

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, JUNE 1, 1999  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

**Table of Contents**

CHRONOLOGY OF THE MEETING: .....	4
ATTENDANCE DURING THE MEETING: .....	4
ITEM-1: ROLL CALL .....	5
ITEM-10: INVOCATION .....	5
ITEM-20: PLEDGE OF ALLEGIANCE .....	5
NON-AGENDA COMMENT: .....	6
COUNCIL COMMENT: .....	7
* ITEM-50: Amending the S.D. Municipal Code relating to Transient Occupancy Tax. ....	8
* ITEM-100: Inviting Bids for the Construction of Coast Boulevard Sewer for the Abandonment of Sewer Pump Station 26. ....	8
* ITEM-101: Coral Gate Open Space Maintenance and Monitoring Agreement. ....	10
* ITEM-102: Agreement for As-Needed Environmental Services - 1999-2001 with Camp, Dresser and McKee, Inc. ....	11
* ITEM-103: Approving Change Orders No. 3 and No. 4 for the Otay Mesa Road Widening Project. ....	12
* ITEM-104: Repealing Proposed Angle Parking from Emerald Street. ....	13
* ITEM-105: Authorizing Suggestion Awards to City Employees. ....	14

**Minutes of Tuesday, June 1, 1999**  
**Table of Contents**

\* ITEM-106: Mid-Year Budget Adjustment for a Traffic Signal at Greenbrier Avenue and Waring Road ..... 15

\* ITEM-107: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico. .... 16

\* ITEM-108: Sewer Group 486 - Easements and Improvements. .... 16

\* ITEM-109: Metropolitan Operations Center (MOC III) Expansion Project. .... 17

\* ITEM-110: Implementation of a Professional Liability and Pollution Insurance Program for the Water Department CIP. .... 18

\* ITEM-111: Barrio Logan Redevelopment Project Annual Report ..... 20

ITEM-112: Amending the 1999 Legislative Calendar by rescheduling the 6/7/99 meeting of the City Council from 2:00 p.m to 6:00 p.m., at the Mission Valley Church of the Nazarene, for the purpose of conducting a Y2K Hearing. .... 21

\* ITEM-113: Amending the 1999 Legislative Calendar by rescheduling the 6/7/99 Rules Committee Meeting to 6/21/99, at 10:00 a.m. .... 22

\* ITEM-114: Amending the 1999 Legislative Calendar by scheduling the 6/9/99 Public Budget Hearing to be held at the Horizon Fellowship Auditorium, at 6:00 p.m. .... 22

\* ITEM-115: Land Sale - Cousins MarketCenters, Inc. .... 23

\* ITEM-116: Approving the Final Subdivision Map of Mira Mesa MarketCenter. .... 24

ITEM-200: Inviting Bids for the Construction of Sewer Main Replacement Group 634A. . 26

ITEM-201: South Bay Reclamation Sewer and Pump Station (Package A). .... 28

ITEM-202: Inviting Bids and Authorizing an Agreement for the Construction of Soledad Reservoir. .... 30

ITEM-203: First Amended Agreement with CDM for the Miramar Filtration Plant Upgrade & Expansion. .... 32

ITEM-204: North City Water Reclamation Project and San Pasqual Water Reclamation  
Project Local Resources Program Conversion Agreements. . . . . 33

ITEM-330: Sav-On Drug Store - Carmel Mountain Ranch. . . . . 35

ITEM-331: Torrey Glenn. . . . . 39

ITEM-332: Matter of Amendment of Affordable Housing Density Bonus Regulations . . . . 41

ITEM-333: Del Mar Terraces Underground Utilities Assessment District No. 99-1. . . . . 42

ITEM-334: Land Development Code. . . . . 45

ITEM-335: Findings for Construction Improvements - Cedar Street and Third Avenue. . . . 48

NON-DOCKET ITEM: . . . . . 49

ADJOURNMENT: . . . . . 49

**CHRONOLOGY OF THE MEETING:**

The meeting was called to order by Deputy Mayor Wear at 10:18 a.m. The meeting was recessed by Deputy Mayor Wear at 10:33 a.m. to convene the Redevelopment Agency. The meeting was reconvened by Deputy Mayor Wear at 10:47 a.m. with Mayor Golding not present. The meeting was recessed at 10:51 a.m. by Deputy Mayor Wear to reconvene the Redevelopment Agency. The meeting was reconvened at 10:52 a.m. by Deputy Mayor Wear with Mayor Golding not present. Mayor Golding recessed the meeting at 12:17 p.m. to reconvene at 2:00 p.m.

Deputy Mayor Wear reconvened the meeting at 2:20 p.m. with Mayor Golding not present. The regular meeting was recessed by Mayor Golding at 3:02 p.m. to reconvene the Redevelopment Agency. Mayor Golding reconvened the regular meeting at 3:11 p.m. with all Councilmembers present. The regular meeting was recessed by Mayor Golding at 3:28 p.m. to reconvene the Redevelopment Agency. The regular meeting was reconvened by Mayor Golding at 5:12 p.m. with all Councilmembers present. Mayor Golding adjourned the meeting at 5:18 p.m. to meet immediately in closed session in the twelfth floor conference room to discuss real property negotiations.

**ATTENDANCE DURING THE MEETING:**

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

Clerk-Abdelnour (mp/lw)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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

ITEM-10: INVOCATION

Invocation was given by Reverend Thomas Ritchie of the Linda Vista Church of the Nazarene.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Vargas.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Mr. Wes Johnson presented a new ACCESS IN SAN DIEGO GUIDE, covering all areas of the City of San Diego from the border to north county, east county, and stated that this guide is distributed by CONVIS. He stated that this was the

1999 access guide for travelers with disabilities and that it was accomplished as a partnership between the City, CONVIS, Weaver Publications, and Accessible San Diego.

FILE LOCATION: AGENDA

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

**PUBLIC COMMENT-2:**

Mr. Don Stillwell commented on the government's gun legislation, the timing of the hearing of the legislation, and the purpose of the legislation.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A064-085.)

**PUBLIC COMMENT-3:**

Mr. Daniel Beeman spoke on Constituent vs. Customer. Mr. Beeman stated that when elected representatives receive gifts, favors, or payments from their customers, they no longer have an unbiased concern. He added that they, like a business, must be concerned about the customer and that elected officials are needed to represent the voters, the constituents, and the citizens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A087-111.)

PUBLIC COMMENT-4:

Mr. Nicholas Moffit commented on how disappointed he was the last time he appeared before Council because of the lack of attention by the Council members. Mr. Moffit also asked whether the citizens wanted a new main library or do they want their community libraries upgraded. He asked for a reference as to what the people voted and what the numbers were.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A112-142.)

PUBLIC COMMENT-5:

Mr. Ron Boshun stated that democracy without morality is anarchy. He stated the North Bay Redevelopment District is theft, pure and simple; it is an inverse condemnation and unlawful taking. He stated the North Bay Redevelopment District is 95 percent small business.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A143-164.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Council Member McCarty commented on a news article that was in the newspaper about gaps in roads and things that didn't get built. Many of the roads that didn't get built are parallel to the highways--I-15 and I-5--and that is why there is congestion. Council Member McCarty stated she still feels that Jackson Drive should be built but that there is no money nor plans to do it now. She stated she wanted to make it clear that this is going to be an issue when Prop A comes before the voters again and the voters will decide.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A165-177.)

\* ITEM-50: Amending the S.D. Municipal Code relating to Transient Occupancy Tax.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 5/18/99.

(Council voted 9-0):

(O-99-124) ADOPTED AS ORDINANCE O-18650 (New Series)

Amending Chapter III, Article 5 of the San Diego Municipal Code by amending Section 35.0102 to add a definition of "Successor to Operator" and amending Section 35.0118 to provide the Hearing Officer assigned by the City Manager a reasonable amount of time to hold an appeal hearing relating to Transient Occupancy Tax.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A340-454.)

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

\* ITEM-100: Inviting Bids for the Construction of Coast Boulevard Sewer for the Abandonment of Sewer Pump Station 26.

