

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JULY 17, 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 Chairperson Wear at 2:11 p.m. Deputy Mayor Mathis announced that Council was not prepared to discuss Item 207, pertaining to the Brown Field Airport in Executive Session, and that the matter will be scheduled for Council action sometime after July 31, 2000. Deputy Mayor Mathis adjourned the meeting at 7:47 p.m.

ATTENDANCE DURING THE MEETING:

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

(7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Abdelnour (ew)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor Golding-not present

(1) Council Member Mathis-present

(2) Council Member Wear-present

(3) Council Member Kehoe-present

(4) Council Member Stevens-present

(5) Council Member Warden-present

(6) Council Member Stallings-present

(7) Council Member McCarty-present

(8) Council Member Vargas-present

ITEM-10: INVOCATION

Invocation was given by Pastor Ted C. Johns of First Lutheran Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Kehoe.

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS: APPROVED

Approval of Council Minutes for the meetings of:

6/12/2000 Adjourned

6/13/2000 Adjourned

6/19/2000

6/20/2000

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A030-038.)

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

ITEM-31: Proclaiming July 2000 to be "National Park and Recreation Month" in San Diego.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-18) ADOPTED AS RESOLUTION R-293426

Proclaiming the month of July 2000 to be "Park and Recreation Month" and commending the Park and Recreation Department for enriching the lives of our citizens through quality parks and programs.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A257-338.)

MOTION BY KEHOE TO ADOPT. 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-not present.

ITEM-32: Centro Cultural de la Raza Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1691) ADOPTED AS RESOLUTION R-293427

Recognizing the efforts of the Centro Cultural de la Raza over the past 30 years to
fulfill its mission of creating, promoting and preserving the arts and culture of the
Chicano, Mexicano and indigenous communities in San Diego;

Proclaiming June 30, 2000 to be "Centro Cultural de la Raza Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A039-338.)

MOTION BY KEHOE TO ADOPT. 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-not present.

ITEM-33: Lesbian and Gay Pride Week.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1692) ADOPTED AS RESOLUTION R-293428

Recognizing the many civic contributions of the lesbian, gay, bisexual, and transgender community in San Diego, and encouraging all people to share in the pride of our City's diverse citizenry;

Proclaiming the week of July 17 to 23, 2000, to be "Lesbian and Gay Pride Week" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A101-338.)

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

ITEM-34: Recognition and Presentation of Prosecutor of the Year 1999 Award.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1671) ADOPTED AS RESOLUTION R-293425

Recognition and presentation of Prosecutor of the Year 1999 Award.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A150-338.)

MOTION BY KEHOE TO ADOPT. 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-not present.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comments by Don Stillwell stating that the City of San Diego has approximately 11,000 employees and that he is guessing conservatively that the income taxes withheld from the employees wages would exceed \$50 million per year. He requested that the City of San Diego stop withholding taxes on employees and that they return this \$50 million to their employees.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A339-371.)

PUBLIC COMMENT-2:

Comments by Harriet Steele stating that San Diego has allowed the people who live in De Anza to form a close community. She further stated that the elderly, disabled and low income citizens have a very caring community of neighbors.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A372-401.)

PUBLIC COMMENT-3:

Comments by Gary Marchinke regarding the letter from William Griffith to the City Council stating that "... the City does not really need a tall fence at Lake Murray because the existing problem has never resulted in a lawsuit." Mr. Marchinke further stated that since no one has been injured or killed at Lake Murray, the golf balls will continue to fly over the useless six-foot fence and that people will continue to live in fear.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A402-429.)

PUBLIC COMMENT-4:

Comments by Derek Casady stating that under his proposal, if a person wanted to run for City Council, they would go out and get a specified number of \$5 contributions, turn them into City Hall, and then be given a debit card for \$50,000 to run their campaign. Voters can decide if they want a privately or publicly funded candidate. If the publicly funded candidate won, they would be beholden to the public and the money from public funding would come from the general fund. He further stated that public funding has been voted in some states.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A430-459.)

PUBLIC COMMENT-5:

Comments by Jim Baross regarding the new Highway 56 and the new facilities along Highway 56 that are to safely and conveniently provide for bicycle and other non-motorized transportation. He stated that now, for a lack of a minuscule portion of the total cost of the new freeway, the City will be giving up \$1.2 million of SANDAG funding and will provide an at-grade crossing for non-motorized transportation. He further commented that the Union Tribune article about the Mayoral Candidate was not completely accurate. Judge Murphy actually said that Sorrento Valley Road should be kept closed to motor vehicles, not closed completely and urged that Council keep it closed to cars.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A460-494.)

PUBLIC COMMENT-6:

Comments by Barbara McKenzie regarding the article in Saturday's Union Tribune on identifications for medical marijuana issued in San Francisco. She further stated that with \$25 and a doctor's note, sick people can get an official City identification card entitling them to use medicinal marijuana.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A495-533.)

PUBLIC COMMENT-7:

Comments by Steve McWilliams regarding a letter from the Office of the Chief of Police dated July 7, 2000 stating that on June 16, 2000, Mr. McWilliams requested that the Police Department take a crime report and that he was listed as a victim and Barbara McKenzie was listed as a co-victim. The letter further read that Mr. McWilliams alleged that City Attorney Casey Gwinn failed to properly direct the San Diego Police Department regarding the enforcement policies for medicinal marijuana. Mr. McWilliams further alleged that Casey Gwinn was guilty of conspiracy and obstruction of justice regarding his action involving enforcement of the recent marijuana initiative Proposition 215. Mr. McWilliams further read that Assistant Chief Steve Creighton had reviewed the report and had spoken to the Attorney General's Office, and that it is Assistant Chief Creighton's opinion that the allegations as stated, even if true, would not be a criminal matter for this department to investigate and accordingly no further action on this matter is anticipated. Mr. McWilliams commented that he disagrees with the findings of the Police Department and believes that the City Attorney's action are not only criminal but also violates the Geneva Convention and Articles of the Declaration of Human Rights and that his actions are crimes against humanity.

City Manager Uberuaga stated that the responsibility, in part, is the District Attorney's Office to come up with local guidelines.

City Attorney Casey Gwinn responded that the issue that has existed since the passage of Proposition 215 is the same all over the state of California, and that is, the conflict between State and Federal Law. Proposition 215 did not provide any specifics for how someone obtains marijuana. The result has been that a small number of jurisdictions, including most recently San Francisco, have moved forward. That option is available to the City of San Diego and is a policy question. There is a legal conflict between Federal Law which does not allow doctors to prescribe marijuana and does not allow the processing of the marijuana for this purpose.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A534-B099.)

PUBLIC COMMENT-8:

Comments by Elissa Schumacher regarding the Garden of Innocence, which was established on May 21, 1999, to provide a proper burial for abandoned children.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B100-127.)

PUBLIC COMMENT-9:

Comments by Melissa Lucero thanking Council Member Vargas and the City Council for approving a red light at 24th and Market Streets in Sherman Heights.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B128-144.)

PUBLIC COMMENT-10:

Comments by Anita Lopez thanking Council Member Vargas and the City Council for the stop light at 24th and Market Streets in Sherman Heights.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B145-177.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Comments by Council Member Warden stating that she and Deputy Mayor Mathis were standing on State Route 56 accepting a check for \$25 million from Senator Dede Alpert and Assembly Members Susan Davis and Howard Wayne for the freeway. She also thanked the communities that surround the areas and who were supportive.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B178-190.)

COUNCIL COMMENT-2:

Comments by Council Member Wear congratulating the Police Department and the Investigative Division for their work in apprehending the alleged perpetrators of the crimes against the encampment individuals.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B191-204.)

COUNCIL COMMENT-3:

Comments by Council Member Vargas thanking Melissa Lucero and Anita Lopez for giving him the beautiful signature piece and for their work. He also thanked the community at large, the San Diego Fire Fighters and Personnel, and the San Diego Police Department for finding the individuals who allegedly beat the migrants.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B205-219.)

* ITEM-50: Del Mar Mesa Specific Plan Amendment.

(Del Mar Mesa Community Plan area. District-1.)

NOTE: The public testimony portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as amended on 6/27/2000.
(Council voted 9-0.):

(O-2000-179 REV.) ADOPTED AS ORDINANCE O-18821 (NEW SERIES)

Approving an amendment to the Del Mar Mesa Specific Plan.

FILE LOCATION: LAND - Del Mar Mesa Specific Plan (10)

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-51: Planning and Development Review Fees.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 6/19/2000. (Council voted 8-0.
Mayor Golding not present.):

(O-2000-188) ADOPTED AS ORDINANCE O-18822 (NEW SERIES)

Adopting and revising selected Development User Fees.

FILE LOCATION: GEN'L - Fees & Charges - Planning and Development Review

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-52: Office Space Lease Amendment - Executive Complex Building.

(Centre City Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 6/19/2000. (Council voted 9-0):

(O-2000-186 Cor.Copy) ADOPTED AS ORDINANCE O-18823 (NEW SERIES)

Authorizing the City Manager to execute an amended lease agreement with Executive One Associates to lease an additional 8,929 square-feet on the 19th floor of the Executive Complex Building at an initial rental rate of \$4,964.86 per month.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: LEAS - Executive One Associates

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-53: Sublease Agreement with California Border Alliance Group.

(Centre City Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 6/19/2000. (Council voted 9-0):

(O-2000-187) ADOPTED AS ORDINANCE O-18824 (NEW SERIES)

Authorizing the City Manager to execute a sublease agreement with California Border Alliance Group.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: LEAS - California Border Alliance Group

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-54: Sale of Surplus Motive Equipment to the City of Tijuana.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2000-189) INTRODUCED, TO BE ADOPTED ON JULY 31, 2000

Introduction of an Ordinance authorizing the sale of surplus motive equipment to the City of Tijuana for \$189,600 and to deposit the funds as follows:
\$119,600 in Fund No. 18759, Revenue Account No. 78349
\$70,000 in Fund No. 50031, Revenue Account No. 78325.

