

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JANUARY 17, 1989
AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:22 a.m. The meeting was recessed by Mayor O'Connor at 12:22 p.m. to meet in Closed Session at 2:00 p.m. in the twelfth floor conference room on potential litigation.

The meeting was reconvened by Mayor O'Connor at 2:38 p.m. Deputy Mayor McCarty adjourned the meeting at 4:28 p.m. to convene as the Redevelopment Agency and thereafter as the Housing Authority.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member McColl-present
 - (4) Council Member Pratt-present
 - (5) Council Member Struiksmma-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (eb;jb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksmma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by The Reverend Clyde E. Gaines,
Pastor, Greater Trinity Baptist Church.

FILE LOCATION: MINUTES

Jan-17-1989

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
McColl.

FILE LOCATION: MINUTES

ITEM-30: REFERRED TO CITY MANAGER, CITY ATTORNEY AND PLANNING
DEPARTMENT

Receiving a Resolution from the Centre City San Diego
Planning Committee entitled "The Centre City Planning
Committee Recommendation Regarding the Centre City
Emergency Ordinance Limiting the Issuance of Building
Permits in Centre City".

(District-8.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A047-147.)

Motion by Struiksma to accept the resolution. Second by Pratt.

No vote.

MOTION BY FILNER TO REFER THE MATTER TO THE CITY MANAGER, CITY
ATTORNEY, AND PLANNING DEPARTMENT TO PREPARE A RESOLUTION, USING
LANGUAGE THAT WOULD PARALLEL THE RESOLUTION LANGUAGE AND

INCLUDE

COUNCIL'S DISCUSSION, AND BRING BACK TO COUNCIL. Second by
Struiksma. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Jan-17-1989

ITEM-31: APPROVED

Approval of Council Minutes for the Meetings of:

12/12/88

12/13/88

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A147-150.)

MOTION BY STRUIKSMA TO APPROVE. Second by McColl. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

* ITEM-50: (O-89-127) INTRODUCED, TO BE ADOPTED JANUARY 30,
1989

Introduction of an Ordinance amending Chapter VI, Article 3, of the San Diego Municipal Code, by adding Section 63.02.34, relating to Granting Authority to Park Rangers to Enforce State and Local Codes.

CITY MANAGER SUPPORTING INFORMATION: The Park and Recreation Department administers all City owned park and open space lands. This year's salary ordinance includes a new classification of Senior Park Ranger, for which recruiting is now in process. The position to be filled is in Mission Trails Regional Park; however, it is anticipated that expansion of use of park rangers to other park areas may occur in future years.

This proposed ordinance will give authority to park rangers to enforce Municipal Ordinances and State Laws pertaining to public behavior and activity in City parks, contiguous beaches, and open space areas. The Police Department will continue to have primary law enforcement responsibility in these areas. However, this authority will allow park rangers, as a peripheral duty, to issue citations and, if necessary, make arrests which would technically be "citizen's arrests", for misdemeanors committed in their presence. This authority will be the same as that previously granted to lifeguards for City beaches under Municipal Code Section 63.20.8, and Diver/Rangers at City reservoirs under Municipal Code Section 67.40.1.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A160-170.)

CONSENT MOTION BY McCOLL TO INTRODUCE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-51:

Ten actions relative to setting aside and dedicating various parcels of City-owned land as public parks:

Subitem-A: (O-89-129) INTRODUCED, TO BE ADOPTED JANUARY 30, 1989

Introduction of an Ordinance setting aside and dedicating Parcel A, being a portion of Lot 32 in resubdivision of portion of Block 40 of Normal Heights, Map-1312, and portions of Lots 30 and 31 of Block 40 of Normal Heights, Map-985 for a public park (Adams Avenue Park). (District-3.)

Subitem-B: (O-89-130) INTRODUCED, TO BE ADOPTED JANUARY 30, 1989

Introduction of an Ordinance setting aside and dedicating Parcel B, being Lot 134, View Ridge Unit 3, Map-11693 for a public park (Boone Park).

(District-4.)

Subitem-C: (O-89-131) INTRODUCED, TO BE ADOPTED JANUARY 30, 1989

Introduction of an Ordinance setting aside and dedicating Parcels C, D, E, F, G, and H, being Lots 41, 42, 43 and 44, and portions of Lots 45, 46, 47 and 48, all in Block 8 of the City Heights Annex 1, Map-1001, for a public park (City Heights Community Park).

(District-3.)

Subitem-D: (O-89-132) INTRODUCED, TO BE ADOPTED JANUARY 30, 1989

Introduction of an Ordinance setting aside and dedicating Parcel I, being portions of Pueblo Lot-1293 and 1294, and Parcel 3 of Parcel Map PM-13250, for a public park (Doyle Community Park).

(District-1.)

Subitem-E: (O-89-133) INTRODUCED, TO BE ADOPTED JANUARY 30, 1989

Introduction of an Ordinance setting aside and dedicating Parcel J, being real property designated as the "Plaza" on Map of Horton's Addition, together with northerly 27 feet of Plaza Street lying contiguous to said Plaza and closed to public use, for a public park (Horton Plaza).

(District-8.)

Subitem-F: (O-89-134) INTRODUCED, TO BE ADOPTED JANUARY 30, 1989

Introduction of an Ordinance setting aside and dedicating Parcel K, being portions of Lots 3, 4 and 5 of Pueblo Lot 1111 of the Pueblo Lands of San Diego, and portions of Villa Lots 366 and 367, Valle Vista Terrace, Map-1081, for a public park (Old Trolley Barn Park).

(District-2.)

Subitem-G: (O-89-135) INTRODUCED, TO BE ADOPTED JANUARY 30, 1989

Introduction of an Ordinance setting aside and dedicating Parcel L, being Lot 171 of Penasquitos Views West Unit 1, Map-9828, for a public park (Ridgewood Park).

(District-5.)

Subitem-H: (O-89-136) INTRODUCED, TO BE ADOPTED JANUARY
30, 1989

Introduction of an Ordinance setting aside and dedicating
Parcel M, being Parcel D of North City West Neighborhood
3, Unit 5, Map-10795, and Parcel 1 of Parcel Map PM-14088,
for a public park (Soland Highland Park).
(District-1.)

Subitem-I: (O-89-137) INTRODUCED, TO BE ADOPTED JANUARY
30, 1989

Introduction of an Ordinance setting aside and dedicating
Parcel N, being portions of the Northwest Quarter of
Section 36, Township 18 South, Range 2 West, San Bernardino
Base and Meridian, for a public park (De La Madrid Park).
(District-8.)

Subitem-J: (O-89-138) INTRODUCED, TO BE ADOPTED JANUARY
30, 1989

Introduction of an Ordinance setting aside and dedicating
Parcel O, being portions of Pueblo Lots 1330, 1331 and
1333, of the Pueblo Lands of San Diego, for a public park
(Torrey Pines Golf Course and City Park).
(District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action is part of
an on-going project to dedicate various City parks. In
accordance with Charter Section 55 and Council Policy 700-17,
the Park and Recreation Board has reviewed the City's inventory
of park lands to determine which parks meet the requirements for
dedication. The subject 15 parks meet these requirements and
have been recommended for dedication. This action does not name
the parks to permit flexibility in naming and changing names in
the future.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A160-170.)

CONSENT MOTION BY McCOLL TO INTRODUCE. Second by McCarty.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-100: (R-89-1250) ADOPTED AS RESOLUTION R-272656

Accepting the low bid of \$115,837.80 and awarding a
contract to Drainage Construction Co., Inc. for
the Reconstruction of Elliott Street Storm Drain;
authorizing the City Auditor and Comptroller to
transfer \$31,000 from CIP-17-001, Annual Allocation -

Minor Drain Improvements, to CIP-17-101.4,
Reconstruction of Elliott Street Storm Drain;
authorizing the expenditure of an amount not to exceed
\$31,000 from CIP-17-101.4, Reconstruction of Elliott
Street Storm Drain, to supplement funds previously
authorized by Resolution R-272125, adopted on October
24, 1988, for said project and related costs;
authorizing the City Auditor and Comptroller, upon
advice from the administering department, to transfer
excess budgeted funds, if any, to the appropriate
reserves. (BID-0183/89)
(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This project
will remove the existing storm drain and install a new storm
drain in a steep hillside west of Elliott Street. The
existing drain is so deteriorated that replacement is
necessary. If not replaced, erosion of the hillside and
flooding to an apartment building may occur. The project
will also upgrade the system by installing new catch basins
and additional pipe to reduce flooding in the street. The
low bid for this project is 28.7 percent over the estimate.
Thirty bid packages were issued and five bids were received.
The five bids ranged from \$115,839.80 to \$140,188.50.
Because of the small difference in bid amounts, it is
unlikely lower bids would be received if the project were
rebid. Staff recommends accepting the low bid of Drainage
Construction, Co., Inc.
Aud. Cert. 8900557.

