

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, AUGUST 5, 1997
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 10:13 a.m. Mayor Golding recessed the regular meeting at 10:51 a.m. to convene the Redevelopment Agency. The regular meeting was reconvened at 10:55 a.m. with Council Member McCarty not present. The meeting was recessed by Mayor Golding at 12:31 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Golding at 2:08 p.m. with Council Members Warden, Stallings, and McCarty not present. Mayor Golding adjourned the meeting at 2:51 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-Excused by R-289133
(vacation)
 - (8) Council Member Vargas-present
- Clerk-Fishkin (lw/ms)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin 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-not present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Mrs. Anne Hofflund of the Eighth Church of Christ, Scientist.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Vargas.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE CITY MANAGER

Beverly Walker commented on the seating at Qualcomm Stadium. Ms. Walker is a member of the subcommittee for semi-ambulatory seating for the stadium and feels

the seating for disabled citizens is inadequate. She requested a breakdown of how much of the \$78 million is being used for disabled seating, gold club seating, the east end-zone, and what was used to alter the existing facility.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A057-084.)

ITEM-PC-2:

Don Stillwell commented on "What is a billion dollars?" He said that was the total debt of the Federal Government in 1913, and close to the total amount of bonds issued by the Council without voter approval. Mr. Stillwell said this is a very large debt for the citizens of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A094-117.)

ITEM-PC-3: REFERRED TO THE CITY MANAGER AND COUNCIL MEMBER KEHOE

Nancy Bradshaw requested an immediate repeal of Municipal Code 81.10 which provides procedures for the removal and disposal of abandoned vehicles not on highways. She said it is vague and is enforced in an unconstitutional manner. Ms. Bradshaw discussed with police officers the fact that she should not have to prove her vehicle is operable. She has filed a complaint with the City Clerk's Office.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A122-154.)

ITEM-PC-4: REFERRED TO THE CITY MANAGER

John DeBevoise and his daughter, Anne DeBevoise, informed Council of their family's distress regarding

the sale of their property located at the edge of Black Mountain and the MSCP Acquisition process. Mr. DeBevoise said that the MSCP has made his property unsaleable to anyone except the City of San Diego. Ms. DeBevoise recounted her efforts in working with staff to resolve the issues without success.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A159-214.)

ITEM-PC-5:

William Bradshaw commented on the Port District and the seemingly permanent construction zone at Lindberg Field. He said he is angry about the time delays, mismanagement, and the cost this project represents.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A215-243.)

ITEM-PC-6:

Joseph Fox commented on a closed hearing item on today's docket. He stated his protest that there would be no public testimony heard on Item S500. Mr. Fox said the issue is different than what was heard last week and said he would submit his protest to the City Attorney today.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A244-264.)

ITEM-PC-7:

Mel Shapiro commented on the homeless and the headline in the newspaper that read, "Homeless children suffering from lack of shelter." Mr. Shapiro said if the Housing Commission has the money to budget for public relations, they have the money to provide shelter for homeless children. He said the financial statement for the Housing

Commission's unallocated reserves went from \$1 million to \$3.5 million in just three years and feels some of this money should go to help these homeless children.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A285-304.)

COUNCIL COMMENT:

ITEM-CC-1:

Council Member Kehoe commented on the National Night Out events taking place this weekend. She said there was a kickoff rally in Balboa Park on Sunday, and tonight, across the city, there will be neighborhood marches emphasizing the theme of taking back our neighborhoods and continuing to reduce crime here in San Diego.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A307-312.)

ITEM-CC-2:

Council Member Wear informed Council of the framework initiated by agreements signed in 1993 between the mayors of Tijuana and San Diego. He said the Fire Chief of Tijuana was here this past weekend visiting our beaches and discussing better coordination of river and flood rescues down at the border. Mr. Wear said a few of our lifeguards went to Tijuana for a day while their lifeguards came here to learn our procedures.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A398-407.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

7/14/97
7/15/97

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A313-316.)

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

ITEM-31:

SUBJECT: Bishop and Mrs. George D. McKinney, Jr. Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-97-1182) ADOPTED AS RESOLUTION R-289021

Commending Bishop and Mrs. George D. McKinney, Jr., for their strong leadership and many years of community service;

Proclaiming August 9, 1997 to be "Bishop and Mrs. George D. McKinney, Jr. Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A320-397; A408-412.)

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

* ITEM-50:

SUBJECT: Two actions related to 8 MPH Speed Limit and Nighttime Skateboard Ban on the West Side of Mission Bay Park.

(Mission Bay Park Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 7/22/97. (Council voted 9-0):

Subitem-A: (O-97-120) ADOPTED AS ORDINANCE O-18425 (New Series)

Amending Chapter VI, Article 3, Division 1, of the San Diego Municipal Code by amending Section 63.0108 relating to Use of Park Areas, Speed Limit on Boardwalk, to institute an 8 MPH speed limit on park pathways on the west side of Mission Bay Park.

Subitem-B: (O-97-127) ADOPTED AS ORDINANCE O-18426 (New Series)

Amending Chapter VIII, Article 4, of the San Diego Municipal Code by amending Section 84.12 relating to Miscellaneous Driving Rules, Use of Skateboards, Coasters, Roller Skates, and Similar Devices Restricted, to extend the 10:00 p.m. to 7:00 a.m. skateboard ban to include Bayside Walk around Sail Bay to the west side of the North Ingraham Street Bridge.

FILE LOCATION: Subitems A,B: MEET

COUNCIL ACTION: (Tape location: A413-560.)

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

* ITEM-51:

SUBJECT: Tax Rate Ordinance for Fiscal Year 1998.

(See City Manager Report CMR-97-136.)

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-98-17) INTRODUCED AND ADOPTED AS ORDINANCE O-18427
(New Series)

Introduction and adoption of an Ordinance fixing the
tax rates and levying taxes for Fiscal Year 1997-98.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A413-560.)

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

* ITEM-52:

SUBJECT: Removal of Parking Meters and Two-Hour Limitation on
Olive Street.

(Uptown Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-98-8) INTRODUCED, TO BE ADOPTED SEPTEMBER 8, 1997

Introduction of an Ordinance removing the two-hour
parking meters and the two-hour parking limitation on
Olive Street between Fourth Avenue and Fifth Avenue.

CITY MANAGER SUPPORTING INFORMATION:

This action removes nine parking meters and the two-hour parking
limitation on Olive Street between Fourth Avenue and Fifth
Avenue. These changes were petitioned by property owners
representing 100 percent of the affected frontage. Accordingly,
removal of the meters and two-hour parking is recommended.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A413-560.)

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

* ITEM-53:

SUBJECT: Lease and Joint Use Agreement for Monroe Clark Middle School.

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

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-98-11) INTRODUCED, TO BE ADOPTED SEPTEMBER 8, 1997

Introduction of an Ordinance authorizing a 25-year agreement with the San Diego Unified School District for the construction, operation, maintenance, and lease of a turfed field at Monroe Clark Middle School.

CITY MANAGER SUPPORTING INFORMATION:

The proposed agreement provides for a twenty-five (25) year, no-fee joint use facility on Monroe Clark Middle School. The terms of the Agreement allow for the development, operation and maintenance of an irrigated and turfed multi-purpose playing field of approximately 2.98 acres in size. The field design and development is being funded by both San Diego Unified School District and Price Charities, and will be maintained by City Park and Recreation Department staff.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A413-560.)

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

* ITEM-54:

SUBJECT: First Amendment to the Lease and Joint Use Agreement
for Cadman Elementary School.

(Clairemont Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-98-12) INTRODUCED, TO BE ADOPTED SEPTEMBER 8, 1997

Introduction of an Ordinance authorizing a first amendment to the lease agreement with the San Diego Unified School District adopted by Ordinance No. O-15131 on 12/3/79, to expand the joint use area at Cadman Elementary School to include a "Padres Little League" regulation field.

CITY MANAGER SUPPORTING INFORMATION:

This first amendment to the agreement for construction, operation, maintenance and lease of turfed fields and recreation facilities allows for the construction of a "Padres Little League" regulation field adjacent to the existing leased joint use area at Cadman Elementary School. The design and development is to be provided by the San Diego Padres. The City of San Diego Park and Recreation Department will have maintenance responsibilities, which will be passed on to the Hilltop Little League via a subcontract since the field will provide for only a single use per the San Diego Padres criteria.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A413-560.)

