

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, NOVEMBER 29, 1999
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:12 p.m. The meeting was adjourned by Mayor Golding at 4:31 p.m. into Closed Session on Tuesday, November 30, 1999 in the twelfth floor conference room to discuss pending and potential litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-not 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 (pr)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present

- (2) Council Member Wear-present
- (3) Council Member Kehoe-not 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 Pastor Thomas Ritchie of 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:

Comment by Don Stillwell regarding education and his review of the San Diego City Financial Report of 1998.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A050-066.)

PUBLIC COMMENT-2:

Comment by Robert Ruffato expressing his feelings that De Anza is not just a trailer park, but a community as well, and that it represents many veterans of war.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A067-090.)

PUBLIC COMMENT-3:

Comment by Barbara MacKenzie regarding medical marijuana implementation, and her reference to the California Health and Safety Code Section 11362, Compassionate Use Act of 1996.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A096-129.)

PUBLIC COMMENT-4:

Comment by Sergio Mayea regarding city officials, government officials, and business people traveling to Cuba.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A129-165.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Mayor Golding recognizing Carol Wallace of the San Diego Convention Center for her leadership and management skills. The Convention Center has been operating for ten years and opened on November 17, 1989, consistently exceeding everyone's expectations in its contribution to San Diego as a City and in its operation. Mayor Golding expressed that Carol Wallace has done an amazing job with the Convention Center and that it is not just a point of personal pride. San Diego was selected as one of the top three Convention Centers in the world along with Paris and Hong Kong, and that it is in good company since ours is only ten years old. The Center has generated about ten thousand jobs, and once the expansion is completed it will generate approximately four thousand more. Lastly, Mayor Golding expressed that the Convention Center had a total of 3.75 billion dollar total economic impact over the last ten years, and that 1999 was a record year.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A190-254 .)

ITEM-CC-2:

Comment by Council Member Stevens regarding the Convention Center Project being heard some time back in Committee, and the question at that time was "did they want to subcontract the project out?" Council Member Stevens expressed that we continue to operate the facility ourselves here in San Diego, not subcontract it out. Council Member Stevens thanked and commended Carol Wallace for her leadership and for providing "Cadillac Service."

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A254-268 .)

ITEM-CC-3:

Comment by Council Member Stallings announcing that on November 15, 1999, there was a ground breaking ceremony for the installation of a new playground at Fletcher Elementary School in Sera Mesa. Council Member Stallings wished to thank the San Diego Unified School District who heard the cries of the parents, acted on their concerns, and the San Diego Park and Recreation Department for matching the funds raised by the parents. Council Member Stallings wished to express that she looked forward to working with the San Diego Unified School District on more of these types of "team effort" projects.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A271-288.)

ITEM-CC-4:

Comment by Council Member Vargas that they had a terrific Thanksgiving in the eighth District, and there was a gentlemen who was obviously having hard times who expressed to Council Member Vargas that he felt very lucky because he was served a meal by the Mayor of the City of San Diego. Council Member Vargas

wished to thank Mayor Golding for being at the NAACP Thanksgiving Dinner.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A289-299.)

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS: APPROVED

Approval of Council Minutes for the meetings of:

11-1-99

11-2-99

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A027-039.)

MOTION BY WARDEN TO APPROVE. 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-yea.

ITEM-31: PRESENTED

City of San Diego Investment Policy Pooled Investment Funds.

SUPPORTING INFORMATION:

Per the City Attorney, this item requires no resolution be passed by the City Council.

Section 53646 of the California Government Code requires the Treasurer to annually render to the City Council and the City Manager's Investment Advisory Committee a statement of investment policy or any changes to that investment policy to be considered at a public meeting. The Investment Policy remains unchanged from last year. The City Manager's Investment Advisory Committee has reviewed the investment policy and recommends that the City Council accept the policy for information purposes. No action is required.

Prior to enactment of Section 53646 last year, the City Treasurer provided the Mayor and City Council with a copy of the City of San Diego Investment Policy for the Pooled Investment Fund on an annual basis as an information item.

Jamison

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A300-549.)

* ITEM-50: Franchise Agreement with WesPac Pipelines - San Diego Ltd. for Construction and Operation of a Jet Fuel Pipeline in City Right-of-Way.

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

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2000-79) INTRODUCED, TO BE ADOPTED ON DECEMBER 14, 1999

Introduction of an ordinance authorizing the City Manager to execute a franchise agreement with WesPac Pipelines - San Diego Ltd., for constructing and operating a pipeline for the transportation of jet fuel in the public right-of-way.

NOTE: 6 votes required pursuant to Section 103 of the City Charter.