FILE LOCATION: CONT - Drainage Construction Co., Inc.
CONTFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-89-1253) ADOPTED AS RESOLUTION R-272657

Accepting the low bid of \$49,740 and awarding a contract to
P & P Enterprises, Inc. for the Construction of Sidewalk
on Lake Murray Boulevard - Navajo Road to 1200' North;
authorizing the City Auditor and Comptroller to transfer
\$6,800 from CIP-52-327, Annual Allocation - Safety All
Weather Walkways to CIP-52-327.4, Construction of Sidewalk
on Lake Murray Boulevard - Navajo Road to 1,200' North;
authorizing the expenditure of an amount not to exceed

\$6,800 from CIP-52-327.4, Construction of Sidewalk on Lake Murray Boulevard - Navajo Road to 1,200' North, to supplement funds previously authorized by Resolution R-272203, adopted on October 31, 1988, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0193/89)

(Navajo Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: This project will install the final 650 feet of all-weather sidewalk on the west side of Lake Murray Boulevard between Navajo Road and Highwood Drive. This all-weather sidewalk will provide a safe walkway for students going to school and area pedestrians to the shopping centers. The low bid for this project is 16.7 percent over the estimate. Thirty bid packages were issued and nine bids were received. The nine bids ranged from \$49,740 to \$77,370.50. Due to the small difference in the low three bid amounts, it is unlikely lower bids would be received if the project were readvertised. Staff recommends accepting the low bid of P & P Enterprises, Inc.

Aud. Cert. 8900565.

FILE LOCATION: CONT - P & P Enterprises, Inc.
CONTFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-89-880) ADOPTED AS RESOLUTION R-272658

Accepting the low bid of \$22,729 and awarding a contract to ABC Construction Co., Inc. for Chicano Park - Improvements; authorizing the City Auditor and Comptroller to transfer \$3,866 from Park Service District Fund 15580 to CIP-29-560, Chicano Park - Improvements; authorizing the expenditure of an amount not to exceed \$3,866 from CIP-29-560, Chicano Park - Improvements, to supplement funds previously authorized by Resolution R-271592, adopted on August 8, 1988, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-0036/89M)

(Barrio Logan/Harbor 101 Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Staff engineering charges exceeded the estimate and an additional \$3,866 is required to finance the Chicano Park Improvements project. Ten bid packages were issued and one bid received from ABC Construction Co. on September 21, 1988. The bid was \$22,729 and the estimate was \$22,250. Awarding the construction contract to ABC Construction Co. is recommended.
Aud. Cert. 8900525.

FILE LOCATION: CONT - ABC Construction Co., Inc.
CONTFY89-1

COUNCIL ACTION: (Tape location: B194-230.)
CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-89-1249) ADOPTED AS RESOLUTION R-272659

Awarding a contract to Project Here/Neighborhood House Association for furnishing microfilming service for the Building Inspection Department, as may be required for a period of one year beginning December 1, 1988 through November 30, 1989, for an estimated cost of \$33,040.74, including tax and terms, with an option to renew the contract for two additional one year periods.
(BID-0243/89)

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: B194-230.)
CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-89-1254) ADOPTED AS RESOLUTION R-272660

Awarding a contract to All American Chevrolet, Inc. for the purchase of 32 police sedans (pastels), 1989 Chevrolet Caprice Classic, for a total cost of \$381,108.16, including tax and trade-in allowance, as follows: (BID-0258/89)

| | | Trade-In Equipment | | |
|------|------|---------------------------------------|---------|-----------|
| | | Unit | | |
| Item | Qty. | Description | Price | Extension |
| 1 | 9 | 1982 Ford Fairmount, 6 cylinder | \$1,010 | \$ 9,090 |
| 2 | 3 | 1983 Ford Escort (Methanol fueled) | \$ 650 | \$ 1,950 |

| | | | | |
|---|---|--------------------------|----------|----------|
| | | 4 cylinder | | |
| 3 | 6 | 1983 Ford Fairmount, | \$1,226 | \$ 7,356 |
| | | 6 cylinder | | |
| 4 | 7 | 1984 Ford LTD V/6 | \$1,426 | \$ 9,982 |
| | | engine | | |
| 5 | 2 | 1985 Ford LTD V/6 | \$1,751 | \$ 3,502 |
| | | engine | | |
| | | Total Trade-In Allowance | \$31,880 | |

Aud. Cert. 8900577.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-89-1251) ADOPTED AS RESOLUTION R-272661

Awarding a contract to University Ford for the purchase of 107 police patrol cars (104 1989 Ford Crown Victoria "S" and 3 1989 Ford Crown Victoria "S" with power windows), for a total cost of \$1,335,881.66, including tax, less trade-in allowances, as follows: (BID-0259/89)

| Trade-In Equipment | Unit Allowance | Extension |
|--------------------------------|---------------------------|-----------|
| 8 1984 Ford LTD | \$1,305 | \$ 10,440 |
| 26 1985 Ford LTD | \$1,405 | \$ 36,530 |
| 53 1986 Ford Crown Victoria | \$2,860 | \$151,580 |
| | Total Trade-In Allowance: | \$198,550 |

Aud. Cert. 8900578.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-89-1245) ADOPTED AS RESOLUTION R-272662

Awarding a contract to N/S Corporation for removing existing car wash equipment, furnishing and installing a new car wash system at the Northern Area Police Auto Maintenance Facility for a total cost of \$26,956, including tax and terms. (BID-0278/89)

Aud. Cert. 8900572.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-89-1246) ADOPTED AS RESOLUTION R-272663

Awarding a contract to Pacific Pipeline Supply for the purchase of 2" Corp. Stops, Ball, M.I.P. to M.I.P., as may be required for a period of one year beginning February 1, 1989 through January 31, 1990, for an estimated cost of \$25,400, with options to renew the contract for two additional one year periods, subject to a maximum 6 percent increase in price per year over the previous contract year price. (BID-0271/89)

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-89-1242) ADOPTED AS RESOLUTION R-272664

Awarding contracts for the purchase of hardware and fasteners, as may be required for a period of one year beginning January 1, 1989 through December 31, 1989, for an estimated cost of \$54,840, including tax and terms, as follows: (BID-0250/89)

1. Budco Engineering and Manufacturing Inc. for Section II - nails; Section III - screws; Section IV - toggle bolts and lag screws, Section V - stainless steel fasteners; Section VI - fasteners, will-call only; with an option to renew the contract for an additional one year period, with price increases not to exceed 10 percent of prices in effect at the end of the initial contract year.
2. Western Fastener Co. for Section I - bolts, washers, nuts, screws, all-threads; Section VI - fasteners, will-call only; with an option to renew the contract for an additional one year period, with price increases not to exceed 10 percent of prices in effect at the end of the initial contract year.

FILE LOCATION: MEET CONTFY89-2

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-89-1241) ADOPTED AS RESOLUTION R-272665

Awarding a contract to Kertzman Contracting, Inc. for labor and materials to replace three 36-inch wash water valves (excluding the replacement valves) for a total cost of \$38,602, including tax. (BID-0270/89)
Aud. Cert. 8900571.

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110: (R-89-1256) ADOPTED AS RESOLUTION R-272666

Awarding a contract to Woodward Sand and Materials Company for the purchase of 1,563 cubic yards field/infield soil mix for a total cost of \$29,741.46, including tax. (BID-0319/89)
Aud. Cert. 8900581.

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-111: (R-89-1252) ADOPTED AS RESOLUTION R-272667
19890117

Inviting bids for the Pump Station No. 65 Wet Well Stair Replacement on Work Order No. 170511; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$46,000 from the Sewer Revenue Fund 41506, CIP-46-117, Pump Station 65 - Expansion and Force Main, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in the Sewer Revenue Fund 41506, CIP-46-117, Pump Station 65 - Expansion and Force Main. (BID-0362/89)

(Sorrento Hills Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The existing stairs in the wet well of Pump Station No. 65 have been in service for 17 years, and have deteriorated to an unsafe condition. This project will demolish the existing concrete stairs and install a new fiberglass reinforced plastic ladder and working platform in the wet well. Demolition of the existing concrete stairs and the installation of a new wet well access ladder are required to perform tie-in operations when the Carmel Valley Trunk Sewer Replacement - Sewer Pump Station 65 to west of I-5 (CIP-46-122) project is constructed.