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

* ITEM-100:

SUBJECT: Three actions related to Approving the Final
Subdivision Map of Evergreen Village.

(This is a 56 lot subdivision. Lincoln Park
Neighborhood. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-33) ADOPTED AS RESOLUTION R-289022

Authorizing a Subdivision Improvement Agreement with
Lincoln Park Associates, LLC, for the installation and
completion of public improvements.

Subitem-B: (R-98-32) ADOPTED AS RESOLUTION R-289023

Approving the final map.

Subitem-C: (R-98-34) ADOPTED AS RESOLUTION R-289024

Authorizing a Landscape and Monitoring Maintenance
Agreement with Lincoln Park Associates, LLC, for the
installation, completion and maintenance of landscaping
in the public right-of-way.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 10.09 acre site into 56 lots for residential development. It is located north of Imperial Avenue and west of 49th Street in the Lincoln Park Neighborhood Community Plan area. On June 6, 1996 the Planning Commission of the City of San Diego approved Vesting Tentative Map VTM-96-0147 for Lincoln Park (now known as Evergreen Village) by Resolution R-2273-1-PC. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 28263-1-D through 28263-7-D, filed in the Office of the City Clerk under Micro Number 139.33. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$582,051 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$6,500, as determined by the surveyor's estimate, has been posted

as surety for the setting of survey monuments. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.

Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development."

Subdivider shall enter into a Landscape and Monitoring Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way, adjacent to this subdivision until another mechanism is established and assumes maintenance responsibility.

FILE LOCATION: Subitems A,B,C: SUBD - Evergreen
Village CONFY98-2

COUNCIL ACTION: (Tape location: A413-560.)

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

* ITEM-101:

SUBJECT: Approving the Final Subdivision Map of
W.O. 97-071.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-57) ADOPTED AS RESOLUTION R-289025

Approving the final subdivision map of Parcel Map W.O. 97-071, being a lot line adjustment of Parcel 1 and Parcel 2, according to Parcel Map PM-16892, including the abandonment of water easements per Map-12473.

CITY MANAGER SUPPORTING INFORMATION:

This lot line adjustment parcel map requires City Council approval because easements are being relocated on the map. The Engineer's estimate for the cost of public improvements is \$22,037. A cash bond in the amount of \$500,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. Engineering Permit #W46432 has been issued for the work to be done as shown on Drawing No. 28655-D(1-2). Development plans require relocating an existing water line.

A new water line easement is necessary for the new water line location. The existing water line easement is no longer necessary, therefore it is being abandoned.

FILE LOCATION: SUBD- Parcel Map W.O. 97-071, being a lot line adjustment of Parcel 1 and Parcel 2, according to Parcel Map PM-16892, including the abandonment of water easements per Map-12473

COUNCIL ACTION: (Tape location: A413-560.)

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

* ITEM-102:

SUBJECT: Easement Grant - SDG&E - Carmel Country Road.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-91) ADOPTED AS RESOLUTION R-289026

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company, an easement to install underground electrical service to Carmel Valley Neighborhood 10 Phase 1.

CITY MANAGER SUPPORTING INFORMATION:

San Diego Gas and Electric Company (SDG&E) has requested the City to grant an underground electrical easement in exchange for removing the existing overhead electrical lines. The electricity will service Carmel Valley Neighborhood 10 Phase 1. If the City Council approves this resolution, SDG&E will deliver to the City a recordable Quitclaim Deed after the underground lines have been installed. City staff has reviewed and approved the exchange. The proposed easement will not negatively impact the subject parcel. The removal of the overhead lines will benefit the subject parcel. The easement will consist of three utility boxes located directly adjacent to Carmel Country Road and containing approximately 346 square feet.

FILE LOCATION: DEED F-7045 DEEDFY98-1

COUNCIL ACTION: (Tape location: A413-560.)

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

* ITEM-103:

SUBJECT: Sewer Easement Abandonment within Lots 1-3 and 22-24, Map-334.

(Linda Vista Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-47) ADOPTED AS RESOLUTION R-289027

Vacating a sewer easement located within Lots 22-24 of Map-334 under the procedure for the summary vacation of public service easements.

CITY MANAGER SUPPORTING INFORMATION:

Francis Parker School has requested the sewer easement

abandonment to unencumber their property and to better utilize their land. The sewer easement was originally granted to the City on June 5, 1929, in Deed Book 1652, Page 33. The Water Utilities Department has determined that the sewer easement can be abandoned. Staff review of this sewer easement abandonment indicates that the four required findings for abandonment can be made and that this easement may be summarily abandoned.

FINDINGS:

1. There is no present or prospective use for the sewer easement, either for the sewer system for which it was originally acquired or for any other use of a like nature.
2. The public will benefit from the abandonment through improved utilization of the land.
3. The abandonment is consistent with the approved Community Plan.
4. The public sewer system for which the sewer easement was originally acquired will not be detrimentally affected by this abandonment.

FILE LOCATION: DEED F-7046 DEED FY98-1

COUNCIL ACTION: (Tape location: A413-560.)

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

* ITEM-104:

SUBJECT: Two actions related to Sewer and Drainage Easement Abandonment and Sewer Easement Set Aside in Bay Ridge Scene.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-74) ADOPTED AS RESOLUTION R-289028

Setting aside a sewer easement in City-owned land in Lot 15 of Bay Ridge Scene, Map-12656.

Subitem-B: (R-98-75) ADOPTED AS RESOLUTION R-289029

Vacating the City's interest in an unneeded sewer easement in Lots 8, 9, 10 and 15 of Bay Ridge Scene, Map-12656 pursuant to Section 8300 et seq. of the Streets and Highways Code.

CITY MANAGER SUPPORTING INFORMATION:

Bay Ridge Scene is an approved 14 lot subdivision located in Clairemont Mesa, off of Chippewa Court. This subdivision provided sewer easements which were needed for the proposed development. Subsequently, a construction change was approved for a new sewer alignment. This new alignment rendered the existing sewer easement unnecessary and created a need for a new sewer easement across Lot 4 and extending through City-owned property (Lot 15) to provide connection to an off-site sewer main. Lot 15 is also known as "Stevenson Canyon" and is designated as open space. Two City Council actions are required for the approved project to proceed: 1) A set aside easement across City-owned property (Lot 15). An easement set aside perpetuates the location of public utilities within City owned land. The City cannot grant itself an easement, therefore, a set aside is necessary to insure that an easement is reserved in case of future sale of the property. This new set aside easement is approximately six times smaller than the easement which is being abandoned. This results in much less impact to City open space than the previously approved development. Council approved is needed to encumber City-owned property. 2) Abandonment of the existing unneeded sewer and drainage easements.

FILE LOCATION: Subitems A,B: DEED F-7047
DEEDFY98-1

COUNCIL ACTION: (Tape location: A413-560.)

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

* ITEM-105:

SUBJECT: Pitta Street Widening.

(Emerald Hills Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-88) ADOPTED AS RESOLUTION R-289030

Authorizing the City Auditor and Comptroller to expend \$1,950 from CIP-52-327.2, Pitta Street Widening, for the acquisition of property rights consisting of an easement for a sidewalk as part of the Pitta Street Widening Project.

CITY MANAGER SUPPORTING INFORMATION:

This project consists of acquiring 771 square feet of a residential lot for the construction of a sidewalk on Pitta Street. The construction has been completed with the property owners' permission granted by a right-of-entry. The City is now acquiring permanent rights by easement deed.

Aud. Cert. 9800087.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A413-560.)

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

* ITEM-106:

SUBJECT: First Amendment to the Agreement with YMCA of San Diego County for the Jackie Robinson YMCA Facility.

(Mount Hope Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-23) ADOPTED AS RESOLUTION R-289031

Authorizing a first amendment to the agreement with YMCA of San Diego County, for design and renovation of its Jackie Robinson YMCA facility located at 151 North 45th Street;

Authorizing the expenditure of not to exceed \$40,000 from CDBG Fund No. 18532, Dept. No. 4112, Org. No. 1215, J.O. No. 112597.

