

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, MARCH 24, 1998
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 11:13 a.m.
The meeting was recessed by Mayor Golding at 12:10 p.m. to
reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Golding at 2:09 p.m. with
Council Member Warden not present. Mayor Golding adjourned the
meeting at 4:38 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-excused by R-289915
(City business in Washington, DC)
 - (6) Council Member Stallings-present
 - (7) Council Member McCarty-present
 - (8) Council Member Vargas-present
- Clerk-Abdelnour (mc/ms)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-excused by R-289915
(Out-of-town City business)
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend Diana Hopkins of
the University City United Church of Christ.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Stallings.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Art Salzberg regarding the homeless issue. He also commended Council Member Vargas for speaking up on behalf of the homeless.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A051-077.)

ITEM-PC-2:

Comment by Roger Scott regarding the need for more showers for the homeless. He asked that Council look into a new shelter that can provide showers all day rather than providing for only a certain number of people each day.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A084-104.)

ITEM-PC-3:

Comment by Forrest Curo requesting that the individuals who run the homeless shelters treat the homeless with respect.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A105-124.)

ITEM-PC-4:

Comment by Anne Curo regarding concrete beds that the homeless sleep on.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A127-137.)

ITEM-PC-5:

Comment by Andre Evans regarding his need for a job rather than a hand out.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A138-174.)

ITEM-PC-6:

Comment by Don Stillwell regarding Monday meetings being adjourned to Tuesday.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A178-203.)

ITEM-PC-7:

Comment by Reverend Sky recommending that the Mayor set up a Substance Abuse Task Force to examine what substance abuse is doing to our kids.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A205-228.)

ITEM-PC-8:

Comment by Billy Paul regarding the need for a public access such as the trolley to Mission Bay. He

recommended to Council that rather than lease more land to landholders such as Sea World, to consider a future plan for trolley stations in the Mission Bay area.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A232-257.)

ITEM-PC-9:

Comment by Daniel Fagan requesting that when the City Clerk prepares the meeting schedules for the Closed Session Room, Committee Room, and Council Chambers, that a notation be added as to whether the meeting is opened to the public. He also asked that Council contact Jim Gonsalves, with the County, at 531-5533 to discuss a joint County and City proposal for a year-round shelter. In addition, Mr. Fagan asked that the Council request that the Housing Commission add the aspect of a seasonal shelter in their draft plan of the Fiscal Year 1999 Consolidated Annual Review.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A260-306.)

ITEM-PC-10:

Comment by Daniel Beeman stating that he agreed with the comments made by Don Stillwell and Billy Paul. Mr. Beeman also commented on Super Bowl 2002 and recommended that if Super Bowl 2002 is held in San Diego, that a convention not be scheduled at the same time.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A307-338.)

ITEM-PC-11:

Comment by Mel Shapiro regarding appointments of commissioners to the Housing Commission.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A340-378.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Stevens in response to comments made by Reverend Sky. He stated that he has never had a Substance Abuse Task Force and has never taken a two hour lunch. Mr. Stevens further stated that he would like to have compliments for doing right rather than only receiving negative comments of what he is doing wrong.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A381-412.)

ITEM-CC-2:

Comment by Council Member Wear responding to Mr. Paul's comments regarding a trolley line to Mission Bay. He stated that in the last six months he has met with MTDB and that there was a long term plan to extend the trolley to the beach community, however, the big issue was the matter of funding. Mr. Wear stated that this is a project he has personally taken on.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A413-425.)

ITEM-CC-3:

Comment by Mayor Golding regarding the joint regional efforts for the trolley. Mayor Golding also stated that the reason items are continued to another date is normally because backup information is not ready. Mayor Golding also presented Council and the public with portions of an actual sewer pipe and water pipe, to call attention to the plans for the most important capital improvement project that the City has undertaken for the water and sewer system of this City. Mayor Golding concluded by informing the public that the streets are being torn up due to the repairs of sewer and water pipes, in addition to the laying of fiber optic cables.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A426-550.)

COUNCIL COMMENT:

ITEM-CC-4:

Comment by Council Member McCarty regarding the possibility of the Super Bowl coming back in the year 2002. She also commented on the press conference pertaining to the independent analysis done by Deloitte & Touche on the City's lease with the San Diego Chargers.

At the request of Council Member McCarty, City Manager Uberuaga gave a brief report on the results of the

Deloitte & Touche analysis. He stated that the analysis helped determine how the Chargers lease compared with other teams. In addition, Mr. Uberuaga stated that the analysis showed that the City negotiated a highly competitive lease ranking second out of the eight most recent leases compared.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A555-B047.)

ITEM-CC-5:

Council Member Stevens, in the spirit of giving positive compliments, presented Jim Hartman, from the public, with a new hat.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B048-057.)

ITEM-CC-6:

Comment by Mayor Golding regarding the deal with the Chargers. She stated that what Council wanted was an upside for the City so that if the Chargers did sell a lot of tickets and played well, the City would gain from that, which is not the case in most contracts. She stated that if we did not have the ticket guarantee the City would have probably signed the contract but it would have included free rent as other cities have given. Mayor Golding stated that although reporters have written that the City is losing money, they are not. She stated that they have a range that they expect to receive and they do not expect to get the high end of that range every year. Mayor Golding stated that they would like to stay in the black, which few stadiums are in, and having a stadium that actually operates in the black through stadium funds alone, as

it did this last year, is an enormous accomplishment particularly in the first year of a new lease agreement with a professional sports team.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B062-093.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

3/2/98

3/3/98

3/9/98 Adjourned

3/10/98 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B094-097.)

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

ITEM-31:

SUBJECT: Frankie Laine Day.

DEPUTY MAYOR WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-98-966) ADOPTED AS RESOLUTION R-289865

Proclaiming March 30, 1998 to be "Frankie Laine Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B098-172.)

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

ITEM-32:

SUBJECT: The Most Reverend Gilbert E. Chavez Day.

