

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JANUARY 22, 2001  
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 Murphy at 2:05 p.m. Mayor Murphy adjourned the meeting at 3:23 p.m. into Closed Session on Tuesday, January 23, 2001 at 9:00 a.m. in the twelfth floor conference room to discuss existing litigation matters.

**ATTENDANCE DURING THE MEETING:**

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) Council Member Stallings-present
- (7) Council Member Madaffer-present
- (8) Council District-vacant

Clerk-Abdelnour (ew)

FILE LOCATION:

MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Murphy-present
- (1) Council Member Peters-present
- (2) Council Member Wear-present
- (3) Council Member Atkins-present
- (4) Council Member Stevens-present
- (5) Council Member Maienschein-present
- (6) Council Member Stallings-not present
- (7) Council Member Madaffer-present
- (8) Council District-vacant

ITEM-10: INVOCATION

Invocation was given by Dr. Paul Fisher of First Presbyterian Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Atkins.

ITEM-30: Approval of Council Minutes.

**TODAY'S ACTION IS: APPROVED**

Approval of Council Minutes for the meetings of:

- 01/01/2001 Adjourned
- 01/02/2001 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A027-032.)

MOTION BY MADAFFER TO APPROVE. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-not present, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comment by Don Stillwell regarding the subject income versus wages and that employers are withholding income taxes from that which is not income. He refers to the practice of withholding income taxes from employees' wages and further states that wages are compensation for labor which is a natural property right and cannot be lawfully taxed.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A108-160.)

PUBLIC COMMENT-2:

Comment by Bob Spellman stating that for many months the De Anza Community has been pleading not to order the destruction of the 510 homes in the community. He further comments that they have been ignored and that their lease expires in November, 2003 which is fast approaching and asked the City Council to extend their lease to expire in 2017 which is the same date as De Anza's Golf Course date and the De Anza's Campland date.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A161-192.)

**PUBLIC COMMENT-3:**

Comment by Phil Hart regarding the energy crisis the city is facing. He further comments that their best and only short-term solution is to conserve and suggested that the City can put conservation tips in every mailing that they make to individual citizens and businesses.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A193-251.)

**PUBLIC COMMENT-4:**

Comment by Steve McWilliams presenting to the City Manager a Great Lei Award on behalf of the members from Shelter from the Storm for implementing the Compassionate Use Act of 1996 which is a State Law that provides for the health and safety for sick and dying people.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A252-295.)

**PUBLIC COMMENT-5:**

Comment by Ken Loch stating that he has started a web page called "Messianic Genius" that discusses the nature of a Messiah and the nature of a genius.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A296-335.)

PUBLIC COMMENT-6:

Comment by Bernie Levy stating that people are leaving because they recognize that the utility crisis is caused by companies who are incompetent and evil. He further comments that the only answer is public ownership of energy utility.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A336-383.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Comments by Council Member Wear regarding the editorial that appeared this morning in the San Diego Union Tribune entitled "Just our problem" and he hopes that part of the legislative package will include working with our lobbyists in Washington, D.C. to get the federal government involved in the San Diego issue. He requested as part of the discussion with FERC that they look at the legislative agenda. He further commented that he had an opportunity to discuss this with former Congressman Bill Lowery and expressed that we need to follow-up and have a strategic plan to deal with the federal government on ignoring California as part of the public policy debate on this issue.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A384-419.)

COUNCIL COMMENT-2:

Comments by Council Member Atkins introducing Adriane Croft who is a senior at Our Lady of Peace Academy in North Park. Council Member Atkins recognized the 28<sup>th</sup> Anniversary of the celebration of Roe vs. Wade decision in the United States.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A420-462.)

**COUNCIL COMMENT-3:**

Comments by Council Member Peters requesting an update on when will the paneling of an energy czar happen which was mentioned at the State of the City Address.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A463-498.)

**COUNCIL COMMENT-4:**

Comments by Council Member Maienschein regarding the burning of the Humane Society Building in Escondido and recognized the volunteers who rescued the animals. He also requested that if anyone has information on the burning of the building, please come forward.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A499-511.)

**COUNCIL COMMENT-5:**

Comment by Mayor Murphy recognizing the 25<sup>th</sup> Anniversary of the Metropolitan Transit Development Board and that there will be a celebration on Thursday morning at the MTDB Office.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A512-533.)

\* ITEM-50: Cardroom Charges.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 1/9/2001. (Council voted 7-1. Councilmember Stevens voted nay. District 8 vacant.):

(O-2001-106) ADOPTED AS ORDINANCE O-18916 (New Series)

Amending Chapter III, Article 3, of the San Diego Municipal Code by amending Division 39 by amending Section 33.3917, relating to Cardroom Charges, to provide that cardrooms shall adopt a schedule of charges and post such schedule at each table in the cardroom.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-581.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-nay, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

\* ITEM-51: Diamond Street Rezone.

