

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JUNE 26, 2000  
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 2:10 p.m. Mayor Golding convened the Special Joint Council meeting with The Redevelopment Agency to meet simultaneously with the City Council at 3:49 p.m. to convene the Special Joint Council Meeting with the Redevelopment Agency. Mayor Golding adjourned the meeting at 6:04 p.m. into Closed Session at 9:00 a.m. on Tuesday, June 27, 2000 in the twelfth floor conference room to discuss existing and anticipated litigation.

**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 (rl)

**FILE LOCATION: MINUTES**

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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

ITEM-10: INVOCATION

Invocation was given by Pastor Jack Sampier of Calvary Temple  
Assembly of God.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stevens.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comments by Don Stillwell regarding educating the public on actions City  
Council might not want to occur in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A236-261.)

PUBLIC COMMENT-2: **REFERRED TO CITY MANAGER**

Comments by Saad S. Jerjis regarding his purchase of property which was zoned as commercial when purchased and is now zoned as residential.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A262-278.)

PUBLIC COMMENT-3: **REFERRED TO CITY MANAGER**

Comments by Gary Marchinke regarding walkers being in danger of golf balls while on the footpath around Lake Murray.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A279-311.)

PUBLIC COMMENT-4:

Comments by Ethel Murphy regarding De Anza Cove and residences being relocated due to the construction of the new Library.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A312-340.)

PUBLIC COMMENT-5:

Comments by Jaqulyn Meshack regarding the camp at Martin Luther King Park. She is concerned about residents in that district needing additional financial help for such camps.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A341-372.)

**PUBLIC COMMENT-6:**

Comments by Steve McWilliams regarding his legal concerns surrounding the prior raid of "Shelter From The Storm".

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A373-408.)

**PUBLIC COMMENT-7:**

Comments by Barbara MacKenzie regarding the needle exchange program and her legal concerns pertaining to the City Manager.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A409-452.)

**COUNCIL COMMENT:**

None.

**ITEM-30:** Approval of Council Minutes.

**TODAY'S ACTION IS: APPROVED**

Approval of Council Minutes for the meetings of:

06/05/2000

06/06/2000

06/06/2000 Special Joint Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A023-033.)

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

ITEM-31: Proclaiming June 26, 2000 to be “Taste of the Nation Day” in San Diego.

**MAYOR GOLDING’S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1600) ADOPTED AS RESOLUTION R-293354

Declaring that the Council greatly appreciates the San Diego organizers and the more than 50 local and national sponsors who have generously donated goods and services to help those less fortunate;

Proclaiming June 26, 2000 to be “Taste of the Nation Day” in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A064-222.)

MOTION BY KEHOE TO APPROVE. Second by Warden. 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-32: Proclaiming June 26, 2000 to be “Reverend Mark Trotter Day” in the City of San Diego.

**MAYOR GOLDING’S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1597) ADOPTED AS RESOLUTION R-293355

Commending Reverend Mark Trotter for his commitment and selfless dedication to our community;  
Proclaiming June 26, 2000 to be “Reverend Mark Trotter Day” in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A101-222.)

MOTION BY KEHOE TO APPROVE. Second by Warden. 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-33: Proclaiming June 26, 2000 to be “Dick Flanagan Day” in the City of San Diego.

**MAYOR GOLDING’S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1599) ADOPTED AS RESOLUTION R-293356

Proclaiming June 26, 2000 to be “Dick Flanagan Day” in appreciation for all he has done for the community of Rancho Penasquitos.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A184-222.)

MOTION BY KEHOE TO APPROVE. Second by Warden. 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-100: Five actions related to Del Mar Estates Unit No.1 Final Map.

(An 8-lot subdivision. Subarea V of the North City Future Urbanizing Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-1457) ADOPTED AS RESOLUTION R-293357

Authorizing the execution of a Subdivision Improvement Agreement -- Deferred Improvement Agreement (Lien Agreement) with Carmel Valley 18 LLC, to defer for up to two years, the installation and completion of certain public improvements.

Subitem-B: (R-2000-1456) ADOPTED AS RESOLUTION R-293358

Approving the map of Del Mar Mesa Estates Unit No. 1.

Subitem-C: (R-2000-1458) ADOPTED AS RESOLUTION R-293359

Authorizing the City Manager to set aside City-owned land in SE 1/4 Sec. 20, T14S, R3W, S.B.M., as more particularly described on Engineering Drawing Number 18839-B, and dedicating, as and for a public street, and naming the same Del Mar Mesa Road.

Subitem-D: (R-2000-1459) ADOPTED AS RESOLUTION R-293360

Authorizing the execution of a Multi-Use Trail Maintenance Agreement with Carmel Valley 18, LLC.

Subitem-E: (R-2000-1460) ADOPTED AS RESOLUTION R-293361

Authorizing the execution of a Landscape Maintenance Agreement with Carmel Valley 18 LLC.

**CITY MANAGER SUPPORTING INFORMATION:**

This map proposes the subdivision of a 19.301 acre site into 8 lots for residential development. It is located south of SR 56 and east of Carmel Country Road, in the Del Mar Mesa Subarea V Future Urbanizing area. On November 6, 1997 the Planning Commission of the City of San Diego approved Planning Commission Resolution No. R-2568-2-PC. 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. 29237-1-D through 29237-22-D filed in the Office of the City Clerk under Micro Number 140.27. It is not anticipated that the improvements will be required within two years, therefore Subdivider has entered into a Deferred Improvement Development Agreement which allows for deferral of up to two years to provide the required improvements. There are sufficient monuments existing to establish the subdivision boundaries. Therefore, the remaining monuments will be deferred at this time. The street dedication across City owned land is necessary for access to the proposed Final Map as shown on approved Tentative Map TM-96-7286 and is a condition of approval.

A joint use agreement between SDG&E and the City of San Diego is required because of possible facilities within the proposed right of way. In order to satisfy Conditions 28 and 30 of Planning Commission Resolution No. 2568-2-PC, Subdivider has entered into a Multi-Use Maintenance Agreement and a Landscape Maintenance Agreement, respectively, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, as well as maintaining the multi-use trail within the Multi-Use Trail Maintenance Area until other mechanisms are established.

**FISCAL IMPACT:**

None.

Loveland/Haase/GPH

FILE LOCATION: SUBITEM A, B,D,E: SUBD-Del Mar Mesa Estates Unit  
No.1 (40)  
SUBITEM : C: DEED-F-7795

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-101: Camino del Oro (from El Paseo Grande to Calle Frescota) Underground Utility District.

(La Jolla Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1557)            ADOPTED AS RESOLUTION R-293362

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the Camino del Oro (from El Paseo Grande to Calle Frescota) Underground Utility District.

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Camino del Oro (from El Paseo Grande to Calle Frescota) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street.

Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

**FISCAL IMPACT:**

SDG&E Cost: The construction cost of \$140,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2001237.

FILE LOCATION: STRT-K-293 (38)

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-102: La Jolla Scenic Drive South (from La Jolla Mesa Drive to Soledad Mountain Road) Underground Utility District.

(La Jolla Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1518 Cor. Copy) ADOPTED AS RESOLUTION R-293363

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the La Jolla Scenic Drive South (from La Jolla Mesa Drive to Soledad Mountain Road) Underground Utility District.

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the La Jolla Scenic Drive South (from La Jolla Mesa Drive to Soledad Mountain Road) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street.

Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs

for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

**FISCAL IMPACT:**

SDG&E Cost: The construction cost \$882,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209).

Belock/Boekamp/HR

FILE LOCATION: STRT-K-290 (38)

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-103: La Jolla Shores Drive (from North Torrey Pines Road to Azul Street)  
Underground Utility District.

(La Jolla Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1551) ADOPTED AS RESOLUTION R-293364

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the La Jolla Shores Drive (from North Torrey Pines Road to Azul Street) Underground Utility District.

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the La Jolla Shores Drive (from North Torrey Pines Road to Azul Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

**FISCAL IMPACT:**

SDG&E Cost: The construction cost of \$253,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2001236.

FILE LOCATION: STRT-K-294 (38)

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-104: Lamont Street (from Loring Street to Garnet Avenue) Underground Utility District.

(Pacific Beach Community Area. District-6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1514 Cor. Copy) ADOPTED AS RESOLUTION R-293365

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the Lamont Street (from Loring Street to Garnet Avenue) Underground Utility District.

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Lamont Street (from Loring Street to Garnet Avenue) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street.

Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

**FISCAL IMPACT:**

SDG&E Cost: The construction cost \$362,753 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209).

Belock/Boekamp/HR

FILE LOCATION: STRT-K-289 (38)

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-105: Three actions related to Linda Vista Road Maintenance Assessment District.

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

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-1583) ADOPTED AS RESOLUTION R-293366

Resolution to levy and collect Fiscal Year 2001 assessments.

