THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, SEPTEMBER 27, 1999
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Wear at 2:08 p.m. Mayor Golding acknowledged and thanked Mr. Art Madrid, past President of the San Diego Division, League of California Cities, for his leadership with the League of Cities. Mr. Art Madrid presented the Helen Putnam Award to Mayor Golding and the City Council for their excellence with regard to the Multiple Species Program. Mayor Golding adjourned the meeting at 4:07 p.m. into Closed Session on Tuesday, September 28, 1999, at 9:00 a.m. in the twelfth floor conference room to discuss existing litigation and property negotiations.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present

(1) Council Member Mathis-present

(2) Council Member Wear-present

(3) Council Member Kehoe-present

(4) Council Member Stevens-present

(5) Council Member Warden-present

(6) Council Member Stallings-excused by R-292310 (out of the country)

(7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Abdelnour (ew)

FILE LOCATION: MINUTES
ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor Golding-present
(1) Council Member Mathis-present
(2) Council Member Wear-present
(3) Council Member Kehoe-present
(4) Council Member Stevens-present
(5) Council Member Warden-present
(6) Council Member Stallings-not present
(7) Council Member McCarty-present
(8) Council Member Vargas-present

ITEM-10: INVOCATION

Invocation was given by Pastor Brian Newberry of Calvary Chapel San Diego.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Warden.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comments by Harriet Steele regarding De Anza Cove. She stated that De Anza Recreational Vehicle Park is a valuable asset to the city of San Diego, and that it provides affordable housing to its residence.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A059-080.)
PUBLIC COMMENT-2:

Comments by Don Stillwell thanking Council Member McCarty for her letter to the editor about State Route 163.

FILE LOCATION: AGENDA
COUNCIL ACTION: (Tape location: A081-108.)

PUBLIC COMMENT-3:

Comments by Letha Hawkins regarding the camera at the intersection of Aero Drive and Murphy Canyon, and that she was charged twice for running the red light at that intersection.

City Manager Uberuaga responded that Council Member McCarty requested that he and the San Diego Police Department respond to Ms. Hawkins. He stated that he received a memorandum today from the Police Department, and will submit it to Mayor Golding, all the council members, and Ms. Hawkins. He stated that he will add technical information regarding the number of violations at that location and the procedures the City would need to either accommodate the request or take the red light enforcement out.

FILE LOCATION: AGENDA
COUNCIL ACTION: (Tape location: A109-194.)

PUBLIC COMMENT-4:

Comments by Steve McWilliams stating that in 1994 the City Council of San Diego memorialized the President and Congress of the United States to enact methods of fair distribution of marijuana to patients with doctors’ letters of medical need for marijuana use. He expressed that the Compassionate Use Act of 1996 has not been followed through, and that patients continue to be arrested for using and cultivating marijuana.
City Manager Uberuaga responded that Chief of Police Bejarano submitted a memorandum regarding this matter to the Mayor and City Council on July 28th, and that Mr. McWilliams was on probation and violated some of the conditions of his probation.

City Attorney Gwinn responded that he has received complaints and that he has consulted with the Chief of Police and the Narcotics Division of the Police Department and will continue to do so to be sure that they are doing everything to comply. He stated that Proposition 215 is not carte blanche to possess marijuana for any purpose.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A195-261.)

PUBLIC COMMENT-5:

Comment by Barbara Mackenzie regarding medical marijuana protocols. She also stated that she has been in contact with the San Diego Police Department and are planning a meeting.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A262-290.)

PUBLIC COMMENT-6:

Comment by Gary Boatwright regarding his complaint about the San Diego Police Department in relation to a problem about his tenant.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A291-320.)
COUNCIL COMMENT:

COUNCIL COMMENT-1:

Comment by Council Member Kehoe congratulating the Adams Avenue Business Association for their success in sponsoring the Annual Adams Avenue Street Fair.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A321-339.)

COUNCIL COMMENT-2:

Comments by Council Member Warden announcing that actress Jane Seymour was in San Diego, and that she had given her time for the Center for Children. Council Member Warden also wanted to remind everyone that this Sunday, October 3rd is the 10th Anniversary of AIDS Walk San Diego.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A340-360.)

