

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, SEPTEMBER 15, 1998
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Wear at 10:09 a.m. The meeting was adjourned by Deputy Mayor Wear at 10:38 a.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-excused by R-290746 (other City business)
 - (1) Council Member Mathis-present
 - (2) Council Member Wear-present
 - (3) Council Member Kehoe-excused by R-290748 (personal reasons)
 - (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-Fishkin (lw)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

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

PUBLIC COMMENT:

None.

COUNCIL COMMENT:

None.

ITEM-330:

SUBJECT: Two actions related to the Montezuma Road (Fairmount Avenue to Collwood Boulevard) Underground Utility District.

(Mid-City Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-70) ADOPTED AS RESOLUTION R-290714

Establishing the Montezuma Road (Fairmount Avenue to Collwood Boulevard) Underground Utility District.

Subitem-B: (R-99-71) ADOPTED AS RESOLUTION R-290715

Authorizing the expenditure not to exceed \$15,000 from Annual Allocation - Undergrounding of City Utilities, CIP-37-028.0, Sublet 37.290.3, TransNet Fund No. 30300, for the purpose of administering the Underground Utility District, minor City force work, replacement of existing street lights, and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities," and will underground the overhead utility facilities in the Montezuma Road (Fairmount Avenue to Collwood Boulevard) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding. Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$1,800 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. This cost typically ranges from \$300 - \$1,500.

Aud. Cert. 9900051.

FILE LOCATION: Subitems A,B: STRT - K-248

COUNCIL ACTION: (Tape location: A007-046.)

Hearing began at 10:10 a.m. and halted at 10:13 a.m.

Deputy Mayor Wear opened and closed the hearing.

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

ITEM-331:

SUBJECT: Two actions related to the Fairmount Avenue (Talmadge
Canyon Road to Camino Del Rio South) Underground
Utility District.

(Eastern Community Area. Districts-3 & 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-61) ADOPTED AS RESOLUTION R-290716

Establishing the Fairmount Avenue (Talmadge Canyon Road
to Camino Del Rio South) Underground Utility District.

Subitem-B: (R-99-62) ADOPTED AS RESOLUTION R-290717

Authorizing the expenditure of not to exceed \$15,000
from Annual Allocation-Undergrounding of City
Utilities, CIP-37-028.0, Sublet 37-290.1, TransNet Fund
No. 30300, for the purpose of administering the
Underground Utility District, minor City Force work,
replacement of existing street lights, and other
related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, Annual Allocation - Undergrounding of City Utilities, and will underground the overhead utility facilities in the Fairmount Avenue (Talmadge Canyon Road to Camino Del Rio South) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding. Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$1,800 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. This cost typically ranges from \$300 - \$1,500.

Aud. Cert. 9900049.

FILE LOCATION: Subitems A,B: STRT - K-249

COUNCIL ACTION: (Tape location: A007-046.)

Hearing began at 10:10 a.m. and halted at 10:13 a.m.

Deputy Mayor Wear opened and closed the hearing.

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

ITEM-332:

SUBJECT: Two actions related to the 47th Street (Fairmount Avenue to A Street) and A Street (47th Street to Federal Boulevard) Underground Utility District.

(Eastern Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-100) ADOPTED AS RESOLUTION R-290718

Establishing the 47th Street (Fairmount Avenue to A Street) and A Street (47th Street to Federal Boulevard) Underground Utility District.

Subitem-B: (R-99-101) ADOPTED AS RESOLUTION R-290719

Authorizing the expenditure of not to exceed \$75,000 from the Annual Allocation-Undergrounding of City Utilities, CIP-37-028.0, Sublet 37.290.6, TransNet Fund No. 30300, for the purpose of administering the Underground Utility District, minor City Force work, replacement of existing street lights, and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, Annual Allocation - Undergrounding of City Utilities, and will underground the overhead utility facilities in the 47th Street (Fairmount Avenue to A Street) and A Street (47th Street to Federal Boulevard) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of San Diego Gas and

Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding. Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$1,800 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. This cost typically ranges from \$300 - \$1,500. A future request for a resolution will establish the date for removal of overhead electrical services to all customers and will be submitted as the undergrounding work approaches completion.

