

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, DECEMBER 2, 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 10:06 a.m.

Frank Belock, Director of Engineering and Capital Projects, gave a presentation regarding the City's preparations for the upcoming winter relating to the climatic condition El Nino may bring to the region. Mr. Belock informed Council of the work going on in the field, infrastructure, and flood-way improvements. Chris Bach, Coordinator of the Emergency Operation's Center also gave information as to the City's preparedness for emergency situations. He said the five areas of focus that City Disaster Preparedness has been working on are training for first responders, community outreach, public information, command in control, and outside resources.

Mayor Golding recessed the meeting at 11:12 a.m. to convene the Redevelopment Agency. The meeting was reconvened by Mayor Golding at 11:15 a.m. with Council Member Mathis not present. The meeting was recessed by Mayor Golding at 12:08 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Golding at 2:09 p.m. with Council Members Mathis, Kehoe and Vargas not present. Mayor Golding recessed the meeting at 4:05 p.m. to reconvene the Redevelopment Agency. The Council Meeting was reconvened by Mayor Golding at 4:07 p.m. with Council Member Mathis not present. Deputy Mayor Warden recessed the meeting at 4:42 p.m. to reconvene the Redevelopment Agency. The Council Meeting was reconvened by Deputy Mayor Warden at 4:45 p.m. with Mayor Golding and Council Members Mathis and Wear not present. Deputy Mayor Warden adjourned the meeting at 4:47 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present

- (1) Council Member Mathis-excused by R-289588  
(Death of father)
  - (2) Council Member Wear-present
  - (3) Council Member Kehoe-present
  - (4) Council Member Stevens-present
  - (5) Council Member Warden-present
  - (6) Council Member Stallings-present
  - (7) Council Member McCarty-present
  - (8) Council Member Vargas-present
- Clerk-Abdelnour (lw/ms)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-not present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Robert Semrad of  
Horizon Christian Fellowship.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Warden.

PUBLIC COMMENT:

ITEM-PC-1:

Darlene D. Davis thanked Council Member Stallings for getting the taxi stands back at Qualcomm Stadium. Ms. Davis also informed Council that she is the publisher, editor, and writer for the Taxi Newsletter.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A042-061.)

ITEM-PC-2: REFERRED TO CITY MANAGER

Scott McLachlan came before Council to follow up on questions posed to the Mayor on September 30, 1997. Mayor Golding informed Mr. McLachlan that he would be receiving answers. He also brought up the issue of painting the stadium.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A062-080.)

ITEM-PC-3:

Don Stillwell commented on the Stadium Authority. He asked Council to get the opinions of the citizens appointed to this authority and consider authorizing the Stadium Authority to continue. Mr. Stillwell also talked about the City's box at Qualcomm Stadium.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A081-106.)

COUNCIL COMMENT:

ITEM-CC-1:

Council Member Kehoe reminded everyone that this Saturday, December 6, 1997, at University and 30th Street, the Toyland Parade will kick off. She said it has been a regular feature since the 1930's, and over the last five years has been revitalized by the merchants and residents of North Park. Council Member Kehoe said it is a great way to start the holidays and encouraged everyone to come out and cheer them on.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A107-117.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

11/17/97 Adjourned  
11/18/97

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B107-109.)

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

ITEM-31:

SUBJECT: Kappa Sigma Fraternity/Epsilon-Iota Chapter Day.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-98-615) ADOPTED AS RESOLUTION R-289494

Proclaiming Saturday, December 6, 1997 to be "Kappa Sigma Fraternity/Epsilon-Iota Chapter Day" in San Diego, in recognition of their philanthropic events that benefit local charities and achievements on campus at San Diego State University.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B119-165.)

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

ITEM-32:

SUBJECT: Bethel African Methodist Episcopal Church Day.

COUNCILMEMBER VARGAS'S RECOMMENDATION:

Adopt the following resolution:

(R-98-600) CONTINUED TO DECEMBER 15, 1997

Proclaiming November 23, 1997 to be "Bethel African Methodist Church Day" in San Diego.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B110-118, B187-319.)

CONSENT MOTION BY WARDEN TO CONTINUE THIS ITEM UNTIL DECEMBER 15, 1997, AS REQUESTED BY COUNCIL MEMBER VARGAS. Second by Wear. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-50:

SUBJECT: Transfer of Non-Exclusive Franchise Agreements from Coast Waste Management, Inc., Browning Ferris Industries and Pacific Disposal, Inc., to USA Waste of California, Inc.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/18/97. (Council voted 9-0):

(O-98-49 Cor.Copy) ADOPTED AS ORDINANCE O-18444 (New Series)

Approving the transfer of the Non-Exclusive Franchise Agreements from Coast Waste Management, Inc., Browning Ferris Industries and Pacific Disposal, Inc., to USA Waste of California, Inc.

FILE LOCATION: MEET CONT FY98-1

COUNCIL ACTION: (Tape location: B187-319.)

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

\* ITEM-51:

SUBJECT: San Diego County Water Authority Voting Procedure.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/18/97. (Council voted 8-0. Mayor Golding not present):

(O-98-37) ADOPTED AS ORDINANCE O-18445 (New Series)

Adoption of an Ordinance requiring the representatives to the San Diego County Water Authority to cast the City's vote as a unit.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B187-319.)

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

ITEM-52:

SUBJECT: Amendments to the Municipal Code as Part of the Land Development/Zoning Code Update Project.

(Citywide. Districts-1,2,3,4,5,6,7 & 8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as amended on 11/18/97. (Council voted 5-4; Councilmembers Kehoe, Stevens, Stallings and Vargas voted nay):

(0-98-27 Cor. Copy) CONTINUED TO DECEMBER 9, 1997

Amending the Municipal Code by repealing the Municipal Code provisions to be replaced by the Land Development Code.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: G216-243.)

