

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, OCTOBER 2, 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 Deputy Mayor Mathis at 2:12 p.m. Mayor Golding adjourned the meeting at 4:51 p.m. into closed session on Tuesday, October 3, 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 Blair-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 Blair-present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

ITEM-10: INVOCATION

Invocation was given by Pastor Thomas Bunnett of Grace Evangelical Lutheran Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Wear.

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS: APPROVED

Approval of Council Minutes for the meetings of:

9/11/2000 Adjourned
9/12/2000

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A029-049.)

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

ITEM-31: Proclaiming October 2-9 to be "Fleet Week" in the City of San Diego.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-364) ADOPTED AS RESOLUTION R-293858

Commending the event organizers and all the participants for their commitment to honoring the service men and women of the United States Navy, Marine Corps, Coast Guard and their families, and proclaiming the week of October 2-9, 2000 to be "Fleet Week" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A170-253.)

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

ITEM-32: San Diego Junior Theatre Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-319) ADOPTED AS RESOLUTION R-293859

Proclaiming October 2, 2000 to be "San Diego Junior Theatre Day" in San Diego in honor of 53 years of enhancing the lives of San Diego's youth through the magic of theatre arts.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A254-332.)

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

ITEM-33: Judith Harris Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-480) ADOPTED AS RESOLUTION R-293860

Recognizing the outstanding contributions of Judith Harris to improve the quality of life for the citizens of San Diego through her philanthropic and community service efforts;

Proclaiming October 2, 2000 to be "Judith Harris Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A050-166.)

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

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comment by Don Stillwell regarding Council's honesty and public disclosure.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A354-382.)

PUBLIC COMMENT-2:

Comment by Zigmund Turoski regarding the De Anza Community and the reasons why a hotel should not be built on Mission Bay.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A393-416.)

PUBLIC COMMENT-3:

Comment by David Ray Brown regarding police brutality in San Diego and his own experience with police brutality.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A419-459.)

PUBLIC COMMENT-4:

Comment by Ron Boshun regarding his concerns with the City Council's actions and decisions.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A463-503.)

PUBLIC COMMENT-5:

Comment by Donald P. Ray, Jr. regarding St. Vincent De Paul, Inc. and his complaint involving St. Vincent De Paul, Inc.'s security guards.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A638-693.)

PUBLIC COMMENT-6:

Burk Decker commented on articles that appeared in the Reader regarding actions taken by the City Council. He also suggested using Building 94 in NTC for a library.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B072-100.)

PUBLIC COMMENT-7:

Leo Long recited a poem regarding his concerns pertaining to the De Anza Cove Community.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B114-140.)

PUBLIC COMMENT-8: REFERRED TO THE CITY MANAGER

Laura Mallgren stated that dogs are being allowed to run off leash at Mission Trails Regional Park and the leash laws are not being enforced by Park Rangers.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B141-169.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Mayor Golding commented on the Ball Park and the financial situation at this time.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B173-186.)

COUNCIL COMMENT-2: Referred to the City Manager

Council Member Wear announced the opening of the Mission Bay Youth Aquatic Facility. Mr. Wear requested that the City Manager look into the situation of rinse-off stations that have not been completed. Mr. Wear was concerned with the \$150 deposit that is required to use the facility. He stated that this may be an impediment for those that cannot afford the deposit. He also requested that the City Manager look into a more user-friendly registration system. Mr. Wear suggested that instead of having to go to Quivera Basin to register, perhaps people could use their credit cards over the phone.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B187-201.)

COUNCIL COMMENT-3: Referred to the City Manager

Council Member Vargas wanted to insure that the brush is cleared at the Tijuana River Valley and that the City is prepared in case of heavy rains so that it will not flood as it did in 1993.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B203-207.)

COUNCIL COMMENT-4:

Council Member Kehoe announced that on Sunday, October 1, thousands of people participated in the AIDS walk and over \$700,000 was raised for local services. Ms. Kehoe thanked all the volunteers and the police for their assistance.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B208-215.)

* ITEM-50: Central Urbanized Planned District.

(Portions of the Normal Heights, Kensington-Area, and College Community Plan areas. Districts-3, 4, & 7.)

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

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 9/19/2000. (Council voted 8-0. Councilmember Kehoe not present.):

Subitem-A: (O-2001-24) REV. 1 ADOPTED AS ORDINANCE O-18852 (New Series)

Amending Chapter X, Article 3, Division 15, of the San Diego Municipal Code by amending Sections 103.1501, 103.1502, 103.1503, and 103.1504 relating to the Mid-City Communities Planned District.

Subitem-B: (O-2001-26) ADOPTED AS ORDINANCE O-18853 (New Series)

Amending Chapter 13, Article 1, Division 1, of the San Diego Municipal Code by adding Section 131.0121 relating to Planned Districts.

Subitem-C: (O-2001-25 Cor. Copy) REV. 2 ADOPTED AS ORDINANCE O-18854 (New Series)

Amending the San Diego Municipal Code by adding Chapter 15, titled Planned Districts; by adding Article 1, titled Planned Districts; by adding Division 1, titled General Rules; by adding Division 2, titled Central Urbanized Planned District Ordinance; and by adding Sections 151.0201, 151.0202, 151.0210, 151.0220, 151.0230, 151.0231, 151.0232, 151.0233, 151.0234, 151.0235, 151.0236, 151.0238, 151.0240, 151.0242, 151.0244, 151.0245, 151.0251, 151.0252, and 151.0253 all relating to the Central Urbanized Planned District Ordinance.

Subitem-D: (O-2001-27) REV.1 ADOPTED AS ORDINANCE O-18855 (New Series)

Rezoning properties located in the Mid-City (Normal Heights, Kensington-Talmadge, City Heights, Eastern Area) and College Area Community Plan Areas, in the City of San Diego, California, to the OP-1-1, OP-2-1, OC-1-1, OR-1-1, RS-1-1, RS-1-7, RS-1-7 (MHPOZ), RM-1-1, RM-1-2, RM-1-3, RM-2-4, RM-2-5, RM-2-6, RM-3-7, RM-3-8, CN-1-2, CN-1-3, CC-2-3, CC-4-3, CC-5-3, CC-5-4, CU-1-1, CU-1-2, CU-2-3, CU-2-4, CU-2-5, CU-3-3, CU-3-6, CU-3-7, CU-3-8, CR-1-1, CR-2-1, CT-2-3, CT-2-4, CT-3-3, CT-5-4, IL-2-1 zones, and repealing Ordinance O-16577, adopted January 24, 1986 and Ordinance O-16993, adopted December 7, 1987; of the Ordinances of the City of San Diego insofar as the same conflict herewith.

FILE LOCATION: SUBITEMS A-D: LAND - Mid-City & College
Community Plan Areas Central Urbanized Planned District
(10)

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-51: Regulatory Relief.

(Mid-City Community Area. District-3.)