Aud. Cert. 9900048.

FILE LOCATION: Subitems A,B: STRT - K-250

COUNCIL ACTION: (Tape location: A048-088.)

Hearing began at 10:14 a.m. and halted at 10:17 a.m.

Testimony in opposition by Harold Samson.

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

ITEM-333:

SUBJECT: Two actions related to the Goldfinch Street (Washington Street to Lewis Street) Underground Utility District.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-55) ADOPTED AS RESOLUTION R-290720

Establishing the Goldfinch Street (Washington Street to Lewis Street) Underground Utility District.

Subitem-B: (R-99-56) ADOPTED AS RESOLUTION R-290721

Authorizing the expenditure of not to exceed \$58,000 from the Annual Allocation-Undergrounding of City Utilities, CIP-37-028.0, Sublet 37.297.6, TransNet Fund No. 30300, for the purpose of administering the Underground Utility District, minor City Force work, replacement of existing street lights, and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, Annual Allocation - Undergrounding of City Utilities, and will underground the overhead utility facilities in the Goldfinch Street (Washington Street to Lewis Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding. Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$1,800 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. This cost typically ranges from \$300 - \$1,500.

Aud. Cert. 9900044.

FILE LOCATION: Subitems A,B: STRT - K-255

COUNCIL ACTION: (Tape location: A091-151.)

Hearing began at 10:18 a.m. and halted at 10:22 a.m.

Testimony in opposition by Roy Johnson.

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

ITEM-334:

SUBJECT: Two actions related to the Morena Boulevard (Napier Street to Ariane Drive) Underground Utility District.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-64) ADOPTED AS RESOLUTION R-290722

Establishing the Morena Boulevard (Napier Street to Ariane Drive) Underground Utility District.

Subitem-B: (R-99-65) ADOPTED AS RESOLUTION R-290723

Authorizing the expenditure of not to exceed \$83,000 from the Annual Allocation-Undergrounding of City Utilities, CIP-37-028.0, Sublet 37.297.5, TransNet Fund

No. 30300, for the purpose of administering the Underground Utility District, minor City Force work, replacement of existing street lights, and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, Annual Allocation - Undergrounding of City Utilities, and will underground the overhead utility facilities in the Morena Boulevard (Napier Street to Ariane Drive) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding. Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$1,800 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. This cost typically ranges from \$300 - \$1,500.

Aud. Cert. 9900050.

FILE LOCATION: Subitems A,B: STRT - K-256

COUNCIL ACTION: (Tape location: A007-046.)

Hearing began at 10:10 a.m. and halted at 10:13 a.m.

Deputy Mayor Wear opened and closed the hearing.

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

ITEM-335:

SUBJECT: Two actions related to the Foothill Boulevard (Fanuel Street to Ingraham Street) Underground Utility District.

(Pacific Beach Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-52) ADOPTED AS RESOLUTION R-290724

Establishing the Foothill Boulevard (Fanuel Street to Ingraham Street) Underground Utility District.

Subitem-B: (R-99-53) ADOPTED AS RESOLUTION R-290725

Authorizing the expenditure of not to exceed \$60,000 from the Annual Allocation-Undergrounding of City Utilities, CIP-37-028.0, Sublet 37.297.3, TransNet Fund No. 30300, for the purpose of administering the Underground Utility District, minor City Force work, replacement of existing street lights, and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, Annual Allocation - Undergrounding of City Utilities, and will underground the overhead utility facilities in the Foothill Boulevard (Fanuel Street to Ingraham Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual

Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding. Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$1,800 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. This cost typically ranges from \$300 - \$1,500.

Aud. Cert. 9900052.