(La Jolla Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1327) ADOPTED AS RESOLUTION R-291688

Inviting bids for the construction of Coast Boulevard Sewer for the Abandonment of Sewer Pump Station 26 on Work Order No. 172131;

Authorizing a contract with the lowest responsible bidder;

Authorizing the City Auditor and Comptroller to transfer \$1,857,013 from Sewer Fund 41506, CIP-46-200.0, Sewer Pump Station 30A, Relocation, to Sewer Fund 41506, CIP-41-923.0;

Authorizing the expenditure not to exceed \$2,106,113 from Sewer Fund 41506, CIP-41-923.0, Coast Boulevard Sewer for the Abandonment of Sewer Pump Station 26, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating the funds necessary for expenditure are , or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99243C)

**CITY MANAGER SUPPORTING INFORMATION:**

Sewer Pump Station No. 26 is located at the corner of Coast Boulevard and Jenner Street, south of Lifeguard Station in the La Jolla Community area. The existing pump station which was constructed in 1950, is being abandoned. The proposed 2,746 feet gravity sewer alignment which is part of this project will redirect the flow south of Jenner Street on Coast Boulevard to the newly constructed Sewer Pump Station No. 24. This project incorporates the abandonment of the existing Sewer Pump Station No. 26 and construction of 18 inch gravity sewer main in Coast Boulevard from the intersection with Jenner Street at the north, to the southern-most intersection with Coast Boulevard South to Sewer Pump Station No. 24.

Aud. Cert. 9901140.

WWF-99-377.

FILE LOCATION: CONT - Foss Environmental Service; W.O. 172131

COUNCIL ACTION: (Tape location: A340-454.)

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

\* ITEM-101: Coral Gate Open Space Maintenance and Monitoring Agreement.

(San Ysidro Community Area. District-8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1076) ADOPTED AS RESOLUTION R-291689

Authorizing the execution of an Open Space Maintenance and Monitoring Agreement with CGSD Associates, L.P., for the work to be done on the Coral Gate Subdivision.

**CITY MANAGER SUPPORTING INFORMATION:**

This project is located east of Camino De La Plaza in the San Ysidro Community Plan area. On December 10, 1991 the Council of the City of San Diego approved Vesting Tentative Map VTM-89-1391 for Coral Gate Subdivision. Condition No. 27b requires the developer to enter into an agreement for an open space maintenance and monitoring program for Coral Gate. The subject agreement satisfies this condition. Staff recommends approval.

FILE LOCATION: SUBD - Coral Gate (40)

COUNCIL ACTION: (Tape location: A340-454.)

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

\* ITEM-102: Agreement for As-Needed Environmental Services - 1999-2001 with Camp, Dresser and McKee, Inc.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1371) ADOPTED AS RESOLUTION R-291690

Authorizing the execution of an agreement with Camp, Dresser and McKee, Inc., for as needed environmental services 1999-2001 to support the Metropolitan Wastewater Department and Engineering and Capital Improvements Department;

Authorizing the expenditure of an amount not to exceed \$250,000, consisting of \$165,000 from Fund No. 41509, and \$85,000 from Fund 38916, contingent on Council approval of a cooperative agreement with the City, County and SANDAG, and Council approval of the Fiscal Year 2000 CIP budget.

**CITY MANAGER SUPPORTING INFORMATION:**

The Metropolitan Wastewater Department (MWWD) received 9 proposals for the subject requirement. A selection committee in compliance with MWWD guidelines was convened, and 6 companies were short-listed. These 6 companies gave presentation to the committee, and Camp, Dresser, and McKee was selected. Work to be performed under this contract includes conducting all manner of environmental studies, such as biological, archaeological, and general environmental compliance, in support of MWWD and Engineering and Capital Projects (ECP) Departments. MWWD shall use this contract in support of ECP's State Route 56 project.

Aud. Cert. 9901201.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A340-454.)

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

\* ITEM-103: Approving Change Orders No. 3 and No. 4 for the Otay Mesa Road Widening Project.

(Otay Mesa Community Area. District-8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1315) ADOPTED AS RESOLUTION R-291691

Approving Change Order No. 3, dated May 6, 1999 and Change Order No. 4, dated July 21, 1998, issued in connection with the contract with R.E. Hazard Construction Company for the Otay Mesa Road Widening Project, amounting to a net increase in the contract price of \$1,050,725.50;

Authorizing the expenditure of an amount not to exceed \$1,050,725.50 from the State of California Traffic System Management (TSM) Fund 38555 Unallocated Reserves;

Authorizing the City Manager to execute any necessary documents relating to the receipt of the funds.

**CITY MANAGER SUPPORTING INFORMATION:**

The Otay Mesa Road Widening Project provides for improving Otay Mesa Road to a six-lane conventional highway from the easterly terminus of State Route 905 to just east of La Media Road. The project includes the use of concrete median barriers and stamped concrete medians along selected portions of the road. Dual left-turn pockets will be placed at identified intersections. The project length is approximately 5.2 miles. This project is required to

accommodate the increase in commercial truck traffic generated by the federal improvements to the Otay Mesa Point of Entry, the closure of the commercial vehicle inspection station at the San Ysidro Port of Entry and the anticipated increase in vehicular traffic as a result of the approval of the North American Free Trade Agreement. The drainage and secondary street improvements are necessary scope changes as agreed to by CalTrans to facilitate road usage as temporary State Route 905. The drainage improvements on Change Order No. 4 for the sum of \$247,303 are required due to more stringent state safety requirements regarding complete runoff of all surface water in all three travel way lanes during storm conditions in lieu of City requirements of one clear lane of complete runoff. Change Order No. 3 in the amount of \$803,422.50 for the half mile long secondary street improvement along Airway Road between La Media Road and Britannia Road facilitates the only emergency east-west alternate route along the Otay Mesa Corridor should Otay Mesa Road become impassible due to accidents or construction during the project time frame. CalTrans requires these additional drainage and secondary street work to facilitate the State owned temporary State Route 905 Project. Per the City charter, council approval is required for change order work in excess of \$200,000.

Aud. Cert. 9901154.

FILE LOCATION: CONT - R. E. Hazard Const. Co.

COUNCIL ACTION: (Tape location: A340-454.)

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

\* ITEM-104: Repealing Proposed Angle Parking from Emerald Street.

(Pacific Beach Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1313) ADOPTED AS RESOLUTION R-291692

Rescinding Resolution No. R-291126, adopted January 11, 1999, authorizing angle parking on the north side of Emerald Street between Cass Street and Dawe Street.

**CITY MANAGER SUPPORTING INFORMATION:**

This action repeals Resolution R-291126 that was adopted on January 11, 1999, and authorized angle parking on the north side of Emerald Street between Cass Street and Dawes Street. The angle parking has not been installed. This action would retain the existing configuration of parallel parking on this portion of Emerald Street. The proposal for angle parking would have added six parking spaces to this block. It was supported by a petition of residents of the adjacent properties, and by the Pacific Beach Community Planning Committee. At staff's recommendation, the City Council adopted the resolution on January 11, 1999. Subsequently, residents and owners contacted the City to express opposition to the angle parking. Some of the original supporters had moved, and others changed their minds. In light of the opposition, staff deferred installation and proposed to the Pacific Beach Community Planning Committee that the resolution be repealed. On March 22, the Committee voted 7 to 3 to support the repeal.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A340-454.)

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

\* ITEM-105: Authorizing Suggestion Awards to City Employees.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1351) ADOPTED AS RESOLUTION R-291693

Joe Rametta - Engineering and Capital Projects - \$160.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A340-454.)

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

\* ITEM-106: Mid-Year Budget Adjustment for a Traffic Signal at Greenbrier Avenue and Waring Road.

(Navajo Community Area. District-7.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1312) ADOPTED AS RESOLUTION R-291694

Amending the Fiscal Year 1999 annual budget to increase the appropriation of \$117,000 in CIP-68-010.0, "Annual Allocation - Construct Top 5 Prioritized Signals;"

Authorizing the appropriation of \$117,000 from the Special Trust Fund 63022 to CIP-68-010.0 "Annual Allocation - Construct Top 5 Prioritized Signals," for constructing a traffic signal at Greenbrier Avenue and Waring Road;

Authorizing the expenditure of \$117,000 from CIP-68-010.0, Fund No. 63022, "Annual Allocation - Construct Top 5 Prioritized Signals," for constructing a traffic signal at Greenbrier Avenue and Waring Road.

**CITY MANAGER SUPPORTING INFORMATION:**

This action will amend the FY 1999 CIP to allow construction of a traffic signal at the intersection of Greenbrier Avenue and Waring Road. The signal was installed and started operating in mid-March.

Aud. Cert. 9901172.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: A340-454.)