CITY MANAGER SUPPORTING INFORMATION:

Jackie Robinson YMCA, a branch of San Diego County YMCA, is a non-profit organization which serves low and moderate income families in the Mount Hope Community area by providing a variety of sports, sports development and young adult leadership programs. Jackie Robinson YMCA is proposing to renovate its existing facility located at 151 North 45th Street. The renovation project includes property survey and staking; installation of security fencing, security lighting for the building and parking lot, a gymnasium sign light and a facility masonry signage; and upgrading an electrical switch gear. On July 1, 1996, City Council adopted Resolution No. R-287570 authorizing the expenditure of \$44,500 for this project. On April 23, 1996, the City Council adopted Resolution No. R-287238 granting an additional \$40,000 of Fiscal Year 1997 CDBG Funds for the Jackie Robinson YMCA. This action will allow the \$40,000 to be used for the design and additional renovation of the Jackie Robinson YMCA facility.

Aud. Cert. 9800025.

FILE LOCATION: MEET CONFY98-1

COUNCIL ACTION: (Tape location: A413-560.)

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

* ITEM-107:

SUBJECT: First Amendment to the Agreement with Housing Our People Economically (HOPE - CDC) for a Children's Playground at Lincoln Park Cooperative.

(Lincoln Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-49) ADOPTED AS RESOLUTION R-289032

Authorizing an amendment to the agreement of June 24, 1996 with Housing Our People Economically (HOPE - CDC), for design and construction of a children's playground at Lincoln Park Cooperative at the northwest corner of 49th Street and Ocean View Boulevard;

Authorizing the expenditure of not to exceed \$20,000 from CDBG Fund No. 18532, Dept. 4112, Org. 1214, Job Order 112599.

CITY MANAGER SUPPORTING INFORMATION:

Housing Our People Economically (HOPE-CDC), is a non-profit organization incorporated in 1991. HOPE-CDC provides social services to improve the living conditions in the community, especially for lower income persons by preserving quality housing, youth leadership development, and working with others in the community to meet other challenges. HOPE-CDC has initiated development of the first limited-equity housing cooperative in San Diego located in the Lincoln Park Community. HOPE-CDC is designing and proposing to construct a children's playground on a vacant lot adjacent to a 15-unit apartment complex at Lincoln Park Cooperative at the northwest corner of 49th Street and Ocean View Boulevard. Design is complete, however additional construction funding is needed prior to commencement of construction. On May 1, 1995, City Council adopted Resolution No. R-287531 authorizing the expenditure of \$35,000 of FY 1996 CDBG Funds for this project. On April 23, 1996, City Council adopted Resolution No. R-287238 granting an additional \$20,000 of Fiscal Year 1997 CDBG Funds to supplement construction costs.

This action will allow the additional \$20,000 to be used for this purpose.

Aud. Cert. 9800051.

FILE LOCATION: MEET CONFY98-1

COUNCIL ACTION: (Tape location: A413-560.)

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

ITEM-200: TRAILED TO AUGUST 11, 1997

SUBJECT: Discussion in the Matter of Right-of-Way Fees.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B003-C375.)

Motion by Wear to accept bullet points two (2) and three (3) of the Mayor's memo dated August 1, 1997, to all Councilmembers, directing the City Manager to identify the million dollars in FY98 and report back on October 15, 1997; directing the City Manager to report in January about an additional million dollars; amend bullet point one (1) directing the City Manager to complete the phase out transfer in three (3) to five (5) years; and accept Council Member Vargas' recommendation to include that whatever enterprise tears up a road, has to fix the road. Second by Warden.

Substitute motion by Vargas to accept Mayor Golding's memo dated August 1, 1997, to all Councilmembers which has the three (3) bullet points and completely phase out the transfer in three (3) years. Second by Wear. Trailed due to the following vote: Mathis-yea, Wear-nay, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-not present, Vargas-nay, Mayor Golding-nay.

ITEM-330:

SUBJECT: Matter of Rezone and Amendments to the La Jolla Community Plan Area and Local Coastal Program Land Use Plan and the La Jolla Planned District Ordinance.

(LJCP/LCP/LJPDO Amendments. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitems A and B; introduce the ordinance in Subitem C:

Subitem-A: (R-98-92) TRAILED TO AUGUST 11, 1997

Adoption of a Resolution certifying that Addendum DEP-96-7580 to Environmental Impact Report EIR-92-0199 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 Council.

Subitem-B: (R-98-93) TRAILED TO AUGUST 11, 1997

Adoption of a Resolution amending the La Jolla Community Plan and Local Coastal Program Land Use Plan.

Subitem-C: (O-98-18) INTRODUCED, TO BE ADOPTED
SEPTEMBER 8, 1997

Introduction of an Ordinance amending the La Jolla Planned District Ordinance to rezone portions of two parcels containing multiple zones.

LEGAL DESCRIPTION:

The subject properties proposed for rezoning are more particularly described as portions of Lots 1, 14 and 15, Block 35 and Vacated Street, La Jolla Park Map-352.

CITY MANAGER SUPPORTING INFORMATION:

On January 17, 1995, the City Council approved the La Jolla Community Plan and Local Coastal Program Land Use Plan. On May 11, 1995, the California Coastal Commission denied the Plan as submitted, but adopted the Plan with modifications.

On August 15, 1995, the City Council approved the modifications, with the exception of one item which proposed to amend the Community Plan recommendation 2.e. on page 44 of the January, 1995 draft of the Plan, regarding the physical and visual access to the coast. The Council directed the City Attorney and Community Planning staff to work with California Coastal Commission staff to revise the recommendation in a manner that is legal and mutually acceptable, and to bring the revisions back to the Council for adoption.

FILE LOCATION: SUBITEMS AB&C: NONE

COUNCIL ACTION: (Tape location: E034-119.)

Hearing began at 2:10 p.m. and halted at 2:18 p.m.

Testimony in opposition by Mark Lyon.

Council Member Warden arrived at 2:17 p.m.

MOTION BY MATHIS TO INTRODUCE SUBITEM C; APPROVE THE PORTION OF SUBITEM A PERTAINING TO SUBITEM C, TRAILING THE CERTIFICATION TO AUGUST 11, 1997; AND TRAIL SUBITEM B, AND THE REMAINDER OF SUBITEM A, TO AUGUST 11, 1997. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-331:

SUBJECT: Framework Plan Amendment for Gated Communities.
Proposed amendment to the Progress Guide and General Plan, Local Coastal Program, and North City Future Urbanizing Area Framework Plan.

(NCFUA. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-85) ADOPTED AS RESOLUTION R-289033

Adoption of a Resolution certifying that the

information contained in Addendum DEP-96-7570 to Environmental Impact Report EIR-91-0809 has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) guidelines, and reflects the independent judgement of the City of San Diego as Lead Agency.

Subitem-B: (R-98-73) ADOPTED AS RESOLUTION R-289034

Adoption of a Resolution adopting an amendment to the Progress Guide and General Plan, Local Coastal Program, and North City Future Urbanizing Area Framework Plan, to modify the prohibition of gated neighborhoods within the North City Future Urbanizing Area.

SUPPORTING INFORMATION:

The Future Urbanizing Area (FUA) designation was established in the City's 1979 Progress Guide and General Plan as an interim designation designed to prevent premature urban development. Standards and procedures for development consistent with the FUA designation are set forth in the Framework Plan for the North City Future Urbanizing Area (NCFUA) and in City Council Policy 600-29.

The NCFUA is bounded to the south by the Los Penasquitos Canyon Preserve, and overlaps in the north with the focused planning area of the San Dieguito River Valley Open Space Park. A portion of the eastern NCFUA border includes Black Mountain Park.

FILE LOCATION: Subitems A,B: LAND - North City Future Urbanizing Area Framework Plan

COUNCIL ACTION: (Tape location: A413-560.)

Hearing began at 10:45 a.m. and halted at 10:51 a.m.

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

ITEM-332:

SUBJECT: Two actions related to Rancho Penasquitos Towne Center

Signalization.