COUNCIL COMMENT-3:

Mayor Golding commented that the Adams Avenue Street Fair was terrific, and that the City had a booth there. She also stated that it was one of the best.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A361-368.)
ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS: APPROVED

Approval of Council Minutes for the meetings of:

9/06/99 Adjourned
9/07/99 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A369-373.)


ITEM-31: Cabrillo Festival Week.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-99) ADOPTED AS RESOLUTION R-292189

Proclaiming September 27, 1999, through October 4, 1999, to be "Cabrillo Festival Week" in San Diego and urging all citizens to join in the commemoration of this historic event.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A474-B085.)


COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-197) ADOPTED AS RESOLUTION R-292190

Commending the Academy of Our Lady of Peace for improving our community and enriching the lives of young women in San Diego;


FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A521-B085.)


ITEM-33: Aztec Athletic Foundation Day.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-321) ADOPTED AS RESOLUTION R-292191

Proclaiming October 8, 1999 to be "Aztec Athletic Foundation Day" in San Diego, in recognition of the contributions of this organization to student-athletes, and further encouraging all residents to share with and support the AAF in its continued effort to provide economic and community support for the student-athletes at San Diego State University.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A605-B085.)
MOTION BY WEAR TO ADOPT.  Second by Kehoe.  Passed by the following vote:  
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-34: Carol Sing Day.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-224) CONTINUED TO TUESDAY, OCTOBER 5, 1999  
Proclaiming August 20, 1999, to be "Carol Sing Day" in San Diego in recognition  
of her incredible dedication to the journey of a lifetime.

FILE LOCATION:  NONE

COUNCIL ACTION:  (Tape location:  B082-085.)

MOTION BY WEAR TO CONTINUE TO OCTOBER 5, 1999, AT THE REQUEST  
OF COUNCIL MEMBER McCARTY DUE TO INDIVIDUAL NOT BEING ABLE TO  
ATTEND COUNCIL MEETING.  Second by Kehoe.  Passed by the following vote:  
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-35: Recognizing the South Bay Ocean Outfall Project and Project Team.

(South Bay Area.  District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-288) ADOPTED AS RESOLUTION R-292192  
Recognizing the South Bay Ocean Outfall as a critical and vital component of the  
international and regional wastewater infrastructure system, and recognizing the  
Metropolitan Wastewater Department for its great work in implementing the  
project.
FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B085-179.)


CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/14/99.
(Council voted 9-0):

(O-99-60) ADOPTED AS ORDINANCE O-18685 (New Series)

Repealing ordinance nos. 8985 (New Series) and 15975 (New Series), and amending the San Diego Municipal Code by amending Chapter V, Article 4, Division 5, Section 54.0502, and by adding Section 54.0510 relating to Public Pay Telephone Regulations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)


(Carmel Valley Community Planning Area. District-1)

NOTE: The public testimony portion of the hearing is closed.
CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/14/99.
(Council voted 9-0):

(O-2000-26 Cor. Copy) ADOPTED AS ORDINANCE O-18686 (New Series)

Amending Chapter X, Article 3, Division 6 of the San Diego Municipal Code by amending Section 103.0602 relating to the Carmel Valley Planned District Regulations, Area of Applicability.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)


* ITEM-52: Rezoning 176 Acres Located on Both Sides of the Extension of Carmel Valley Road.

(Future Urbanizing Community Area. District-1.)

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

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/14/99.
(Council voted 9-0):

(O-2000-25) ADOPTED AS ORDINANCE 0-18687 (New Series)

Rezoning 176 acres located on both sides of the extension of Carmel Valley Road from the A-1-10 (Agricultural) zone to the R1-8000, R1-5000 (Single-family Residential), R-1500 (Multiple Family), CN (Neighborhood Commercial), and OS (Open Space) zones.
FILE LOCATION: ZONE - 98-0250 (65)

COUNCIL ACTION: (Tape location: B180-466.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote:

* ITEM-53: Approving a Parking Structure Operating Agreement and Parking Management Agreement.

