

THE CITY OF SAN DIEGO, CALIFORNIA
 MINUTES FOR REGULAR COUNCIL MEETING
 OF
 MONDAY, JULY 31, 2000
 AT 2:00 P.M.
 IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:10 p.m. Mayor Golding adjourned the meeting at 6:19 p.m. into closed session on Tuesday, August 1, 2000, at 9:00 a.m. in the twelfth floor conference room to discuss pending and potential litigation and Meet and Confer matters.

ATTENDANCE DURING THE MEETING:

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

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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

ITEM-10: INVOCATION

Invocation was given by Pastor Mark Dahle of the La Jolla Lutheran Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mathis.

ITEM-30: 'Queen Eddie' Conlon Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-146) ADOPTED AS RESOLUTION R-293563

Recognizing the outstanding contributions of 'Queen Eddie' Conlon to improve the quality of life for members of the lesbian, gay, bisexual and transgendered community and those living with HIV/AIDS;

Proclaiming July 31, 2000 to be "'Queen Eddie' Conlon Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A118-193.)

MOTION BY KEHOE TO ADOPT. Second by Stallings. 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:

Comment by Don Stillwell regarding the City of San Diego coffers. He questioned account reviews and the profits from investments of bond proceeds.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A209-237.)

PUBLIC COMMENT-2:

William E. Claycomb provided suggestions for solving electric and energy problems.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A238-270.)

PUBLIC COMMENT-3:

Barbara MacKenzie addressed her concerns regarding the unsolved medical marijuana issues. She stated that her questions remain unanswered as to the date and agenda of the meeting where this issue will be addressed.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A271-298.)

PUBLIC COMMENT-4:

Steve McWilliams notified Council Members that a lawsuit has been filed against the City to enforce sections of the California Health and Safety Code related to the medical marijuana issue.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A317-366.)

PUBLIC COMMENT-5:

Peter Ray reported that he was attacked by a security officer of St. Vincent DePaul Management, Inc. He stated that he has discovered that one of these security officer's has a criminal record. He also stated that a gentleman with cancer was also severely beaten and was discouraged from filing a police report.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A368-400.)

PUBLIC COMMENT-6:

Comment by Ken Loch regarding the standard of a genius.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A416-444.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Council Member Wear congratulated the organizers of the Imperial Beach Sand Castle Tournament. He stated that it is an annual event that also benefits the City of San Diego.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A449-456.)

* ITEM-50: Amendment to the San Diego Municipal Code relating to the Water System.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 7/18/2000. (Council voted 9-0):

(O-2000-194 Cor.Copy) ADOPTED AS ORDINANCE O-18828 (New Series)

Adoption 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; 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.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-B060.)

CONSENT MOTION BY MATHIS 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-yea.

* ITEM-51: Amendments to the San Diego Municipal Code relating to the Solid Waste Local Enforcement Agency.

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

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 7/18/2000. (Council voted 9-0.):

(O-2000-190) ADOPTED AS ORDINANCE O-18829 (New Series)

Amending Chapter VI, Article 6 of the San Diego Municipal Code by amending the title of Article 6; and by amending Section 66.0502; all relating to the Solid Waste Local Enforcement Agency.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-B060.)

CONSENT MOTION BY MATHIS 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-yea.

* ITEM-52: North Embarcadero Visionary Plan.

(Marina Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 7/18/2000. (Council voted 5-3. Councilmembers Kehoe, Stevens and Stallings voted nay. Mayor Golding not present):

Subitem-A: (O-2000-184) ADOPTED AS ORDINANCE O-18830 (New Series)

Amending Chapter X, Article 3, Division 20, of the San Diego Municipal Code by amending Section 103.2012 relating to Property Development Regulations.

Subitem-B: (O-2000-185) ADOPTED AS ORDINANCE O-18831 (New Series)

Amending Chapter X, Article 3, Division 19, of the San Diego Municipal Code by amending Sections 103.1903, 103.1904, 103.1910, 103.1915, 103.1918, 103.1925, 103.1933, and 103.1936; by replacing the existing base map for existing figures 1 through 3 with a revised base map; by replacing the existing base map for existing figures 4 through 7 with a revised base map and by

renumbering existing figures 4 through 7 to read figures 5 through 8; by amending, replacing the existing base map with a revised base map, and renumbering existing figure 8 to read figure 9; by replacing the existing base map for existing figures 9 through 11 with a revised base map and by renumbering existing figures 9 through 11 to read figures 10 through 12; and by adding new figures 4 and 13; all relating to the Centre City Planned District Regulations.

FILE LOCATION: MEET (64)

COUNCIL ACTION: (Tape location: A460-B060.)

CONSENT MOTION BY MATHIS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCES. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-nay, Stevens-yea, Warden-yea, Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-yea.

* ITEM-53: Sale of Surplus Motive Equipment to the City of Tijuana.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 7/17/2000. (Council voted 8-0. Mayor not present.) :

(O-2000-189) ADOPTED AS ORDINANCE O-18832 (New Series)

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.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-B060.)

CONSENT MOTION BY MATHIS 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-yea.

* ITEM-54: Two actions related to Special Municipal Election on 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-2001-23) INTRODUCED AND ADOPTED AS ORDINANCE
O-18833 (New Series)

Introduction and adoption of an Ordinance calling a Special Municipal Election in the City of San Diego on November 7, 2000, for submitting to the qualified voters of the City of San Diego one or more ballot propositions and consolidating the Special Municipal Election with the Statewide General Election to be held on the same date.

Subitem-B: (R-2001-118) ADOPTED AS RESOLUTION R-293564

Requesting the consolidation of a Special Municipal 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, and authorizing and directing the City Auditor and Comptroller to make payments to the Registrar of Voters.

SUPPORTING INFORMATION:

This is to request that the City Council adopt an ordinance calling the Special Municipal Election and a resolution requesting the consolidation of this election with the Statewide General Election to be held November 7, 2000. This Special Municipal Election will be held for the purpose of conducting elections for any and all 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

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-B060.)

CONSENT MOTION BY MATHIS TO ADOPT THE RESOLUTION AND
INTRODUCE, 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-yea.

- * ITEM-100: Scheduling the Quarterly Night Meeting of the San Diego City Council at the Neighborhood House Association, 5660 Copley Drive at 6 P.M., Monday, August 7, 2000.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-155) ADOPTED AS RESOLUTION R-293565

Scheduling the Quarterly Night Meeting of the San Diego City Council at the Neighborhood House Association, 5660 Copley Drive at 6 P.M., Monday, August 7, 2000;

Directing the City Clerk to post and publish, as necessary, the notice of such meeting with the date, time, and location.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-B060.)

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

* ITEM-101: Easement Grant - San Diego Gas & Electric - Belmont Park.

(Mission Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-143) ADOPTED AS RESOLUTION R-293566

Authorizing the City Manager to execute an Easement Deed conveying to San Diego Gas & Electric Company, an easement 500 feet long and 10 feet wide, totaling 5,000 square feet, to provide adequate electrical service to the new water-themed restaurant and retail project at Belmont Park, Pueblo Lot 1803, in the Mission Beach community.

CITY MANAGER SUPPORTING INFORMATION:

PARS Belmont Park LLC (PARS) is the operator and lessee of Belmont Park, under a lease with the City, which expires in 2038. PARS has requested the installation of an artificial wave machine and other water features, as part of a new water-themed restaurant and retail project. To provide adequate electrical service to the water features, SDG&E is requesting an underground electrical easement. Since this project directly benefits a City lessee, there will be no charge for the easement. Due to time constraints, the installation of the underground facility has been completed under a Right of Entry Permit. The easement area is 500 feet long and 10 feet wide, totalling 5,000 square feet.