Aud. Cert. 8900569.

WU-P-89-081.

FILE LOCATION: W.O. 170511 CONT - SCW Contracting CONFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112:

Two actions relative to the Construction of Water and Sewer Main Replacement Group 459:

(Peninsula Community Area. District-2.)

19890117

Subitem-A: (R-89-1247) ADOPTED AS RESOLUTION R-272668

Inviting bids for the Construction of Water and Sewer Main Replacement Group 459 on Work Order No. 147221/148198; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$2,239,000 (\$1,120,000 from Water Revenue Fund 41502, CIP-73-083, Annual Allocation - Main Replacements and \$1,119,000 from Sewer Revenue Fund 41506, CIP-44-001, Annual Allocation - Main Replacements), for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-0344/89)

Subitem-B: (R-89-1248) ADOPTED AS RESOLUTION R-272669

Authorizing the use of City Forces to do all the work and make connections and perform operational checks as required in connection with the Construction of Water and Sewer Main Replacement Group 459; declaring that the cost of the work shall not exceed \$170,000.

CITY MANAGER SUPPORTING INFORMATION: In the Point Loma

Peninsula area, one of the earlier developed communities within the City, the old concrete sewer mains and cast iron water mains installed between 1928 and 1950 are causing excessive stoppages and breaks. These mains have served their useful life and now require replacement. As part of the City's Annual Capital Improvements Program to replace deteriorated water and sewer mains, Group 459 proposes to construct 7,890 lineal feet of 8", 6" and 4" water mains, and 7,124 lineal feet of 10", 8" and 6" sewer mains, located in encroached easements and difficult terrain, by a patented inversion lining process known as Insituform.

Aud. Cert. 8900381.

WU-P-89-038.

FILE LOCATION:

Subitems A and B W.O. 147221/148198 CONT - Engicon
CONTFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-113:

Two actions relative to the final subdivision map of Carmel Mountain Ranch Unit No. 16C, a 39-lot subdivision located southeasterly of Carmel Mountain Road and Rancho Carmel Drive:

(Carmel Mountain Ranch Community Area. District-1.)

Subitem-A: (R-89-1303) ADOPTED AS RESOLUTION R-272670
Authorizing the execution of a Subdivision Improvement Agreement with Carmel Mountain Ranch for the installation and completion of public improvements.

Subitem-B: (R-89-1302) ADOPTED AS RESOLUTION R-272671
Approving the final map.

FILE LOCATION:

Subitems A and B SUBD - Carmel Mountain
Ranch Unit No. 16C CONTFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114:

Two actions relative to the final subdivision map of Otay International Center Lot No. 2A, an 11-lot subdivision located southeasterly of Siempre Viva Road and Harvest Road:
(Otay Mesa Community Area. District-8.)

Subitem-A: (R-89-1236) ADOPTED AS RESOLUTION R-272672
Authorizing the execution of a Subdivision Improvement Agreement with Otay International Center for the installation and completion of public improvements.

Subitem-B: (R-89-1235) ADOPTED AS RESOLUTION R-272673
Approving the final map.

FILE LOCATION:

Subitems A and B SUBD - Otay International
Center Lot No. 2A acontfy89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-115: (R-89-1226) ADOPTED AS RESOLUTION R-272674

Approving the acceptance by the City Manager of an easement deed of Tyna M. Jones, granting to the City an easement for sewer purposes in a portion of Lot 14 of Crestline Tract, Map-1367; authorizing the expenditure of an amount not to exceed \$5,250 from Sewer Reserve Fund, South Crescent Sewer Main Replacement Project, CIP-44-001, to cover the above acquisition.

(South Hillcrest Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Water Utilities Department has requested acquisition of a sewer easement in the easterly 20 feet of lot 14 in Crestline Tract. This is property at the intersection of South Crescent Court and Eagle Street in the South Hillcrest area. The existing 6-inch line at this location is presumed to be over 50 years old and is badly deteriorated. A new 8-inch sewer line will follow the same alignment as the old pipe. An easement deed has been executed by the property owner, which will enable the Water Utilities Department to meet this emergency in an expeditious manner.
Aud. Cert. 8900529.

WU-PR-89-077.

FILE LOCATION: DEED F-4782 DEEDFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-116: (R-89-1227) ADOPTED AS RESOLUTION R-272675

Authorizing the sale by negotiation to Robert M. Henely of Lot 6, Block 8, Wetmore and Sanborns Addition, Map-276 (Site-376) for the sum of \$7,000; authorizing the execution of a grant deed, granting to Robert M. Henely all that portion of Lot 6, Block 8, Wetmore and Sanborns Addition, Map-276, (Site-376); declaring that no broker's commission shall be paid by the City on said negotiated sale.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On July 13, 1987, Council reaffirmed Site-376's exclusive sale designation. This 2,962-square-foot parcel is located at the southerly, unimproved terminus of Bancroft Street, south of Greely Avenue, in Logan Heights. It is zoned MF-3000, is rectangular in shape, flat and vacant on an improved dirt road strewn with rocks and used tires. The property was originally acquired in 1956 for drainage but is no longer used for that purpose. It is now considered in excess of present and future City needs. Its highest and best use, due to its smaller size and poor access, would be to join it with a larger adjacent parcel.

All adjacent owners were sent registered letters with return receipts requested affording them the opportunity to acquire this site. The only respondent was the adjacent owner to the south, Robert M. Henely, whose property contains 29,440 square feet. Mr. Henely could provide access to the site via his adjoining lots on Logan Avenue. A recent appraisal, dated August 24, 1988, by Property Department staff valued the parcel at \$7,000. This valuation was based on a comparison of similar recently sold properties also known as the Market Comparison Approach to Valuation. Authorization for this sale was reviewed by the Public Facilities and Recreation Committee and its recommendation to sell was approved by the City Council on November 28, 1988.

FILE LOCATION: DEED F-4783 DEEDFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by

the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-117: (R-89-1308) ADOPTED AS RESOLUTION R-272676

Authorizing the sale by negotiation to F.N. Projects, Inc., of a portion of the Southeast Quarter of Section 26, Township 17 South, Range 1 West, S.B.M. (Site-767) for the amount of \$15,000; grant deed, granting to F.N. Projects, Inc. all that portion of the Southeast Quarter of Section 26, Township 17 South, Range 1 West, S.B.M. (Site-767); declaring that no broker's commission shall be paid by the City of San Diego on the negotiated sale.
(Otay Lakes Community Area.)

CITY MANAGER SUPPORTING INFORMATION: On October 10, 1988, the City Manager was authorized to enter into an exclusive sale with the Baldwin Company (F.N. Projects, Inc., a California corporation, a partnership with First National Bank) for the sale of City-owned property located north of Proctor Valley Road and east of Janal Drive. Site 767 had served as a pump station site, and is a rectangular-shaped, one-acre parcel several miles east of Chula Vista, located close to, but has no frontage on Proctor Valley Road. This site cannot be developed independently due to access, zoning and utility problems. The highest and best use is joinder with the adjacent larger parcel which surrounds the property on all sides. The larger parcel was recently purchased by the Baldwin Company and, if successful in this purchase, will present both parcels to the City of Chula Vista for annexation. A recent appraisal dated August 5, 1988 by a Property Department staff appraiser valued the parcel at \$15,000. This valuation was based on the recent sale of the larger parcel and contribution by joinder to the adjacent parcel.

WU-PR-89-082.

FILE LOCATION: DEED F-4784 DEEDFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-118:

Two actions relative to the Mission Gorge Road (Princess View Dr. to Margerum Ave.) Underground Utility District: (Navajo Community Area. District-7.)

Subitem-A: (R-89-1315) ADOPTED AS RESOLUTION R-272677

Designating February 13, 1989, as the date upon which all property in the Mission Gorge Road (Princess View Drive to Margerum Avenue) Underground Utility District must be ready to receive underground service and April 28, 1989, as the date for the removal of all overhead utility facilities.

Subitem-B: (R-89-1316) ADOPTED AS RESOLUTION R-272678

Authorizing the City Auditor and Comptroller to open Fund No. 78035 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Mission Gorge Road (Princess View Drive to Margerum Avenue) Underground Utility District; authorizing the City Treasurer to receive these funds from the San Diego Gas and Electric Company; authorizing payment to all property owners in the Mission Gorge (Princess View Drive to Margerum Avenue) Underground Utility District as reimbursement for electrical service underground conversion work done on private property whenever the required length of trenching exceeds 15 feet; authorizing the City Auditor and Comptroller to return to San Diego Gas and Electric Company any undisbursed funds upon written notice from SDG&E to the City that all electric service conversions within a particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION: The Mission Gorge Road (Princess View Dr. to Margerum Ave.) Underground Utility District was created by the City Council on October 28, 1986.