Subitem-B: (R-2000-1584) ADOPTED AS RESOLUTION R-293367

Approving the City Engineer's report.

Subitem-C: (R-2000-1585) ADOPTED AS RESOLUTION R-293368

Approving the Fiscal Year 2001 Budget for the Linda Vista Road Maintenance Assessment District.

**CITY MANAGER SUPPORTING INFORMATION:**

This action establishes the Fiscal Year 2001 assessments for the Linda Vista Road Maintenance Assessment District (District). The District was established in April 1990 to provide maintenance of landscaped improvements on the raised medians and parkway areas along each side of Linda Vista Road within the public right-of-way. Additional improvements include maintenance of street trees on the southern side of Genesee Avenue from Linda Vista Road to

Highway 163.

The Fiscal Year 2001 proposed maintenance costs for the District are as follows:

| <u>DESCRIPTION</u>       | <u>FUND</u>       |                | <u>TOTAL</u>     |
|--------------------------|-------------------|----------------|------------------|
|                          | <u>OPERATIONS</u> | <u>RESERVE</u> |                  |
| <b>BEGINNING BALANCE</b> | 0.00              | \$ 23,770.00   | \$ 23,770.00     |
| <b>REVENUE:</b>          |                   |                |                  |
| Assessments              | \$ 84,045.00      | 0.00           | \$ 84,045.00     |
| Interest                 | 0.00              | 1,000.00       | 1,000.00         |
| City Contribution        | <u>3,246.00</u>   | <u>0.00</u>    | <u>3,246.00</u>  |
| <b>TOTAL REVENUE</b>     | \$ 87,291.00      | \$ 1,000.00    | \$ 88,291.00     |
| <b>TRANSFER:</b>         | \$ 1,641.00       | ( \$ 1,641.00) | \$ 0.00          |
| <b>EXPENSE:</b>          |                   |                |                  |
| Personnel                | \$ 6,443.00       | 0.00           | 6,443.00         |
| Contractual              | 50,000.00         | 0.00           | 50,000.00        |
| Incidental               | 14,989.00         | 0.00           | 14,989.00        |
| Utilities                | <u>17,500.00</u>  | <u>0.00</u>    | <u>17,500.00</u> |
| <b>TOTAL EXPENSE</b>     | \$ 88,932.00      | 0.00           | \$88,932.00      |
| <b>ENDING BALANCE</b>    | \$ 0.00           | \$23,129.00    | \$23,129.00      |

The proposed assessment for Fiscal Year 2001 is \$9.79 per Equivalent Benefit Unit (EBU) in Zone 1, Zone 2, and Zone 3. This is an increase of \$0.55 (a 6.0 percent increase) per EBU to each zone from Fiscal Year 2000 assessment of \$9.24 per EBU. The District contains 8,579.69 EBU's. Zone 1 has 6,721.2 EBU's, Zone 2 has 1,094.35 EBU's, and Zone 3 has 764.14 EBU's.

**FISCAL IMPACT:**

It is proposed that the City contribute \$3,246.00 from the Gas Tax Fund for the maintenance of 27,050 sq. ft. of medians (0.12/sq. ft.). This represents the City's share of expenses incurred for maintenance of street medians and open space comparable to similar areas throughout the City. All other costs are assessed to the District.

Loveland/McLatchy/SY

FILE LOCATION: SUBITEMS A,B,C: STRT-M-363-01 (34)

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-106: Pacific Beach Drive (from Mission Boulevard to Everts Street) Underground Utility District.

(Pacific Beach Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1512) ADOPTED AS RESOLUTION R-293369

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the Pacific Beach Drive (from Mission Boulevard to Everts Street) Underground Utility District.

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Pacific Beach Drive (from Mission Boulevard to Everts Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street.

Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs

for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

**FISCAL IMPACT:**

SDG&E Cost: The construction cost \$641,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209).

Belock/Boekamp/HR

FILE LOCATION: STRT-K-288 (38)

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-107: Sunset Boulevard (from Loma Pass to Juan Street) Underground Utility District.

(Uptown Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1553) ADOPTED AS RESOLUTION R-293370

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the Sunset Boulevard (from Loma Pass to Juan Street) Underground Utility District.

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Sunset Boulevard (from

Loma Pass to Juan Street) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

**FISCAL IMPACT:**

SDG&E Cost: The construction cost of \$262,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2001238.

FILE LOCATION: STRT-K-292 (38)

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-108: Three actions related to Bay Terraces Maintenance Assessment District.

(Skyline/Paradise Hills Community Area. District-4.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-1574 Cor. Copy) ADOPTED AS RESOLUTION R-293371

Resolution to levy and collect Fiscal Year 2001 assessments.

Subitem-B: (R-2000-1575) ADOPTED AS RESOLUTION R-293372

Approving the City Engineer's report.

Subitem-C: (R-2000-1576) ADOPTED AS RESOLUTION R-293373

Approving the Fiscal Year 2001 Budget for the Bay Terraces Maintenance Assessment District.

**CITY MANAGER SUPPORTING INFORMATION:**

This action establishes the Fiscal Year 2001 assessments for the Bay Terraces Maintenance Assessment District (District). The District was established on December 14, 1982 to provide maintenance of (4) acres of open space. There are two noncontiguous areas in this District, with two acres in Zone 1 and two acres in Zone 5. The District consists of Zone 1 and Zone 5 only.

The Fiscal Year 2001 proposed maintenance costs for the District are as follows:

| <u>DESCRIPTION</u>       | <u>FUND</u>       |                | <u>TOTAL</u>  |
|--------------------------|-------------------|----------------|---------------|
|                          | <u>OPERATIONS</u> | <u>RESERVE</u> |               |
| <b>BEGINNING BALANCE</b> | \$ 0.00           | \$14,301.00    | \$ 14,301.00  |
| <b>REVENUE:</b>          |                   |                |               |
| Assessments              | \$ 30,248.00      | \$ 0.00        | 30,248.00     |
| Interest                 | 0.00              | 800.00         | 800.00        |
| City Contribution        | <u>100.00</u>     | <u>0.00</u>    | <u>100.00</u> |
| <b>TOTAL REVENUE</b>     | \$30,348.00       | \$ 800.00      | \$ 31,148.00  |
| <b>TRANSFER</b>          | 2,167.00          | (2,167.00)     | 0.00          |
| <b>EXPENSE:</b>          |                   |                |               |
| Personnel                | \$ 6,443.00       | \$ 0.00        | \$ 6,443.00   |

|                       |                 |              |                 |
|-----------------------|-----------------|--------------|-----------------|
| Contractual           | 17,800.00       | 0.00         | 17,800.00       |
| Incidental            | 5,697.00        | 0.00         | 5,697.00        |
| Utilities             | <u>2,575.00</u> | <u>0.00</u>  | <u>2,575.00</u> |
| <b>TOTAL EXPENSE</b>  | \$32,515.00     | \$ 0.00      | \$ 32,515.00    |
| <br>                  |                 |              |                 |
| <b>ENDING BALANCE</b> | \$ 0.00         | \$ 12,934.00 | \$ 12,934.00    |

The proposed assessments for Fiscal Year 2001 is \$65.92 in Zone 1 per Equivalent Benefit Unit (EBU) and \$105.62 in Zone 5 per EBU. The assessment amounts are the same as Fiscal Year 2000 in both zones. The District contains a total of 401.03 EBU's; 305 EBU's in Zone 1, and 96.03 EBU's in Zone 5.

**FISCAL IMPACT:**

It is proposed that the City contribute \$100 from the Environmental Growth Fund for 4 acres of open space (\$25/acre). This represents the City's share of expenses incurred for maintaining open space comparable to similar areas throughout the City. All other costs are assessed to the District.

Loveland/McLatchy/SY

FILE LOCATION: SUBITEMS A,B,C: STRT-M-407-01 (34)

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-109: Three actions related to Calle Cristobal Maintenance Assessment District.

(Mira Mesa Community Area. District-5.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-1578) ADOPTED AS RESOLUTION R-293374

Resolution to levy and collect Fiscal Year 2001 assessments.

Subitem-B: (R-2000-1579) ADOPTED AS RESOLUTION R-293375

Approving the City Engineer's report.

Subitem-C: (R-2000-1580) ADOPTED AS RESOLUTION R-293376

Approving the Fiscal Year 2001 Budget for the Calle Cristobal Maintenance Assessment District.

**CITY MANAGER SUPPORTING INFORMATION:**

This action establishes the Fiscal Year 2001 assessments for the Calle Cristobal Maintenance Assessment District (District). The District was established in 1987 to provide maintenance for the street side of the sound attenuator wall along Calle Cristobal, 67,227 square feet of median (of which 27,992 contains landscaping) and 373,110 square feet of street scape.