FISCAL IMPACT:

None.

Loveland/Griffith/ACG

FILE LOCATION: DEED F-7820

COUNCIL ACTION: (Tape location: A460-B060.)

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

* ITEM-102: Easement Grant - San Diego Gas and Electric - Child Development Center.

(Linda Vista Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-113) ADOPTED AS RESOLUTION R-293567

Authorizing the execution of an easement deed conveying to San Diego Gas and Electric an easement consisting of Lots 2 and 26 in Block 32 of Linda Vista Unit No. 5, according to Map-3208, to provide for electrical service to the child day care facility in the Linda Vista community.

CITY MANAGER SUPPORTING INFORMATION:

To meet the increasing need for child day care in the Linda Vista community, the City has made an agreement with Educational Enrichment Systems, Inc. (EES) to develop and manage a nonprofit children's day care center and preschool for low-income families, at no cost to the City. EES has leased City land until 2018, and is constructing a 8,640 square foot child care facility at 2360 East Jewett Street. To provide adequate electrical service to the facility, SDG&E is requesting an overhead electrical easement. Since this project directly benefits a City tenant, there will be no charge for the easement. The easement area is 200 feet long and 12 feet wide, totaling 2,400 square feet.

FISCAL IMPACT:

None.

Loveland/Griffith/ACG

FILE LOCATION: DEED F-7821

COUNCIL ACTION: (Tape location: A460-B060.)

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

*ITEM-103: Three actions related to First San Diego River Improvement Project Maintenance Assessment District.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-134) ADOPTED AS RESOLUTION R-293568

Resolution to levy and collect Fiscal Year 2001 assessments.

Subitem-B: (R-2001-135) ADOPTED AS RESOLUTION R-293569

Approving the City Engineer's report.

Subitem-C: (R-2001-136) ADOPTED AS RESOLUTION R-293570

Approving the Fiscal Year 2001 Budget for the First San Diego River Improvement Project Maintenance Assessment District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 2001 assessments for the First San Diego River Improvement Project Maintenance Assessment District (District). The District was established in 1987 to provide maintenance for the San Diego River earthen flood control channel, eight river islands inside the channel zone, and an approximately 20 foot wide buffer zone running along and adjacent to the channel embankments.

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

<u>DESCRIPTION</u>	<u>FUND</u>		
	<u>OPERATIONS</u>	<u>RESERVE</u>	<u>TOTAL</u>
BEGINNING BALANCE	\$ 0.00	\$ 564,634.00	\$564,634.00
REVENUE:			
Assessments	\$ 144,822.00	\$ 0.00	144,822.00
Interest	<u>0.00</u>	<u>27,000.00</u>	<u>27,000.00</u>
TOTAL REVENUE	\$ 144,822.00	\$ 27,000.00	\$171,822.00
TRANSFER	\$ 543,406.00	(\$543,406.00)	0.00
EXPENSE:			
Personnel	\$ 41,881.00	\$ 0.00	\$ 41,881.00

Contractual	95,000.00	0.00	95,000.00
Incidental	62,647.00	0.00	62,647.00
Dredging	441,000.00	0.00	441,000.00
Utilities	<u>47,700.00</u>	<u>0.00</u>	<u>47,700.00</u>
TOTAL EXPENSE	\$ 688,228.00	\$ 0.00	\$688,228.00
ENDING BALANCE	\$ 0.00	\$ 48,228.00	\$ 48,228.00

The total proposed assessment for Fiscal Year 2001 is a two part rate of \$390.94 per Aesthetic Equivalent Benefit Area (EBA) in Zone 1, and \$195.47 per EBA in Zone 2, and \$3,786.85 per Flood Control EBA in each Zone. The assessments may be indexed annually by the factor published in the San Diego CPI-U. The assessment is the same as Fiscal year 2000. The District contains 1,423 parcels. The District includes 94.08 Aesthetic EBA's in Zone 1 and 182.80 EBA's in Zone 2. There are a total of 19.11 Flood Control EBA's in the District.

FISCAL IMPACT:

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

Loveland/McLatchy/SY

FILE LOCATION: STRT-M-381-01 (34)

COUNCIL ACTION: (Tape location: A460-B060.)

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

*ITEM-104: Three actions related to North Park Maintenance Assessment District.

(North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-100) ADOPTED AS RESOLUTION R-293571

Resolution to levy and collect Fiscal Year 2001 assessments.

Subitem-B: (R-2001-101) ADOPTED AS RESOLUTION R-293572

Approving the City Engineer's report.

Subitem-C: (R-2001-102) ADOPTED AS RESOLUTION R-293573

Approving the Fiscal Year 2001 Budget for the North Park Maintenance Assessment District.

CITY MANAGER SUPPORTING INFORMATION:

This action establishes the Fiscal Year 2001 assessment for the North Park Maintenance Assessment District (District). The District was established in July of 1996 to provide maintenance of the landscaping improvements and street lights within the District boundaries. Funding for the District's proposed capital improvement program will be provided from a portion of the District's assessments through Fiscal Year 2003.

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

<u>DESCRIPTION</u>	<u>FUND</u>		
	<u>OPERATIONS</u>	<u>RESERVE</u>	<u>TOTAL</u>
BEGINNING BALANCE	\$ 0.00	\$ 213,153.00	\$213,153.00
REVENUE:			
Assessments	\$ 264,364.00	\$ 0.00	\$264,364.00
Interest	0.00	1,000.00	1,000.00
City Contribution	<u>4,344.00</u>	<u>0.00</u>	<u>4,344.00</u>
TOTAL REVENUE	\$ 268,708.00	\$ 1,000.00	\$269,708.00
TRANSFER	\$ 22,809.00 (22,809.00)		0.00

EXPENSE:

Personnel	\$ 22,551.00	\$ 0.00	\$ 22,551.00
Contractual	132,398.00	0.00	132,398.00
Incidental	102,568.00	0.00	102,568.00
Utilities	<u>34,000.00</u>	<u>0.00</u>	<u>34,000.00</u>
TOTAL EXPENSE	\$ 291,517.00	\$ 0.00	\$291,517.00
ENDING BALANCE	\$ 0.00	\$191,344.00	\$191,344.00

The proposed assessment for Fiscal Year 2001 is \$14.92 per Equivalent Benefit Unit (EBU). The assessments may be indexed annually by the factor published in the San Diego CPI-U. The assessment is the same as Fiscal Year 2000 with a reduction scheduled in Fiscal Year 2004 to be set at \$12.78 per EBU. The District contains 17,675.3 EBU's.

FISCAL IMPACT:

It is proposed that the City contribute a total of \$4,344. The Gas Tax Fund will contribute \$4,344 for the maintenance of 36,200 sq. ft. of medians (0.12/sq. ft.). This represents the City's share of expenses incurred for maintenance of street medians and open space comparable to similar areas throughout the City. All other costs are assessed to the District.

Loveland/McLatchy/SY

FILE LOCATION: STRT-M-413-01 (34)

COUNCIL ACTION: (Tape location: A460-B060.)

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

* ITEM-105: Cowles Mountain Boulevard (from Navajo Road to Acuff Drive) Underground Utility District.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-09) ADOPTED AS RESOLUTION R-293574

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the Cowles Mountain Boulevard (from Navajo Road to Acuff Drive) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Cowles Mountain Boulevard (from Navajo Road to Acuff Road) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts.

Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service.

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

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$924,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2001318.

FILE LOCATION: STRT-K-300 (38)

COUNCIL ACTION: (Tape location: A460-B060.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea,

Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106: Fort Stockton Drive (from Pine Street to Hawk Street) Underground Utility District.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-07) ADOPTED AS RESOLUTION R-293575

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the Fort Stockton Drive (from Pine Street to Hawk Street) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

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

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

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$400,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2001320.