(RZ-40-0446. Pacific Beach Community Plan Area. District-2.)

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 1/9/2001. (Council voted 8-0. District 8 vacant.):

(O-2001-100) ADOPTED AS ORDINANCE O-18917 (New Series)

Rezoning 0.215 acres located at 1911-1919 Diamond Street, within the Pacific Beach Community Plan area, from the RM-1-1 Zone into the RM-2-5 Zone.

FILE LOCATION: LAND - Progress Guide & General Plan/Pacific Beach  
Community Plan/Diamond Street Rezone (09)

COUNCIL ACTION: (Tape location: A554-581.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

\* ITEM-52: Lease and Joint Use Agreement for Sage Canyon Elementary School and Carmel Valley Neighborhood #10 Park.

(Carmel Valley Community Area. District-1.)

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 1/9/2001. (Council voted 8-0. District 8 vacant.):

(O-2001-66) ADOPTED AS ORDINANCE O-18918 (New Series)

Authorizing the City Manager to execute an Agreement for the construction, maintenance, and lease of a multi-purpose turf field, hardscape, other recreation facilities, and a parking lot at Sage Canyon Elementary School and Carmel Valley Neighborhood #10 Park.

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

FILE LOCATION: LEAS - Sage Canyon Elementary School and Carmel Valley Neighborhood #10 Park

COUNCIL ACTION: (Tape location: A554-581.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

\* ITEM-100: Easement Grant - San Diego Gas & Electric Company - Semillon Boulevard.

(Scripps Ranch Community Area. District-5.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1018) ADOPTED AS RESOLUTION R-294455

Authorizing the execution of an easement deed conveying to San Diego Gas and Electric Company an easement for the purpose of constructing, repairing, maintaining and using underground facilities and appurtenances for the transmission of electricity, affecting a portion of Lot 56 of the Woods at Scripps Ranch Unit No. 1, according to Map No. 9466 filed in the office of the County Recorder of San Diego County.

**CITY MANAGER SUPPORTING INFORMATION:**

San Diego Gas & Electric (SDG&E) has requested an easement to install a retaining wall on City property, adjacent to its franchise area. SDG&E is replacing and updating the equipment in its franchise area, and has determined that the installation of a 22 foot long retaining wall would stabilize the slope. The wall will be below grade level, barely noticeable from Pomerado Road, and not visible from Semillon Boulevard. It will be constructed to match the color, finish and texture of the existing entry monument at the intersection. The easement area is 4 feet in width, and 25 feet in length, totaling 100 square feet. It is valued at \$1,500 by City Appraisal staff. The Park and Recreation Department and the Scripps Ranch Civic Association have approved the installation of the retaining wall.

**FISCAL IMPACT:**

\$1,500 to be deposited into General Fund 100.

Herring/Griffith/ACG

**FILE LOCATION:** DEED F-7951

**COUNCIL ACTION:** (Tape location: A554-581.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

\* ITEM-101: Helen Burk Herman Day.

**COUNCILMEMBER ATKINS'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1037) ADOPTED AS RESOLUTION R-294456

Recognizing the 100<sup>th</sup> birthday of Helen Burk Herman, a native San Diegan whose life is filled with the rich history of her hometown;

Proclaiming January 16, 2001, to be "Helen Burk Herman Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A554-581.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

\* ITEM-102: Authorization to Transfer Funds for Reimbursing the Community Development Block Grant (CDBG) Program.

(Mission Hills and Hillcrest Community Areas. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1035) ADOPTED AS RESOLUTION R-294457

Authorizing the City Manager to transfer funds for reimbursing the Community Development Block Grant (CDBG) Program;

Authorizing the transfer of \$124,188 of TransNet funds (Fund No. 30300) from CIP-52-503.0 (Sports Arena Blvd.) to Transportation Department, Street Division, by decreasing the Capital Improvement Program budget and decreasing the appropriation of \$124,188 to FY2001 CIP for CIP-52-503.0;

Authorizing the City Auditor and Comptroller to transfer \$124,188 of General Fund appropriations from the Transportation Department, Street Division to Economic Development and Community Services Department, Community Services Division;

Authorizing the City Auditor and Comptroller to reimburse the Community Development Block Grant Program in the amount of \$124,188 from the Economic Development and Community Services Department (No. 042), Community Services Division's General Fund budget;

Authorizing the City Auditor to budget \$124,188 of CDBG Program Income at Dept. No. 4227, Org. No. 2702.

**CITY MANAGER SUPPORTING INFORMATION:**

In April 2000, the U.S. Department of Housing and Urban Development (HUD) conducted a site review of the City's Community Development Block Grant (CDBG) Program. A result of the review was a finding by HUD that \$124,188 of administrative charges to the Washington Street Median Improvement Project are ineligible as the expenses were not focused specifically on furthering the CDBG eligible public infrastructure project. CDBG regulations do allow for charges to coordinate and promote CDBG eligible infrastructure projects, but the charges must directly support furtherance of the project.

