

THE CITY OF SAN DIEGO, CALIFORNIA
 MINUTES FOR REGULAR COUNCIL MEETING
 OF
 TUESDAY, APRIL 25, 2006
 AT 9:00 A.M.
 IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Council President Peters at 10:15 a.m. The meeting was recessed by Council President Peters at 11:16 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Council President Peters at 2:07 p.m. with all Council Members present. The meeting was recessed by Council President Peters at 2:27 p.m. to convene the Redevelopment Agency. Council President Peters reconvened the meeting at 3:39 p.m. with Council Member Young not present. The meeting was adjourned by Council President Peters at 3:46 p.m.

ATTENDANCE DURING THE MEETING:

- (1) Council Member Peters-present
 - (2) Council Member Faulconer-present
 - (3) Council Member Atkins-present
 - (4) Council Member Young-present
 - (5) Council Member Maienschein-present
 - (6) Council Member Frye-present
 - (7) Council Member Madaffer-present
 - (8) Council Member Hueso-present
- Clerk-Maland (ek/er)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Maland called the roll:

- (1) Council Member Peters-present
- (2) Council Member Faulconer-present
- (3) Council Member Atkins-present
- (4) Council Member Young-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Hueso-present

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Don Stillwell commented on a dangerous situation regarding a possible bottleneck along Bus Routes 13 and 14 at Crawford Street and Zion Avenue.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:26 a.m. – 10:29 a.m.)

PUBLIC COMMENT-2:

Dorothy Lazenby commented on safety measures at construction projects and other issues regarding the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:30 a.m. – 10:32 a.m.)

PUBLIC COMMENT-3:

Sherry Lightner and Linda Colley commented on Project 6098, the Hillel City-Owned Site 653.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:33 a.m. – 10:36 a.m.)

PUBLIC COMMENT-4:

Sandy Summers commented on open government in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:37 a.m. – 10:39 a.m.)

PUBLIC COMMENT-5:

Ron Boshun commented on the actions of the City Council.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:40 a.m. – 10:43 a.m.)

PUBLIC COMMENT-6:

Al Strohlein commented on the Pacific Beach block party and Council Member Faulconer's involvement in the event.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:44 a.m. – 10:45 a.m.)

PUBLIC COMMENT-7:

Hud Collins commented on the pension and financial crises in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:46 a.m. – 10:48 a.m.)

PUBLIC COMMENT-8:

Steve McMillan commented on Public Safety staffing in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:49 a.m. – 10:52 a.m.)

PUBLIC COMMENT-9:

Phil Hart commented on the subject of the proposed budget in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:53 a.m. – 10:56 a.m.)

PUBLIC COMMENT-10:

Arthur Martinez commented on the ownership of Coast Landscape.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:57 a.m. – 10:57 a.m.)

PUBLIC COMMENT-11:

Deanna Cowan and Cristina Portuquez commented on the 2006 San Diego County Fair.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:57 a.m. – 10:58 a.m.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Council Member Madaffer requested, pursuant to Rule 2.11 of the Permanent Rules of City Council, that Council President Peters docket for reconsideration the Council's vote regarding the matter of payment of fees to the law firm of Heller Ehrman, which came before the City Council on April 18, 2006, as Items 331 and 332.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 11:00 a.m. – 11:06 a.m.)

COUNCIL COMMENT-2:

Council Member Faulconer wished to thank the San Diego Police Department for their efforts at the Pacific Beach gathering over the last weekend, and also wished to express appreciation for the personnel from the Northern Division for their time and effort and how well they handled the event.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 11:06 a.m. – 11:06 a.m.)

INDEPENDENT BUDGET ANALYST COMMENT:

None

CITY ATTORNEY COMMENT:

None.



ITEM-30: Mr. Roger Bronner Day.

COUNCIL PRESIDENT PRO TEM YOUNG'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-844) ADOPTED AS RESOLUTION R-301381

Proclaiming April 25, 2006, to be "Mr. Roger Bronner Day" in honor of Roger Bronner receiving the 7th Annual City of San Diego Dr. Martin Luther King, Jr. Sanitation Worker Award, and for his seventeen years of dedication to this City.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:15 a.m. – 10:18 a.m.)

MOTION BY YOUNG TO ADOPT. Second by Madaffer. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-31: Kimberly Hale Day.

COUNCILMEMBER MAIENSCHIN'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-855) ADOPTED AS RESOLUTION R-301382

Declaring Tuesday, April 25, 2006, to be "Kimberly Hale Day" in the City of San Diego in honor of her outstanding service and contributions to the people of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:19 a.m. – 10:25 a.m.)

MOTION BY MAIENSCHIN TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-50: Repeal of Debt Incurrence Time Limit Southcrest Redevelopment Project Area.

(See Southeastern Economic Development Corporation Report No. SEDC-06-002. Southeastern San Diego Community Area. District 8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/4/2006, Item 333. (Council voted 7-1. Councilmembers Peters, Faulconer, Atkins, Young, Maienschein, Madaffer, and Hueso voted yea. Councilmember Frye voted nay):

(O-2006-105) ADOPTED AS ORDINANCE O-19484 (New Series)

Eliminating the time limit for establishing loans, advances or indebtedness to carry out the Redevelopment Plan for the Southcrest Redevelopment Project.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 11:09 a.m. – 11:12 a.m.)