MOTION BY KEHOE TO CONTINUE ONE WEEK TO DECEMBER 9, 1997 SO THE ENTIRE COUNCIL IS PRESENT, AS REQUESTED BY MAYOR GOLDING, WITH THIS ITEM TO BE HEARD FIRST. Second by Stallings. Passed by the following vote: Mathis-not present, Wear-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

\* ITEM-53:

SUBJECT: Rezoning Property Proposed as Part of the Land Development/Zoning Code Update Project.

(Citywide. Districts-1,2,3,4,5,6,7, and 8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/18/97. (Council voted 9-0):

(O-98-28) ADOPTED AS ORDINANCE O-18446 (New Series)

Rezoning single-unit residential property to distinguish between the urbanized area and the planned urbanizing and future urbanizing areas consistent with the Land Development Code.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B187-319.)

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

\* ITEM-54:

SUBJECT: Matter of the New Century Center Development Plan - Proposed Redevelopment of the Kearny Mesa General Dynamics Site in the Kearny Mesa Community Plan Area. (Kearny Mesa Community Area. District-6.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 11/18/97. (Council voted 9-0):

Subitem-A: (O-98-39) ADOPTED AS ORDINANCE O-18447 (New Series)

Incorporating the Kearny Mesa General Dynamics property



into the CA, M-1A and OS-TDR Zones.

Subitem-B: (O-98-40) ADOPTED AS ORDINANCE O-18448 (New Series)

Approving the Development Agreement between the City of San Diego and General Dynamics Properties, Inc.

FILE LOCATION: Subitems A,B: LAND-Kearny Mesa  
Community Plan Area CONT FY98-1

COUNCIL ACTION: (Tape location: B187-319.)

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

\* ITEM-100:

SUBJECT: Inviting Bids for the Sidewalk and Curb/Gutter Replacement City Wide "C-15".

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-306) ADOPTED AS RESOLUTION R-289495

Inviting bids for the Sidewalk and Curb/Gutter Replacement City Wide "C-15";

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of \$400,000 from Street Division Operating Fund 10440, and \$250,000 from CIP-59-002, Annual Allocation Fund 30300;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves, provided that the City Auditor first furnishes a certificate demonstrating that the funds are, or will be on deposit in the City Treasury. (BID-K98043C)

CITY MANAGER SUPPORTING INFORMATION:

This action will provide for the replacement of damaged concrete hard scape surfaces in all Council Districts. Specific sidewalk and curb replacement locations are selected from the Street Division's current concrete backlog. Most locations are for there pair of sidewalks which have been damaged by parkway trees. It is projected that 600 locations can be completed by this contract. The projected contract locations are sites which involve sidewalk, curb repairs, and pedestrian ramp installations throughout the city.

Aud. Cert. 9800577.

FILE LOCATION: CONT-Smith Engineering & Construction;  
Sidewalk and Curb/Gutter Replacement City  
Wide "C-15" CONFY98-1

COUNCIL ACTION: (Tape location: B187-319.)

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

ITEM-101:

SUBJECT: City of San Diego Ultra-Low Flush Toilet Rebate Program.

(See City Manager Report CMR-97-212.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-518) CONTINUED TO DECEMBER 9, 1997

Authorizing an agreement with Volt Viewtech for services associated with the day-to-day operation of the City's Ultra-Low Flush Toilet Rebate Program in an amount not to exceed \$3,000,000.

Aud. Cert. 9800586.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: F414-G215.)

MOTION BY KEHOE TO CONTINUE THIS ITEM FOR ONE WEEK TO DECEMBER 9, 1997, SO STAFF CAN PREPARE A SIDE-BY-SIDE COMPARISON OF THE RELEVANT CRITERIA FOR THE TWO BIDS ON THIS ITEM AS REQUESTED BY DEPUTY MAYOR WARDEN. Second by McCarty. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-102:

SUBJECT: Rehabilitation of the On-Shore Outfall.

(Point Loma Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-596) ADOPTED AS RESOLUTION R-289496

Authorizing the expenditure of not to exceed \$100,000 from Fund No. 41508, CIP-46-501.0, Annual Allocation - Metro Sewer Pooled Contingency, to provide additional contingency for CIP-46-503.0, Rehabilitation of the On-Shore Outfall, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The Rehabilitation of the On-Shore Outfall (ROO) Project will rehabilitate the steel pipe that connects the concrete offshore outfall pipe to the new south effluent conveyance facility and the rehabilitated north effluent conveyance facilities. These conveyance facilities improvements were completed during South

Effluent Outfall Channel Project (SEOC). During the SEOC the steel pipe was found to be substantially more deteriorated than anticipated.

This created the need for the ROO Project. This additional funding will provide for standby emergency pumps and other unforeseen conditions. This is the first time the bottom of the 108 inch steel outfall pipe will be exposed since its construction in 1963 and its condition is unknown. The pumps will be used to bypass treated effluent back to the outfall structure in the event a leak occurs and it can not be plugged immediately. By having the pump on standby a potential spill to the ocean may be avoided. Large rocks and old steel beams have been encountered in the excavation. This debris is from the original outfall construction and was not described in contract documents or other available documents. The additional funding for leasing the standby pumps is \$47,206 and will be Change Order No. 1 with Advanco Constructors. The remainder of the funding will be placed in contingency and used for unforeseen conditions as they arise.

Aud. Cert. 9800605.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B187-319.)

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

\* ITEM-103:

SUBJECT: Flood Water Storage Easement Abandonment - Portions of Parcel Maps PM-17860 and PM-17846.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-589) ADOPTED AS RESOLUTION R-289497

Vacating the flood storage easement located in a portion of Parcel 1 of Parcel Map PM-17860 and in a portion of Parcel 2 of Parcel Map PM-17846, under the procedure for the summary vacation of easements.