**FISCAL IMPACT:**

This action transfers TransNet funds to other TransNet eligible purposes and reimburses the Community Development Block Grant Program. Further, the restored CDBG funds will then be available to Council District Two for reallocation to CDBG eligible projects.

Loveland/Cunningham/ELL

Aud. Cert. 2100760.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-581.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

\* ITEM-103: Sewer Pump Station 39 - Consultant Agreement.

(Peninsula Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1007) ADOPTED AS RESOLUTION R-294458

Authorizing the City Manager to execute an agreement with Tetra Tech ASL, for the design of Sewer Pump Station 39 for a cost not to exceed \$167,310;

Authorizing the expenditure of an amount not to exceed \$246,310 from Sewer Fund No. 41506.0, CIP-46-106.0, Annual Allocation - Sewer Pump Station Restoration;

Authorizing the City 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 project is part of the City of San Diego's continuing Annual Allocation - Sewer Pump Station Restoration Program. Sewer Pump Station 39 is an improvement project located in the Peninsula Community on Shelter Island Drive, across the street from the public fishing pier.

The pump station has been in service since 1952. A recent inspection revealed the extent of the required upgrade. The pumps at this station could not be tested because the design of the station precludes access to the wetwell. Much of the existing equipment, including pumps, electrical, and control systems are from the original (1952) installation and are generally fatigued. The Scope of Work includes extensive rehabilitation of the existing pump station and demolition of the existing cast iron force main and replacement with a 4-inch, thirty (30) feet long PVC force main. A list of fifteen (15) design consultants was provided by the City's Consultant Services coordinator. In conformance with Council Policy 300-7, the firms were interviewed. Tetra Tech ASL was selected as the best qualified firm to provide design consultant services for Sewer Pump Station 39. The Sub-Consultants, if required, are Moraes/Pham Associates for electrical at 15% of the contract and Group Delta Consultants for geotechnical at 5% of the contract.

**FISCAL IMPACT:**

The requested estimate is \$246,310 for professional services, which includes \$79,000 for in-house engineering, \$150,010 for design services, and \$17,300 for additional services, as required. Funding is available in Sewer Fund 41506, CIP-46-106.0, Annual Allocation Sewer Pump Station Restoration, for this purpose. The total estimated cost for this project is \$632,150.

Belock/Boekamp/HR

Aud. Cert. 2100711.

WWF-01-486.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-581.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

\* ITEM-104: Office Space Lease Amendment No. 3 - Responsible Hospitality Institute.

(Centre City Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1017) ADOPTED AS RESOLUTION R-294459

Authorizing the City Manager to execute a Third Amendment to Lease with the Institute for a leasehold area of 212 square feet, at the base rent of \$345 per month;

Declaring that the total annual rent paid to the City of San Diego for the first year of the Third Amendment to Lease, in the amount of \$4,140, shall be deposited into the General Fund 100.

**CITY MANAGER SUPPORTING INFORMATION:**

Responsible Hospitality Institute has been leasing space from the City in the World Trade Center Building, located at 1250 Sixth Avenue, since August 1, 1997. The tenant occupies Suite 217 consisting of approximately 132 square feet and Cubicle 50 consisting of approximately 80 square feet. Total leased space is approximately 212 rentable square feet. The tenant will be renewing the lease under the following basic lease terms:

TERM - For one (1) year commencing December 1, 2000 and terminating November 30, 2001. The tenant has the option to extend the lease for four (4) additional one (1) year periods providing the tenant is not in default.

RENT - \$345 per month or approximately \$1.63 per square foot. The rental rate is at market value compared to similar buildings downtown. Rent to increase 4% with each one year extension option.

USE - General office space

SIZE - 212 square feet.

**FISCAL IMPACT:**

\$4,140 will be deposited into the General Fund 100 for the first year of this lease amendment.

Loveland/Griffith/DLM

FILE LOCATION: LEAS - Responsible Hospitality Institute

COUNCIL ACTION: (Tape location: A554-581.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

\* ITEM-105: Lease Amendment Approval - City Public Safety Communications Facility at Mount Soledad.

(La Jolla Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1006) ADOPTED AS RESOLUTION R-294460

Authorizing the City Manager or his designated representative to execute a Fourth Amendment of Solicitation/Modification of Contract with the Navy for the operation of an emergency radio public safety communications facility;

Authorizing the expenditure of an amount not to exceed \$16,625 from the Information Technology and Communications Department's FY 2001 Budget, Fund No. 100, for rent due in accordance with the terms of the Lease as amended.