CONSENT MOTION BY MADAFFER TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-nay, Madaffer-yea, Hueso-yea.

- * ITEM-51: Third Amendment to Consultant Agreement for Coastal Low Flow Storm Drain Diversion Projects - Phase III.

(La Jolla, Pacific Beach, Ocean Beach, and Peninsula Community Areas.
Districts 1 and 2.)

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2006-114) INTRODUCED, TO BE ADOPTED ON
TUESDAY, MAY 16, 2006

Introduction of an Ordinance authorizing the Mayor to execute the Third Amendment to the Agreement with Daniel Boyle Engineering, Inc., for additional professional services, as set forth in Exhibit A-3 to the Third Amendment to the Agreement, for an amount not to exceed \$35,918;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$35,918 from CIP-12-124.0, Coastal Low Flow Storm Drain Diversion, for the purpose of executing the Third Amendment to the Agreement;

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

STAFF SUPPORTING INFORMATION:

Due to recent upgrades of existing sewer facilities, which were not part of the original scope of work, design revisions were needed to accommodate the new scope of work. As a result, additional Construction Support Services will be needed to facilitate the project during construction. The original agreement for construction design services with Daniel Boyle Engineering, Inc., was filed October 28, 1999 as Document C-09961. The original agreement with Daniel Boyle has exceeded its five-year term; therefore, an amendment is needed and must be approved by an ordinance. Construction began in December 2005 and is estimated to be completed in October 2006.

FISCAL CONSIDERATIONS:

The amendment to the agreement is \$35,918 which is available in CIP-12-124.0, (Coastal Low Flow Storm Drain Diversion). This action will increase the Consultant contract from \$213,350 to \$249,268. The EPA is contributing 55% of the total cost for the Coastal Low Flow Storm Drain Diversion Program upon the completion of the projects.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The Coastal Sewer Spill Low Flow Storm Drain Diversion Project is consistent with the La Jolla, Pacific Beach, Ocean Beach & Peninsula Community Plans.

KEY STAKEHOLDERS:

Daniel Boyle Engineering, Inc. EPA

Boekamp/Haas

Aud. Cert. 2600684.

Staff: Jamal Batta - (619) 533-3769
Jeremy Jung - Deputy City Attorney

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 11:09 a.m. – 11:12 a.m.)

CONSENT MOTION BY MADAFFER TO INTRODUCE. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

- * ITEM-52: Amending the San Diego Municipal Code Relating to Downtown Parking Pilot Program Extension.

(Centre City Community Area. District 2.)

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2006-116) INTRODUCED, TO BE ADOPTED ON
TUESDAY, MAY 16, 2006

Introduction of an Ordinance amending Chapter 8, Article 6, of the San Diego Municipal Code by amending Section 86.11, relating to Parking Meter Rates.

STAFF SUPPORTING INFORMATION:

In an effort to improve parking in the City and at the request of the City Council, a Manager's Parking Task Force was formed in August 2003. The Task Force met for seven months and developed recommendations targeted at improving parking policies and providing for ways to solve parking problems in the City. The Land Use & Housing Committee of the City Council heard the recommendations of the Task Force, which are described in Manager's Report Number 04-133 in March 2004. The Land Use & Housing Committee recommended, among other actions, that the City Manager convene a special parking group to address Downtown parking issues. This action resulted in the formation of the Downtown Parking Management Group, which began meeting in April 2004 and has been meeting regularly since.

The Downtown Parking Management Group supported by staff has analyzed Downtown parking issues extensively. The group recommended the establishment of a Downtown Parking Pilot Program within the Downtown area as described in the Manager's Report Number 04-249. The objective of the pilot program is to test the effect of varying parking time limits and meter rates on parking utilization in areas of Downtown where low levels of parking occupancy exist. Council Resolution R-299867 established the pilot program and provided for varying the parking time limits in the pilot areas from one hour up to nine hours.

Subsection (c) of Municipal Code Section 86.11 provides for varying parking meter rates within the Downtown Pilot Program area from \$0.50 to \$1.25. Subsection (c) also specifies a termination date of May 22, 2006 for the Pilot Program. However, the complete effect of the changes implemented in the Downtown Parking Pilot Program area has not been established in the first 18 months given for the program.

The implementation phase of the changes necessary for the establishment of the Downtown Pilot Program required extensive analysis and community involvement, which took a substantial portion of the first 18 months given for the program. In addition, the testing process of the effect of changing time limits and parking meter rates is an iterative process that requires different sets of trials to arrive at the desired results. The pilot period should also cover seasonal variations such as baseball, summer and holiday seasons. For these reasons, the Downtown Parking Management Group has requested to extend the program for an additional 18 months, which would provide for a complete assessment of the effect of the changes implemented in the Downtown Parking Pilot area.

Staff also agrees with the Downtown Parking Management Group that extending the pilot program for an additional 18 months would give the necessary time for a comprehensive evaluation.

FISCAL CONSIDERATIONS:

Within the pilot area where time limits and rates were changed, parking utilization has increased. A subsequent result has been a 56% increase in revenue (\$67,322.25 for FY05 3rd Quarter, \$105,242.21 for FY06 3rd Quarter).

PREVIOUS COUNCIL COMMITTEE ACTION:

None.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The Downtown Parking Management Group has voted in support of the requested action.