COUNCILMEMBER VARGAS'S RECOMMENDATION:

Adopt the following resolution:

(R-98-999) ADOPTED AS RESOLUTION R-289869

Designating March 26, 1998, as "The Most Reverend Gilbert E. Chavez Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C005-136.)

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

ITEM-33: HEARING DENIED

SUBJECT: Request by James R. Turner, Jr., for a hearing of an appeal from the decision of the Planning Commission in denying the appeal and approving the Mid-City Community Development Permit No. 96-0636 in the Mid-City

Community Plan Area (4220 Meade Avenue).

(MCD-96-0636. Mid-City/Kensington Community Plan
Areas. District-3.)

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 an "as built" permit to
allow three existing room additions on the ground floor to
remain (including variances from the required front yard
area, the front yard setback, and the allowed site
coverage), and to add up to 781 square feet on a second
story addition, on a 3,125 square foot site with an existing
single-family residence. The property is located at 4220
Meade Avenue, in the Kensington neighborhood of the Mid-City
Community Plan Area.

The Development Services Department recommended denial of
the appeal and approval of the permit.

The Planning Commission voted 4-0 to deny the appeal and
approve the permit; there was opposition.

Ayes: Anderson, Skorepa, Steele and Watson
Not present: Quinn, Butler and White

The Kensington-Talmadge Planning Committee has recommended
denial of the requests for variances.

FILE LOCATION: PERM-96-0636 (65)

COUNCIL ACTION: (Tape location: C140-165.)

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

* ITEM-50:

SUBJECT: San Diego Bowl Game Association Flat Rate Lease.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-98-94) INTRODUCED, TO BE ADOPTED APRIL 7, 1998

Introduction of an Ordinance authorizing the City Manager to execute a ten-year flat rate lease agreement with the San Diego Bowl Game Association for office space at Qualcomm Stadium.

CITY MANAGER SUPPORTING INFORMATION:

From 1978 through 1996, the San Diego Bowl Game Association (Association), the organizers of the Holiday Bowl, have leased office space at the stadium. They had to vacate their office space when the expansion of the Stadium began with the understanding that they could return to the Stadium to leave new office space when the project was completed. A 3,342 sq. ft. area on the Loge Level has been dedicated for use by the "Association". It is proposed that the City and San Diego Bowl Game Association enter into a ten year lease agreement. However, if during this period, the Holiday Bowl Game is no longer conducted then the "Association" can terminate the lease. The rental rate of the space is \$1.06 per sq. ft. per month which is based upon a recent rental rate survey done in Mission Valley.

This rate will be upwardly adjusted each year for any changes in the Consumer Price Index. After the third year of the lease, the "Association" may request that the City perform a rental rate survey and the rental rate will be adjusted according to the results of the survey. Since the proposed office space area is unfinished, the "Association" will be required to construct permanent improvements for which the City will grant rent credits to be amortized over a five year period.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C005-136.)

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

ITEM-51:

SUBJECT: Two actions related to Solid Waste Local Enforcement Agency Fee Schedule.

(See City Manager Report CMR-98-43; letter from David W. Carey and Lawrence C. Monserrate; letter dated 2/27/98 from Scott Harvey; Duties and Responsibilities; and FY 98 LEA Budget.)

TODAY'S ACTION IS:

Introduction of the following ordinance in Subitem A and adoption of the resolution in Subitem B:

Subitem-A: (O-98-96) INTRODUCED, TO BE ADOPTED APRIL 7, 1998

Introduction of an Ordinance amending Chapter VI, Article 6, of the San Diego Municipal Code by amending the Title of Article 6, by adding Division 5, and by

adding Sections 66.0501, 66.0502, 66.0503, 66.0504 and 66.0505, all pertaining to fees for the Solid Waste Local Enforcement Agency.

Subitem-B: (R-98-973) ADOPTED AS RESOLUTION R-289870

Accepting the proposed fee schedule contained in City Manager Report CMR-98-43 concerning the Solid Waste Local Enforcement Agency (LEA);

Directing the City Auditor and Comptroller to establish a Solid Waste LEA Fund and to appropriate funds in accordance with Attachment C to City Manager Report CMR-98-43;

Declaring that fund deposits in excess of estimated revenues be appropriated for purposes of the fund and interest earnings generated be deposited in the fund;

Authorizing an advance from the Environmental Services Enterprise Fund 41200 in an amount not to exceed \$150,000 to cover cash flow needs in the new LEA Fund.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 3/4/98, NR&C voted 4-1 to adopt the City Manager's recommendation to: 1) Adopt a Fee Schedule to cover costs associated with Solid Waste Local Enforcement Agency responsibilities which will result in no impact to the General Fund; 2) amend the Fiscal Year 1998 Annual Budget to establish a fund to provide for the new Local Enforcement Agency program expenses and revenues. (Councilmembers Mathis, Wear, Kehoe and Stallings voted yea. Councilmember Warden voted nay.)

Aud. Certs. 9801025.

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

COUNCIL ACTION: (Tape location: E319-F129.)

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

* ITEM-100:

SUBJECT: Two actions related to Approving the Final Map of City of San Diego Tract No. 94-0646.

(This is a 21-lot subdivision. San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-945) ADOPTED AS RESOLUTION R-289871

Authorizing a Subdivision Improvement Agreement with San Ysidro Investment Company, for the installation and completion of public improvements.

Subitem-B: (R-98-944) ADOPTED AS RESOLUTION R-289872

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 5.712 acre site into 21 lots for residential use. It is located south of Vista Lane and east of Via Encantadoras in the San Ysidro Community Plan area. On October 12, 1995 the Planning Commission of the City of San Diego approved Planning Commission Resolution R-2218-PC for City of San Diego Tract No. 94-0646. 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. 28017-1-D through 28017-11-D, filed in the Office of the City Clerk under Micro Number 139.62. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$300,091 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$4,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This development is subject to payment of a park fee prior to the filing of the final map in accordance with San Diego Municipal Code Section 102.0406 et seq. This park fee is paid as part of the "B" fees collected by Land Development Review. This property is also subject to a building permit park fee in accordance with San Diego Municipal Code Section 96.0401.