The Fiscal Year 2001 proposed maintenance costs for the District are as follows:

|                          | <u>FUND</u>       |                |                  |
|--------------------------|-------------------|----------------|------------------|
| <u>DESCRIPTION</u>       | <u>OPERATIONS</u> | <u>RESERVE</u> | <u>TOTAL</u>     |
| <b>BEGINNING BALANCE</b> | \$ 0.00           | \$84,025.00    | \$84,025.00      |
| <b>REVENUE:</b>          |                   |                |                  |
| Assessments              | \$135,232.00      | \$ 0.00        | \$135,232.00     |
| Interest                 | 0.00              | \$ 1,000.00    | \$ 1,000.00      |
| City Contribution        | <u>8,067.00</u>   | <u>0.00</u>    | <u>8,067.00</u>  |
| <b>TOTAL REVENUE</b>     | \$143,299.00      | \$ 1,000.00    | \$144,299.00     |
| <b>TRANSFER</b>          | 21,010.00         | ( 21,010.00)   | 0.00             |
| <b>EXPENSE:</b>          |                   |                |                  |
| Personnel                | \$19,329.00       | \$ 0.00        | \$ 19,329.00     |
| Contractual              | 90,000.00         | 0.00           | 90,000.00        |
| Incidental               | 22,430.00         | 0.00           | 22,430.00        |
| Utilities                | <u>32,550.00</u>  | <u>0.00</u>    | <u>32,550.00</u> |

|                       |              |              |              |
|-----------------------|--------------|--------------|--------------|
| <b>TOTAL EXPENSE</b>  | \$164,309.00 | \$ 0.00      | \$164,309.00 |
| <b>ENDING BALANCE</b> | \$ 0.00      | \$ 64,015.00 | \$ 64,015.00 |

The proposed assessment for Fiscal Year 2001 is \$81.24 per Equivalent Benefitting Unit (EBU) in Zone 1, Zone 2, and Zone 3. The assessments may be indexed annually by the factor published in the San Diego CPI-U. These assessment amounts are the same as Fiscal Year 2000. The District contains a total of 1,664.57 EBU's, 1039.82 EBU's in Zone 1, 490.80 EBU's in Zone 2, and 133.95 EBU's in Zone 3.

**FISCAL IMPACT:**

It is proposed that the City contribute \$8,067 from the Gas Tax Fund for the maintenance of 67,227 sq. ft. of street medians (0.12/sq. ft.). This represents the City's share of expenses incurred for maintenance of street medians comparable to similar areas throughout the City. All other costs are assessed to the District.

Loveland/McLatchy/SY

FILE LOCATION: SUBITEMS A,B,C: STRT-M-405-01 (34)

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-110: Three actions related to Gateway Center East Maintenance Assessment District.

(Gateway Center East Community Area. District-4.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-1497) ADOPTED AS RESOLUTION R-293377

Resolution to levy and collect Fiscal Year 2001 assessments.

Subitem-B: (R-2000-1498) ADOPTED AS RESOLUTION R-293378

Approving the City Engineer's report.

Subitem-C: (R-2000-1499) ADOPTED AS RESOLUTION R-293379

Approving the Fiscal Year 2001 Budget for the Gateway Center East Maintenance Assessment District.

**CITY MANAGER SUPPORTING INFORMATION:**

This action establishes the Fiscal Year 2001 assessments for the Gateway Center East Maintenance Assessment District (District). The District was established in May 1987 to provide maintenance of landscaped open space easements as well as landscaping along the frontage of all lots and for landscaped medians on Market Street and Gateway Center Drive.

The Fiscal Year 2001 proposed maintenance costs for the District are as follows:

|                          | <u>FUND</u>       |                |                 |
|--------------------------|-------------------|----------------|-----------------|
| <u>DESCRIPTION</u>       | <u>OPERATIONS</u> | <u>RESERVE</u> | <u>TOTAL</u>    |
| <b>BEGINNING BALANCE</b> | 0.00              | \$ 40,798.00   | \$ 40,798.00    |
| <b>REVENUE:</b>          |                   |                |                 |
| Assessments              | \$147,884.00      | 0.00           | \$147,884.00    |
| Interest                 | 0.00              | 2,000.00       | 2,000.00        |
| City Contribution        | <u>1,416.00</u>   | <u>0.00</u>    | <u>1,416.00</u> |
| <b>TOTAL REVENUE</b>     | \$149,300.00      | 2,000.00       | \$151,300.00    |
| <b>TRANSFER</b>          | 5,223.00          | ( 5,223.00)    | 0.00            |
| <b>EXPENSE:</b>          |                   |                |                 |
| Personnel                | \$ 12,886.00      | 0.00           | \$ 12,886.00    |
| Contractual              | 85,000.00         | 0.00           | 85,000.00       |
| Incidental               | 21,837.00         | 0.00           | 21,837.00       |

|                       |                  |              |                  |
|-----------------------|------------------|--------------|------------------|
| Utilities             | <u>34,800.00</u> | <u>0.00</u>  | <u>34,800.00</u> |
| <b>TOTAL EXPENSE</b>  | \$154,523.00     | \$ 0.00      | \$154,523.00     |
| <br>                  |                  |              |                  |
| <b>ENDING BALANCE</b> | \$ 0.00          | \$ 37,575.00 | \$ 37,575.00     |

The proposed assessment for Fiscal Year 2001 is \$259.56 per Equivalent Benefitting Unit (EBU). This is an increase of \$14.92 (a 6.1 percent increase) per EBU from the Fiscal Year 2000 assessment of \$244.64 per EBU. The assessment increase is allowable based on the change in the San Diego CPI-U from the year of 2000. The District contains a total of 569.75 EBU's.

**FISCAL IMPACT:**

It is proposed that the City contribute \$1,416 from the Gas Fund for the maintenance of 11,800 sq. ft. of medians (0.12/sq. ft.). This represents the City's share of expenses incurred for maintenance of street medians and open space comparable to similar areas throughout the City. All other costs are assessed to the District.

Loveland/McLatchy/SY

FILE LOCATION: SUBITEMS A,B,C: STRT-M-380-01 (34)

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-111: Three actions related to La Jolla Village Drive Maintenance Assessment District.

(University Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-1586) ADOPTED AS RESOLUTION R-293380

Resolution to levy and collect Fiscal Year 2001 assessments.

Subitem-B: (R-2000-1587) ADOPTED AS RESOLUTION R-293381

Approving the City Engineer's report.

Subitem-C: (R-2000-1588) ADOPTED AS RESOLUTION R-293382

Approving the Fiscal Year 2001 Budget for the La Jolla Village Drive Maintenance Assessment District.

**CITY MANAGER SUPPORTING INFORMATION:**

This action establishes the Fiscal Year 2001 assessments for the La Jolla Village Drive Maintenance Assessment District (District). The District was established in January 1988 to provide maintenance of 27,308 feet of landscape medians along La Jolla Village Drive between I-5 and Regents Road.

The Fiscal Year 2001 proposed maintenance costs for the District are as follows:

|                          | <u>FUND</u>         |                    |                    |
|--------------------------|---------------------|--------------------|--------------------|
| <u>DESCRIPTION</u>       | <u>OPERATIONS</u>   | <u>RESERVE</u>     | <u>TOTAL</u>       |
| <b>BEGINNING BALANCE</b> | \$ 0.00             | \$128,564.00       | \$128,564.00       |
| <b>REVENUE:</b>          |                     |                    |                    |
| Assessments              | \$ 27,179.00        | \$ 0.00            | 27,179.00          |
| Interest                 | 0.00                | 4,500.00           | 4,500.00           |
| City Contribution        | <u>3,277.00</u>     | <u>0.00</u>        | <u>3,277.00</u>    |
| <b>TOTAL REVENUE</b>     | <b>\$ 30,452.00</b> | <b>\$ 4,500.00</b> | <b>\$34,956.00</b> |
| <b>TRANSFER</b>          | 1,452.00            | ( 1,452.00)        | 0.00               |
| <b>EXPENSE:</b>          |                     |                    |                    |
| Personnel                | \$ 6,443.00         | \$ 0.00            | \$ 6,443.00        |
| Contractual              | 18,000.00           | 0.00               | 18,000.00          |
| Incidental               | 5,365.00            | 0.00               | 5,365.00           |
| Utilities                | <u>2,100.00</u>     | <u>0.00</u>        | <u>2,100.00</u>    |

|                       |             |               |              |
|-----------------------|-------------|---------------|--------------|
| <b>TOTAL EXPENSE</b>  | \$31,908.00 | \$ 0.00       | \$31,908.00  |
| <b>ENDING BALANCE</b> | \$ 0.00     | \$ 131,612.00 | \$131,612.00 |

The proposed assessment for Fiscal Year 2001 is \$6.87 per Equivalent Benefit Unit (EBU). The assessments may be indexed annually by the factor published in the San Diego CPI-U. This assessment is the same as Fiscal Year 2000. The District contains a total of 3,955.33 EBU's.