FILE LOCATION: STRT-K-299 (38)

COUNCIL ACTION: (Tape location: A460-B060.)

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

* ITEM-107: Market Street (from 47th Street to Iona Drive) Underground Utility District.

(Chollas View and Emerald Hills Community Areas. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-05) ADOPTED AS RESOLUTION R-293576

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the Market Street (from 47th Street to Iona Drive) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Market Street (from 47th Street to Iona Drive) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property

prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral.

Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service. Typical costs for service box modifications range from \$300 - \$1,500. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching, conduit and any needed electric service box modifications.

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$1,347,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2001319.

FILE LOCATION: STRT-K-298 (38)

COUNCIL ACTION: (Tape location: A460-B060.)

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

* ITEM-108: Santa Barbara Street (from Point Loma Avenue to Newport Avenue)
Underground Utility District.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-11) ADOPTED AS RESOLUTION R-293577

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the Santa Barbara Street (from Point Loma Avenue to Newport Avenue) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the Santa Barbara Street (from Point Loma Avenue to Newport Avenue) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electrical service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$3,500 per electric service lateral. Reimbursements will also include the cost of modifications to the electrical service box, up to a maximum of \$1,000 for residential conversions and \$1,500 for commercial conversions, when such modifications are needed to receive underground service.

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

FISCAL IMPACT:

SDG&E Cost: The construction cost of \$647,000 will be financed through the use of San Diego Gas and Electric Company's Annual Allocation Funds as directed by the Public Utilities Commission (Case 8209). The fiscal impact to the City is for the administration and street light replacement. Cost estimated at \$1,000. Funding available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2001317.

FILE LOCATION: STRT-K-296 (38)

COUNCIL ACTION: (Tape location: A460-B060.)

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

* ITEM-109: State of California Wildlife Conservation Board Grant.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-103) ADOPTED AS RESOLUTION R-293578

Authorizing the City Manager to apply to the State of California Wildlife Conservation Board for State grant funding for open space acquisition in the Del Mar Mesa area for the Multiple Species Conservation Program (MSCP);

Authorizing the City Manager to take all necessary steps to secure the State grant funds from the State Wildlife Conservation Board to provide funds for open space acquisition in Del Mar Mesa;

Authorizing the City Manager to conduct all negotiations, execute and submit all documents, including but not limited to applications, agreements, amendments, payment request, which may be necessary for the completion of the aforementioned project;

Authorizing the City Manager to accept, appropriate, expend, and administer the grant funds, if the grant is awarded, in accordance with the terms and conditions set forth in the approved grant;

Directing the City Auditor and Comptroller to establish a special interest bearing fund for the grant, if it is awarded.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego is requesting consideration of a \$250,000 grant from the State of California Wildlife Conservation Board to assist in the acquisition of one or more properties within Del Mar Mesa. This grant would supplement a \$250,000 grant previously submitted by the City (R-290916) to the State of California Transportation Commission and approved on May 10, 2000. Combined these grants would be used to acquire critical vernal pool and upland habitat on Del Mar Mesa within the open space area of the Del Mar Mesa Specific Plan. This grant would allow the City to obtain State funding to fulfill tasks related to acquisition of lands within the MSCP.

FISCAL IMPACT:

If grant is approved, the City would receive \$250,000.

Loveland/Christiansen/KG

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-B060.)

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

* ITEM-110: Appropriation and Expenditure of Funds - Scripps Ranch Park Projects.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-130) ADOPTED AS RESOLUTION R-293579

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$130,000 from Fund No. 11230, Scripps Ranch Park Service District Fees, for miscellaneous park improvements at various park sites within the Scripps Ranch Community.

CITY MANAGER SUPPORTING INFORMATION:

The Scripps Ranch Recreation Council has requested the implementation of miscellaneous park improvements within various park sites in the Scripps Ranch community. Park improvements would include installation of such things as: 1) soccer goals; 2) batting cages; 3) tennis court fencing; 4) storage facilities; and 5) play equipment; and 6) sidewalks at the following parks: Spring Canyon Neighborhood Park, Cypress Canyon Neighborhood Park, Jerabek Neighborhood Park, Jerabek Middle School Joint Use area, and Scripps Ranch Community Park. The proposed park improvements would increase and enhance existing recreational amenities, as well as address safety issues.

FISCAL IMPACT:

Funds in the amount of \$130,000 are available from Scripps Ranch Park Service District Fees, Fund No. 11230 for this purpose.

Loveland/McLatchy/DVW

Aud. Cert. 2100029.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-B060.)

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

* ITEM-111: Peñasquitos Trunk Sewer Relief and Pump Station.

(Los Peñasquitos Canyon Preserve and Rancho Peñasquitos Community Areas.
District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-24) ADOPTED AS RESOLUTION R-293580

Authorizing the expenditure of an amount not to exceed \$280,000 in connection with the Peñasquitos Trunk Sewer Relief Project, to be expended as follows: \$230,000 from Fund No. 41506, CIP-46-193.0, Annual Allocation - Pooled

Contingencies, for additional project contingency; and \$50,000 from Fund No. 41506, CIP-46-120.0, Peñasquitos Trunk Sewer Relief, for additional project related costs.

CITY MANAGER SUPPORTING INFORMATION:

The Peñasquitos Trunk Sewer and Pump Station construction contract was approved by City Council via Resolution R-286640, dated November 27, 1995. The project completed in 1999 included construction of a pump station near I-15 and Poway Road in the Rancho Peñasquitos Community, and construction of 50,000 feet of sewer pipeline. This request for funds is needed to complete improvements at the pump station, as requested by the Operations and Maintenance staff. These improvements will allow the pump station to be more efficiently operated as an un-staffed pump station. The pump station was originally intended to be operated as a staffed facility.

Planned improvements at the pump station include: installation of H2S sensors, pressure sensors, and flow meters on the odor control system, reprogramming to change operation of odor control system, modifications to the seal water system, replacement of foundation drain pumps, modifications to correct pipe resonance during pump operation, installation of a camera at the screw compactor, installation of pump status monitors, installation of additional access doors at conveyor housing, and modifications to the PA system. This work will be completed by the Job Order Contractor.

FISCAL IMPACT:

The total cost of this action is \$280,000, and funding is available in CIP-46-120.0, Peñasquitos Trunk Sewer Relief.

Belock/Schlesinger/KMJ

Aud. Cert. 2100050.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-B060.)

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

* ITEM-112: Acceptance of Funds for the Fay Avenue Realignment.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1546) RETURNED TO THE CITY MANAGER

Amending the Fiscal Year 2000 Capital Improvements Budget by adding CIP-52-690.0, Fay Avenue Realignment;

Authorizing the City Manager to accept the donation of \$1,100,000 from La Jolla High School Facilities Expansion Foundation into Fund No. 63022 for the realignment of Fay Avenue between West Muirlands Drive and Nautilus Street;

Authorizing the City Auditor and Comptroller to appropriate an amount not to exceed \$1,100,000 from Fund No. 63022 into Fay Avenue Realignment, CIP-52-690.0, contingent on the receipt of sufficient donations;

Authorizing the expenditure of an amount not to exceed \$1,100,000 from CIP-52-690.0 for providing funds for the above project, contingent on the receipt of sufficient donations.

Authorizing the City Manager to execute a Memorandum of Understanding with the La Jolla High School Facilities Expansion Foundation to accept funds and realign Fay Avenue between Muirlands Drive and Nautilus Street.