**CITY MANAGER SUPPORTING INFORMATION:**

The City operates a public safety emergency radio communications facility on Mount Soledad, a US Navy-owned site. It consists of a 360 sq. ft. equipment shelter, 50-foot monopole, and

10-foot by 10-foot concrete pad and generator all located on an approximately 950 sq. ft. leasehold area. This facility serves as an integral part of the City's overall safety communications network. The renewal is accomplished via an Amendment of Solicitation Modification of Contract which modifies the original lease entered into with the Navy in December 1990. Basic terms of the agreement are as follows:

USE - To operate, maintain, repair, and alter an emergency radio public safety communications facility consisting of antennas, power and radio communications equipment, and cabling.

TERM - One year with four (4) additional one (1) year terms (options) commencing December 1, 2000. Each amendment / modification covers a five (5) year period.

RENT - Sixteen Thousand, Six Hundred and Twenty Five Dollars (\$16,625) for the remainder of FY 2001. The annual rental rate is \$28,500 for the first year with 5% increases each year thereafter. This rental rate is at current market value as determined by a recent appraisal of similar telecommunications sites by an independent fee appraiser.

**FISCAL IMPACT:**

\$16,625 will be paid from the Information Technology and Communications Department's Fund 100 for FY 2001.

Loveland/Griffith/JPA

Aud. Cert. 2100732.

FILE LOCATION: LEAS - Navy - emergency radio public safety communications facility

COUNCIL ACTION: (Tape location: A554-581.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

\* ITEM-106: Permit Renewal with City of Poway.

(Mount Woodson.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1014) ADOPTED AS RESOLUTION R-294461

Authorizing the City Manager to execute a ten-year Right-of-Entry Permit with the City of Poway for the operation and maintenance of a hiking/equestrian trail across a portion of City of San Diego-owned property on Mount Woodson.

**CITY MANAGER SUPPORTING INFORMATION:**

In 1984, the City Manager issued the City of Poway a permit to construct, operate and maintain a hiking/equestrian trail across the south side of the City of San Diego-owned Mount Woodson. As part of its park and recreation program, the City of Poway has developed an extensive trail system in and around Poway. The Mount Woodson trail is five miles long, six to eight feet wide, and is constructed of native soils and materials. One mile of the trail crosses City of San Diego property.

The existing ten-year right of entry permit expired, and the City of Poway has requested a renewal for an additional ten-year term. As a courtesy to the City of Poway, the City of San Diego charged no fee for the original permits, and it is proposed that the new permit be granted on the same basis except for a \$360 processing fee. The trails are open to the public free of charge and are not restricted to Poway residents. Beyond waiving the permit fees, the City of San Diego bears no expense for the trail system. The permit stipulates that the City of San Diego has the right to terminate the agreement at any time.

**FISCAL IMPACT:**

None.

Loveland/Griffith/CEH

FILE LOCATION: LEAS - City of Poway - Mount Woodson

COUNCIL ACTION: (Tape location: A554-581.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-107: Agreement between the City of San Diego and Katz and Associates.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-951) REFERRED TO THE NR&C COMMITTEE

Authorizing the City Manager to execute an agreement with Katz and Associates for Consulting Services on an As-Needed Basis for public information and outreach;

Authorizing the expenditure of an amount not to exceed \$100,000 from Fund 41500.

**CITY MANAGER SUPPORTING INFORMATION:**

This agreement is for consulting services on an as-needed basis. These services will include providing or assisting in services necessary to develop and establish a Marketing, Public Information, and Outreach Program for the Water Department's Water Resources Management Program which includes both the Reclaimed Water Program and the Water Conservation Program. The City's "Strategic Plan for Water Supply" (July 1997) calls for enhanced use of reclaimed water and enhanced water conservation efforts. On January 7, 2000 four firms submitted Statements of Qualifications (SOQ's) to the City of San Diego Water Resources Management Program. Four firms were short-listed from the SOQ's submitted, and four were selected for an interview. On February 4, 2000 four firms were interviewed in accordance with Council Policy 300-7, and Katz & Associates and Collaborative Services were selected.

An agreement with Collaborative Services has already been approved. Agreement tasks for Katz and Associates will be performed on a time and material basis. This agreement will terminate in one year from the date of execution by the City Manager.

**FISCAL IMPACT:**

The total agreement is \$100,000. Funding is available from Water Revenue Fund 41500, Water Resources Management Program, \$100,000.

Belock/Gardner/MAH

Aud. Cert. 2100571.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A582-B305.)

MOTION BY PETERS TO REFER THIS ITEM TO THE NR&C COMMITTEE.  
Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-ineligible.

ITEM-200: La Jolla Mesa Drive (from Lamplight Drive to Turquoise Street) Underground Utility District.

(La Jolla Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-661) ADOPTED AS RESOLUTION R-294462

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the La Jolla Mesa Drive (from Lamplight Drive to Turquoise Street) Underground Utility District.