CITY MANAGER SUPPORTING INFORMATION:

WesPac Pipelines, Ltd. (WesPac) is a private enterprise that constructs and operates pipelines for the transportation of petroleum products. WesPac's principal owner, Buckeye Partners, L. P., owns and operates over 3,500 miles of such pipelines, including jet fuel pipelines to JFK International, La Guardia, Detroit, Pittsburgh, Newark and Miami airports. WesPac desires to initially construct, maintain and operate such a pipeline for the transportation of jet fuel and other petroleum products from a supply source southwest of downtown San Diego to the San Diego International Airport. To do so, WesPac requires a grant of franchise from the City. Under the proposed franchise, WesPac will be granted the right to construct, operate, maintain, repair, renew, change the size of, and remove or abandon in place of existing pipelines, in, under, along and across the franchise area, up to two (2) pipelines not exceeding six (6) inches in diameter for the transportation of jet fuel and other petroleum substances, together with all manholes, service

connections and appurtenances necessary or convenient for the operation and maintenance of the pipelines for a period of twenty-five (25) years. Pursuant to 6231.5 of the Public Utilities Code, WesPac will remit to the City an annual franchise fee of approximately \$4,214, which is subject to revision based on changes in the Consumer Price Index (CPI). More importantly, the City will benefit from the elimination of some 650 jet fuel tanker-truck trips per week over City streets and freeways which are currently necessary to supply jet fuel to the airport.

FISCAL IMPACT:

Adoption of the City Manager's recommendation will result in annual franchise fee payments to the City approximating \$4,214 for a period of twenty-five (25) years, beginning within ten (10) days of the commencement of fuel transportation in the pipeline.

ENVIRONMENTAL IMPACT:

The City of San Diego as Responsible Agency under CEQA has reviewed and considered an Environmental Impact Report prepared by the San Diego Unified Port District as Lead Agency (UPD-83356-EIR-189; SCH-89051727, originally certified by the Port of San Diego Board of Commissioners on May 21, 1991 by Resolution No. 91-167), covering this activity.

Loveland/DHK

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A560-B133.)

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

ITEM-100: Awarding a Contract for the Purchase of a Greenery Grinder.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-563) ADOPTED AS RESOLUTION R-292485

Accepting the low bid and awarding a contract to Nixon-Egli Equipment (Santa Fe Springs, CA), for the purchase of one grinder at an estimated cost of \$466,760,

including tax and terms, with the initial cost for FY2000 estimated at \$34,000;

Authorizing the City Manager to finance the total acquisition under the Master Lease Program over a period of five years, for a total estimated lease cost of \$539,000, of which \$34,000 will come from FY2000 funds;

Authorizing the expenditure of not to exceed \$34,000 from Fund 41200, Department 752, Organization 3201, Object Account 6029, and Job Order No. 32010;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves; FY 2001 through FY 2005 funding of \$101,000 each year is contingent upon Council approval of FY2001 through FY 2005 budgets. (BID-P2006/99)

CITY MANAGER SUPPORTING INFORMATION:

The proposed contract is for the purchase of a grinder, which will be utilized by Environmental Services at the Miramar Landfill to operate its Greenery Recycling Program. The grinder will be financed through the City's Master Lease Program. Five (5) potential bidders were contacted, eight (8) bids were received on May 12, 1999.

The recommendation is to award the contract to Nixon-Egli Equipment Company (Santa Fe Springs, CA), the low responsive and responsible bidder meeting all specifications. This recommendation is made as Nixon-Egli has offered the lowest cost for equipment which meets all bid specifications. Other bids were rejected as they failed to meet the City's minimum specifications.

FISCAL IMPACT:

For Fiscal Year 2000, the estimated payment is \$34,000 (rounded), which is sales tax to be cash funded by Environmental Services. For Fiscal Years 2001 - 2005 the approximate annual lease payment is \$101,000. All funding for Fiscal Years 2001 - 2005 is contingent upon Council approval of the relevant budgets.

Frazier/Baldwin/PK

Aud. Cert. 2000482.

FILE LOCATION: PURCHASE

COUNCIL ACTION: (Tape location: D002-D022.)

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

* ITEM-101: Four actions related to Approving the Final Subdivision Map of Carmel Valley Neighborhood 10 Unit No.2.

(This is a 104 lot subdivision. Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-608) ADOPTED AS RESOLUTION R-292486

Authorizing the execution of a Subdivision Improvement Agreement with Pardee Construction Company, for the installation and completion of public improvements.

Subitem-B: (R-2000-534) ADOPTED AS RESOLUTION R-292487

Approving the final map.

Subitem-C: (R-2000-609) ADOPTED AS RESOLUTION R-292488

Authorizing the execution of a Landscape Maintenance Agreement with Pardee Construction Company, for the installation and completion of public improvements.