CITY MANAGER SUPPORTING INFORMATION:

Members of the La Jolla community began investigating the possibility of constructing an aquatic center on the La Jolla High School Campus in 1997, beginning with a feasibility study to realign Fay Avenue to make room for the center. The Aquatic Center Committee has created a non-profit organization, The La Jolla High School Facilities Expansion Foundation, to raise funds for the La Jolla High School science complex and aquatics center. The City completed a preliminary design for the street realignment on February 18, 2000 and estimated the cost to be \$1,100,000. This figure is a rough estimate and is subject to change. However, the La Jolla High School Facilities Expansion Foundation (LJHSFE) will accept funding responsibilities for any increases. This action will authorize the City Manager to accept, appropriate and expend a portion of the privately donated funds for the design of the realignment of Fay Avenue between West Muirlands Drive and Nautilus Street. It will also authorize the City Manager to execute a Memorandum of Understanding with the LJHSFE to accomplish this project. This action will further authorize the City Manager to add the following project to the FY 2000 Capital Improvement Program:

CIP-52-690.0 (Fund 63022) Fay Avenue Realignment Between West Muirlands Drive and Nautilus Street.

The San Diego Unified School District has requested a Joint Use Agreement be executed between the District and the City for the development of an aquatic center, and a third party lease agreement with the City for the operation of the pool. Approval of the Joint Use Agreement will require Council action at a later date.

FISCAL IMPACT:

The non-profit organization funds will be deposited for the specific purpose of improvements within the scope of the CIP project. There is no fiscal impact on the City.

Belock/Boekamp/HR

Aud Cert. 2001187.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A460-B060.)

CONSENT MOTION BY MATHIS TO RETURN TO THE CITY MANAGER FOR FURTHER REVIEW AT THE REQUEST OF THE CITY MANAGER. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113: Paradise Hills Revitalization Project.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1626) ADOPTED AS RESOLUTION R-293581

Authorizing the City Auditor and Comptroller to add CIP-39-233.0, Paradise Hills Revitalization Project to the Fiscal Year 2000 Capital Improvement Program (CIP) Budget;

Increasing the Fiscal Year 2000 CIP Budget by \$356,483.35 for providing funds for the Paradise Hills Revitalization Project;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$55,375 from CIP-39-233.0, Paradise Hills Revitalization, TransNet/District 4 Older Communities Fund (30305), for the Reo Drive improvements;

Authorizing the City Auditor and Comptroller to reprogram an amount not to exceed \$17,108.35 from Community Development Block Grant Year 1995 Neighborhood Project to CIP-39-233.0, Paradise Hills Revitalization, for Reo Drive improvements;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$17,108.35 for CIP-39-233.0, Paradise Hills Revitalization, for Reo Drive improvements;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$284,000 (less 1.5 percent administration fee) from CIP-29-498.0, Paradise Hills Revitalization Project, California Department of State Parks and Recreation Grant Fund 39032 to CIP-39-233.0, Paradise Hills Revitalization,

contingent upon a fully executed grant agreement.

CITY MANAGER SUPPORTING INFORMATION:

This action will add CIP-39-233.0, Paradise Hills Revitalization Project, to the FY 2000 Capital Improvements Program (CIP), increasing the FY 2000 CIP budget by \$356,483.35 for the purpose of said project. It will also authorize the appropriation and expenditure of \$55,375 from CIP-39-233.0, Paradise Hills Revitalization Project, TransNet/District 4 Older Communities Fund (30305). This action will authorize the reprogramming of \$17,108.35 from Community Development Block Grant Fund 18531 (4088/8802/088026), and appropriation and expenditure of that funding to CIP-39-233.0. Finally, this action will authorize the appropriation of \$284,000 (less 1.5 percent State administration fee) from CIP 29-498.0 (Council Resolution R-292912), Paradise Hills Revitalization Project, California Department of State Parks and Recreation Grant Fund 39032, to CIP-39-233.0, contingent upon fully executed grant agreement, in order to consolidate multiple aspects of this project. The Paradise Hills Revitalization Project provides a simple vision and implementation strategy for the rehabilitation of an older commercial strip development on Reo Drive in the heart of the Paradise Hills neighborhood. The 3.34 acre site includes the east and west sides of Reo Drive between Cumberland and Albemarle Streets. The project proposes the installation of various public improvements and provides opportunities for private development improvements. Public improvements include: a landscaped center median; diagonal parking along the street; pedestrian-oriented street lights; sidewalks along storefronts; street trees; improved crosswalks; and, stop signs at the two major intersections. The proposed funding will be used for design, engineering and construction purposes. The total estimated cost to complete this project is \$800,000. Other funding sources are being pursued to construct the project.

FISCAL IMPACT:

Appropriate \$55,375 from the TransNet/District 4 Older Communities Fund (30305) to CIP-39-233.0; Reprogram \$17,108.35 in CDBG (18531) to CIP-39-233.0. Appropriate \$284,000 (less 1.5 percent administration fee) from Park and Recreation Fund 39032, CIP-29-498.0 to CIP-39-233.0. CIP-29-498.0 was adopted by City Council on April 10, 2000 by Council Resolution R-292912.

Loveland/Goldberg/LE

Aud. Cert. 2001257.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A460-B060.)

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

* ITEM-114: The 70th Anniversary of the San Diego Japanese Christian Church.

COUNCILMEMBER VARGAS'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-145) ADOPTED AS RESOLUTION R-293582

Commending and recognizing August 7, 2000 as "The 70th Anniversary of the San Diego Japanese Christian Church" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A460-B060.)

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

* ITEM-115: Four actions related to Otay 2nd Pipeline Participation Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-31) ADOPTED AS RESOLUTION R-293583

Authorizing the City Manager to execute a Participation Agreement with Otay Project L.P., for the design and construction of a portion of the Otay 2nd Pipeline;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$717,950 from Water Revenue Fund 41500, CIP-73-286.0, for funding this agreement;

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-2001-76) ADOPTED AS RESOLUTION R-293584

Authorizing the City Manager to execute a Grant Deed, to Otay Project L.P., granting all the City's right, title and interest in the portions of the Otay 2nd Pipeline affecting Quarter Sections 39 and 41, and fractional Quarter Sections 40 and 65 of Rancho de la Nacion, in the City of Chula Vista, County of San Diego, State of California, according to Map No. 166 in the Grant Deed, and reserving to the City a perpetual easement and right-of-way through the property for the operation, maintenance, and repair of water pipelines and/or mains.

Subitem-C: (R-2001-80) ADOPTED AS RESOLUTION R-293585

Authorizing the City Manager to execute a Joint Use Agreement with the City of Chula Vista, for the operation and maintenance of the Otay 2nd Pipeline.

Subitem-D: (R-2001-98) ADOPTED AS RESOLUTION R-293586

Declaring that the information contained in the final environmental document, prepared by the City of Chula Vista, including any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the Otay 2nd Pipeline Participation Agreement;

Adopting the Findings and Statement of Overriding Considerations, and adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

The Otay Project L.P., a California Limited Partnership, is the developer of the Village 1 West subdivision in Otay Ranch located within the City of Chula Vista. As part of the subdivision improvements for Village 1 West, the developer is required to relocate the existing City of San Diego's Otay 2nd Pipeline into the public rights-of-ways being constructed as part of Village 1

West. The Otay 2nd Pipeline is a 40-inch diameter potable water pipeline that connects the Otay Water Treatment Plant service area to the Alvarado Water Treatment Plant service area. Typically, potable water travels northerly from the Otay Water Treatment Plant service area to the Alvarado Water Treatment Plant service area. This participation agreement will provide funding to up size the Otay 2nd Pipeline from the existing 40-inch diameter to 48-inch diameter. Up-sizing this pipeline is required to meet the projected demands in the year 2030.