CITY MANAGER SUPPORTING INFORMATION:

This easement abandonment, located in the Otay Mesa Area, is proposed to accommodate changes in lot configuration and grading. These changes require the relocation of existing flood water storage easements. New flood water storage easements, for the new changes, have been accepted by the City Engineer. The existing easements interfere with the development and proper utilization of the site. The easements proposed for abandonment were acquired at no cost to the City. Staff recommends that the Council approve the abandonment of these easements.

FILE LOCATION: DEED F-7131 DEED FY98-1

COUNCIL ACTION: (Tape location: B187-319.)

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

\* ITEM-104:

SUBJECT: Establishment of the Mira Mesa Teen Center Special Fund.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-391) ADOPTED AS RESOLUTION R-289498

Authorizing the City Manager to establish the Mira Mesa Teen Center Special Fund 10516.1;

Authorizing the Auditor and Comptroller to transfer \$500,000 from Mira Mesa Community Fund 10516 to the Mira Mesa Teen Center Special Fund 10516.1;

Authorizing the Auditor and Comptroller to disburse interest only from the Mira Mesa Teen Center Special Fund 10516.1 at the direction and sole discretion of the City Manager, based upon requests for such funds submitted no more than once per lease year by the operator of the San Diego Regional Teen Center showing operating need;

Authorizing the Auditor and Comptroller to disburse interest and principal from the Mira Mesa Teen Center Special Fund 10516.1 to other capital improvement projects within the Mira Mesa area, as authorized and directed by City Council.

CITY MANAGER SUPPORTING INFORMATION:

In December 1996, the City Council authorized the City Manager to establish a capital improvement project for the design and remodeling of the old Mira Mesa library to include a self-supporting Teen Center, Police Storefront, and Retired Senior Volunteer Patrol (RSVP) Office.

Additionally, the City Council made the general recommendation that the City Manager establish a new fund to provide financial assistance to the Teen Center only if it should be necessary. Council direction was that this fund would be established with money from the existing Mira Mesa Community Fund. The following are the proposed salient points of this new special fund:

Principal - \$500,000

Interest - Only the interest generated from this special fund is available. If an operating shortfall occurs, the operator of the San Diego Regional Teen Center must submit reports reflecting its financial status at the time of application, the amount needed and how the money will be spent. A request for such funds should be submitted no more than once during each lease year. The principal will not be used for any purpose without further direction from the City Council.

Use - The income generated from this special fund may be used to fund operating shortfalls (if any) of the San Diego Regional Teen Center in Mira Mesa at the discretion of the City Manager, and for other authorized purposes in the Mira Mesa Community at the direction of the City Council.

Fund Administrator - City Manager.

The City Manager would recommend approval of the specifics of this special fund.

Aud. Cert. 9800379.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B187-319.)

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

ITEM-105:

SUBJECT: Designation of the Barrio Logan Redevelopment Expansion Survey Area.

(See City Manager Report CMR-97-213.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-586) ADOPTED AS RESOLUTION R-289514

Designating the Barrio Logan Redevelopment Expansion Survey Area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F376-410.)

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

\* ITEM-106:

SUBJECT: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(See City Manager's Update. San Ysidro and Tijuana River Valley Community Areas. District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-98-511) ADOPTED AS RESOLUTION R-289499

Declaring a continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L-State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: B187-319.)

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

\* ITEM-107:

SUBJECT: Procedure for Installation of All-Way Stop Signs.

(See City Manager Reports CMR-97-211 and CMR-97-179; memorandum from Councilmember McCarty dated 10/8/97.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-98-543) ADOPTED AS AMENDED AS RESOLUTION R-289500

Amending Council Policy 200-08 entitled "Criteria for the Installation of Stop Signs."

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:



On 10/8/97, LU&H voted 3-0 to accept staff's recommendation to adopt the amended Council Policy 200-08 and adding a provision that notification be provided to the affected City Council Office for the installation and/or removal of stop signs.  
(Councilmembers Mathis, Stevens and Vargas voted yea.  
Councilmembers Wear and Kehoe not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B187-319.)

CONSENT MOTION BY WARDEN TO ADOPT AND ACCEPT COUNCIL MEMBER WEAR'S RECOMMENDATION TO ADD TO THE POLICY THAT NOTIFICATION BE PROVIDED TO THE RESPECTIVE COMMUNITY PLANNING GROUP MORE THAN THIRTY (30) DAYS IN ADVANCE. Second by Wear. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-108:

SUBJECT: Home Avenue Trunk Sewer Contract I - Contingency Replenishment and Additional Engineering Costs.

(Mid-City and City Heights Community Areas.  
Districts-3 & 4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-599) ADOPTED AS RESOLUTION R-289501

Authorizing the expenditure of not to exceed \$35,612 from Sewer Revenue Fund 41506, CIP-46-139.0, Home Avenue Trunk Sewer, to replenish project contingencies for the purpose of executing Change Order No. 5, and any necessary project closeout items, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the expenditure of not to exceed \$84,388 from Sewer Revenue Fund 41506, CIP-46-139.0, Home Avenue Trunk Sewer, to fund additional engineering

costs, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

During construction of the Home Avenue Trunk Sewer Contract No. 1, several errors and omissions on the contract drawings led to unforeseen conflicts between the new sewer and existing utilities. The City required the Contractor to perform substantial extra work to implement design revisions, thereby mitigating these conflicts. There are now insufficient contract funds to execute Contract Change Order No. 5. It is requested that the contract contingency be replenished so that Change Order No. 5 may be executed, as well as to provide funds for any necessary final closeout items, since the project is not 100 percent complete. This request also provides funds for additional in-house engineering and construction management, in the amount of \$84,388. The additional funds are necessary for in-house design revisions that were needed to mitigate the above referenced field conflicts, and an accounting adjustment of prior years' expenditures. The contract drawings were provided to the City by an outside consultant. City project managers are currently working with the consultant to reimburse the City for the consultant's errors and omissions, as well as costs related to City staff design revisions.