Subitem-D: (R-2000-610) ADOPTED AS RESOLUTION R-292489

Approving the acceptance by the City Manager of a grant deed, granting to the City Lots "A", "E", and "F" of Carmel Valley Neighborhood 10 Unit No. 2, for open space purposes.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of 27.106 acres into 104, plus lettered lots "A" through "G" inclusive for residential development. It is located south of Carmel Mountain Road in the Carmel Valley Community Plan area.

On June 30, 1997, the Planning Commission of The City of San Diego approved VTM-96-0737, amending VTM-91-0834 by Resolution R-288908 for Carmel Valley Neighborhood 10. The City Engineer has approved the final map and states that all conditions of the Vesting Tentative Map have been satisfied. City Council action is required to give final approval of all final maps and agreements. The public improvements required for this subdivision are shown in detail on Drawing Nos. 28030-1-D through 28030-31-D, filed in the Office of the City Clerk under Micro Number 140.17. All improvements are to be completed within two years. The Engineers estimate for the cost of public improvements is now \$2,109,466 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$17,800, as determined by the surveyors estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Carmel Valley Facilities Benefit Assessment (FBA) District, which provides for the payment of FBA (including parks), at the time of building permit issuance. Subdivider, by letter, has given assurance to the City of San Diego that he/she subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development". Subdivider shall enter into a Landscape 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. Lots "A", "E" and "F" are being deeded by separate instrument to the City at no cost as a condition of tentative map approval. These lots total 35.895 acres in size. No park fee credit is being granted by this action. The lots are to be used for open space purposes.

FISCAL IMPACT:

None.

Culbreth-Graft/Haase/SH

FILE LOCATION:

SUBITEMS A, B, AND C: SUBD-Carmel Valley Neighborhood 10 Unit No. 2 (40); SUBITEM D: DEED F-7644

COUNCIL ACTION:

(Tape location: A560-B133.)

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

* ITEM-102: Two actions related to Approving the Final Subdivision Map of Ocean Hills Corporate Center Unit No. 1.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-576) ADOPTED AS RESOLUTION R-292490

Authorizing the execution of a Subdivision Improvement Agreement with Pardee Construction Company, for the installation and completion of public improvements.

Subitem-B: (R-2000-562) ADOPTED AS RESOLUTION R-292491

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 23.374 acre site into 14 lots for commercial development. It is located north of Otay Mesa Road in the Otay Mesa Community Plan area. On July 27, 1993 the Council of the City of San Diego approved Resolution R-282409 for Otay Corporate Center North Tentative Map, (now named Ocean View Hills Corporate Center Unit No. 1). The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 29824-1 D through 29824-34-D, filed in the Office of the City Clerk under Micro Number 140.19.

All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$2,242,856 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$2,500, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Eastern Otay Mesa Public Facilities Financing Plan subarea, which provides for the payment of a Development Impact Fee (DIF) or Facilities Benefit Assessment (FBA), including parks, at the time of building permit issuance.

FISCAL IMPACT:

None.

Culbreth-Graft/Haase/SH

FILE LOCATION: SUBITEMS A & B: SUBD-99-0127 [65]

COUNCIL ACTION: (Tape location: A560-B133.)

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

* ITEM-103: Approving the Final Subdivision Map of Village Point Condominiums.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-559) ADOPTED AS RESOLUTION R-292492

Approving the final map of Village Point Condominiums.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 1.69 acre site into a one lot, 18 unit, condominium development. It is located south of Genter St. and east of Fay Avenue in the La Jolla Community Planning area. On April 30, 1998, the Planning Commission of The City of San Diego approved PRD and Coastal Development Permit No. 96-7926 for Fay Avenue Town homes (now known as Village Point Condominiums). The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 29483-D & 29732-D. The Engineer's estimate for the cost of public Improvements and grading is a total of \$248,924 and two performance bonds totaling that amount have been posted as surety. Engineering permits, W 47626 and W 47852, have been issued to construct the work; therefore, a Subdivision Improvement Agreement is not required for this development. This subdivision is subject to impact fees, as established by the City Council at the time of building permit issuance. Development on any property within this map shall pay the fees as set by City Council in effect and due at the time building permits are issued. Subdivider, by letter, has given assurance to the

City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development."

FISCAL IMPACT:

None.

Culbreth-Graft/Haase/SH

FILE LOCATION: SUBD - Village Point Condominiums (40)

COUNCIL ACTION: (Tape location: A560-B133.)

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

*ITEM-104: 47th Street (Fairmount Avenue to A Street) and A Street (47th Street to Federal Boulevard) Underground Utility District.