The developer will fund all relocation costs. In accordance with Sections 6 and 7 of the participation agreement, new easements will be established and the existing City of San Diego fee ownership will be sold at fair market value to the developer. A Joint Use Agreement between the City of San Diego and the City of Chula Vista will be executed to allow for the operation and maintenance of the Otay 2nd Pipeline within the City of Chula Vista's public rights-of-way.

FISCAL IMPACT:

Funding in the amount of \$717,950 is available from Water Fund 41500, CIP-73-286.0, Otay 2nd Pipeline Improvements.

Belock/Gardner/LLW

Aud. Cert. 2100043.

FILE LOCATION: SUBITEMS A, C, D: MEET
SUBITEM B: DEED F-7822

COUNCIL ACTION: (Tape location: A460-B060.)

CONSENT MOTION BY MATHIS 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-yea.

* ITEM-116: Second Amendment to Lease - The Lodge at Torrey Pines Partnership.

(See City Manager Report CMR-00-152. La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-138) ADOPTED AS AMENDED AS RESOLUTION R-293587

Authorizing a Second Amendment to lease Agreement with The Lodge at Torrey Pines Partnership, for the purpose of facilitating development of the leasehold.

FILE LOCATION: LEAS - The Lodge at Torrey Pines Partnership

COUNCIL ACTION: (Tape location: F136-255.)

MOTION BY STEVENS TO ADOPT THE RESOLUTION WITH THE FOLLOWING AMENDMENTS: THE TERM OF THE LEASE SHALL BE SIXTY-SIX YEARS AND TWENTY TEE TIMES PER DAY WILL BE RESERVED AT TORREY PINES GOLF COURSE FOR THE TORREY PINES LODGE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

*ITEM-117: 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-2001-157) ADOPTED AS RESOLUTION R-293588

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: A460-B060.)

CONSENT MOTION BY MATHIS TO ADOPT. Second by Wear. Passed by the

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

Subitem-D: (O-2001-14) INTRODUCED, TO BE ADOPTED ON
SEPTEMBER 18, 2000

Introduction of an Ordinance authorizing the City Manager to amend the Long Term Waste Delivery Agreement with Edco Disposal Corporation to make that agreement more consistent with the Standard Waste Delivery Agreement.

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

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 6/7/2000, NR&C voted 5-0 to approve the recommendations of the City Manager. (Councilmembers Mathis, Kehoe, Stallings, McCarty, and Vargas voted yea.)

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B065-108.)

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

ITEM-200: Three actions related to the Mid-City Maintenance Assessment District Sub-District #13.

(El Cajon Boulevard Community Area. Districts-3 & 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1342) ADOPTED AS RESOLUTION R-293589

Approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Mid-City Maintenance Assessment District, Sub-District No. 13.

Subitem-B: (R-2000-1343) ADOPTED AS RESOLUTION R-293590

Approving the City Engineer's Report.

Subitem-C: (R-2000-1344) ADOPTED AS RESOLUTION R-293591

Approving the Fiscal Year 2001 Budget.

CITY MANAGER SUPPORTING INFORMATION:

This action annexes and establishes the Fiscal Year 2001 assessment for the Mid-City Maintenance Assessment District Sub-District #13 (Sub-District). This Sub-District generally includes parcels along El Cajon Boulevard and neighborhood side streets, from Interstate 805 to 54th Street. The purpose of Sub-District #13 is to fund maintenance costs associated with lighting, landscaping, hardscape features (sidewalks, curbs, gutter, etc.), trees, litter and weed abatement, neighborhood gateway elements, a regional transit station, and other improvements. The primary distinction between the two zones is that Zone #1 has landscaped medians. Also, included in this action is the annexation and abandonment of the San Diego Street Light Maintenance Assessment District #1 Sub-District #45 (El Cajon Boulevard #1) and #83 (El Cajon Boulevard #2) and the abandonment of the Mid-City Sub-Districts #8, #10, and #11 which will be included in the new Sub-District upon approval. The Fiscal Year 2001 proposed maintenance costs for the District are as follows:

SUB-DISTRICT #13

<u>DESCRIPTION</u>	<u>Zone #1</u>	<u>Zone #2</u>	<u>Total</u>
BEGINNING BALANCE	\$ 62,674.00	\$ 0.00	\$ 62,674.00
REVENUE:			
Assessments	\$129,820.00	\$106,181.00	\$236,001.00
Interest	2,500.00	500.00	3,000.00
City Contribution	<u>4,038.00</u>	<u>0.00</u>	<u>4,038.00</u>
TOTAL REVENUE	\$136,358.00	\$106,681.00	\$243,039.00
EXPENSE:			
Personnel	\$ 12,965.00	\$ 3,222.00	\$ 16,187.00
Contractual	73,100.00	45,930.00	119,030.00

Incidental	21,781.00	39,177.00	60,958.00
Utilities	<u>28,310.00</u>	<u>18,160.00</u>	<u>46,470.00</u>
TOTAL EXPENSE	\$ 136,156.00	\$106,489.00	\$242,645.00
RESERVE/ ENDING BALANCE	\$ 62,876.00	\$ 192.00	\$ 63,068.00

The proposed assessment for the Sub-District in Fiscal Year 2001 is \$9.00 per Boulevard Linear Front Foot (B-LFF) and \$0.64 per Side Street Linear Foot (SS-LLF) in Zone #1 and \$6.00 per B-LFF and \$0.64 per SS-LLF in Zone #2. The assessment may be indexed annually by the factor published in the San Diego CPI-U. The Sub-District contains a total of 10,931.80 B-LFF and 49,113.03 SS-LLF in Zone 1 and a total of 10,892.48 B-LFF and 63,786.03 SS-LLF in Zone 2.

FISCAL IMPACT:

It is proposed that the City contribute \$4,038 from the Gas Tax Fund for the maintenance of 33,650 sq. ft. of street medians (\$0.12/sq. ft.). This represents the City's share of expenses incurred for the maintenance of street medians comparable to similar areas throughout the City. All other costs will be assessed to the District.

Loveland/McLatchy/SY

FILE LOCATION: STRT-M-420-01 (34)

COUNCIL ACTION: (Tape location: B123-280; C529-558.)

Mayor Golding opened the hearing at 3:01 p.m. and recessed the hearing at 3:13 p.m. with direction to staff to tally the ballots.

Testimony in opposition by Gene Vogeles and John Turnbull.

Testimony in favor by Jay Powell and Jim Varnadore.

Mayor Golding resumed the hearing at 4:09 p.m.

City Clerk Charles Abdelnour announced the tally for Mid-City Maintenance Assessment District Sub-District #13: 58.76 percent in favor (456); 41.24 percent in opposition (372)

Mayor Golding closed the hearing at 4:13 p.m.

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

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

(Continued from the meeting of 7/17/2000, Item 201, at the request of Deputy Mayor Mathis to work out issues with the property owner.)

(University Community Area. District-1.)

NOTE: Hearing open. No testimony taken on 7/17/2000.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-1324) ADOPTED AS AMENDED, AS
RESOLUTION R-293592

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) ADOPTED AS AMENDED, AS
RESOLUTION R-293593

Approving the City Engineer's Report.

Subitem-C: (R-2000-1326) ADOPTED AS AMENDED AS
RESOLUTION R-293594

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>DESCRIPTION</u>	<u>FUND</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
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

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: STRT-M-392-01 (34)

COUNCIL ACTION: (Tape location: B280-281; C560-595.)

Mayor Golding opened the hearing at 3:01 p.m. and recessed the hearing at 3:13 p.m. with direction to staff to tally the ballots.