KEY STAKEHOLDERS:

Downtown Parking Management Group, CCDC, and parking users.

Boekamp/Haas

Staff: Deborah Van Wanseele - (619) 533-3012
Timothy J. Miller - Deputy City Attorney

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 11:09 a.m. – 11:12 a.m.)

CONSENT MOTION BY MADAFFER TO INTRODUCE. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-100: Euclid Avenue Gateway Additional Funding.

(Mid City and City Heights Community Areas. Districts 3, 4, and 7.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-872) ADOPTED AS RESOLUTION R-301383

Authorizing the Mayor to increase the Fiscal Year 2006 Capital Improvements Program budget in CIP-52-699.0, Euclid Avenue Gateway by \$150,000;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$150,000 from CIP-52-699.0, Euclid Avenue Gateway, Fund 18521, HUD 108, contingent upon the City Auditor and Comptroller certifying that the necessary funds are available;

Authorizing the City Auditor and Comptroller to transfer \$20,000 from CIP-52-293.0, Installation of City Owned Street Lights to CIP-52-699.0, Euclid Avenue Gateway, within Fund 30300, Transnet;

Authorizing the City Auditor and Comptroller to transfer \$100,000 from CIP-58-007.0, Overhead/Other City Costs to CIP-52-699.0, Euclid Avenue Gateway: \$75,000 within Fund 30245, Capital Outlay, and \$25,000 within Fund 30300, Transnet;

Authorizing the City Auditor and Comptroller to appropriate and expend \$120,000 from CIP-52-699.0, Euclid Avenue Gateway: \$75,000 from Fund 30245, Capital Outlay and \$45,000 from Fund 30300, Transnet, contingent upon the City Auditor and Comptroller certifying that the necessary funds are available;

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

Declaring this activity is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301(c) because it involves negligible or no expansion of an existing use.

STAFF SUPPORTING INFORMATION:

The Euclid Avenue Gateway Project provides for pedestrian and vehicular safety, as well as street improvements and area beautification for the Euclid Avenue community entryway. This is the first phase of Euclid Avenue improvements planned under CIP-52-699.0. These improvements include installation of curbs, gutters, sidewalks, landscaping and paving. The improvements also include traffic calming modifications at the intersection of Home Avenue and Euclid Avenue.

During construction, additional costs were incurred when it was determined that the length and height of the proposed retaining wall located on the east side of Euclid Avenue, north of the intersection at Euclid and Home Avenues, needed to be increased to support the hillside behind it. Addition of the installation of conduits and pullboxes for future street lighting along Euclid Avenue and the increased cost of asphalt have also added to the total cost of this project.

Construction began in April 2005 and is estimated to be completed in March 2006.

FISCAL CONSIDERATIONS:

Current appropriation for this project is \$897,029.55 and with this action, \$270,000, the total project appropriation will be \$1,167,029.55.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

Resolution R-299915, dated 11-30-04 to authorize the expenditure of additional funds and to award the construction contract to HTA Engineering & Construction for the Euclid Avenue Gateway Project.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The Euclid Avenue Gateway Project is consistent with the Mid-City Community Plan. This project has been reviewed and approved by the Euclid Avenue Revitalization Action Program, and the City Heights Redevelopment Project Area Committee.

KEY STAKEHOLDERS AND PROJECTED IMPACTS:

HTA Engineering & Construction

Boekamp/Haas

Aud. Cert. 2600723.

Staff: Jamal Batta - (619) 533-3769
Jeremy A. Jung - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 11:13 a.m. – 11:16 a.m.)

MOTION BY ATKINS TO ADOPT AS AMENDED TO EXCLUDE THE FOLLOWING STAFF RECOMMENDATIONS:

1. AUTHORIZE THE MAYOR TO INCREASE THE FISCAL YEAR 2006 CAPITAL IMPROVEMENTS PROGRAM BUDGET IN CIP-52-699.0, EUCLID AVENUE GATEWAY BY \$150,000; AND
2. AUTHORIZE THE CITY AUDITOR AND COMPTROLLER TO APPROPRIATE AND EXPEND AN AMOUNT NOT TO EXCEED \$150,000 FROM CIP-52-699.0, EUCLID AVENUE GATEWAY, FUND 18521, HUD 108, CONTINGENT UPON THE CITY AUDITOR AND COMPTROLLER CERTIFYING THAT THE NECESSARY FUNDS ARE AVAILABLE.

APPROVE AND ADOPT THE FOLLOWING STAFF RECOMMENDATIONS:

1. AUTHORIZE THE CITY AUDITOR AND COMPTROLLER TO TRANSFER \$20,000 FROM CIP-52-293.0, INSTALLATION OF CITY OWNED STREET LIGHTS TO CIP-52-699.0, EUCLID AVENUE GATEWAY, WITHIN FUND 30300, TRANSNET;
2. AUTHORIZE THE CITY AUDITOR AND COMPTROLLER TO TRANSFER \$100,000 FROM CIP-58-007.0, OVERHEAD/OTHER CITY COSTS TO CIP-52-699.0, EUCLID AVENUE GATEWAY: \$75,000 WITHIN FUND 30245, CAPITAL OUTLAY, AND \$25,000 WITHIN FUND 30300, TRANSNET;
3. AUTHORIZE THE CITY AUDITOR AND COMPTROLLER TO APPROPRIATE AND EXPEND \$120,000 FROM CIP-52-699.0, EUCLID AVENUE GATEWAY: \$75,000 FROM FUND 30245, CAPITAL OUTLAY AND \$45,000 FROM FUND 30300, TRANSNET, CONTINGENT UPON THE CITY AUDITOR AND COMPTROLLER CERTIFYING THAT THE NECESSARY FUNDS ARE AVAILABLE;
4. AUTHORIZE THE CITY AUDITOR AND COMPTROLLER, UPON ADVICE FROM THE ADMINISTERING DEPARTMENT, TO TRANSFER EXCESS FUNDS, IF ANY, TO THE APPROPRIATE RESERVES; AND