CITY MANAGER SUPPORTING INFORMATION:

The Transportation and the San Diego Police Departments usually dispose of surplus equipment by auction, pursuant to Section 35 of the City Charter. The Charter also allows for the City Council to authorize the disposal of surplus equipment directly to another agency. Prior to the auction of April 29, 2000, the City of Tijuana inspected the available surplus equipment and identified desired equipment. The Transportation and San Diego Police Departments' staff determined fair market value by researching amounts received in previous auctions for similar equipment and checking with the auctioneers for their opinions on value. The requested price for each of the desired pieces of equipment was accepted by the City of Tijuana, which then made a formal offer to purchase the equipment at a total cost of \$189,600. The equipment includes:

<u>Type</u>	<u>Quantity</u>	<u>Price</u>	<u>Total</u>
1989 Ottawa Rogue Packer (#6145) 1988 Crane Carrier Packer (#6210)	2	\$ 18,000	\$ 36,000
1987 Crane Carrier Packer (#811056) 1980 Crane Carrier Packer (#6220)	2	\$ 17,000	\$ 34,000
1995 Crown Victoria Patrol Car	7	\$ 3,000	\$ 21,000
1994 Crown Victoria Patrol Car	30	\$ 3,000	\$ 90,000
1994 Kawasaki Motorcycle	2	\$ 1,200	\$ 2,400
1993 Kawasaki Motorcycle	5	\$ 1,100	\$ 5,500
1990 Kawasaki Motorcycle	1	\$ 700	\$ 700
		TOTAL	\$189,600

The funds are to be deposited as follows: \$119,600 in Fund #1 8759, Revenue Account #78349 and \$ 70,000 in Fund #50031, Revenue Account #78325

Belock/Gonzalez/NG

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-55: Two actions related to Municipal Election: General, November 7, 2000.

CITY CLERK'S RECOMMENDATION:

Introduce and adopt the ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-2000-196) ADOPTED AS ORDINANCE O-18825 (NEW SERIES)

Introduction and adoption of an Ordinance calling a Municipal General Election in the City of San Diego on Tuesday, November 7, 2000.

Subitem-B: (R-2000-1660) ADOPTED AS RESOLUTION R-293429

Adoption of a resolution requesting the consolidation of a Municipal General Election to be held in the City of San Diego on November 7, 2000 with the Statewide General Election to be held on the same date.

SUPPORTING INFORMATION:

This is to request that the City Council adopt an ordinance calling the Municipal General Election and a resolution requesting the consolidation of this election with the Statewide General Election to be held on November 7, 2000. The Municipal General Election will be held for the purpose of conducting elections for Mayor and Councilmembers for Districts 1, 3, 5 and 7, as well as any propositions the Council approves for placement on the ballot. The resolution requesting consolidation includes a request for the services of the Registrar of Voters. The estimated cost of this election, including ballot proposals, is \$600,000.

Abdelnour

Aud. Cert. 2100028.

FILE LOCATION: Subitems A & B: MEET

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-100: Two actions related to Awarding a Construction Contract to 3-D Enterprises for the Construction of Founders Plaza.

(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1674) ADOPTED AS RESOLUTION R-293430

Awarding a contract and accepting the low bid from 3-D Enterprises, for the construction of Founders Plaza in the amount of \$95,126, pending receipt of donation;

Authorizing the City Manager to accept a \$25,000 grant in addition to the previous donation of \$225,000, Resolution R-292546, from Mary Elizabeth North and Mary Gaylord North Family Trust for the construction of the Founders Plaza; Authorizing the City Manager to execute the charitable donation agreement described in Resolution R-292546, as modified to increase the total cost of all contracts and related costs not to exceed \$250,000;

Authorizing the expenditure of \$67,000 from Transient Occupancy Tax, CIP-21-834.0, Fund No. 102244, for Founder's Plaza;

Authorizing the City Auditor and Comptroller to increase the appropriation of CIP-21-834.0 Balboa Park/Mission Bay Park Requirements, Founders Plaza, by \$317,000 which consists of the \$250,000 North family trust donation and \$67,000 from Transient Occupancy Tax;

Authorizing the expenditure of \$317,000 from CIP-21-834.0, Balboa Park/Mission Bay Park Requirements, Founder's Plaza, for the purpose of executing a construction contract and related expenses, and authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Subitem-B: (R-2000-1690) ADOPTED AS RESOLUTION R-293431

Certifying that the information contained in Negative Declaration LDR-99-035, dated 11/15/99, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Declaration reflects the independent judgement of the City as Lead Agency and that the information contained, together with any comments received during the public review process, has been reviewed and considered by the Council in connection with approval of authorizing additional funds for the completion of the construction of Founders Plaza.

CITY MANAGER SUPPORTING INFORMATION:

Mary Elizabeth North and Mary Gaylord North have generously donated their time, talent and money to Balboa Park and its Museums over the years. In the recent past the Norths have donated approximately \$485,000 for the reconstruction of the fountain in the Plaza De Panama, the San Diego Historical Society, and the Reuben H. Fleet Space Theater and Science Center. In a continuation of their efforts, last year, the Mary Elizabeth North and Mary Gaylord North Family Trust has generously offered to donate \$225,000 for the design and construction of Founders Plaza.

However, due to the increase in project cost, the donor agreed to fund an additional \$25,000 toward the project. The total amount of contribution from the Mary Elizabeth North and Mary Gaylord North Family Trust for this project is now \$250,000.

Founders Plaza will contain three life size bronze statues of some of the founders of Balboa Park. Statues of Ephraim W. Morse, Alonzo E. Horton, and George W. Marston will be placed in positions that demonstrate their roles in the development of Balboa Park. In addition, a

description of who these men were, and how they contributed to the creation of Balboa Park will be provided at the Plaza. Founders Plaza will be located in the west mesa of Balboa Park on the northwest corner of El Prado and Balboa Drive in Balboa Park. In addition to the three statues, the Plaza will contain walkways, landscaping, seating walls, and a small lily pond. The proposed development has been unanimously approved by the Park and Recreation Board and its subcommittees.

FISCAL IMPACT:

Construction and design costs for the Plaza will be paid from the \$250,000 donation to be deposited in Fund No. 63022, for this purpose. The donation is contingent on the Norths reviewing and accepting the construction drawings, the construction contract, the consultant agreement, and the artist agreements. The \$67,000 contribution by the City is from the Transient Occupancy Tax.

Loveland/Belock/AXO

Aud. Cert. 2001228.

FILE LOCATION: Subitems A & B: CONT - 3-D Enterprises

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-101: Two actions related to Crawford Street Final Map and Subdivision Improvement Agreement.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1680) ADOPTED AS RESOLUTION R-293432

Authorizing the City Manager to execute a Subdivision Improvement Agreement with Crawford Street Partners, LLC, for the installation and completion of certain public improvements in the subdivision to be known as Crawford Street Subdivision.

Subitem-B: (R-2000-1679) ADOPTED AS RESOLUTION R-293433

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 1.72 acre site into 10 lots for residential development. It is located northwesterly of the intersection of Crawford Street and Tobey Street in the Navajo Community Plan area. On December 16, 1999 the Planning Commission of the City of San Diego approved Planning Commission Resolution No.

R-2900PC MMRP for Crawford Street Subdivision and Tentative Map and Resource Protection Ordinance Permit No. 99-0393. The public improvements required for this subdivision are shown in detail on Drawing Nos. 30371-1-D through 30371-8-D, filed in the Office of the City Clerk under Micro Number 140.33. All improvements are to be completed within two years.

The Engineer's estimate for the cost of public improvements is \$242,869 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$2,560, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. Park fees in the amount of \$1,000 have been paid. This subdivision is located in Park Service District No. 11.382. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued.

FISCAL IMPACT:

None.

Loveland/Haase/GB

FILE LOCATION: Subitems A & B: SUBD - Crawford Street (40)

COUNCIL ACTION: (Tape location: B420-C099.)

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

- * ITEM-102: Three actions related to Scripps Gateway Unit No. 2 Final Map, Subdivision Improvement Agreement and Related Items.

(This is a 9-lot subdivision. Miramar Ranch North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1655) ADOPTED AS RESOLUTION R-293434

Authorizing the City Manager to execute a Subdivision Improvement Agreement with Shea Homes Limited Partnership, a California Limited Partnership, for the installation and completion of certain public improvements in the subdivision to be known as Scripps Gateway Unit No. 2.

Subitem-B: (R-2000-1654) ADOPTED AS RESOLUTION R-293435

Approving the final map.

Subitem-C: (R-2000-1656) ADOPTED AS RESOLUTION R-293436

Authorizing the City Manager to execute a Landscape Maintenance Agreement with Shea Homes, a California Corporation, for the installation and completion of certain public improvements in the subdivision to be known as Scripps Gateway Unit No. 2.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 35.165 acre site into 9 lots for industrial development. It is located south of Scripps Poway Parkway, between Scripps Highland Drive and Interstate 15 in the Miramar Ranch North Community. On September 29, 1998 the Council of the City of San Diego approved City Council Resolution No. R-290779 for Scripps Gateway (T.M. 92-0466).

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. 29717-1-D through 29717-10-D, filed in the Office of the City Clerk under Micro Number 140.34. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$ 655,780 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$6,000, 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 which has a Public Facilities Financing Plan which provides for the payment of an assessment for public facilities. 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.

Culbreth-Graft/Haase/DH

FILE LOCATION: Subitems A, B & C: SUBD-Scripps Gateway Unit No. 2
(40)

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-103: Landscaping Easement Vacation.

(Mount Hope Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-710) ADOPTED AS RESOLUTION R-293437

Vacating the landscaping easement located within the Mount Hope Community Area, in Parcel 2 of Parcel Map No. PM-17557, Drawing No. 19085-B.

CITY MANAGER'S RECOMMENDATION:

City Council action is requested to vacate all of the landscaping easements in Parcel 2 as granted on Parcel Map PM-17557. The location of the project is in the area of Mount Hope at the northwest of Market Street and Gateway Center Drive. The existing easements are in use for landscape maintenance purposes on slopes surrounding the existing Costco Wholesale Store on this site. Costco is remodeling their store, and has received demolition, grading, and building permits for their new development. The new store will include additional parking which conflicts with the location of the existing easements. New landscaping easements have been granted in different locations for the project.

The easements to be vacated were acquired at no cost to the City. Staff recommends approval.

FISCAL IMPACT:

None. All costs are paid by the applicant.

Culbreth-Graft/Haase/AA

FILE LOCATION: DEED F-7807

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-104: Revesting Building Rights Relinquished in Parcel 2 of Parcel Map PM-18375.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1661 Cor.Copy) ADOPTED AS RESOLUTION R-293438

Authorizing the revestment of Building Rights relinquished in Parcel 2 of Parcel Map PM-18375, as shown on Drawing No. 19173-B.

CITY MANAGER SUPPORTING INFORMATION:

City Council action is requested to revest Building Rights restrictions within Parcel 2 of Parcel Map PM-18375. This is the site of the Scripps Ranch Marketplace commercial center project, TM-95-0565. Staff review of this project has determined that this restriction is no longer needed due to design changes. The area of revestment is shown on City of San Diego Drawing 19137-B. Staff recommends approval.

FISCAL IMPACT:

None.

Loveland/Haase/DH

FILE LOCATION: SUBD- Parcel Map PM-18375 (40)

COUNCIL ACTION: (Tape location: B420-C099.)