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

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/12/2000. (Council voted 8-0. District 5 vacant.):

(O-2001-16) ADOPTED AS ORDINANCE O-18856 (New Series)

Amending Chapter 10, Article 3, Division 15, of the San Diego Municipal Code by amending Section 103.1514 relating to permitting live/work quarters in the Mid-City Communities Planned District.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-52: Amending Ordinance O-18806 to Create Six New Classifications.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/12/2000. (Council voted-8-0. District 5 vacant.):

(O-2001-30) ADOPTED AS ORDINANCE O-18857 (New Series)

Amending Ordinance O-18806 (New Series), entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 2000-01 " by amending Exhibit B thereto to create and add the new Classes of "Water Systems Technician I", "Water Systems Technician II", "Water Systems Technician III", "Water Systems Technician IV", "Water Systems Technician Supervisor", and "Water Systems District Manager" in the Construction and Maintenance Occupation Group; amending Exhibits A-1 and A-2 of said Ordinance to provide new salary rates for said positions in the Classified Service, as set forth in Attachments A-1 and A-2 thereto; amending Resolution

R-293143 to place the "Water Systems Technician I", "Water Systems Technician II" and "Water Systems Technician III" positions in the Maintenance, Labor, Skilled Trades and Equipment Operator Unit; to place the "Water Systems Technician IV" position in the Municipal Employees' Union (MEA)-Technical Unit; to place the "Water Systems Technician Supervisor", and "Water Systems District Manager" in the Municipal Employees' Union (MEA)-Supervisory Unit; and by amending Resolution R-293142 to approve and declare the above newly created Classes as eligible for premium rate overtime by placing the Classes in Group A of the Addendum to Personnel Manual Section H-4, entitled "Overtime."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-53: Science and Technology Commission.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/12/2000. (Council voted 8-0. District 5 vacant.):

(O-2000-48) ADOPTED AS ORDINANCE O-18858 (New Series)

Amending Chapter II, Article 6, of the San Diego Municipal Code by adding Division 14, Sections 26.1401, 26.1402 and 26.1403, relating to the Science and Technology Commission, changing the name of "Science and Technology Council" to "Science and Technology Commission."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-54: Amendments to the Municipal Code regarding Graffiti Abatement.

(See City Attorney's 5/26/2000 report; David Bejarano's 5/17/2000 memo.)

TODAY'S ACTION IS:

Introduce the following ordinance:

(O-2001-32) INTRODUCED, TO BE ADOPTED ON OCTOBER 16, 2000

Introduction of an Ordinance amending Chapter V, Article 4, Division 4 of the San Diego Municipal Code by amending Section 54.0401 through Section 54.0403; amending Section 54.0405; retitling and amending Section 54.0406 to Section 54.0407; amending Section 54.0408; retitling and amending Section 54.0409; amending Section 54.0410; amending Section 54.0413, all relating to Graffiti Abatement:

1) making it illegal to place graffiti art posters or stickers on public or private property; 2) providing abatement authority to remove posters on public property and from the public right-of-way; (3) expanding the areas where graffiti may be abated on private property; (4) amending the City's Spray and Pay program to provide citizen's rewards for reporting graffiti vandalism, whether or not the graffiti causes property damage; (4) allowing the City to recover costs of abating graffiti under certain circumstances; (5) requiring property owners to sign consent forms and liability waivers before the City will enter and abate graffiti on private property; (6) making other minor non-substantive amendments to the current graffiti ordinance.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:**

On 5/31/2000 PS&NS voted 5 to 0 to accept the City Attorney's recommendation with direction to the City Manager to include in the Fiscal Year 2001 budget deliberations any additional positions or program needs required to implement the proposed amendments. Further direction was given to the City Manager to involve the Business Improvement District Council and the Small Business Advisory Board in the final drafting of the amendments. (Councilmembers Mathis, Wear, Stevens, Warden and Stallings voted yea.)

SUPPORTING INFORMATION:

On May 31, 2000 the Public Safety and Neighborhood Services Committee voted 5-0 to accept the City Attorney's recommendation to amend the existing Graffiti Ordinance and refer to the City Council for consideration during review of the Fiscal Year 2001 Proposed Budget, and directed staff to involve the Business Improvement District Council and the Small Business Advisory Board in the final drafting of the amendments. When the Committee considered the recommended amendments, they were advised that enforcement of the ordinance would require an additional \$240,000 per year. This estimate included an increase for code enforcement activities related to the removal of posters and glue-on stickers from both public and private property, and for removal of the posters from most City and private property. The estimate did not include costs that may be incurred by other City departments such as Park and Recreation and Transportation.

FISCAL IMPACT:

No additional funding for the Graffiti Control Program was identified as a part of the Fiscal Year 2001 budget review process for enforcement and implementation of the amended ordinance. Without additional funding, the new ordinance can be implemented by using existing resources in the Graffiti Control Program. However, expanding the definition of graffiti to include posters and stickers will also expand the workload, therefore, the response time to remove graffiti will be impacted by approximately 60%. Implementation of the new ordinance can begin approximately 30 days after final adoption by Council. Six months after implementation, staff will be prepared to return to Council with a more accurate accounting of implementation costs and impacts to service levels.

Devaney/DSM

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B217-313.)

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

- * ITEM-55: Amending the Permanent Rules of the City Council to add the Select Committee on Government Efficiency and Fiscal Reform as a subcommittee to the Committee on Rules, Finance and Intergovernmental Relations.

MAYOR GOLDING'S RECOMMENDATION:

Introduce the following ordinance:

(O-2001-47) INTRODUCED, TO BE ADOPTED ON OCTOBER 16, 2000

Introduction of an Ordinance amending Chapter II, Article 2, Division 1, of the San Diego Municipal Code by amending Section 22.0101 relating to Permanent Rules of the Council, to add the Select Committee on Government Efficiency and Fiscal Reform as a subcommittee to the Committee on Rules, Finance and Intergovernmental Relations.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B217-313.)

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

- * ITEM-56: Amending FY2001 Capital Improvements Program Budget - Bayview Terrace Elementary School - Joint Use Facility.

(Pacific Beach Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2001-52) INTRODUCED, TO BE ADOPTED ON OCTOBER 16, 2000

Introduction of an Ordinance authorizing the expenditure of \$620,403 for use on Bayview Terrace Elementary School - Joint Use Facility, CIP-29-836.0; and authorizing the City Manager to execute a twenty-five year agreement for the construction, operation, maintenance, and lease of turfed fields and recreation facilities at Bayview Terrace Elementary School site with the San Diego Unified School District of San Diego County, California.

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

CITY MANAGER SUPPORTING INFORMATION:

This project will provide a 5.6 acre recreational facility at Bayview Terrace Elementary School, located between Grand Avenue and Fogg Street, west of Rose Creek in Pacific Beach, a community deficient in park land per General Plan standards. The proposed facility will be developed and maintained through a twenty-five (25) year lease and joint use agreement with the San Diego Unified School District (District). The City shall be responsible for the design and construction of the grading and drainage, underground electrical lines, irrigation system, turfed ballfields, decomposed granite running track, fencing, and driveways. The existing playground and parking lot are also to be used jointly. The City shall be responsible for maintenance of the ballfields, including the cost of electrical utilities and irrigation water for the ballfields. Maintenance costs associated with the parking lot, the playground area, and the running track shall be shared equally between the agencies. Collection and removal of litter, and graffiti removal in the joint use area shall be shared between the agencies based on percentage of use.

FISCAL IMPACT:

Funds are available in the amount of \$620,403 from Capital Outlay (\$65,403) and Community Development Block Grant Funds (\$555,000) for this purpose. Project development of Phase I will proceed when construction documents are complete and the additional estimated required funding in the amount of \$207,875 is identified. Annual maintenance costs pursuant to the Joint Use Agreement are estimated to be \$43,478. The funding for these costs will be requested as a new Park and Recreation facility in the Fiscal Year 2002 budget process.