**FISCAL IMPACT:**

It is proposed that the City contribute a total of \$3,277. The Gas Fund will contribute \$3,277 for the maintenance of 27,308 sq. ft. of medians (0.12/sq. ft.). This represents the City's share of expenses incurred for maintenance of street medians and open space comparable to similar areas throughout the City.

Loveland/McLatchy/SY

**FILE LOCATION:** STRT-M-397-01 (34)

**COUNCIL ACTION:** (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-112: Four actions related to Newport Avenue Maintenance Assessment District.

(Ocean Beach Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-1500) ADOPTED AS RESOLUTION R-293383

Resolution to levy and collect Fiscal Year 2001 assessments.

Subitem-B: (R-2000-1501) ADOPTED AS RESOLUTION R-293384

Approving the City Engineer's report.

Subitem-C: (R-2000-1502) ADOPTED AS RESOLUTION R-293385

Approving the Fiscal Year 2001 Budget for the Newport Avenue Maintenance Assessment District.

Subitem-D (R-2000-1503 Cor. Copy) ADOPTED AS RESOLUTION R-293386

Authorizing the City Manager to execute an agreement with Newport Avenue Main Street Association, for administration of Contracts for Goods and Contracts for Service for the Newport Avenue Maintenance Agreement for a period for one year in accordance with San Diego Municipal Code section 65.0212.

**CITY MANAGER SUPPORTING INFORMATION:**

This action establishes the Fiscal Year 2001 assessments for the Newport Avenue Maintenance Assessment District (District). The District was established in July 1989 to provide maintenance of landscape planters in the public right-of-way and front footage along Newport Avenue which totals 3,580 feet. This action will also authorize the Agreement between the City and the Newport Avenue Main Street Association to provide administrative and maintenance services to the District for a period of one year beginning on July 1, 2000.

The Fiscal Year 2001 proposed maintenance costs for the District are as follows:

| <u>DESCRIPTION</u>       | <u>FUND</u>       |                |               |
|--------------------------|-------------------|----------------|---------------|
|                          | <u>OPERATIONS</u> | <u>RESERVE</u> | <u>TOTAL</u>  |
| <b>BEGINNING BALANCE</b> | \$ 0.00           | \$ 9,001.00    | \$ 9,001.00   |
| <b>REVENUE:</b>          |                   |                |               |
| Assessments              | \$ 33,366.00      | \$ 0.00        | 33,366.00     |
| Interest                 | <u>0.00</u>       | <u>700.00</u>  | <u>700.00</u> |
| <b>TOTAL REVENUE</b>     | \$ 33,366.00      | \$ 700.00      | \$ 34,066.00  |
| <b>TRANSFER</b>          | ( 1,668.00)       | 1,668.00       | 0.00          |

**EXPENSE:**

|                       |                 |             |                 |
|-----------------------|-----------------|-------------|-----------------|
| Personnel             | \$ 0.00         | \$ 0.00     | \$ 0.00         |
| Contractual           | 0.00            | 0.00        | 0.00            |
| Incidental            | 30,273.00       | 0.00        | 30,273.00       |
| Utilities             | <u>1,425.00</u> | <u>0.00</u> | <u>1,425.00</u> |
| <b>TOTAL EXPENSE</b>  | \$ 31,698.00    | \$ 0.00     | \$ 31,698.00    |
| <br>                  |                 |             |                 |
| <b>ENDING BALANCE</b> | \$ 0.00         | \$11,369.00 | \$ 11,369.00    |

The proposed assessment for Fiscal Year 2001 is \$9.32 per Front Foot. The assessments may be indexed annually by the factor published in the San Diego CPI-U. The assessment is the same as Fiscal Year 2000. The District contains a total of 3,580 feet of Front Footage along Newport Avenue.

**FISCAL IMPACT:**

All costs are assessed to the District. There is no net fiscal impact.

Loveland/McLatchy/SY

FILE LOCATION: SUBITEMS A,B,C,D: STRT-M-496-01 (34)

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-113: Three actions related to Sabre Springs Maintenance Assessment District.

(Sabre Springs Community Area. District-5.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-1504) ADOPTED AS RESOLUTION R-293387

Resolution to levy and collect Fiscal Year 2001 assessments.

Subitem-B: (R-2000-1505) ADOPTED AS RESOLUTION R-293388

Approving the City Engineer's report.

Subitem-C: (R-2000-1506) ADOPTED AS RESOLUTION R-293389

Approving the Fiscal Year 2001 Budget for the Sabre Springs Maintenance Assessment District.

**CITY MANAGER SUPPORTING INFORMATION:**

This action establishes the Fiscal Year 2001 assessments for the Sabre Springs Maintenance Assessment District (District). The District was established in 1982 to provide maintenance of landscaped medians, improved open space, streetscapes, and natural open space. For Fiscal Year 2001, the District will maintain 2.89 acres of landscaped medians, 1.65 acres of paved medians, 1.8 acres of landscape right-of-way, 23.2 acres of enhanced open space, 505 acres of natural open space, 1.1 acres of landscape crib walls and ornamental street lighting along two bridges.

The Fiscal Year 2001 proposed maintenance costs for the District are as follows:

|                          | <u>FUND</u>       |                 |                  |
|--------------------------|-------------------|-----------------|------------------|
| <u>DESCRIPTION</u>       | <u>OPERATIONS</u> | <u>RESERVE</u>  | <u>TOTAL</u>     |
| <b>BEGINNING BALANCE</b> | \$ 0.00           | \$39,062.00     | \$39,062.00      |
| <b>REVENUE:</b>          |                   |                 |                  |
| Assessments              | \$ 69,524.00      | 0.00            | 69,524.00        |
| Interest                 | 0.00              | 3,400.00        | 3,400.00         |
| City Contribution        | <u>49,992.00</u>  | <u>0.00</u>     | <u>42,992.00</u> |
| <b>TOTAL REVENUE</b>     | \$112,516.00      | \$ 3,400.00     | \$115,916.00     |
| <br><b>TRANSFER</b>      | <br>24,299.00     | <br>(24,299.00) | <br>0.00         |
| <br><b>EXPENSE:</b>      |                   |                 |                  |
| Personnel                | \$ 32,216.00      | \$ 0.00         | \$ 32,216.00     |
| Contractual              | 65,000.00         | 0.00            | 65,000.00        |
| Incidental               | 26,474.00         | 0.00            | 26,474.00        |

|                           |                  |                  |                  |
|---------------------------|------------------|------------------|------------------|
| Utilities                 | <u>13,125.00</u> | <u>0.00</u>      | <u>13,125.00</u> |
| <b>TOTAL EXPENSE</b>      | \$136,815.00     | \$ 0.00          | \$136,815.00     |
| <br><b>ENDING BALANCE</b> | <br>\$ 0.00      | <br>\$ 18,163.00 | <br>\$ 18,163.00 |

The proposed assessment for Fiscal Year 2001 is \$15.56 per Equivalent Benefit Unit (EBU). The assessments may be indexed annually by the factor published in the San Diego CPI-U. This is the same assessment amount as Fiscal Year 2000. The District contains 4,467.5 EBU's.

**FISCAL IMPACT:**

It is proposed that the City contribute a total of \$42,992. The Gas Tax Fund will contribute \$30,367 (\$0.12/sq. ft.) For the maintenance of 253,058 sq. ft. of medians. The Environmental Growth Fund will contribute \$12,625 (\$25/acre) for 505 acres of open space. This represents the City's share of expenses incurred for maintenance of street medians and open space comparable to similar areas throughout the City. All other costs are assessed to the District.

Loveland/McLatchy/SY

FILE LOCATION: SUBITEMS A,B,C: STRT-M-401-01 (34)

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-114: Three actions related to Scripps-Miramar Ranch Maintenance Assessment District.

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

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-1593) CONTINUED TO MONDAY, JULY 17, 2000

Resolution to levy and collect Fiscal Year 2001 assessments.

Subitem-B: (R-2000-1594) CONTINUED TO MONDAY, JULY 17, 2000

Approving the City Engineer's report.

Subitem-C: (R-2000-1595) CONTINUED TO MONDAY, JULY 17, 2000

Approving the Fiscal Year 2001 Budget for the Scripps-Miramar Ranch Maintenance Assessment District.

**CITY MANAGER SUPPORTING INFORMATION:**

This action establishes the Fiscal Year 2001 assessments for the Scripps-Miramar Ranch Maintenance Assessment District (District). The District was established in May 1981 to provide maintenance of landscaped medians and open space within the District.