FILE LOCATION: Subitems A,B: STRT - K-251

COUNCIL ACTION: (Tape location: A155-315.)

Hearing began at 10:23 a.m. and halted at 10:35 a.m.

Testimony in opposition by Laurie Silverman.

Testimony in favor by Penelope Holmes.

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

ITEM-336:

SUBJECT: Two actions related to the CCDC Area 2 Phase I (9th Avenue to 10th Avenue and Ash Street to A Street) Underground Utility District.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-58) ADOPTED AS RESOLUTION R-290726

Establishing the CCDC Area 2 Phase I (9th Avenue to 10th Avenue and Ash Street to A Street) Underground Utility District.

Subitem-B: (R-99-59) ADOPTED AS RESOLUTION R-290727

Authorizing the expenditure not to exceed \$30,000 from Annual Allocation - Undergrounding of City Utilities, CIP-37-028.0, Sublet 37.297.7, TransNet Fund No. 30300, for the purpose of administering the Underground Utility District, minor City force work, replacement of existing street lights, and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities," and will underground the overhead utility facilities in the CCDC Area 2 Phase I (9th Avenue to 10th Avenue and Ash Street to A Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding. Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$1,800 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. This cost typically ranges from \$300 - \$1,500.

Aud. Cert. 9900046.

FILE LOCATION: Subitems A,B: STRT - K-252

COUNCIL ACTION: (Tape location: A007-046.)

Hearing began at 10:10 a.m. and halted at 10:13 a.m.

Deputy Mayor Wear opened and closed the hearing.

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

ITEM-337:

SUBJECT: Two actions related to the CCDC Area 2 Phase II (12th
Avenue to 17th Street and Market Street to K Street)
Underground Utility District.

(Centre City Community Area. Districts-2 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-67) ADOPTED AS RESOLUTION R-290728

Establishing the CCDC Area 2 Phase II (12th Avenue to
17th Street and Market Street to K Street) Underground
Utility District.

Subitem-B: (R-99-68) ADOPTED AS RESOLUTION R-290729

Authorizing the expenditure of not to exceed \$30,000 from the Annual Allocation-Undergrounding of City Utilities, CIP-37-028.0, Sublet 37.297.8, TransNet Fund No. 30300, for the purpose of administering the Underground Utility District, minor City Force work, replacement of existing street lights, and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, Annual Allocation - Undergrounding of City Utilities, and will underground the overhead utility facilities in the CCDC Area 2 Phase II (12th Avenue to 17th Street and Market Street to K Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding. Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$1,800 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. This cost typically ranges from \$300 - \$1,500.

Aud. Cert. 9900045.

FILE LOCATION: Subitems A,B: STRT - K-253

COUNCIL ACTION: (Tape location: A007-046.)

Hearing began at 10:10 a.m. and halted at 10:13 a.m.

Deputy Mayor Wear opened and closed the hearing.

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

ITEM-338:

SUBJECT: Two actions related to the Voltaire Street (Ebers
Street to Bacon Street) and Bacon Street (Voltaire
Street to West Point Loma Boulevard) Underground
Utility District.

(Ocean Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-73) ADOPTED AS RESOLUTION R-290730

Establishing the Voltaire Street (Ebers Street to Bacon
Street) and Bacon Street (Voltaire Street to West Point
Loma Boulevard) Underground Utility District.

Subitem-B: (R-99-74) ADOPTED AS RESOLUTION R-290731

Authorizing the expenditure of not to exceed \$53,000
from the Annual Allocation-Undergrounding of City
Utilities, CIP-37-028.0, Sublet 37.297.9, TransNet Fund
No. 30300, for the purpose of administering the
Underground Utility District, minor City Force work,
replacement of existing street lights, and other
related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, Annual Allocation - Undergrounding of City Utilities, and will underground the overhead utility facilities in the Voltaire Street (Ebers Street to Bacon Street) and Bacon Street (Voltaire Street to West Point Loma Boulevard) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding. Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$1,800 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. This cost typically ranges from \$300 - \$1,500.