Loveland/McLatchy/VW

Aud. Cert. 2100327.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-100: Adding a November 1, 2000 Natural Resources and Culture Committee Meeting.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-369) ADOPTED AS RESOLUTION R-293861

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 2000 through December 31, 2000 to add a meeting of the Natural Resources and Culture Committee on Wednesday, November 1, 2000 at 9:00 a.m. in the Council Committee Room, 202 "C" Street, San Diego, CA 92101.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-101: Seaview Corporate Center Final Map.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-498) ADOPTED AS RESOLUTION R-293862

Approving the final map of Seaview Corporate Center.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of an 18.203 acre site into 8 lots for industrial development. It is located northerly of Lusk Blvd at the northeasterly terminus of Telesis Court in the Mira Mesa Community Plan area.

On June 29, 2000 the Planning Commission of the City of San Diego approved Tentative Map TM-99-1337 by City Council Resolution No. 2977-1-PC for Seaview Corporate Center. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. A cash bond in the amount of \$10,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Mira Mesa Facilities Benefits Assessment (FBA) District, which provides for the payment of FBA, including parks, at the time of building permit issuance. This community may be subject to impact fees, as established by the City Council, at the time of building permit issuance.

FISCAL IMPACT:

None.

Loveland/Haase/GB

_____ FILE LOCATION: SUBD - Seaview Corporate Center (40)

_____ COUNCIL ACTION: (Tape location: B217-313.)

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

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

* ITEM-102: Phoenix II Final Map.

(North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-448) ADOPTED AS RESOLUTION R-293863

Approving the final map.

CITY MANAGER'S SUPPORTING INFORMATION:

This map proposes the subdivision of a 0.218 acre site into 1 lot for 6 residential condominium units. It is located north of Madison Avenue on Ohio Street in the North Park Community Plan area. On July 15,1999, the Planning Commission of the City of San Diego approved Tentative Map TM-99-0241 by Planning Commission Resolution No.2818-PC for Phoenix 11. 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 Number 30448-D, filed in the Office of the City Clerk under Micro Number 140.43. Engineering Permit No. W49118 has been issued for grading and public improvements and a Permit Performance Bond No. 111264 in the amount of \$6,270 has been issued by American Contractors Indemnity Company to ensure completion of the public improvements. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$6,270 and a Performance Bond in that amount has been provided as surety. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and the U.S. Department of Housing and Urban Development".

FISCAL IMPACT:

None.

Loveland/Haase/BNM

FILE LOCATION: SUBD - Phoenix II (40)

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-103: Two actions related to Final Subdivision Map of The Heights of Del Cerro.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-355) ADOPTED AS RESOLUTION R-293864

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

Subitem-B: (R-2001-354) ADOPTED AS RESOLUTION R-293865

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 15.815 acre site into 9 lots for residential development plus 2 open space lots and a private driveway. It is located south of Navajo Road in the Navajo Community Plan area.

On June 1, 1992 the Subdivision Board approved Subdivision Board Resolution No. 5642 and on July 2, 1998 the Planning Commission approved Planning Commission Resolution No. 2655-PC-1 Planned Infill Residential Development / Resource Protection Ordinance Permit No. 98-0402. 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 Engineering Drawing No. 29993-1-D through 29993-12-D, filed in the Office of the City Clerk under Micro Number 140.44. All improvements are to be completed within

two years. The Engineer's estimate for the cost of public improvements is \$261,327.39 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$5,400, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Navajo Public Facilities Financing Plan area, which provides for the payment of a Development Impact Fee (DIF) at the time of building permit issuance. Park fees in the amount of \$1,200 have been paid. This subdivision is in Park Service District 11.370.

Loveland/Haase/GB

FILE LOCATION: SUBITEMS A & B: SUBD - The Heights of Del Cerro
(40)

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-104: Seven actions related to the Final Subdivision Map of Robinhood Ridge Unit No. 1.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-467) ADOPTED AS RESOLUTION R-293866

Authorizing a Subdivision Improvement Agreement with Greystone Homes, Inc., for the installation and completion of public improvements.

Subitem-B: (R-2001-466) ADOPTED AS RESOLUTION R-293867

Approving the final map.

Subitem-C: (R-2001-468) ADOPTED AS RESOLUTION R-293868

Authorizing a Landscape Improvement Agreement with Greystone Homes, Inc., for the maintenance of landscaping.

Subitem-D: (R-2001-469 Cor. Copy 9/21/00) ADOPTED AS RESOLUTION R-293869

Authorizing a Reimbursement Agreement for Otay Valley Road with Greystone Homes, Inc., for the design and construction of Otay Valley Road;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$1,100,000 for FY 2000 cash payments from Development Impact Fee (DIF) Funds 39062/39067 and/or Facilities Benefit Assessment (FBA) Funds 79013/79014 and/or credits from FBA Fund 79014, contingent upon the City Auditor and Comptroller furnishing a certificate certifying that the funds necessary for reimbursement are, or will be, on deposit in the City Treasury for Otay Valley Road, CIP-52-672.0;

Declaring that the Reimbursement Agreement authorizes Greystone Homes, Inc. reimbursement, subject to availability of funds, with DIF or FBA cash or FBA credits for costs incurred prior to and following the approval of the Reimbursement Agreement in connection with the qualifying improvements. New contracts let in connection with qualifying improvements following approval of the Reimbursement Agreement are subject to the bidding requirements of the Reimbursement Agreement.

Subitem-E: (R-2001-470) ADOPTED AS RESOLUTION R-293870

Authorizing a Park Development Agreement for Robinhood Ridge Neighborhood Park No. 3, with Greystone Homes, Inc., (Lennar Communities), for the acquisition, design and construction of Neighborhood Park No. 3;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$1,240,000 for FY 2000 cash payments from Development Impact Fees (DIF) Fund 39067 and/or Facilities Benefit Assessment (FBA) Fund 79014 and/or credits from FBA Fund 79014, contingent upon the City Auditor and Comptroller furnishing a certificate certifying that the funds necessary for reimbursement are, or will be, on deposit in the City Treasury for Robinhood Ridge Neighborhood Park No. 3, CIP-29-481.0;* ITEM-104 (Continued):

Subitem-F: (R-2001-471) ADOPTED AS RESOLUTION R-293871

Accepting a grant deed of Greystone Homes, Inc. granting to the City Lots "A" and "C" of Robinhood Ridge Unit No. 1 for open space purposes.

Subitem-G: (R-2001-472) ADOPTED AS RESOLUTION R-293872

Authorizing a Deferred Improvement Agreement with Greystone Homes, Inc., for improvements for Vista Santo Domingo.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 83.629 acre site into 104 lots for residential development. It is located on the north side of Otay Mesa Road between Otay Valley Road and Interstate 805 in the Otay Mesa Community Plan area. On June 4, 1991 the Council of the City of San Diego approved City Council Resolution No. R-278054 for Robinhood Ridge. 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 Numbers 29394-1-D and 29394-30-D, filed in the Office of the City Clerk under Micro Number 140.35. All improvements are to be completed within two years.

The Engineer's estimate for the cost of public improvements is \$2,809,563 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$18,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. The proposed Otay Valley Road widening project, adjacent to the Robinhood Ridge subdivision, (part of the ultimate Otay Valley Road alignment), is proposed for construction/ reimbursement by the City as scheduled in the FY 2000 Otay Mesa Public Facilities Financing Plan between FY 2000 and FY 2002. The proposed Robinhood Ridge Neighborhood Park No. 3 is 6.2 acres located in the Robinhood Ridge Precise Plan area north of State Highway 905 and west of Otay Valley Road. It is scheduled in the FY 2000 Otay Mesa Public Facilities Financing Plan between FY 2000 and FY 2002. The park design and construction is proposed as a turn-key project in order to expedite its implementation. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development". As a condition of TM-86-1014, subdivider is entering into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility.