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

- \* ITEM-107: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

**TODAY'S ACTION IS:**

Adoption of the following resolution:

(R-99-1199) ADOPTED AS RESOLUTION R-291695

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

**FILE LOCATION:** GENL - State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

**COUNCIL ACTION:** (Tape location: A340-454.)

CONSENT MOTION BY STALLINGS TO ADOPT WITH A DIRECTION TO STAFF TO PROVIDE A STATUS REPORT AT THE NEXT MEETING ON THIS SUBJECT . Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

- \* ITEM-108: Sewer Group 486 - Easements and Improvements.  
(Uptown Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1321) ADOPTED AS RESOLUTION R-291696

Authorizing the City Auditor and Comptroller to reallocate and expend the previously approved funds in an amount not to exceed \$24,000, for the costs associated with the acquisition of easements, from Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacements, sublet CIP-44-103.5, Group Job 486;

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

**CITY MANAGER SUPPORTING INFORMATION:**

By Resolutions R-290300 and R-290302, adopted on June 29, 1998, City Council approved Water and Sewer Replacement Group 486, located in the Uptown Community Area. This project is a portion of the continuing Annual Capital Improvements Program, which calls for the replacement of old concrete sewer and cast iron water mains within the City of San Diego. By Resolution R-291225, adopted February 1, 1999, City Council authorized the acceptance of easement documents necessary for the completion of the subject sewer group project. Subsequent to the acceptance and recordation of said easement documents, it was determined that private improvements would be disturbed during the project, and it was agreed that the City was responsible for replacing said improvements. The estimated replacement cost value of these improvements was reviewed and approved by City staff, and agreed to by Metropolitan Wastewater. This action calls for the authorization to expend funds to cover the accumulated and future Acquisition Division charges associated with the acquisition of the required property rights. Additionally, a portion of the requested funding is to pay for compensation to the property owner for the replacement cost of the impacted improvements.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A340-454.)

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

\* ITEM-109: Metropolitan Operations Center (MOC III) Expansion Project.

(Kearny Mesa Community Area. District-6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1370) ADOPTED AS RESOLUTION R-291697

Authorizing the expenditure of an amount not to exceed \$412,000 from Fund No. 41508, to provide additional project contingency for the Metropolitan Operations Center (MOC III) Expansion, consisting of \$300,000 from CIP-46-501.0, Annual Allocation - Metro Sewer Pooled Contingency, and \$112,000 from CIP-40-922.0, Metropolitan Operations Center Expansion.

**CITY MANAGER SUPPORTING INFORMATION:**

This project provides for the development of the MWWD Central Support Facility in Kearny Mesa. This project will provide for the build-out of a Central Repair Facility, centralized warehousing, 6,000 sq. ft. of office space, locker room facilities and training room. This project also includes upgrades to the electrical service and the installation of telephone, data and fire equipment and furnishings for the facility. This project was authorized by the City Council in October, 1998 and is scheduled to be completed in November, 1999. This action will provide funding to correct several items that are out of compliance with codes. The build-out of this project will ensure ADA compliance including new storefront doors and a ramp. Additional work is required to meet sprinkler system requirements in the storage area. Also, the original plans called for the COMNET to provide the Fire Detection System, but it was determined to be more cost-effective to have the contractor provide this system. This action will also increase the lifting capacity of the two overhead cranes from 1-ton capacity to 2-ton capacity. This will significantly increase the operational capability of this facility.

Aud. Cert. 9901199.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A340-454.)

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

\* ITEM-110: Implementation of a Professional Liability and Pollution Insurance Program for the Water Department CIP.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1282) ADOPTED AS RESOLUTION R-291698

Authorizing the City Manager to obtain professional liability and pollution insurance coverage, from the Reliance/ECS insurance carriers, in an amount not to exceed \$455,047;

Authorizing expenditure of an amount not to exceed \$555,047 from Water Fund 41500, Dept. 760, including \$455,047 for insurance premiums and \$100,000 for deductibles;

Declaring that the costs will be charged to specific CIP projects as they are identified for inclusion in the program.

**CITY MANAGER SUPPORTING INFORMATION:**

The Water Fund CIP program entered into an Owner's Controlled Insurance Program (OCIP) for its construction contractors in September 1998. As a adjunct to that program, and in order to provide a higher level of insurance coverage to the City for design and construction management professional services and contractors pollution legal liability, the Water Department asked its OCIP broker, J&H Marsh McLennan, to obtain quotes from insurance companies for these coverages. Bids were solicited from nine insurers, and were received from four companies/groups. The bid from the Reliance/ECS group is recommended as providing the best coverage at the lowest cost. The coverage would provide up to \$10 million of insurance for a policy term of five years with a five year extended reporting period. Deductibles would be \$50,000 per claim and \$100,000 in aggregate. This insurance will provide the City a higher level of insurance coverage than is normally available through the insurance carried by small design and construction management firms which usually carry one million of coverage, allowing greater flexibility in the selection of firms. Additionally, there are no construction management or architect errors and omissions insurance carriers that will cover the City, when the City requires contractual indemnification for negligence. Architects and construction managers continue to object to the inclusion of this indemnification requirement in their contracts. The proposed policy will cover both the City and the consultant as named insureds, eliminating this issue and providing the City with better coverage at a lower total cost. The proposed program will initially cover the two construction management firms working on Water Department capital projects, the architect for the Central Operations Facility, the designer of the Miramar Water Treatment Plant expansion and upgrade, and will allow for additional firms to be added in the future for additional premiums. Net savings from this pooled insurance approach are estimated at \$200,000 compared to insurance provided individually by the contractors. The Water Fund CIP will be billed directly by Reliance/ECS.

Aud. Cert. 9901151.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A340-454.)

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

\* ITEM-111: Two actions related to the Barrio Logan Redevelopment Project Annual Report.

(See City Manager Report CMR-99-99. Barrio Logan/Harbor 101 Community Area. District-8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-99-1300) ADOPTED AS RESOLUTION R-291699

Approving a Representative Project Area Committee for the Barrio Logan Redevelopment Project Area.

Subitem-B: (R-99-1301) ADOPTED AS RESOLUTION R-291700

Approving the amended Procedure for the Formation of the Project Area Committee (PAC) for the Barrio Logan Redevelopment Project.

FILE LOCATION: Subitem-A,B: MEET

COUNCIL ACTION: (Tape location: A340-454.)

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

ITEM-112: Amending the 1999 Legislative Calendar for Meetings of the San Diego City Council and Standing Committees, by rescheduling the 6/7/99 meeting of the City Council from 2:00 p.m to 6:00 p.m., at the Mission Valley Church of the Nazarene, for the purpose of conducting a Y2K Hearing.

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1414) ADOPTED AS RESOLUTION R-291730

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 1999 through December 31, 1999, by rescheduling the June 7, 1999 meeting of the City Council from 2:00 p.m to 6:00 p.m., at the Mission Valley Church of the Nazarene, 4750 Mission Gorge Place, San Diego, CA, for the purpose of conducting a Y2K Hearing.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D535-E020;.)

MOTION BY MATHIS TO ADOPT. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-113: Amending the 1999 Legislative Calendar for Meetings of the San Diego City Council and Standing Committees, by rescheduling the 6/7/99 Rules Committee Meeting to 6/21/99, at 10:00 a.m.

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1413) ADOPTED AS RESOLUTION R-291701

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 1999 through

December 31, 1999, by rescheduling the June 7, 1999 meeting of the Committee on Rules, Finance and Intergovernmental Relations to June 21, 1999, at 10:00 a.m. in the Council Committee Room, 202 C Street, San Diego, CA 92101.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A340-454.)

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

- \* ITEM-114: Amending the 1999 Legislative Calendar for Meetings of the San Diego City Council and Standing Committees, by scheduling the 6/9/99 Public Budget Hearing to be held at the Horizon Fellowship Auditorium, at 6:00 p.m.

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1415) ADOPTED AS RESOLUTION R-291702

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 1999 through December 31, 1999, by scheduling the June 9, 1999 Public Budget Hearing to be held at the Horizon Fellowship Auditorium, 5331 Mt. Alifan Drive, San Diego, CA 92111 (formerly Hale Junior High School), at 6:00 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A340-454.)

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

\* ITEM-115: Two actions related to Land Sale - Cousins MarketCenters, Inc.

(Mira Mesa Community Area. District-5.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-99-1352) ADOPTED AS RESOLUTION R-291703

Authorizing the City Manager or his designee to execute a grant deed to Cousins MarketCenters, Inc. granting all the City's right, title and interest in a portion of the west half of Section 32, Township 14 South, Range 2 West, San Bernardino Base and Meridian.