5. DECLARE THIS ACTIVITY IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO STATE CEQA GUIDELINES SECTION 15301(C) BECAUSE IT INVOLVES NEGLIGIBLE OR NO EXPANSION OF AN EXISTING USE.

Second by Madaffer. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-101: Televising Sewer Mains Annual Agreement FY 2006 with Hirsch & Company.

(See Executive Summary Sheet dated 3/29/2006.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2006-841) ADOPTED AS RESOLUTION R-301384

Authorizing the Mayor to execute, on behalf of the City of San Diego, an agreement with Hirsch & Company for professional services to perform Closed Circuit Televising (CCTV) of sewer pipelines within the City of San Diego, for an amount not to exceed \$717,865 (the Agreement);

Authorizing the expenditure of an amount not to exceed \$717,865 from Fund No. 41506, Department 776, Org. No. 722, Job Order 764030, for the purpose of funding the Agreement;

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

Declaring this activity is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15306, Information Collection.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 4/5/2006, NR&C voted 4 to 0 to approve. (Councilmembers Faulconer, Atkins, Frye, and Hueso voted yea.)

SUPPORTING INFORMATION:

This is an annual agreement to perform ongoing CCTV inspection of sewer pipelines within the City of San Diego (City) sewer system. This request is to enter into a one (1) year agreement with Hirsch & Company for televising sewer pipelines to determine their condition, with the option to extend this agreement for one (1) additional year at the City's discretion. On February 15, 2006, the City held interviews with four firms, and Hirsch & Company had the lowest evaluated bid. Subcontractors will be Affordable Drain Service Inc., JD Engineering and Contracting, and Acme Safety & Supply Company.

The work to be performed by the Service Provider under this agreement will consist of CCTV inspection of nearly 45 miles of sewer pipelines and associated manholes located in various parts of the City, and assessment of their existing condition. The sewer pipelines to be inspected by this agreement are selected by the following criteria: damaged, older than 40 years, require high frequency maintenance (<6 months), or have had recent spills or other problems. This agreement provides services necessary for the City's Metropolitan Wastewater Department (MWWD) to fulfill requirements of the existing Partial Consent Decree agreement with the EPA for the reduction of sewer overflows.

The Service Provider (Hirsch & Company) will prepare inspection reports and videos to document the condition of the pipelines and manholes. The report will be instrumental in evaluating the condition of the sewer and identifying locations where replacement, rehabilitation, spot repairs, or cleaning is required.

The schedule for this agreement is to complete the inspections and reports within three hundred sixty five (365) days from the Notice to Proceed date or sooner as agreed to by MWWD and Hirsch & Company.

Hirsch & Company, a California Corporation, is a privately held corporation. John H. Harris is the president.

FISCAL CONSIDERATIONS:

The total cost for this action is \$717,865 and is available in Sewer Fund No. 41506, Department 776, Org. No. 722, and (Operating Budget) Job Order 764030, Televising Sewer Mains.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

This action was reviewed and approved at Natural Resources & Culture Committee on 4/5/2006.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Not applicable to this type of action.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Hirsch & Company
Affordable Drain Service Inc.
JD Engineering and Contracting
Acme Safety & Supply Company

Aud. Cert. 2600691.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 11:09 a.m. – 11:12 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



* [ITEM-102:](#) City Heights Swimming Pool Programs Grant.

(City Heights Community Area. District 3.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-829) ADOPTED AS RESOLUTION R-301385

Authorizing the Mayor, or his representative, to apply to the San Diego Revitalization Corporation, a non profit corporation, for \$40,585 grant funds for the City Heights Swimming Pool Programs (Project);

Authorizing the Mayor, or his representative, to take all necessary actions to secure funding from the San Diego Revitalization Corporation for the Project;

Authorizing the City Auditor and Comptroller to accept, appropriate and expend funds if the Grant is secured;

Authorizing the City Auditor and Comptroller to establish a special interest-bearing fund for the Grant;

Declaring this activity is exempt from CEQA pursuant to Section 15061(B)(3), as defined by the State CEQA Guidelines.

STAFF SUPPORTING INFORMATION:

This grant will provide one-time operating and maintenance funds, including staff costs, for the City Heights Pool. This will allow the pool to remain open from April 24, 2006 to June 11, 2006.

Embracing a philosophy of proactive charitable giving, Price Charities is committed to allocating a substantial portion of its charitable dollars to revitalizing City Heights, a low-income community in San Diego. Since 1994, Price Charities has worked with the community of City Heights to build an "Urban Village" in the core of the community. Price Charities has focused a large share of its charitable spending on working with the community of City Heights to develop innovative programs aimed at improving the schools, housing stock, public safety, and public health.