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

- * ITEM-105: **Two** actions related to acquisition and vacation of drainage, water and sewer easements and vacation of building restricted easement with acquisition of landscaping easement in Westview Unit No. 2 Map No. 12871 and Westview Unit No. 10 Map No. 12870.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1681) ADOPTED AS RESOLUTION R-293439

Vacating an unneeded drainage easement recorded August 10, 1990 as F/P 90-439280;

Vacating an unneeded drainage easement, water easement, sewer and water easement, sewer easement and building restricted easement located in Lots 70, 71, and 73 of Westview Unit No. 10, Map No. 12870;

Vacating an unneeded sewer, water and drainage easement, sewer easement and water easement and building restricted easement in Lots 35 through 39 of Westview Unit No. 2, Map No. 12871.

Subitem-B: (R-2000-1682 Cor.Copy) ADOPTED AS RESOLUTION R-293440

Accepting a grant deed of Pardee Construction Company, granting to the City sewer, water and drainage easement and drainage easements in Lots 70, 71 and 73 of Westview Unit No. 10, Map No. 12870;

Accepting a grant deed of Pardee Construction Company, granting to the City sewer and water easement, sewer easement and landscaping easement in Lots 35 through 38 of Westview Unit No. 10, Map No. 12871.

CITY MANAGER SUPPORTING INFORMATION:

City Council action is requested to vacate unneeded drainage, water, sewer and building restricted easements within Westview Unit No. 2 Map No. 12871 and Westview Unit No. 10, Map Number 12870. This site was formerly proposed for multi-family units. The P.R.D. was amended to allow a lower density, single-family condominium design. The re-design necessitates an alternate placement of the utilities. Therefore, the existing easements are no longer needed and the new easements are being granted in appropriate locations. The easements are shown on City of San Diego Drawing No. 00013-C. The easements to be vacated were acquired at no cost to the City. The easements being vacated are more than a year old and have never been used. The sale price is equivalent to the cost of processing the documents. Staff recommends approval.

FISCAL IMPACT:

None.

Loveland /Haase/GB

FILE LOCATION: Subitems A & B: DEED F-7808

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-106: Landscape Easement and Building Restricted Easement Abandonment in Parcel 5 of Parcel Map PM-18421.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1622) ADOPTED AS RESOLUTION R-293441

Vacating the landscape and building restricted easement located in Parcel 5 of Parcel Map PM-18421 within the Miramar Ranch North Community, as more particularly shown on Drawing No. 19175-B, and described in the legal description marked as Exhibit "A".

CITY MANAGER SUPPORTING INFORMATION:

City Council action is requested to vacate unneeded Landscaping and Building Restricted Easements within Parcel 5 of Parcel Map PM-18421, that were originally granted on Map 12786. The easements are located on the site of the Village Center North Commercial Center Project T.M. 98-1080 in the Miramar Ranch North Community. Staff review of this project has

determined that these easements are no longer needed. The easements to be vacated are shown on City of San Diego Drawing No. 19175-B. The easements to be vacated were acquired at no cost to the City. Staff recommends approval of the easement vacations.

Loveland/Haase/DH

FILE LOCATION: DEED F-7809

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-107: Three actions related to Washington Street Maintenance Assessment District.

(Mission Hills Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1590) ADOPTED AS RESOLUTION R-293442

Resolution to levy and collect Fiscal Year 2001 assessments.

Subitem-B: (R-2000-1591) ADOPTED AS RESOLUTION R-293443

Approving the City Engineer's report.

Subitem-C: (R-2000-1592) ADOPTED AS RESOLUTION R-293444

Approving the Fiscal Year 2001 Budget for the Washington Street Maintenance Assessment District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 2001 assessments for Washington Street Maintenance Assessment District (District). The District was established in July 1993 to provide maintenance for the landscaping improvements on the Washington Street center islands. For Fiscal Year 2001, the District will maintain 24,804 sq. ft. of medians (13,500 sq. ft. of landscaped medians), 44,000 sq. ft. of landscaped slopes, 1,120 sq. ft. of street trees and 10,000 sq. ft. of hardscape sidewalks. In addition, the District maintains 3,590 linear feet of median gutters.

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>
BEGINNING BALANCE	\$ 0.00	\$ 4,172.00	\$ 4,172.00
REVENUE:			
Assessments	\$ 32,314.00	\$ 0.00	\$ 32,314.00
Interest	0.00	130.00	130.00
City Contribution	<u>1,620.00</u>	<u>0.00</u>	<u>1,620.00</u>
TOTAL REVENUE	\$ 33,934.00	\$ 130.00	\$ 34,064.00
TRANSFER	(810.00)	810.00	0.00
EXPENSE:			
Personnel	\$ 3,222.00	\$ 0.00	\$ 3,222.00
Contractual	22,000.00	0.00	22,000.00
Incidental	5,072.00	0.00	5,072.00
Utilities	<u>2,830.00</u>	<u>0.00</u>	<u>2,830.00</u>
TOTAL EXPENSE	\$ 33,124.00	\$ 0.00	\$33,124.00
ENDING BALANCE	\$ 0.00	\$ 5,112.00	\$ 5,112.00

The proposed assessment for Fiscal Year 2001 is \$14.92 per Equivalent Benefit Unit (EBU). This is an increase of \$3.19 (a 27.2% increase) per EBU from the assessment of \$11.72 per EBU in Fiscal Year 2000. The increased assessment is the maximum authorized by the District. The assessments may be indexed annually by the factor published in the San Diego CPI-U. The District contains 2,165.71 EBU's.

FISCAL IMPACT:

It is proposed that the City contribute a total of \$1,620 from the Gas Fund toward the maintenance of 13,500 sq. ft. of landscaped 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-410-01 (34)

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-108: Three actions related to Penasquitos East Maintenance Assessment District.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1613) ADOPTED AS RESOLUTION R-293445

Resolution to levy and collect Fiscal Year 2001 assessments.

Subitem-B: (R-2000-1614) ADOPTED AS RESOLUTION R-293446

Approving the City Engineer's report.

Subitem-C: (R-2000-1615) ADOPTED AS RESOLUTION R-293447

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

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 2001 assessments for the Penasquitos East Maintenance Assessment District (District). The District was established in 1983 to provide maintenance for seven miles of medians, of which 176,691 square feet contains landscaping and 87 acres of open space.

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>
BEGINNING BALANCE	0.00	\$291,498.00	\$291,498.00
REVENUE:			
Assessments	155,076.00	0.00	155,076.00
Interest	0.00	5,400.00	5,400.00
City Contribution	<u>32,728.00</u>	<u>0.00</u>	<u>32,728.00</u>
TOTAL REVENUE	\$187,804.00	\$ 5,400.00	\$193,204.00
<u>TRANSFER</u>	\$ 7,533.00	(7,533.00)	\$ 0.00
<u>EXPENSE:</u>			
Personal	\$ 19,329.00	0.00	\$ 19,329.00
Contractual	111,000.00	0.00	111,000.00
Incidental	45,083.00	0.00	45,083.00
Utilities	<u>19,925.00</u>	<u>0.00</u>	<u>19,925.00</u>
TOTAL EXPENSE	\$195,337.00	\$ 0.00	\$195,337.00
ENDING BALANCE	0.00	\$289,365.00	\$289,365.00

The proposed assessment for Fiscal Year 2001 is \$11.14 per Equivalent Benefitting Unit (EBU). The assessments may be indexed annually by the factor published in the San Diego CPI-U. This is the same assessment as Fiscal Year 2000. The District contains 13,920.27 EBU's.

FISCAL IMPACT:

It is proposed that the City contribute a total of \$32,728. The Gas Tax Fund will contribute \$21,203 for the maintenance of 176,691 square feet of landscaped medians (\$0.12/sq. ft.) and

the Environmental Growth Fund will contribute \$2,175 for 87 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. Additionally, at the request of the Library Department, the General Fund will contribute \$9,350 for the maintenance of the Rancho Penasquitos Branch Library. All other costs are assessed to the District.

Loveland/McLatchy/SY

FILE LOCATION: Subitems A, B & C: SUBD-M-389-01 (34)

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-109: Rescinding Resolution No. 78313 Adopted on June 8, 1943.

(See memorandum from Councilmember Kehoe dated 6/15/2000.)

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1686) ADOPTED AS RESOLUTION R-293448

Rescinding Resolution No. 78313 adopted on June 8, 1943.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-110: Sidney Cooper Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1675) ADOPTED AS RESOLUTION R-293449

Commending Mr. Sidney Cooper for his years of commitment and service to the City of San Diego;

Proclaiming June 24, 2000 to be "Sidney Cooper Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-111: SR-56 Carmel Valley Restoration Enhancement Project Utility Relocation.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1545) ADOPTED AS RESOLUTION R-293450

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$585,615 within Sewer Fund No. 41506, from CIP-45-934.0, Vector Cleanings Disposal Site, to CIP-43-004.0, Annual Allocation - Freeway Relocation for State Route 56 Carmel Valley Restoration Enhancement Project Utility Relocation;

Authorizing the expenditure of an amount not to exceed \$647,133 from Sewer Fund No. 41506, CIP-43-004.0, Annual Allocation - Freeway Relocation, for State Route 56 Carmel Valley Restoration Enhancement Project Utility Relocation;

Authorizing the Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserve upon advice of the administering department.

CITY MANAGER SUPPORTING INFORMATION:

On June 29, 1992, the City of San Diego and the State of California entered into Utility Agreement No. 29060, City Document No. RR-280239-1, for the construction of approximately 13,300 lineal feet of sewer utilities for the SR-56/Carmel Valley Restoration Enhancement Project (CVREP). The City of San Diego's portion of this project's cost is \$973,150. As part of this agreement, the City initially deposited \$326,017 with the State of California for this construction. An additional \$647,133 is required to cover both the final construction (\$581,489.95) and administration (\$65,634).

FISCAL IMPACT:

The City's share for the total cost of SR-56/Carmel Valley Restoration Enhancement Project (CVREP) is \$973,150 of which \$65,634.05 is for Engineering and Administration and \$907,516 is for Construction. The City previously paid the State of California \$326,017. The remaining \$647,133 is available in Sewer Fund 41506, CIP-45-934.0, Vector Cleanings Disposal Site, to be transferred to Sewer Fund 41506, CIP-43-004.0, Annual Allocation - Freeway Relocation, for this purpose.

Belock/Boekamp/HR

Aud. Cert. 2001195.

WWF-00-422.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B420-C099.)

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

- * ITEM-112: Sewer Pump Station 77 Design Agreement with Brown & Caldwell, Inc.
Amendment No. 2.

(Rancho Bernardo, San Pasqual, Lake Hodges Community Areas. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1638) ADOPTED AS RESOLUTION R-293451

Authorizing the City Manager to execute a second amendment to the agreement of July 14, 1997, with Brown & Caldwell, Inc., for additional design services in connection with Pump Station 77, under the terms and conditions set forth in Amendment No. 2;

Authorizing the expenditure of an amount not to exceed \$188,635 from Fund No. 41506, CIP-46-106.1, Sewer Pump Station Rehabilitations to provide funds for the Amendment No. 2.