FILE LOCATION: SUBITEMS A&B: SUBD - City of San Diego Tract
No.94-0646 Final Map (40) CONT
FY98-1

COUNCIL ACTION: (Tape location: C005-136.)

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

ITEM-101:

SUBJECT: Two actions related to Linda Vista Road Landscape Maintenance District.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-976) ADOPTED AS RESOLUTION R-289873

Resolution of Intention to levy and collect 1998-99
annual assessments on Linda Vista Road Landscape
Maintenance District.

Subitem-B: (R-98-977) ADOPTED AS RESOLUTION R-289874

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

The Linda Vista Landscape Maintenance District (LMD) was established in 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. Additional improvements include maintenance of street trees on the southern side of Genesee Avenue from Linda Vista Road to Highway 163. The Fiscal Year 1999 proposed maintenance costs for the District are as follows:

DESCRIPTION	FUND		TOTAL
	OPERATIONS	RESERVE	
BEGINNING BALANCE	\$ 0.00	\$ 0.00	\$ 0.00
REVENUE:			
Assessments	\$ 79,022.00	\$ 0.00	\$ 79,022.00
Interest	0.00	1,000.00	1,000.00
City Contribution:	2,292.00	0.00	2,292.00
TOTAL REVENUE	\$ 81,314.00	\$ 1,000.00	\$ 82,314.00
TRANSFER:	(5,649.00)	5,649.00	0.00
EXPENSE:			
Personnel	\$ 5,351.00	\$ 0.00	\$ 5,351.00
Contractual	40,000.00	0.00	40,000.00
Incidental	16,634.00	0.00	16,634.00
Utilities	13,680.00	0.00	13,680.00
TOTAL EXPENSE	\$ 75,665.00	\$ 0.00	\$ 75,665.00

ENDING BALANCE \$ 0.00 \$ 6,649.00 \$ 6,649.00

The proposed assessment for Fiscal Year 1999 is \$9.45 per equivalent benefit unit (EBU) indexed annually to the San Diego CPI-U. The District contains 8,367 equivalent benefit units (EBU's). The District boundary has been re-engineered to include a proposed annexation of parcels of land north of Genesee Avenue to the northern boundary of the Linda Vista Community Plan.

FILE LOCATION: SUBITEMS A&B: STRT M-363-99

COUNCIL ACTION: (Tape location: F130-194.)

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

* ITEM-102:

SUBJECT: Two actions related to Sorrento Hills Landscape Maintenance District.

(Carmel Valley Community Area. District-1).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-979) ADOPTED AS RESOLUTION R-289875

Resolution of Intention to levy and collect 1998-99 annual assessments on Sorrento Hills Landscape Maintenance District.

Subitem-B: (R-98-980) ADOPTED AS RESOLUTION R-289876

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

The Sorrento Hills Landscape Maintenance District (LMD) was established in 1996 to provide maintenance for landscaped and paved medians, landscaped right-of-way, paved right-of-way, landscaped slopes, natural open space areas, and street gutters. The Fiscal Year 1999 proposed maintenance costs for the district are as follows:

DESCRIPTION	OPERATIONS	FUND	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0.00	\$	0.00	\$ 0.00
REVENUE:				
Assessments	\$187,877.00	\$	0.00	\$187,877.00
Interest	0.00		0.00	0.00
City Contribution:	18,600.00		0.00	18,600.00
TOTAL REVENUE	\$206,477.00	\$	0.00	\$206,477.00
TRANSFER:	(12,153.00)		12,153.00	0.00
EXPENSE:				
Personnel	\$ 27,790.00	\$	0.00	\$ 27,790.00
Contractual	50,000.00		0.00	50,000.00
Incidental	89,534.00		0.00	89,534.00
Utilities	27,000.00		0.00	27,000.00
TOTAL EXPENSE	\$194,324.00	\$	0.00	\$194,324.00
ENDING BALANCE	\$ 0.00	\$	12,153.00	\$ 12,153.00

The proposed assessment for Fiscal Year 1999 is \$49.98 per Equivalent Benefit Unit (EBU) and the maximum authorized assessment is \$180.66 per EBU indexed annually to the San Diego CPI-U. The district contains 3,758.7 equivalent benefit units (EBU's) and a maximum authorized of 4,323.41 equivalent benefit units (EBU's).

FILE LOCATION: SUBITEMS A&B: STRT M-408-99

COUNCIL ACTION: (Tape location: C005-136.)

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

* ITEM-103:

SUBJECT: Otay Mesa Road Widening - Street Dedication.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-972) ADOPTED AS RESOLUTION R-289877

Declaring that all the right-of-way acquired in fee for the Otay Mesa Road Widening Project is dedicated for public street purposes;

Dedicating and naming the same Otay Mesa Road.

CITY MANAGER SUPPORTING INFORMATION:

On December 19, 1996, City Council Resolution R-288209 authorized the acquisition of right-of-way for the widening of Otay Mesa Road from the existing State Route 905 to east of La Media Road, as depicted on City Engineer Drawing 27980-D, sheets 1 through 28, inclusive. This project will allow for the widening of Otay Mesa Road from a four-lane road to a six-lane highway, with new paving, raised median and curb, gutter and storm drain improvements. The right-of-way acquired for the widening project will need to be dedicated for street purposes, triggered by the filing of the Notice of Completion by the City Engineer.

FILE LOCATION: DEED F-7196 DEED FY98-1

COUNCIL ACTION: (Tape location: C005-136.)

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

* ITEM-104:

SUBJECT: Federal Boulevard Widening - Street Dedication.

(Encanto Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-974) ADOPTED AS RESOLUTION R-289878

Declaring that all the right-of-way acquired in fee for the Federal Boulevard Widening Project is dedicated for public street purposes;

Dedicating and naming the same Federal Boulevard.