(Eastern Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-289) ADOPTED AS RESOLUTION R-292493

Designating January 14, 2000 as the date upon which all property in the 47th Street (Fairmount Avenue to A Street) and A Street (47th Street to Federal Boulevard) Underground Utility District must be ready to receive underground service and March 31, 2000 as the date for the removal of all overhead utility facilities;

Authorizing the City Auditor and Comptroller to open Fund 78112 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the 47th Street (Fairmount Avenue to A Street) and A Street (47th Street to Federal Boulevard) Underground Utility District;

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

Authorizing payment to all qualified property owners in the 47th Street (Fairmount Avenue to A Street) and A Street (47th Street to Federal Boulevard) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

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

CITY MANAGER SUPPORTING INFORMATION:

The 47th Street (Fairmount Avenue to A Street) and A Street (47th Street to Federal Boulevard) Underground Utility District was created by the City Council on September 15, 1998. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set January 14, 2000 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish March 31, 2000 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum of \$1,800 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box which typically ranges from \$300-\$1,500.

FISCAL IMPACT:

The fiscal impact to the City is the Street Light replacement by SDG&E. Cost estimated at \$45,000.

Loveland/Belock/PB

FILE LOCATION: STRT-K-250-99 [38]

COUNCIL ACTION: (Tape location: A560-B133.)

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

*ITEM-105: University Avenue (Washington Street to Third Avenue) Underground Utility District.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-290) ADOPTED AS RESOLUTION R-292494

Designating February 25, 2000 as the date upon which all property in the University Avenue (Washington Street to Third Avenue) Underground Utility District must be ready to receive underground service and May 19, 2000 as the date for the removal of all overhead utility facilities;

Authorizing the City Auditor and Comptroller to open Fund 78113 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the University Avenue (Washington Street to Third Avenue) Underground Utility District;

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

Authorizing payment to all qualified property owners in the University Avenue (Washington Street to Third Avenue) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

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

CITY MANAGER SUPPORTING INFORMATION:

The University Avenue (Washington Street to Third Avenue) Underground Utility District was created by the City Council on December 8, 1998. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set February 25, 2000 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish May 19, 2000 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum of \$1,800 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box which typically ranges from \$300-\$1,500.

FISCAL IMPACT:

The fiscal impact to the City is the Street Light replacement by SDG&E. Cost estimated at \$66,000. Funding is available in CIP-37-028.0, Undergrounding of City Utilities.

Loveland/Belock/PB

FILE LOCATION: STRT-K-261-99 [38]

COUNCIL ACTION: (Tape location: A560-B133.)

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

* ITEM-106: Street Dedication for the Extension of Copley Drive.

(Kearny Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-569) ADOPTED AS RESOLUTION R-292495

Declaring that the City Council accepts on behalf of the public that area shown within Parcels 1, 2 and 3 of Parcel Map PM-18025, northwesterly of Hickman Field Drive, indicated as "Irrevocable Offer to Dedicate Public Street Hereon" as and for a public street and naming the same Copley Drive.

CITY MANAGER SUPPORTING INFORMATION:

A portion of future Copley Drive was shown and dedicated on Parcel Map PM-18025 as an irrevocable offer of dedication for public street purposes. Current development of the Telecom Center (PID-96-7585) to the north now requires the improvement of this street, and construction is underway. Staff recommends acceptance of the offer of dedication for Copley Drive, northwesterly of Hickman Field Drive, within Parcels 1, 2 and 3 of Parcel Map PM-18025 recorded on the 29th day of April, 1998.

Culbreth-Graft/Haase/LH

FILE LOCATION: DEED F-7645

COUNCIL ACTION: (Tape location: A560-B133.)

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

* ITEM-107: First Amendment to the Participation Agreement for the Design and Construction of the Water Pipelines in Via de la Valle in San Diego.

(Via de la Valle-Flower Hill Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-540) ADOPTED AS RESOLUTION R-292496

Authorizing the City Manager to execute a First Amendment to the Participation Agreement for the Design and Construction of the Water Pipelines in Via de la Valle in San Diego with Santa Fe Downs, Ltd.;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$60,173 from Special Account 009997 D A, San Dieguito Valley Sewer to Water Fund 41500;

Authorizing the City Auditor and Comptroller to increase the FY2000 Capital Improvement Program budget by \$494,857, in the Annual Allocation-Water Main Replacements, CIP-73-083.0;

Authorizing the expenditure of an amount not to exceed \$60,173 from Water Fund 41500, CIP-73-083.0, Annual Allocation-Water Main Replacements, for the purpose of providing funds for the project.

CITY MANAGER SUPPORTING INFORMATION:

As a condition of Tentative Map No. 92-0430 the Developer, Santa Fe Downs, a California limited partnership, was required to make improvements to the public water system in Via de la Valle. These improvements included the installation of approximately 3,135 lineal feet of 24-inch water main.