CITY MANAGER SUPPORTING INFORMATION:

The City of Escondido's Hale Avenue Resources Recovery Facility (HARRF) treats wastewater from Escondido and Rancho Bernardo. The City of San Diego has an agreement with Escondido to send 5.0 mgd of wastewater to HARRF for treatment. Additionally, the City of San Diego has an agreement for 7.6 mgd of capacity in the Escondido Land Outfall for wastewater discharge. The City of Escondido is currently constructing a water reclamation facility at HARRF. To accommodate water reclamation, the Total Dissolved Solids (TDS) level of the influent wastewater must be significantly reduced. The City of San Diego currently sends high TDS flows to HARRF from two major sources: 1) industrial brine from the Rancho Bernardo area, primarily from Sony, ST Microelectronics, and Unisys, and 2) process brine from the City of San Diego's San Pasqual Water Reclamation Facility.

Prior studies concluded that removal of these brine sources from the sewage collection system prior to treatment at HARRF would effectively reduce the influent TDS levels at HARRF. Taking wastewater flows south into the Metro System would eliminate the need for the City of San Diego's current capacity at HARRF and the Escondido Land Outfall. It would also eliminate the City's need to participate in planned upgrades to the San Elijo Ocean Outfall. This could result in a net cost savings to the City of San Diego if capacity in Escondido's system

could be sold to Escondido. Brown & Caldwell is currently under contract for design services related to the upgrade of Sewer Pump Stations 77A and 77B (Council Resolution No. R-288944, July 14, 1997). Amendment No. 1 to this contract was approved by City Council on March 22, 1999, via Resolution No. R-291390, in the amount of \$86,750, for construction related services. This amendment was funded, but was never executed. MWWD is requesting Amendment No. 2 to Brown and Caldwell's contract for preparation of a Pre-Design Report to determine the cost and feasibility of pumping the Rancho Bernardo area wastewater flows south from Pump Station No. 77 into the Metro System.

FISCAL IMPACT:

The total cost of this action is \$188,635 and funding is available in CIP- 46-106.0, Annual Allocation - Pump Station Restoration.

Belock/Schlesinger/KM

Aud. Cert. 2001253.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-113: Memorandum of Agreement - San Diego Police and Real Estate Assets Departments.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-942) ADOPTED AS RESOLUTION R-293452

Authorizing the execution of a Memorandum of Agreement between the City's Real Estate Assets Department, Airports Division, and the San Diego Police Department, to memorialize the verbal agreement between the two departments, whereby the San Diego Police Department is using City-owned Lots 1, 2 and 3 at Montgomery Field;

Authorizing an interfund transfer not to exceed the minimum amount of \$114,800 per year from Fund No. 10355 to Airports Enterprise Fund No. 41100.

CITY MANAGER SUPPORTING INFORMATION:

Approximately 15 years ago, the City developed Police Eastern and Traffic Divisions partially on City-owned Lots 1, 2 and 3 at Montgomery Field Airport (6.14 acres) which is managed by the City's Real Estate Assets Department, Airport Division. The requested Council action will authorize a Memorandum of Agreement between the San Diego Police Department and the Real Estate Assets Department, Airport Division, to memorialize the verbal agreement between the two Departments, with the same basic agreement that is required of other Airport tenants; and to transfer monies from the Police Decentralization Fund to compensate the Airport Enterprise Fund for the San Diego Police Department's use of the Airport property. The Airport Protection Act of 1996 requires that the Airport Enterprise Fund be fairly compensated for use of Airport land by other City departments and that the funds be used exclusively to benefit the City's Airports.

In Fiscal Year 1998, the City transferred \$447,833.30 from the Police Decentralization Fund to the Airport Enterprise Fund to pay rents due. The current rent to the Airport Enterprise Fund is \$114,800 per year, which represents current market rent as established in a 1996 outside appraisal. The rent will be adjusted periodically by Consumer Price Index increases and outside appraisal. Either Department may cancel this agreement with a 180-day notice and City Manager approval.

FISCAL IMPACT:

A minimum of \$114,800 will be transferred annually from the Police Decentralization Fund to the Airport Enterprise Fund.

Culbreth-Graft/Griffith/DLD

Aud. Cert. 2000757.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B420-C099.)

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

* ITEM-114: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2001-01) ADOPTED AS RESOLUTION R-293453

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

FILE LOCATION: GEN'L-State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: B420-C099.)

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

ITEM-150: Ballot Proposal submitted by Citizens in Action for Local Libraries (CALL) relating to a People's Library Budget Ordinance.

(See letter from Alberta Waggoner, President, CALL, dated 5/8/2000.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2000-1687) ADOPTED AS AMENDED AS RESOLUTION R-293454

Directing the City Attorney to prepare an ordinance calling a Special Election on November 7, 2000 for the voters to consider a ballot measure relating to a People's Library Budget Ordinance.

RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S RECOMMENDATION:

On 6/5/2000 Rules voted 4-1 to move the proposal to full Council consideration without a recommendation. (Councilmembers Mathis, Wear, Warden and Vargas voted yea. Mayor Golding voted nay.)

FILE LOCATION: MEET (63)

COUNCIL ACTION: (Tape location: C151-E096.)

MOTION BY WEAR TO ADOPT THE RESOLUTION TO PLACE THIS ON THE NOVEMBER BALLOT AND DIRECT THE CITY ATTORNEY TO PREPARE OPTIONAL LANGUAGE IF THE CITY ATTORNEY DISCOVERS A LEGAL PROBLEM WITH THE BUDGET ORDINANCE. Second by McCarty. Passed by the following vote: Mathis-nay, Wear-yea, Kehoe-yea, Stevens-yea, Warden-nay, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-151: Ballot Proposal submitted by LandGrant Development regarding increasing the height limitation in the Coastal Zone for the International Gateway of the Americas project in the San Ysidro Redevelopment Project Area.

(San Ysidro Community Area and San Ysidro Redevelopment Project Area. District-8.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2000-1688) ADOPTED AS RESOLUTION R-293455

Directing the City Attorney to prepare an ordinance placing the ballot proposal on the ballot at a Municipal Election consolidated with the next General Statewide Election on November 7, 2000.

**RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S
RECOMMENDATION:**

On 6/5/2000 Rules voted 5-0 to move the ballot proposal to full Council with particulars about the specific properties and heights to be worked out by the City Manager and City Attorney prior to Council consideration. (Councilmembers Mathis, Wear, Warden, Vargas, and Mayor Golding voted yea.)

SUPPORTING INFORMATION:

On May 26, 2000, LandGrant Development of San Diego, California, filed with the City Clerk's Office a ballot proposal pursuant to the requirements of City Council Policy 000-21, regarding the Coastal Zone height restriction (People's Ordinance No. 10960 N.S.). People's Ordinance 10960 N.S. was enacted by the voters as Proposition D on November 7, 1972 limiting the height of buildings in the Coastal Zone. The provisions of San Diego Municipal Code Section 27.2928 requires that "(a)ny initiated legislative act adopted by a majority vote of the voters may be amended or repealed only by a vote of the majority of the voters or by Charter amendment." The Rules Committee on June 5, 2000, considered the request and recommended it be forwarded to the City Council for consideration of inclusion on the next general election ballot. Council must direct the City Attorney to prepare an ordinance placing the proposed measure on the ballot at a special municipal election consolidated with the next general statewide election on November 7, 2000.

The City of San Diego adopted the San Ysidro Community Plan calling for the creation of an "International Gateway" to be located in San Ysidro. In 1996, the San Diego Redevelopment Agency adopted the San Ysidro Redevelopment Plan calling for the implementation of the International Gateway, making it possible to stimulate private investment in this area. In 1998, and subsequently in 2000, LandGrant Development entered into a contract (Disposition and

Development Agreement) with the San Diego Redevelopment Agency, forming a public/private partnership, which will allow for the implementation of the International Gateway, as envisioned by these City plans and policies. Pursuant to the written agreements, together with policies of the City of San Diego and San Diego Redevelopment Agency, this ballot proposal is necessary if the project as contemplated by the parties is to be fulfilled. Specifically, the ballot proposal requests the following: On the approximately 66-acre International Gateway of the Americas property in the San Ysidro Redevelopment Project Area, no more than 5 acres of the property may include buildings or structures or additions to buildings or structures up to 150 feet in height, which would allow for multi-story office/commercial, hotel, conference center, cultural center, parking decks and a new pedestrian bridge connection between the United States and Mexico "signed" with multi-story elements. Of the remaining portion of the property, no more than 5 acres may include buildings or structures or additions to buildings or structures up to 80 feet in height, which would allow for department store retail and/or other multi-story, mixed use retail concepts. Any remaining buildings or structures or additions to buildings or structures on the property shall not exceed 50 feet in height, which would allow for architectural expressions and potential two story elements.

Spehn

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C100-150.)

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

ITEM-152: Ballot Proposal to move the Personnel Director and certain human resource functions from the supervision of the Civil Service Commission to the supervision of the City Manager and creating a Human Resources Department under the supervision of the City Manager.

(See Report from the Select Committee on Government Efficiency and Fiscal Reform dated 5/25/2000.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2000-1673) FAILED

Directing the City Attorney to prepare an ordinance submitting to the qualified voters of the City of San Diego at the November 7, 2000 election a proposition amending the City Charter by moving the Personnel Director from the supervision of the Civil Service Commission to the supervision of the City Manager, creating a Human Resources Department under the supervision of the City Manager, and making other related amendments as set forth in the draft Ordinance.

RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S RECOMMENDATION:

On 6/5/2000 Rules voted 3-1 to move the item on to Council consideration. (Councilmembers Mathis, Wear and Mayor Golding voted yea. Councilmember Vargas voted nay. Councilmember Warden not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E105-F079.)

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

ITEM-153: Three actions related to Water Department Billing and Collection Policies and Fire Hydrant Meter Program.

(See City Manager Reports CMR-00-135, CMR-00-92, CMR-00-93, CMR-00-94.)

TODAY'S ACTION IS:

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

Subitem-A: (R-2000-1669) TRAILED TO JULY 18, 2000

Authorizing the changes to the Water Department Fees and Charges Schedule for Billing and Collections;

Authorizing the changes to the Water Department Fees and Charges Schedule for the Fire Hydrant Meter Program.

Subitem-B: (R-2000-1670) TRAILED TO JULY 18, 2000

Authorizing the City Manager to approve future changes to the fees in the Water Department Fees and Charges Schedule for Billing and Collections;

Authorizing the City Manager to approve future changes to the fees in the Water Department Fees and Charges Schedule for the Fire Hydrant Meter Program.