Lots "A" and "C" are being deeded to the City at no cost. The lots total 37.085 acres in size. No park fee credit is being granted by this action. The lots are to be used for open space purposes. In order to satisfy Condition 18 of TM Resolution No. 86-1014, Subdivider is entering into a bonded Deferred Improvement Agreement for off-site improvements to Vista Santo Domingo.

FISCAL IMPACT:

All costs associated with reimbursing the Subdivider for providing the Otay Valley Road (\$3,000,000) and Robinhood Ridge Neighborhood Park No. 3 (\$2,325,000) projects defined in the Agreements are funded through the Otay Mesa Development Impact Fees and/or Facilities Benefit Assessments contingent upon availability of funds.

Loveland/Haase/LH

FILE LOCATION: SUBITEMS A, B, C, D, E, G: SUBD - Robinhood Ridge Unit No. 1 (40)
SUBITEM F: DEED F-7861

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-105: Four actions related to the Final Subdivision Map of Robinhood Ridge Unit No. 2.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-458) ADOPTED AS RESOLUTION R-293873

Authorizing a Subdivision Improvement Agreement with Greystone Homes, Inc. for the installation and completion of public improvements.

Subitem-B: (R-2001-457) ADOPTED AS RESOLUTION R-293874

Approving the final map.

Subitem-C: (R-2001-459) ADOPTED AS RESOLUTION R-293875

Authorizing a Landscape Maintenance Agreement with Greystone Homes, Inc. for the maintenance of landscaping.

Subitem-D: (R-2001-460 Cor. Copy) ADOPTED AS RESOLUTION R-293876

Accepting a grant deed of Greystone Homes, Inc. granting to the City Lots "E" and "F" of Robinhood Ridge Unit No. 2 for open space purposes.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 42.819 acre site into 184 lots for residential development plus Lots "E" and "F". It is located on the north side of Otay Mesa Road between Otay Valley Road and Interstate 805 in the Otay Mesa Community Plan area. On June 4, 1991 the Council of the City of San Diego approved City Council Resolution No. R-278054 for Robinhood Ridge. 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 Number 29865-1-D - 29865-35-D, filed in the Office of the City Clerk under Micro Number 140.45. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$3,483,620.00 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$26,000.00, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development". As a condition of T.M. No. 86-1014, subdivider is entering into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility. Lots "E" & "F" are being deeded to the City at no cost. The lots total 7.669 acres in size. No park fee credit is being granted by this action. The lots are to be used for open space purposes. This subdivision is located in the Otay Mesa Public Facilities Financing Plan area, which provides for the payment of a Facilities Benefits Assessment (FBA), including parks, at the time of building permit issuance. This community may be subject to impact fees, as established by the City Council, at the time of building permit issuance.

FISCAL IMPACT:

None.

Loveland/Haase/GB

FILE LOCATION: SUBITEMS A-C: SUBD - Robinhood Ridge Unit No. 2
(40)
SUBITEM D: DEED F-7862

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-106: Four actions related to the Final Subdivision Map of Robinhood Ridge Unit No. 3.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-450 Cor. Copy) ADOPTED AS RESOLUTION R-293877

Authorizing a Subdivision Improvement Agreement with Greystone Homes, Inc., for the installation and completion of public improvements.

Subitem-B: (R-2001-449 Cor. Copy) ADOPTED AS RESOLUTION R-293878

Approving the final map.

Subitem-C: (R-2001-451 Cor. Copy) ADOPTED AS RESOLUTION R-293879

Authorizing a Landscape Improvement Agreement with Greystone Homes, Inc., for the maintenance of landscaping.

Subitem-D: (R-2001-452 Cor. Copy) ADOPTED AS RESOLUTION R-293880

Accepting a grant deed of Greystone Homes, Inc. granting to the City Lot "G" of Robinhood Ridge Unit No. 1 for open space purposes.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 37.882 acre site into 127 lots for residential development plus Lot "G". It is located on north side of Otay Mesa Road between Otay Valley Road and Interstate 805 in the Otay Mesa Community Plan area. On June 4, 1991 the Council of the City of San Diego approved City Council Resolution R-278054 for Robinhood Ridge. 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 Number 29888-1-D and No. 29888-16-D, filed in the Office of the City Clerk under Micro Number 140.46. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$1,416,940 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$15,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development". As a condition of TM-86-1014, subdivider is entering into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility. Lot "G" is being deeded to the City at no cost. The lot totals 15.568 acres in size. No park fee credit is being granted by this action. The lot is to be used for open space purposes. This subdivision is located in the Otay Mesa Public Facilities Financing Plan area, which provides for the payment of a Facilities Benefits Assessment (FBA), including parks, at the time of building permit issuance. This community may be subject to impact fees, as established by the City Council, at the time of building permit issuance.

FISCAL IMPACT:

None.

Loveland/Haase/GB

FILE LOCATION:

SUBITEMS A-C: SUBD Robinhood Ridge Unit No. 3 (40)
SUBITEM D: DEED F-7863

COUNCIL ACTION:

(Tape location: B217-313.)

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

* ITEM-107: Four actions related to the Final Subdivision Map of Robinhood Ridge Unit No. 4.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-454) ADOPTED AS RESOLUTION R-293881

Authorizing a Subdivision Improvement Agreement with Greystone Homes, Inc. for the installation and completion of public improvements.

Subitem-B: (R-2001-453) ADOPTED AS RESOLUTION R-293882

Approving the final map.

Subitem-C: (R-2001-455) ADOPTED AS RESOLUTION R-293883

Authorizing the City Manager to execute a Landscape Maintenance Agreement with Greystone Homes, Inc. for the maintenance of landscaping.

Subitem-D: (R-2001-456) ADOPTED AS RESOLUTION R-293884

Accepting a grant deed of Greystone Homes, Inc., granting to the City Lot "H" of Robinhood Ridge Unit No. 4 for open space.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 40.541 acre site into 76 lots for residential development plus Lots "H", "I" and "J". It is located on the north side of Otay Mesa Road between Otay Valley Road and Interstate 805 in the Otay Mesa Community Plan area. On June 4, 1991 the Council of the City of San Diego approved City Council Resolution R-278054 for Robinhood Ridge. 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 Number 29886-1-D to 29886-15-D, filed in the Office of the City Clerk under Micro Number 140.47. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$1,135,979 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$8,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development". As a condition of T.M. No. 86-1014, subdivider is entering into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility. Lot "H" is being deeded to the City at no cost. The lot totals 24.914 acres in size. No park fee credit is being granted by this action. The lot is to be used for open space purposes. Lots "I" and "J" are being dedicated for open space easements. This subdivision is located in the Otay Mesa Public Facilities Financing Plan area, which provides for the payment of a Facilities Benefits Assessment (FBA), including parks, at the time of building permit issuance. This community may be subject to impact fees, as established by the City Council, at the time of building permit issuance.

FISCAL IMPACT:

None.

Loveland/Haase/GB

FILE LOCATION: SUBITEMS A-C: SUBD-Robinhood Ridge Unit No. 4 (40)
SUBITEM D: DEED F-7864

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-108: Angle Parking on Coast Boulevard.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-383) ADOPTED AS RESOLUTION R-293885

Approving angle parking on the east side of Coast Boulevard between Jenner Street and Coast Boulevard South, pursuant to San Diego Municipal Code Section 86.03;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

This action permits angle parking on the east side of Coast Boulevard between Jenner Street and Coast Boulevard South. Currently, there is parallel parking in this segment. This action will provide 9 additional parking spaces. Council approval is required according to Municipal Code Section 86.03. The property owner representing 100% of the abutting frontage has submitted a petition supporting this action. The La Jolla Community Planning Association supports this action.