CITY MANAGER SUPPORTING INFORMATION:

On February 20, 1996, City Council Resolution R-286952 authorized the acquisition of right-of-way for the widening of Federal Boulevard from 60th Street to MacArthur Drive. This project will allow for the widening of Federal Boulevard to a four-lane major street, with new paving, curb, gutter and sidewalks, as well as storm drain improvements. The right-of-way acquired for the widening project will need to be dedicated for street purposes, following the filing of the Notice of Completion by the City Engineer.

FILE LOCATION: DEED F-7197 DEED FY98-1

COUNCIL ACTION: (Tape location: C005-136.)

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

* ITEM-105:

SUBJECT: Naval Training Center (NTC) Local Coastal Program Grant Application.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-967) ADOPTED AS RESOLUTION R-289879

Authorizing application to the California Coastal Commission for grant funding in an amount not to exceed \$72,087, from their Local Coastal Program Planning Grant.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego has been notified of the availability of grant funds available from the California Coastal Commission which are targeted for completion of Local Coastal Programs. Although the City has a certified Local Coastal Program, we are in the process of adopting a Reuse Plan for the Naval Training Center San Diego leading to the conveyance of the property to the City. The entire Naval Training Center is located within the designated boundary of the California Coastal Zone. Because the Naval Training Center has been in federal ownership, it is not

included in the City's certified Local Coastal Program. As a result, the City is eligible to apply for "Priority 1" funding for "land use plan and/or zoning work to achieve certification of Local Coastal Programs which will result in the transfer of coastal development permit authority to the local government." The Draft Reuse Plan for the Naval Training Center, adopted by the City Council in October 1996, sets forth general land use policies and proposed uses for five identified subareas: Education Subarea, Historic Core, Waterfront/Recreation Subarea, Residential Subarea and Camp Nimitz. The plan also contains an Urban Design Program and an Implementation Program which recommends the preparation of a Specific Plan. It is expected that the Specific Plan will contain zoning regulations, detailed development standards and determination of a development review process. In conjunction with preparation of a Specific Plan for the Naval Training Center San Diego, the City of San Diego will prepare a Local Coastal Program to be submitted to the Coastal Commission for certification, and will further request the transfer of coastal development permit authority to the City. The Local Coastal Program segment will consist of detailed land use plans, zoning regulations and other implementing actions designed to protect coastal resources, insure public access and guide future development. The grant funding requested by the City from the Coastal Commission for the preparation and processing of the Local Coastal Program segment for the Naval Training Center, as detailed in the accompanying work program and budget, will not exceed \$72,087.

FILE LOCATION: LAND-Naval Training Center (NTC)(10) (NTC 67)

COUNCIL ACTION: (Tape location: C005-136.)

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

* ITEM-106:

SUBJECT: Mid-Year Budget Adjustment to Add San Diego River Bike
Path Phase III Project.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-943) ADOPTED AS RESOLUTION R-289880

Authorizing the Auditor and Comptroller to add a new
CIP Project, CIP-58-139.0, entitled "San Diego River
Bike Path Phase III Project";

Authorizing the Auditor and Comptroller to accept funds
totaling \$50,000 in Local Transportation Funds (LTF)
for the San Diego River Bike Path Phase III Project
Feasibility Study;

Authorizing the expenditure of not to exceed \$50,000
from CIP-58-139.0, Fund 390060, for the San Diego River
Bike Path Phase III Project.

CITY MANAGER SUPPORTING INFORMATION:

The proposed new CIP Project will provide funds to begin a
feasibility study portion of the San Diego River Bike Path Phase
III Project.

Aud. Cert. 9801003.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C005-136.)

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

* ITEM-107:

SUBJECT: Reprogram FY 1995 CDBG Allocation from AIDS Foundation to Linda Vista Community Center Project.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-870) ADOPTED AS RESOLUTION R-289881

Authorizing the City Manager to reprogram from the AIDS Foundation project to the Linda Vista Community Center project (Redevelopment Agency Fund 98504) \$29,250 in District 6 Fiscal Year 1995 CDBG allocation and \$37,750 in District 5 Fiscal Year 1995 CDBG allocation, for a total of \$65,000.

CITY MANAGER SUPPORTING INFORMATION:

In 1995, \$65,000 in CDBG funding was loaned to the AIDS Foundation from the Linda Vista Library fund. The AIDS Foundation is no longer in existence, and the funds remain unspent. This action will reprogram the funds back to the Linda Vista Library/Community Center fund. These funds were included in the Redevelopment Agency FY 1998 Annual Budget as a loan to the Agency for the Linda Vista Community Center Project (Fund 98504).

Aud. Cert. 9800999.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C005-136.)

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

* ITEM-108:

SUBJECT: Authorizing a Suggestion Award to a City Employee.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-891) ADOPTED AS RESOLUTION R-289882

Authorizing a Suggestion Award to the following employee:

Margaret McLaughlin-Pack - Treasurer - \$500.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C005-136.)

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

* ITEM-109:

SUBJECT: Excusing Councilmember McCarty from the PS&NS Committee Meeting of 2/4/98.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-98-839) ADOPTED AS RESOLUTION R-289883

Excusing Councilmember Judy McCarty from attending the Public Safety and Neighborhood Services Committee meeting of February 4, 1998, due to her attendance at the San Diego County Library Authority meeting, which she chairs.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C005-136.)

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

* ITEM-110:

SUBJECT: Amendment to the Agreement with Dudek & Associates, Inc., for Biological Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-971) ADOPTED AS RESOLUTION R-289884

Authorizing an amendment to the agreement of January 8, 1996, with Dudek & Associates, Inc., for as-needed biological services;

Authorizing the expenditure of an amount not to exceed \$150,000 from Water Fund 41500 and Sewer Funds 41506, 41508, and 41509, as determined by subsequent task orders.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego entered into an agreement with Dudek & Associates, Inc., on January 31, 1996, for Dudek & Associates, Inc., to provide As-Needed Biological Services for Metropolitan Wastewater Department (MWWD) Capital Improvement Program Projects. The original agreement was for a duration of two years and a \$250,000 not-to-exceed amount. The MWWD is requesting the authorization to add \$150,000 and extend the time limit on this agreement for one additional year. The MWWD anticipates continued as-needed biological services in support of the department's capital improvement program will be required. The as-needed biological services agreement is crucial in meeting various CIP schedules. Services anticipated include conducting biological field survey and mapping, wetlands delineations, biological assessments, biological construction monitoring, revegetation monitoring, regulatory permitting, and preparation of conceptual and construction-level revegetation plans, on an as-needed basis.