FISCAL CONSIDERATIONS:

Due to budget constraints, City Heights Pool was scheduled to close on April 9, 2006. The infusion of grant funds will allow City staff to keep the pool open, ensuring continued access to the pool for exercise programs, youth team sports and recreational swimming. There will be a two week closure from April 9, 2006 to April 23, 2006 for scheduled maintenance.

This action will fund operating and maintenance costs at the City Heights Swimming Pool, allowing the pool to remain open for remainder of this fiscal year.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Stakeholders: CD-3 constituents

Impact: City Heights Swimming Pool will remain open to the public from April 24, 2006 through June 11, 2006.

Medina/Martinez Jr.

Staff: Isabel Vargas - (619) 685-1308
Hilda Ramirez Mendoza - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 11:09 a.m. – 11:12 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-103: Sewer Easement Vacations in a Portion of Lot 4 of Caruther's Addition Map No. 27; Parcel Map No. 5458 and Map No. 15154.

(Southeastern San Diego Community Area. District 4.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-860) ADOPTED AS RESOLUTION R-301386

Vacating the sewer easements located within a portion of Lot 4 of Caruther's Addition Map No. 27; Parcel Map No. 5458 and Map No. 15154, which are by this reference incorporated herein and made a part hereof, to unencumber his property and facilitate development of the site, under the California Streets and Highway Code Section 8333(c);

Declaring this activity is exempt from CEQA pursuant to CEQA Guidelines Section 15060(c)(3).

STAFF SUPPORTING INFORMATION:

The sewer easements being vacated are shown on Engineering Drawing No. 20366-B. They are on private property and were acquired over five years ago by separate documents at no cost to the City. These easements are being superseded by new sewer, water, drainage and general utility easements of approximately equal value which have been granted on the final map Legacy Walk Map No. 15154. There are no present or anticipated future uses for the easements in their present locations.

FISCAL CONSIDERATIONS:

There are no fiscal impacts in connection with this action. All costs are being paid by the applicant.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The Community Planning group has no objection to this action.

KEY STAKEHOLDERS:

Olson 737 - San Diego 6, LLC

Halbert/Waring

Staff: G. Bollenbach - (619) 466-5417
David Miller - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 11:09 a.m. – 11:12 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-104: Parcel Map Work Order No. 423695/PTS No. 56850 Including Easement Abandonment.

(Sabre Springs Community Area. District 5.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-867) ADOPTED AS RESOLUTION R-301387

Approving Parcel Map W. O. No. 423695/PTS No. 56850.

STAFF SUPPORTING INFORMATION:

This 11.432-acre map proposes 3 parcels for industrial development. This map is located in the Sabre Springs Community Plan area, southeasterly of I-15 and SR-56. This parcel map requires City Council approval because a portion of a flowage easement is being abandoned on the map. The portion of easement being abandoned was granted at no cost to the City on November 8, 1984 as F/P 84-422949. The development on Parcel 1 of the parcel map necessitates the realignment of the drainage system. The existing portion of flowage easement being abandoned is no longer required. There is no present or prospective public use of a like nature that can be anticipated. A drainage easement of approximately equal value is being granted on the map. The public improvements required for the project are shown on Engineering Drawing No. 31128-15-D, for which an agreement has been entered into and a bond posted to assure the work. The portion of easement being vacated has never been used.

FISCAL CONSIDERATIONS:

There are no fiscal impacts in connection with this action. All costs are being paid by the applicant.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The Sabre Springs Community Planning Group has no opposition to this project.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Kilroy Realty

Halbert/Waring

Staff: G. Bollenbach - (619) 466-5417
David Miller - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 11:09 a.m. – 11:12 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

NOTE: This item not subject to Mayor's veto.

* ITEM-105: Converting Albatross Drive to One-Way Operation.

(Uptown Community Area. District 3.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-845 Cor. Copy) ADOPTED AS RESOLUTION R-301388

Authorizing the conversion of Albatross Drive between West Lewis and Front Street at the intersection with Montecito Way to a one-way operation westbound, pursuant to the authority conferred by and in accordance with the provisions of San Diego Municipal Code Section 82.19;

Authorizing the installation of the necessary signs and markings be and the same to be made on said street, and the regulations hereinabove imposed shall become effective upon the installation of such signs;

Declaring this action is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301 because this action is the minor alteration of an existing facility with a negligible expansion beyond the existing use.

STAFF SUPPORTING INFORMATION:

This action will authorize the Mayor to convert Albatross Drive between West Lewis Street and Front Street (at the intersection with Montecito Way) to one-way operation westbound. This action is in accordance with Municipal Code Section 82.19.

Albatross Drive between West Lewis Street and Front Street (at the intersection with Montecito Way) is a relatively narrow (30 feet wide) two-way residential street with parking permitted on both sides of the street. It is located in the vicinity of UCSD Hospital and within the Area "A" Residential Permit Parking District. Residents that live long the subject section of Albatross Drive have expressed concern with motorists traveling westbound on the street making frequent "U" turns encroaching into their private driveways and front yards. They are concerned for safety as residents of the neighborhood. Motorists are making "U" turns upon realizing that parking in the area is restricted for vehicles without a parking permit. One-way operation on the street would alleviate the problem. The residents on this section of Albatross Drive have submitted a petition in support of this action representing 17 of the 20 directly affected properties (85%).