Subitem-C: (O-2000-194) TRAILED TO JULY 18, 2000

Introduction of an Ordinance amending an Ordinance amending Chapter VI, Article 4, Division 4, of the San Diego Municipal Code; by amending Sections 64.0408 and 64.0409; by amending Chapter VI, Article 7, by adding a new Division 1, titled General Provisions, and by renumbering Section 67.00 to Section 67.0101; by amending and renumbering Section 67.01 to 67.0102; by adding new Sections 67.0103, 67.0104, 67.0105 and 67.0106; by adding a new Division 2, titled Regulation of Water System, and by renumbering Section 67.02 to Section 67.0201; by repealing Section 67.03; by renumbering Section 67.04 to Section 67.0202; by amending and renumbering Section 67.05 to Section 67.0203; by renumbering Section 67.06 to Section 67.0204; by amending and renumbering Section 67.07 to Section 67.0205; by renumbering Sections 67.08 and 67.09 to Sections 67.0206 and 67.0207; by amending and renumbering Sections 67.10, 67.11, 67.12, 67.13, 67.14, 67.15 and 67.16 to Sections 67.0208, 67.0209, 67.0210, 67.0211, 67.0212, 67.0213 and 67.0214; by renumbering Sections 67.17, 67.18, and 67.19 to Sections 67.0215, 67.0216 and 67.0217; by amending and renumbering Sections 67.20, 67.21, 67.22 and 67.23 to Sections 67.0218, 67.0219, 67.0220 and 67.0221; by repealing Section 67.24; by adding a new Section 67.0222; by amending and renumbering Sections 67.25 and 67.25.1

to Sections 67.0223 and 67.0224; by repealing Section 67.26; by amending and renumbering Section 67.27 to Section 67.0225; by repealing Sections 67.28 and 67.29; by amending and renumbering Sections 67.30, 67.31 and 67.32 to Sections 67.0226, 67.0227 and 67.0228; by adding a new Section 67.0229; by renumbering Sections 67.33, 67.34, 67.35 and 67.36 to Sections 67.0230, 67.0231, 67.0232 and 67.0233; by repealing Section 67.37; by adding a new Division 3, titled Water Impounding System, and by renumbering Sections 67.40, 67.40.1, 67.41, 67.42, 67.43, 67.44 and 67.45 to Sections 67.0301, 67.0302, 67.0303, 67.0304, 67.0305, 67.0306 and 67.0307; ITEM-153 (Continued):

Subitem-C (Continued): (O-2000-194) TRAILED TO JULY 18, 2000

by adding a new Division 4, titled Water Main Extension, and by renumbering Sections 67.46, 67.47 and 67.48 to Sections 67.0401, 67.0402 and 67.0403; by amending and renumbering Section 67.48.1 to Section 67.0404; by renumbering Sections 67.49, 67.50, 67.51 and 67.52 to Sections 67.0405, 67.0406, 67.0407 and 67.0408; by amending and renumbering Section 67.52.1 to Section 67.0409; by renumbering Sections 67.53 and 67.70 to Sections 67.0410 and 67.0411; by adding a new Division 5, titled Water Rates and Charges, and by renumbering Sections 67.54 and 67.55 to Sections 67.0501 and 67.0502; by amending and renumbering Section 67.56 to Section 67.0503; by renumbering Section 67.57 to Section 67.0504; by amending and renumbering Section 67.57.1 to Section 67.0505; by renumbering Sections 67.58, 67.59, 67.59.1, 67.60, 67.61 and 67.62 to Sections 67.0506, 67.0507, 67.0508, 67.0509, 67.0510 and 67.0511; by amending and renumbering Sections 67.63 to Section 67.0512; by renumbering Section 67.72 to Section 67.0513; all relating to the Water System.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

Item 1 - Water Department Billing and Collections Policies

On 5/10/2000, NR&C voted 3-2 to accept the recommendations of the City Manager, but to remove the \$8.83 Application for Service Fee from the schedule of fees. The City Manager was directed to return to the Natural Resources and Culture Committee with a report on the institution of a late fee. (Councilmembers Mathis, Stallings, Vargas voted yea. Councilmembers Kehoe and McCarty voted nay.)

Item 2 - Fire Hydrant Program

On 5/10/2000, NR&C voted 4-0 to approve the recommendations of the City Manager.

(Councilmembers Mathis, Stallings, McCarty, and Vargas voted yea. Councilmember Kehoe not present.)

Item 3 - Water Department Billing and Collection Policies and Changes to the Fire Hydrant Program

On 5/10/2000, NR&C voted 3-1 to accept the recommendations of the City Manager. (Councilmembers Mathis, Stallings, and Vargas voted yea. Councilmember McCarty voted nay. Councilmember Kehoe not present.)

Note: Due to the approved motion in Item 1: Water Department Billing Policies, which removed the \$8.83 Application for Service Fee, the proposed Municipal Code revisions in Section 67.32(1) should be revised accordingly.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: H325-334.)

ITEM-154: Reclaimed Water Customer Development and Cost of Service Analysis.

(See City Manager Report CMR-00-95, letter from Mary Quartiano dated 5/10/2000, and letter from Milton J. Phegley dated 5/9/2000.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2000-1598) ADOPTED AS RESOLUTION R-293457

Approving the reclaimed water cost of service study methodology and authorizing the Water Department to negotiate contracts with large customers using the methodology;

Authorizing the Water Department to prepare a long term capital budget in accordance with the recommendations of the Beneficial Reuse Study;

Authorizing the Water Department to negotiate for the sale of reclaimed water to large wholesale and retail customers including, but not limited to Otay Water District; Olivenhain Municipal Water District, Black Mountain Ranch area developers, Marine Corps Air Station at Miramar, San Diego City Schools, and CalTrans;

Authorizing the Water Department to issue a Request for Statements of Qualifications for a public/private partnership to develop a reclaimed water distribution system to maximize the beneficial reuse of reclaimed water produced by the South Bay Reclamation Plant, in the event excess capacity is available;

Authorizing the Water Department to develop a process between the Water Department and Planning and Development Review Department for identifying new developments which are potential reclaimed water customers and to incorporate reclaimed water usage into the project design for the developments.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 5/10/2000, NR&C voted 4-0 to approve the recommendations of the City Manager. (Councilmembers Mathis, Stallings, McCarty, and Vargas voted yea. Councilmember Kehoe not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C100-150.)

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

ITEM-155: Agreement with the Ramona Municipal Water District for Water Exchange.

(See City Manager Report CMR-00-96.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2000-1672) ADOPTED AS RESOLUTION R-293458

Authorizing the execution of an agreement with the Ramona Municipal Water District for water exchange, water storage and water transportation at the City's Sutherland Reservoir.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 5/10/2000, NR&C voted 4-0 to approve the recommendation of the City Manager on consent. (Councilmembers Kehoe, Stallings, McCarty and Vargas voted yea. Councilmember Mathis not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C100-150.)

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

ITEM-200: 4045-4075 First Avenue.

(Continued from the meeting of June 6, 2000, Item 335, at the request of the appellant, for further review.)

Matter of the appeal by Daniel E. Meuli, from the decision of the Historical Resources Board in approving the historical site designation of property located at 4045, 4053, 4057, 4069, & 4075 First Avenue in the Uptown Community Planning Area.

(Uptown Community Plan Area. District-3.)

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

TODAY'S ACTION IS:

(R-2000-) CONTINUED TO JULY 24, 2000

A motion either granting or denying the appeal and upholding or overturning the action of the Historical Resources Board.

CITY MANAGER'S RECOMMENDATION:

Deny the appeal of Daniel E. Meuli and uphold the action of the Historical Resources Board.

OTHER RECOMMENDATIONS:

Historical Resources Board voted 10 - 3 on April 27, 2000 to approve staff recommendation to designate the five original bungalows on the front of the properties based on HRB Criteria A (Community History) and C (Architecture) with additional statement that these Craftsman Vernacular Bungalows represent Pre-World War I development and are excellent Transitorily Period from Victorian to Craftsman.

Ayes: Stiegler, Sewell, Bishop, Christenson, Ahern, Burnett, Delawie, Malone,
May, Riley
Nays: Furlong, Johnson, Sykes
Absent: Iseman, Sherr

The Uptown Community Planning Group has been notified of this item and has not submitted a recommendation.

SUPPORTING INFORMATION:

BACKGROUND

This item was brought before the Historical Resources Board in conjunction with a proposed request for demolition of a structure of 45 years or older under San Diego Municipal code Section 143.0212.

A historical report has been prepared by the Environmental Analysis Section of the Development Review Division, and a supplemental rebuttal report has been submitted by the Office of Marie Lia, Attorney at Law. It is the intention of the owner to demolish the structures on site and build apartments permitted by the zoning. The project site is in the Uptown Community Plan area.

ANALYSIS

The site is a significant historical resource under HRB-CRITERIA A (Community History), and C (Architecture) as follows:

CRITERION A - Exemplifies or reflects special elements of the City's, a community's or a neighborhood's historical, archaeological, cultural, social, economic, political aesthetic, engineering, landscaping or architectural development.

The five houses in question front First Avenue and were built in the period from 1908 to 1911. The five craftsman vernacular bungalows are typical middle income houses of the early 20th century. Built at a time when the Hillcrest neighborhood was experiencing a boom in development brought on by the promotion of William Wesley Whitson, the original subdivider of Hillcrest in 1906. The Hillcrest Company constructed streets, curbs, subdivided property and sold lots. A lumber mill was set up specifically to sell materials for some 300 homes. The bungalows were built by individual property owners from sets of standard working drawings bought commercially. That is how affordable housing was built by the middle class in the USA. The five bungalows identified here are excellent examples of this era of construction in both architectural design, layout, and structural condition. There are no other locations in Hillcrest with similar quality historical development.

CRITERION C - Embodies distinctive characteristics of a style, type, period or method of construction or is a valuable example of the use of natural materials or craftsmanship.

The buildings' architectural fabric is in good condition, and there has been little modification made affecting the building's historic fabric. The most visible modifications are enclosed porches undertaken long ago in a manner consistent with the original design. Other modifications are on the rear of the property.

With the exception of 4053 First Avenue, all other buildings (4050, 4057, 4069, 4075) are a similar type of craftsman bungalow with large hipped roof enclosing the dwelling area, and generous front porches. Architectural detailing, varies enough among the structures to provide

individuality and avoid the typical monotony of mass tract development. All these bungalows were built as rentals, unlike 4053 First Avenue which was built by the Stillman family as a residence.

The bungalows exhibit special architectural details that give them their individuality. Large porches, brick tapered columns and “klinker bricks,” clapboard siding, and wood windows, with some multi-transom across the top, detailed joist and decorative brackets, and deep gable roofs, and ventilation dormers of different types that provide individuality to the same basic design.