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities in the La Jolla Mesa Drive (from Lamplight Drive to Turquoise 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 - \$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 \$376,000 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 is available in CIP-37-028.0, Undergrounding of City Utilities.

Belock/Boekamp/HR

Aud. Cert. 2100670.

FILE LOCATION:                      STRT-K-297 (38)

COUNCIL ACTION:                      (Tape location: B306-332.)

MOTION BY PETERS TO ADOPT. Second by Stallings. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-201: Reprogram of Funds Storm Station N.

(Mission Beach Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1036) ADOPTED AS RESOLUTION R-294463

Amending the CIP budget by increasing the appropriation of CIP-12-127.0, Storm Station N, by an amount not to exceed \$135,000 by reprogramming \$104,123 from TransNet Fund 30300, CIP-68-008.0, Traffic Signal Subsystems, an amount not to exceed \$19,954 from Capital Outlay Fund 30245, CIP-37-200.0, Consultant Services Public Facilities - Annual Allocation; and an amount not to exceed \$10,923 from Capital Outlay Fund 30245, CIP-52-338.0, Annual Allocation - Beach Access Reconstruction, to provide funds for change orders and administrative costs;

Approving Change Order No. 1, dated December 8, 2000, issued in connection with the contract with Orion Construction amounting to a net increase in the contract price of \$93,569, and an extension of time of 100 working days;

Authorizing the expenditure of an amount not to exceed \$135,000 from CIP-12-127.0, Storm Station N, to provide funds for change orders and administrative costs.

**CITY MANAGER SUPPORTING INFORMATION:**

Storm Station "N" Improvements (CIP-12-127.0) provide for eliminating the submerged outfall, and for relocating and modifying existing control systems at the storm water pumping station at Santa Clara Point in Mission Beach. This work improves the operation reliability of the existing storm pump station. The construction of the project has been completed. The additional work that was not anticipated during the design phase of the project included upgrading structural supports for pipe and catwalk, improvements to the low flow diversion system, and safety improvements. The execution of this additional work was necessary for the successful construction completion and reliability of the pump station.

Additional funds in the amount of \$135,000 are required to close out the project. The additional funding will cover final change orders and other related administrative costs.

**FISCAL IMPACT:**

Funding has been identified in the following accounts to facilitate this transfer: \$104,123, Fund 30300, CIP-68-008.0, Traffic Signal Subsystems; \$19,954, Fund 30245, CIP-37-200.0, Consultant Services Public Facilities Annual Allocation; and \$10,923, Fund 30245, CIP-52-338.0, Annual Allocation-Beach Access Reconstruction.

Belock/Boekamp/HR

Aud. Cert. 2100756.

FILE LOCATION: CONT - Orion Construction

COUNCIL ACTION: (Tape location: B333-365.)

MOTION BY WEAR TO ADOPT. Second by Stevens. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-202: Two actions related to Agreement with Malcolm Pirnie for Professional Services for North City Water Reclamation Plant Permanent Demineralization Facility (NCWRP PDF).

(University Community Area. District-5.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2001-972) RETURNED TO THE CITY MANAGER

Authorizing the City Manager to execute a sole source agreement with Malcolm Pirnie, Inc., for design engineering services in connection with the North City Water Reclamation Plant Permanent Demineralization Facility, in an amount not to exceed \$1,971,200;

Authorizing the City Manager to approve contract phase funding of \$1,971,200 for the agreement in the following manner, contingent on Council's approval of the CIP budget for Fiscal Years 2002-2004, and providing the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury:

Phase 1: FY2001	\$516,923
Phase 2: FY2002	\$792,506
Phase 3: FY2003	\$435,281
Phase 4: FY2004	\$226,490

Authorizing the expenditure of an amount not to exceed \$516,923 from Fund No. 41509, CIP-42-915.0, NCWRP Permanent Demineralization Facility, to provide funds for Phase 1 (Fiscal Year 2001) of the above agreement.

Subitem-B: (R-2001-973) RETURNED TO THE CITY MANAGER

Certifying that the Addendum, LDR-96-0664, to Environmental Impact Report EIR-91-0516 and EIR-92-0780, 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 Addendum reflects the independent judgement of the City of San Diego as Lead Agency; and that the information contained in the Addendum, together with any comments received during the public review process, has been reviewed and considered by the Council in connection with the approval of the North City Water Reclamation Plant Permanent Demineralization Facility.