FISCAL CONSIDERATIONS:

The fiscal impact is estimated to be \$600. Funds are not currently budgeted specifically for this project. However, Street Division will reprioritize other maintenance needs in order to complete this project.

PREVIOUS COUNCIL COMMITTEE ACTION:

None

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The Uptown Planners have voted in support of the requested action. The residents on this section of Albatross Drive have submitted a petition representing 17 of the 20 directly affected properties (85%) in support of this action. Staff is not aware of any residents or groups opposing the requested action.

KEY STAKEHOLDERS:

Residents who live on Albatross Drive between West Lewis Street and Front Street/Montecito Way and motorists who currently use this section of Albatross Drive to travel eastbound.

Residents coming from the west (on Washington Street) would have to travel an additional four blocks to access their homes. Residents coming from the east would not be impacted by the proposed one-way conversion as they have an alternate route equal in length.

Impact to other road users would be minimal since the subject segment of Albatross Drive does not play a significant role in the overall circulation in the area. The only impact would be an additional travel distance of two blocks for motorists having a destination on the block of Front Street between Albatross Drive and West Lewis Street.

Boekamp/Haas

Aud. Cert. 2600687.

Staff: Deborah Van Wanseele - (619) 533-3012
Timothy J. Miller - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 11:09 a.m. – 11:12 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-106: Establishing Angle Parking on 40th Street between Madison Avenue and Adams Avenue.

(Normal Heights Community Area. District 3.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-843) ADOPTED AS RESOLUTION R-301389

Authorizing the installation of 27 angle parking spaces on a portion of the west side of 40th Street north of Madison Avenue, pursuant to the authority conferred by and in accordance with the provisions of San Diego Municipal Code Section 86.03;

Authorizing the installation of the necessary signs and markings be and the same to be made on said street, and the regulations hereinabove imposed shall become effective upon the installation of such signs;

Declaring this action is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301 because this action is the minor alteration of an existing facility with a negligible expansion beyond the existing use.

STAFF SUPPORTING INFORMATION:

This action will authorize the Mayor to install 27 angle parking spaces on a portion of the west side of 40th Street between Madison Avenue and Adams Avenue adjacent to the park. This action is in accordance with Municipal Code Section 86.03.

The 39th Street Neighborhood Park fronts the west side of 40th Street between Madison Avenue and Adams Avenue. The community expressed concerns with shortage of parking for the park. The installation of angle parking at this location would increase parking by nine spaces.

FISCAL CONSIDERATIONS:

Fiscal impact \$1,700. Funds are available in the Street Division budget for this purpose.

PREVIOUS COUNCIL COMMITTEE ACTION:

None.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

The Normal Heights Community Planning Committee voted to support this action with a 6-2 vote. The adjacent property owner Martha Becerra supports this action.

Boekamp/Haas

Aud. Cert. 2600697.

Staff: Deborah Van Wanseele - (619) 533-3012
Timothy J. Miller - Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 11:09 a.m. – 11:12 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-107: Chris Wolfe Day.

COUNCILMEMBER ATKINS' RECOMMENDATION:

Adopt the following resolution:

(R-2006-847) ADOPTED AS RESOLUTION R-301390

Commending Chris Wolfe for his longstanding commitment to and support of visual arts in the San Diego region, and congratulating him on his receipt of the San Diego Art Institute (SDAI)/Museum of the Living Artist's Visual Arts "Ginger" Award;

Proclaiming April 29, 2006, to be “Chris Wolfe Day” in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:09 a.m. – 11:12 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

* ITEM-108: Albert Wong Day.

COUNCILMEMBER HUESO’S RECOMMENDATION:

Adopt the following resolution:

(R-2006-852) ADOPTED AS RESOLUTION R-301391

Commending Albert Wong for his outstanding service, leadership, and commitment to the people of San Diego;

Proclaiming April 30, 2006, to be “Albert Wong Day” in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 11:09 a.m. – 11:12 a.m.)

CONSENT MOTION BY MADAFFER TO ADOPT. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-330: Genesee Avenue and North Torrey Pines Road Maintenance Assessment District Formation.

(See Report to the City Council No. 06-041. University City Community Area. District 1.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-796) CONTINUED TO TUESDAY, MAY 23, 2006

Resolution of Intention to form the Genesee Avenue and North Torrey Pines Road Maintenance Assessment District and to levy and collect Fiscal Year 2006 Annual Assessments on Genesee Avenue and North Torrey Pines Road Maintenance Assessment District.

STAFF SUPPORTING INFORMATION:

This action authorizes the ballot protest proceedings to form the Genesee Avenue and North Torrey Pines Road Maintenance Assessment District (District). If approved by property owner vote, this action shall authorize the Fiscal Year 2006 assessment and budget. The purpose of the District is to fund the enhanced maintenance of landscaped and hardscaped improvements, including medians, sidewalks, bulb outs, curbs, and gutters.