4053 First Avenue was built for owner residency, is a classic influenced bungalow, with articulated roof and classic columned porch, narrow clapboard siding, and various types of wood windows some with a transom of diamond shaped leaded glass. The entire structure is supported by ashlar-faced block foundation.

It is the owner’s intention to demolish the buildings and instead build an apartment building. If the Board were to designate the buildings identified, the staff would work with the property owner, and the Design Assistance Subcommittee to achieve a win/win project that maintains some of the historical fabric while allowing the development of additional units. The bungalows in question are laid out towards the front of the property and there is enough room in the back to allow for adequate space for a substantial amount of additional development.

Historic designation would bring the benefits of Mills Act property tax incentives, use of the Historic Building Code and development flexibility.

CONCLUSION

It is staff’s conclusion that this item presents a special case worthy of consideration, where enough quality-design historic fabric remains in the five craftsman vernacular bungalows. The designation of these buildings as historical structures would give recognition to an important development pattern of historic Hillcrest. Designation of the craftsman vernacular bungalows would not preclude new development, but it would require a new approach to development that Hillcrest presently experiences.

FISCAL IMPACT:

None.

LEGAL DESCRIPTION:

The subject property is located at 4045, 4053, 4057, 4069 & 4075 First Avenue (APN 444-521-09, 08, 07, 06 & 05) and is more particularly described as Lots 9, 8, 7, 6, & 5, Block 5, M 1069 in the City of San Diego.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: F455-G049; G091-H324.)

Hearing began at 6:11 p.m. and recessed the hearing at 6:21 p.m.

Testimony in favor by Doug Scott and Lynne Christenson.

Testimony in opposition by Robert Wright, Jane Foster, and Daniel Meuli.

Deputy Mayor Mathis resumed the hearing at 6:31 p.m. and halted at 7:24 p.m.

Motion by Wear to reverse the Historical Site Board's decision and further read the last paragraph in the resolution stating that "Be it resolved, by the Council of the City of San Diego, that the decision of the Board to designate the Buildings as Historical Resources is reversed. The Buildings do not possess significant historical, scientific, architectural, aesthetic, or cultural significance in that they do not represent significant pre-World War I development patterns in central San Diego and are not significant examples of the craftsman bungalow style of development in the pre-war era." Second by McCarty. Vote not taken.

Substitute Motion by Stallings to accept the recommendation to designate it historical; and then deal with the other parts as a separate direction. Second by Vargas. Vote not taken.

Deputy Mayor Mathis closed the hearing.

MOTION BY McCARTY TO CONTINUE TO JULY 24, 2000, AT THE REQUEST OF DEPUTY MAYOR MATHIS FOR FULL COUNCIL CONSIDERATION. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-not present, Stevens-yea, Warden-not present, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-201: Three actions related to the Campus Point Maintenance Assessment District.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1324) CONTINUED TO JULY 31, 2000

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Campus Point Maintenance Assessment District.

Subitem-B: (R-2000-1325) CONTINUED TO JULY 31, 2000

Approving the City Engineer's Report.

Subitem-C: (R-2000-1326) CONTINUED TO JULY 31, 2000

Approving the Fiscal Year 2001 Budget.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 2001 assessments for the Campus Point Maintenance Assessment District (District). The District was originally established in May 1981 which provides maintenance activities, but not limited to, edging, irrigation, gutter sweeping, sidewalk sweeping and maintenance, collection and disposal of fallen branches and trees, revegetation and replacement of damaged plant material, tree and brush trimming, fertilization, weeding, pest control, and ongoing inspection and repairs. Also the District is to provide maintenance of twenty-five (25) acres of open space. 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>
BEGINNING BALANCE	\$ 0.00	\$ 2,274.00	\$ 2,274.00

REVENUE:

Assessments	\$ 38,082.00	\$ 0.00	38,082.00
Interest	0.00	1,200.00	1,200.00
City Contribution	<u>625.00</u>	<u>0.00</u>	<u>625.00</u>
TOTAL REVENUE	\$38,707.00	\$ 1,200.00	\$ 39,907.00

TRANSFER	(1,046.00)	1,046.00	0.00
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EXPENSE:

Personnel	\$ 6,443.00	\$ 0.00	\$ 6,443.00
Contractual	17,000.00	(0.00)	17,000.00
Incidental	5,743.00	0.00	5,743.00
Utilities	<u>8,475.00</u>	<u>0.00</u>	<u>8,475.00</u>
TOTAL EXPENSE	\$ 37,661.00	\$ 0.00	\$ 37,661.00

ENDING BALANCE	\$ 0.00	\$ 4,520.00	\$ 4,520.00
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The proposed assessment for Fiscal Year 2001 is \$62.23 per Equivalent Benefit Unit (EBU) or \$653.44 per Net Acre which may be indexed annually to the factor published in the San Diego CPI-U. This is an increase of \$228.44 per Net Acre from Fiscal Year 2000 assessment of \$425.00 per Net Acre. The District reformation was due to increased maintenance costs to continue current levels of service. The District contains 58.3 assessable Net Acres. There are 14 parcels that range in size from 2.2 to 25.0 Net Acres.

FISCAL IMPACT:

It is proposed that the City contribute a total of \$625. The Environmental Growth Fund will contribute \$625 for the maintenance of 25 acres of open space (\$25 per acre). This represents the City's share of expenses incurred for maintenance of 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-392-01 (34)

COUNCIL ACTION: (Tape location: B420-430.)

MOTION BY KEHOE TO CONTINUE TO JULY 31, 2000, AT THE REQUEST OF DEPUTY MAYOR MATHIS TO WORK OUT ISSUES WITH PROPERTY OWNER. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-202: **Three** actions related to the Kings Row Maintenance Assessment District - Annexation Zone 2.

(Kings Row Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1333) ADOPTED AS RESOLUTION R-293459

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Kings Row Maintenance Assessment District, Zone 2.

Subitem-B: (R-2000-1334) ADOPTED AS RESOLUTION R-293460

Approving the City Engineer's Report.

Subitem-C: (R-2000-1335) ADOPTED AS RESOLUTION R-293461

Approving the Fiscal Year 2001 Budget.

CITY MANAGER SUPPORTING INFORMATION:

This action will annex into the Kings Row Maintenance Assessment District (District) - Zone 2 and establishes the Fiscal Year 2001 assessments. The District was established in March 1994 to provide maintenance of the landscaping between the development's noise abatement wall and Euclid Avenue. Zone 2 is being added to provide for maintenance of landscaping in an adjacent development for the same purpose along Euclid Avenue and Ocean View Boulevard. The

landscaping was installed to create a more pleasing and attractive environment. The subdivision's owner-developer of Zone 2 is required to maintain the landscaping for the first two years after installation and approval by the City of San Diego. The Fiscal Year 2001 proposed maintenance costs for the District are as follows:

<u>DESCRIPTION</u>	<u>ZONE 2</u>
BEGINNING BALANCE	\$ 0.00
REVENUE:	
Assessments	\$ 770.00
Interest	<u>0.00</u>
TOTAL REVENUE	\$ 770.00
EXPENSE:	
Personnel	\$ 0.00
Contractual	0.00
Incidental	560.00
Utilities	<u>150.00</u>
TOTAL EXPENSE	\$ 710.00
RESERVE/ ENDING BALANCE	
	\$ 60.00

The proposed assessment for Fiscal Year 2001 is \$33.48 per EBU in Zone 2, with a maximum assessment authorized of \$384.10 per EBU in Zone 2. The assessment may be indexed annually by the factor published in the San Diego CPI-U. Zone 2 contains a total of 23 EBUs.

FISCAL IMPACT:

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

Loveland/McLatchy/SY

FILE LOCATION: Subitems A, B & C: STRT M 383-01 (34)

COUNCIL ACTION: (Tape location: C100-150; C326-333; G050-090.)

Deputy Mayor Mathis opened the hearing at 3:51 p.m. and recessed the hearing at 4:01 p.m.

Deputy Mayor Mathis resumed the hearing at 4:30 p.m. and recessed the hearing at 4:33 p.m.

Deputy Mayor Mathis resumed the hearing at 6:22 p.m.

Assistant City Clerk Jack Fishkin announced the tally for the Kings Row Maintenance Assessment District: 100 percent in favor (\$8,834.30).

Deputy Mayor Mathis closed the hearing at 6:30 p.m.

MOTION BY KEHOE TO ADOPT. 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-not present.

ITEM-203: Three actions related to the Otay International Center Maintenance Assessment District.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1318) ADOPTED AS RESOLUTION R-293462

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Otay International Center Maintenance Assessment District.

Subitem-B: (R-2000-1319) ADOPTED AS RESOLUTION R-293463

Approving the City Engineer's Report.

Subitem-C: (R-2000-1320) ADOPTED AS RESOLUTION R-293464

Approving the Fiscal Year 2001 Budget.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 2001 assessments for the Otay International Center Maintenance Assessment District (District). The District was established in July 1994 to provide maintenance for streetscapes and landscaped medians along major arterial streets and the corridors along State Highway 905 from the north end of the Otay International Center project to the border station property. The District maintains 111,250 sq. ft. of landscaped center medians. 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>
BEGINNING BALANCE	\$ 0.00	\$ 22,570.00	\$ 22,570.00
REVENUE:			
Assessments	\$ 312,371.00	\$ 0.00	312,371.00
Interest	0.00	2,000.00	2,000.00
City Contribution	<u>13,350.00</u>	<u>0.00</u>	<u>13,350.00</u>
TOTAL REVENUE	\$ 325,721.00	\$ 2,000.00	\$ 327,721.00
 TRANSFER	 11,426.00	 (11,426.00)	 0.00
EXPENSE:			
Personnel	\$ 48,324.00	\$ 0.00	\$ 48,324.00
Contractual	162,000.00	0.00	162,000.00
Incidental	46,723.00	0.00	46,723.00
Utilities	<u>80,100.00</u>	<u>0.00</u>	<u>80,100.00</u>
TOTAL EXPENSE	\$ 337,147.00	\$ 0.00	\$337,147.00
 ENDING BALANCE	 \$ 0.00	 \$ 13,144.00	 \$ 13,144.00

The proposed assessment for Fiscal Year 2001 is \$71.80 per Equivalent Benefit Unit (EBU) or \$798.26 per Net Acre which may be indexed annually to the factor published in the San Diego CPI-U. The District contains 333.01 Net Acres. The District is being re-engineered to modify the District Boundaries and change the Method of Apportionment. Assessments are being

increased by \$147.94 per Net Acre from the Fiscal Year 2000 assessment of \$650.32 per Net Acre to cover the current budget level of services. The new Method of Apportionment may cause some assessments to experience a greater increase than others.

