOCATION: LEAS - San Diego Unified School  
District-Thurgood Marshall Middle  
School-Scripps Ranch Community Park  
Site LEASFY97-1

COUNCIL ACTION: (Tape location: A351-417.)

MOTION BY WARDEN TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Mathis. Passed by the following vote: Mathis-yea, 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 3:30 p.m. in honor of the memory of:

William Kehoe, as requested by Mayor Golding;

Mark Battaglia, as requested by Mayor Golding and Council Member McCarty; and

Martin Blatt, as requested by Mayor Golding.

FILE LOCATION:                   AGENDA

COUNCIL ACTION:                 (Tape location: B588-642.)