FISCAL IMPACT:

Fiscal impact is minimal. Funds are budgeted within the Transportation Department, Street Division's operating fund for this purpose.

Belock/Gonzalez/AH

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-109: Angle Parking on Modoc Street.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-306) ADOPTED AS RESOLUTION R-293886

Approving angle parking on the west side of Modoc Street between Balboa Avenue and a point 100 feet to the south, pursuant to San Diego Municipal Code Section 86.03;

Approving the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of such signs.

CITY MANAGER SUPPORTING INFORMATION:

This action permits angle parking on the west side of Modoc Street between Balboa Avenue and a point 100 feet to the south. Currently, there is parallel parking in this segment. This action will provide 2 additional parking spaces. Council approval is required according to Municipal Code Section 86.03. The property owner representing 100% of the abutting frontage has submitted a petition supporting this action. The Clairemont Mesa Planning Committee supports this action.

FISCAL IMPACT:

Fiscal impact is minimal. Funds are budgeted within the Transportation Department, Street Division's operating fund for this purpose.

Belock/Gonzalez/AH

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-110: Spousal Abuser Prosecution Program Grant.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-505) ADOPTED AS RESOLUTION R-293887

Authorizing the City Attorney to apply for, accept and expend \$75,000 Spousal Abuser Prosecution Program (SAPP) Grant from the State of California Department of Justice, under the terms and conditions outlined in the letter dated June 12, 2000 to the City Attorney from Attorney General Bill Lockyer;

Declaring that the City of San Diego agrees to hold the Department of Justice and the State of California harmless from any liability arising out of the performance of the grant agreement, including court actions or damages, agrees that the City will provide the necessary match of 20 percent and certifies that the City will not use the grant to supplant local expenditures.

CITY MANAGER SUPPORTING INFORMATION:

On November 13, 1994, the City Attorney's Child Abuse/Domestic Violence Unit received notification that they had been awarded a \$60,000 grant from the California Department of Justice for the prosecution of domestic violence cases. The money has been used to enhance the advocacy and investigative efforts of the Unit. On March 15, 1996 we were notified that a second year of funding had been approved. On June 28, 1996 we were notified that a third year of funding had been approved. On September 9, 1997 we were notified that a fourth year of funding had been approved. On September 15, 1998 we were notified that a fifth year of funding had been approved. On August 9, 1999 we were notified that a sixth year of funding

had been approved. On June 12, 2000 we were notified that a seventh year of funding had been approved.

The grant award is contingent upon City Council approval. The proposed resolution authorizes the City Attorney to apply for and enter into a grant agreement with the Department of Justice. It also indemnifies the Department of Justice from any civil suits which might arise from the City Attorney's use of the funds and certifies that the City will not use the grant to supplant local expenditures.

Devaney/Swett

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-111: Reprogramming District Three CDBG Funds.

(Talmadge, North Park, City Heights Community Areas. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-444) ADOPTED AS RESOLUTION R-293888

Authorizing the reprogramming of \$45,000 from Fund 18532, Dept. 4111, Org. 1114 and Fund 18533, Dept.4131, Org. 3123 to Fund 18536, Dept. 4212, Org. 1222 (\$40,000) and Dept. 4222, Org. 2206 (\$5,000);

Authorizing the transfer of \$45,000 in District Three CDBG funds;

Authorizing the expenditure of CDBG funds for the Talmadge, North Park and City Heights areas for the funding of residential sidewalks in North Park and City Heights, and the formation of a Maintenance Assessment District in Talmadge;

Declaring that this activity is exempt from CEQA pursuant to State CEQA guidelines Section 15061(b)(3) and from NEPA pursuant to 24 CFR Part 58.34(a)(3).

CITY MANAGER SUPPORTING INFORMATION:

The District Three Council office is reprogramming \$45,000 from prior year CDBG allocations to the current year in order to fund a matching program for residential sidewalks in North Park and City Heights and the formation of a Maintenance Assessment District in the Talmadge Area.

FISCAL IMPACT:

Funds for this project are available from the CDBG Program.

Loveland/Cunningham/JC

Aud. Cert. 2100308.

_____ FILE LOCATION: MEET

_____ COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-112: Reprogramming of District Six CDBG Funds for the Lutheran Social Service Program.

(Linda Vista Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-445) ADOPTED AS RESOLUTION R-293889

Authorizing the reprogramming of \$13,500 from Fund 18535, Dept. 4185, Org. 8508/008508 (Code requirement fund) to Fund 18536, Dept. 4216, Org. 1605 (Lutheran Social Service);

Authorizing the transfer of \$13,500 from the City to the Lutheran Social Service Program;

Authorizing the expenditure of District Six CDBG funds;

Authorizing the San Diego Housing Commission, on behalf of the City, to negotiate and execute an agreement with Lutheran Social Services for the Caring Neighborhood Residential Rehabilitation Program;

Declaring that this activity is exempt from CEQA pursuant to State CEQA guidelines Sections 15061(b)(3) and from NEPA pursuant to 24 CFR Part 58.34(a)(3).

CITY MANAGER SUPPORTING INFORMATION:

The District Six Council office wishes to reprogram \$13,500 of CDBG Funds originally allocated to a project intended as a code correction fund to the Lutheran Social Service agency's minor home repair project. Lutheran Social Service has received CDBG funding since FY97 but did not submit an application for FY01. Several other Council offices have allocated funds to this project from their FY01 reserves. This action will complete the funding and allow the San Diego Housing Commission to enter into an agreement with the agency. Total funding for FY01 will be \$39,500.

FISCAL IMPACT:

Funds for this project are available from the CDBG Program.

Loveland/Cunningham/JC

Aud. Cert. 2100309.

_____ FILE LOCATION: MEET

_____ COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-113: Tijuana River Valley Property Acquisition Project.

(See City Manager Report CMR-95-241. Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-370 Cor. Copy) ADOPTED AS RESOLUTION R-293890

Authorizing the City Manager to execute an agreement with the County of San Diego to provide the required local contribution to the Grant and authorizing the appropriation and expenditure of said contribution in the amount of \$325,000 for the purpose of land acquisition for CIP-12-148.0, Tijuana River Valley Property Acquisition Project;

Amending the Fiscal Year 2001 CIP Budget to include CIP-12-148.0, Tijuana River Valley Property Acquisition Project;

Authorizing the City Manager to accept, appropriate and expend FEMA and Office of Emergency Services (OES) obligated grant funds in the amount of \$975,000 for the purpose of land acquisition and related costs for CIP-12-148.0, Tijuana River Valley Property Acquisition Project, contingent upon receipt of program supplements received from funding authorities;

Authorizing the City Auditor to advance funds, as may be required, from appropriate reserves in advance of the deposit of Grant funds to the City.

CITY MANAGER SUPPORTING INFORMATION:

The Tijuana River Valley Property Acquisition Project, CIP-12-148.0, consists of acquiring properties located in the Tijuana River Floodway from interested sellers and the demolition of existing structures. The properties that will be acquired by this project are: Assessor Parcel

Number APN 636-020-59 , APN 636-010-10, APN 637-010-04, APN 636-021-11, APN 636-021-06, and APN 636-021-07. The result of the proposed project would substantially reduce the risk of flood damage to these properties and the threat to human life and safety in the event of future flooding. This project represents one of the alternative solutions that were selected by the Tijuana River Valley Task Force as a permanent and long term flood control solution following the January, 1993 severe storms and flooding in the valley.