**CITY MANAGER SUPPORTING INFORMATION:**

Council action is requested to approve a sole source consultant agreement with Malcolm Pirnie, Inc. to provide design services for the North City Water Reclamation Plant (NCWRP) Permanent Demineralization Facility (PDF). These services include design, and assistance during bid, construction and startup. The purpose of this project is to ensure that the reclaimed water meets irrigation needs with regards to demand, salinity levels, and EPA grant goals. The Permanent Demineralization Facility will utilize reverse osmosis technology preceded by micro filtration (MF) as pretreatment. The goal is to reduce the total dissolved solids (TDS) or salt content of the reclaimed water to an average of less than 1,000 mg/l of concentration making this water more suitable and, thereby, marketable for landscape irrigation purposes. The plant will be designed to produce 3.5 mgd MF/RO product water to meet present demand; however, the

footprint of the facility will be laid out to facilitate future expansion to 5.5 mgd to meet future demand. The City has received \$69,533,015 in grants from the EPA for construction of the NCWRP. The Grant Conditions require the City to beneficially reuse 25% of the flows treated at the NCWRP (approx. 6,300 AFY) by December 31, 2003, and 50% of the flows treated at NCWRP (approx. 12,600 AFY) by December 31, 2010. The proposed demineralization facility will assist the City to meet these goals by producing a marketable reclaimed water with low TDS concentration. The NCWRP Permanent Demineralization Facility will be located inside the boundary of the NCWRP, in a vacant area previously disturbed and filled during the initial construction of the plant. The current construction cost estimate for this project is \$16 million, and is scheduled for start-up by April 2004.

**FISCAL IMPACT:**

The total cost of this action is \$1,971,200, of which \$516,923 is for FY01, \$792,506 is for FY02, \$435,281 is for FY03, and \$226,490 is for FY04. Funds are available from Fund No. 41509, CIP-42-915.0, NCWRP Permanent Demineralization Facility - Phase 1.

Belock/Schlesinger/ALM

Aud. Cert. 2100741.

FILE LOCATION: Subitems A & B: MEET

COUNCIL ACTION: (Tape location: A534-553.)

MOTION BY STALLINGS TO RETURN TO THE CITY MANAGER AT HIS REQUEST SO THAT HE CAN GO BACK AND HAVE A COMPETITIVE PROCUREMENT PROCESS. Second by Wear. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-203: Approval of Two (2) Leases - GTE Wireless Along N. Torrey Pines Road.

(La Jolla Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-527) ADOPTED AS RESOLUTION R-294464

Authorizing the City Manager to execute two ten-year lease agreements with GTE for the operation of two telecommunications facilities located along North Torrey Pines Road at the initial rental rate of \$14,400 per year, the fair market rate as determined by City valuation staff.

**CITY MANAGER SUPPORTING INFORMATION:**

The existing GTE Wireless of the Pacific, Inc. facilities each consist of two 48" high by 12" wide by 5" deep panel antennas mounted at the top of an existing 30' high traffic signal, with a 48" high by 40" wide by 32" deep weather proof equipment cabinet on a concrete pad located near a corner of the intersection. Both sites have been in operation since February 1997 via Right of Entry Permits. These permits are currently on holdover status. GTE has proved to be a reliable tenant over that period of time.

Basic terms of the agreement are as follows:

USE - To construct, maintain, repair, alter and operate a wireless telecommunications facility consisting of antennas, power and radio communications equipment, and cabling.

TERM - Ten (10) years.

RENT - Minimum rent is one thousand two hundred dollars (\$1,200) per month with annual 5% rent increases and reappraisal at year five. This value is consistent with a recent outside appraisal dated August 2000.

PRIOR APPROVALS: University Community Planning Group (1/9/01)  
Planning and Development Review

**FISCAL IMPACT:**

The City will receive \$14,400 in the first year of the lease with 5% annual rent increases thereafter. Rental proceeds generated will be credited to the General City Fund.

Loveland/Griffith/JPA

FILE LOCATION: LEAS - GTE Wireless of the Pacific, Inc.

COUNCIL ACTION: (Tape location: B366-400.)

MOTION BY PETERS TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-204: Extension of Permits to Enter with Caltrans - Park De La Cruz/39th & Adams.

(City Heights and Normal Heights Community Areas. District-3.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-976) ADOPTED AS RESOLUTION R-294465

Authorizing the City Manager to execute an extension through January 31, 2003, to the Permit to Enter with Caltrans regarding the City-owned property located at 39<sup>th</sup> Street and Adams Avenue, for the purpose of performing grading and constructing drainage and utility facilities, walkways, landscaping, irrigation, and lighting;

Authorizing the City Manager to execute an extension through January 31, 2002, to the Permit to Enter with Caltrans regarding the City-owned property located at Park de la Cruz, for the purpose of performing grading and constructing drainage and utility facilities, walkways, landscaping, irrigation, a parking lot, and lighting.