The scope of these improvements is based upon the conclusions of a water study which was prepared for the Developer by a private engineer. During the course of construction, the contractor was required to perform work which was beyond the scope of the original project and exceeded the original project budget. Under the terms of Paragraph 4 in the original agreement, the City has agreed to reimburse the Developer for 62.8 percent of the Developer's actual costs to complete the water main construction. Construction of the water main will benefit the City and additionally, will provide water infrastructure for future customers in the Via de la Valle area. Staff recommends reimbursement of \$60,173 to the Developer from the additional monies in the San Dieguito Valley Special Accounts fund, provided that the work is completed to the satisfaction of the City Engineer and that the total reimbursement to the developer will not exceed \$494,857. The San Dieguito Valley Special Accounts fund was established by developers for use in constructing water and sewer facilities within the San Dieguito Valley region.

FISCAL IMPACT:

The total estimated City cost for this project is \$494,857. Funding in the amount of \$434,684 was previously authorized by Resolution No. RR-290935, adopted on November 10, 1998 from Annual Allocations-Water Main Replacements, CIP-73-083.0.

Culbreth-Graft/Haase/SM

Aud. Cert. 2000425.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A560-B133.)

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

* ITEM-108: Authorizing the Combining of Property Program I & II - CSAC - EIA.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-593) ADOPTED AS RESOLUTION R-292497

Authorizing the City Manager to execute a Memorandum of Understanding approving the merger of CSAC-EIA's Property Program I and Property Program II into a single Property Program of which the City would continue to be a member, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of the memorandum of understanding.

CITY MANAGER SUPPORTING INFORMATION:

In June of 1996 the City Council authorized the City of San Diego to join CSAC (California State Association of Counties) Excess Insurance Authority's Property Program II. The City's membership was to obtain the joint buying power with multiple counties of "All Peril" Property insurance for their respective buildings and facilities. On June 4, 1998 the CSAC Board of Directors voted to combine their Property Program I established on June 30, 1984 with their Property Program II established on June 15, 1993. Property Program II was originally established to provide additional earthquake coverage in a separate placement. Over the years the two programs evolved and began to merge to take advantage of marketing opportunities. The two programs selected the same primary underwriter, share a common deductible pool and are written

on a single policy form. Today it is essentially a single property insurance program with multiple governance. It is recommended that the City Council approve CSAC's combining of Program I and Property Program II.

Alternative: Not approving the combining of Property Program I and Property Program II would constitute automatic withdrawal from the CSAC Property Program as of March 31, 2000. The City would then need to replace this insurance.

FISCAL IMPACT:

None.

Herring/Oliva/PZY

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A560-B133.)

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

* ITEM-109: Election of the College Community Redevelopment Project Area Committee.

(See City Manager Report CMR-99-227. College Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-552) ADOPTED AS RESOLUTION R-292498

Approving a Representative Project Area Committee for the College Community Redevelopment Project Area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A560-B133.)

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

ITEM-150: Safe Schools Buffer Zone Ordinance.

(See Councilmember Warden's San Diego Safe Schools "Buffer Zone".)

TODAY'S ACTION IS:

Introduce the following ordinance:

(O-2000-68) INTRODUCED, TO BE ADOPTED ON DECEMBER 14, 1999

Introduction of an Ordinance amending Chapter V, Article 8 of the San Diego Municipal Code by adding Division 4; amending Chapter V, Article 2 by adding Section 52.70.04; and amending Chapter V, Article 3 by amending Section 53.16, all relating to School Safety.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S RECOMMENDATION:

On 10/27/99, PS&NS voted 5-0 to approve the City Attorney's recommendation with direction to the City Attorney to increase mandatory minimum penalties as outlined by Chairperson Warden. The Committee directed the City Attorney to forward the Buffer Zone Ordinance to the full City Council for consideration at the earliest opportunity. (Councilmembers Mathis, Wear, Kehoe, Stevens, and Warden voted yea.)

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A560-B133.)

CONSENT MOTION BY STALLINGS 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-yea.

ITEM-200: There is no Item 200 on today's docket.

ITEM-201: Deferred Maintenance Appropriations for Balboa Park/Mission Bay Parks.

(Districts-2 and 3.)

CITY MANAGER'S RECOMMENDATION:

Hold the first public hearing of the following ordinance:

(O-2000-80) HEARING HELD
TO BE INTRODUCED AND ADOPTED ON NOVEMBER 30,
1999

Amending the Annual Appropriations Ordinance regarding Deferred Maintenance Appropriations for Balboa Park/Mission Bay Parks.

NOTE: Today's action is the first public hearing of the ordinance. See Item 332 on the docket of Tuesday, November 30, 1999 for the second public hearing and introduction and adoption of the ordinance.