FISCAL IMPACT:

The City owns 11 assessable parcels in the district, resulting in \$47,443 assessment split between the General Fund in the amount of \$34,883 and the Torrey Pines Golf Course Fund in the amount of \$12,560. The district will be entitled to a contribution from Gas Tax Fund 30219 in the amount of \$16,984. Gas Tax funds are available and were approved in the Fiscal Year 2006 Budget. In September 2005, property owners along this corridor met the criteria established in City Council Policy 100-21, Funding for Maintenance Assessment District (MAD) Formation for funding provided by the City. If the vote passes, the new District will repay the MAD Formation Fund. Approximately \$425,074 would be assessed to the property owners within the District in Fiscal Year 2006. The proposed Fiscal Year 2006 budget for the District is as follows:

	<u>FY 2006</u>	<u>Maximum Authorized</u>
<u>EXPENSES</u>		
Personnel	\$15,000	\$33,000
Landscape Contract	\$100,000	\$190,000
Incidentals	\$52,500	\$52,000
Utilities	\$15,000	\$22,000
Capital Improvements	\$0	\$30,000
Onetime Expense	<u>\$145,000</u>	
TOTAL EXPENSES	\$327,500	\$327,500
 <u>REVENUES</u>		
Assessments*	\$425,074	\$425,074
Gas Tax	<u>\$16,984</u>	<u>\$16,984</u>
TOTAL REVENUES	\$442,058	\$442,058
 FUND BALANCE	 \$114,558	 \$114,558

Annual assessments were calculated by an assessment engineer for parcels within the District and are based on each parcel's equivalent benefit unit (EBU), which is equivalent to one single family dwelling unit. This rate is impacted by parcel land use, acreage of non-residential properties, and location of properties. The proposed rate would be \$85.60 per EBU for Zone 1 and \$42.80 for Zone 2. Parcels within Zone 2 (along Science Center Drive) receive a lower level of benefit due to their separation from the rest of the mesa.

Medina/Martinez/AWF

Staff: Clay Bingham – (619) 533-6724
Hilda Ramirez Mendoza – Deputy City Attorney

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 2:07 p.m. – 2:08 p.m.)

MOTION BY FAULCONER TO CONTINUE TO TUESDAY, MAY 23, 2006 FOR FURTHER REVIEW. Second by Peters. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-331: Black Mountain Ranch North Maintenance Assessment District
Formation.

(See Report to the City Council No. 06-040. Black Mountain Ranch Community
Area. District 1.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-800) ADOPTED AS RESOLUTION R-301392

Resolution of Intention to form the Black Mountain Ranch North Maintenance
Assessment District and to levy and collect Fiscal Year 2007 Annual Assessments
on Black Mountain Ranch North Maintenance Assessment District.

STAFF SUPPORTING INFORMATION:

This action authorizes the ballot protest proceedings to form the Black Mountain Ranch North
Maintenance Assessment District (District). If approved by a property owner vote, this action
also authorizes the Fiscal Year 2007 assessment and budget. The District is located in the Black
Mountain Ranch Community Planning Area roughly along the Camino del Sur corridor from the
bridge north of San Dieguito Road to the city limits near 4S Ranch.

The purpose of the District is to find the enhanced maintenance of identified street lighting
improvements such as decorative acorn style and cobra style fixtures.

FISCAL IMPACT:

Approximately \$191,475 will be assessed to the property owners within the District in Fiscal
Year 2007. The City owns no assessable parcels in the district, so there is no General Fund
impact. The proposed Fiscal Year 2007 budget for the District is as follows:

<u>EXPENSES</u>	<u>FY 2007</u>	<u>Maximum Authorized</u>
Maintenance	\$62,453	\$92,475
Utilities (energy)	\$24,540	\$33,060
Pole Replacement Program (CIP fund)	\$28,000	\$28,000
Formation/Re-Engineering Costs	\$35,000	\$35,000
Administration-Personnel & Incidentals	<u>\$7,206</u>	<u>\$7,440</u>

TOTAL EXPENSES

\$157,199

\$195,975

REVENUES

Assessments	\$191,475	\$246,045
City Contribution (general benefit energy)	<u>\$15,480</u>	<u>\$21,660</u>
TOTAL REVENUES	\$206,955	\$267,705
FUND BALANCE	\$49,756	\$71,730

The “City Contribution – General Benefit Energy” in the revenue section of the budget table represents the cost to energize the lights that would have been in place regardless of whether the district was formed or not. These lights are spaced in accordance with the requirements set forth in the City’s Street Design Manual. The City cannot assess for these standard lights, since it is a general benefit.

Annual assessments were calculated by an assessment engineer for parcels within the District and are based on each parcel’s equivalent benefit unit (EBU), which is equivalent to one single family dwelling unit. The proposed rates would vary between \$8.76 and \$129.36 per EBU based on the proximity of the property to special street lighting along arterial corridors, presence of local lighting in certain neighborhoods, parcel land use, and acreage of non-residential properties.

Medina/Martinez/AWF

Staff: Clay Bingham – (619) 533-6724
Hilda Ramirez Mendoza – Deputy City Attorney

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 2:26 p.m. – 2:27 p.m.)

MOTION BY YOUNG TO ADOPT. Second by Peters. Passed by the following vote:
Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea,
Madaffer-yea, Hueso-yea.



[ITEM-332:](#) Camino Santa Fe Maintenance Assessment District Formation.

(See Report to the City Council No. 06-039. Mira Mesa Community Area.
District 5.)