The Fiscal Year 2001 proposed maintenance costs for the District are as follows:

|                          | <u>FUND</u>         |                |                     |
|--------------------------|---------------------|----------------|---------------------|
| <u>DESCRIPTION</u>       | <u>OPERATIONS</u>   | <u>RESERVE</u> | <u>TOTAL</u>        |
| <b>BEGINNING BALANCE</b> | \$ 0.00             | \$ 25,000.00   | \$ 25,000.00        |
| <b>REVENUE:</b>          |                     |                |                     |
| Assessments              | \$512,333.00        | \$ 0.00        | \$512,333.00        |
| Interest                 | 0.00                | 5,500.00       | 5,500.00            |
| City Contribution        | <u>\$ 21,506.00</u> | <u>0.00</u>    | <u>\$ 21,506.00</u> |
| <b>TOTAL REVENUE</b>     | \$533,839.00        | \$ 5,500.00    | \$539,339.00        |
| <b>TRANSFER</b>          | ( 2,506.00)         | \$ 2,506.00    | \$ 0.00             |
| <b>EXPENSE:</b>          |                     |                |                     |
| Personnel                | \$ 64,432.00        | \$ 0.00        | \$ 64,432.00        |
| Contractual              | 311,000.00          | 0.00           | 311,000.00          |

|                           |                  |              |                  |
|---------------------------|------------------|--------------|------------------|
| Incidental                | 97,537.00        | 0.00         | 97,537.00        |
| Utilities                 | <u>58,364.00</u> | <u>0.00</u>  | <u>58,364.00</u> |
| <b>TOTAL EXPENSE</b>      | \$531,333.00     | 0.00         | \$531,333.00     |
| <br><b>ENDING BALANCE</b> | 0.00             | \$ 33,006.00 | \$ 33,006.00     |

The proposed assessment for Fiscal Year 2001 is \$84.04 per Equivalent Benefit Unit (EBU) in Zone 1, Zone 2, and Zone 3. This is an increase of \$7.04 (a 9.1 percent increase) per EBU to each Zone from the Fiscal Year 2000 assessment of \$77 per EBU. The increase is due to increased costs of maintenance within the District, and is within the allowable change in the San Diego CPI-U from the base year of 1998. The District contains a total of 6,096.17 EBU's; 1,097.03 in Zone 1, 4,526.74 in Zone 2, and 472.4 in Zone 3.

**FISCAL IMPACT:**

It is proposed that the City contribute a total of \$21,506. The Gas Fund will contribute \$1,856 for the maintenance of 15,467 sq. ft. of medians (0.12/sq. ft.). The Environmental Growth Fund will contribute \$11,850 for the maintenance of 474 acres of open space (\$25/acre). This represents the City's share of expenses incurred for maintenance of street medians and open space comparable to similar areas throughout the City. The General Fund will contribute \$7,800 for maintenance of landscaping at the Scripps Ranch Branch Library. All other costs are assessed by the District.

Loveland/McLatchy/SY

FILE LOCATION: SUBITEMS A,B,C: STRT-M-356-01 (34)

COUNCIL ACTION: (Tape location: A223-235: A453-B016.)

CONSENT MOTION BY WEAR TO CONTINUE TO JULY 17, 2000 FOR FURTHER REVIEW. 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-yea.

\* ITEM-115: Two actions related to School Safety Patrol Summer Camp.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-1612) ADOPTED AS RESOLUTION R-293390

Authorizing the City Manager to enter into a letter of agreement with the San Diego Unified School District for transporting students to and from School Safety Patrol Summer Camp at Camp Palomar;

Declaring that the City will assume total responsibility for the conduct of students while riding the bus, including but not limited to vandalism to school equipment and liability for damages resulting from objects thrown from the bus;

That the City will bear an equal share of the liability over and above insurance limitations if the school district meets the following performance standards: All drivers are licensed in accordance with the California Vehicle Code for transporting school students; all buses are Class "A" rated, meeting all safety regulations prescribed in the California Vehicle Code and the California Education Code; and that the school district's insurance policy remains in effect;

Authorizing the expenditure of approximately \$115,000 from Police Department budgeted funds, Fund 100, Department 110, Organization 4005, Job Order 005535, Object Account No. 4279 for providing funds for the School Safety Patrol Camp.

Subitem-B: (R-2000-1611) ADOPTED AS RESOLUTION R-293391

Authorizing the City Manager to enter into a letter of agreement with the Poway Unified School District for transporting students to and from School Safety Patrol Summer Camp at Camp Palomar;

Declaring that the City will assume total responsibility for the conduct of students while riding the bus, including but not limited to vandalism to school equipment and liability for damages resulting from objects thrown from the bus;

That the City will bear an equal share of the liability over and above insurance limitations if the school district meets the following performance standards: All drivers are licensed in accordance with the California Vehicle Code for transporting school students; all buses are Class "A" rated, meeting all safety regulations prescribed in the California Vehicle Code and the California Education Code; and that the school district's insurance policy remains in effect.

**CITY MANAGER SUPPORTING INFORMATION:**

For over 35 years, the City of San Diego has conducted, through the Police Department, a School Safety Patrol Summer Camp. Attendees are fifth and sixth grade students who have served a minimum of one year as school patrol crossing guards. This camp is held in recognition of the contributions made by these children, and provides an educational and recreational experience for them. This summer, approximately 960 students and 96 student counselors are expected to attend.

This action provides for entering into an agreement with both the San Diego Unified School District and the Poway Unified School District for the transporting of the students to and from camp. In the past, the school districts have provided the buses, drivers and insurance. The City of San Diego is responsible for the conduct of the students while on the buses, and agrees to share equally in liability in excess of the school districts' insurance policy. This action further provides for paying expenses associated with conducting the School Safety Patrol Summer Camp, such as payment to San Diego County Schools, Department of Outdoor Education for the use of the facilities at Palomar Mountain School Camp.

**FISCAL IMPACT:**

The total cost of the program will be approximately \$115,000. Expenses will be paid from the General Fund, Department 110.

Uberuaga/Bejarano/JDF

Aud. Cert. 2001194.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\* ITEM-116: Agreement for Disclosure Counsel Services and Litigation Review.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1603)            TRAILED TO TUESDAY, JUNE 27, 2000.

Authorizing an agreement with Orrick, Herrington and Sutcliffe, in an amount not to exceed \$35,000 from ballpark disclosure counsel services contingent upon the issuance of bond financing and in an amount not to exceed \$473,500 for Ballpark other bond financing disclosure counsel services and litigation review services;

Authorizing the expenditure of an amount not to exceed \$473,500 from Facilities Ballpark Fund 102214.

**SUPPORTING INFORMATION:**

Orrick currently is acting as Bond Counsel in the proposed funding for the Ballpark and Downtown Redevelopment Project. Due to the numerous lawsuits that have been initiated on the project, the City is in need of legal services to review the litigation and its impact on the bond financing. Some of these services have already been undertaken by Orrick, others are ongoing as the City proceeds with the various lawsuits filed pertaining to the Ballpark and Downtown Redevelopment Project. O'Melveny and Meyers, underwriters' counsel, will be drafting the official statement for the bond financing. The city will need disclosure counsel to review the official statement. Orrick already has been retained as bond counsel for the financing and is uniquely qualified to provide these services.

Devaney/Swett/Salt

Aud. Cert. 2001190 (Revised).

FILE LOCATION:            NONE.

COUNCIL ACTION:            (Tape location: A034-063.)

Trailed to Tuesday, June 27, 2000.

Motion by Mathis to place this item on the Closed Session Agenda of Tuesday, June 27, 2000. Second by Warden. Passed. Yeas: 1,2,3,4,5,8,9,M. Nays: 7. Not present: 6.

\* ITEM-117: Amendment No. 2 to the Agreement with Metcalf and Eddy.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1390)            ADOPTED AS RESOLUTION R-293392

Authorizing amendment No. 2 to the agreement of February 27, 1998, with Metcalf and Eddy, Inc., for as-needed professional consulting services required for the Metropolitan Wastewater Department's permitting of facilities;

Authorizing the expenditure of an amount not to exceed \$100,000 from Fund No. 41509.

**CITY MANAGER SUPPORTING INFORMATION:**

The existing agreement between the City and Metcalf & Eddy for As Needed Professional Consultant Services for Permitting of MWWD facilities is utilized to provide permit services and conduct planning studies for wastewater facility upgrades and/or new construction. The consultant provides assistance to MWWD staff in a wide variety of permitting services including air quality, water quality, resource protection, and regulated waste management. The consultant interacts with the many Federal, State, County, and City agencies which are responsible for issuing the permits necessary to build, upgrade, and operate MWWD's facilities and projects. It is requested that the current agreement be extended for an additional two years and that an additional \$100,000 be authorized for expenditure in order to maintain continuity with the high quality work being performed under this agreement.