The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set February 13, 1989 as the Customer Ready Date, which will require that, upon this date, all affected customers within the Underground Utility District must have their services prepared to receive service from the new underground system. This action will also establish April 28, 1989 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the Underground Utility District must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

FILE LOCATION:

Subitems A and B STRT K-167

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-119:

Two actions relative to the Morena Boulevard (Linda Vista Road to W. Morena Blvd.) Underground Utility District: (Clairemont Mesa Community Area. District-6.)

Subitem-A: (R-89-1317) ADOPTED AS RESOLUTION R-272679

Designating February 1, 1989, as the date upon which all property in the Morena Boulevard (Linda Vista Road to W. Morena Boulevard) Underground Utility District must be ready to receive underground service and July 1, 1989, as the date for the removal of all overhead utility facilities.

Subitem-B: (R-89-1318) ADOPTED AS RESOLUTION R-272680

Authorizing the City Auditor and Comptroller to open Fund No. 78032 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Morena Boulevard (Linda Vista Road to W. Morena Boulevard) Underground Utility District; authorizing the City Treasurer to receive these funds from the San Diego Gas and Electric Company; authorizing payment to all property owners in the Morena Boulevard (Linda Vista Road to W. Morena Boulevard) Underground Utility District as reimbursement for electrical service underground conversion work done on private property whenever the required length of trenching exceeds 15 feet; authorizing the City Auditor and Comptroller to return to San Diego Gas and Electric Company any undisbursed funds upon written notice from SDG&E to the City that all electric service conversions within a particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION: The Morena Boulevard (Linda Vista Road to W. Morena Boulevard) Underground Utility District was created by the City Council on March 24, 1987. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set February 1, 1989 as the Customer Ready Date, which will require that, upon this date, all affected customers within the Underground Utility

District must have their services prepared to receive service from the new underground system. This action will also establish July 1, 1989 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the Underground Utility District must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

FILE LOCATION:

Subitems A and B STRT K-172

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-120:

Two actions relative to the 54th Street (University Avenue to El Cajon Boulevard) Underground Utility District: (Mid-City Community Area. District-7.)

Subitem-A: (R-89-1313) ADOPTED AS RESOLUTION R-272681

Designating January 27, 1989, as the date upon which all property in the 54th Street (University Avenue to El Cajon Boulevard) Underground Utility District must be ready to receive underground service and March 31, 1989, as the date for the removal of all overhead utility facilities.

Subitem-B: (R-89-1314) ADOPTED AS RESOLUTION R-272682

Authorizing the City Auditor and Comptroller to open Fund No. 78034 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the 54th Street (University Avenue to El Cajon Boulevard) Underground Utility District; authorizing the City Treasurer to receive these funds from the San Diego Gas and Electric Company; authorizing payment to all property owners in the 54th Street (University Avenue to El Cajon Boulevard) Underground Utility District as reimbursement for electrical service underground conversion work done on private property whenever the required length

of trenching exceeds 15 feet; authorizing the City Auditor and Comptroller to return to San Diego Gas and Electric Company any undisbursed funds upon written notice from SDG&E to the City that all electric service conversions within a particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION: The 54th Street (University Avenue to El Cajon Boulevard) Underground Utility District was created by the City Council on February 3, 1987.

The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set January 27, 1989 as the Customer Ready Date, which will require that, upon this date, all affected customers within the Underground Utility District must have their services prepared to receive service from the new underground system. This action will also establish March 31, 1989 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the Underground Utility District must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

FILE LOCATION:

Subitems A and B STRT K-169

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-121: (R-89-1311) ADOPTED AS RESOLUTION R-272683

Authorizing the expenditure of an amount not to exceed \$29,550 from Federal Revenue Sharing Funds, and \$26,639 from Gas Tax Fund 32191, CIP-37-028, Annual Allocation, Undergrounding of City Utilities, for the purpose of providing funds for the purchase and installation of 23 new street lights to replace existing pole-mounted street lights in the Lake Murray Boulevard (S'LY City Limits to San Carlos Drive) Underground Utility District. (Navajo Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: As part of the City's

Utility Undergrounding Program, existing pole-mounted street lights must be replaced with new street lights when the overhead utilities are removed. Since the City now owns all street lights, it is necessary for the City to pay this cost. SDG&E has estimated the cost of purchasing and installing 23 street lights to be \$56,189, if installed by their contractor. The City has the option of purchasing and installing these street lights through a City contract. The City cost estimate for this project is \$63,000, which is more than SDG&E's cost estimate. Aud. Cert. 8900538.

FILE LOCATION: STRT K-166

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-122: (R-89-1301) ADOPTED AS RESOLUTION R-272684

Authorizing the City Manager to submit an application for a \$25,000 grant from the United States Department of Education Library Literacy Program to develop a collection of survival skills reading material designed for functionally illiterate teens.

(City Heights, Oak Park, Paradise Hills, Skyline Hills, Valencia Park and Barrio Logan Community Areas. Districts-3, 4, 5 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The San Diego Public Library is responding to a request for proposal issued by the United States Department of Education Library Literacy Programs. The Library is requesting grant funds in the amount of \$25,000 to develop a circulating collection of low level reading material targeted to youth ages 14-18. The materials will expand the services of READ/San Diego, the Library's Adult Literacy Program, to include functionally illiterate teenagers. The collection will address the areas of basic survival skills, job preparation, and leisure reading. The materials will be housed at ten library facilities serving areas that are characterized by high poverty levels and significant drop out rates by school age youth.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-123: (R-89-1240) ADOPTED AS RESOLUTION R-272685

Establishing CIP-34-110.0, San Diego Jack Murphy Stadium Elevator Renovation Project, with the actual work to be performed in FY 1990; authorizing the transfer of \$100,000 from Fund 10330, CIP-34-200.0, Annual Allocation-San Diego Jack Murphy Stadium and \$202,000 from Fund 10330, San Diego Jack Murphy Stadium Operations Fund, to CIP-34-110.0, San Diego Jack Murphy Elevator Renovation Project.

(Mission Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The four passenger elevators at San Diego Jack Murphy Stadium are over 21 years old. No major work has been done on the elevators during this time. The existing dispatch control system and door operating devices are approaching the end of their life expectancy.

Replacing these devices will avoid future costly repairs and provide better service to the public. In addition, the interiors of the elevators are in need of repair. The entire renovation project was scheduled in two phases, with Phase I (interior remodeling) budgeted in the current fiscal year and Phase II (replacement of elevator hardware) to be budgeted in FY 1990. It is now felt that it would be more cost effective and beneficial to perform the complete renovation at one time and under one contract. Therefore, it is recommended that CIP-34-110.0, San Diego Jack Murphy Stadium Elevator Renovation Project, be established with the work to be done in FY 1990. Aud. Cert. 8900531.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-124: (R-89-1299) ADOPTED AS RESOLUTION R-272686

Excusing Deputy Mayor Judy McCarty from attending the afternoon portion of the Council meeting of June 21, 1988, for the purpose of personal business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-125: (R-89-1225) ADOPTED AS RESOLUTION R-272687

19890117

Excusing Council Member Ed Struiksma from attending the following meetings:

The Transportation and Land Use Committee meeting of October 24, 1988, due to illness.

The Public Facilities and Recreation Committee meeting of October 26, 1988, due to illness.

The Public Facilities and Recreation Committee meetings on May 11, 1988 and July 13, 1988, to conduct City business relating to SANDAG.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-126: (R-89-1234) ADOPTED AS RESOLUTION R-272688

Approving the Records Disposition Schedule for records maintained by the Police Department.

(See City Clerk Report CC-88-04.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-127: (R-89-1295) ADOPTED AS RESOLUTION R-272689

Approving the Records Disposition Schedule for records maintained by the Waste Management Department.

(See City Clerk Report CC-88-05.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-128: (R-89-1298) ADOPTED AS RESOLUTION R-272690

Authorizing the execution of a sixth amendment to the agreement with California-American Water Company for water services, extending the expiration date of the pricing provisions in the agreement until December 31, 1991.

CITY MANAGER SUPPORTING INFORMATION: This action provides for continuation of the sale of water to the California-American Water Company in accordance with the pricing provisions specified in the fourth amendment to the subject agreement until December 31, 1991.

WU-U-89-079.