(See City Manager Report CMR-97-134. Located north of Ted Williams Parkway, east of Black Mountain Road. Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-77) ADOPTED AS RESOLUTION R-289035

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 requires the acquisition of an electrical easement for the construction, operation and maintenance of the Rancho Penasquitos Towne Center Signalization Project; that the electrical easement is required as a condition of Tentative Map TM-95-0568 approved by the Planning Commission Resolution R-2248 on July 11, 1996; that the proposed easement will provide the City with the necessary right-of-way along and across portions of Parcel 1 and Parcel 4 of Parcel Map PM-14619 (north of Ted Williams Parkway, east of Black Mountain Road) to install loop detectors for a traffic signal; that the public interest, convenience and necessity demand the acquisitions;

Declaring the intention of the City to acquire the easement under eminent domain proceedings;

Directing the City Attorney 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 easement and acquiring immediate possession.

Subitem-B: (R-98-76) ADOPTED AS RESOLUTION R-289036

Stating for the record that the information contained in Mitigated Negative Declaration DEP-95-0568, together with any comments received during the public review process, has been reviewed and considered by Council.

Aud. Cert. 9800081.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A413-560.)

Hearing began at 10:45 a.m. and halted at 10:51 a.m.

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

ITEM-333:

SUBJECT: This is the public meeting regarding the annual assessments for the Calle Cristobal Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-97-1299) DISTRICT ABANDONED, ADOPTED AS
RESOLUTION R-289050

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Calle Cristobal Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1998 assessments for the Calle Cristobal Landscape Maintenance District (LMD). The district was established in 1987 to provide maintenance for the street side of the sound attenuator wall along Calle Cristobal, 67,227 square feet of median (of which 27,992 contains landscaping) and 373,110 square feet of streetscape.

The Fiscal Year 1998 proposed maintenance costs for the district are as follows:

| DESCRIPTION | FUND | | |
|-------------------|--------------|--------------|--------------|
| | OPERATIONS | RESERVE | TOTAL |
| BEGINNING BALANCE | \$ 0.00 | \$ 15,856.00 | \$ 15,856.00 |
| REVENUE: | | | |
| Assessments | \$145,284.00 | \$ 0.00 | \$145,284.00 |
| Interest | 0.00 | 1,900.00 | 1,900.00 |
| City Contribution | \$ 3,359.00 | \$ 0.00 | \$ 3,359.00 |
| TOTAL REVENUE | \$148,643.00 | \$ 1,900.00 | \$150,543.00 |
| TRANSFER | (4,518.00) | 4,518.00 | 0.00 |
| EXPENSE: | | | |
| Personnel | \$ 22,417.00 | \$ 0.00 | \$ 22,417.00 |
| Contractual | 61,000.00 | 0.00 | 61,000.00 |
| Incidental | 29,158.00 | 0.00 | 29,158.00 |
| Utilities | 31,550.00 | 0.00 | 31,550.00 |
| TOTAL EXPENSE | \$144,125.00 | 0.00 | \$144,125.00 |
| ENDING BALANCE | \$ 0.00 | \$22,274.00 | \$22,274.00 |

The proposed assessment for Fiscal Year 1998 in Zone 1 is \$121.14 per equivalent benefit unit (EBU) indexed annually to the San Diego CPI-U. The increase of \$59.12 from the Fiscal Year 1997 assessment of \$62.02 per EBU is due to the district assuming additional maintenance responsibilities from the developer in Zone 1. Zone 1 contains 1,200 equivalent dwelling units. Zone 2 currently has no assets to maintain at this time; no assessments are levied in Zone 3 for Fiscal Year 1998.

FILE LOCATION: STRT-M-405

COUNCIL ACTION: (Tape location: C376-D119, E006-033, E120-554.)

Hearing began at 12:01 p.m. and halted at 12:30 p.m.

Testimony in favor by Ted Brengel.

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

MOTION BY WARDEN TO RECONSIDER. Second by Kehoe. Passed by

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

Hearing began at 2:30 p.m. and halted at 2:45 p.m.

MOTION BY WARDEN TO VALIDATE THE ELECTION, THEREBY ABANDONING THE DISTRICT; USE THE \$20,000 IN RESERVE FOR THIS LANDSCAPE MAINTENANCE DISTRICT TO TRY TO KEEP THE LANDSCAPING ALIVE; AND ASK TO REBALLOT WITHIN SIX MONTHS. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-not present, Vargas-yea, Mayor Golding-yea (nay on the part asking to rebalot within six months).

ITEM-334:

SUBJECT: This is the public meeting regarding the annual assessments for the Downtown Maintenance Assessment District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Centre City Community Areas. Districts-2, 3 and 8.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-97-1381) ADOPTED AS RESOLUTION R-289037

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Downtown Maintenance Assessment District.

CITY MANAGER SUPPORTING INFORMATION:

This action proposes the following: (1) Consolidate the Gaslamp Quarter Landscape and Lighting Maintenance District, the San Diego Street Light Maintenance District #1 (Zone 70 Centre City) into the existing "Downtown Maintenance Assessment District" (District); (2) Approve the new method of assessment apportionment and establish boundaries for six new zones as

recommended in the Engineer's Report for the District; (3) Establish the Fiscal Year 1998 assessments for the District. The District provides enhanced levels of service for street tree maintenance, litter control and graffiti control, sidewalk cleaning, enhanced maintenance of park/open space and electrical energy and maintenance for ornamental and mid-block street lighting within the District.

The Fiscal Year 1998 proposed maintenance costs for the District as are follows:

| DESCRIPTION | FUND | | TOTAL |
|-----------------------------|----------------|--------------|----------------|
| | OPERATIONS | RESERVE | |
| BEGINNING BALANCE | \$ 0.00 | \$386,148.00 | \$ 386,148.00 |
| REVENUE: | | | |
| Assessments | \$1,244,346.00 | \$ 0.00 | \$1,244,346.00 |
| Interest | 0.00 | 13,118.00 | 13,118.00 |
| City Contribution | \$ 26,615.00 | \$ 0.00 | \$ 26,615.00 |
| TOTAL REVENUE | \$ 234,058.00 | \$ 13,118.00 | \$1,284,079.00 |
| TRANSFER: | | | |
| Transfer from Reserve | 348,266.00 | (348,266.00) | \$ 0.00 |
| Transfer to Street Lighting | 281,575.00 | 0.00 | (281,575.00) |
| EXPENSE: | | | |
| Personnel | \$ 650,946.00 | \$ 0.00 | \$ 650,946.00 |
| Contractual | 340,294.00 | 0.00 | 340,294.00 |
| Incidental | 280,392.00 | 0.00 | 280,392.00 |
| Utilities | 66,020.00 | 0.00 | 66,020.00 |
| TOTAL EXPENSE | \$1,337,652.00 | 0.00 | \$1,337,652.00 |
| ENDING BALANCE | \$ 0.00 | \$51,000.00 | \$ 51,000.00 |

Individual assessments in the District vary depending on a parcel's location, the level of services provided, the linear feet of a parcel's frontage and the parcel's lot size or building square footage, whichever is greater.

The proposed Fiscal Year 1998 assessments to individual parcels are based on benefit received by a specific zone in the District. The District contains a total of 327,892 feet of front footage and a total of 53,510,057 square feet of lot size or building square footage, whichever is greater.

FILE LOCATION: STRT - M-386

COUNCIL ACTION: (Tape location: C376-D119.)

Hearing began at 12:01 p.m. and halted at 12:30 p.m.

MOTION BY KEHOE TO ADOPT ITEMS 334 THROUGH 345, CERTIFYING THE ELECTION, AND RETURN ITEM 337 TO THE CITY MANAGER. Second by Warden. Passed by the following vote: Mathis-yea, Wear-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-335:

SUBJECT: This is the public meeting regarding the annual assessments for the Gateway Center East Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Gateway Center East Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-97-1308) ADOPTED AS RESOLUTION R-289038

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Gateway Center East Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1998 assessments for Gateway Center East Landscape Maintenance District (LMD). The district was established in May 1987 to provide maintenance for landscaped open space easements as well as landscaping along the frontage of all lots and for landscaped medians on Market Street and Gateway Center Drive.