**FISCAL IMPACT:**

The cost of Amendment No. 2 for As Needed Professional Consultant Services for Permitting is not to exceed \$100,000. Funds are available from Sewer Fund 41509, FY 2001 Appropriation, contingent upon City Council approval of the Metropolitan Wastewater Department's FY 2001 Operating Budget.

Belock/ Schlesinger/LW

Aud. Cert. 2100007.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Mathis. 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-118: Fifth Operating Memorandum to Lease - Wave House at Belmont Park.  
(See City Manager Report CMR-00-133. Mission Beach Community Area.  
District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1616) ADOPTED AS RESOLUTION R-293393

Authorizing the City Manager to execute the Fifth Operating Memorandum to the Belmont Park lease with PARS Belmont Park, LLC in order to facilitate the Wave House Project.

FILE LOCATION: LEAS-Belmont Park Assoc., dba PARS Belmont Park,  
LLC, Wave the Planet, LLC

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

ITEM-200: Awarding of Contract for Automated Refuse Packers.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1572 Cor. Copy)

ADOPTED AS RESOLUTION R-293394

Accepting the low bid meeting specifications, of Rush Truck Centers Peterbilt (San Diego, CA) for Item 1b, Bid P3220/00 and authorizing the execution of a contract for furnishing Automated Refuse Packers, as may be required for a period of one year from date of award, for a total estimated cost of \$1,980,500 Net 30 days; with options to renew the contract for four additional one year periods, with price escalations not to exceed ten percent of prices in effect at the end of each prior contract year;

Accepting the low bid meeting specifications, of Carl's Trailer Rentals (San Diego, CA) for Item 1c, Bid P3220/00 and authorizing the execution of a contract for furnishing Automated Refuse Packers as may be required for a period of one year from date of award for a total estimated cost of \$198,000 with no options to renew;

Authorizing the expenditure of not to exceed \$122,000 from Fund No. 500381, Department No. 8381, Organization No. 757, Object Account No. 6029, and Job Order No. 021700-021708, for providing funds for the contract, and authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed contract is for the purchase of additional Automated Refuse Packers, which will be utilized by Environmental Services to expand the Residential Curbside Recycling Program. The initial purchase from Rush Truck Centers Peterbilt will be nine (9) Dual Fuel Engine Automated Refuse Packers at a cost of \$174,779 each plus tax for a total of \$1,694,919.35, including tax, of which an estimated expenditure of \$122,000 will be paid in FY 2001. The LNG Fuel Engine Automated Refuse Packers from Carl's Trailer Rentals are \$198,000 each plus tax; however, no units will be ordered at this time. Eighteen (18) potential bidders were contacted, bids were received from three (3) vendors. Option 1a, for a Diesel Fuel Engine Automated Refuse Packers is not being awarded. It is recommended that Option 1b, for Dual Fuel be awarded with an immediate purchase of nine (9) units to the low responsive and

responsible bidder, Rush Truck Centers Peterbilt. The Air District staff has advised Environmental Services Department that they will recommend to the Board reallocation of the remaining Carl Moyer Funds in the amount of approximately \$200,000 to the City for factory installed Dual Fuel Engines. The acquisition of these nine (9) additional dual fuel packers will expand the alternative fuel fleet from 54 to 63 heavy duty packers, over 40 percent of the refuse packer fleet. Additionally, it is recommended that Option 1c, for LNG Fueled units be awarded, although no units will be purchased immediately. It may be possible to do so if funds become available.

**FISCAL IMPACT:**

It is proposed that the initial acquisition will be financed using the City's Master Lease Program. For Fiscal Year 2001, the estimated payment for estimated sales tax of \$122,000 (rounded) to be cash funded by Equipment Division. For Fiscal Year 2002 - 2006 the approximate annual lease payment is \$371,700.

Frazier/Baldwin/LD

Aud. Cert. 2100009.

FILE LOCATION: PURCHASE

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

ITEM-201: FY 2000 Deappropriation of Fund 41500 Capital Improvement Project Funds.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1403) ADOPTED AS RESOLUTION R-293395

Authorizing the City Auditor and Comptroller to deappropriate an amount not to exceed \$31,218,079 from Fund 41500, Capital Improvement Projects, per the schedule entitled FY 2000 Deappropriations Fund 41500.

**CITY MANAGER SUPPORTING INFORMATION:**

FY 2000 deappropriations reflect refining previously approved budgets to meet actual FY 2000 needs. Funds are not being expended this fiscal year and will be reappropriated in future fiscal years to correspond with project schedules and meet requirements of bond funding.

**FISCAL IMPACT:**

Previously approved appropriations in Fund 41500 will be reduced by \$31,218,079.

Belock/Gardner/MAH

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

ITEM-202: Transfer of Funds to Annual Allocation - Water Main Replacements.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1409) ADOPTED AS RESOLUTION R-293396

Authorizing the City Auditor and Comptroller to transfer \$1,505,463 from Water Fund 41500, CIP-73-246.0, Mid-City Pipeline Improvements, to Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacements, for in-house engineering, city force and outside as-needed engineering costs required for sub-CIP projects with construction to begin in FY 2001 or later.

**CITY MANAGER SUPPORTING INFORMATION:**

This annual allocation provides for replacing water mains at various locations with the City. Water mains are replaced because they are in a deteriorated condition or are undersized. The

existing cast iron system is either approaching or has exceeded its expected life of 40 years. This transfer will cover the initial in-house engineering, city force and outside as-needed engineering costs required for sub CIP projects with construction scheduled to begin in FY 2001 or later.

**FISCAL IMPACT:**

Funds are available from Water Fund 41500, CIP-73-246.0, Mid City Pipeline Improvements.

Belock/Gardner/KAR

Aud. Cert. 2001161.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

ITEM-203: Ballpark and Redevelopment Project - Amendment.  
(Centre City East Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1602) TRAILED TO TUESDAY, JUNE 27, 2000.

Authorizing the execution of a second amendment to the agreement with A.G. Edwards for financial advisory services;

Authorizing the expenditure of an amount not to exceed \$282,500 from the Ballpark Project Fund 102214 for the purpose of providing funds for the above project.

**CITY MANAGER SUPPORTING INFORMATION:**

The City desires to amend the agreement with A.G. Edwards to increase total expenditures for financial services relating to the Ballpark and Redevelopment Project by \$282,500. These additional expenditures include \$245,000 for fees and \$37,500 for expenses. Of this \$282,500 increase in total expenditures, \$260,000 will be allocated to A.G. Edwards and \$22,500 to Kitahata and Company. The need for these additional financial advisory resources stems from the complex nature of the financing for the Ballpark Project.

**FISCAL IMPACT:**

The amended agreement between the City and A.G. Edwards will increase total expenditures to a not to exceed amount of \$525,000 for fees and \$72,500 for expenses for a total contract amount of \$597,500. Funds are currently available in the Entertainment/Sports Center - Ballpark Project Fund. Total fiscal impact for this action is \$282,500. Total costs for these services will be paid out of the Entertainment/Sports Center - Ballpark Project Fund.

Frazier/Vattimo/ELK

Aud. Cert. 2001240.

FILE LOCATION: NONE.

COUNCIL ACTION: (Tape location: A034-063.)

Trailed to Tuesday, June 27, 2000.

Motion by Mathis to place this item on the Closed Session Agenda of Tuesday, June 27, 2000. Second by Warden. Passed. Yeas: 1,2,3,4,5,8,9,M. Nays: 7. Not present: 6.

ITEM-204: Agreement between the City of San Diego and Rob Hagey Productions, Inc.

(See City Manager Report CMR-00131. Gaslamp Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1610) ADOPTED AS RESOLUTION R-293397

Authorizing the execution of an agreement with Rob Hagey Productions, Inc., to conduct the "Street Scene" event.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

ITEM-205: Agreement with the Metropolitan Transit Development Board for Operation of Public Transit Services.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1604) ADOPTED AS RESOLUTION R-293398

Authorizing the City Manager to execute an agreement with the Metropolitan Transit Development Board for operation of public transit services in the City of San Diego.