Mayor Golding resumed the hearing at 4:09 p.m.

City Clerk Charles Abdelnour announced the tally for Campus Point Maintenance Assessment District: 29.08 percent in favor (1); 70.92 percent in opposition (5)

Mayor Golding closed the hearing at 4:13 p.m.

MOTION BY MATHIS TO ADOPT WITH THE ASSESSMENTS MAINTAINED AT THE PREVIOUS LEVEL AND CONFIRM A MODIFIED ENGINEER'S REPORT TO REFLECT THE PRIOR ASSESSMENT LEVEL. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-202: Housing Element Update to the Progress Guide and General Plan.

Matter of authorizing submittal of the Housing Element Update which covers the period from January 1, 2000 to June 30, 2004 and contains an identification and analysis of existing and projected housing needs and a statement of goals, quantified objectives, policies, financial resources and scheduled programs for the preservation, improvement and development of housing for all economic segments of the City's population.

(ND/99-0522. Citywide).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions in subitems A and B:

Subitem-A: (R-2001-104) ADOPTED AS AMENDED AS RESOLUTION R-293595

Adoption of a Resolution certifying that the information contained in Negative Declaration in the LDR File No. 99-0522 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.) as amended, and the State Guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in said report, together with any comments received during the public review process, has been reviewed and considered by this Council.

Subitem-B: (R-2001-105 REV) ADOPTED AS AMENDED AS RESOLUTION R-293596

Adoption of a Resolution authorizing the Housing Element Update to be submitted to the California Department of Housing and Community Development for review and a determination that the Element is in compliance with all requirements of state law.

OTHER RECOMMENDATIONS:

Planning Commission voted 7 - 0 to approve; was opposition.

Ayes: Steele, Anderson, Brown, Butler, Skorepa, Stryker, White

Nays: None

Abstaining: None

The Community Planning Chairs were given a presentation. No recommendation was requested or given.

SUPPORTING INFORMATION:

State law requires the Housing Element of the General Plan to be updated every five years. The Housing Element sets housing policy and priorities. The Element must be adopted by the City Council and certified by the California Department of Housing and Community Development (HCD) as being in compliance with State law.

This action would authorize submittal of the Housing Element to HCD for review prior to adoption by the City Council.

FISCAL IMPACT:

None.

Most programs proposed are already operational. Their funding levels and fiscal impacts have already been taken into account.

Loveland/Goldberg/mep

LEGAL DESCRIPTION:

See Negative Declaration LDR No. 99-0522 for legal description.

FILE LOCATION: LAND - Progress Guide and General Plan - Housing Element Update (09)

COUNCIL ACTION: (Tape location: B294-C498.)

The hearing began at 3:14 p.m. and halted at 4:09 p.m.

Testimony in opposition by Leonard Brown, Marlene Mickelson, Shuf Swift, Beryl Flom.

Testimony in favor by Mark Steele, Frances Howard, Ann Fathy, Brad Wiblin, Jim Varnadore.

MOTION BY KEHOE TO ADOPT WITH THE INCLUSION OF THE PLANNING COMMISSION'S RECOMMENDATIONS AS SUCH. THE PLANNING COMMISSION'S RECOMMENDATIONS SHOULD BE INCORPORATED INTO THE HOUSING ELEMENT. THOSE RECOMMENDATIONS THAT REQUIRE FURTHER ENVIRONMENTAL STUDY OR WORK WILL BE BROUGHT FORWARD AS PART OF THE STRATEGIC FRAMEWORK PLAN. THE HOUSING ELEMENT SHOULD REFLECT COUNCIL'S DISCUSSION TODAY. LOOK AT A VARIETY OF AVENUES FOR ADDRESSING THE AFFORDABLE HOUSING CRISES HERE IN SAN DIEGO. INCLUDE AS MUCH OF COUNCIL'S DISCUSSION AS POSSIBLE IN THE DOCUMENT THAT GOES TO THE STATE. INCLUDE AN EXTRA CATEGORY OF SENIOR DISABLED. GIVE DIRECTIONS TO THE STRATEGIC PLAN WORKING GROUP TO SPECIFICALLY REVIEW AND INCORPORATE THE PLANNING COMMISSION'S RECOMMENDATIONS IN THEIR ENTIRETY. DISCUSS THE ADDITIONAL PLANNING COMMISSION'S RECOMMENDATIONS OF REDUCING PROCESSING TIME, KEEPING IN-LIEU FEES IN THE LOCAL AREA, AND EXAMINING WHETHER PARKING REQUIREMENTS CAN BE REDUCED FOR AFFORDABLE HOUSING. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203: Central Urbanized Planned District Ordinance and Euclid Avenue Revitalization Program.

Matter of approving, conditionally approving, modifying or denying amendments to the Municipal Code, and rezonings (C-sheet numbers C-895 and C-896) for the area generally bounded by Interstate 8 from Interstate 805 to Fairmount Avenue, southerly to Montezuma Road, easterly to Collwood Boulevard, southerly to El Cajon Boulevard, easterly to the City of La Mesa--including the north side of El Cajon Boulevard, southerly to State Route 94, westerly to State Route 15, northerly to Interstate 805, and northerly to Interstate 8. During this hearing, the City Council will also approve, conditionally approve, modify or deny the Euclid Avenue Revitalization Action Program.

The Municipal Code amendments will establish the Central Urbanized Planned District and affect permitted uses and development regulations in portions of the Normal Heights, Kensington-Talmadge, City Heights, Eastern Area, and College Area community plan areas. The amendments will delete the above named community plan areas from the Mid-City Communities Planned District. The rezonings affect the above named community plan areas, and generally include a reduction in the density of permitted residential development, allowing a greater depth of commercial development along commercial strips, restoring commercial

zoning to portions of University Avenue, 43rd Street, Fairmount Avenue, and Euclid Avenue, permitting light manufacturing in some commercial areas, and restricting residential development in certain neighborhoods until public facilities are provided. The rezonings will implement the Mid-City Communities Plan that was adopted by the City Council in August, 1998.

The Euclid Avenue Revitalization Action Program recommends a number of neighborhood improvement actions addressing land use compatibility, traffic, pedestrian access, litter, and visual quality, within neighborhoods adjacent to Euclid Avenue between El Cajon Boulevard and Home Avenue.

(Mid-City Community Plan area: Normal Heights, Kensington-Talmadge, City Heights, Eastern Area; and College Area. Districts-3, 4, and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution in subitem A; and introduce the ordinances in subitems B, C, D, and E:

Subitem-A: (R-2001-126) ADOPTED AS AMENDED, AS RESOLUTION R-293597

Adoption of a Resolution approving the Euclid Avenue Revitalization Action Program.

Subitem-B: (O-2001-24) ORDINANCE AMENDED, TO BE INTRODUCED ON SEPTEMBER 12, 2000

Introduction of an Ordinance amending Chapter 10 of the Municipal Code.

Subitem-C: (O-2001-26) ORDINANCE AMENDED, TO BE INTRODUCED ON SEPTEMBER 12, 2000

Introduction of an Ordinance amending Chapter 13 of the Municipal Code.

Subitem-D: (O-2001-25) ORDINANCE AMENDED, TO BE INTRODUCED ON SEPTEMBER 12, 2000)

Introduction of an Ordinance adding Chapter 15 of the Municipal Code.

Subitem-E: (O-2001-27) ORDINANCE AMENDED, TO BE INTRODUCED ON SEPTEMBER 12, 2000

Introduction of an Ordinance rezoning property located in the Mid-City and

portions of the College community plan areas.

OTHER RECOMMENDATIONS:

On January 28, 1999, the Planning Commission voted 7 - 0 to approve staff's recommendations except Euclid Avenue, University Avenue to Home Avenue ; was opposition.