The Fiscal Year 1998 proposed maintenance costs for the district

are as follows:

| DESCRIPTION | FUND | | |
|-------------------|--------------|-------------|--------------|
| | OPERATIONS | RESERVE | TOTAL |
| BEGINNING BALANCE | \$ 0.00 | \$ 4,363.00 | \$ 4,363.00 |
| REVENUE: | | | |
| Assessments | \$131,619.00 | \$ 0.00 | \$131,619.00 |
| Interest | 0.00 | 2,800.00 | 2,800.00 |
| City Contribution | \$ 1,416.00 | \$ 0.00 | \$ 1,416.00 |
| TOTAL REVENUE | \$133,035.00 | \$ 2,800.00 | \$135,835.00 |
| TRANSFER | (1,340.00) | 1,340.00 | 0.00 |
| EXPENSE: | | | |
| Personnel | \$ 11,210.00 | \$ 0.00 | \$ 11,210.00 |
| Contractual | 70,000.00 | 0.00 | 70,000.00 |
| Incidental | 15,685.00 | 0.00 | 15,685.00 |
| Utilities | 34,800.00 | 0.00 | 34,800.00 |
| TOTAL EXPENSE | \$131,695.00 | 0.00 | \$131,695.00 |
| ENDING BALANCE | \$ 0.00 | \$ 8,503.00 | \$ 8,503.00 |

The proposed assessment for Fiscal Year 1998 is \$231.01 per equivalent benefit unit (EBU) indexed annually to the San Diego CPI-U. The district contains 569.75 EBU's. This district has been re-engineered, consequently, amounts have changed.

FILE LOCATION: STRT - M-352

COUNCIL ACTION: (Tape location: C376-D119.)

Hearing began at 12:01 p.m. and halted at 12:30 p.m.

MOTION BY KEHOE TO ADOPT ITEMS 334 THROUGH 345, CERTIFYING THE ELECTION, AND RETURN ITEM 337 TO THE CITY MANAGER.

Second by Warden. Passed by the following vote:

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

ITEM-336:

SUBJECT: This is the public meeting regarding the annual assessments for the La Jolla Village Drive Landscape Maintenance District. Following public testimony at

today's meeting, the Council will consider and may confirm the proposed assessments.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-97-1323) ADOPTED AS RESOLUTION R-289039

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the La Jolla Village Drive Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1998 assessments for La Jolla Village Drive Landscape Maintenance District (LMD). The district was established in January 1988 to provide maintenance of 8,690 feet of landscaped medians along La Jolla Village Drive between I-5 and Regents Road.

The Fiscal Year 1998 proposed maintenance costs for the district are as follows:

| DESCRIPTION | FUND | | |
|-------------------|--------------|--------------|--------------|
| | OPERATIONS | RESERVE | TOTAL |
| BEGINNING BALANCE | \$ 0.00 | \$123,084.00 | \$123,084.00 |
| REVENUE: | | | |
| Assessments | \$ 20,166.00 | \$ 0.00 | \$ 20,166.00 |
| Interest | 0.00 | 4,100.00 | 4,100.00 |
| City Contribution | \$ 1,043.00 | \$ 0.00 | \$ 1,043.00 |
| TOTAL REVENUE | \$ 21,209.00 | \$ 4,100.00 | \$ 25,309.00 |
| TRANSFER | 7,985.00 | (7,985.00) | 0.00 |
| EXPENSE: | | | |
| Personnel | \$ 5,604.00 | \$ 0.00 | \$ 5,604.00 |
| Contractual | 13,000.00 | 0.00 | 13,000.00 |
| Incidental | 8,490.00 | 0.00 | 8,490.00 |
| Utilities | 2,100.00 | 0.00 | 2,100.00 |
| TOTAL EXPENSE | \$ 29,194.00 | 0.00 | \$ 29,194.00 |
| ENDING BALANCE | \$ 0.00 | \$119,199.00 | \$119,199.00 |

The proposed assessment for Fiscal Year 1998 is \$6.87 per equivalent benefit unit (EBU) indexed annually to the San Diego CPI-U. The district contains 2,934 EBU's. This District has been re-engineered, consequently, amounts have changed.

FILE LOCATION: STRT - M-397

COUNCIL ACTION: (Tape location: C376-D119.)

Hearing began at 12:01 p.m. and halted at 12:30 p.m.

Testimony in opposition by Harold Andelman.

MOTION BY KEHOE TO ADOPT ITEMS 334 THROUGH 345, CERTIFYING THE ELECTION, AND RETURN ITEM 337 TO THE CITY MANAGER. Second by Warden. Passed by the following vote: Mathis-yea, Wear-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-337:

SUBJECT: This is the public meeting regarding the annual assessments for the Linda Vista Road Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Linda Vista Community Area. Districts-5 and 6.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-97-1317) RETURNED TO THE CITY MANAGER

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Linda Vista Road Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1998 assessments for Linda Vista Landscape Maintenance District (LMD). The district was established in April 1990 to provide maintenance for landscaping improvements on the raised medians and parkway areas along each side of Linda Vista Road within the public right-of-way. The landscaping improvements were part of the street enhancement project for Linda Vista Road.

The Fiscal Year 1998 proposed maintenance costs for the district are as follows:

| DESCRIPTION | OPERATIONS | FUND RESERVE | TOTAL |
|-------------------|--------------|-----------------|--------------|
| BEGINNING BALANCE | \$ 0.00 | \$ 56,185.00 | \$ 56,185.00 |
| REVENUE: | | | |
| Assessments | \$ 62,264.00 | \$ 0.00 | \$ 62,264.00 |
| Interest | 0.00 | 1,600.00 | 1,600.00 |
| City Contribution | \$ 2,292.00 | \$ 0.00 | \$ 2,292.00 |
| TOTAL REVENUE | \$ 64,556.00 | \$ 1,600.00 | \$ 66,156.00 |
| TRANSFER | 4,922.00 | (4,922.00) | 0.00 |
| EXPENSE: | | | |
| Personnel | \$ 5,604.00 | \$ 0.00 | \$ 5,604.00 |
| Contractual | 40,000.00 | 0.00 | 40,000.00 |
| Incidental | 12,994.00 | 0.00 | 12,994.00 |
| Utilities | 10,880.00 | 0.00 | 10,880.00 |
| TOTAL EXPENSE | \$ 69,478.00 | 0.00 | \$ 69,478.00 |
| ENDING BALANCE | \$ 0.00 | \$ 52,863.00 | \$ 52,863.00 |

The proposed assessment for Fiscal Year 1998 is \$6.90 per equivalent dwelling unit (EDU) indexed annually to the San Diego CPI-U. The district contains 9,023.8 equivalent dwelling units (EDU's). This District is in the process of being re-engineered. Although the overall budget hasn't been changed, individual parcels may be impacted by the change in apportionment.

FILE LOCATION: STRT - M-363

COUNCIL ACTION: (Tape location: C376-D119.)

Hearing began at 12:01 p.m. and halted at 12:30 p.m.

MOTION BY KEHOE TO ADOPT ITEMS 334 THROUGH 345, CERTIFYING THE ELECTION, AND RETURN ITEM 337 TO THE CITY MANAGER. Second by Warden. Passed by the following vote:

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

ITEM-338:

SUBJECT: This is the public meeting regarding the annual assessments for the Mid-City Landscape and Lighting Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Mid-City Community Area. Districts-2 and 3.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-97-1262) ADOPTED AS RESOLUTION R-289040

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Mid-City Landscape and Lighting Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1998 assessments for the Mid-City Landscape and Lighting Maintenance District (LMD). The district was established in July, 1987 to provide maintenance of street trees, landscaped medians, benches and street lights within the district boundaries. The District currently consists of five (5) Sub-Districts within the Mid-City area located along Adams Avenue, El Cajon Boulevard, Park Boulevard, and University Avenue. The present action is to increase the maximum authorized assessment for Sub-District No. 10; annex and establish maximum authorized assessments for the proposed Sub-District No. 11 located on El Cajon Boulevard between 37th Street and Interstate 805; index assessments annually for Sub-Districts No. 10 and 11 to the San Diego CPI-U; and reconfirm and levy existing assessments for Sub-Districts 1, 2, 4 and 8.