CITY MANAGER SUPPORTING INFORMATION:

In July 1999, Council authorized the City Manager to execute Surety Agreements to replace the existing cash in the debts service reserve funds of the Series 1996A and Series 1996B Balboa Park/Mission Bay Park Capital Improvements Program Certificates of Participation. After purchasing the surety policies, approximately \$4.0 million in funds was left for improvements in Balboa Park and Mission Bay Park. A prioritized list of deferred maintenance projects was submitted to Council during the budget process that was based solely upon a 1989 condition Assessment Report and subsequent building records. This list was provided for illustrative purposes only related to the relative priority of the projects. It will be necessary to provide staff with the flexibility to amend the costs identified in the prioritized list as the deferred maintenance work proceeds to properly complete the repairs. The priority list of deferred maintenance projects was compiled based upon building records and not visual site inspections. Actual site conditions will vary. Flexibility in allocating deferred maintenance expenditures is required in order to make all necessary modifications to the scope of work and revise the cost estimates accordingly. The City Manager requires flexibility in the allocation of deferred maintenance funds for Balboa Park and Mission Bay Park to ensure that proper repairs are completed.

FISCAL IMPACT:

None with this action.

Culbreth-Graft/Griffith/TCR

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B134-287.)

MOTION BY WEAR TO APPROVE THE HEARING WITH DIRECTION TO STAFF TO REFER DEFERRED MAINTENANCE TO NR&C FOR DISCUSSION, AND TO PROVIDE QUARTERLY REPORTS REGARDING THE STATUS OF PROJECTS TO BE DONE, PROJECTS THAT ARE COMPLETED, THE OVERHEAD, AND THE TIME LINE AS TO WHEN THE WORK WILL BE COMPLETED. 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-yea.

ITEM-202: Replacement of the Central Animal Shelter.

(See City Manager Report CMR-99-230. Linda Vista Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-614 Cor.Copy) ADOPTED AS RESOLUTION R-292500

Acknowledging and accepting the generous gifts of \$2,000,000 from Helen K. Copley and \$2,000,000 from Joan B. Kroc, for construction of a new central animal shelter;

Authorizing the City Manager to execute a Charitable Contribution Pledge Agreement between the City of San Diego, Helen K. Copley and Joan B. Kroc and to accept the \$4 million gift to be deposited into a special interest bearing fund associated with CIP-37-259.0, for constructing the new central animal shelter;

Authorizing the City Manager to execute a Memorandum of Understanding (MOU) regarding the central animal shelter project between the City of San

Diego and the Humane Society;

Authorizing the City Auditor and Comptroller to establish special interest-bearing funds for CIP-37-259.0, for holding and administering all funds for the construction of the new central animal shelter;

Authorizing the City Auditor and Comptroller to appropriate any monies that were deposited into these special funds, including any interest earned, to CIP-37-259.0, and to expend those monies including interest from CIP-37-259.0, for the purpose of constructing the new central animal shelter;

Authorizing the City Auditor and Comptroller to transfer the City's to-date funding contribution of \$589,426.74 from Capital Outlay Fund 302453 to the established special funds.

Aud. Cert. 2000500.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B290-B546.)

MOTION BY STALLINGS TO ADOPT THE RESOLUTION ACCEPTING THE GENEROUS GIFTS FROM HELEN K. COPLEY AND JOAN B. KROC FOR THE CONSTRUCTION OF A NEW CENTRAL ANIMAL SHELTER. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203: TEA-21 Transportation Enhancement Activities (TEA) Grant Applications - Cycle 4.

(See City Manager Report CMR-99-224.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-606 Rev.) ADOPTED AS RESOLUTION R-292501

Authorizing the City Manager to submit applications for the TEA-21 Transportation Enhancement Activities (TEA) Program (for FY 1999-2003),

Cycle 4, and to accept funds for any submitted projects, which funds may be awarded under the TEA program, and to expend those funds, provided matching fund availability is certified by an Auditor's Certificate;

Declaring that the City will finance its matching fund obligations and effect the timely execution of projects which may be selected under the TEA program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B559-D001.)

MOTION BY STEVENS TO ADOPT THE RESOLUTION WITH DIRECTION TO STAFF TO REFLECT THE CHANGES AND ADDITIONS TO THE TEA-21 - CYCLE 4 AS REQUESTED BY COUNCIL MEMBER MATHIS REGARDING AN ADDITIONAL PROJECT IN THE AMOUNT OF \$550,000 FOR INTERSECTIONS OF ARDATH AND LA JOLLA SHORES AND NORTH TORREY PINES AS WELL AS THE MEDIANS FOR DEL MAR HEIGHTS ROAD; AND TO ADD THE PROJECTS AS INDICATED IN COUNCIL MEMBER STEVENS MEMO OF NOVEMBER 29, 1999 REGARDING EUCLID AVENUE COMMERCIAL CORRIDOR IMPROVEMENTS, 54TH STREET NORTH OF IMPERIAL AVENUE ENHANCEMENT, AND EUCLID AND IMPERIAL AVENUE INTERSECTION IMPROVEMENTS. THE ABOVE PROJECTS WILL BE FUNDED BY REDUCING NUMBER 13 OF THE PROSPECTIVE TRANSPORTATION ENHANCEMENT ACTIVITIES PROJECTS - CYCLE 4, INTERNATIONAL GATEWAY OF AMERICAS, IN THE COMMUNITY OF SAN YSIDRO, AT THE CONSENT OF COUNCIL MEMBER VARGAS. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204: Fiscal Year 2000 San Diego Convention Center Corporation Budget.