Aud. Cert. 9900047.

FILE LOCATION: Subitems A,B: STRT - K-254

COUNCIL ACTION: (Tape location: A007-046.)

Hearing began at 10:10 a.m. and halted at 10:13 a.m.

Deputy Mayor Wear opened and closed the hearing.

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

ITEM-339: CONTINUED TO OCTOBER 6, 1998

SUBJECT: Three actions related to Del Mar Highlands Estates Access.

(See City Manager Report CMR-98-173. Fairbanks/Country Club Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-269)

FINDINGS MUST BE MADE AS PART OF COUNCIL ADOPTION

Determining and declaring that the public interest, convenience and necessity of the City of San Diego requires the acquisition and elimination of land use deed restrictions which allegedly prohibit the City of San Diego from using an area of approximately 1.203 acres of City owned land for public road purposes for the Del Mar Highlands Estates Public Road Project; that the approximate 1.203 acre area is needed for the construction, improvement, operation and maintenance of a public street or streets, over, under, along and across portions of Lot 4 of Fairbanks Country Club, Unit No. 1, Map-10730;

Declaring that the public interest, convenience and necessity demand the acquisition and elimination of the land use deed restrictions;

Declaring the intention of the City to acquire and eliminate the land use deed restrictions within the approximate 1.203 acre area;

Declaring that the taking, acquiring, and elimination of the land use deed restrictions under eminent domain proceedings are deemed necessary;

Directing the City Attorney to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning, acquiring and eliminating the land use deed restrictions within the approximate 1.203 acre area and acquiring immediate possession.

Subitem-B: (R-99-266)

Authorizing the City Manager to execute a Subdivision Offsite Right-of-Way Agreement for construction of public street improvements to Street "A-A" adjacent to San Dieguito Road, Vesting Tentative Map VTM-94-0576 with Pardee Construction Company, for public street improvements.

Subitem-C: (R-99-270)

Authorizing the expenditure of not to exceed \$57,800 from Fund 63020, Org. 102, Object Account 4279, Job Order 650023, for costs related to the condemnation, acquisition and elimination of land use deed restrictions of an area of approximately 1.203 acres of City owned land for public road purposes for the Del Mar Highlands Estates public road project.

Aud. Cert. 9900202.

FILE LOCATION: Subitems A,B,C: SUBD - Del Mar
Highlands Estates

COUNCIL ACTION: (Tape location: A007-046.)

CONSENT MOTION BY McCARTY TO CONTINUE TO OCTOBER 6, 1998, AT THE REQUEST OF THE CITY MANAGER, FOR FURTHER REVIEW. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-340:

SUBJECT: Matter of Resource Protection Ordinance Permit RPO- 95-0266 and RPO-98-0126 in the Mission Trails Regional Park of Navajo Community Planning Area (Lake Murray Trunk Sewer Project).

(RPO-95-0266 and RPO-98-0126. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem A; adopt Subitem B to grant the permit:

Subitem-A: (R-99-177) ADOPTED AS RESOLUTION R-290732

Adoption of a Resolution certifying that the information contained in Mitigated Negative Declaration LDR-95-0266 and LDR-98-0126 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration reflects the independent judgment of the City of San Diego as Lead Agency and has been reviewed and considered by the Council; adopting appropriate Findings and Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-99-494) GRANTED PERMIT, ADOPTED AS RESOLUTION R-290733

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

CITY MANAGER SUPPORTING INFORMATION:

The Lake Murray Trunk Sewer (LMTS) project is located in the Mission Trails Regional Park area of the Navajo Community. It

includes the replacement of 850 feet of 15-inch sewer main with 18-inch sewer main. The sewer replacement is necessary due to the deterioration of the existing manholes and lack of capacity in the existing pipe. Upsizing of the main will alleviate surcharging. The City is planning to advertise for construction before the end of 1998. The total project cost, including construction, is estimated at \$830,000.