MBE/WBE Utilization:

In keeping with the City's policy to voluntarily provide subcontracting opportunities to all interested and qualified firms, including minorities and women, Dudek & Associates, Inc., has retained the following subconsultants as members of their engineering consultant team in connection with this project:

Certified Subconsultants:

MBE - KTU&A WBE - Marquez & Associates
Due to the nature of as-needed project, the percentage utilization of MBE/WBE subconsultants is dependent upon the tasks authorized by the City and the type of work required by those tasks.

Aud. Cert. 9801030.

FILE LOCATION: MEET CCONT FY98-1

COUNCIL ACTION: (Tape location: C005-136.)

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

* ITEM-111:

SUBJECT: Agreement with Southland Geotechnical Consultants for Geotechnical Consultant Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-949) ADOPTED AS RESOLUTION R-289885

Authorizing an agreement with Southland Geotechnical Consultants, for as-needed annual geotechnical consultant services for the Engineering and Capital Projects Department;

Authorizing the expenditure of an amount not to exceed \$70,000 from CIP-73-312.0, Annual Allocation for "As-Needed" Consultant Services/Water and an amount not to exceed \$130,000 from Fund 41506.

CITY MANAGER SUPPORTING INFORMATION:

A list of "As-Needed" Geotechnical Engineering Consultants were requested on July 7, 1997, from the Consultant Selection Coordinator. The consultant coordinator forwarded five firms to participate in the final selection process. In conformance with Council Policy 300-7 these firms were interviewed on September 17, 1997, and the firm of Southland Geotechnical Consultants was

selected as the best qualified firm to provide the "As-Needed" annual geotechnical consultant services. The subconsultant on this project is Tetra Tech EM (Environmental-Hazardous Waste). The agreement provides for geotechnical services by task on an hourly basis not to exceed \$25,000 per task. These services will include geotechnical evaluation reports and preliminary hazardous waste material analysis which will help to avoid construction delays by anticipating mitigative measures and selecting appropriate sites and pipeline alignments. The total contract cost shall not exceed \$200,000 for a period of one year from the date of execution by the City.

Aud. Cert. 9801011.

WWF-98-320.

FILE LOCATION: MEET CCONT FY98-1

COUNCIL ACTION: (Tape location: C005-136.)

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

* ITEM-112:

SUBJECT: Amendment No. 1 to the Agreement with Rick Engineering Company for the San Diego Naval Training Center Reuse Plan.

(District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-960) ADOPTED AS RESOLUTION R-289886

Authorizing Amendment No. 1, Naval Training Center Reuse Plan, Consultant Scope of Work, with Rick Engineering Company, to continue providing consultant services in connection with developing a reuse plan and conveyance of property at the San Diego Naval Training Center;

Authorizing the expenditure of not to exceed \$267,000 from Fund 98050, Dept. 9775.

CITY MANAGER SUPPORTING INFORMATION:

In April 1997, the City Council authorized the City Manager to execute a grant from the Federal Office of Economic Adjustment for \$557,000 to complete the NTC reuse planning process. Included in this amount was \$414,000 for consulting services to complete the reuse plan and provide assistance to the City in pursuing conveyance of the property at NTC. In May 1997, the City entered into an agreement with Rick Engineering Company to provide these services. Additional work was to be financed through a separate agreement with the City. Section A.8 of the agreement's Scope of Work contains the following statement:

City Funding Considerations:

FY 1997-98 budget deliberations for the City of San Diego occur after the time the work program described herein is reviewed by the San Diego City Council. Therefore, it is acknowledged that the City has not yet approved its portion of financial support for several work elements discussed in Section B, notably participation in Work Elements dealing with completion of the final draft, conducting public outreach, and preparation of a plan for the historic core.

The proposed amendment to the Naval Training Center Reuse Plan Agreement with Rick Engineering would provide an additional \$267,000 to fund the work elements listed in Section A.8 of the existing Scope of Work and add the following work elements: completion of public review, support of the conveyance strategy, survey of parcel boundaries/creation of tentative maps,

preparation of a waterfront plan, and preparation of standards for hotel, educational, and residential areas. This \$267,000 has already been included in the FY 97-98 budget for redevelopment.

Aud. Cert. 9801006.

FILE LOCATION: LAND-Naval Training Center (10)
(NTC 67) CCONT FY98-1

COUNCIL ACTION: (Tape location: C005-136.)

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

ITEM-113:

SUBJECT: Non-Exclusive Solid Waste Franchises.

(See City Manager Reports CMR-98-32, CMR-96-179 and Greg J. King's 2/17/98 letter.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-98-833) RETURNED TO CITY MANAGER

Authorizing the City Manager to reopen the nonexclusive solid waste collection franchise application process.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 2/18/98, NR&C voted 4-0 to recommend the City Council approve the City Manager's recommendation to authorize the City Manager to reopen the non-exclusive solid waste collection franchise application process. (Councilmember Wear, Kehoe, Warden and Stallings voted yea. Councilmember Mathis not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C005-136.)

CONSENT MOTION BY MATHIS TO RETURN THIS ITEM TO THE CITY MANAGER AT HIS REQUEST, TO BE BROUGHT BACK TO COUNCIL LATER WITH RELATED ITEMS. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-114:

SUBJECT: Update on the Progress of the Wetlands Working Group.

(See City Manager Report P-98-036.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1007) ADOPTED AS RESOLUTION R-289887

Accepting City Manager Report P-98-036, dated March 16, 1998, regarding the Update on the Progress of the Wetlands Working Group.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C005-136.)

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

ITEM-200:

SUBJECT: Three actions related to Stadium Advisory Board and Use of Directors Area at Qualcomm Stadium.