Subitem-B: (R-99-1353) ADOPTED AS RESOLUTION R-291704

Authorizing the City Manager to accept a quitclaim deed from the County Water Authority granting to the City all that portion of Parcel 602 in the Northeast Quarter of Section 31, Township 14 South, Range 2 West, San Bernardino Base and Meridian, as described in deed recorded on June 29, 1992 as Document No, 1992-0404824 in the Office of the County Recorder of San Diego County.

**CITY MANAGER SUPPORTING INFORMATION:**

Cousins MarketCenters, Inc. (Cousins) is developing a 62.823-acre subdivision into 17 lots for use as apartments and a neighborhood shopping center. This site, Mira Mesa Market Center Development, is located south of Mira Mesa Boulevard in the Mira Mesa Community. In connection with this development, Cousins is required to purchase 37,848 square feet of City-owned property and facilitate the conveyance of 14,803 square feet to the City from the County Water Authority. By adoption of the Vesting Tentative Map for this development on August 4, 1998, Council also approved a street vacation and easement abandonment over a portion of the City fee owned property subject to this land sale action. The City property is zoned A-1-1 and is comprised of two CalTrans relinquishment parcels. The City property to be sold is heavily encumbered by several street, sewer, water, and utility easements and is unbuildable. An updated staff appraisal on February 10, 1999 valued the fee owned portion and an adjacent easement abandonment area at \$160,500. The final map for this subdivision is being presented to Council as a companion item.

**NOTE:** See Item 116 on today's docket for a companion item.

FILE LOCATION: Subitem-A,B: DEED F-7510

COUNCIL ACTION: (Tape location: A340-454.)

CONSENT MOTION BY STALLINGS TO ADOPT THE RESOLUTIONS, MAKING THE CHANGE AS ANNOUNCED BY STAFF THAT JEFFERSON AT MARKETCENTER, L.P. WILL TAKE TITLE TO THE PROPERTY RATHER THAN COUSINS MARKETCENTERS INC. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

- \* ITEM-116: Seven actions related to Approving the Final Subdivision Map of Mira Mesa MarketCenter.

(This is a 17-lot subdivision. Mira Mesa Community Area. District-5.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-99-1222) ADOPTED AS RESOLUTION R-291705

Authorizing the City Manager to execute a Subdivision Improvement Agreement with Cousins MarketCenters, Inc. for the installation and completion of public improvements.

Subitem-B: (R-99-1221) ADOPTED AS RESOLUTION R-291706

Approving the final map.

Subitem-C: (R-99-1223) ADOPTED AS RESOLUTION R-291707

Authorizing the City Manager to execute a Landscape Maintenance Agreement with Cousins MarketCenters, Inc. for the installation and completion of public improvements.

Subitem-D: (R-99-1366) ADOPTED AS RESOLUTION R-291708

Authorizing the City Manager to execute an Agreement Regarding Reimbursement of Costs Relating to Road Improvements (Vesting Tentative Map Conditions 16(a), (b) and (c)) with Cousins MarketCenters, Inc. for the work to be done in the completion of public improvements.

Subitem-E: (R-99-1410) ADOPTED AS RESOLUTION R-291709

Authorizing the City Manager to execute an Escrow Agreement (FFP 15-83), in connection with VTM Conditions 15 and 17, with Cousins MarketCenters, Inc. for the work to be done in the completion of public improvements;

Authorizing the City Auditor to establish an interest-bearing trust account to deposit funds from the Escrow Agreement (FFP 15-83).

Subitem-F: (R-99-1365) ADOPTED AS RESOLUTION R-291710

Authorizing the City Manager to execute an Escrow Agreement, in connection with VTM Conditions 15 and 17, with Cousins MarketCenters, Inc. for the work to be done in the completion of public improvements;

Authorizing the City Auditor to establish an interest-bearing trust account to deposit funds from the Escrow Agreement.

Subitem-G: (R-99-1378) ADOPTED AS RESOLUTION R-291711

Dedicating for public street purpose a portion of Parcel 602, in the Northeast Quarter of Section 31, Township 14 south, Range 2 West, San Bernardino Meridian, and naming the same Mira Mesa Boulevard.

**CITY MANAGER SUPPORTING INFORMATION:**

This map proposes the subdivision of a 62.823 acre site into 17 lots for apartment and commercial development. It is located south of Mira Mesa Boulevard in the Mira Mesa Community. On August 4, 1998, the Council of the City of San Diego approved Vesting Tentative Map 96-7371 by Resolution R-290615 for Mira Mesa MarketCenter Subdivision. The City Engineer has approved the final map and states that all conditions of the Vesting Tentative Map have been satisfied. The final map and land sale are being presented to the City Council as companion items. Additional right-of-way on the south side of Mira Mesa Boulevard is being dedicated as a requirement of the final map at no cost to the City. The public improvements

required for this subdivision are shown in detail on Drawing Nos. 29650-1-D through 29659-65-D, filed in the Office of the City Clerk under Micro Number 140.00. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$4,350,976.00 and a Letter of Credit in that amount has been provided as surety. A cash bond in the amount of \$6,500.00, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. The subdivision is located within the Mira Mesa Community and is subject to the payment of Facilities Benefit Assessment fees at the time the building permit is issued. Development on any property within this map shall pay the FBA fees as set by the City Council and in effect in the community at the time of building permit issuance. Subdivider shall enter into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility.

**NOTE:** See Item 115 on today's docket for a companion item.

**FILE LOCATION:** Subitem-A,B,C,D,E,F: SUBD - Mira Mesa MarketCenter (40); Subitem-G: DEED F-7512

**COUNCIL ACTION:** (Tape location: A340-454.)

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

ITEM-200: Two actions related to Inviting Bids for the Construction of Sewer Main Replacement Group 634A.

(Peninsula, Uptown and Balboa Park Community Areas. Districts-2 and 3.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-99-1325) ADOPTED AS RESOLUTION R-291712

Inviting bids for the Construction of Sewer Main Replacement Group 634A on Work Order No. 172401;

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

Authorizing the expenditure of an amount not to exceed \$1,557,207 from Sewer Fund 41506, CIP-44-001.0, provided that the City Auditor and Comptroller first furnishes a certificate certifying that the funds necessary for the expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99242C)

Subitem-B: (R-99-1326) ADOPTED AS RESOLUTION R-291713

Certifying that the information contained in Mitigated Negative Declaration LDR-96-0328, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency, and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council;

Declaring that the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study;

Adopting the Mitigation Monitoring and Reporting Program.

**CITY MANAGER SUPPORTING INFORMATION:**

Sewer Group 634A is a portion of the continuing Annual Capital Improvement Program allocation to replace undersized, and deteriorated water and sewer mains. The mains being replaced were originally constructed in the 1920s and have reached their useful life. Replacement of these sewer mains will provide the community with a safe and reliable sewer infrastructure. This project is located within the Peninsula, Uptown, and Balboa Park Community areas. It consists of constructing approximately 6,810 feet of new sewer main in the Peninsula areas, and the rehabilitation of approximately 1,116 feet of sewer main in Balboa Park and in the Uptown area. The following streets will be affected by construction operations: 1) Peninsula Community Area: Avenida De Portugal, Shelter Island Drive, Byron Street, Carleton

Street, Shafter Street, and Scott Street; 2) Uptown Community Area: Myrtle Avenue; and 3) Balboa Park Community Area: Florida Drive. Residents will be notified by mail at least one month before construction by the City and ten days before construction by the contractor.

WWF-99-378.

FILE LOCATION: Subitem-A,B: CONT - CAL Southwest Construction, Inc.;  
W.O. 172401

COUNCIL ACTION: (Tape location: A464-527.)