Aud. Cert. 9800573.

WWF-98-311.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B187-319.)

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

\* ITEM-109:

SUBJECT: Two actions related to the Final Subdivision Map of Boston Avenue.

(Mountain View Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-591) ADOPTED AS RESOLUTION R-289502

Authorizing a Subdivision Improvement Agreement with Boston Avenue, LLC, for the installation and completion of public improvements.

Subitem-B: (R-98-590) ADOPTED AS RESOLUTION R-289503

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 3.0861 acre site into 12 lots for residential development. It is located north of Boston Avenue between 39th Street and 40th Street in the Mountain View Community Plan Area. On November 6, 1989 the Subdivision Board of the City of San Diego adopted Subdivision Board Resolution No. 5479 for Boston Avenue Subdivision. 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. 26307-1-D through 26307-5-D, filed in the Office of the City Clerk under Micro Number 139.54. All improvements are to be completed within two years.

The Engineer's estimate for the cost of public improvements is \$144,417 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$2,400, 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."

FILE LOCATION: Subitems A,B: Subd-Boston Avenue  
CONT FY98-1

COUNCIL ACTION: (Tape location: B187-319.)

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

\* ITEM-110:

SUBJECT: Repayment of \$25,000 to the City for the 1997-1998 Winter Shelter Program in East Village.

(See memorandum from the Centre City Development Corporation dated 11/10/97. Centre City East Redevelopment District of the Expansion Sub Area of the Centre City Redevelopment Project. Districts-2 and 8.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-98-601) ADOPTED AS RESOLUTION R-289504

Accepting a loan repayment of \$25,000 from the Redevelopment Agency of San Diego, with the funds repaid to be used for the purpose of leasing warehouse space or installing and equipping a temporary structure in the East Village area of the Centre City Redevelopment Project area;

Directing the City Auditor and Comptroller to reflect the repayment of \$25,000 in monies loaned to the Redevelopment Agency by the City for use in the Horton Plaza Redevelopment Project area.

Aud. Cert. 9800602.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B187-319.)

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

ITEM-200:

SUBJECT: Fixed Buffer Zone Ordinance.

MAYOR GOLDING'S RECOMMENDATION:

Introduce the following ordinance:

(O-98-72) INTRODUCED AS AMENDED, TO BE ADOPTED  
DECEMBER 15, 1997

Introduction of an Ordinance establishing a fixed buffer zone relating to health care facilities, places of worship, and school grounds.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B320-C458, D003-099.)

MOTION BY KEHOE TO INTRODUCE THE REVISED FIXED BUFFER ZONE ORDINANCE WITH THE 15-FOOT ZONE IN THE LANGUAGE. Second by Stallings. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Two actions related to adoption of Current Flood Insurance Rate Maps.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance in Subitem A, and adopt

the following resolution in Subitem B:

Subitem-A: (O-98-46) INTRODUCED, TO BE ADOPTED  
DECEMBER 15, 1997

Introduction of an Ordinance amending Chapter VI,  
Article 2, Division 4, of the San Diego Municipal Code  
by amending Section 62.0423 and amending Chapter IX,  
Article 1, Division 89, by amending Section 91.8901,  
relating to areas of Special Flood Hazard.

Subitem-B: (R-98-592) ADOPTED AS RESOLUTION R-289515

Adoption of a Resolution amending Council Policy No.  
600-14 entitled "Development Within Areas of Special  
Flood Hazard".

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego is a participant in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP). The City's participation allows its citizens to purchase flood insurance through the program. Participation includes meeting the minimum standards contained in Section 44 of the Code of Federal Regulations. Contained in the regulations is a requirement that an ordinance be written adopting the NFIP's Flood Insurance Rate Maps (FIRMS) floodway and floodway fringe delineations as the minimum control for development in the floodplain. This amendment updates previous Council Policy and Municipal Code sections to include the most recent publication of the FIRM panels, effective June 19, 1997.

FILE LOCATION: Subitem A: NONE; Subitem B: MEET

COUNCIL ACTION: (Tape location: D100-147.)

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

ITEM-202:

SUBJECT: Two actions related to Land Transfer and Dedication -

Mission Trails Regional Park.

(Located on Father Junipero Serra Trail and Bushy Hill Drive. Camp Elliott Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Introduce the ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-98-29) INTRODUCED, TO BE ADOPTED  
DECEMBER 15, 1997

Introduction of an Ordinance dedicating portions of Lots 1 and 2, Blocks G and H, Fanita Ranch, and portions of Tract C and T, Rancho El Cajon, as a park and for inclusion in Mission Trails Regional Park.

Subitem-B: (R-98-519 Cor.Copy) ADOPTED AS RESOLUTION  
R-289505

Authorizing the transfer of City land from the Water Department to the Park and Recreation Department, which includes portions of Lots 1 and 2, Blocks G and H, Fanita Ranch, and portions of Tract C and T, Rancho El Cajon;

Authorizing the expenditure of \$300,000 from Fund 30252 and \$620,000 from Fund 10580 for the purchase of the Water Department land.

CITY MANAGER SUPPORTING INFORMATION:

In 1991, the City Council approved an agreement with CalTrans, in conjunction with their construction of SR 52, which authorized the sale of land to CalTrans to develop a mitigation site and provided for the City to receive \$787,000 for the development of a campground at Hollins Lake (now Kumeyaay Lake). Park and Recreation Department plans for the development of this Mission Trails Regional Park campground are to generate income from campsite fees which will fund staffing needs, so that this facility may be self-supporting. In order for this to be possible, the land must be acquired from the Water Department. On February 6, 1995 Council Resolution R-285297 provided that proceeds from the sale of park parcels for SR 52 be placed "in an interest-bearing account to be used by the City to purchase certain parcels of Water Utilities Land, for inclusion in Mission

Trails Regional Park." The subject parcels total 101.41 acres and have been appraised at \$920,000. Additionally, in accordance with Council Policy 700-17, approval of this item includes introduction of an Ordinance to dedicate this parcel for a park and inclusion in Mission Trails Regional Park.