FILE LOCATION: WATER - California-American Water Company
CONTFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-129: (R-89-1232) ADOPTED AS RESOLUTION R-272691

Authorizing the execution of a first amendment to the agreement with Woodward-Clyde Consultants, dated September 8, 1987, pursuant to Resolution R-269206, to provide additional funding to extend the existing contract for providing geotechnical engineering consulting services, as needed, for the Water Utilities Department; authorizing the expenditure of an amount not to exceed \$37,500 from the Water Operating Fund, No. 41500, Water Operation Engineering Program, No. 70830, and an amount not to exceed \$37,500 from the Sewer Revenue Fund, No. 41506, Sewer Operation Engineering Program, No. 70820, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: On September 8, 1987, the City entered into an agreement with Woodward-Clyde Consultants, Document No. RR-269206, to provide geotechnical engineering consultant services for the Water Utilities Department on an as-needed basis. The agreement provided for services by task order with each task not to exceed \$10,000 and the total contract not to exceed \$75,000, with the option that the agreement could be extended for an additional year under the same terms and conditions. The City has reached the \$75,000 limit on Woodward-Clyde's agreement due to seven tasks that have been performed. These tasks consisted of soil investigation reports for major pipelines, pumping stations, and other miscellaneous projects. The requested action will amend the existing agreement to provide for the extension of

Woodward-Clyde's agreement for one year with an additional allocation of \$75,000.

Aud. Cert. 8900556.

WU-U-89-074.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-130: (R-89-1233) ADOPTED AS RESOLUTION R-272692

Authorizing the execution of a first amendment to the agreement of October 27, 1987, with Willdan Associates, pursuant to Resolution R-269564, to provide additional funding to extend the existing contract for providing traffic engineering consulting services, as needed, for the Water Utilities Department; authorizing the expenditure of an amount not to exceed \$25,000 from the Water Operating Fund, No. 41500, Water Operation Engineering Program, No. 70830, and an amount not to exceed \$25,000 from the Sewer Revenue Fund No. 41506, Sewer Operation Engineering Program, No. 70820, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: On October 27, 1987, the City entered into an agreement with Willdan Associates, Document No. RR-269564, for traffic engineering consultant services to be provided, as needed, for the Water Utilities Department. The agreement provided for services by task order with each task not to exceed \$10,000 and the total contract not to exceed \$75,000, with the option that the agreement could be extended for an additional year under the same terms and conditions. The City has reached the \$75,000 limit on Willdan's agreement due to eleven tasks performed under their contract. These tasks consisted of the development of construction zone traffic control plans that require specific traffic engineering expertise that could not be provided by staff. The requested action will amend the existing agreement to provide for the extension of Willdan's agreement for one year with an additional allocation of \$50,000.

Aud. Cert. 8900555.

WU-U-89-072.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by

the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-131: (R-89-1312) ADOPTED AS RESOLUTION R-272693

Designating the City Manager as the authorized representative for the City in all actions required to execute State Grant No. 4-137-550-0 for the collection and transportation of sewage flows entering the United States from Mexico.

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego applied for and received a \$5,365,000 grant from the State Water Resources Control Board on May 16, 1985. The grant project, as originally proposed, involved the design and construction of facilities necessary to intercept and collect raw sewage flows entering the United States from Mexico and transport them either to the Metropolitan Sewerage System or to a Mexican Pumping Plant.

The State Water Resources Control Board has since requested that the City Council adopt a resolution designating the City Manager as the authorized representative of the City of San Diego to conduct all negotiations, execute and submit all documents including but not limited to agreements, amendments, payment requests, and so on, which may be necessary to complete the grant.

WU-U-89-088.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150: (R-89-987) ADOPTED AS RESOLUTION R-272699

Accepting the report from the Program Management Consultant on the Synopsis of Future Conditions for secondary wastewater treatment and water reclamation.

(See City Manager Report CMR-88-563.)

COMMITTEE ACTION: Reviewed by PSS on 12/15/88.

Recommendation to approve the City Manager's recommendation.

Districts 2, 3 and 7 voted yea. Districts 4 and 6 not present.

WU-SP-89-068.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (O-89-152) INTRODUCED, TO BE ADOPTED JANUARY 30, 1989

Introduction of an Ordinance approving an extension of time, to April 30, 1989, to Ordinance O-17008 (New Series) Section 95.0101 E.2.a.(5)., to allow staff and the Executive Committee of the Downtown Marketing Consortium additional time to analyze the continuance of the downtown banners program.

(Centre City Community Area. District-8.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B190-205.)

MOTION BY McCOLL TO INTRODUCE THE ORDINANCE FOR ITEM-200, ADOPT THE RESOLUTIONS FOR ITEMS 201, 202, AND S402, AND INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE FOR ITEM-S401.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-89-1337) ADOPTED AS RESOLUTION R-272694

Approving and ratifying the expenditure of an amount not to exceed \$85,000 from the Sewer Revenue Fund 41506 for the purpose of conducting a full and complete investigation by IBEX Company (Narcorp) in the Metropolitan Wastewater Division (Point Loma Treatment Plant) and the Systems Division.

CITY MANAGER SUPPORTING INFORMATION: Water Utilities Department Management in the Metro Wastewater Division (Point Loma Treatment Plant) and the Systems Division received reliable information that illegal drug and narcotic sales and related criminal activity were occurring at City sites during work hours. To respond to these allegations City management entered into a letter agreement with IBEX Co. for investigative services.

The services were initially estimated to cost less than \$25,000. However, this investigation became significantly more extensive than originally anticipated. Since each of these divisions perform critical functions affecting the public health and safety, the City Attorney opined that a contract for

investigative services exceeding \$25,000 and the authority to expend these funds is within the emergency provisions of the Municipal Code (Section 22.0504). Subsequent to this action being taken, the Code requires that the City Manager shall report the fact to the City Council which shall then by Resolution so note and ratify the contract.

Aud. Cert. 8900588.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B190-205.)

MOTION BY McCOLL TO INTRODUCE THE ORDINANCE FOR ITEM-200, ADOPT THE RESOLUTIONS FOR ITEMS 201, 202, AND S402, AND INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE FOR ITEM-S401.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-89-1352) ADOPTED AS RESOLUTION R-272707

Authorizing the expenditure of an amount not to exceed \$150,000 to supplement Resolution R-270487, adopted on March 7, 1988, for the retention of the law firm of Pepper, Hamilton and Scheetz as Special Counsel to assist the City Attorney in negotiations with the U.S. Environmental Protection Agency and the U.S. Justice Department regarding a consent decree and matters related to compliance with the Clean Water Act; authorizing the transfer of \$100,000 within the Sewerage Utility Revenue Fund, No. 41506, from the Unallocated Reserve No. 70697, to the Special Projects Program No. 70792, for the project Modified Wastewater Facilities Planning, CIP-46-147.0.

CITY MANAGER SUPPORTING INFORMATION: On March 7, 1988 the City Council authorized the retention of the law firm of Pepper, Hamilton, and Scheetz, as Special Counsel, to assist the City Attorney in negotiations by the City with the Environmental Protection Agency and the United State Justice Department regarding a consent decree and alleged violations of the Clean Water Act. The sum of \$50,000 was provided as initial funding from the Capital Improvement Project, Modified Wastewater Facilities Planning, CIP-46-147.0. The continuing services of the firm are required to provide assistance in matters pertaining to compliance with the Clean Water Act and the City's ongoing efforts to upgrade its sewage treatment facilities.

Aud. Cert. 8900587.

WU-U-89-087.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B190-205.)

MOTION BY McCOLL TO INTRODUCE THE ORDINANCE FOR ITEM-200, ADOPT THE RESOLUTIONS FOR ITEMS 201, 202, AND S402, AND INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE FOR ITEM-S401.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-330:

Rezoning a portion of Lot 11 of Bernardo Heights Industrial Park, Unit 8, Map-6293 and a portion of Lot 12 of Bernardo Heights Industrial Park, Unit 9, Map-6513 (approximately 9.8 gross acres), from Zone A-1-10 to Zone M-IP. The subject property is located north of Bernardo Center Drive, west of I-15 and south of West Bernardo Drive, in the Rancho Bernardo Community Plan area.

(Case-88-0502. District-1.)

19890117

Subitem-A: (R-89-1041) ADOPTED AS RESOLUTION R-272700

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-0502 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-89-104) INTRODUCED, TO BE ADOPTED
JANUARY 30, 1989

Introduction of an Ordinance for M-IP Zoning.