FISCAL IMPACT:

It is proposed that the City contribute \$13,350 from the Gas Tax Fund for the maintenance of 111,250 feet of 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 399-01 (34)

COUNCIL ACTION: (Tape location: E097-104; G050-090.)

Deputy Mayor Mathis opened the hearing at 5:02 p.m.

Deputy Mayor Mathis recessed the hearing at 5:04 p.m. with direction to the City Clerk to count the ballots.

Deputy Mayor Mathis resumed the hearing at 6:22 p.m.

Assistant City Clerk Jack Fishkin announced the tally for the Otay International Center Maintenance Assessment District: 49 in opposition (\$96,831.20); 39 in favor (\$98,964.60).

Deputy Mayor Mathis closed the hearing at 6:30 p.m.

MOTION BY KEHOE TO ADOPT. 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-not present.

ITEM-204: Three actions related to Scripps-Miramar Ranch Maintenance Assessment District.

(Continued from the meeting of 6/26/2000, Item 114, at the City Manager's request, for further review.)

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1661 REV.1) ADOPTED AS AMENDED AS
RESOLUTION R-293465

Resolution to levy and collect Fiscal Year 2001 assessments.

Subitem-B: (R-2000-1594) ADOPTED AS AMENDED AS RESOLUTION
R-293466

Approving the City Engineer's report.

Subitem-C: (R-2000-1595) ADOPTED AS RESOLUTION R-293467

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>
BEGINNING BALANCE	\$ 0.00	\$ 25,000.00	\$ 25,000.00

REVENUE:			
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>
TOTAL REVENUE	\$533,839.00	\$ 5,500.00	\$539,339.00
TRANSFER	(2,506.00)	\$ 2,506.00	\$ 0.00
EXPENSE:			
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>
TOTAL EXPENSE	\$ 531,333.00	0.00	\$531,333.00
ENDING BALANCE	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 per sq. ft.). The Environmental Growth Fund will contribute \$11,850 for the maintenance of 474 acres of open space (\$25 per 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: C100-150.)

MOTION BY WEAR TO ADOPT THE RESOLUTION CHANGING THE ASSESSMENT FROM \$84.04 TO \$84.00. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-205: Three actions related to the Sorrento Hills Maintenance Assessment District - Zone 5.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1370) ADOPTED AS RESOLUTION R-293468

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Sorrento Hills Maintenance Assessment District, Zone 5.

Subitem-B: (R-2000-1371) ADOPTED AS RESOLUTION R-293469

Approving the City Engineer's Report.

Subitem-C: (R-2000-1372) ADOPTED AS RESOLUTION R-293470

Approving the Fiscal Year 2001 Budget.

CITY MANAGER SUPPORTING INFORMATION:

This action will annex into the Sorrento Hills Maintenance Assessment District (District) - Zone 5 and establishes the Fiscal Year 2001 assessments. The District was established in 1996 to provide maintenance for landscaped and paved medians, landscaped right-of-way, paved right-of-way, landscaped slopes, natural open space areas, and street gutters. Zone 5 is being added to provide for additional maintenance of 0.18 acres of landscaping right-of-way, 0.75 acres of landscaped slopes and 1,750 lineal feet of gutters. The Fiscal Year 2001 proposed maintenance costs for the District are as follows:

DESCRIPTION	<u>ZONE 5</u>
BEGINNING BALANCE	\$ 0.00
REVENUE:	
Assessments	\$ 5,534.00
Interest	0.00
City Contribution	<u>0.00</u>
TOTAL REVENUE	\$ 5,534.00
EXPENSE:	
Personnel	\$ 0.00
Contractual	1,500.00
Incidental	1,200.00
Utilities	<u>0.00</u>
TOTAL EXPENSE	\$ 2,700.00
RESERVE/ ENDING BALANCE	\$ 2,834.00

The proposed assessment for Fiscal Year 2001 is \$49.98 per Equivalent Benefit Unit (EBU) in Zone 5, with a maximum authorized assessment of \$262.68 per EBU in Zone 5. The assessments may be indexed annually by the factor published in the San Diego CPI-U. Zone 5 contains a total of 110.73 EBUs.

FISCAL IMPACT:

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

Loveland/McLatchy/SY

FILE LOCATION: Subitems A, B & C: STRT-M-408-01 (34)

COUNCIL ACTION: (Tape location: C100-150; C334-339; G050-090.)

Deputy Mayor Mathis began the hearing at 3:51 p.m. and recessed the hearing at 4:01 p.m.

Deputy Mayor Mathis resumed the hearing at 4:34 p.m. and recessed the hearing at 4:36 p.m.

Deputy Mayor Mathis resumed the hearing at 6:22 p.m.

Assistant City Clerk Jack Fishkin announced the tally for the Sorrento Hills Maintenance Assessment District: 100 percent in favor (\$29,085.90).

Deputy Mayor Mathis closed the hearing at 6:30 p.m.

MOTION BY KEHOE TO ADOPT. 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-not present.

ITEM-206: Four actions related to the Talmadge Maintenance Assessment District.

(Talmadge Community Area. Districts-3 and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1348) ADOPTED AS RESOLUTION R-293471

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Talmadge Maintenance Assessment District.

Subitem-B: (R-2000-1349) ADOPTED AS RESOLUTION R-293472

Approving the City Engineer's Report.

Subitem-C: (R-2000-1350) ADOPTED AS RESOLUTION R-293473

Authorizing the City Auditor and Comptroller to establish the Talmadge Maintenance Assessment District Fund.

Subitem-D: (R-2000-1351) ADOPTED AS RESOLUTION R-293474

Approving the Fiscal Year 2001 Budget.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 2001 assessment for the Talmadge Maintenance Assessment District (District). The District is located in the Talmadge Community situated between Fairmount Avenue and Collwood Boulevard, north of Monroe Avenue. The purpose of the District is to fund installation and maintenance of existing and proposed ornamental lighting, decorative gates, landscaping, hardscape features (sidewalks, curbs, gutter, etc.), trees and other community-wide improvements. Also, included in this action is the annexation and abandonment of a portion of sub-district #73 (Talmadge Park) of Street Light Maintenance District #1, after the formation of the District. The Fiscal Year 2001 proposed maintenance costs for the District are as follows:

	<u>FUND</u>		
<u>DESCRIPTION</u>	<u>ZONE 1</u>	<u>ZONE 2</u>	<u>TOTAL</u>
BEGINNING BALANCE	\$ 0.00	\$ 0.00	\$ 0.00
REVENUE:			
Assessments	\$ 79,896.00	\$ 48,252.00	\$128,148.00
Interest	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL REVENUE	\$ 79,896.00	\$ 48,252.00	\$128,148.00
EXPENSE:			
Personnel	\$ 1,500.00	\$ 3,222.00	\$ 4,722.00
Contractual	59,500.00	1,000.00	60,500.00
Incidental	11,258.00	23,493.00	34,751.00
Utilities	<u>4,476.00</u>	<u>18,309.00</u>	<u>22,785.00</u>
TOTAL EXPENSE	\$ 76,734.00	\$ 46,024.00	\$ 122,758.00

RESERVE/

ENDING BALANCE \$ 3,162.00 \$ 2,228.00 \$ 5,390.00

The proposed assessment for Fiscal Year 2001 is \$80.00 per Equivalent Benefit Unit (EBU) in Zone 1 and Zone 2, with a maximum assessment authorized of \$80.00 per EBU in both zones. The assessment may be indexed annually by the factor published in the San Diego CPI-U. The District contains a total of 1,601.86 EBUs; 998.7 EBUs in Zone 1, and 603.16 EBUs in Zone 2.

FISCAL IMPACT:

All costs are assessed to the District.

Loveland/McLatchy/SY

FILE LOCATION: Subitems A, B, C & D: STRT-M-419-01 (34)

COUNCIL ACTION: (Tape location: F080-454; G050-090.)

Deputy Mayor Mathis opened the hearing at 5:44 p.m.

Testimony in favor by Patrick Lynn, Jayna McLeod, Fred Lindahl, Danielle Lamon, Ann Burnett, George Diefenthal, Orua Huffsmith, and True Ryndes.

Testimony in opposition by Marthabelle Nelson, Sherry Watson, Minta Ricard, Andre Broutin, and Sandra Durbin.

Deputy Mayor Mathis recessed the hearing at 6:10 p.m. with direction to the City Clerk to count the ballots.

Deputy Mayor Mathis resumed the hearing at 6:22 p.m.

Assistant City Clerk Jack Fishkin announced the tally for the Talmadge Maintenance Assessment District: 55.44 percent in favor (\$48,158.80); 44.56 percent in opposition (\$38,712.00).

Deputy Mayor Mathis closed the hearing at 6:30 p.m.

MOTION BY KEHOE TO ADOPT. 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-not present.

ITEM-207: RETURNED TO THE CITY ATTORNEY

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

Property: Brown Field Airport.

Agency Negotiator: City Manager and appointed negotiation team.

Negotiating Parties: City of San Diego and Brown Field Aviation Park, LLC.

Under Negotiation: Price and terms for lease of Brown Field.

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

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

1) Open the Public Hearing and accept testimony from any members of the public wishing to address the Council on this subject; 2) Conclude and close the Public Hearing; and 3) Refer the matter to Closed Session on July 18, 2000.

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

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H335-I065.)

ITEM-208: Amending the San Diego Municipal Code relating to the City Employees' Retirement System.

RETIREMENT BOARD'S RECOMMENDATION:

Introduce the following ordinance:

(O-2000-182) CONTINUED TO JULY 24, 2000

Introduction of an Ordinance amending Chapter II, Article 4, of the San Diego Municipal Code by amending Division 1 by amending Section 24.0103; by amending Division 4 by amending Sections 24.0402 and 24.0403; by amending Division 13 by amending Section 24.1302; by amending Division 14 by amending Section 24.1404; by amending Division 15 by amending Sections 24.1502 and 24.1507; and by amending Division 17 by amending Section 24.1704, all relating to the City Employees' Retirement System.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C100-150.)