MOTION BY KEHOE TO ADOPT THE RESOLUTIONS WITH DIRECTION TO THE CITY MANAGER TO DO EVERYTHING POSSIBLE TO REDUCE THE IMPACTS TO THE CANYON AND TO PRESERVE THE OPEN SPACE, ESPECIALLY IN THE FLORIDA CANYON AREA. IN ADDITION, SHOULD A LAG TIME OCCUR SUCH AS IN THIS CASE, STAFF IS DIRECTED TO GO BACK TO THE COMMUNITY GROUPS SO THEY CAN BE INFORMED PRIOR TO COUNCIL TAKING ACTION. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-201: Two actions related to the South Bay Reclamation Sewer and Pump Station (Package A).  
(Tijuana River Valley Community Area. District-8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-99-1217) ADOPTED AS RESOLUTION R-291714

Authorizing the City Manager to award a contract for the construction of the South Bay Reclamation Sewer and Pump Station (Package A) to the lowest responsible and responsive bidder in an amount not to exceed \$11,962,025;

Authorizing the expenditure of an additional amount not to exceed \$1,646,025 from Fund No. 41509, CIP-40-911.3, South Bay Sewer and Pump Station, to supplement funds previously authorized for the project; authorizing an amount not to exceed \$92,301 from Fund No. 41509, CIP-46-502.0, Annual Allocation - Pooled Contingency, to provide supplemental funds for project contingency,

pending approval of the Fiscal Year 2000 and Fiscal Year 2001 appropriation ordinances, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

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

Subitem-B: (R-99-1218) ADOPTED AS RESOLUTION R-291715

Authorizing the City Manager to revise the amount previously authorized by the City Council in Resolution R-291142, adopted on January 11, 1999, for Amendment No. 16 to the agreement with Westinghouse Process Controls Division, in connection with COMNET related expenses at the South Bay Reclamation Sewer and Pump station, from an amount not to exceed \$934,935 to an amount not to exceed \$734,935, provided the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure under the amendments are, or will be, on deposit in the City Treasury.

**CITY MANAGER SUPPORTING INFORMATION:**

The South Bay Reclamation Sewer and Pump Station (SBRS & PS) will divert reclaimable quality wastewater from the existing San Ysidro Trunk Sewer to the South Bay Water Reclamation Plant for treatment. The SBRS & PS is divided into two construction contracts, Pump Station (Package A) and Pipelines, 30-inch force main and 8-inch sludge pipeline (Package B). Approval for the advertisement and award of Package A, and the installation of hardware, software, and instruments for the wastewater operations management network (COMNET) was obtained on January 11, 1999 (R-291141 and R-291142). The bids for the contract were opened on March 30, 1999. This bid amounts were higher than the final design estimated amount. The higher than estimated bid amount can be attributed to the three factors: 1) an increase in the contractor's scope of work to remove contaminated soil and clean the site; 2) an overall change in bidding climate due to an increase in construction activities in the Southern California region; and 3) an increase in the scope of work to include instrumentation and control devices that were originally included in the COMNET contract. To offset the higher bid, a portion of the funds (\$200,000) previously approved for COMNET is proposed to be transferred to construction. The City Manager is currently reviewing the bids and requests approval to award to the lowest responsible and responsive bidder in an amount not to exceed \$11,962,025.

**FILE LOCATION:** Subitem-A: 196231/196280; Subitem-B: MEET

COUNCIL ACTION: (Tape location: A340-454.)

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

ITEM-202: Inviting Bids and Authorizing an Agreement for the Construction of Soledad Reservoir.

(La Jolla Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1287) ADOPTED AS RESOLUTION R-291716

Approving the plans and specifications for the construction of Soledad Reservoir, located near the intersection of La Jolla Scenic Drive South and Via Casa Alta on Mount Soledad on Work Order No. 180301;

Authorizing the City Auditor and Comptroller to transfer \$500,000 from CIP-73-283.0, Lakeside Water Pump Station, Water Revenue Fund No. 41500, to CIP-73-272.0, Water Revenue Fund No. 41500, for the construction of Soledad Reservoir;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$1,973,409 from CIP-73-272.0, Water Revenue Fund No. 41500, for the construction of Soledad Reservoir, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that funds are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller to fund a contingency from CIP-73-331.0, Annual Allocation for Pooled Contingency, in an amount not to exceed 10 percent (\$138,110) of the construction amount;

Authorizing the City Manager to execute a contract with the lowest responsible and reliable bidder, provided that the City Auditor and Comptroller first furnishes

one or more certificates certifying that funds are, or will be, on deposit with the City Treasurer;

Authorizing the City Manager to enter into an Agreement with John Powell & Associates to provide engineering design support during construction of the Soledad Reservoir at a cost not to exceed \$85,218;

Authorizing the City Auditor and Comptroller upon advise from the Administering Department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K99239C)

**CITY MANAGER SUPPORTING INFORMATION:**

The Soledad Reservoir is located in the La Jolla Community Planning area near the intersection of La Jolla Scenic Drive South and Via Casa Alta on Mount Soledad. This component of the City's water system was built in 1958 as a 1.5 million gallon circular partially buried prestressed concrete water storage facility. The reservoir is supplied by the Bayview and the Muirlands Pump Plants, and provides critical water storage to all of the Mount Soledad service area. In recent years, the reservoir has shown signs of moderate to severe corrosion of the prestress wires in the circular wall. To address the impacts of corrosion on the structural integrity of the reservoir, a temporary supplemental support system consisting of steel bands around the exterior wall was installed. This temporary measure was intended to compensate for loss of structural integrity until a permanent rehabilitation project was designed and constructed. Due to the age of the facility and the serious structural concerns, John Powell & Associates (JPA) consultants were retained to provide professional design services that would upgrade the general condition of the reservoir and provide necessary site improvements. The reservoir rehabilitation design is complete and the project is ready to advertise for bids to construct the required upgrades that will return the facility to full use. The construction work will consist of the installation of an interior structural steel liner, repair of the reservoir exterior surface, paving fencing and landscaping. Given the construction complexities associated with the project, additional design assistance is required to address bidders questions and provide design support during the rehabilitation work on the reservoir. Given JPA's experience with the project design, efficiencies in time and cost will be realized by retaining this consultant to support the project during construction.

Aud. Cert. 9901196.

FILE LOCATION: W.O. 180301, CONT - Orion Construction Corp.

COUNCIL ACTION: (Tape location: A340-454.)

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

ITEM-203: First Amended Agreement with CDM for the Miramar Filtration Plant Upgrade & Expansion.

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

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1348) ADOPTED AS RESOLUTION R-291717

Authorizing the City Manager to execute a phase funded First Amended Agreement with Camp Dresser & McKee, Inc., for engineering services for the Miramar Filtration Plant Upgrade & Expansion Project, CIP-73-284.0, for an amount not to exceed \$12,280,286;

Authorizing the expenditure of an amount not to exceed \$12,280,286 from Water Revenue Fund 41500, CIP-73-284.0, Miramar Filtration Plant Upgrade & Expansion, to be phase funded over two phases - Phase I (Fiscal Year 1999-2000) \$6,200,000 and Phase II (Fiscal Year 2001) \$6,080,286, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

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

**CITY MANAGER SUPPORTING INFORMATION:**

This First Amended Agreement will provide engineering services for the expansion of the Miramar Water Treatment Plant to meet future potable water needs to the northern parts of the City. Miramar Water Treatment Plant serves the communities of Rancho Bernardo, North City, Miramar, La Jolla, Kearny Mesa, Pacific Beach, and Mira Mesa. In addition to increasing the capacity, the plant is over 30 years old and is in need of modernizing to allow for improved

operation and maintenance, and to meet the new drinking water standards set by the U.S. Environmental Protection Agency. This project is part of the water system Capital Improvements Program approved by the City Council in August 1997, as part of the Strategic Plan for the Water Supply. The City executed an agreement with Camp Dresser & McKee (CDM) in August 1996, in the amount of \$2,108,613 for the design of Miramar Water Treatment Plant Upgrade & Expansion Phase I, Council Action (RR-287744).

The scope of work of this amendment includes expanding the capacity of the plant from 140 million gallons per day (MGD) to 215 MGD, and the early start improvements project. The expansion of the plant includes rapid mix facility, flocculation basins, sedimentation basins, filters, chemical feed and storage facility, washwater recovery and solids disposal facility. The early start improvements project will provide the early benefits needed to expand the plant, and includes Lake Miramar Pump Station, Raw Water Pipeline Separation, Miramar Pipeline 2A, and County Water Authority Pump Station Suction Pipe. In addition, the following two studies will be concluded as part of this amendment - Pilot Plant testing of future water sources to optimize the design of the new filters, and a City-wide solids handling study for the disposal of the solids generated at the City's three water treatment plants, Miramar, Alvarado, and Otay.

Aud. Cert. 9901183.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A340-454.)

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

ITEM-204: Four actions related to North City Water Reclamation Project and San Pasqual Water Reclamation Project Local Resources Program Conversion Agreements.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-99-1373) ADOPTED AS RESOLUTION R-291718

Authorizing the City Manager to execute a Local Resources Program Conversion Agreement for the North City Water Reclamation Project with Metropolitan

Water District of Southern California, and San Diego County Water Authority,  
for the development and utilization of reclaimed water.