A Resource Protection Ordinance (RPO) permit is required because the project encroaches into environmentally sensitive habitat. Measures to mitigate the potentially adverse impact caused by the projects proposed construction are incorporated into conditions of the RPO permit.

Wetland mitigation requirements from two other projects, Murray Ridge Manhole Repair (MRMR) and Chaparral Canyon Spill (CCS) have also been combined with the LMTS Project. This will provide a comprehensive mitigation and monitoring program at one location for all three projects. The MRMR Project was an emergency sewer repair, in the upper portion of Murray Canyon east of I-805 and south of Kearny Villa Road in Serra Mesa, done in 1995. The CCS Project was a 1994 sludge spill in the Chaparral Creek just north of the proposed sewer replacement location.

LEGAL DESCRIPTION:

The project site is located north of I-8 and Airosso Drive on the lower east side of Chaparral Creek in the City of San Diego within the Navajo Community Planning Area.

FILE LOCATION: Subitems A,B: PERM - 95-0266 (65)

COUNCIL ACTION: (Tape location: A007-046.)

Hearing began at 10:10 a.m. and halted at 10:13 a.m.

Deputy Mayor Wear opened and closed the hearing.

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

ITEM-341:

SUBJECT: Exempting a Project Coordinator Position in the Police Department from the Classified Service and Adding the Position to the Appropriations Ordinance.

(Mid-City Community Area. Districts-3 and 7.)

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-99-45) INTRODUCED AND ADOPTED AS ORDINANCE O-18585 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-18551 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1998-99 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-18551, to add the position of Project Coordinator in the Police Department and exempting the position from the Classified Service.

NOTE: See Item 201 on the Docket of Monday, September 14, 1998 for the first public hearing of the ordinance. Today's action is the second public hearing and the introduction and adoption of the ordinance.

CITY MANAGER SUPPORTING INFORMATION:

On June 29, 1998, the City Council adopted Resolution R-290395 accepting a donation from Price Enterprises in the amount of

\$100,000 and authorizing the City Manager to utilize these funds to engage an independent consultant who will act as the Project Coordinator for the development of a Mid-City Organizing Project. Upon further evaluation, it is now recommended that the Project coordinator be hired by the City Manager as an Unclassified Position within the Police Department rather than engaging an independent consultant. It is expected that this approach will allow a greater pool of applicants from which to select the Coordinator and will provide more control by the Department over the activities of the Coordinator as an at will employee of the City.

The request to exempt this position from the Classified Service was approved by the Civil Service Commission at its meeting of August 6, 1998. It is requested that the City Council amend the Appropriations Ordinance to reflect the inclusion of this unclassified position.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A007-046.)

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

ITEM-342: CONTINUED TO SEPTEMBER 29, 1998

SUBJECT: Matter of a proposed Progress Guide and General Plan Amendment (PG & GP)/Community Plan Amendment (CPA)/Rezone (RZ)/Street Vacation (SA) and Easement Abandonment/Tentative Map (TM)/Planned Industrial Development (PID)/Planned Commercial Development (PCD)/Planned Residential Development (PRD)/Hillside Review Permit (HRP). Scripps

Gateway is a master planned project consisting of 242.1 total gross acres and maximum of 354 lots. Miramar Ranch North Community Plan Area.

(Case-92-0466. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitems A and C; adopt Subitems D, E, and F to approve the street vacation, permits and map; and introduce the ordinance in Subitem B:

Subitem-A: (R-99-215)

Adoption of a Resolution certifying that the information contained in LDR-92-0466 has been completed in compliance with the California Environmental Quality Act and State CEQA Guidelines, and that said Environmental Impact Report reflects the independent judgement of the City of San Diego as Lead Agency. Stating for the record that the final Environmental Impact Report has been reviewed and considered prior to approving the project. Adopting the Findings and Statement of Overriding Considerations. Adopting the Mitigation, Monitoring and Reporting Program.