FILE LOCATION:

Subitem A ZONE ORD. NO.;

Subitem B--

COUNCIL ACTION: (Tape location: D216-260.)

Hearing began at 2:58 p.m. and halted at 2:59 p.m.

MOTION BY WOLFSHEIMER TO APPROVE THE REZONING WITH THE STIPULATION THAT PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR THIS PROPERTY, A CONDITION WILL BE PLACED ON THE M-IP PERMIT, WHICH REQUIRES THE DEVELOPER TO COMPLETE THE MEDIAN IMPROVEMENTS ON BERNARDO CENTER DRIVE FROM I-15 TO WEST BERNARDO DRIVE. Second by Roberts. Passed by the

following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: (O-89-145) INTRODUCED, TO BE ADOPTED JANUARY 30,
1989

Introduction of an Ordinance establishing the Mission Hills
Business Improvement District, pursuant to the Parking and
Business Improvement Area Law of 1979, and levying an
assessment and charge for upgrading and promoting the area.
(Uptown Community Area. District-2.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B219-C046.)

Hearing began at 11:22 a.m. and halted at 11:47 a.m.

Testimony in favor by Mike McLaughlin.

Testimony in opposition by Ross Lopez, Fred Corbin, and
Alexander Bordokoff.

MOTION BY ROBERTS TO INTRODUCE THE ORDINANCE. Second by McColl.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: (O-89-146) CONTINUED TO JANUARY 23, 1989

Introduction of an Ordinance establishing the Ocean Beach
Business Improvement District, pursuant to the Parking and
Business Improvement Area Law of 1979, and levying an
assessment and charge for upgrading and promoting the area.
(Ocean Beach Community Area. District-2.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C057-470.)

Testimony in favor by a spokesperson.

Testimony in opposition by Phyllis Keen, Vincent George, Lance
Witt, Jerry Selness, and John Yuskin.

Motion by Roberts to introduce the ordinance as revised to
restrict the district to an area contiguous with the PCOZ
(Newport Avenue), and not include apartment owners, and exempt
owner-occupied home business operators. Second by Henderson.
Motion withdrawn.

Council Members Struiksma, McCarty, and Filner left 12:15 p.m.

MOTION BY ROBERTS TO CLOSE THE HEARING AND CONTINUE TO JANUARY
23, 1989, FOR THE CITY ATTORNEY TO DRAW UP THE APPROPRIATE
DOCUMENTS TO REVISE THE ORDINANCE TO RESTRICT THE DISTRICT TO AN
AREA CONTIGUOUS WITH THE PCOZ, NOT INCLUDE APARTMENT OWNERS AND
EXEMPT THE OWNER-OCCUPIED HOME BUSINESS OPERATORS AND BRING BACK

TO COUNCIL FOR INTRODUCTION. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-333: (R-89-428) CONTINUED TO JANUARY 23, 1989

(Continued from the meetings of October 11, 1988, Item 333, October 25, 1988, Item 334 and November 29, 1988, Item 331; last continued at the City Manager's request, to allow for further negotiations between the property owner and City staff for an open space easement deed.)

Considering the protests and determining that it would be in the public interest to acquire 20 acres of Los Penasquitos Canyon Preserve - North No. 4 for the San Diego Open Space Park Facilities District No. 1, under Resolution of Intention R-271835, adopted on September 12, 1988; authorizing the expenditure of not to exceed \$480,000 as payment for said property and related costs from Open Space Park District Bond Fund 79104; authorizing the City Manager to accept the deed to said property without further Council action.

(District-1.)

CITY MANAGER SUPPORTING INFORMATION: Los Penasquitos Canyon Preserve is priority number 1, in Category A, on the Council's adopted open space retention list. This 20-acre parcel is a portion of the large finger canyon north of and adjacent to the Genstar tradeland property. On September 15, 1986, Council approved an acquisition plan for this land, along with funds to have it appraised for purposes of acquisition for open space. Further, on June 1, 1987, Council established priorities for the acquisition plan which identified this land as the number eight priority.

Since available funds are not adequate to proceed with all of the parcels included in this priority, we are returning to Council for approval of funds in order of established priorities. Funding is now available for the acquisition of this parcel, which consists mainly of canyon bottom and slope. This request is for \$480,000 to purchase this parcel at fair market value plus funds to cover title, escrow, and other miscellaneous costs.

Aud. Cert. 8900194.

FILE LOCATION: STRT OS-23

COUNCIL ACTION: (Tape location: C047-048.)

MOTION BY WOLFSHEIMER TO CONTINUE TO JANUARY 23, 1989, AT THE CITY MANAGER'S REQUEST. Second by Roberts. Passed by the

following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-334: (R-88-973 Rev. 1) RETURNED TO THE CITY MANAGER

(Continued from the meetings of November 30, 1987, Item 200, January 11, 1988, Item 205, February 8, 1988, Item 208, May 9, 1988, Item 200, August 9, 1988, Item 338 and November 15, 1988, Item 335; last continued at Mike Spata's request, until after the Board of Commissioners of the Port District renders its final decision on the FAR Part 150 Study for Lindbergh Field.)

Rescinding the provision in Resolution R-254594 relating to utilization of Site 428 for housing for persons and families of low-income; authorizing the execution of a quitclaim deed to supplement the earlier Grant Deed, which shall delete any requirement for low-income housing on the site.

(See Housing Commission Report HCR-87-014CC. Peninsula Community Area. District-2.)

NOTE: See Item 335 for a companion item.

FILE LOCATION:

COUNCIL ACTION: (Tape location: D015-160.)

MOTION BY ROBERTS TO RETURN TO THE CITY MANAGER FOR REDOCKETING, AT HIS REQUEST. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-nay, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-335: RETURNED TO THE CITY MANAGER

(Continued from the meetings of November 30, 1987, Item 201, January 11, 1988, Item 206, February 8, 1988, Item 209, May 9, 1988, Item 201, August 9, 1988, Item 339 and November 15, 1988, Item 336; last continued at Mike Spata's request, until after the Board of Commissioners of the Port District renders its final decision on the FAR Part 150 Study for Lindbergh Field.)

Four actions relative to multiple street and alley vacations and slope and sewer easement abandonment :

(See City Manager Report CMR-87-441. Peninsula Community Area. District-2.)

Subitem-A: (R-88-457)

Vacating Banning Street, Famosa Boulevard, San Clemente

Street, Yonge Street, Xenophon Street, and an alley adjacent to Blocks 1, 1A and 7 through 9 within Loma Alta Unit 1, Map-1078 and a portion of Pueblo Lot 206.

Subitem-B: (R-88-464)

Vacating the City's interest in an unneeded sewer easement affecting a portion of Pueblo Lot 206, pursuant to Section 8300 et seq. of the Streets and Highways Code.

Subitem-C: (R-88-465)

Authorizing the sale by negotiation of a slope easement in Blocks 8 and 9 of Map-1078 and within a portion of Pueblo Lot 206 for the processing fee to The Housing Authority of the City of San Diego; authorizing the execution of a grant deed, granting to The Housing Authority of the City of San Diego, all that portion of a slope easement in Blocks 8 and 9 of Map-1078 and within a portion of Pueblo Lot 206; declaring that no broker's commission shall be paid by the City on the negotiated sale.

Subitem-D: (R-88-466)

Certifying that the information contained in Environmental Negative Declaration END-81-1029, issued in connection with the development of a 4.94-acre site adjacent to Nimitz Boulevard, has been completed in compliance with the California Environmental Quality Act of 1970, as amended and State guidelines and that said Declaration has been reviewed and considered by the Council.

NOTE: See Item 334 for a companion item.

FILE LOCATION:

Subitem A & D STRT J-2661;

Subitem B--

COUNCIL ACTION: (Tape location: D161-178.)

MOTION BY ROBERTS TO RETURN TO THE CITY MANAGER FOR REDOCKETING, AT HIS REQUEST. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-nay, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-336:

Matters of:

The following projects located in Centre City have not obtained building permits and are subject to City Council review according to the provisions of the Centre City

Emergency Ordinance and Overlay Zones.