Subitem-B: (R-99-1374 Cor.Copy) ADOPTED AS RESOLUTION R-291719

Authorizing the City Manager to terminate the existing Joint Participation Agreement with Metropolitan Water District of Southern California for the North City Water Reclamation Project, adopted October 4, 1993, and amended December 2, 1996.

Subitem-C: (R-99-1375) ADOPTED AS RESOLUTION R-291720

Authorizing the City Manager to execute an LRP Conversion Agreement for the San Pasqual Water Reclamation Project with Metropolitan Water District of Southern California and San Diego County Water Authority for the development and utilization of reclaimed water.

Subitem-D: (R-99-1376 Cor.Copy) ADOPTED AS RESOLUTION R-291721

Authorizing the City Manager to terminate the existing Joint Participation Agreement with Metropolitan Water District of Southern California for the San Pasqual Water Reclamation Project, dated February 25, 1991, and amended on September 1, 1995.

**CITY MANAGER SUPPORTING INFORMATION:**

The Metropolitan Water District of Southern California (MWD) Board of Directors replaced the temporary Local Resources Program (LRP) with a permanent LRP on May 26, 1998. This permanent long-term program supersedes the temporary program and will also allow conversion from the temporary LRP to the permanent LRP. The original Joint Participation Agreement for the North City Water Reclamation Project (NCWRP) was executed in October 1993. Under the agreement the City would receive a contribution of \$154 per acre foot (AF) of reclaimed water produced and distributed to end users. The incentive program was designed to encourage the beneficial use of reclaimed water throughout Metropolitan's service area, thereby reducing the need for imported water supplies. The existing Temporary Joint Participation Agreement for the NCWRP was executed in December 1996. Under this agreement the City would receive a sliding scale contribution of \$0 to a maximum of \$250 per AF of reclaimed water produced and distributed to end users. MWD's permanent program aims for the development of local sources thus improving regional water supply reliability and keeping the current contribution rate of \$0 to a maximum of \$250 per AF. This agreement will allow the City to receive incentive payments of up to \$250 per AF of reclaimed water produced and distributed to end users. Based

on current year projections of 2,500 AF of reclaimed water distributed to end users by the NCWRP, the City of San Diego could realize up to \$625,000, an increase of approximately \$240,000 from the original Joint Participation Agreement. In second year sales projections of 3,500 AF, the City can realize \$875,000. At the ultimate demand of 8,600 AF the City will realize \$2,150,000 incentive dollars. San Pasqual sells 250 AFY of reclaimed water. By going to the new program incentive payments would increase by \$24,000 to a total of \$62,500 per year. Ultimate yield of San Pasqual is 1,100 AFY. This would result in net incentive payments of \$275,000 per year, up from \$169,400 per year.

FILE LOCATION: Subitem-A,B,C,D: MEET

COUNCIL ACTION: (Tape location: A340-454.)

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

ITEM-330: Sav-On Drug Store - Carmel Mountain Ranch.

(Continued from the meeting of April 13,1999, Item 331, at the request of Councilmembers Mathis and Vargas, to allow Councilmember Warden to be present for this item in her District and due to Mayor Golding's absence as well. Also, to allow for more time to look at the issue of SA-680.)

Matter of Amendment to the Progress Guide and General Plan, Amendment to the Carmel Mountain Ranch Community Plan, Rezone and Planned Commercial Development Permit to redesignate the 2.63-acre eastern corner of the intersection of Camino Del Norte (SA 680) and Carmel Mountain Road from SA-680 Right-of-Way (ROW) to Community Commercial, and rezone the site from A-1-10,000 (Agricultural) to CA (Area Shopping Center) in order to construct a 15,002-square-foot commercial retail building with associated parking and landscaping. The City of San Diego also proposes to amend the Progress Guide and General Plan and Carmel Mountain Ranch Community Plan to extend the adjacent land use designations for the northern, western and southern corners of the intersection of Camino Del Norte and Carmel Mountain Road currently designated as SA-680 ROW to Low-Medium Density Residential, Industrial and Industrial, respectively; reclassify the segment of Camino Del Norte within the

Carmel Mountain Ranch Community Plan area from a 6-lane Expressway to a 6-lane Primary Arterial; and reclassify Paseo Lucido north of Camino Del Norte for a distance of approximately 400 feet from a 4-lane Primary Arterial to a 6-lane Primary Arterial.

(Case RZ/PCD-98-0252. District-5.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions in Subitems A, B, D; adopt the resolution in Subitem C to grant the permit; and introduce the ordinance in Subitem E:

Subitem-A: (R-99-973) ADOPTED AS RESOLUTION R-291722

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration LDR-98-0252 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by the City Council. Adopting the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required in order to mitigate or avoid significant effects on the environment.

Subitem-B: (R-99-974) ADOPTED AS RESOLUTION R-291723

Adoption of a resolution adopting amendments to the Carmel Mountain Ranch Community Plan and Progress Guide and General Plan.

Declaring that the amendments to the Carmel Mountain Ranch Community Plan are consistent with the City adopted Regional Growth Management Strategy, and that the City Clerk will transmit a copy of this Resolution to SANDAG in its capacity as the Regional Planning and Growth Management Review Board.

Subitem-C: (R-2000-204) ADOPTED AS RESOLUTION R-291724 GRANTING  
THE PERMIT

Adoption of a Resolution approving or denying planned Commercial Development Permit PCD-98-0252, with appropriate findings to support Council action.

Subitem-D: (R-99-975) ADOPTED AS RESOLUTION R-291725

Adoption of a Resolution approving the abandonment of a slope easement, the abandonment of a building restricted easement and the revestment of access rights within Lot 2 Carmel Mountain Ranch Unit 8 of Map No. 11511 in association with CPA/RZ/PCD 98-0252.

Subitem-E: (O-99-100) INTRODUCED, TO BE ADOPTED ON JUNE 21, 1999

Introduction of an Ordinance rezoning the Sav-On Drug Store Project, located in the Carmel Mountain Ranch Community Planning Area of The City of San Diego, California, into the CA Zone.

**SUPPORTING INFORMATION:**

The proposed Sav-On Drug Store project consists of a 15,300 square-foot , single-story (33-foot high) building with a drive-through pharmacy window, a 101-space parking lot, and associated signage and landscaping. The project proposes to operate 24 hours a day with alcohol sales for off-premises consumption. Exterior finishes include a 33-foot-high clapboard facade with clay roof tile and decorative medallion, a 5.5-foot-high river rock veneer around the entire building, and plaster exterior walls with painted metal cornices and reveal. Access to the site would be provided by two right-in and right-out-only entrances along Camino Del Norte and Paseo Lucido.

Both the Carmel Mountain Ranch and Rancho Bernardo Community Planning Groups voted to deny this project because of issues associated with noise, lighting, traffic and the sales of alcohol. City staff has reviewed the project, and believes all of these issues have been adequately addressed as described below:

A multi-family residential development exists immediately to the east of the project site. Potential impacts (noise, light, visual) to the existing residential development will be minimized through permit conditions and project design components. The residential development is situated approximately 25 feet above the Sav-On site, and the closest apartment building is located 90-feet from the Sav-On store. The 2:1 slope that separates the two pads is currently well landscaped and includes existing mature evergreen trees.

The proposed project includes a landscaping plan that will enhance this buffer by providing a variety of additional evergreen trees and shrubs. PCD Permit conditions require that all outdoor lighting shall be shaded and adjusted to fall only on the Sav-On premises, and no light shall be directed to fall outside the property line.

Additional permit conditions prohibit rooftop equipment unless it is contained within a completely enclosed architecturally integrated structure. The 24-hour drive-through window is located on the northwestern corner of the building, opposite the residential development.

FILE LOCATION: Subitem-A,B,C: LAND - Progress Guide and General Plan/Sav-On Drug Store (09); Subitem-D: DEED F-7462; Subitem-E: None

COUNCIL ACTION: (Tape location: A535-C204.)

Hearing began at 10:56 a.m. and halted at 11:59 a.m.

Testimony in opposition by Roberta Davidson and Joetta Mihalovich.

Testimony in favor by Mike McDade, Doug Childs, Christian Holtz, Jim Peterson, Ben Hadi, Jane Taylor, Jeanette Gordon, Susan Merigold, Mark Hayden, Bob Lee, and Bill Darnell.