Aud. Cert. 9800495.

FILE LOCATION: Subitem A: NONE; Subitem B: MEET

COUNCIL ACTION: (Tape location: B187-319.)

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

ITEM-203:

SUBJECT: Agreement with San Diego Gas and Electric Company for Electrical Back-up at Penasquitos Pump Station.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-593) ADOPTED AS RESOLUTION R-289506

Authorizing an agreement with San Diego Gas and Electric Company for the installation and maintenance of secondary electrical service at Penasquitos Pump Station;

Authorizing the expenditure of not to exceed \$1,040,181 from Fund No. 41506, CIP-46-120.0, Penasquitos Trunk Sewer Relief, provided that the City Auditor first furnishes a certificate demonstrating that the funds are, or will be on deposit in the City Treasury.

CITY MANAGER SUPPORTING INFORMATION:

The Penasquitos Pump Station was designed for electrical Service



from two separate SDG&E substations (primary and secondary), with automatic switching between the two sources in the event of power failure. This agreement with SDG&E is for the standby service for the pump station. The amount includes installation of the electric cable and a one-time payment for the maintenance of this secondary electrical service. The estimated cost is not to exceed \$1,040,181.

Aud. Cert. 9800571.

FILE LOCATION: MEET CONT FY98-1

COUNCIL ACTION: (Tape location: B187-319.)

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

ITEM-204:

SUBJECT: Two actions related to Inviting Bids for the South Bay Reclamation Sewer and Pump Station, Package "B".

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-597 Corr.) ADOPTED AS RESOLUTION  
R-289516

Inviting bids for the South Bay Reclamation Sewer and Pump Station, Package "B" (pipeline, 8-inch sludge and 30-inch wastewater force mains) on Work Order No. 192682;

Authorizing the City Manager to establish contract funding phases and authorizing a contract with the lowest responsible bidder, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be on deposit in the City

Treasury;

Authorizing the expenditure of an amount not to exceed \$8,777,333 from Fund No. 41509, CIP-40-911.3, South Bay Reclamation Sewer and Pump Station;

Authorizing the expenditure of an amount not to exceed \$395,000 from Fund No. 41509, CIP-46-502.0, Annual Allocation - Pooled Contingency, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department. (BID-K98106)

Subitem-B: (R-98-598) ADOPTED AS RESOLUTION R-289517

Certifying that the information contained in Mitigated Negative Declaration LDR-96-0471, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the Council; adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

The South Bay Reclamation Sewer and Pump Station (SBRS & PS) will divert reclaimable quality wastewater from the existing San Ysidro Truck Sewer to the South Bay Water Reclamation Plant for treatment. This water will be treated to stringent water reclamation standards. After treatment this water can be reused for irrigation and non potable uses. This diversion will also reduce the amount of flow being treated at the Point Loma Wastewater Treatment Plant via the South Metro Interceptor Sewer, and will reduce the risk of sewer spills. The SBRS and PS is divided into two construction contracts, Pump Station (Package A) and pipelines (Package B, 8-inch sludge and 30-inch force mains). In March of 1996, the City Council approved the pipeline alignment (Package B) in concept subject to future environmental

review (Resolution R-287050, dated March 18, 1996). The MWWD has prepared a Mitigated Negative Declaration (MND) for the SBRS and PS (both packages), and completed the design of pipelines (Package B). A public hearing for this document will be held on December 2, 1997. It is requested that the City Council certify the MND, and approve the advertisement and award of the SBRS & PS, Package B (8-inch sludge and 30-inch force mains) to the lowest responsible bidder.

FILE LOCATION: Subitems A,B: W.O. 192682 CONFY98-1

COUNCIL ACTION: (Tape location: D148-E045.)

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

ITEM-205:

SUBJECT: Two actions related to Funding for Strategic Plan Capital Improvement Projects.

CITY MANAGER'S RECOMMENDATION:

Hold the first public hearing of the ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-98-50) HEARING HELD

First public hearing of an Ordinance amending Ordinance No. O-18424 (New Series), entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1997-98 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year," by increasing total appropriations in the Water Operating Fund 41500 by \$10,600,000 from unappropriated fund balance and revenue, by amending Capital Improvement Program Budget to add CIP-73-347.0, by creating a new division entitled "CIP Program Management Division" within the Water Department and adding personnel to the Water Department, CIP Program Management Division.

NOTE: The introduction and adoption of the Ordinance in Subitem A will be heard on Tuesday, December 9,

1997.

Subitem-B: (R-98-605) CONTINUED TO DECEMBER 9, 1997

Authorizing the Auditor and Comptroller to transfer funds from Water Operating Fund 41500 to the following projects and programs in the indicated amounts:

CIP	Title	Amount
73-083.0	Annual Allocation - Water Mains	\$3,600,000
73-261.0	Alvarado Filtration Plant-Upgrade	\$1,500,000
73-284.0	Miramar Filtration Plant-Exp. & Upgrade	\$ 150,000
73-347.0	CIP Program Management	\$3,000,000

Authorizing the Auditor and Comptroller to transfer \$1,750,000 from Water Operating Fund 41500 to CIP Program Management Division 76310 for personnel and related non-personnel expenses, and \$600,000 to the Water Conservation Program 76250, to implement the programs approved in the Water Strategic Plan;

Authorizing the expenditure of \$400,000 from CIP-73-261.0, Alvarado Filtration Plant - Upgrade & Expansion, and \$150,000 from CIP-73-284.0, Miramar Filtration Plant - Expansion & Upgrade, and \$270,000 from CIP-73-347.0, CIP Program Management for the purpose of providing funds for additional project related costs, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury.