- 1) Case-88-0549 - A proposed (Parking Palace) 7-story parking garage (650 cars) with 15,800 square feet of retail at ground level located on the west side of Sixth Avenue between A and Ash. This project requires a variance from the recently required FAR of 6.0 to the project's FAR of 6.7. The subject property is more particularly described as all of Lots 1 and 2, Block 4, Bayview Homestead; and all of Lots A, B, G, H, I, J, K and L, Block 191, Horton's Addition.
- 2) Case-88-0976 - A proposed three-story office building of 25,664 square feet (Kettner Professional Building) located at 2241 Kettner Blvd. The subject property is more particularly described as Lots 3 and 4, Block 63, Middletown.
- 3) Case-87-0973 - Proposed 6 townhouses (Smith Town Homes) located at the northeast corner of Ninth and Beech Streets. The subject property is more particularly described as the west 40 feet of Lots 5 and 6, Block 18, Bayview Homestead.
- 4) Case-88-1212 - Proposed addition of 2,800 square feet of office use (The Reader) located at the northeast corner of India and Date Streets. The subject property is more particularly described as Lots 8, 9, 10, 11 and 12, Block 38, Middletown.
(Districts-2 and 8.)

19890117

Subitem-A: (R-89-1354) ADOPTED AS RESOLUTION R-272701
Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-0549 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-89-1355) ADOPTED AS RESOLUTION R-272702
Adoption of a Resolution approving Case-88-0549 with appropriate findings to support Council action.

Subitem-C: (R-89-1221) ADOPTED AS RESOLUTION R-272703
Adoption of a Resolution approving Case-88-0976 with appropriate findings to support Council action.

Subitem-D: (R-89-1222 Rev.1) ADOPTED AS RESOLUTION R-272704

Adoption of a Resolution approving Case-87-0973 with appropriate findings to support Council action.

Subitem-E: (R-89-1353) ADOPTED AS RESOLUTION R-272705

Adoption of a Resolution approving Case-88-1212 with appropriate findings to support Council action.

PLANNING DEPARTMENT SUPPORTING INFORMATION - CASE-88-0549: The Parking Palace is a proposed seven story, 220,000 square-foot parking garage for 650 vehicles. Retail space amounting to 15,800 square feet to be located at street level on Ash, Sixth and "A" Streets. The site is 30,000 square feet. The Zoning Administrator at a noticed public hearing on September 16, 1988 considered a Conditional Use Permit for this project as required by the Centre City Overlay Zone. The Zoning Administrator granted the Conditional Use Permit subject to specific conditions. (Attachment 1.)

The project was originally reviewed by the Planning Department according to the regulations of the Overlay Zone as part of the CUP process. Comments were forwarded to the Zoning Administrator and included in the Conditions of Approval. The Department finds that the proposed project conforms to the regulations of the CCOZ.

- Curb cuts have been restricted to a total of 60 feet.
- Curb cuts were allowed on Ash and Sixth where none are permitted to facilitate a smooth circulation flow and to accommodate concerns of the adjoining property, the Sandford Hotel, which is currently undergoing rehabilitation for Senior Residential.
- Parking has been architecturally enclosed.
- Street frontage retail is indicated on all frontages with the exception of garage entrances.

In regard to the FAR for this project, which is .7 above that permitted, the department finds that the project is not incompatible with the surrounding buildings in terms of bulk and scale. The .7 difference does not appear to be significant.

An Environmental Negative Declaration was prepared for the Conditional Use Permit. It was determined that the project would not have a significant environmental effect. The difference in the FAR from that permitted and proposed was not found to be environmentally significant. The Planning Department recommends approval.

PLANNING DEPARTMENT SUPPORTING INFORMATION - CASE-88-0976: The proposed project (Kettner Professional Building) is a three story building containing one story of parking for 32 vehicles and two stories of office for a total of 25,664 square feet. The parcel size is 10,000 square feet and the project has an FAR

of 2.56. The project was reviewed by the Planning Department and granted a permit at the end of September.

After a review of the project the Planning Department finds the project in conformance with the Centre City Overlay Zone and recommends approval.

PLANNING DEPARTMENT SUPPORTING INFORMATION - CASE-87-0973: The proposed project (Smith Town Homes) is six townhomes with eleven parking spaces in a four-story building to be located on a 4,000-square-foot lot at the northeast corner of 9th and Beech in the R-400 Zone on Cortez Hill. The project was originally submitted in October, 1987 but was later redesigned as a result of the Zoning Division of the Planning Department questioning the height of the building and setbacks.

The current project has access to garages off of Ninth Avenue providing tandem parking for three of the townhomes. Additional access for a garage at the rear of structure and three uncovered spaces is also off of Ninth. The amount of linear curb cuts exceed that which is permitted. Based on the formula identified in the Overlay Zone, this project should have 8 linear feet for curb cuts. In order to provide individual garages 42 feet would be necessary.

The project was again reviewed by the Planning Department and granted an amendment in October 1988. The department finds that although the amount of curb cut footage exceeds the amount permitted, that the proposed project because of the nature of the land use must provide parking in order to be market competitive. The type of housing, townhomes, was selected by the applicant as being truly representative of urban housing. The provision of individual garages is a feature associated with town home development.

The provision of residential use was a prime objective of the 1976 adopted Community Plan in this particular area of Centre City as well as a major consideration in the Concept Plan recently prepared by the Centre City Planning Committee.

The Planning Department recommends approval subject to the conditions of the amendment pertaining to public right-of-way improvements, encroachments and landscaping.

PLANNING DEPARTMENT SUPPORTING INFORMATION - CASE-88-1212: The proposed project (The Reader) is a 25' by 55' deep two-story addition between two existing buildings for office use, amounting to 2,800 square feet. The existing building was previously used as a restaurant and a retail wine outlet. The Reader is being displaced from their current location by a redevelopment project.

The proposed project is designed to compliment and to the extent possible duplicate the existing structure. The project would

replace a gated outdoor area that was used by the restaurant.
The Planning Department recommends approval.

FILE LOCATION:

Subitems A-B PERM - Centre City Planned District Permit Case-88-0549;

Subitem C PERM - Centre City Planned District Permit Case-88-0976;

Subitem D PERM - Centre City Planned District Permit Case-88-0973;

Subitem E PERM - Centre City Planned District Permit Case-88-1212

COUNCIL ACTION: (Tape location: D261-E040.)

Hearing began at 2:59 p.m. and halted at 3:23 p.m.

Testimony in favor of

Subitems A and B by James Milch.

MOTION BY FILNER TO APPROVE SUBITEMS C, D AND E. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY ROBERTS TO APPROVE SUBITEMS A AND B. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-337: CONTINUED TO FEBRUARY 14, 1989, AT 10:00 A.M.

Proposal to 1) Amend San Diego Municipal Code Section 101.0503 to render the decision of the Board of Zoning Appeals (BZA) final for all variances and all conditional use permits with the exception of three conditional use permits which continue to be appealable to the City Council; and 2) Amend San Diego Municipal Code Section 101.0204 to delete the sunset clause on the appeal fee waiver of recognized community planning groups. The waiver of appeal fees was instituted for a specified time period. The amendment would allow the fee waiver to continue.

(City-wide.)

(Reviewed by Rules Committee on August 3, 1988.

Recommendation to accept the Planning Department's recommendations to render the Board of Zoning Appeals' decisions final on all of the CUP's that are heard by the Zoning Administrator or Sign Code Administrator, with the exception of CUP's regarding: Churches, temples or buildings of a permanent nature, used primarily for religious purposes; Establishments which dispense, for sale

or other consideration, alcoholic beverages, including beer, wine and distilled spirits within the area shown on Map C-721, on file in the office of the City Clerk as Document No. 00-16715, subject to the requirements of Section 101.0515; and Nursery and elementary schools, and day care facilities serving children. Districts 1, 2 and 3 voted yea. District 7 and Mayor not present.)

Subitem-A: (O-89-66 Rev.1)

Introduction of an Ordinance amending San Diego Municipal Code Section 101.0503.

Subitem-B: (O-89-65)

Introduction of an Ordinance amending San Diego Municipal Code Section 101.0204.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D180-215.)

MOTION BY FILNER TO CONTINUE TO FEBRUARY 14, 1989, AT 10:00 A.M., AT VERNA QUINN'S REQUEST, BECAUSE SHE FEELS THAT THE STAFF REPORT IS INADEQUATE AND DOES NOT INCLUDE SOME IMPORTANT ISSUES.

Second by Wolfsheimer. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-338: (R-89-1074) ADOPTED AS RESOLUTION R-272706

Proposing to adopt the siting criteria contained in the Southern California Hazardous Waste Management Authority's Hazardous Waste Facilities Siting Manual as interim guidelines for evaluating hazardous waste facilities requiring a conditional use permit pursuant to Sections 101.0510.C.4.i and 101.0510.C.4.j of the San Diego Municipal Code.

(City-wide.)

Adoption of a Resolution adopting the siting criteria contained in the Hazardous Waste Facilities Siting Manual.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F061-330.)

Hearing began at 4:06 p.m. and halted at 4:27 p.m.