MOTION BY WARDEN TO ADOPT THE RESOLUTIONS, GRANT THE PERMIT, AND INTRODUCE THE ORDINANCE WITH STAFF AGREEING THAT CAMINO DEL NORTE, RATHER THAN BEING JUST AN ENTRANCE, WILL BE KEPT AS AN ENTRANCE/EXIT UNTIL THE ADT GETS TO A POINT WHERE SAFETY IS AN ISSUE. AT THAT TIME, THE DEVELOPER IS TO MAKE IMPROVEMENTS TO ENSURE THE SAFE CONDITION CONTINUES. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331: Torrey Glenn.

Matter of a Vesting Tentative Map, a Planned Residential Development Permit, a Resource Protection Overlay Zone Permit, and Rezone, Torrey Highlands Subarea Plan for Subarea IV.

(RZ/VTM/PRD/RPO-98-0261. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions in Subitems A and D; introduce the ordinance in Subitem B; adopt the resolution in Subitem C to grant the permit.

Subitem-A: (R-99-1386) ADOPTED AS RESOLUTION R-291726

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration (MND) LDR-98-0261, dated April 30, 1999, 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 that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by the City Council prior to approving the project; and adopting the Mitigation Monitoring and Reporting Program.

Subitem-B: (O-99-129) INTRODUCED, TO BE ADOPTED ON JUNE 21, 1999

Introduction of an Ordinance approving the rezoning of a 32.0 acre site from A-1-10 (Agricultural) to R-1-6000 (Single-Family Residential) for property located within Torrey Highland Sub Area IV of the North City Future Urbanizing Area.

Subitem-C: (R-2000-202) ADOPTED AS RESOLUTION R-291727 GRANTING  
THE PERMIT

Adoption of a Resolution granting or denying a Planned Residential/Resource Protection Ordinance Permit 98-0261, with appropriate findings to support Council action.

Subitem-D: (R-2000-203) ADOPTED AS RESOLUTION R-291728

Adoption of a Resolution approving a Vesting Tentative Map VTM-98-0261 for 70 lots (68 residential lots, 2 open space lots), with appropriate findings to support Council action.

**SUPPORTING INFORMATION:**

The proposed VTM/PRD/RPO Permit would allow for the construction of 68 single family dwellings and two open space lots on a 32.2 acre site located in the Torrey Highlands Subarea IV Plan . Access to the site will be from the extension of Camino Ruiz southerly from Carmel Valley Road. There will be no direct access to the site from the adjoining Rancho Peñasquitos neighborhood located immediately to the east.

The rezone from A-1-10 to R-1-6,000 is being proposed to reflect a zoning designation that is consistent with the General Plan and that provides development regulations that are appropriate for the proposed use. The property is not located within any established Community Planning area.

As part of the adoption of the Torrey Highland Subarea IV Plan, a comprehensive Environmental Impact Report was prepared and Certified. The proposed project has prepared additional site specific environmental studies concluding that with the adoption of the Mitigation Monitoring and Reporting Program, all identified potential environmental impact could be mitigated to below a level of significance.

FILE LOCATION: Subitem-A,C,D: LUP - Torrey Glenn; Subitem-B: None

COUNCIL ACTION: (Tape location: A340-454.)

Hearing began at 10:47 a.m. and halted at 10:51 a.m.

CONSENT MOTION BY STALLINGS TO ADOPT THE RESOLUTIONS, GRANT THE PERMIT, AND INTRODUCE THE ORDINANCE. INCLUDE AS A CONDITION THE TRAFFIC LIGHT WILL BE FUNDED BY THE APPLICANT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-332: Matter of Amendment of Affordable Housing Density Bonus Regulations.  
(Citywide.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution in Subitem A and introduce the ordinance in Subitem B:

Subitem-A: (R-99-1417) ADOPTED AS RESOLUTION R-291729

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration LDR-98-1218, in connection with amending the Affordable Housing Density Bonus regulations in the Land Development

Code, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Negative Declaration has been reviewed and considered by the Council prior to approving the project.

Subitem-B: (O-99-84) INTRODUCED, TO BE ADOPTED ON JUNE 21, 1999

Introduction of an Ordinance amending Affordable Housing Density Bonus Regulations in Land Development Code.

**CITY MANAGER SUPPORTING INFORMATION:**

Section 65915 of the State Government Code requires all local jurisdictions in California to offer a density bonus for affordable housing. The bonus is 25 percent above the maximum density otherwise permitted by the underlying zone. Accordingly, San Diego has had an ordinance implementing this requirement since the early 1980's. Approximately 1,000 affordable units have been produced under the program during this time. In 1990, Section 65915 was amended to require localities to offer a second incentive or concession beyond the additional units in order to reduce development costs, thereby facilitating affordability. In return for this provision, the affordability requirements associated with the lower-income units have been made more stringent.

San Diego has never amended its local regulations to implement these provisions. In 1997, Mr. Melvin Shapiro, an affordable housing advocate, filed a lawsuit against the City and the Housing Commission, alleging that the City was in violation of Section 65915 for failing to amend its local ordinance to comply with the 1990 requirements.

The lawsuit was settled out of court in September, 1998. The principal provision of the settlement was that the City agreed to consider amendments to its density bonus program to comply with Section 65915 by April 1, 1999 (this date was subsequently extended to June 1, 1999).

FILE LOCATION: Subitem-A: MEET; Subitem-B: None

COUNCIL ACTION: (Tape location: A340-454.)

Hearing began at 10:47 a.m. and halted at 10:51 a.m.

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

ITEM-333: Del Mar Terraces Underground Utilities Assessment District No. 99-1.

**Alternate** actions related to the Proposed Formation of the Del Mar Terraces Underground Utilities Assessment District No. 99-1. Following public testimony at today's hearing, the Council will close the hearing to allow the City Clerk to count and report ballot results. Once the City Clerk has reported the results, the City Council will consider and may confirm the proposed assessments.

(Torrey Pines Community Area. District-1.)

**TODAY'S ACTION IS:**

Once the City Clerk has reported the results of the ballots returned to the City, adopt the resolution **either** in Subitem A **or** in Subitem B with respect to the proposed Del Mar Terraces Undergrounding Assessment District No. 99-1:

Subitem-A: (R-99-1376 Rev.)      ADOPTED AS AMENDED AS RESOLUTION  
R-291731

Adoption of a Resolution approving the Amended Engineer's Report, levying assessments, ordering improvements and authorizing and directing related actions for the Del Mar Terraces Undergrounding Assessment District No. 99-1.

**OR**

Subitem-B: (R-99-1377) NOTED AND FILED

Adoption of a Resolution abandoning assessment district proceedings for the proposed Del Mar Terraces Undergrounding Assessment District No. 99-1.

**CITY MANAGER SUPPORTING INFORMATION:**

At the request of a group of residents in the Del Mar Terraces neighborhood, the City has assisted the property owners in evaluating options to facilitate the undergrounding of their overhead utilities. Because this is a residential neighborhood, it does not satisfy Council Policy 600-8 or Public Utilities Commission rules to be included in the City's 8209/20A program. These property owners have expressed interest in forming a special assessment district where they would pay for the cost of undergrounding their utilities with special assessments levied and collected along with their annual property taxes.

Pursuant to a property owner petition and in an effort to initiate 1913 Act assessment district proceedings on behalf of the Del Mar Terraces property owners, the City Council adopted four resolutions on March 29, 1999 to: 1) accept the property owner petition; 2) approve a Boundary Map; 3) indicate the City's intention to form an assessment district on behalf of the property owners; and 4) preliminarily approve the Engineer's Report and set the date for a Public Hearing of Protests regarding the proposed district. On April 16, 1999, each property owner of record within the boundaries of the proposed Del Mar Terraces Undergrounding Assessment District No. 99-1 was mailed a Notice of Public Hearing, an Official Ballot and an informational attachment regarding the proposed special assessment district. The ballots notified each property owner of their proposed assessment and provided the opportunity to indicate whether they supported or opposed the City Council forming an assessment district, on their behalf, for the purpose of undergrounding overhead utilities in their neighborhood.

If a majority of the returned ballots support formation of the proposed assessment district (as reported by the City Clerk following closure of the Public Hearing), the City Council may take action to either: 1) form the proposed assessment district; or 2) abandon the 1913 Act assessment proceedings initiated on March 29, 1999. If a majority of the ballots oppose formation of the proposed assessment district, the City Council must adopt a resolution abandoning the 1913 Act assessment proceedings initiated on March 29, 1999.