MOTION BY WEAR TO CONTINUE TO JULY 24, 2000, AT THE REQUEST OF THE CITY MANAGER TO FINALIZE THE FINANCIAL IMPACT STATEMENTS FOR THE 1472. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-209: Advertising for Bids for Telemetry Control Systems - SCADA - Phase II.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1213) ADOPTED AS RESOLUTION R-293475

Approving the plans and specifications and inviting bids for the Telemetry Control Systems - SCADA - Phase II on Work Order No. 185491;

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

Authorizing the expenditure of not to exceed \$952,507 from Water Fund 41500, CIP-73-348.0, Telemetry Control Systems - SCADA - Phase II for the construction of Telemetry Control Systems - SCADA Phase IIa and IIc, contingent upon City Council adoption of the Fiscal Year 2001 budget and provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for such expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K20094C)

CITY MANAGER SUPPORTING INFORMATION:

The Water Department is constructing Phase II of a two phase program to install a modern Supervisory Control and Data Acquisition (SCADA) system. The SCADA system will monitor and control all critical water distribution sites. Phase I included the central control and operations components as well as Remote Control Panels (RCPs) at 42 of the water distribution sites. Due to additional work that has been identified, Phase II has been divided into three parts, Phase IIa, IIb, and IIc. Phase IIa includes the installation of RCPs to control 60 additional water distribution sites. Phase IIb includes remediation work at 36 existing sites, and Phase IIc includes installation of RCPs at 29 large meter sites. This Council action funds the installation work of the RCPs for Phase IIa and IIc. In the near future, two additional contracts will be advertised for the installation work of the RCPs for Phase IIb and the construction of the RCPs for Phases IIb and IIc.

FISCAL IMPACT:

The total estimated cost of Phase II is \$7,337,000. The estimated cost of this contract is \$1,468,672, of which \$952,507 is available in FY 2001 Water Fund 41500, CIP-73-348.0, Telemetry Control Systems - SCADA - Phase II and \$516,165 previously authorized by Council Resolution R-293120.

Belock/Boekamp/HR

WWF-00-456.

FILE LOCATION: W.O. 185491

COUNCIL ACTION: (Tape location: C100-150.)

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

ITEM-210: Approving and Ratifying FY 2001 Police Officers Association (POA) Memorandum of Understanding and Memoranda of Understanding Extensions with Labor Unions.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1605) CONTINUED TO JULY 31, 2000

Approving the FY 2001 and FY 2002 Memoranda of Understanding extension language for Local 145 of the International Association of Fire Fighters (IAFF), Municipal Employee Association (MEA), and Local 127, AFSCME, AFL-CIO; approving the FY 2001 and FY 2002 Memorandum of Understanding with the Police Officers Association (POA).

Declaring that pursuant to negotiations the Management Team and Labor Unions have agreed to the provisions contained in the successor Memoranda of Understanding.

CITY MANAGER SUPPORTING INFORMATION:

The Management Team of the City of San Diego has met and conferred with the Labor Unions and reached agreements on FY 2002 extensions to the Memoranda of Understanding with Local 145 of the International Association of Fire Fighters (Local 145); Municipal Employees Association (MEA); and Local 127, AFSCME, AFL-CIO regarding wages, hours and other terms and conditions of employment; and a new two-year Memorandum of Understanding with the Police Officers Association (POA) for Fiscal Years 2001 and 2002. Pursuant to these negotiations, the Management Team and Labor Unions have agreed to the provisions contained in the successor Memoranda of Understanding on file with the City Clerk's Office.

FISCAL IMPACT:

Costs associated with these agreements are contained in the FY 2001 Proposed Budget, which budget is subject to Council approval.

Herring/Kelley

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C100-150.)

MOTION BY WEAR TO CONTINUE TO JULY 31, 2000, AT THE REQUEST OF THE CITY MANAGER TO COORDINATE AND OBTAIN THE SIGNATURES OF ALL PARTIES ON THE MEMORANDUM OF UNDERSTANDINGS. Second by Vargas. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-211: HUD 108 Loan for the Golden Hill Community Center Project.

(See City Manager Report CMR-00-136. Greater Golden Hill Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1676) ADOPTED AS RESOLUTION R-293476

Authorizing the City Manager or his designee to apply to the Department of Housing and Urban Development (HUD) for a Section 108 loan of up to \$2,030,000 for the Golden Hill Community Center Project and to set forth the legal authority and certifications necessary for such an application;

Authorizing the City Manager or his designee to accept such funds if the loan is approved by HUD;

Authorizing the City Manager or his designee to conduct all negotiations and to execute and submit all documents related to the processing of such a loan;

Authorizing the use of District 8 future annual CDBG funds as the source of repayment of this 108 loan until such time as the loan is fully repaid;

Stating for the record that the final finding of No Significant Impact/Negative Declaration LDR-99-0958 has been reviewed and considered prior to approving the project;

Authorizing the Auditor and Comptroller to appropriate past and future program income generated by the Golden Hill Community Center Project, including current rent from the tenant on the property and applicable revenue from the proposed project, for future phases of the project, as long as such program income is used and accounted for in compliance with CDBG regulations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C100-150.)

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

ITEM-212: Item 212 has been returned to the originating department.

ITEM-250:

SUBMISSION OF BALLOT PROPOSALS

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

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

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE 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
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-251: Notice of Completion and Acceptance of Subdivision Improvement Agreement.

Notice is hereby given that the City Manager of the City of San Diego intends to file a "Notice of Completion and Acceptance of Subdivision Improvement Agreement" indicating that the improvements included in the Subdivision Improvement Agreement have been satisfactorily completed for the following subdivisions:

SUBDIVISION

Carmel Mountain Ranch
Unit 23A-3

COMMUNITY AREA

Carmel Mountain Ranch

The certification shall be recorded 15 days after the date this notice appears on the Council Docket or shortly thereafter. If any person wishes to object to the filing of this notice, such person should communicate the objection on or before that date to the Director or Planning and Development Review or to the Subdivision Engineer, City Operations Building, 1222 First Avenue (MS 507), San Diego, CA 92101.

ITEM-252: Settlement of the Personal Injury Claim of Margaret A. Sticher, et al.

(R-2000-1532)

Adopted as Resolution R-293273.

A Resolution approved by the City Council in Closed Session on Tuesday, June 6, 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 \$15,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury claims of Margaret A. Sticher, et al;

Authorizing the City Auditor and Comptroller to issue one check in the amount of \$15,000 made payable to Alice Swann and her attorney of record, Blaine R. Phipps, as the complete and final settlement of the personal injury claim which occurred on May 18, 1999.

Aud. Cert. 2001196.

ITEM-253: Settlement of the Property Damage Claim of Benito R. and Frances Guadagni (dba Alex's Brown Bag Cafe).

(R-2001-02)

Adopted as Resolution R-293353.

A Resolution approved by the City Council in Closed Session on Tuesday, June 20, 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 fully expend the amount of \$92,105.86 and to pay the balance of \$81,155.86 in settlement of each and every claim against the City, its agents and employees, resulting from the property damage claim of Benito R. and Frances Guadagni (dba Alex's Brown Bag Cafe), in connection with the sewer spill of December 7, 1999;

Authorizing the City Auditor and Comptroller to issue one check in the amount of \$81,155.86 made payable to Luth & Turley, Inc.

Aud. Cert. 2001234.

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

* ITEM-S400: Six actions related to Seabreeze Farms Final Map, Subdivision Improvement Agreement and Related Items.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-71) ADOPTED AS RESOLUTION R-293477

Authorizing the execution of a Subdivision Improvement Agreement with Seabreeze, LLC, for the installation and completion of certain public improvements.

Subitem-B: (R-2001-74 Cor.Copy) ADOPTED AS RESOLUTION R-293478

Approving the final map.

Subitem-C: (R-2001-72) ADOPTED AS RESOLUTION R-293479

Authorizing the execution of a Landscape Maintenance Agreement with Seabreeze, LLC, for the installation and completion of certain public improvements.

Subitem-D: (R-2001-73) ADOPTED AS RESOLUTION R-293480

Authorizing the execution of a Deferred Improvement Agreement with Seabreeze, LLC, for the improvement of a cul-de-sac on Carmel Valley Road.

Subitem-E: (R-2001-75) ADOPTED AS RESOLUTION R-293481

Accepting a portion of Lot B of Carmel Del Mar Neighborhood 4 Unit 15, Map No. 13173 as and for a public street to be named Seabreeze Farms Drive.

Subitem-F: (R-2001-70) ADOPTED AS RESOLUTION R-293482

Approving the acceptance of a water easement set aside of City-owned land in Lot 77 of Carmel Valley Neighborhood 4 Unit No. 9, Map 12604.

CITY MANAGER SUPPORTING INFORMATION: This map proposes the subdivision of a 73.724 acre site into 156 lots for residential development, which includes a 2.67 acre lot for 38 affordable multi-family units pursuant to Condition 43 of the Carmel Valley Planned District Development Permit/Resource Protection Ordinance and MMRP No. 96-7919. It is located in Carmel Valley, in the southwest corner of Del Mar Heights Road/Black Mountain road and old Carmel Valley Road in the NCFUA Subarea III Community Planning Area. On September 14, 1999 the City Council approved City Council Resolutions R-292175 and R-292176 for Seabreeze Farms Subdivision. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. T.M. Condition No. 20 requires vacating excess right-of-way within the map. Upon recordation of the final map, the excess right-of-way

will be vacated. T.M. Condition No. 21 requires the Subdivider to provide a cul-de-sac on southbound Carmel Valley Road at such time as SR-56 adjacent to the subdivision is completed. The road will serve as an interim connection to SR-56 until the SR-56 improvements are complete. Subdivider is entering into a bonded Deferred Improvement Agreement to assure the future construction of the cul-de-sac. A bond in the amount of \$85,425 has been posted to assure construction. The public improvements required for this subdivision are shown in detail on Drawing Nos. 30129-1-D through 30129-27-D filed in the Office of the City Clerk under Micro Number 140.31. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$3,644,653, and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$32,000 has been posted as surety for the setting of survey monuments. Subdivider, in accordance with the Carmel Valley, Black Mountain Ranch, and Pacific Highlands Ranch Public Facilities Financing Plans and Facilities Benefits Assessment Districts, has provided a fair share contribution in the amount of \$54,450 towards the construction of a segment of Del Mar Heights Road. In addition, Subdivider has agreed by letter to contribute \$200 per EDU as a fair share contribution to the Carmel Valley Trunk Sewer. Subdivider is entering into a bonded Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances within the City right-of-way adjacent to the subdivision, until another mechanism is established and assumes maintenance responsibility. A bond in the amount of \$321,106.87 has been posted. Subdivider has purchased from the City of San Diego, for consideration of \$11,440, three easements for the construction of two water lines and the access road from Carmel Valley Road to Seabreeze. This purchase was approved by City Council pursuant to Resolution No. 293091. The dedication of Seabreeze Farms Drive from Carmel Valley Road in City-owned land is shown on Engineering Drawing No. 19168-B. The water easements being set aside are shown on Engineering Drawing 16169-B.

FISCAL IMPACT: None.

Loveland/Haase/GB

FILE LOCATION: Subitems A, B, C & D: SUBD-Seabreeze Farms (40)
Subitem E & F: DEED F-7812

COUNCIL ACTION: (Tape location: B420-C099.)

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

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor at 7:47 p.m. in honor of the memories of:

Major General Calvin George Franklin as requested by Council Member Stevens;
and Ira. R. Katz as requested by Mayor Golding and Council Member McCarty.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: I066-078).