(Centre City Redevelopment Project (East Village). District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/14/99. (Council voted 9-0):

(O-2000-24) ADOPTED AS ORDINANCE O-18688 (New Series)

Authorizing the City Manager to execute a not to exceed 28 year Operating Agreement with the Redevelopment Agency of the City of San Diego and a not to exceed 15 year Parking Management Agreement with Ace Parking Management, Inc.

NOTE: 6 votes required.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote:
* ITEM-54: Parking Meters on Adams Avenue.

   (Greater North Park Community Area. District-3.)

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 9/14/99. (Council voted 9-0):

(O-2000-18) ADOPTED AS ORDINANCE O-18689 (New Series)

Removing the parking meters from the south side of the 2700 block of Adams Avenue between Oregon Street and the alley to the east.

**NOTE:** 6 votes required.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: B180-466.)


* ITEM-100: Water Easement Abandonment - Lot 4, Block 121 of La Playa.

   (Peninsula Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-263) ADOPTED AS RESOLUTION R-292193

Vacating the water easement in a portion of Lot 4, Block 121 of La Playa.
CITY MANAGER SUPPORTING INFORMATION:

City Council action is requested to vacate an unneeded water easement located at 302 San Antonio Avenue. This easement was for the sole benefit of one residence, which is located between Rosecrans Street and San Antonio Avenue at the Point Loma Military Reservation, in the Peninsula Community Area. The existing main has been capped at both ends and rerouted to a different location from a different main. The easement abandonment is shown on engineering drawing No. 18882-B. The easement to be vacated was acquired at no cost to the City. Staff recommends approval.

FISCAL IMPACT:

None. All costs are paid by the applicant.

Culbreth-Graft/Haase/SH

FILE LOCATION: DEED F-7592

COUNCIL ACTION: (Tape location: B180-466.)

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

* ITEM-101: Water Easement Abandonment - Parcel 1 of Parcel Map PM-3594.

(North City Future Urbanizing Area Subarea II Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-262) ADOPTED AS RESOLUTION R-292194

Vacating the water easements in Parcel 1 of Parcel Map PM-3594.

CITY MANAGER SUPPORTING INFORMATION:

City Council action is requested to vacate unneeded water easements on this site where building additions to an existing shopping center are taking place. These easements were for the sole benefit
of the shopping center and are no longer needed. The development is located east of Interstate 5, south of Via de la Valle and west of San Andres Drive in the NCFUA Subarea 11 Community Area. The easement abandonments are shown on engineering drawing No. 18925-B (1-2). New easements will be granted in different locations. The easements to be vacated were acquired at no cost to the City. Staff recommends approval.

**FISCAL IMPACT:**

None. All costs are paid by the applicant.

Culbreth-Graft/Haase/SH

**FILE LOCATION:** DEED F-7593

**COUNCIL ACTION:** (Tape location: B180-466.)

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


(Carmel Valley Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-264) ADOPTED AS RESOLUTION R-292195

Approving Parcel Map W.O. No. 990053, being a lot line adjustment of Lots 1 through 6 and 9 of Piazza Carmel II, Unit No. 1, according to Map-13138.

**CITY MANAGER SUPPORTING INFORMATION:**

The project is located in the Carmel Valley Community Plan Area, at the southwest corner of Valley Centre Drive and Carmel Creek Road. This parcel map will adjust lot lines to enable the construction of a new office development. It will also vacate portions of sewer and water easements and a drainage easement, which need to be relocated for the new development. New
easements are being granted on the map. Engineering permit No. W47997 has been issued and a
bond posted to ensure completion of public improvements shown on engineering drawing no. 29790-
D (1-28). A cash bond in the amount of $7,100, as determined by the surveyor's estimate, has been
posted as surety for the setting of survey monuments. Staff finds that the project complies with
Carmel Valley Planned District and Coastal Development Permit No. 98-0227 and recommends
approval of the map.

FISCAL IMPACT:

None. All costs are paid by the applicant.