CITY MANAGER SUPPORTING INFORMATION:

City Council adopted a water rate increase on August 12, 1997, which will produce six percent more revenue in this fiscal year than was reflected in the proposed budget (\$8 million). These revenues were shown in the final 1998 budget revenue estimates but were not appropriated. In order to proceed with certain critical capital projects during this fiscal year, and to properly manage and implement the CIP Program adopted by City Council in the Water Strategic Plan (see City Manager Reports CMR-97-57, Water Capital Improvement Program, and CMR-97-86, Water Rate Increase) it is necessary to appropriate these additional revenues and unappropriated fund balances. The

necessary actions include the creation and funding of a new division within the Water Department to oversee implementation of the capital program. The CIP Program Management Division (\$1,750,000) will be staffed with 46 positions to manage the \$773 million capital program. These positions will be filled by transfers of experienced staff members from other sections of the Water Department, the Engineering and Capital Improvements Department, and other City Departments in order to ensure that the program can be implemented as rapidly as possible. Additionally, funds will be added to the following CIP projects to ensure continued progress until bonds can be issued:

CIP	Title	Amount
73-083.0	Annual Allocation - Water Mains	\$3,600,000
73-261.0	Alvarado Filtration Plant-Upgrade	\$1,500,000
73-284.0	Miramar Filtration Plant-Exp. & Upgrade	\$ 150,000
73-347.0	CIP Program Management	\$3,000,000

CIP-73-347.0, CIP Program Management, will provide for consultant services required for managing the large and complex capital program previously authorized. These services will assist with preparing for and successfully implementing a bond financing program and will assist the City's project managers in implementing individual CIP projects. Funds will also be added to the Water Conservation Program in order to implement the conservation measures contained in the Strategic Plan that will achieve 50 percent additional water savings.

Aud. Cert. 9800568.

FILE LOCATION: Subitems A,B: NONE

COUNCIL ACTION: (Tape location: G244-280.)

MOTION BY McCARTY TO APPROVE THE FIRST HEARING FOR SUBITEM A AND TO CONTINUE SUBITEM B TO DECEMBER 9, 1997, WHEN THE ORDINANCE COMES BACK FOR INTRODUCTION AND ADOPTION. Second by Vargas. Passed by the following vote: Mathis-not present, Wear-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-310: HEARING DENIED

SUBJECT: Request by Gayle Bauer, for a hearing of an appeal from the decision of the Board of Zoning Appeals in denying the request for a CUP for Hilltop Liquor (C-21469, Bauer Alcoholic Beverage Outlet CUP).

(Sherman Heights Neighborhood. District-8.)

TODAY'S ACTION IS:

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

SUPPORTING INFORMATION:

The appeal is being requested for a permit to obtain an Alcoholic Beverage Outlet Conditional Use Permit to resume liquor sales for off-site consumption at an existing liquor store (as required by San Diego Municipal Code Section 101.0515 when a Type 21 Liquor License has been suspended by the Alcoholic Beverage Control Board) - the subject property is more particularly described as being a portion of Lots 1-3, Block 9 of L.W. Kimball's Subdivision, located at 2499 Market Street, Zoned CSF-2/R-3000.

The Zoning Administrator recommended denial of the permit; was opposition.

The Board of Zoning Appeals voted 5-0 to uphold the decision of the Hearing Officer to deny the CUP.

Ayes: Outlaw, Smith, Wharton, Clark and Magot

On July 14, 1997 the Southeast San Diego Development Committee, due to a lack of quorum, recommended (1) to advise denial of the CUP and (2) to support the Police Department's recommendation of denial for the CUP by a vote of 7-0-0.

FILE LOCATION: ZONE-C-21469

COUNCIL ACTION: (Tape location: B166-180.)

MOTION BY VARGAS TO DENY THE REQUEST FOR HEARING OF AN APPEAL. Second by Kehoe. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330:

SUBJECT: City Heights Village/City Link Inv. Corp., Phase II,  
Wightman Street (43rd Street to Chamoune Avenue)  
Underground Utility District.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-484) ADOPTED AS RESOLUTION R-289507

Designating January 2, 1998 as the date upon which all property in the City Heights Village/City Link Inv. Corp., Phase II, Wightman Street (43rd Street to Chamoune Avenue) Underground Utility District must be ready to receive underground service and March 27, 1998 as the date for the removal of all overhead utility facilities;

Authorizing the City Auditor and Comptroller to open Fund 78095 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the City Heights Village/City Link Inv. Corp., Phase II, Wightman Street (4rd Street to Chamoune Avenue) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all qualified property owners in the City Heights Village/City Link Inv. Corp., Phase II, Wightman Street (43rd Street to Chamoune Avenue) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Auditor and Comptroller to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The City Heights Village/City Link Inv. Corp., Phase II, Wightman Street (43rd Street to Chamoune Avenue) Underground Utility District was created by the City Council on February 25, 1997. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set January 2, 1998 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish March 27, 1998 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum of \$1,800.00 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box which typically ranges from \$300-\$1,500.

FILE LOCATION: STRT-K-242

COUNCIL ACTION: (Tape location: B187-319.)

Hearing began at 11:04 a.m. and halted at 11:12 a.m.

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

ITEM-331:

SUBJECT: Matter of a proposal for a Planned Residential Development Permit (PRD), Resource Protection Ordinance Permit (RPO), Alternative Compliance to the Resource Protection Ordinance, Tentative Map (TM), Property



Rezone(RZ), and Street Vacation(SA) in the Mira Mesa Community Plan Area.

(Case-96-7108. PRD/RPO/TM/RZ/VAC. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions in Subitems A and E, introduce the ordinance in Subitem B and adopt to grant Subitems C and D.