The estimated total cost of this project is \$1,300,000. Staff has secured two grants for this project:

1.Federal Emergency Management Agency (FEMA) Grant #1044-286-0006. FEMA has obligated \$975,000 for 75% of the total project cost. According to the terms of the FEMA grant, the transfer of the \$975,000 will be on reimbursement basis.

2.The local contribution of the remaining 25% of the total project cost will be provided by a County grant in the amount of \$325,000. As a condition of the County grant, FEMA has approved that the County shall take title to all acquired properties directly from interested sellers. The County grant shall be disbursed into and from the escrow account established for this project.

Fiscal Impact:

The total project cost is \$1,300,000. The project is funded with \$975,000 from the FEMA grant and \$325,000 from the County grant. There is no City funding requirement except to fund short term advances until the FEMA grant funds are deposited.

Belock/Boekamp/HR

Aud. Cert. 2100271.

_____ FILE LOCATION: MEET

_____ COUNCIL ACTION: (Tape location: B217-313.)

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

ITEM-114: Second Amendment to the Consultant Agreement for Sorrento Valley Road Improvement Project.

(Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-463) ADOPTED AS RESOLUTION R-293891

Authorizing the City Manager to execute a second amendment to an agreement with BRW, Inc. for additional work on the Sorrento Valley Road Improvement Project including final preparation of the Environmental Impact Report and initiation of the final design;

Authorizing the expenditure of an amount not to exceed \$250,000 from CIP-52-330.0, Sorrento Valley Road, TransNet Fund No. 30300;

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

CITY MANAGER SUPPORTING INFORMATION:

Sorrento Valley Road is currently closed to through vehicular traffic from Carmel Valley Road to Pump Station 65, just north of Carmel Mountain Road. The road, however, is open to pedestrian and bicycle traffic. The detour was initiated by CalTrans due to SR-56 construction conflicts.

On January 19, 1999, City Council directed the City Manager, via Resolution R-29116, to evaluate the options of. (1) fully reopening Sorrento Valley Road to through vehicular traffic; (2) partially reopening Sorrento Valley Road on weekdays during certain specified hours; and (3) permanently closing Sorrento Valley Road to vehicular traffic, providing additional information on wetlands restoration, lagoon enhancement projects, habitat restoration and analysis of transferring City owned property to the California State Parks Department.

Subsequent to the January 19, 1999 Council action, the consultants have completed the engineering design needed for the project definition and environmental analysis of the above alternatives and have prepared a draft Environmental Impact Report (EIR). The draft EIR was distributed for public review on August 18, 2000.

This action will provide additional funding for consultant work to finalize Environmental Impact Report, obtain environmental permits and continue engineering design to evaluate the options stated above.

FISCAL IMPACT:

With this Amendment, the total consultant compensation will be increased from \$538,298 to \$788,298. The additional funding is available in CIP-52-330.0, Sorrento Valley Road, TransNet Fund 30300.

Belock/Boekamp/HR

Aud. Cert. 2100319.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D075-190.)

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

* ITEM-115: Engineering Consultant Services for Sewer Pump Station 59 with Hirsch & Company.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-436) ADOPTED AS RESOLUTION R-293892

Authorizing an agreement with Hirsch & Company Consulting Engineers for the design of Sewer Pump Station 59;

Authorizing the expenditure of an amount not to exceed \$117,662 from Sewer Fund No. 41506, CIP-46-106.0, Annual Allocation - Sewer Pump Stations;

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

CITY MANAGER SUPPORTING INFORMATION:

This agreement is for the design of Sewer Pump Station 59 rehabilitation, which will construct a new wet well, provide a building for the emergency generator, electrical, and SCADA system, remove the existing trees, re-landscape, and provide new chain link fence around the site.

A list of twelve (12) consultants were provided by the City's Consultant Coordinator. The firms were interviewed in accordance with Council Policy 300-7, and Hirsch & Company was selected. Hirsch & Company's responsibility will include preparation of the construction plans, specifications and cost estimate, and support services during bidding and construction, for a contract amount not to exceed \$117,662.

FISCAL IMPACT:

This request estimate is \$117,662 for professional services, which includes \$106,965 for basic design services, and \$10,697 for contingencies. Funding is available in Sewer Fund 41506, CIP-46-106.0/46-603.2, Annual Allocation - Sewer Pump Stations. The total estimated cost for this project is \$117,662.

Belock/Boekamp/HR

Aud. Cert. 2100295.

WWF-01465.

_____ FILE LOCATION: MEET

_____ COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-116: Facilities Optimization Contract - HDR Engineering Inc. - Amendment No. 7.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-389) ADOPTED AS RESOLUTION R-293893

Authorizing the City Manager to execute a seventh amendment to the agreement of October 21, 1996, with HDR Engineering, Inc., for professional consulting services in connection with the Metropolitan Wastewater Department's optimization measures;

Authorizing the expenditure of an amount not to exceed \$350,000 from Fund No. 41506 to provide funds for the above Amendment No. 7.

CITY MANAGER SUPPORTING INFORMATION:

HDR Engineering, Inc., has been instrumental in assisting with the optimization of the Metropolitan Wastewater Department's operations and maintenance functions relative to the City of San Diego's sewerage infrastructure. The company's efforts were particularly useful in the development of the innovative Bid-to-Goal Agreement and attendant measures aimed at productivity enhancements in the Operations and Maintenance Division's large wastewater treatment facilities (Point Loma Wastewater Treatment Plant, Metropolitan Biosolids Center, etc.). Most recently, the company has assisted the Wastewater Collection Division and City Competition Program staffs in executing a City Competition Program competitive assessment of the operations and maintenance of the City's 2800 miles of collection pipeline and 80 associated pump stations. This Assessment produced comparative bench marking data, specified best industry practices, and developed both a comprehensive Operational Assessment document and a companion Optimization Plan as a guide to fully achieving best industry practices. Final success of this intensive project will be to systematically implement the optimization measures developed to date in a well thought out, technically sound and closely monitored fashion in order to safeguard the public health, safety and significant ratepayer investment associated with this key City infrastructure. This amendment will support this prudent implementation.

FISCAL IMPACT:

Expenditure of \$350,000 in the Wastewater Collection Division budget.

Belock/Schlesinger/JNH

Aud. Cert. 2100294.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-117: Arts and Humanities Month and Arts and Culture Month.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-481) ADOPTED AS RESOLUTION R-293894

Proclaiming the month of October 2000 to be "Arts and Humanities Month" in San Diego and urging all citizens to participate in and to celebrate the fine arts our community has to offer;

Proclaiming the month of December 2000 to be "Arts and Culture Month" in San Diego, and recognizing the Commission for Arts and Culture for their commitment to promote artistic innovation and cultural diversity in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B217-313.)

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

* ITEM-118: 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-2001-352) ADOPTED AS RESOLUTION R-293895

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: B217-313.)

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

ITEM-150: Two actions related to Del Mar Mesa FY 2001 Public Facilities Financing Plan and Facilities Benefit Assessment (FBA).

(See City Manager Report 00-182; Public Facilities Financing Plan and FBA, Fiscal Year 2001, August 2000 Draft. Del Mar Mesa Community Area. District-1.)

TODAY'S ACTION IS:

Adopt the following resolutions:

Subitem-A: (R-2001-400) ADOPTED AS RESOLUTION R-293896

Approving the document titled "Del Mar Mesa City Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2001."