If the City Council elects to adopt the resolution forming the proposed Del Mar Terraces Undergrounding Assessment District No. 99-1, special assessment liens will secure property owner repayment of project costs. The City will provide property owners with the option of either prepaying their one-time special assessment (not to exceed \$7,748 per property owner parcel) or having a lien placed on their property to secure payment of their special assessment with their property taxes due in December 1999 and April 2000. After liens have been recorded with the County, the City Auditor and Comptroller will be authorized to advance funds from appropriate sources to cover projects costs (not to exceed \$1,162,200). The advanced funds will be repaid, with interest, from property owner special assessments received later in FY 2000.

FILE LOCATION: Subitems A,B: STRT - D-2306 (31)

COUNCIL ACTION: (Tape location: C217-505; D005-416; E153-339.)

Hearing began at 11:59 a.m. and recessed at 12:17 p.m.

Testimony in opposition by Lyle Annable, Fred James, Roger Cole, Kathleen McCormick, and Jim Cattedra.

Mayor Golding resumed the hearing at 2:21 p.m.

Testimony in favor by Lou Morejohn, Bob Harvey, Donna Lilly, Maura Harvey, Nancy Marinovich, Robert Pinkel, Rod Luscomb, Jim Reed, Dave Winter, Wayne Dunlap, Ed Smith, and Valerie Sullivan.

Mayor Golding closed the hearing at 2:51 p.m. with direction to staff to tally the ballots.

City Clerk Abdelnour announced the tally for Del Mar Terraces Underground Utilities Assessment District No. 99-1: 54 percent in favor (81 votes); 43 percent in opposition (64 votes).

**MOTION BY MATHIS TO ADOPT SUBITEM A AS AMENDED TO APPROVE THE DISTRICT AS REFLECTED IN THE DOCKET AND INCLUDE ADDITIONAL LANGUAGE REFERRING TO THE CONSOLIDATION OF THE LOTS AS MENTIONED BY STAFF; AND DIRECT THE CITY MANAGER TO BRING BACK A PROCESS TO THE LAND USE AND HOUSING COMMITTEE AS A DRAFT COUNCIL POLICY THAT WILL PROVIDE FORMAL GUIDANCE FOR OTHERS. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.**

ITEM-334: Land Development Code.

Matter of amendments to the Tijuana River Valley Local Coastal Program and Land Use Plan, Guidelines for Steep Hillides, the Land Development Code (Municipal Code Chapters 11-14); Planned District Ordinances (Municipal Code Chapter 10); Guidelines for Biology, Historical Resources and Coastal Bluffs and Beaches and Adoption of Submittal Requirements for Deviations in the Coastal Overlay Zone.

(LCP/LUP/PDO/SHG . Citywide.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the resolutions in Subitems C and G; and continue action on the California Coastal Commission modifications on Subitems A, B, D, E, F, H, and I:

Subitem-A: (O-99-116) RETURNED TO THE CITY MANAGER

Introduction of an Ordinance amending Chapters 11 through 14 of the San Diego Municipal Code, all relating to the Land Development Code.

Subitem-B: (O-99-117) RETURNED TO THE CITY MANAGER

Introduction of an Ordinance amending Chapter 10 , Article 3, Division 1, of the San Diego Municipal Code by Amending Section 103.0109; and amending Chapter 10, Article 3, Division 19, by amending Section 103.1959, relating to the Planned District Ordinances.

Subitem-C: (R-99-1164) ADOPTED AS RESOLUTION R-291733

Adoption of a Resolution amending the Tijuana River Valley Local Coastal Program Land Use Plan as modified by the California Coastal Commission.

Subitem-D: (R-99-1356) RETURNED TO THE CITY MANAGER

Adoption of a Resolution amending the Biology Guidelines of the Land Development Manual.

Subitem-E: (R-99-1357) RETURNED TO THE CITY MANAGER

Adoption of a Resolution amending the Historical Resources Guidelines of the Land Development Manual.

Subitem-F: (R-99-1323) RETURNED TO THE CITY MANAGER

Adoption of a Resolution amending the Coastal Bluffs and Beaches Guidelines of the Land Development Manual.

Subitem-G: (R-99-1165Cor.Copy) ADOPTED AS AMENDED AS RESOLUTION  
R-291737

Adoption of a Resolution amending the Steep Hillside Guidelines of the Land Development Manual.

Subitem-H: (R-99-1350) RETURNED TO THE CITY MANAGER

Adoption of a Resolution approving the deviations from environmentally sensitive lands regulations within the Coastal Overlay Zone.

Subitem-I: (R-99-1322) RETURNED TO THE CITY MANAGER

Adoption of a Resolution accepting all the modifications, as certified by the California Coastal Commission, of the City of San Diego's Local Coastal Program Amendment Nos. 1-98B and 2-98C.

**OTHER RECOMMENDATIONS:**

Planning Commission was notified of the City Council hearing on the Coastal Commission modifications at the Commissions' May 20, 1999 hearing.

Citizens Advisory Committee for the Zoning Code Update Recommendations: Two meetings of the CAC have been held since the February 4 Coastal Commission hearing. Consensus was reached on recommending that the City Council adopt the California Coastal Commission modifications in order to move forward and implement the Land Development Code.

Steep Hillside Guidelines Working Group Recommendations: Three meetings of the Steep Hillside Guidelines Working Group were held to review and make recommendations on the revised guidelines. Consensus was reached on recommending that the City Council adopt the Guidelines as revised.

**CITY MANAGER SUPPORTING INFORMATION:**

The purpose of this hearing is to provide to the City Council the modifications to the Land Development Code, the Tijuana River Valley Local Coastal Program Land Use Plan, the Planned District Ordinances and the Guidelines for Biology, Historical Resources and Coastal Bluffs and Beaches as approved by the Coastal Commission. Additionally, the hearing is to provide to the City Council modifications to the Steep Hillside Guidelines and Submittal requirements for deviations from Environmentally Sensitive Lands Regulations within the Coastal Overlay Zone as directed by the Coastal Commission.

**NOTE:** Environmental Impact Report (No.96-0333/SCH No. 96081056) and Addendum No. 96-7897 to EIR No.96-0333 were certified, and the Findings and Statement of Overriding Considerations were adopted by City Council Resolution No. 289458 on November 18, 1997.

FILE LOCATION: Subitems A,B,C,D,E,F,G,H,I: MEET

COUNCIL ACTION: (Tape location: D417-485.)

Hearing began at 2:53 p.m. and halted at 2:56 p.m.

MOTION BY KEHOE TO APPROVE THE MANAGER'S RECOMMENDATION TO ADOPT SUBITEMS C AND G WITH THE PROPER AMENDMENTS AS STATED BY STAFF AND RETURN SUBITEMS A,B,D,E,F,H, AND I, TO THE CITY MANAGER TO BE REDOCKETED AT THE APPROPRIATE TIME:

1. AMEND THE HILLSIDE GUIDELINES ON PAGE 7, ADDING A CLAUSE IN FRONT OF THE FIRST PARAGRAPH AS FOLLOWS: "OUTSIDE THE COASTAL ZONE."
2. AMEND THE STEEP HILLSIDE GUIDELINES ON PAGE 52 AND CHANGE THE FINDINGS TO REFLECT THE LANGUAGE THE THE CITY WANTED.

Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335: Findings for Construction Improvements - Cedar Street and Third Avenue.

(See memorandum from the Centre City Development Corporation dated 4/29/99. Cortez Redevelopment District of the Expansion Sub Area of the Centre City Development Project. District-3.)

**CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-1364) ADOPTED AS RESOLUTION R-291740

Making certain findings with respect to the payments for construction of the improvements for Cedar Street and the intersection of Cedar Street and Third Avenue in the Cortez Redevelopment District of the Expansion Sub Area Centre City of the Centre City Redevelopment Project Area.

**NOTE:** See the Redevelopment Agency Agenda of June 1, 1999 for a companion item.

**FILE LOCATION:** MEET

COUNCIL ACTION: (Tape location: D489-514.)

MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

**NON-DOCKET ITEM:**

City Attorney Casey Gwinn announced that Council needed to discuss, in closed session, an action by the Port District approving a term sheet with Manchester Resorts for the development of a 1200-room hotel on the Campbell Shipyard site.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: E099-152; H089-094.)

MOTION BY WEAR TO ACCEPT THE NON-DOCKET ITEM AND TO ADJOURN TO CLOSED SESSION. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

**ADJOURNMENT:**

The meeting was adjourned by Mayor Golding at 5:18 p.m. in honor of the memory of:

James Pernicano as requested by Mayor Golding;

Manuel Chavez as requested by Mayor Golding, Council Member Stevens, and Council Member Vargas; and

Carl Mendes and Jean Hatton as requested by Council Member McCarty.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H098-152).