(See City Manager Report CMR-99-225. Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-605) ADOPTED AS RESOLUTION R-292502

Approving the Fiscal Year 2000 Budget in the amount of \$23,582,825 for the San Diego Convention Center Corporation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A560-B133.)

CONSENT MOTION BY STALLINGS 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-yea.

ITEM-205: Approving the Plans and Specifications for the Construction of Water and Sewer Group 464C.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-501 Cor.Copy) ADOPTED AS RESOLUTION R-292503

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental for the Construction of Water and Sewer Group 464C on Work Order No. 174991/184231;

Authorizing the execution of a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$1,105,566 from Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacements, and \$1,006,304 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation Sewer Main Replacements, for providing funds for the project and related costs, 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, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Authorizing the use of City Forces to do all the work to temporarily cut and plug, make all live connections of the water main, and highline the water main as required in connection with the Construction of Water and Sewer Group 464C. (BID-K20027C)

CITY MANAGER SUPPORTING INFORMATION:

Water and Sewer Replacement Group 464C is part of the City of San Diego's continuing annual water and sewer main replacement program. This project is in the Centre City Community area and consists of constructing approximately 4,040 linear feet of new water main and 4,350 linear feet of sewer main. Also, this project includes the construction of 2 pedestrian ramps, asphalt concrete paving and slurry sealing of the impacted streets. The streets within this project which will be affected by construction operation are 10th Avenue from Ash Street to C Street, 9th Avenue from Date Street to Broadway, Date Street, Cedar Street, Beech Street, Ash Street, and A Street. Residents will be notified by mail at least one (1) month before construction begins by the City's Engineering and Capital Projects Department and again 10 days before construction begins by the contractor through hand distribution.

FISCAL IMPACT:

The total estimated cost of this project is \$2,111,870. Funds are available in FY 2000 from Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacements (\$1,105,566), and from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacements (\$1,006,304). Included in the total estimate is \$194,436 for City Forces to make connections and perform operational checks. This work is better performed by City Forces because this will ensure the integrity of the water system.

Loveland/Belock/AO

WWF-00-415.

FILE LOCATION: CONT - AATR Enterprises Inc.; W.O. 174991/184231

COUNCIL ACTION: (Tape location: A560-B133.)

CONSENT MOTION BY STALLINGS 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-yea.

ITEM-206: Interjurisdictional Pretreatment Agreement for the Industrial Wastewater Control Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-543) ADOPTED AS RESOLUTION R-292504

Authorizing the execution of agreements pertaining to the implementation of the City's Industrial Wastewater Control Program with: 1) the Padre Dam Municipal Water District; and 2) the City of La Mesa.

CITY MANAGER SUPPORTING INFORMATION:

Under Code of Federal Regulations, 40 CFR 403.8(f)(1)(iii), the City of San Diego, as owner and operator of the Point Loma Wastewater Treatment Plant and holder of the National Pollution Discharge Elimination System (NPDES) Permit issued to that facility, has the authority and obligation to control the contributions (discharges) to the plant from each industrial user throughout the service region to ensure compliance by industries with applicable pretreatment standards and requirements. The City must exercise this authority even when the industry is located in an outlying jurisdiction. To obtain such authority, the City must supplement its existing legal authorities and sewer service agreements by negotiating and executing an interjurisdictional pretreatment agreement with the responsible local public agency in each jurisdiction in which industrial contributions occur. The necessary interjurisdictional pretreatment agreements have already been executed with all other local public agencies within the service region.

FISCAL IMPACT:

All rates and charges for services are covered under existing agreements which remain in effect. Administration of the pretreatment program in San Diego and in the jurisdictions of the responsible public agencies established by previous working relationships and agreements will not be materially changed by execution of these agreements. No cost would be incurred by the City of San Diego from this action.

Loveland/Schlesinger/AL

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A560-B133.)

CONSENT MOTION BY STALLINGS 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-yea.

ITEM-207: HEARING HELD

Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8:

Property: East Village Area of Downtown San Diego bounded by J Street, Seventh Avenue, Harbor Drive and Tenth Avenue (new ballpark).

Agency Negotiator: City Manager and City Negotiation Team
(Resolution No. R-289758).

Negotiating Parties: City of San Diego and San Diego Padres.

Under Negotiation: Price and Terms.

Prior to Council discussion in Closed Session and in compliance with the Brown Act, (California Government Code Section 54956.8) this issue is listed on the docket **only** for public testimony.