Ayes: Watson, White, Butler, Steele, Anderson, Skorepa, Stryker

After hearing testimony about problems with businesses, traffic, and parking on a portion of Euclid Avenue, the Planning Commission, on a separate motion, approved the staff recommendation by a vote of 5-2 and asked staff to report back in six months on issues discussed and identify recommendations for their resolution for possible reconsideration. Staff worked with residents and businesses through much of 1999 to formulate an agreeable zoning program for Euclid Avenue.

Ayes: Watson, White, Butler, Anderson, Stryker

Nays: Steele, Skorepa

The Euclid Avenue Revitalization Action Program is supported by the City Heights Area Planning Committee. The Proposed code amendments and rezones are supported by all affected planning groups: the Normal Heights Community Planning Committee, Kensington-Talmadge Community Planning Committee, City Heights Area Planning Committee, Eastern Area Planning Committee, and College Area Community Council.

CITY MANAGER SUPPORTING INFORMATION:

BACKGROUND

The Mid-City Communities Plan was adopted by the City Council on August 4, 1998. Among the principal plan recommendations are to focus residential development onto the transit corridors while limiting densities in the neighborhoods, and to restore commercial zoning on several streets in City Heights. The City Council also adopted a facilities phasing ordinance which restricts residential development until facilities are available; specifically parks supplemented by the addition of schools/parks joint use facilities.

Staff worked with the Mid-City Plan Implementation Committee and the four Mid-City community planning groups--Normal Heights, Kensington-Talmadge, City Heights, and Eastern Area--to formulate the rezoning program. Staff also worked with the College Area Community Council to address the Mid-City Planned District issues related to the north side of El Cajon Boulevard within the College Area Community Plan in order to assure zoning consistency on both sides of the street.

On January 28, 1999, the Planning Commission unanimously recommended approval of staff's recommendations. After hearing testimony about problems with businesses, traffic, and parking on a portion of Euclid Avenue, the Planning Commission, on a separate motion, approved the staff recommendation by a vote of 5-2 and asked staff to report back in six months on issues discussed and identify recommendations for their resolution. Staff worked with residents and businesses through much of 1999 to formulate an agreeable zoning program for Euclid Avenue.

DISCUSSION

The Mid-City Planned District was originally conceived after adoption of the 1984 Mid-City Community Plan. It was determined at that time that the Citywide zoning code was not capable of addressing the needs of the community. Since 1986, the Citywide zoning code (Land Development Code--LDC) has been updated and adopted by the City Council (November 1997, effective January 2000), and a new Mid-City Communities Plan has been adopted (August 1998).

FISCAL IMPACT:

None with this action.

Loveland/Goldberg/tcr

NOTE: The City of San Diego as Lead Agency under CEQA has reviewed and considered EIRs, LDR-98-8207, dated June 12, 1998, adopted August 4, 1998, by Resolution R-290607; and LDR-87-0601, dated October 6, 1988, adopted May 2, 1989, by Resolution R-273372, covering the proposed Municipal Code amendments and rezones.

The proposed Euclid Avenue Revitalization Action Program is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15262 (Feasibility and Planning Studies). Subsequent environmental review in accordance with the provisions of CEQA will be required prior to the funding or implementation of any recommendations contained in the Action Program which may cause a direct physical change to the environment and/or a reasonably foreseeable physical change to the environment. Implementation of site specific projects would require additional environmental review.

FILE LOCATION: LAND - Mid-City and College Community Plan Areas (10)

COUNCIL ACTION: (Tape location: C621-E460.)

Hearing began at 4:14 p.m. and halted at 5:26 p.m.

Testimony in opposition by Andrew Bailey, Maria Moreno, Joe Cortez, John Ziebarth, Maurice Federle, Karl Khoe, Jimmie Sue Springs, Diane Muller, David Springs.

Testimony in favor by Jose Lopez, Jeff Peterson, Jessie Sergent, Robert Sergent, Michael Dunn, Jim Varnadore, Michael Spragoe, Catherine Lynch, Don Mullen, Patty Vaccariello, C.D. Bush, Jr.

MOTION BY McCARTY TO INTRODUCE THE ORDINANCES IN SUBITEMS B, C, AND E. INTRODUCE THE ORDINANCE IN SUBITEM D AND ADOPT THE RESOLUTION IN SUBITEM A WITH THE FOLLOWING AMENDMENTS:

1) SUBITEM A: APPROVE THE EUCLID REVITALIZATION ACTION PROGRAM AS AMENDED TO INCLUDE LANGUAGE IN THE ADDENDUM THAT ADDS REFERENCES TO COUNCIL POLICY 200-8(c) REGARDING ALTERNATIVE PROCESS AND RETAINS THE ORIGINAL GOAL OF REPAIR/CONSTRUCTION OF CURBS TO CITY STANDARDS AS INCLUDED IN CITY MANAGER REPORT NO. P-100-139

2) SUBITEM D: ADOPT THE REZONES ON MAP DATED 07-13-00 AND AMENDMENTS TO THE MUNICIPAL CODE WITH THE FOLLOWING REVISIONS:

A) DELETE SPECIFIC ARCHITECTURAL REQUIREMENTS AS DESCRIBED IN SECTIONS 151.0220(h), 151.0232 (a) (b) AND (c), 151.0244 AND 151.0253 (e) (AS DETAILED IN CORRESPONDENCE FROM AIA'S JOHN ZIEBARTH) AND DESCRIBED IN CITY MANAGER'S REPORT NO. P-00-139. KEEP THE ARCHITECTURAL REQUIREMENTS FOR COMMERCIAL THAT ARE REFLECTED IN SECTION 151.0244, AS REQUESTED BY COUNCIL MEMBER KEHOE.

B) DELETE CUP REQUIREMENT AND ADDITIONAL REGULATIONS IN CU-2-3 AND CU-2-4 ZONES FOR INSTRUCTIONAL STUDIOS ALONG EL CAJON BOULEVARD. ACCEPT COUNCIL MEMBER KEHOE'S REQUEST THAT THIS BE CONSISTENT ALL ALONG EL CAJON BOULEVARD AND NOT BE DIVIDED AT EUCLID.

C) REVISE TABLE 151-02C, USE REGULATIONS TABLE FOR ALL CU ZONES , AS PER OUR DISCUSSION WITH CITY STAFF.

D) MODIFY 151.0240 (b) (6) IN REFERENCE TO THE NUMBER EMPLOYEES/BUSINESS PARTNERS IN CU-1-1 AND CU-1-2 ZONES. CHANGE LIMIT TO FIVE EMPLOYEES, AS REQUESTED BY COUNCIL MEMBER KEHOE.

E) MODIFY SAME IN NEIGHBORHOOD USE PERMIT IN 151.0251 (1) (f). CHANGE TO A LIMIT OF TEN EMPLOYEES AND DELETE THIS REQUIREMENT FORM CUP, AS REQUESTED BY COUNCIL MEMBER KEHOE.

G) REFER TO STAFF DIAGRAM 151-02B, FACILITY DEFICIENT NEIGHBORHOODS TO ADD THE COLLEGE AREA NEIGHBORHOODS OF COLLEGE, ROLANDO, ROLANDO PARK, DARNALL, OAK PARK, FOX CANYON AND ISLENAIR (PER CA PLAN, P. 96).

H) REFER THE CEAPER PLAN TO LU&H FOR CONSIDERATION OF CITY COUNCIL FOR ADOPTION.

DELETE THE 4200 BLOCK OF MARLBOROUGH FROM COMMERCIAL DEVELOPMENT, AS REQUESTED BY COUNCIL MEMBER KEHOE.