The Fiscal Year 1998 proposed maintenance costs for the district are as follows:

| DESCRIPTION | FUND | | |
|-------------------|--------------|--------------|--------------|
| | OPERATIONS | RESERVE | TOTAL |
| BEGINNING BALANCE | \$ 0.00 | \$111,425.00 | \$111,425.00 |
| REVENUE: | | | |
| Assessments | \$111,868.00 | \$ 0.00 | \$111,868.00 |
| Interest | 0.00 | 5,500.00 | 5,500.00 |
| City Contribution | \$ 2,909.00 | \$ 0.00 | \$ 2,909.00 |
| TOTAL REVENUE | \$114,777.00 | \$ 5,500.00 | \$120,277.00 |
| TRANSFER | 15,757.00 | (15,757.00) | 0.00 |
| EXPENSE: | | | |
| Personnel | \$ 16,056.00 | \$ 0.00 | \$ 16,056.00 |
| Contractual | 62,850.00 | 0.00 | 62,850.00 |
| Incidental | 41,100.00 | 0.00 | 41,100.00 |
| Utilities | 10,528.00 | 0.00 | 10,528.00 |
| TOTAL EXPENSE | \$130,534.00 | 0.00 | \$130,534.00 |
| ENDING BALANCE | \$ 0.00 | \$101,168.00 | \$101,168.00 |

The proposed assessment for Fiscal Year 1998, per front foot for each Sub-District is tabulated below:

| Description | FY98 | FY97 | % Change |
|-----------------|--------|--------|-------------------|
| Sub-District 1 | \$9.34 | \$9.34 | 0.00 |
| Sub-District 2 | \$6.99 | \$6.99 | 0.00 |
| Sub-District 4 | \$4.81 | \$5.14 | (6.00) Reduction |
| Sub-District 8 | \$9.24 | \$9.24 | 0.00 |
| Sub-District 10 | \$8.78 | \$2.85 | 208.00 Addition |
| Sub-District 11 | \$7.93 | \$0.00 | N/A New |

FILE LOCATION: STRT - M-388

COUNCIL ACTION: (Tape location: C376-D119.)

Hearing began at 12:01 p.m. and halted at 12:30 p.m.

MOTION BY KEHOE TO ADOPT ITEMS 334 THROUGH 345, CERTIFYING THE ELECTION, AND RETURN ITEM 337 TO THE CITY MANAGER.

Second by Warden. Passed by the following vote:

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

ITEM-339:

SUBJECT: This is the public meeting regarding the annual assessments for the Mira Mesa Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-97-1326) ADOPTED AS RESOLUTION R-289041

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Mira Mesa Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1998 assessments for Mira Mesa Landscape Maintenance District (LMD). The district was established in July 1983 to provide maintenance of landscaped medians, slopes and streetscapes along major arterial streets and corridors within the district. The district maintains 160,958.3 square feet of landscaped medians.

Fiscal Year 1998 proposed maintenance costs for the district are as follows:

| DESCRIPTION | FUND | | |
|-------------------|--------------|--------------|--------------|
| | OPERATIONS | RESERVE | TOTAL |
| BEGINNING BALANCE | \$ 0.00 | \$458,018.00 | \$458,018.00 |
| REVENUE: | | | |
| Assessments | \$312,633.00 | \$ 0.00 | \$312,633.00 |
| Interest | 0.00 | 18,200.00 | 18,200.00 |
| City Contribution | \$ 46,792.00 | \$ 0.00 | \$ 46,792.00 |
| TOTAL REVENUE | \$359,425.00 | \$ 18,200.00 | \$377,625.00 |

| | | | |
|----------------|--------------|--------------|--------------|
| TRANSFER | 28,693.00 | (28,693.00) | 0.00 |
| EXPENSE: | | | |
| Personnel | \$ 44,840.00 | \$ 0.00 | \$ 44,840.00 |
| Contractual | 180,000.00 | 0.00 | 180,000.00 |
| Incidental | 76,678.00 | 0.00 | 76,678.00 |
| Utilities | 86,600.00 | 0.00 | 86,600.00 |
| TOTAL EXPENSE | \$388,118.00 | 0.00 | \$388,118.00 |
| ENDING BALANCE | \$ 0.00 | \$447,525.00 | \$447,525.00 |

The proposed assessment for Fiscal Year 1998 is \$3.57 in Zones 1 and 2 and \$75.32 in Zone 3 per equivalent benefit unit (EBU) indexed annually to the San Diego CPI-U. The district contains 42,928 equivalent benefit units. Zones 1 and 2 contain 40,708 equivalent benefit units. Zone 3 contains 2,220 equivalent benefit units. This District has been re-engineered, consequently, amounts have changed.

FILE LOCATION: STRT - M-404

COUNCIL ACTION: (Tape location: C376-D119.)

Hearing began at 12:01 p.m. and halted at 12:30 p.m.

MOTION BY KEHOE TO ADOPT ITEMS 334 THROUGH 345, CERTIFYING THE ELECTION, AND RETURN ITEM 337 TO THE CITY MANAGER.
 Second by Warden. Passed by the following vote:
 Mathis-yea, Wear-not present, Kehoe-yea, Stevens-yea,
 Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea,
 Mayor Golding-yea.

ITEM-340:

SUBJECT: This is the public meeting regarding the annual assessments for the Mission Boulevard Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Mission Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt

the following Resolution:

(R-97-1314) ADOPTED AS RESOLUTION R-289042

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Mission Boulevard Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1998 assessments for Mission Boulevard Landscape Maintenance District (LMD). The district was established on June 30, 1981 to provide maintenance for approximately 200 trees and planter boxes along Mission Boulevard from San Diego Place to Pacific Beach Drive. The Fiscal Year 1998 proposed maintenance costs for the district are as follows:

| DESCRIPTION | FUND | | TOTAL |
|-------------------|-------------|-------------|-------------|
| | OPERATIONS | RESERVE | |
| BEGINNING BALANCE | \$ 0.00 | \$35,739.00 | \$35,739.00 |
| REVENUE: | | | |
| Assessments | \$46,371.00 | \$ 0.00 | \$46,371.00 |
| Interest | 0.00 | 1,500.00 | 1,500.00 |
| TOTAL REVENUE | \$46,371.00 | \$ 1,500.00 | \$47,871.00 |
| TRANSFER | 10,026.00 | (10,026.00) | 0.00 |
| EXPENSE: | | | |
| Personnel | \$ 2,804.00 | \$ 0.00 | \$ 2,804.00 |
| Contractual | 40,739.00 | (0.00) | 40,739.00 |
| Incidental | 12,854.00 | 0.00 | 12,854.00 |
| TOTAL EXPENSE | \$56,397.00 | 0.00 | \$56,397.00 |
| ENDING BALANCE | \$ 0.00 | \$27,213.00 | \$27,213.00 |

The proposed assessment for Fiscal Year 1998 is \$14.69 per equivalent benefit unit (EBU) indexed annually to the San Diego CPI-U. The district contains 3,157.39 equivalent benefit units. This District has been re-engineered, consequently, amounts have changed.

FILE LOCATION: STRT - M-398

COUNCIL ACTION: (Tape location: C376-D119.)

Hearing began at 12:01 p.m. and halted at 12:30 p.m.

MOTION BY KEHOE TO ADOPT ITEMS 334 THROUGH 345, CERTIFYING THE ELECTION, AND RETURN ITEM 337 TO THE CITY MANAGER.

Second by Warden. Passed by the following vote:

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

ITEM-341:

SUBJECT: This is the public meeting regarding the annual assessments for the Penasquitos East Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-97-1311) ADOPTED AS RESOLUTION R-289043

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Penasquitos East Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1998 assessments for Penasquitos East Landscape Maintenance District. The district was established in 1983 to provide maintenance for seven miles of medians, of which 176,687 square feet contains landscaping and 87 acres of open space.