Testimony in favor by Dave Odell.

Testimony in opposition by Richard Raushenbush.

MOTION BY WOLFSHEIMER TO 1) ADOPT THE SITING CRITERIA CONTAINED IN THE SOUTHERN CALIFORNIA HAZARDOUS WASTE MANAGEMENT AUTHORITY'S HAZARDOUS WASTE FACILITIES SITING MANUAL; 2) HAVE

THE CPC (CITIZENS' PLANNING COMMITTEE) REVIEW AND RESPOND TO THESE CRITERIA WITH AN EYE TO SUBSEQUENT CITY COUNCIL ACTION; AND 3) INCORPORATE THE LETTER FROM THE LA JOLLA TOWN COUNCIL DATED OCTOBER 17, 1988, DISCUSSING THESE SITING CRITERIA.

Second by Henderson. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-339: CONTINUED TO FEBRUARY 14, 1989

Appeal of Cheng Development, Inc., by Michael L. Krichman, Esq., of Latham & Watkins, from the decision of the Planning Commission in denying Planned Commercial Development Permit PCD-87-1135, which proposes a 13-story, 336,102 square-foot commercial office tower and a six level subterranean parking garage (Laurel and Fifth Center). The subject 1.38-acre property is located in the block bounded by Fourth and Fifth Avenues and Laurel and Kalmia Streets and is further described as Lots A-L, Block 281 of Horton's Addition, in Zone C, in the Uptown Community Plan area.
(PCD-87-1135. District-8.)

Subitem-A: (R-89-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-87-1135 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-89-)

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM PCD-87-1135

COUNCIL ACTION: (Tape location: D030-048.)

MOTION BY FILNER TO CONTINUE TO FEBRUARY 14, 1989, AT HIS REQUEST, SO THAT COUNCIL MEMBERS' QUESTIONS CAN BE ADDRESSED.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

* ITEM-S400: (R-89-1366) ADOPTED AS RESOLUTION R-272695

Recognizing Jack McKeon's accomplishments and commending him for his important contributions to our community; designating Friday, January 13, 1989 as "Jack McKeon Appreciation Day" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B194-230.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S401: (O-89-147) INTRODUCED AND ADOPTED AS ORDINANCE
O-17221 (New Series)

(Continued from the meeting of January 10, 1989, Item 335, at the City Manager's request.)

Introduction and adoption of an Ordinance amending Ordinance O-17122 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-17122-1, as amended and adopted therein, by adding to the personnel authorization of the City Attorney's Office (045) two (2.00) Deputy City Attorney positions, one (1.00) Legal Assistant position, and one (1.00) Legal Secretary position; authorizing the City Auditor and Comptroller to transfer the sum of \$126,625 in the General Fund 100 from the Unallocated Reserve (605) to the City Attorney's Office (045), all in connection with providing legal support in regard to the proposed merger between Southern California Edison and San Diego Gas and Electric Company.

Aud. Cert. 8900564.

NOTE: See Item 206 on the docket of Monday, January 9, 1989 for the first public hearing.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B190-205.)

MOTION BY McCOLL TO INTRODUCE THE ORDINANCE FOR ITEM-200, ADOPT THE RESOLUTION FOR ITEMS 201, 202, AND S402, AND INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE FOR ITEM-S401. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (R-89-1384) ADOPTED AS RESOLUTION R-272696

19890117

Appointment of Mayor Maureen O'Connor to represent the City Council on a seven agency policy oversight committee formed by SANDAG to oversee public agency activities associated with the proposed merger of San Diego Gas and Electric with Southern California Edison.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B190-205.)

MOTION BY McCOLL TO INTRODUCE THE ORDINANCE FOR ITEM-200, ADOPT THE RESOLUTIONS FOR ITEMS 201, 202, AND S402, AND INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE FOR ITEM-S401.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (R-89-875 Rev) ADOPTED AS AMENDED AS RESOLUTION R-272697 REJECTING ALL BIDS

(Continued from the meeting of January 9, 1989, Item 106, at Council Member Roberts' request, for a report from the City Manager on the bid description of the equipment.)

Awarding a contract to Sun Electric Corp. for the purchase of two diagnostic engine analyzers (Sun #1805Z-9 with test link), for a total cost of \$32,700, plus sales tax, less trade-in allowances as follows: (BID-0190/89)

| TRADE-IN EQUIPMENT | TRADE-IN ALLOWANCE |
|--------------------------|--------------------|
| one Sun #1159-9 (114750) | \$1,090 |
| one Sun #1159-9 (147639) | \$1,090 |

Aud. Cert. 8900551.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: C472-499.)

MOTION BY ROBERTS TO ADOPT AS AMENDED TO REJECT ALL BIDS AND TO READVERTISE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S404: (R-89-) CONTINUED TO JANUARY 24, 1989

(Continued from the meeting of January 10, 1989, Item 332A, at Council Member Struiksma's request, for further review.)

Matter of the following variance request from the Interim Development Ordinance (IDO):

1) A variance request from the Interim Development

- Ordinance (IDO) for a 693 unit project.
- 2) Appeal of IDO Administrator's denial of units.
 - 3) Appeal of Section 11 of the IDO which requires the receipt of discretionary permits prior to a public hearing.

The subject property is located on the north side of Friars Road at Northside Drive and is described as a portion of Lot 36 of Rancho Mission of San Diego. The R-2, (subject to Northside Specific plan) zoned site is within the Mission Valley Community Plan area.

(Case-88-6019 (Non-accelerated). District-5.)

Adoption of a Resolution granting or denying the variance request for Case-88-6019 with appropriate findings to support Council action.

FILE LOCATION: ZONE IDO VARIANCE Case-88-6019

COUNCIL ACTION: (Tape location: A150-155.)

MOTION BY STRUIKSMA TO CONTINUE TO JANUARY 24, 1989, AT THE CITY MANAGER'S REQUEST. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: (R-89-1381) ADOPTED AS RESOLUTION R-272698

19890117

Reappointing Daniel Larsen, after full and complete discussion and deliberation, to serve as a member of the San Diego Unified Port District Board of Commissioners, for a four-year term expiring January 2, 1993; waiving the procedures and length of service restrictions enunciated in Council Policy 000-13, dated September 10, 1984, for William B. Rick; reappointing Mr. William B. Rick, upon said waiver and after full and complete public discussion and deliberation, to serve as a member of the San Diego Unified Port District Board of Commissioners, effective January 3, 1989, for a four-year term, with the understanding and provision that Mr. Rick will submit his resignation from the Board upon completion and opening of the new San Diego Convention Center.

(See Memorandum from Mayor O'Connor dated 1/11/89.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A204-B190.)

Motion by Filner to refer to Rules Committee the matter that the Port Commission appoint a woman or a minority to the next vacancy. No second.

Motion by Struiksma to refer to Rules Committee for discussion what Council will do when the terms of Mr. Larsen and Mr. Rick have expired, and include the question of whether or not Council Members should serve on the Port Commission. Second by McCarty. Passed by the following vote: Yeas-1,2,3,4,5,6,7,8,M. Nay-None. Not present-None.

MOTION BY ROBERTS TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-S406: (R-89-1389) CONTINUED TO JANUARY 24, 1989

Authorizing execution of an Amendment to the Purchase Agreement with Davis Trust Number One, relating to the sale and development of Lot 1, South San Diego Industrial Park; authorizing and approving the Settlement and Release Agreement between with Davis Trust Number One (Davis v. City of San Diego), Superior Court Case No. 598627). (San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The City sold Lot 1, South San Diego Industrial Park to Davis Trust in October 1986, and soon thereafter a Fault Location Map of the Seismic Safety Element of the City of San Diego was located by the purchaser, which indicated that an inferred earthquake fault segment passed through the subject property. Subsequent investigations show that there is neither an active nor inactive fault within the site; however, the purchaser has filed an action, Davis Trust versus City of San Diego, Superior Court Case 598627. This action will allow settlement of the lawsuit and avoid approximately \$300,000 in damages and will permit development of the site to proceed.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A155-160.)

MOTION BY McCARTY TO CONTINUE TO JANUARY 24, 1989, AT THE CITY MANAGER'S REQUEST. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: CONTINUED TO JANUARY 24, 1989
Matter of the allocation of funds to the San Diego County Water Authority.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D020-029.)

MOTION BY McCOLL TO CONTINUE FOR ONE WEEK, AT THE CITY MANAGER'S REQUEST. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-yea, Struiksmma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent, the meeting was adjourned by Deputy Mayor McCarty at 4:28 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: F331-332).