**CITY MANAGER SUPPORTING INFORMATION:**

On July 1, 1985, the City of San Diego and the Metropolitan Transit Development Board (MTDB) entered into an agreement for the operation of public transit services within the City of San Diego. The five-year agreement was renewed in FY 1990 and again in FY 1995. A provision of the existing agreement states that the MTDB shall advise the City, at least annually, of all changes in routes, fares, frequency of service, costs of service, and availability of funds. Each year, in compliance with this provision, the MTDB has submitted to the City a specially prepared Annual Report of Transit Service in the City of San Diego. The MTDB is proposing that this annual report be replaced with provision of the annually adopted Short-Range Transit Plan. The existing agreement between the City of San Diego and the MTDB expires on July 1, 2000, and needs to be renewed. As part of this renewal, the MTDB proposes minor

revisions to the agreement. Revisions in Sections 2, 3, and 5 would provide that, rather than supplying a special annual report to the City of San Diego, including changes in routes, fares, frequency of service, costs of service, and availability of funds, the MTDB would provide the City with the current-year adopted Short-Range Transit Plan (SRTP). Attachments of such data as of the date of the agreement's execution would also be deleted. The SRTP contains all of the previously required data and documentation and would provide a more adequate summary of public transit activities within the City of San Diego. Provision 11, relating to insurance levels, has also been modified to delete references to 1994-1995 insurance coverage to reflect insurance amounts to be determined by the MTDB from time to time.

**FISCAL IMPACT:** None with this action.

Loveland/Goldberg/MR

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: C151-156.)

**MOTION BY MCCARTY TO ADOPT.** 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.

ITEM-250: Settlement of the Personal Injury Claim of Persida Drakulich.

(R-2000-1412)

Adopted as Resolution R-293152.

A Resolution approved by the City Council in Closed Session on Tuesday, May 16, 2000, by the following vote: Mathis-yea; Wear-yea; Kehoe-yea; Stevens-yea; Warden-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$60,000 in the settlement of each and every claim against the City, its agents and employees, in Claim AP99-0512-3536, Persida Drakulich, for the settlement of a personal injury claim resulting from an automobile accident which occurred on February 5, 1999;

Authorizing the City Auditor and Comptroller to issue one check in the amount of \$60,000 made payable to the Client Trust Account of Nicholas J. Drakulich, Esq., in full settlement of all claims in this matter.

Declaring that said settlement of \$60,000 is payable from Fund No. 81140, Department 81140, Object Account 4821 and Job Order 08114.

Aud. Cert. 2001131.

ITEM-251:

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 November 7, 2000 election:

| <u>DAY</u> | <u>DATE</u> | <u>DAYS<br/>BEFORE<br/>ELECTION</u> | <u>EVENT</u>   |
|------------|-------------|-------------------------------------|--|
| Friday     | 5/26/00     | 165                                 | LAST DATE (10:00 a.m.) for public to submit ballot proposals to City Clerk for review by Rules Committee                               |
| Monday     | 6/5/00      | 155                                 | Rules Committee review   |
| Tuesday    | 6/13/00     | 147                                 | LAST DATE for City Manager, department or other public agency to submit ballot proposals to City Clerk for placement on Council Docket |
| Monday     | 6/19/00     | 141                                 | Council Docket (PUBLIC NOTICE) lists proposals referred by Rules Committee   |

|          |         |     |   |
|----------|---------|-----|---|
| Monday   | 6/26/00 | 134 | Council adopts propositions for ballot; directs City Attorney to prepare ordinances |
|          | through | to  |   |
| Monday   | 7/24/00 | 106 |   |
| Monday   | 7/31/00 | 99  | Council adopts ordinances prepared by City Attorney                                 |
| Friday   | 8/11/00 | 88  | Last day for City Clerk to file with Registrar of Voters all elections material     |
| Thursday | 8/24/00 | 75  | Last day to file ballot arguments with City Clerk                                   |

If you have questions, please contact the Office of the City Clerk at 533-6476.

**ITEM-252: Ballot Proposals Referred to the City Council by Rules Committee.**

On June 5, 2000, four proposals, submitted in accordance with Council Policy 000-21, were reviewed by the Rules Committee and referred to the City Council for possible placement on the ballot for the November 7, 2000 General Election. The four proposals listed below will be docketed for consideration by the Council between June 26, 2000 and July 24, 2000.

- A. Ballot proposal to amend the City Charter submitted by the Charter Change Committee and the Committee of 2000.
- B. Ballot proposal submitted by Citizens in Action for Local Libraries to adopt The People's Library Budget Ordinance.
- C. Ballot proposal submitted by LandGrant Development regarding increasing the height limitation in the Coastal Zone for the International Gateway of the Americas project.
- D. Ballot proposal submitted by the Select Committee on Government Efficiency & Fiscal Reform regarding amendments to the City Charter regarding the Personnel director and the Civil Service Commission.

If you have questions, please contact the Office of the City Clerk at 533-4025.

\* ITEM-S400: Naming the University Avenue Bridge Deck Over I-15 “City Heights Transit Plaza.”

(City Heights Community Area. District-3.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1621) ADOPTED AS RESOLUTION R-293399

Naming the University Avenue bridge deck over the I-15 freeway “City Heights Transit Plaza”;

Designating the City Heights Transit Plaza as a transit hub that will handle a larger number of vehicles, mass transit, park and ride activities, and pedestrians for Mid-City.

**CITY MANAGER SUPPORTING INFORMATION:**

The "City Heights Transit Plaza" is on the University Avenue bridge over I-15 and is a major intersection that will handle a larger number of vehicles, mass transit, park & ride activities and pedestrians for Mid-City. To increase awareness of this vital link in the Mid-City transportation system, CalTrans will work with the City to place directional signs on the freeway at no cost to the City, subject to Council approval of this designation prior to July 15, 2000. The City Heights Business Improvement Association supports this action as a means to establish the transit hub and mitigate the impacts of the I-15 freeway.

**FISCAL IMPACT:**

Fiscal impact is minimal. Funds are budgeted within the Transportation Department, Traffic Engineering Division's operating fund for this purpose. All capital costs to be borne by CalTrans.

Belock/Gonzalez/AH

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

- \* ITEM-S401: Award of \$150,000 for Planning and Implementing Strategies in the Mid-City Community Prosecution Project.

**CITY ATTORNEY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1617) ADOPTED AS RESOLUTION R-293400

Authorizing the City Attorney to accept and expend a \$150,000 Grant from the U.S. Department of Justice Programs, for Planning and Implementing Strategies in the Mid-City Community Prosecution Project, under the terms and conditions outlined in a letter dated May 25, 2000 to the Attorney from Acting Assistant Attorney General Mary Lou Leary.

**SUPPORTING INFORMATION:**

This project is funded through the FY 1999 solicitation Awards for Planning and Implementing Strategies in Community Prosecution. This award to the San Diego City Attorney's Office is for the implementation of a new Community Prosecution Project.

The City Attorney's Office will build on its existing efforts with the Mid-City community of San Diego. Mid-City is a diverse, urban environment with a high crime rate, particularly misdemeanor offenses. The City Attorney's Office, the San Diego Police Department, and Mid-City community members are working together to address these quality-of-life issues in this neighborhood. Currently, the Mid City Community Court Project, also partially funded by BJA, is one vehicle for change in this neighborhood. Under this Community Prosecution Grant, an attorney would be added to the Neighborhood Prosecution Team within the City Attorney's Office to work specifically to identify and to resolve Mid-City issues along with the San Diego Police Department, the Community Court Coordinator, the Community Court Steering committee, and with Mid-City residents.

**FILE LOCATION:** MEET

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

ITEM-S402: Hearing on Debarment of Southern California Underground Contractors, Inc.

(Continued from the meeting of June 20, 2000, Item 342, at the request of the City Manager, to give Southern California Underground Contractors a chance to go through information and prepare a response.)

NOTE: Hearing open. No testimony taken on 6/20/2000.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1561 Cor. Copy)      ADOPTED AS RESOLUTION R-293401

Debarment of Southern California Underground Contractors, Inc.

FILE LOCATION:              MEET

COUNCIL ACTION:              (Tape location: B017-C150.)

MOTION BY STEVENS TO ADOPT THE RESOLUTION ACCEPTING THE RECOMMENDED FINDINGS TO DEBAR PERMANENTLY SOUTHERN CALIFORNIA UNDERGROUND CONTRACTORS, INC., AND ITS AFFILIATES BASED UPON THE FINDINGS OF FACT SET FORTH IN THE CITY MANAGER'S REPORT NUMBER CMR-00-132, ITS ATTACHMENTS, AND EVIDENCE SUBMITTED AT THIS PUBLIC HEARING, WHICH REFLECT CORRUPT PRACTICES INVOLVING ADMINISTRATION OF CITY CONTRACTS. 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-yea.

ITEM-S403: Authorizing the expenditure of \$3.80 million from the Ballpark Major Facility Fund for the purpose of additional interim funding for SVERDRUP Civil, Inc. for continued design and construction services for City-related expenses associated with the Ballpark Infrastructure Project, contingent upon approval of the FY 2001 Budget.

(Centre City Redevelopment Project. Districts-2 and 8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1627)            TRAILED TO TUESDAY, JUNE 27, 2000.