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-865) ADOPTED AS RESOLUTION R-301393

Resolution of Intention to form the Camino Santa Fe Maintenance Assessment
District and to levy and collect Fiscal Year 2007 Annual Assessments on Camino
Santa Fe Maintenance Assessment District.

STAFF SUPPORTING INFORMATION:

This action authorizes the ballot protest proceedings to form the Camino Santa Fe Maintenance
Assessment District (District). If approved by a property owner vote, this action also authorizes
the Fiscal Year 2007 assessment and budget. The District is located in the Mira Mesa
Community Planning Area roughly along the Camino Santa Fe corridor south of Mira Mesa
Boulevard and north of Miramar Road.

The purpose of the District is to fund the enhanced maintenance of landscaped and hardscaped
improvements, including medians, sidewalks, slopes, curbs, and gutters.

FISCAL IMPACT:

Approximately \$240,000 will be assessed to the property owners within the District in Fiscal
Year 2007. The City owns no assessable parcels in the district, so there is no General Fund
impact. The districts will be entitled to a contribution from Gas Tax Fund 30219 in the amount
of \$11,053. These funds will be requested as part of the Fiscal Year 2007 Budget Process. The
proposed Fiscal Year 2007 budget for the Districts is as follows:

	<u>FY 2007</u>	<u>Maximum Authorized</u>
<u>EXPENSES</u>		
Personnel	\$10,829	\$17,645
Contract	\$113,792	\$184,189
Incidentals	\$27,784	\$45,038
Energy and Utilities	\$18,981	\$30,853
Infrastructure Outlay (Yearly Contribution)	\$7,500	\$7,500
District Formation Costs	<u>\$30,000</u>	<u>\$30,000</u>
TOTAL EXPENSES	\$208,886	\$315,225
<u>REVENUES</u>		
Assessments*	\$240,000	\$360,000
Gas Tax	\$11,053	\$14,930
Interest	<u>\$2,000</u>	<u>\$3,500</u>
TOTAL REVENUES	\$253,053	\$378,430
FUND BALANCE AND RESERVES	\$44,167	\$63,205

Annual assessments were calculated by an assessment engineer for parcels within the District and are based on each parcel's equivalent benefit unit (EBU), which is equivalent to one single family dwelling unit. This rate is impacted by parcel land use, benefit, acreage of non-residential properties, and location of properties. The proposed rate for Fiscal Year 2007 would be \$191.82 per EBU. Parcels within Zone 2 would receive a lower level of benefit due to their distance from the improvements.

Medina/Martinez/AWF

Staff: Clay Bingham – (619) 533-6724
Hilda Ramirez Mendoza – Deputy City Attorney

FILE LOCATION: STRT-M-508 (34)

COUNCIL ACTION: (Time duration: 2:27 p.m. – 2:27 p.m.)

MOTION BY MAIENSCHHEIN TO ADOPT. Second by Madaffer. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-333: Centre City Redevelopment Project Subordinate Tax Allocation Bonds, Series 2006A and Tax Allocation Housing Bonds, Series 2006B – General.

(See Centre City Development Corporation Report CCDC-06-08. Districts 2 and 8.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-2006-760) CONTINUED TO TUESDAY, MAY 23, 2006

Declaring that the Redevelopment Agency of the City of San Diego, in order to provide for the financing of the Centre City Redevelopment Project (Project Area), has expressed its intention to issue not greater than (i) \$79,000,000 of its obligations, entitled Redevelopment Agency of the City of San Diego Centre City Redevelopment Project Subordinate Tax Allocation Bonds, Series 2006A (Series 2006A Bonds), and (ii) \$35,000,000 of its obligations, entitled Redevelopment Agency of the City of San Diego Centre City Redevelopment Project Tax Allocation Housing Bonds, Series 2006B (Taxable) (Series 2006B Bonds, together with the Series 2006A Bonds, are collectively referred to herein as Bonds) the proceeds of which will be used to finance new projects within the Project Area.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 3:39 p.m. – 3:40 p.m.)

MOTION BY FRYE TO CONTINUE TO TUESDAY, MAY 23, 2006 FOR FURTHER REVIEW. Second by Maienschein. Passed by the following vote: Peters-ineligible, Faulconer-yea, Atkins-yea, Young-not present, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.



ITEM-S500: In the Matter of Whether to Provide for an Attorney for Affected City Employees and Former City Employees in San Diego City Employees Retirement System (SDCERS) v. City of San Diego and Michael Aguirre (GIC841845).

(Continued from the meeting of April 18, 2006, Item 330, at the request of City Council, for further review.)

COUNCIL PRESIDENT PETERS' RECOMMENDATION:

CONTINUED TO MONDAY, MAY 8, 2006

Directing the City Attorney to draft a resolution which would:

- a. Approve retention of outside counsel to represent former members of the City Council in SDCERS v. City of San Diego and Aguirre (GIC841845) in light of SDCERS' Cross Complaint to the City's 4th Amended Complaint as permitted under California Government Code Section 995 et seq.;
- b. Authorize expenditure of up to \$250,000 subject to Auditor's Certificate for such representation.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 2:08 p.m. – 2:26 p.m.)

MOTION BY FAULCONER TO CONTINUE TO MONDAY, MAY 8, 2006 FOR FURTHER REVIEW. Second by Atkins. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