(See City Manager Report P-98-51; Mayor Golding's 3/9/98 memorandum.)

MAYOR GOLDING'S RECOMMENDATION:

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

Subitem-A: (R-98-1008 REV) ADOPTED AS AMENDED AS
RESOLUTION R-289888

Accepting City Manager Report P-98-51, dated March 10, 1998, concerning the Stadium Advisory Board and Use of Directors' Area, and approving the recommendations contained in Mayor Golding's memorandum dated March 19, 1998 to the Honorable Members of the City Council concerning the Stadium Advisory Board.

Subitem-B: (R-98-1009 REV.) ADOPTED AS AMENDED, RETAINING
THE CITY BOX AND NOT APPROVING
THE RECOMMENDED ACTION, AS
RESOLUTION R-289889

Approving the recommendations contained in Mayor Golding's memorandum dated March 9, 1998 to the Honorable Members of the City Council concerning the Use of the Stadium Directors' Area (City Box).

Subitem-C: (O-98-101) INTRODUCED AS AMENDED, TO BE
ADOPTED APRIL 20, 1998

Introduction of an Ordinance creating a Qualcomm Stadium Advisory Board.

FILE LOCATION: SUBITEMS A&B: MEET (#61 Stadium);
SUBITEM C: NONE

COUNCIL ACTION: (Tape location: C166-D392.)

Motion by Kehoe to approve Subitems A, B and C with a note to the City Manager to look at non-profit agencies using the box. No second.

MOTION BY McCARTY TO DO THE FOLLOWING:

SUBITEM A: ACCEPT THE CITY MANAGER'S REPORT P98-15 REGARDING STADIUM ADVISORY BOARD AND USE OF DIRECTOR'S AREA.

SUBITEM B: RETAIN THE CITY BOX AND DO NOT APPROVE THE RECOMMENDED ACTION.

REAFFIRM THAT VOLUNTEERS AND CIVIC AND COMMUNITY LEADERS WHO PERFORM EXCEPTIONAL SERVICE TO THE CITY AND CITY EMPLOYEES WHO ARE OUTSTANDING PERFORMERS ARE APPROPRIATE GUESTS OF THE CITY'S BOX.

USE OF THE CITY'S BOX SHALL CONTINUE TO BE SUBJECT TO PUBLIC DISCLOSURE. ATTENDEES WILL SIGN THE GUEST BOOK AND LIST THEIR GROUP AFFILIATION.

SUBITEM C: INTRODUCE THE ORDINANCE WITH A MODIFICATION TO REQUIRE NO FEWER THAN 7 MEMBERS OF THE ADVISORY BOARD TO BE CITY OF SAN DIEGO RESIDENTS.

CONVERT THE STADIUM CREDENTIALS FORMERLY ASSIGNED TO COUNTY OFFICIALS, TO A TICKET POOL TO BE USED FOR SPECIAL GUESTS OF THE CITY AND FOR RECOGNITION OF COMMUNITY LEADERS AND PUBLIC SERVICE VOLUNTEERS. DISTRIBUTION WILL BE MANAGED BY THE STADIUM ADVISORY BOARD IN CONFORMANCE WITH COUNCIL POLICY.

AMEND COUNCIL POLICY 700-22 ACCORDINGLY TO
REFLECT THE ABOVE CHANGES.

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

ITEM-201:

SUBJECT: Pilot Bid-to-Goal Methodology to Achieve the Purpose of
Competition Program.

(See City Manager Report CMR-98-33; Deputy Mayor Wear's
3/2/98 memorandum.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-98-895) ADOPTED AS RESOLUTION R-289890

Authorizing the City Manager to approve the Pilot
Bid-to-Goal Methodology to Achieve the Purpose of the
Competition Program;

Authorizing the City Manager to sign the Bid-to-Goal
Memorandum of Understanding and accept a responsible
bid submitted by the Metropolitan Wastewater Department
Operations and Maintenance Division Labor/Management
Partnership.

RULES COMMITTEE'S RECOMMENDATION:

On 3/2/98, RULES voted 4-0 to accept the report from the Select
Committee and forward the recommendations to Council.
(Councilmembers Mathis, Wear, Warden and McCarty voted yea.
Mayor Golding not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C005-136.)

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

ITEM-202:

SUBJECT: Public Restrooms.

(See memorandum from Mayor Susan Golding dated 3/6/98.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1006) ADOPTED AS RESOLUTION R-289891

Approving the Mayor's recommendations to the City Manager, as outlined in a memo dated March 6, 1998, relating to the installation of self-operating kiosk-type toilets in public restrooms.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C005-136.)

CONSENT MOTION BY MATHIS TO ADOPT AND TO DO THE FOLLOWING AS REQUESTED BY MAYOR GOLDING:

1. DIRECT THE CITY MANAGER TO INVESTIGATE THE COST, THE FUNDING, AND THE SITE NEEDS, WITH RECOMMENDATIONS OF AUTOMATIC PUBLIC TOILETS THAT DO NOT REQUIRE STAFFING, THE KIOSK TYPE OF TOILET.

2. DIRECT THE CITY MANAGER TO RETURN TO THE CITY COUNCIL WITHIN 30-60 DAYS TO REPORT HIS FINDINGS AND IDENTIFY AT THAT TIME THE LOCATIONS WHERE HE BELIEVES THE TOILETS SHOULD BE PLACED.

3. ALSO DOCKET AT THAT TIME THE ACTION OF THE LAND USE AND HOUSING COMMITTEE ON WEDNESDAY, MARCH 18, 1998.

A. RECOMMEND THAT THE OPERATING HOURS BE EXTENDED TO 24 HOURS A DAY AT THE DOWNTOWN RESTROOMS LOCATED AT 3RD AND C STREETS AND 6TH AND L STREETS.

B. DIRECT THE CITY MANAGER TO REPORT BACK BEFORE THE FISCAL YEAR 1999 BUDGET IS FINAL TO REVIEW THE OPERATING EXPENSES OF THE RESTROOM AT 6TH AND L STREETS.