There is no Council discussion of this item. The City Council's actions are:

1) Open the Public Hearing and accept testimony from any members of the public wishing to address the Council on this subject; 2) Conclude and close the public hearing; and 3) Refer the matter to Closed Session on November 30, 1999.

NOTE: Members of the public wishing to address the Council on this item should speak "in favor" or "in opposition" to the subject.

FILE LOCATION: MEET (64)

COUNCIL ACTION: (Tape location: A560-B133.)

Mayor Golding closed the hearing.

ITEM-208: HEARING HELD

Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8:

Property: Qualcomm Stadium.

Agency Negotiator: City Manager and City Negotiation Team (Resolution No. R-289758).

Negotiating Parties: City of San Diego and San Diego Padres.

Under Negotiation: Price and terms.

Prior to Council discussion in Closed Session and in compliance with the Brown Act, (California Government Code Section 54956.8) this issue is listed on the docket **only** for public testimony.

There is no Council discussion of this item. The City Council's actions are:

- 1) Open the Public Hearing and accept testimony from any members of the public wishing to address the Council on this subject;
- 2) Conclude and close the public hearing;
- and 3) Refer the matter to Closed Session on November 30, 1999.

NOTE: Members of the public wishing to address the Council on this item should speak "in favor" or "in opposition" to the subject.

FILE LOCATION: MEET (64)

COUNCIL ACTION: (Tape location: A560-B133.)

Mayor Golding closed the hearing.

ITEM-250: SUBMISSION OF BALLOT PROPOSALS

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who shall then transmit them promptly to the Rules Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket 127

days prior to the election the ballot proposals which have been referred back to Council following Rules Committee review.

Therefore, the City Clerk's Office has established the following administrative guidelines for the March 7, 2000 election:

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Friday	9/24/99	165	LAST DATE (10:00 a.m) for public to submit ballot proposals to City Clerk for review by Rules Committee
Monday	10/4/99	155	Rules Committee review
Tuesday	10/26/99	133	LAST DATE for City Manager, department or other public agency to submit ballot proposals to City Clerk for placement on Council Docket
Monday	11/1/99	127	Council Docket (PUBLIC NOTICE) lists proposals referred by Rules Committee
Monday	11/8/99	120	Council adopts propositions for
	through	to	ballot; directs City Attorney to
Tuesday	11/23/99	105	prepare ordinances
Monday	11/29/99	99	Council adopts ordinances prepared by City Attorney
Friday	12/10/99	88	Last day for City Clerk to file with Registrar of Voters all elections material

If you have any questions, please contact the Office of the City Clerk, 533-4060.

ITEM-251: Settlement of the Personal Injury Claims of Terry Carter, Roy Coffie, and Tony Stocking.

Adopted as Resolution R-292439.

A Resolution approved by the City Council in Closed Session on Tuesday, November 9, 1999, by the following vote: Mathis-yea; Wear-yea; Kehoe-yea; Stevens-nay; Warden-yea; Stallings-yea; McCarty-yea; Vargas-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$51,377 in the settlement of each and every claim against the City, its agents and employees, in United States District Court Case Nos. 99-cv-0180-J (CGA), Terry Carter v. The City of San Diego, et al; 99-cv-0179-J (CGA), Roy Coffie v. The City of San Diego, et al; and 99-cv-0055-J (CGA), Tony Stocking v. The City of San Diego, et al., resulting from personal injury to the Plaintiffs and allegations of police misconduct, including federal civil rights violations, against the City of San Diego and the defendant police officers;

Authorizing the City Auditor and Comptroller to issue one check in the amount of \$51,377, made payable to Terry Carter, Roy Coffie, Tony Stocking, and Michael R. Marrinan, Esq., attorney of record for Plaintiffs, in full settlement of all claims.

Aud. Cert. 2000470.

NOTE: This item is placed on a Council docket, so that the official and public record will reflect the adoption of this Resolution. It does not require any further Council action.

ITEM-252: Notice of Completion and Acceptance.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance" indicating that the improvements

included in the Subdivision Improvement Agreement have been satisfactorily completed for the following subdivisions:

SUBDIVISION

Darby Downs

AREA

Carmel Valley Community

The certification shall be made 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the City

Manager or to the Subdivision Engineer, Engineering Department, City Operations Building, 1222 First Avenue, San Diego, CA 92101.

NON-DOCKET ITEMS:

NONE.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:31 p.m. in honor of the memory of:

Bill Otterson as requested by Mayor Golding; Clarence Robert Brown, Sr. as requested by Mayor Golding and Council Member McCarty; and John McColl as requested by City Attorney Casey Gwinn, City Clerk Charles Abdelnour, and Council Member McCarty.

FILE LOCATION:

AGENDA

COUNCIL ACTION:

(Tape location: D038.)