Subitem-A: (R-98-540 Rev.) ADOPTED AS AMENDED AS  
RESOLUTION R-289508

Adoption of a Resolution certifying that the information contained in Negative Declaration LDR-96-7108 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council and adopting appropriate findings of mitigation, pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-98-41) INTRODUCED, TO BE ADOPTED  
DECEMBER 15, 1997

Introduction of an Ordinance for rezoning 12.7 acre lot from Agricultural/Hillside Review (A1-10) (HR) and Single Family/Hillside Review (R1-10000) (HR) to Multifamily/Hillside Review (R-3000) (HR).

Subitem-C: (R-98-690) GRANTED PERMIT AS AMENDED, ADOPTED  
AS RESOLUTION R-289509

Adoption of a Resolution granting or denying the permits with appropriate findings to support Council action.

Subitem-D: (R-98-691) GRANTED MAP, ADOPTED AS RESOLUTION  
R-289510

Adoption of a Resolution granting or denying the map with appropriate findings to support Council action.

Subitem-E: (R-98-539) ADOPTED AS RESOLUTION R-289511

Adoption of a Resolution authorizing the vacation of a portion of Alemania Road as provided for under Section 66499.20-1/2 of the State Map Act.

SUPPORTING INFORMATION:

The project proposes to rezone an existing vacant, residential property from A1-10(HR) and R1-10000(HR) to R-3000(HR), concurrently vacate an unused portion of Alemania Road and obtain a Tentative Map, Planned Residential Development Permit and Resource Protection Ordinance Permit for the subdivision of a 12.7 acre site into 128 lots for the development of 113 units. The site is located at the southeast corner of Mercy Road and Kika Court, directly adjacent to and west of Interstate 15, within the Mira Mesa Community Plan area. The Mira Mesa Community Plan designates the project site for very-low density residential development (0.4du/acre) with the provision that if the owner dedicates approximately 64 acres of land in Miramar Ranch North to Los Penasquitos Preserve, then this project site could develop at a higher density (12-18 du/acre) without amending the Mira Mesa Community Plan. In conformance with the Mira Mesa Community Plan recommendations, the owner dedicated approximately 59 acres of land in Los Penasquitos Preserve to the City of San Diego in 1995; and in exchange a density bonus was granted to the Site (Resolution R- 286533-1). The project is proposing Alternative Compliance to the RPO permit. Adequate off-site mitigation is proposed as part of the Mitigation, Monitoring and Reporting Program to compensate for the project's proposed encroachment into sensitive slopes, habitats and biology above those allowed by the Resource Protection Ordinance. The proposed project is consistent with the residential land use designation of the Mira Mesa Community Plan, is consistent with the PRD and RPO ordinances.

LEGAL DESCRIPTION:

The project site is located at southeast corner of the intersection of Mercy Road and Kika Court in the Mira Mesa Community Plan Area. The project site is more particularly described as Parcel 2 of Parcel Map PM-14491.

FILE LOCATION: Subitems A,C: PERM-PRD/RPO 96-7108;  
Subitem B: NONE; Subitem D: Subd-TM  
96-7108; Subitem E: STRT J-2877  
DEED FY98-1

COUNCIL ACTION: (Tape location: B187-319.)

Hearing began at 11:04 a.m. and halted at 11:12 a.m.

CONSENT MOTION BY WARDEN TO ADOPT AS AMENDED ELIMINATING PRD CONDITIONS NUMBER 18 AND 19 AND ELIMINATING MITIGATION MEASURES NUMBER 6 AND 7 FROM THE MITIGATING NEGATIVE DECLARATION. Second by Wear. Passed by the following vote: Mathis-not present, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: Two actions related to Rancho Penasquitos FY 1998 Public Facilities Financing Plan and Facilities Benefit Assessment (FBA).

(See City Manager Report P97-148; Public Facilities Financing Plan and FBA, FY98 Draft. Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-354) ADOPTED AS RESOLUTION R-289512

Designating an area of benefit in Rancho Penasquitos; confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to the Public Facilities Projects; the method for apportioning the costs of the Public Facilities Projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each parcel; the basis and methodology for assessing and levying discretionary automatic annual increases in Facilities Benefit Assessments; and ordering the proposed Public Facilities Project in the matter of the Rancho Penasquitos Facilities Benefit Assessment Area.

Subitem-B: (R-98-355) ADOPTED AS RESOLUTION R-289513

Declaring that the assessment fee schedule contained in the Rancho Penasquitos Public Facilities Financing

Plan, as adopted and approved in Resolution R-289309, is an appropriate and applicable development impact fee.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 9/24/97, LU&H voted 3-0 to: 1) approve the Rancho Penasquitos Public Facilities Financing Plan for Fiscal Year 1998; 2) adopt a Resolution of Intention to designate an area of benefit for an FBA in portions of the Rancho Penasquitos Community Planning Area; 3) adopt a Resolution of Designation; and 4) approve the setting of Development Impact Fees (DIF), consistent with the FBA in the Rancho Penasquitos Community. (Councilmembers Mathis, Wear, and Stevens voted yea. Councilmembers Kehoe and Vargas not present.)

FILE LOCATION: Subitems A,B: STRT-FB-13

COUNCIL ACTION: (Tape location: B187-319.)

Hearing began at 11:04 a.m. and halted at 11:12 a.m.

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

ITEM-S500:

SUBJECT: Two actions related to Approval of a Cooperation Agreement with the United States Postal Service.

SOUTHEASTERN ECONOMIC DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-584) ADOPTED AS RESOLUTION R-289518

Approving the sale of certain property located in the Potter Tract in the Central Imperial Redevelopment Project Area to the United States Postal Service;

Approving the Cooperation Agreement with the United States Postal Service;

Making certain findings with respect to the sale.