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

ITEM-203:

SUBJECT: Fiscal Year 1998 Animal Control Contract (Fourth Quarter).

(See City Manager Reports CMR-98-55 and CMR-97-206; Deputy Mayor Wear's 2/24/98 memorandum; Select Committee on Government and Efficiency & Fiscal Reform's 2/19/98 report.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-98-1021) ADOPTED AS RESOLUTION R-289892

Authorizing an agreement with the County Department of Animal Control (DAC), for animal control services, for the period of April 1, 1998 through June 30, 1998;

Authorizing the expenditure of not to exceed \$442,246 from General Fund Citywide Program - Animal Regulation Services, to be adjusted for actual expenditures and revenues after the close of the contract period;

Authorizing the Auditor and Comptroller to transfer \$442,246 from General Fund Unallocated Reserve, Dept. 605 to General Fund Citywide Program - Animal Regulation Services, Dept. 601;

Directing the City Manager to negotiate and return to the City Council to award a five-year contract for Animal Control Services with the County for the period of FY 1998 through 2003;

Directing the City Manager to begin working with the County on a plan to replace the existing Central Shelter.

RULES COMMITTEE'S RECOMMENDATION:

On 3/2/98, RULES voted 4-0 to accept the report from the Select Committee dated 2/19/98, and forward the recommendations to Council regarding an interim contract with the County of San Diego for April 1, 1998 through June 30, 1998, and authorize the City Manager to negotiate a multi-year contract with the County including discussion on replacement of the Animal Shelter. The City Manager will report back to Rules on the issue of voluntary licensing of cats. (Councilmembers Mathis, Wear, Warden, and McCarty voted yea. Mayor Golding not present.)

Aud. Cert. 9801229.

FILE LOCATION: PURCHASE CONT FY98-1

COUNCIL ACTION: (Tape location: D393-E168.)

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

ITEM-204:

SUBJECT: Proposed Ballpark Process Time Line.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-965) ADOPTED AS RESOLUTION R-289893

Authorizing the City Council to approve the proposed ballpark process time line.

FILE LOCATION: GEN'L-Padres Task Force on Ballpark
Planning (#64)

COUNCIL ACTION: (Tape location: E169-318.)

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

ITEM-330:

SUBJECT: Matter of Planned District Ordinance Amendments related to the Land Development Code.

(PDO Amendments-96-0333. Citywide.)

CITY MANAGER'S RECOMMENDATION:

Introduce Subitems A - T; adopt Subitem-U:

Subitem-A: (O-98-51) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 9 relating to Barrio Logan Planned
District.

Subitem-B: (O-98-52) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 6, relating to Carmel Valley
Planned District.

Subitem-C: (O-98-53) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 14, relating to Cass Street
Commercial Planned District.

Subitem-D: (O-98-54) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 19, relating to Centre City Planned
District.

Subitem-E: (O-98-55) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 12, relating to La Jolla Planned
District.

Subitem-F: (O-98-56) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 3, relating to La Jolla Shores
Planned District.

Subitem-G: (O-98-57) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 5, relating to Mission Beach
Planned District.

Subitem-H: (O-98-58) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 1, relating to General Provisions
for Planned Districts.

Subitem-I: (O-98-59) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 20, relating to the Marina Planned
District.

Subitem-J: (O-98-60) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 4, relating to Gaslamp Quarter
Planned District.

Subitem-K: (O-98-61) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 15, relating to Mid-City
Communities Planned District.

Subitem-L: (O-98-62) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 7, relating to Golden Hill Planned
District.

Subitem-M: (O-98-65) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 10, relating to Mount Hope Planned
District.

Subitem-N: (O-98-66) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 21, relating to Mission Valley
Planned District.

Subitem-O: (O-98-67) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 2, relating to Old Town San Diego
Planned District.

Subitem-P: (O-98-68) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 11, relating to Otay Mesa
Development District.

Subitem-Q: (O-98-69) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 22, relating to San Ysidro
Implementing Ordinance.

Subitem-R: (O-98-70) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 17, relating to Southeastern San
Diego Planned District.

Subitem-S: (O-98-71) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, Division 13, relating to West Lewis Street
Planned District.

Subitem-T: (O-98-97) INTRODUCED, TO BE ADOPTED APRIL 7,
1998

Introduction of an Ordinance amending Chapter X,
Article 3, of the Municipal Code by repealing Division
16, relating to Centre City East Planned District.

Subitem-U: (R-98-962) ADOPTED AS RESOLUTION R-289894

Adoption of a Resolution authorizing the City Manager
to submit the amendments to Chapter X, Article 3,
Divisions 1,3,5,6,9,12,14,19,20, and 22 to the
California Coastal Commission for certification.

CITY MANAGER SUPPORTING INFORMATION:

On December 9, 1997, the City Council adopted the Land
Development Code and directed the City Manager to return to the
City Council with ordinances amending Municipal Code Chapter X
relating to Planned Districts. These amendments are needed to
correct Planned District references to Citywide regulations that
have been revised and renumbered in the Land Development Code.

The Land Development Code is scheduled to go into effect on May 1, 1998 or after certification by the Coastal Commission, whichever is later. At the conclusion of the January 29, 1998 Planning Commission hearing, Commissioner Skorepa requested additional administrative changes to the San Ysidro Planned District. The San Ysidro Planned District does not contain its own zoning regulations but states that the commercial and industrial zone regulations in the Southeastern San Diego Planned District apply in San Ysidro.

Commissioner Skorepa asked staff to extract these provisions from the Southeastern San Diego Planned District and add them to the San Ysidro Planned District. The draft amendment to the San Ysidro Planned District that is before the City Council contains these changes. The changes do not modify any of the text that is currently incorporated by reference. Summaries of the changes to each Planned District were distributed to the Planning Commission in April 1996 and to the Land Use and Housing Committee in May 1996. The draft amendments, as well as the summaries, were distributed to the planning groups in Planned District Communities in January and February 1997. The draft amendments were distributed to the planning groups again this year in anticipation of the public hearings. Over the last year, staff met with several of the planning groups to discuss the changes; however, no formal recommendations have been received from the groups.