The Fiscal Year 1998 proposed maintenance costs for the district are as follows:

| DESCRIPTION | FUND | | TOTAL |
|-------------------|--------------|--------------|--------------|
| | OPERATIONS | RESERVE | |
| BEGINNING BALANCE | \$ 0.00 | \$183,446.00 | \$183,446.00 |
| REVENUE: | | | |
| Assessments | \$155,148.00 | \$ 0.00 | \$155,148.00 |
| Interest | 0.00 | 5,500.00 | 5,500.00 |
| City Contribution | \$ 32,728.00 | \$ 0.00 | \$ 32,728.00 |
| TOTAL REVENUE | \$187,876.00 | \$ 5,400.00 | \$193,276.00 |
| TRANSFER | 13,463.00 | (13,463.00) | 0.00 |
| EXPENSE: | | | |
| Personnel | \$ 16,815.00 | \$ 0.00 | \$ 16,815.00 |
| Contractual | 111,000.00 | 0.00 | 111,000.00 |
| Incidental | 53,774.00 | 0.00 | 53,774.00 |
| Utilities | 19,750.00 | 0.00 | 19,750.00 |
| TOTAL EXPENSE | \$201,339.00 | 0.00 | \$201,339.00 |
| ENDING BALANCE | \$ 0.00 | \$175,383.00 | \$175,383.00 |

The proposed assessment for Fiscal Year 1998 is \$11.14 per equivalent benefit unit (EBU) indexed annually to the San Diego CPI-U. The district contains 13,927 EBU's. This District has been re-engineered, consequently, amounts have changed.

FILE LOCATION: STRT - M-389

COUNCIL ACTION: (Tape location: C376-D119.)

Hearing began at 12:01 p.m. and halted at 12:30 p.m.

Testimony in opposition by F. O. Macmanus.

MOTION BY KEHOE TO ADOPT ITEMS 334 THROUGH 345, CERTIFYING THE ELECTION, AND RETURN ITEM 337 TO THE CITY MANAGER.
 Second by Warden. Passed by the following vote:
 Mathis-yea, Wear-not present, Kehoe-yea, Stevens-yea,
 Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea,
 Mayor Golding-yea.

ITEM-342:

SUBJECT: This is the public meeting regarding the annual assessments for the Rancho Bernardo Landscape

Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-97-1302) ADOPTED AS RESOLUTION R-289044

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Rancho Bernardo Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1998 assessments for Rancho Bernardo Landscape Maintenance District. The district was established in July 1983 to provide maintenance for landscaped and paved street medians plus streetscapes within the district boundaries. For Fiscal Year 1998, the District will maintain 165,265 square feet of landscaped medians, 270,414 square feet of unpaved medians, and 539,805 square feet of streetscape. The Fiscal Year 1998 proposed maintenance costs for the district are as follows:

| DESCRIPTION | FUND | | TOTAL |
|-------------------|--------------|--------------|--------------|
| | OPERATIONS | RESERVE | |
| BEGINNING BALANCE | \$ 0.00 | \$ 78,994.00 | \$ 78,994.00 |
| REVENUE: | | | |
| Assessments | \$153,202.00 | \$ 0.00 | \$153,202.00 |
| Interest | 0.00 | 4,000.00 | 4,000.00 |
| City Contribution | \$ 19,832.00 | \$ 0.00 | \$ 19,832.00 |
| TOTAL REVENUE | \$173,034.00 | \$ 4,000.00 | \$177,534.00 |
| TRANSFER | 25,831.00 | (25,831.00) | 0.00 |
| EXPENSE: | | | |
| Personnel | \$ 14,013.00 | \$ 0.00 | \$ 14,013.00 |
| Contractual | 105,000.00 | 0.00 | 105,000.00 |
| Incidental | 49,352.00 | 0.00 | 49,352.00 |
| Utilities | 30,500.00 | 0.00 | 30,500.00 |

| | | | |
|----------------|--------------|--------------|--------------|
| TOTAL EXPENSE | \$198,865.00 | 0.00 | \$198,865.00 |
| ENDING BALANCE | \$ 0.00 | \$ 57,163.00 | \$ 57,163.00 |

The proposed assessment for Fiscal Year 1998 is \$6.47 per equivalent benefit unit (EBU) indexed annually to the San Diego CPI-U. The District contains 23,687 equivalent benefit units. This District has been re-engineered, consequently, amounts have changed.

FILE LOCATION: STRT - M-400

COUNCIL ACTION: (Tape location: C376-D119.)

Hearing began at 12:01 p.m. and halted at 12:30 p.m.

MOTION BY KEHOE TO ADOPT ITEMS 334 THROUGH 345, CERTIFYING THE ELECTION, AND RETURN ITEM 337 TO THE CITY MANAGER.
 Second by Warden. Passed by the following vote:
 Mathis-yea, Wear-not present, Kehoe-yea, Stevens-yea,
 Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea,
 Mayor Golding-yea.

ITEM-343:

SUBJECT: This is the public meeting regarding the annual assessments for the Scripps-Miramar Ranch Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

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

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-97-1343) ADOPTED AS RESOLUTION R-289045

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of Scripps-Miramar Ranch Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1998 assessments for Scripps-Miramar Ranch Landscape Maintenance District (LMD). The district was established in May 1981 to provide maintenance for landscaped medians and open space within the district. The Fiscal Year 1998 proposed maintenance costs for the district are as follows:

| DESCRIPTION | FUND | | |
|-------------------|--------------|---------------|--------------|
| | OPERATIONS | RESERVE | TOTAL |
| BEGINNING BALANCE | \$ 0.00 | \$301,141.00 | \$301,141.00 |
| REVENUE: | | | |
| Assessments | \$466,135.00 | \$ 0.00 | \$466,135.00 |
| Interest | 0.00 | 5,500.00 | 5,500.00 |
| City Contribution | \$188,523.00 | \$ 0.00 | \$188,523.00 |
| TOTAL REVENUE | \$654,658.00 | \$ 5,500.00 | \$660,158.00 |
| TRANSFER | 118,383.00 | (118,383.00) | 0.00 |
| EXPENSE: | | | |
| Personnel | \$ 56,050.00 | \$ 0.00 | \$ 56,050.00 |
| Contractual | 558,400.00 | 0.00 | 558,400.00 |
| Incidental | 74,391.00 | 0.00 | 74,391.00 |
| Utilities | 84,200.00 | 0.00 | 84,200.00 |
| TOTAL EXPENSE | \$773,041.00 | 0.00 | \$773,041.00 |
| ENDING BALANCE | \$ 0.00 | \$118,258.00 | \$118,258.00 |

The proposed assessment for Fiscal Year 1998 is \$73.00 per equivalent benefit unit (EBU) in Zones 1, 2 and 3. The district contains a total of 6,385.4 EBU's. Zone 1 contains 1,039.4 EBU's, Zone 2 contains 4,590.2 EBU's, and Zone 3 contains 755.8 EBU's. This District has been re-engineered, consequently, amounts have changed.

FILE LOCATION: STRT - M-356

COUNCIL ACTION: (Tape location: C376-D119.)

Hearing began at 12:01 p.m. and halted at 12:30 p.m.

Testimony in opposition by Jennifer Wilson.

MOTION BY KEHOE TO ADOPT ITEMS 334 THROUGH 345, CERTIFYING THE ELECTION, AND RETURN ITEM 337 TO THE CITY MANAGER.

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

ITEM-344:

SUBJECT: This is the public meeting regarding the annual assessments for the San Diego Street Light Maintenance District No. 1. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(City-Wide.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolutions:

Subitem-A: (R-97-1339) ADOPTED AS RESOLUTION R-289046

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the San Diego Street Light Maintenance District No. 1.

Subitem-B: (R-97-1340) ADOPTED AS RESOLUTION R-289047

Authorizing the City Manager to execute a contract with San Diego Gas & Electric Company for furnishing electrical energy for said district for Fiscal Year 1998.