**CITY MANAGER SUPPORTING INFORMATION:**

This action involves the extension of two Permits To Enter previously issued to Caltrans in 1995. Since these Permits are for a period greater than three years, extending them requires Council action. Both Permits are directly related to the construction of Interstate 15 as it affects City property. Both Permits will result in substantial improvements to City property. The Park De La Cruz Permit was issued November 29, 1995, and Caltrans has requested its extension to January 31, 2003, in order to complete the work in progress. The original Permit was granted for the purposes of performing grading, constructing drainage and utility facilities, walkways, a parking lot and lighting. The 39th & Adams Permit was issued November 29, 1995, and Caltrans has requested its extension to May 31, 2002, in order to complete the work in progress. The original Permit was granted for the purposes of performing grading, constructing drainage and utility facilities, walkways, landscaping and irrigation, and lighting.

**FISCAL IMPACT:**

None.

Loveland/Griffith/ACG

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B401-416.)

MOTION BY ATKINS TO ADOPT. Second by Wear. Passed by the following vote:  
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea,  
Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

ITEM-205: Sewer Pump Station 26 - Contract Change Order No. 2.

(La Jolla Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-746 Cor. Copy) ADOPTED AS RESOLUTION R-294466

Approving Change Order No. 2, dated September 19, 2000, issued in connection with the contract between the City of San Diego and Foss Environmental and Infrastructure for the Sewer Pump Station 26 Project, CIP-41-923.0, amounting to a net increase of \$274,225.50 in the contract price;

Authorizing the City Auditor to transfer \$314,225.50 from Sewer Fund 41506, CIP-46-142.0, Sewer Pump Station 24, to Sewer Fund 41506, CIP-41-923.0, Sewer Pump Station 26;

Authorizing the additional expenditure of an amount not to exceed \$274,225.50 for Change Order No. 2, and \$40,000 for Construction Management related to the Change Order from Sewer Fund 41506, CIP-41-923.0, for providing funds for the above Change Order and related costs;

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:**

Sewer Pump Station No. 26 is located at the corner of Coast Boulevard and Jenner Street, south of the Lifeguard Station in the La Jolla Community Area. The proposed 2,746 feet gravity sewer alignment will redirect the flow south of Jenner Street to Sewer Pump Station No. 24.

Contract Change Order No. 2 is needed due to the following:

1. The existing concrete pavement in some portions of Coast Boulevard was in poor condition and was replaced in order to restore the trench and provide a smooth riding surface; and
2. The storm drain diversion box and the clean out were installed by the request of the City's Transportation and Drainage Design Division to provide for the future low flow drainage improvements on Coast Boulevard.

**FISCAL IMPACT:**

The total estimated cost of this project is \$2,420,338.50, of which \$2,106,113 was previously authorized by City Council Resolution R-291688. Additional funding for this request of \$314,225.50 is available in Sewer Fund 41506, CIP- 41-923.0, Sewer Pump Station 26, for this purpose.

Belock/Boekamp/HR

Aud. Cert. 2100481.

WWF-01-47.

FILE LOCATION: CONT - Foss Environmental and Infrastructure

COUNCIL ACTION: (Tape location: B417-479.)

MOTION BY PETERS TO ADOPT. Second by Wear. Passed by the following vote:  
Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea,  
Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

\* ITEM-S400: Additional Appointments of Council Representatives to Local Agencies.

(See memorandum from Mayor Murphy dated 1/11/2001.)

**MAYOR MURPHY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1046) ADOPTED AS RESOLUTION R-294467

Appointing the following persons to serve as Council Representatives and their alternates to organizations listed below for the period commencing immediately and ending December 3, 2001:

**SANDAG ROUTES 67/125 CORRIDOR STUDY COMMITTEE**

Jim Madaffer - Representative

Brian Maienschein - Alternate

**ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY**

Toni Atkins - Representative

Scott Peters - Representative

**CITY-COUNTY OF SAN DIEGO JOINT HOMELESS TASK FORCE**

Byron Wear - Representative

Toni Atkins - Representative

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-581.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

\* ITEM-S401: Year 2001 Appointments to Select Committee on Government Efficiency and Fiscal Reform.

(See memorandum from Mayor Murphy dated 1/4/2001.)

**MAYOR MURPHY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1060) ADOPTED AS RESOLUTION R-294468

Appointing the following Councilmembers to serve as members of the Select Committee for terms commencing December 5, 2000 and ending December 3, 2001:

SELECT COMMITTEE ON GOVERNMENT EFFICIENCY AND FISCAL REFORM

Deputy Mayor George Stevens (Chairperson)

Councilmember Jim Madaffer

Councilmember Byron Wear

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-581.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

\* ITEM-S402: Richard Wm. Martyn Day.

**MAYOR MURPHY'S RECOMMENDATION:**

Adopt the following resolution:

(R-2001-1057) ADOPTED AS RESOLUTION R-294469

Recognizing and appreciating the assistance of Richard Wm. Martyn and the Environmental Protection Agency, and proclaiming January 22, 2001, as "Richard Wm. Martyn Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A033-107.)