NOTE: Environmental Impact Report EIR-96-0333, dated September 12, 1997, and Addendum No. 96-7897, dated November 10, 1997, covering this activity was reviewed and considered by Council on November 18, 1997, by Resolution No. R-289458.

FILE LOCATION: SUBITEMS A THRU T: NONE; SUBITEM U:
MEET

COUNCIL ACTION: (Tape location: C005-136.)

Hearing began at 2:10 p.m. and halted at 2:21 p.m.

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

* ITEM-S500:

SUBJECT: Emergency Construction of Peterlynn Drive Storm Drain.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-987) ADOPTED AS RESOLUTION R-289895

Authorizing the execution of a contract with Arrieta Construction to perform emergency construction of Peterlynn Drive Storm Drain and emergency repair of the sinkholes on Marzo Street;

Authorizing the expenditure of an amount not to exceed \$842,660 from the Peterlynn Drive Drain Reconstruction CIP-12-084.0, TransNet Bond Fund 30302.

CITY MANAGER SUPPORTING INFORMATION:

Heavy rain in February 1998, caused failure of deteriorated corrugated metal storm drain pipes in Marzo and Kostner Streets in the Otay Mesa area. Sinkholes up to forty feet in diameter opened on Marzo Street and cut off access and underground utilities to existing homes. The repair work exceeded the capacities of City Forces due to storm drain depth and requirement for extensive shoring. The Engineering and Capital Project Department had to take urgent action to repair sinkholes

and the failed storm drain system to avoid further damage to public improvements and private property. Arrieta Construction, a local construction company, specializing in similar storm drain projects was retained to execute the emergency work. The emergency work includes repair of sinkholes and replacement of corroded metal storm drain pipes with reinforced concrete pipes in Marzo, Peterlynn, Ilexy, and Kostner Streets.

Aud. Cert. 9801060.

FILE LOCATION: CONT-Arrieta Construction CONFY98-1

COUNCIL ACTION: (Tape location: C005-136.)

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

ITEM-S501: HEARING HELD - SECOND HEARING TO BE HELD ON
TUESDAY, MARCH 31, 1998.

(Continued from the meeting of March 17, 1998, Item 201, at Councilmember Warden's request, for more information.)

SUBJECT: Exemption of New Local Enforcement Agency Program Coordinator from the Classified Service.

(See memorandum from Personnel Director dated 1/30/98.)

CITY MANAGER'S RECOMMENDATION:

Hold the first public hearing of the following ordinance:

(O-98-93)

First public hearing of an ordinance amending Ordinance No. O-18424 (New Series), titled "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 amending Document No. 00-18424, to add the position of Program Coordinator in the Development Services Department and exempting the position from the Classified Service.

NOTE: See Item 51 on the docket of March 24, 1998 for a companion item.

CITY MANAGER SUPPORTING INFORMATION:

On July 29, 1997, the San Diego City Council withdrew the designation of the County of San Diego as the Local Enforcement Agency (LEA) responsible for regulatory enforcement over solid waste facilities within the City of San Diego. Part of the City Council's action was to direct that the LEA function reside in Development Services. Subsequently, on November 19, 1997, the California Integrated Waste Management Board, the State Agency responsible for enforcing the solid waste sections of the California Code of Regulations, approved the City's Enforcement Action Plan for carrying out this responsibility. As a result, Development Services began immediately to function in this capacity through the use of consultants and existing Development Services staff. In order to carry out the long-term management duties of the LEA, authorization is requested for an unclassified Program Coordinator position to serve as the Solid Waste LEA Manager.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C005-136.)

ITEM-CS-1: (R-98-1030) ADOPTED AS RESOLUTION R-289866

A Resolution adopted by the City Council in Closed Session on March 24, 1998:

Authorizing the City Manager to pay the total sum of \$30,000, in the settlement of each and every claim against the City of San Diego, its agents and employees, resulting from personal injuries resulting from a bicycle accident on North Torrey Pines Road; authorizing the City Auditor and Comptroller be and he is hereby authorized to issue one check to Michael Ming Chang in the amount of \$30,000, made payable to Michael Ming Chang and his attorney of record, Robert J. Kaplan, Esq., 101 West Broadway, Suite 1980, San Diego, CA 92101, in full settlement of all claims.

Aud. Cert. 9801244

FILE LOCATION: MEET

ITEM-CS-2: (R-98-1013) ADOPTED AS RESOLUTION R-289867

A Resolution adopted by the City Council in Closed Session on March 24, 1998:

Authorizing the City Manager to pay the sum of \$71,998.28, in the settlement of each and every claim against The City of San Diego, its agents and employees, resulting from the Property Damage Claim of Loma Pacific Condos; authorizing the City Auditor and Comptroller be and he is hereby authorized to issue one check in the amount of \$71,998.28, made payable to Luth & Turley, Inc., in full settlement of all claims.

Aud. Cert. 9801058

FILE LOCATION: MEET

ITEM-CS-3: (R-98-1014) ADOPTED AS RESOLUTION R-289868

A Resolution adopted by the City Council in Closed Session on March 24, 1998:

Authorizing the City Manager to pay the sum of \$450,000, in settlement of each and every claim against The City of San Diego, its agents and employees, resulting from the Personal Property Claim of Mid-City Community Clinic, et al.; authorizing the City Auditor and Comptroller be and he is hereby authorized to issue various checks up to but not exceeding \$450,000, made payable to multiple payees, in full settlement of all claims.

Aud. Cert. 9801057

FILE LOCATION: MEET

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:38 p.m in honor on the memory of:

John Alessio as requested by Mayor Golding;

Virgil Haulman as requested by Mayor Golding;

Marcus Wiseman as requested by City Attorney Gwinn;

Eddie Maxie, Jr. as requested by Council Member Stevens; and

Allen Hitch as requested by Council Member McCarty.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F195-264).