ACCEPT COUNCIL MEMBER KEHOE'S REQUEST TO BRING THE WHOLE ISSUE BACK IN SIX MONTHS TO SEE WHAT IS HAPPENING IN THE COMMUNITY AS A RESULT OF THESE CHANGES AND REGULATIONS.

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

ITEM-204: Advertising for Bids for Water Group 522.

(College Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-51) ADOPTED AS RESOLUTION R-293598

Approving the plans and specifications and inviting bids for Water Group 522 on Work Order No. 182071;

Authorizing the City Manager to establish contract funding phases and execute a contract with the lowest responsible bidder;

Authorizing the expenditure of not to exceed \$1,682,883 from Water Fund 41500, Annual Allocation-Water Main Replacement, CIP-73-083.0, for the purpose of providing funds for the project and related costs, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

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

Authorizing the use of City Forces to cut and plug, install valves, appurtenances, make connections and perform operational checks for a cost not to exceed \$209,515. (BID-K01001)

CITY MANAGER SUPPORTING INFORMATION:

Water Main Replacement Group 522 is part of the City's on-going cast iron water main replacement program. This action involves the replacement of 8,643 feet of six-inch, eight-inch, and twelve-inch cast iron water mains. The water mains to be replaced in the project were constructed as early as 1931 and have reached the end of their useful service life. Replacement of these deteriorated water mains will provide the community with a safe, reliable water infrastructure well into the 21st century. This project is located in the College Area. It is bounded by Montezuma Road to the north, Rose Street to the south, Cresita Drive to the west, and 63rd Street to the east.

FISCAL IMPACT:

The total estimated cost of this project is \$1,682,883. Funding for the amount of \$1,682,883 is available from Water Fund 41500, Annual Allocation - Water Main Replacement, CIP-73-083.0. The total estimate breaks down as follows: \$291,035 for Design and Inspection; \$1,129,257 for Construction; and \$53,076 for Contingencies. Included in the above is \$209,515 for City Forces work as it is cost effective to employ City Forces to make connections and perform operational checks for this project.

Belock/Boekamp/HR

WWF-00444.

FILE LOCATION: CONT - Ortiz Corporation; W.O. 182071

COUNCIL ACTION: (Tape location: B065-B108.)

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

ITEM-205: Park Development Agreement - Carmel Valley Neighborhood 8A Community
Park Site.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-110) ADOPTED AS RESOLUTION R-293599

Authorizing a Park Development Agreement with Carmel Oaks Properties LLC
for the Carmel Valley Neighborhood Community Park site;

Authorizing the City Auditor and Comptroller to appropriate and expend an
amount not to exceed \$1,524,000 from FBA Fund 79008, Carmel Valley South
Facilities Benefit Assessments, for the Carmel Valley Community Park South-
Neighborhood 8A, CIP-29-764.0 or to provide up to \$1,524,000 in FBA credits
for the project.

CITY MANAGER SUPPORTING INFORMATION:

The proposed Carmel Valley Neighborhood 8A Community Park site is approximately 15 acres
in size and located south of State Highway 56 and east of Interstate 5. The park is scheduled in
the Carmel Valley Public Facilities Financing Plan for implementation between FY 2002 and
2004. The rough grading and drainage improvements are proposed as a turn key project in order
to expedite the necessary importation of fill dirt for the park, and to facilitate the developer's
need to export excess fill dirt from the adjacent approved subdivision site. The value of the
proposed improvements are approximately \$500,000 over the typical park development
requirements.

FISCAL IMPACT:

All cost associated with the construction of these improvements are either funded through the Carmel Valley Facilities Benefits Assessments (FBA) Fund No. 79008 (\$1,524,000), contingent upon availability of funds, or absorbed by the developer.

Loveland/McLatchy/DVW.

Aud. Cert. 2100060.

FILE LOCATION: DEV'L - Carmel Valley Neighborhood 8A Community
Park

COUNCIL ACTION: (Tape location: B065-B108.)

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

ITEM-206: Approving and Ratifying FY 2001 Police Officers Association (POA)
Memorandum of Understanding and Memoranda of Understanding Extensions
with Labor Unions.

(Continued from the meeting of July 17, 2000, Item 210, at the request of the City
Manager, to coordinate and obtain the signatures of all parties on the M.O.U.s)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1605) ADOPTED AS RESOLUTION R-293600

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: MEET

COUNCIL ACTION: (Tape location: B065-B108.)

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

ITEM-207: Fiscal Year 2001 San Diego Convention Center Corporation Budget.

(See City Manager Report CMR-00148. Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-147) ADOPTED AS RESOLUTION R-293601

Approving the Fiscal Year 2001 Budget in the amount of \$24,222,699 for the San Diego Convention Center Corporation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E461-F128.)

Motion by Warden to adopt with the direction that when the budget comes back for approval next year it is more detailed. No second.

Motion by Wear to continue to allow City staff and the Convention Center staff more time to resolve the problem regarding the cooling system at the City Concourse. No second.

MOTION BY KEHOE TO ADOPT, RETURN WITH UNRESOLVED ISSUES THROUGH THE YEAR, AND BRING THE COOLING SYSTEM BACK AS A POLICY ISSUE. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-208: "6 to 6" Program Expansion Funds.

(See City Manager Report CMR-00-151.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-153) ADOPTED AS RESOLUTION R-293602

Authorizing the City Manager to accept and expend \$3,204,026 in State After School Learning and Safe Neighborhoods Partnership Program funds;

Authorizing the City Manager to accept and expend \$750,000 in 21st Century

Community Learning Center funds;

Authorizing the City Manager to enter into agreements with selected providers and School Districts to operate the "6 to 6" Extended School Day Program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A035-116.)

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

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action.

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</u> <u>BEFORE</u> <u>ELECTION</u>	<u>EVENT</u>
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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
Boston Avenue

AREA
Mountain View Community

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-S400: Allocating \$10,000 from the San Diego Police Department's General Fund for information leading to arrest(s) in the NCFUA Hate Crime.

(Continued from the meeting of 7/24/2000, Item S403, at the request of the Mayor as a courtesy to Councilmember Vargas, to allow him to be present.)

(Trailed as Unfinished Business from the meeting of July 18, 2000, Item S500, due to a 4 to 4 vote.)

TODAY'S ACTION IS :

Adoption of the following resolution:

(R-2001-150) CONTINUED TO SEPTEMBER 11, 2000

Allocating the amount of \$10,000 from the San Diego Police Department's General Fund as a reward for information leading to arrests in the NCFUA hate crime;

Declaring that the amount of \$10,000 is to be distributed in the same manner as the Crime Stoppers reward being offered for the same incident.

NOTE: This matter was trailed per the following vote: Councilmembers Wear, Kehoe, Warden and Vargas voted yea. Councilmembers Mathis, Stevens, Stallings and McCarty voted nay. Mayor Golding not present.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: F264-645.)

Motion by Vargas to adopt. Second by Wear. Failed. Yeas-2, 5, 8, M.
Nays-1, 3, 4, 6. Not present-7.

MOTION BY COMMON CONSENT TO CONTINUE TO SEPTEMBER 11, 2000.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea,
Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-S401: Marshall Parks Day.

COUNCILMEMBER WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-188) ADOPTED AS RESOLUTION R-293603

Proclaiming August 4, 2000 to be "Marshall Parks Day" in San Diego in
recognition of Lt. Marshall Parks's lifetime achievement in the lifeguard
profession, and outstanding career with the San Diego City Lifeguard Service.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B065-B108.)

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

NON-DOCKET ITEMS:

NONE.

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ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 6:19 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: G042-043).