Subitem-B: (R-98-585) ADOPTED AS RESOLUTION R-289519

Certifying the Secondary Study of Environmental Impacts with respect to the proposed Cooperation Agreement between the Redevelopment Agency of the City of San Diego and the United States Postal Service, and the proposed sale of real property and construction of a post office.

NOTE: See the Redevelopment Agency Agenda of 12/2/97 for a companion item.

FILE LOCATION: Subitems A,B: MEET CONT FY98-2

COUNCIL ACTION: (Tape location: E048-100.)

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

ITEM-S501:

SUBJECT: Three actions related to Comprehensive Downtown, Mid-City, and Uptown Parking Plans.

(See memorandum from Centre City Development Corporation dated 11/4/97. Districts-2, 3, 7 and 8.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-550) ADOPTED AS RESOLUTION R-289520

Designating the Centre City Development Corporation as the Parking Meter District 1 Advisory Board;

Authorizing continued Project Area Committee involvement in implementation and development of the Downtown Parking Plan;

Adopting the Comprehensive Downtown Parking Plan;

Amending the FY 1998 CIP to add CIP-39-803.0;

Authorizing the transfer of \$879,188 from Fund 70300 to CIP-39-803.0;

Authorizing the expenditure of \$879,188 from CIP-39-803.0;

Extending the allocation of 45 percent Parking Meter Revenues to Parking Meter Districts Fund 70300 for a period of 25 years beyond FY 2001.

Subitem-B: (R-98-552) ADOPTED AS AMENDED AS RESOLUTION  
R-289521

Designating the Uptown Parking Meter District Advisory Board as the Advisory Board for Parking Meter District 2;

Authorizing continued Uptown Parking Meter District Advisory Board involvement in implementation and development of the Uptown Parking Plan;

Adopting the Comprehensive Uptown Parking Plan;

Authorizing the expenditure of \$356,046 to implement short-term improvements;

Extending the allocation of 45 percent Parking Meter Revenues to Parking Meter Districts Fund 70300 for a period of 25 years beyond FY 2001.

Subitem-C: (R-98-551) ADOPTED AS AMENDED AS RESOLUTION  
R-289522

Designating the Mid-City Parking Meter District Advisory Board as the Advisory Board for Parking Meter District 3;

Authorizing continued Mid-City Parking Meter District Advisory Board involvement in implementation and development of the Mid-City Parking Plan;

Adopting the Comprehensive Mid-City Parking Plan;

Authorizing the expenditure of \$122,166 to implement

short-term improvements;

Extending the allocation of 45 percent Parking Meter Revenues to Parking Meter Districts Fund 70300 for a period of 25 years beyond FY 2001.

CITY MANAGER SUPPORTING INFORMATION:

On March 4, 1997 the City Council adopted Council Policy 100-18, the Parking Meter Revenue Allocation and Expenditure Policy. The intent of Council Policy 100-18 is to retain a portion of the meter revenues collected for the benefit of the area in which the meter is located. The policy clearly states that Parking Meter District revenue shall be used to address parking supply and mobility issues.

Parking Meter District Revenues shall be used for such purpose as:

Increasing the parking supply including self-parking, valet parking, on-street parking, surface parking and structured parking lots.

Providing mobility information such as signage, marketing, and communication of location, availability, cost, etc. of district wide parking options.

Providing for extraordinary maintenance and landscaping activities.

Providing for extraordinary security activities.

The policy further states that Parking Meter District revenue shall supplement and not supplant existing City funding sources and program revenues shall supplement and not supplant existing City funding sources and program revenues for each District.

As required by the Policy the District Advisory Boards have prepared short and long term strategies to invest these revenues in a variety of neighborhood and business improvement projects designed to enhance and develop the parking supply of each District. The plan for each District has been designed to provide solutions unique to that District. Although the Districts may share common parking problems the process has clearly demonstrated that different implementation strategies are and will be required to alleviate each District's situation. The Boards have explored and evaluated District needs extensively

prior to formulation the recommendations contained herein.

Aud. Cert. 9800620.

FILE LOCATION: Subitems A,B,C: MEET

COUNCIL ACTION: (Tape location: E103-F360.)

MOTION BY WEAR TO ADOPT THE RESOLUTIONS AND TO ADD THAT COUNCIL SHALL HAVE PERIODIC ANNUAL REVIEW OF THE STATUS OF THE DISTRICTS TO SEE ALL THE NUMBERS IN TERMS OF WHAT HAS BEEN SPENT AND WHAT HAS BEEN ALLOCATED. SPECIFIC PROJECTS CAN COME BACK TO COUNCIL FOR REVIEW AS THEY MOVE THROUGH THE SYSTEM.

AMENDMENT BY WARDEN, ACCEPTED BY WEAR AS PART OF THE MOTION, TO KEEP THE 25 YEAR ELEMENT FOR DOWNTOWN BUT TO DELETE IT FOR MID-CITY AND UPTOWN AT THIS TIME. MID-CITY AND UPTOWN TO KEEP THE 3 YEARS AS COMMITTED TO BEFORE BY COUNCIL. WHEN THEY COME FORWARD WITH PARKING STRUCTURES OR THE ACQUISITION OF A PARKING STRUCTURE OR LOT AND NEED THE LONG TERM FINANCING, THE COUNCIL CAN COMMIT TO THE DOLLARS THEN. MID-CITY AND UPTOWN MAY HAVE PARKING PLANS BEFORE THE END OF 3 YEARS AND, IF THEY DO, COUNCIL CAN DECIDE AT THAT TIME TO MAKE A LONG TERM COMMITMENT.

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

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Warden in honor of the memory of:

Harry L. Mathis, Sr., as requested by Mayor Golding.

FILE LOCATION: AGENDA



COUNCIL ACTION: (Tape location: G344-352).