Authorizing the expenditure of an amount not to exceed \$3.8 million in additional interim funding for SVERDRUP Civil, Inc. for continued design and construction

services for City-related Project expenses, contingent upon the approval of the Fiscal Year 2001 Budget;

Authorizing the City Auditor and Comptroller to expend the sum of \$3.8 million from Fund 102214, Ballpark Major Facility Fund, said fund to be reimbursed upon the City obtaining permanent financing for the project;

Authorizing the City Manager and City Auditor and Comptroller to take such actions as are necessary and appropriate to implement the purposes and intent of this resolution provided that such actions are otherwise consistent with the MOU, and do not commit the City to any expenditure of funds in excess of expenditures previously authorized and authorized by this resolution;

Declaring that consistent with Section XXXIII A of the MOU, the City Council reaffirms and reserves to the City the right to determine that the terms of any City or Agency funding or financing, whether interim or permanent, must be reasonably acceptable to the City, which terms include, but are not limited to, the status of sources of revenue to pay for the funding or financing, and any other matter which may affect the City's financing not only of the Project but of any other current or future City project.

**CITY MANAGER SUPPORTING INFORMATION:**

On December 14, 1999, the City Council authorized the City Manager to execute a phase funded agreement with SVERDRUP Civil, Inc. for Design/Construction Management services for the Ballpark Infrastructure Project and to expend \$6,390,000 for Phase 1 of the contract.

Approval of this action would authorize the expenditure of \$3,800,000 from the Ballpark Major Facility Fund for the purpose of additional interim funding for SVERDRUP, Civil, Inc. for continued design and construction services for City-related expenses associated with the Ballpark Infrastructure Project, contingent upon approval of the FY 2001 Budget.

These funds would be used in order to continue progress on the Ballpark infrastructure Project and specifically for the following purposes:

(1) Demolition and site remediation of the East Village Square (Park in the Park) properties - building and street demolition to prepare site, including the Park in the Park area;

(2) Demolition and site remediation of the Ed Plant property - between 8th and 9th and south of Imperial, this block is north of Harbor Drive and would become part of the southern

alignment of the new Park Boulevard. The northwest portion of the block is within the Ballpark footprint;

(3) Design of the new Park Boulevard - includes the new diagonal from 12th to Harbor Drive, as well as construction of the traffic circle, and realignment and design of the existing railroad tracks at 8th and Harbor;

(4) Purchase of younger trees to allow for a growing period, which is more cost effective than purchasing mature trees; and

(5) Demolition and remediation of the SDG&E warehouse property - at the northeast corner of 10<sup>th</sup> and L. The southern third of this block is in the northern portion of the new Park Boulevard and part of 10th Avenue. The southwest portion of the block is within the Ballpark footprint.

Funds budgeted in the Ballpark Major Facility Fund will be used to fund the above items. These funds will be reimbursed with bond proceeds once permanent financing for the Ballpark Project is obtained.

**FISCAL IMPACT:**

\$3,800,000 in budgeted funds from the Ballpark Major Facility Fund which will be reimbursed with bond proceeds once permanent financing for the Ballpark Project is obtained.

Herring/MCW

Aud. Cert. 2100015.

FILE LOCATION: NONE.

COUNCIL ACTION: (Tape location: A034-063.)

Trailed to Tuesday, June 27, 2000.

Motion by Mathis to place this item on the Closed Session Agenda of Tuesday, June 27, 2000. Second by Warden. Passed. Yeas: 1,2,3,4,5,8,9,M. Nays: 7. Not present: 6.

. \*ITEM-S404: Three actions related to the Final Subdivision Map of Scripps Gateway Unit No. 1.

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

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-1636) ADOPTED AS RESOLUTION R-293402

Authorizing a Subdivision Improvement Agreement with Shea Homes Limited Partnership for the installation and completion of public improvements.

Subitem-B: (R-2000-1635) ADOPTED AS RESOLUTION R-293403

Approving the final map.

Subitem-C: (R-2000-1637) ADOPTED AS RESOLUTION R-293404

Authorizing a Landscape Maintenance Agreement with Shea Homes for the installation and completion of public improvements.

**CITY MANAGER SUPPORTING INFORMATION:**

This map proposes the subdivision of a 23.556 acre site into 55 lots for residential development. It is located east of Interstate 15 and south of Scripps Poway Parkway, in the Miramar Ranch North Community Plan area. On September 29, 1998 the Planning Commission of the City of San Diego approved Planning Commission Resolution No. R-290779.

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. 29668-1-D through 29668-17-D filed in the Office of the City Clerk under Micro Number 140.32. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$2,281,391 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$25,000 as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments.

This subdivision is located in the Miramar Ranch North Cost Reimbursement District No. 4068. The subdivider has paid the full lien (Account No. 72015) in the amount of \$6,386,752. The liens pertaining to this subdivision were released on April 27, 2000. In addition, a Public Improvement Permit No. 8357 is secured with a permit performance bond in the amount of \$838,950 issued for construction of all off-site work associated with this subdivision. The subdivider has submitted a letter 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".

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.

**FISCAL IMPACT:**

None.

Loveland/Haase/GPH

FILE LOCATION: SUBITEMS A,B,C: Subd.-Scripps Gateway Unit No.1.

COUNCIL ACTION: (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\*ITEM-S405: Four actions related to the Final Subdivision Map of Scripps Gateway Unit 4.

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

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2000-1630) ADOPTED AS RESOLUTION R-293405

Authorizing a Subdivision Improvement Agreement with Shea Homes Limited Partnership for the installation and completion of certain public improvements.

Subitem-B: (R-2000-1629) ADOPTED AS RESOLUTION R-293406

Approving the final map.

Subitem-C: (R-2000-1631) ADOPTED AS RESOLUTION R-293407

Authorizing a Landscape Maintenance Agreement with Shea Homes for the installation and completion of certain public improvements.

Subitem-D: (R-2000-1632) ADOPTED AS RESOLUTION R-293408

Approving the acceptance of a grant deed of Shea Homes Limited Partnership, granting to the City Lot 261 of Scripps Gateway Unit No. 4 for open space purposes.

**CITY MANAGER SUPPORTING INFORMATION:**

This map proposes the subdivision of a 68.467 acre site into 155 lots for residential development. It is located east of Interstate 15 and south of Scripps Poway Parkway in the Miramar Ranch North Community. On September 29, 1998 the City Council of the City of San Diego approved Planned Industrial/Planned Commercial/Planned Residential/Hillside Review Permit No. 92-0466 by Resolution R-290780 for Scripps Gateway.

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 No. 29814-1-D through 29814-16-D and 29814-18-D through 29814-19-D, filed in the Office of the City Clerk under Micro Number 140.28. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$3,390,968 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$40,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Miramar Ranch North Community Plan area and is within a Public Facilities Financing Plan which provides for the payment of an assessment for public facilities. 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." 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. Lot 261 is being deeded to the City at no cost as a condition of Tentative Map approval. The lot totals 25.174 acres in size. No park fee credit is being granted by this action. The lot is to be used for open space purposes.

**FISCAL IMPACT:**

None.

Loveland/Haase/LH

**FILE LOCATION:** SUBITEMS A,B,C: Subd.-Scripps Gateway Unit #4  
SUBITEM D: DEED F-7797

**COUNCIL ACTION:** (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

\*ITEM-S406: Building Restricted Easement Abandonment - Scripps Ranch North Unit No. 17.

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

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-1634)            ADOPTED AS RESOLUTION R-293409

Vacating an unneeded building restricted easement located within Lots 144 through 154 of Scripps Ranch North Unit No. 17, Map-13392, under the summary vacation of public easements by City Council resolution where the easement is no longer required.

**CITY MANAGER SUPPORTING INFORMATION:**

This action is necessary to meet the requirements of Scripps Gateway Unit No. 4, TM-92-0466, which is located to the north of Scripps Ranch North Unit No. 17. The Building Restricted Easement was originally acquired to create additional setback for brush management needed for fire protection. The development of Scripps Gateway Unit No. 4 precludes the need for brush management along the common subdivision line. Staff recommends approval.

**FISCAL IMPACT:**

None.

Loveland/Haase/BNM

FILE LOCATION:            DEED F-7798

COUNCIL ACTION:            (Tape location: A453-B016.)

CONSENT MOTION BY WEAR 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-yea.

NON-DOCKET ITEMS:

NONE.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 6:04 p.m. in honor of the memory of:

Ryan-Bao T. Le as requested by Mayor Golding; Edwin Peterson as requested by Charles G. Abdelnour; and Barbara MacDonald as requested by Council Member Kehoe.

FILE LOCATION:                      AGENDA

COUNCIL ACTION:                      (Tape location: F292-F334).