MOTION BY ATKINS TO ADOPT. Second by Stevens. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

\* ITEM-S403: Three actions related to the Final Subdivision Map of Torrey Hills Unit No. 8.

(Sorrento Hills Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2001-1041) ADOPTED AS RESOLUTION R-294470

Authorizing a Subdivision Improvement Agreement with SCH Torrey III, LLC, for the installation and completion of public improvements.

Subitem-B: (R-2001-992) ADOPTED AS RESOLUTION R-294471

Approving the final map.

Subitem-C: (R-2001-1042) ADOPTED AS RESOLUTION R-294472

Authorizing a Landscape Maintenance Agreement with SCH Torrey III, LLC, for the installation and completion of public improvements.

**CITY MANAGER SUPPORTING INFORMATION:**

This map proposes the subdivision of a 10.120 acre site into 33 lots for residential development. It is located east of I-5 and southerly of Carmel Mountain Road in the Sorrento Hills Community Plan Area. On March 17, 1997, the Council of the City of San Diego approved Vesting Tentative Map VTM-95-0554 Torrey Hills by Resolution No. R-288438 for Torrey Hills Unit No. 8 Subdivision. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 29363-1-D through 29363-5-D, filed in the Office of the City Clerk under Micro Number 140.58. The landscape improvements required for this subdivision are shown in detail on Drawing Nos. 30134-1-D through 30134-8-D, filed in the Office of the City Clerk under Micro Number 140.59. All improvements are to be completed within two years.

This subdivision also has a development agreement which provides for the funding of needed public facilities including contributions for regional transportation infrastructure. A Public Facilities Plan is in effect for the Sorrento Hills Community which includes a Transportation Phasing Plan limiting development based upon specific thresholds. The Engineer's estimate for the cost of public improvements is \$616,928.78 and a Performance Bond in that amount has been provided as surety. The Engineer's estimate for the cost of landscape improvements is \$23,094.50 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 they subscribe to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development".

**FISCAL IMPACT:**

None.

Loveland/Haase/WRS

FILE LOCATION: Subitems A-C: SUBD - Torrey Hills Unit No. 8 (40)

COUNCIL ACTION: (Tape location: A554-581.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

\* ITEM-S404: Three actions related to the Final Subdivision Map of Torrey Hills Unit No. 8B.

(Sorrento Hills Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2001-1040) ADOPTED AS RESOLUTION R-294473

Authorizing a Subdivision Improvement Agreement with SCH Torrey III, LLC, for the installation and completion of public improvements.

Subitem-B: (R-2001-993) ADOPTED AS RESOLUTION R-294474

Approving the final map.

Subitem-C: (R-2001-1059) ADOPTED AS RESOLUTION R-294475

Authorizing a Landscape Maintenance Agreement with SCH Torrey III, LLC, for the installation and completion of public improvements.

**CITY MANAGER SUPPORTING INFORMATION:**

This map proposes the subdivision of a 13.523 acre site into 50 lots for residential development. It is located east of I-5 and southerly of Carmel Mountain Road in the Sorrento Hills Community Plan Area. On March 17, 1997, the Council of the City of San Diego approved Vesting Tentative Map VTM-95-0554 Torrey Hills by Resolution No. R-288438 for Torrey Hills Unit

No. 8B Subdivision. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 29365-1-D through 29365-5-D, filed in the Office of the City Clerk under Micro Number 140.69. All improvements are to be completed within two years. This subdivision also has a development agreement which provides for the funding of needed public facilities including contributions for regional transportation infrastructure. A Public Facilities Plan is in effect for the Sorrento Hills Community which includes a Transportation Phasing Plan limiting development based upon specific thresholds. The Engineer's estimate for the cost of public improvements is \$722,334 and a Performance Bond in that amount has been provided as surety. 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. Subdivider, by letter, has given assurance to the City of San Diego that they subscribe 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". The Engineer's estimate for the cost of landscape improvements is \$27,065.50 and a Performance Bond in that amount has been provided as surety.

**FISCAL IMPACT:**

None.

Loveland/Haase/WRS

FILE LOCATION: Subitems A-C: SUBD - Torrey Hills Unit No. 8B (40)

COUNCIL ACTION: (Tape location: A554-581.)

CONSENT MOTION BY WEAR TO ADOPT. Second by Maienschein. Passed by the following vote: Peters-yea, Wear-yea, Atkins-yea, Stevens-yea, Maienschein-yea, Stallings-yea, Madaffer-yea, District 8-Vacant, Mayor Murphy-yea.

**NON-DOCKET ITEMS:**

None.

**ADJOURNMENT:**

The meeting was adjourned by Mayor Murphy at 3:23 p.m. in honor of the memories of:

Polly Campbell as requested by Murphy Mayor; and  
George Lycos as requested by Council Member Peters.

FILE LOCATION:                      AGENDA

COUNCIL ACTION:                      (Tape location: B480-502).