Subitem-B: (R-2001-401) ADOPTED AS RESOLUTION R-293897

Resolution of Intention to designate area of benefit in Del Mar Mesa and setting the time and place for holding a public hearing thereon.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 9/20/2000, LU&H voted 4-0 to approve the City Manager's recommendation. (Councilmembers Wear, Kehoe, Stevens, and McCarty voted yea.)

FILE LOCATION: SUBITEMS A & B: STRT-FB-16-01 (33)

COUNCIL ACTION: (Tape location: B321-C240.)

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

ITEM-151: Two actions related to Mira Mesa FY 2001 Public Facilities Financing Plan and Facilities Benefit Assessment (FBA).

(See City Manager Report 00-183; Public Facilities Financing Plan and FBA, Fiscal Year 2001, August 2000 Draft. Mira Mesa Community Area. District-5.)

TODAY'S ACTION IS:

Adopt the following resolutions:

Subitem-A: (R-2001-405) ADOPTED AS RESOLUTION R-293898

Approving the document titled "Mira Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2001."

Subitem-B: (R-2001-406) ADOPTED AS RESOLUTION R-293899

Resolution of Intention to designate area of benefit in Mira Mesa and setting the time and place for holding a public hearing thereon.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 9/20/2000, LU&H voted 4-0 to approve the City Manager's recommendation. (Councilmembers Wear, Kehoe, Stevens, and McCarty voted yea.)

FILE LOCATION: SUBITEMS A & B: STRT-FB-12-01 (33)

COUNCIL ACTION: (Tape location: B321-C240.)

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

ITEM-152: City Manager's Interim Equal Opportunity Contracting Program (EOCP) Status Report.

(See City Manager Report CMR-00-112.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2001-180) TRAILED TO OCTOBER 3, 2000

Accepting the City Manager's Interim Equal Opportunity Contracting Program (EOCP) Status Report for the first half of FY 2000 as set forth in City Manager Report CMR-00-112.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:**

On 5/31/2000 PS&NS voted 4 to 0 to accept the report and forward it to the full City Council for consideration. (Councilmembers Mathis, Wear, Stevens and Warden voted yea. Councilmember Stallings not present.)

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: D200-420.)

MOTION BY COMMON CONSENT TO TRAIL TO OCTOBER 3, 2000, TO ALLOW STAFF TIME TO ACQUIRE ADDITIONAL INFORMATION. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200: Amendment of the Airport Environs Overlay Zone, and Application of the Overlay Zone To Areas Surrounding Lindbergh Field.

(Continued from the meeting of 9/18/2000, Item 51, at the request of McMillin NTC to resolve disagreements between the City and the Port District.)

(Districts-2, 3, 4, & 8.)

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

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances in Subitems A and B that were introduced on 7/18/2000. (Council voted 9-0):

Subitem-A: (O-2000-126 Cor. Copy) ADOPTED AS ORDINANCE O-18859
(New Series)

Amending the Airport Environs Overlay Zone (Municipal Code Sections 132.0301, 132.0302, 132.0303, 132.0306, 132.0308, and 132.0309).

Subitem-B: (O-2000-129 Cor. Copy) ADOPTED AS ORDINANCE O-18860
(New Series)

Applying the Airport Environs Overlay Zone to properties surrounding Lindbergh Field (Zone Map Drawing C-885, Version A, reflecting the 1999 contours).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B321-C240.)

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

ITEM-201: Council Policy 000-19, Legislative Policy Guidelines.

(See Intergovernmental Relations Department Report IRD-00-04.)

INTERGOVERNMENTAL RELATIONS DEPARTMENT'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-396) ADOPTED AS RESOLUTION R-293900 WITH DIRECTIONS

Amending Council Policy No. 000-19 titled "Legislative Policy Guidelines - 2000-2001."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B321-C240.)

MOTION BY WEAR TO ADOPT WITH DIRECTIONS TO ADD INTERSTATE 163 TO INTERGOVERNMENTAL RELATIONS DEPARTMENT REPORT #00-04 DATED SEPTEMBER 18, 2000, PAGE 30, ITEM 4(e) AS REQUESTED BY COUNCIL MEMBER McCARTY . Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202: Proposed New Main Library Project.

(See City Manager Report CMR-00-193.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-446) ADOPTED AS RESOLUTION R-293901

Authorizing the City Manager to execute a first amendment to the agreement with Rob Quigley, FAIA, for design services for the proposed New Main Library for an amount not to exceed \$510,000 from CIP-35-082.0, San Diego Main Library;

Authorizing the expenditure of an amount not to exceed \$510,000 from CIP-35-082.0, San Diego Main Library, for the purpose of providing funds for the project;

Amending the Fiscal Year 2001 Capital Improvements Program budget by adding CIP-36-063.0, Central Police Garage Relocation;

Authorizing the Auditor and Comptroller to transfer an amount not to exceed \$4,800,000 from CIP-35-082.0, San Diego Main Library to CIP-36-063.0, Central Police Garage Relocation;

Authorizing the expenditure of an amount not to exceed \$4,800,000 from CIP-36-063.0, Central Police Garage Relocation, for the purposes of expenses related to the relocation of the Police Heavy Vehicle Maintenance Facility, conditioned on CEQA compliance and subject to environmental review.

Aud. Cert. 2100312.

FILE LOCATION: MEET (63)

COUNCIL ACTION: (Tape location: C250-D070.)

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

ITEM-203: City of San Diego/MTDB Authority Lease Revenue Bonds (1994 Refundings).

(See City Manager Report CMR-00-192. Centre City East and Otay Mesa-Nestor Community Areas. Districts-2 and 8.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2001-56) INTRODUCED, TO BE ADOPTED ON OCTOBER 16, 2000

Introduction of an Ordinance approving the form of and authorizing execution and delivery of a second amendment to lease agreement between the City of San Diego and the City of San Diego/MTDB Authority, certain conveyances by quitclaim deed and approving certain actions in connection therewith.

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

Hearing began at 4:05 p.m. and ended at 4:28 p.m.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C250-D070.)

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

ITEM-204: Proposed New Main Library Project - Reimbursement of Project Expenditures from Bond Proceeds.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-477) ADOPTED AS RESOLUTION R-293902

Declaring the City's official intent to reimburse itself for expenditures in connection with the New Main Library Project.

CITY MANAGER SUPPORTING INFORMATION:

It is recommended that the City Council adopt a resolution of its reasonable official intent to reimburse itself from bond proceeds for certain project related expenditures ("Reimbursement Expenditures") that are made prior to the issuance of bonds for the proposed New Main Library Project. The proposed New Main Library Project expenditures made prior to the bond issuance are included in the current financing plan. City Council authorization to reimburse these expenditures made by the City from bond proceeds will serve to repay the various sources from which the funds have been used and/or will be used. The City reasonably expects (i) that debt obligations in a total amount not expected to exceed \$149.2 million will be issued for the proposed New Main Library Project, and (ii) that certain of the proceeds of such obligations will be used to reimburse the Reimbursement Expenditures.

The City's official intent to reimburse the Reimbursement Expenditures from bond proceeds is requested solely for purposes of establishing compliance with Section 1.150-2 of the United States Treasury Regulations. The City Council authorization for the City to reimburse itself for the project expenditures in no way obligates the City to make any expenditure, incur any bond obligation, or proceed with the project.

FISCAL IMPACT:

There is no fiscal impact with this action.

Frazier/MV

_____ FILE LOCATION: MEET (63)

_____ COUNCIL ACTION: (Tape location: C250-D070.)

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

ITEM-205: HUD 108 Loan for Ocean Beach Library Expansion.