Subitem-B: (O-99-34)

Introduction of an Ordinance for rezoning 4.5 acres in the Miramar Ranch North Community Planning area.

Subitem-C: (R-99-216)

Adoption of a Resolution amending the Miramar Ranch North Community Plan.

Subitem-D: (R-99-217)

Adoption of a Resolution authorizing the vacation of a segment of Road Survey 188, together with slope and landscaping easements as provided for under Section 66499.20-1/2 of the State Map Act.

Subitem-E: (R-99-)

Adoption of a Resolution approving/or denying Tentative Map TM-92-0466.

Subitem-F: (R-99-)

Adoption of a Resolution to approve/or deny permits PID/PCD/HRP-92-0466.

SUPPORTING INFORMATION:

Scripps Gateway is a master planned project consisting of 242.1 total gross acres and maximum of 354 lots. Development would consist of approximately 25.9 net acres of industrial development over six lots, approximately 12.8 net acres of commercial development over seven lots, approximately 7.5 net acres of multi-family development with a maximum of 135 dwelling units on one lot and approximately 142.5 net acres of single family development with a maximum of 309 dwelling units, approximately 85.9 acres of open space, approximately 20.2 acres for brush management, and other lots for signage, open space, easements, and public streets. The project would require Alternative Compliance for the Brush Management Program. The project is located immediately east of Interstate 15 and north and south of Scripps Poway Parkway in the Miramar Ranch North Community Plan Area.

LEGAL DESCRIPTION:

The project site is more particularly described as being located at the northeast and southeast corners of Scripps Poway Parkway and Interstate 15 (I-15) Portion of Section 29 and Section 20, Township 14 South, Range 2 West.

CITY MANAGER SUPPORTING INFORMATION:

The Scripps Gateway project proposes a Progress Guide and General Plan Amendment, Community Plan Amendment, Rezone, Street Vacation and Easement Abandonment, Tentative Map, Planned Industrial Development, Planned Commercial Development, Planned Residential Development and Hillside Review Permit No. 92-0466 to redesignate and rezone land uses, add a circulation element street, and develop a master planned neighborhood on a 242.1-acre site which includes industrial, commercial, single and multi-family residential uses, and a park and ride facility. The City Manager recommends certification of the EIR and adoption of the Mitigation Monitoring and Reporting Program, and Findings and Statement of Overriding Considerations; adoption of the Progress Guide and General Plan Amendment, and Community Plan Amendment; approval of the Rezone, Street Vacation and Easement Abandonment, Tentative Map, Planned Industrial/Commercial/Residential Development and Hillside Review Permit No. 92-0466. Draft permit, condition 39 addresses the affordable housing requirement of the Development Agreement, Document No. 00-17587.

The Miramar Ranch North Planning Committee, taking second vote on July 21, 1998, recommends denial of the project.

On July 30, 1998, the Planning Commission voted unanimously (4:0:0) to recommend to City Council support of the City Manager's recommendation, subject to the conditions of approval described in the draft Tentative Map and Draft Permit 92-0466.

Two corrections are required to Planning Report No. P-98-147 on page 3. The project proposes no fewer than 266 single-family dwelling units and 1.8 acres of commercial development, not 226 single-family dwelling units and 1.6 acres as indicated in the written text.

FILE LOCATION:

Subitems A,B,C,E,F: LAND - Progress Guide and General Plan; Miramar Ranch North Community; Scripps Gateway
Subitem D: STRT - J-2890

COUNCIL ACTION: (Tape location: A007-046.)

CONSENT MOTION BY McCARTY TO CONTINUE TO SEPTEMBER 29, 1998, AT THE REQUEST OF COUNCIL MEMBER WARDEN, UNTIL ALL ISSUES HAVE BEEN RESOLVED. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Wear at 10:38 a.m. in honor of the memory of:

Audrea Burnett and Orlando Coons as requested by Council Member Stevens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A319-359).