CITY MANAGER SUPPORTING INFORMATION:

The Fiscal Year 1998 proposed maintenance costs for the district are as follows:

| DESCRIPTION | FUND | | |
|-------------------|--------------|--------------|---------------|
| | OPERATIONS | RESERVE | TOTAL |
| BEGINNING BALANCE | \$205,554.00 | \$119,251.00 | \$ 404,805.00 |
| REVENUE: | | | |
| Assessments | \$554,166.00 | \$ 0.00 | \$ 554,166.00 |
| Interest | 0.00 | 28,900.00 | 28,900.00 |

| | | | |
|----------------------------------|--------------|--------------|----------------|
| City Contribution | \$273,240.00 | \$ 0.00 | \$ 273,240.00 |
| TOTAL REVENUE | \$827,406.00 | \$ 28,900.00 | \$ 856,306.00 |
| TRANSFER | | | |
| Transfer to General Fund | (17,210.00) | 0.00 | (17,210.00) |
| Transfer to Reserve | (193,864.00) | 193,864.00 | 0.00 |
| Total Cash Available | \$821,886.00 | \$422,015.00 | \$1,243,901.00 |
| EXPENSE: | | | |
| Electrical Energy | \$377,920.00 | \$ 0.00 | \$ 377,920.00 |
| Maintenance-Operations | 273,240.00 | 0.00 | 273,240.00 |
| Maintenance-Major Repair & Paint | 0.00 | 200,000.00 | 200,000.00 |
| Centre City Maintenance Program | 11,500.00 | 0.00 | 11,500.00 |
| Engineering & Miscellaneous | 95,400.00 | 0.00 | 95,400.00 |
| TOTAL EXPENSE | \$758,060.00 | 200,000.00 | \$ 958,060.00 |
| ENDING BALANCE | \$ 0.00 | \$259,897.00 | \$ 285,841.00 |

The proposed assessment for Fiscal Year 1998 is \$554,166 compared with \$552,846 for Fiscal Year 1997. The increase is due to the addition of a new zone and minor variances in subdistricts cost over the previous year. Assessment costs vary for each subdistrict depending on the number and type of lights. Subdistrict costs are divided by the amount of assessable street frontage within each subdistrict to calculate a rate for each subdistrict. The proposed Fiscal Year 1998 assessment rates and a comparison of Fiscal Year 1997 for each of the 60 subdistricts and the proposed annexation is given in Attachment "C" of the Engineer's Report.

FILE LOCATION: Subitems A,B: STRT - M-390

COUNCIL ACTION: (Tape location: C376-D119.)

Hearing began at 12:01 p.m. and halted at 12:30 p.m.

MOTION BY KEHOE TO ADOPT ITEMS 334 THROUGH 345, CERTIFYING THE ELECTION, AND RETURN ITEM 337 TO THE CITY MANAGER.
 Second by Warden. Passed by the following vote:
 Mathis-yea, Wear-not present, Kehoe-yea, Stevens-yea,
 Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea,

Mayor Golding-yea.

ITEM-345:

SUBJECT: This is the public meeting regarding the annual assessments for the Tierrasanta Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(Tierrasanta Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following Resolution:

(R-97-1305) ADOPTED AS RESOLUTION R-289048

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Tierrasanta Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 1998 assessments for Tierrasanta Landscape Maintenance District (LMD). The district was established in 1972 to provide maintenance for 266,500 square feet of landscaped center medians and 856 acres of open space. The Fiscal Year 1998 proposed maintenance costs for the district are as follows:

| DESCRIPTION | FUND | | |
|-------------------|--------------|--------------|--------------|
| | OPERATIONS | RESERVE | TOTAL |
| BEGINNING BALANCE | \$ 0.00 | \$156,000.00 | \$156,000.00 |
| REVENUE: | | | |
| Assessments | \$450,397.00 | \$ 0.00 | \$450,397.00 |
| Interest | 0.00 | 12,900.00 | 12,900.00 |
| City Contribution | \$ 53,006.00 | \$ 0.00 | \$ 53,006.00 |
| TOTAL REVENUE | \$503,403.00 | \$ 12,900.00 | \$516,303.00 |
| TRANSFER | 20,291.00 | (20,291.00) | 0.00 |
| EXPENSE: | | | |
| Personnel | \$ 56,050.00 | \$ 0.00 | \$ 56,050.00 |
| Contractual | 310,000.00 | 0.00 | 310,000.00 |

| | | | |
|----------------|--------------|---------------|---------------|
| Incidental | 66,994.00 | 0.00 | 66,994.00 |
| Utilities | 90,650.00 | 0.00 | 90,650.00 |
| TOTAL EXPENSE | \$523,694.00 | 0.00 | \$523,694.00 |
| ENDING BALANCE | \$ 0.00 | \$ 148,609.00 | \$ 148,609.00 |

The proposed assessment for Fiscal Year 1998 is \$44.46 per equivalent benefit unit (EBU) indexed annually to the San Diego CPI-U. The district contains 10,130 equivalent benefit units. This District has been re-engineered, consequently, amounts have changed.

FILE LOCATION: STRT - M-403

COUNCIL ACTION: (Tape location: C376-D119.)

Hearing began at 12:01 p.m. and halted at 12:30 p.m.

MOTION BY KEHOE TO ADOPT ITEMS 334 THROUGH 345, CERTIFYING THE ELECTION, AND RETURN ITEM 337 TO THE CITY MANAGER.

Second by Warden. Passed by the following vote:

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

ITEM-346:

SUBJECT: Second Amendment to the Development Agreement with Catellus Development Corporation.

(See memorandum from Centre City Development Corporation dated 7/11/97. Centre City Community Area. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Introduce the following ordinance:

(O-98-15) INTRODUCED, TO BE ADOPTED SEPTEMBER 8, 1997

Introduction of an Ordinance approving the second amendment to the development agreement between the City of San Diego and Catellus Development Corporation to revise certain terms and conditions of the agreement

related to the Baggage Building and Depot forecourt.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A413-560.)

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

ITEM-S500:

(Docketed at the direction of the City Council at the meeting of July 29, 1997, Item 200.)

SUBJECT: Amendment to the Annual Appropriation Ordinance for FY 1997-98.

TODAY'S ACTION IS:

(O-98-) TRAILED TO AUGUST 11, 1997

First public hearing of an Ordinance amending Ordinance No. 0-18424, entitled "An Ordinance Adopting the Annual Budget for Fiscal Year 1997-98 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year," to add Fire Truck No. 10 from savings resulting from the Deferred Retirement Option Plan as identified by the City Manager.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A413-560.)

CONSENT MOTION BY MATHIS TO ACCEPT MAYOR GOLDING'S REQUEST TO TRAIL TO AUGUST 11, 1997, FOR A FULL COUNCIL. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-S501:

(Trailed as Additional Business from the meeting of July 29, 1997, Item S500.)

SUBJECT: Two actions related to State Legislation on Handgun Safety (AB488) and Firearms (SB500).

TODAY'S ACTIONS ARE:

Subitem-A: TRAILED TO AUGUST 11, 1997

Discussion of State Legislation AB 488 (Caldera), Handgun Safety Standards Act of 1997, and SB 500 (Polanco), Firearms.

Subitem-B: (R-98-162) TRAILED TO AUGUST 11, 1997

Adoption of a Resolution supporting passage of Assembly Bill 488 and Senate Bill 500 supporting a statewide ban on the sale of handguns that do not meet Federal Importation Standards.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A413-560.)

CONSENT MOTION BY MATHIS TO ACCEPT MAYOR GOLDING'S REQUEST TO TRAIL TO AUGUST 11, 1997, FOR A FULL COUNCIL. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-CS-1: (R-98-167) ADOPTED AS RESOLUTION R-289049

A Resolution adopted by the City Council in Closed Session on August 5, 1997:

Authorizing the City Manager to pay the total sum of \$35,000.00 in the settlement of each and every claim against The City of San Diego, et al resulting from the incident which occurred on October 22, 1995; authorizing the City Auditor and Comptroller to issue one check in the amount of \$35,000.00, made payable to Pamela Vilorio and her attorney of record, Morris Sankary, in full settlement of the lawsuit and of all claims.

Aud. Cert. 9700339 Revised

FILE LOCATION: MEET

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 2:51 p.m. in honor of the memory of:

Joe Estavillo as requested by Mayor Golding;
Robert J. Vicknair as requested by Council Member Wear; and
Gene Richardson as requested by Council Member Stevens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E555-638).