(See City Manager Report CMR-00-191. Ocean Beach Community Area.
District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-478) ADOPTED AS RESOLUTION R-293903

Authorizing the City Manager or his designee to apply to the Department of Housing and Urban Development for a Section 108 loan of \$2 million for the Ocean Beach Library expansion 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, conduct all negotiations, and execute and submit all documents related to the processing of such a loan, if said loan is approved;

Authorizing the City Manager to appropriate proceeds of up to \$2 million from this proposed HUD 108 loan to CIP-35-100.0, Ocean Beach Library, if said loan is funded;

Authorizing the use of District 2 Community Development Block Grant funds as a source of repayment of the 108 loan;

Authorizing the City Manager to amend the CDBG 2001 Action Plan to reflect the use of HUD 108 loans for this project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B321-C240.)

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

ITEM-206: Modifying the FY 2001 CIP Budget to Include Three New Projects.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-441) ADOPTED AS RESOLUTION R-293904

Authorizing the City Auditor and Comptroller to amend the Capital Improvement Program budget to add the following CIP projects in accordance with the Fiscal Year 2001 Appropriation Ordinance:

CIP-41-927.0, Annual Allocation - Pump Stations 64, 65, Peñasquitos, and East Mission Gorge

CIP-41-926.0, Annual Allocation Pump Station 1 and Pump Station 2
CIP-40-930.0, Otay Mesa Trunk Sewer

Authorizing the City Auditor and Comptroller to transfer the following amounts:

\$763,000 within Fund No. 41506, from CIP-46-191.0, Brine Management Force Main, to CIP-41-927.0, Annual Allocation Pump Stations 64, 65, Peñasquitos, and East Mission Gorge.

\$1,213,828 within Fund No. 41509, from CIP-45-940.0, Wet Weather Storage, to CIP-41-926.0, Annual Allocation Pump Station 1 and Pump Station 2.

\$161,172 within Fund No. 41509, from CIP-42-926.0, Annual Allocation - North City Water Reclamation Plant, to CIP-41-926.0, Annual Allocation - Pump Station 1 and Pump Station 2.

\$1,157,971 within Fund No. 41506, from CIP-46-204.0, Sewer Pump Station 77 Force Main Replacement, to CIP-40-930.0, Otay Mesa Trunk Sewer.

CITY MANAGER SUPPORTING INFORMATION:

CIP-41-927.0, Annual Allocation for Municipal System Pump Stations 64, 65, Peñasquitos and East Mission Gorge provides for comprehensive upgrades, design modifications and major renovations or replacement of major equipment, such as pumps, valves, tanks, controls, odor control system, etc. at the pump stations. These improvements will allow the pump stations to be run more efficiently plus increase the reliability of the municipal wastewater system.

CIP-41-926.0, Annual Allocation for Metropolitan System Pump Station 1 & Pump Station 2 provides for comprehensive upgrades, design modifications, major renovations or replacement of major equipment, such as pumps, valves, tanks, controls, odor control system, etc. at the pump stations and the addition of an office/shop/storage building. These improvements will allow the pump stations to be run more efficiently plus increase the reliability of the Metropolitan Wastewater System.

CIP-40-930.0, Otay Mesa Trunk Sewer will serve the future wastewater needs in the Otay Mesa area. It consists of approximately 33,200 feet of pipeline located east of Interstate 805 in the Wruck Canyon area.

These projects were not included in the Fiscal Year 2001 CIP Budget. The Pump Station projects result from condition assessment for these facilities which had not been completed prior to Budget preparation. The Otay Mesa Trunk Sewer resulted from information from the Development Services Department related to future development occurring on Otay Mesa.

FISCAL IMPACT:

The total cost of this action is \$763,000 for Pump Stations 64, 65, Peñasquitos and East Mission Gorge (EMG) and funding is available in CIP-41-927.0, and \$1,375,000 for Pump Station 1 & Pump Station 2 and funding is available in CIP-41-926.0, and \$1,157,971 for Otay Mesa Trunk Sewer and funding is available in CIP-40-930.0.

Belock/Schlesinger/TRA

Aud. Cert. 2100330.

_____ FILE LOCATION: MEET

_____ COUNCIL ACTION: (Tape location: B321-C240.)

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

ITEM-207: Two actions related to Approving the Plans and Specifications and Inviting Bids for the Construction of Sewer and Water Group Job 90.

(Mid-City/Rolando Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-418) ADOPTED AS RESOLUTION R-293905

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Sewer and Water Group Job 90 on Work Order No. 171591/181191;

Authorizing the City Manager to execute a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$1,967,000 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacements and \$593,000 from Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacements, provided that the City Auditor first furnishes a certificate demonstrating that the funds are, or will be, on deposit in the City Treasury;

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

Authorizing the use of City forces to temporarily cut and plug, make all live connections of the water main, and highline the water main for a cost not to exceed \$73,000. (BID-K01021C)

Subitem-B: (R-2001-419) ADOPTED AS RESOLUTION R-293906

Certifying that the information contained in Mitigated Negative Declaration LDR-40-0313, 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 in the report, together with any comments received during the public review process, has been reviewed and considered by Council in connection with the approval of construction of Sewer and Water Group Job 90;

Declaring that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and approving said Mitigated Negative Declaration;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer and Water Group Job 90 is part of the City of San Diego's continuing Annual Sewer and Water Main Replacement Program. This project is in the Mid-City/Rolando area and consists of constructing approximately 13,300 linear feet of sewer main and 3,100 linear feet of water main. Also, this project includes the construction of 36 pedestrian ramps and slurry sealing of the impacted streets. The streets within this project which will be affected by construction operations are University Avenue, College Avenue, Cartagena Drive, Bonillo Drive, Tarragona Drive, Lerida Drive, Marraco Way, Rodrigo Drive, Lorca Drive, and Malcolm Drive. Residents will be notified by mail at least one (1) month before construction begins by the City's Engineering and Capital Projects Department and again ten (10) days before construction begins by the contractor through hand distribution.

FISCAL IMPACT:

The total estimated cost of this project is \$2,560,000. Funding of \$1,967,000 is included in the FY 2001 Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacement, and \$593,000 from FY 2001 Water Fund 41500, CIP-73-083.0, Annual Allocation - Water Main Replacement for this purpose. Included in the total estimate is \$73,000 for City forces to make connections and perform operational checks.

Belock/Boekamp/HR
WWF-00-461.

FILE LOCATION: SUBITEMS A & B: CONT - Ortiz Corporation; W.O.
171591/181191

COUNCIL ACTION: (Tape location: B321-C240.)

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

ITEM-208: Approving the Plans and Specifications and Inviting Bids for the Construction of
Catalina Boulevard Trunk Sewer - Phase II.

(Ocean Beach/Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-322) ADOPTED AS RESOLUTION R-293907

Approving the plans and specifications for the furnishing of all labor, material,
tools, equipment, transportation and other expense necessary or incidental and
inviting bids for the Construction of the Catalina Boulevard Trunk Sewer - Phase
II on Work Order No. 174491;

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

Authorizing the City Auditor and Comptroller to transfer \$393,150 within Sewer
Fund No. 41506, from CIP-40-925.0, Pacific Highway Trunk Sewer, to CIP-46-
072.0, Catalina Trunk Sewer - Phase II;

Authorizing the expenditure of an amount not to exceed \$2,038,659 from Fiscal
Year 2001 Sewer Fund No. 41506, CIP-46-072.0, Catalina Boulevard Trunk
Sewer - Phase II, to provide funds for this construction project, provided that the
City Auditor and Comptroller first furnishes one or more certificates
demonstrating that the funds necessary for the expenditure under established