Culbreth-Graft/Haase/SH

FILE LOCATION: SUBD-Parcel Map-99-0053 (40)

COUNCIL ACTION: (Tape location: B180-466.)

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

* ITEM-103: Scripps Miramar Ranch Traffic Signal Interconnect.

(Mira Mesa and Scripps Miramar Ranch Community Areas. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-183) ADOPTED AS RESOLUTION R-292196

Accepting the Program Supplements and appropriating $190,000 of Congestion
Mitigation and Air Quality Funds (Fund No. 38679) for the design and construction
of the Scripps Miramar Ranch Traffic Signal Interconnect;

Amending the Fiscal Year 2000 Capital Improvements Program by adding CIP- 62-
310.0, Scripps Miramar Ranch Traffic Signal Interconnect;
Authorizing the expenditure of an amount not to exceed $190,000 (Fund No. 38679) from Scripps Miramar Ranch Traffic Signal Interconnect, contingent upon the receipt of fully executed program supplements;

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

CITY MANAGER SUPPORTING INFORMATION:

This action authorizes the City Manager to accept, appropriate, and expend Congestion Mitigation and Air Quality (CMAQ) grant funds for the following project: Scripps Miramar Ranch Traffic Signal Interconnect (Fund 38679) - $190,000. This project will install traffic signal interconnect along Mira Mesa Boulevard from Black Mountain Road to Scripps Ranch Boulevard, along Scripps Ranch Boulevard from Mira Mesa Boulevard to Carroll Canyon Road, and along Carroll Canyon Road from Scripps Ranch Boulevard to Business Park Avenue. The cost of this project is divided into $32,400 for design and $157,600 for construction and construction engineering. This is contingent upon receipt of fully executed program supplements. This action further authorizes the City Manager to amend the FY 2000 Capital Improvement Program by adding the following project: CIP-62-310.0 (Fund 38679) Scripps Miramar Ranch Traffic Signal Interconnect.

FISCAL IMPACT:

The total cost of this project is $190,000, which is reimbursable by a Federal (CMAQ) grant.

Loveland/Belock/PKB

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)

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

* ITEM-104: Fairmount Avenue Traffic Signal Interconnect.

(City Heights Community Area. District-3.)
CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-186) ADOPTED AS RESOLUTION R-292197

Accepting the Program Supplements and appropriating $158,000 of Congestion Mitigation and Air Quality Funds (Fund No. 38678) for the design and construction of the Fairmount Avenue Traffic Signal Interconnect;

Amending the Fiscal Year 2000 Capital Improvements Program by adding CIP-62-309.0, Fairmount Avenue Traffic Signal Interconnect;

Authorizing the expenditure of an amount not to exceed $158,000 (Fund No. 38678) from Fairmount Avenue Traffic Signal Interconnect, contingent upon the receipt of fully executed program supplements;

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

CITY MANAGER SUPPORTING INFORMATION:

This action authorizes the City Manager to accept, appropriate, and expend Congestion Mitigation and Air Quality (CMAQ) grant funds for the following project: Fairmount Avenue Traffic Signal Interconnect (Fund 38678) - $158,000. This project will install traffic signal interconnect along Fairmount Avenue from Myrtle Avenue to Home Avenue.

The cost of this project is divided into $23,000 for design and $135,000 for construction and construction engineering. This is contingent upon receipt of fully executed program supplements. This action further authorizes the City Manager to amend the FY 2000 Capital Improvement Program by adding the following project: CIP-62-309.0 (Fund 38678) Fairmount Avenue Traffic Signal Interconnect.

FISCAL IMPACT:

The total cost of this project is $158,000, which is reimbursable by a Federal (CMAQ) grant.

Loveland/Belock/PKB

FILE LOCATION: MEET
COUNCIL ACTION: (Tape location: B180-466.)

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

* ITEM-105: Miramar Road Traffic Signal Interconnect.

(Mira Mesa and University Community Areas. Districts-1 and 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-185) ADOPTED AS RESOLUTION R-292198

Accepting the Program Supplements and appropriating $425,000 of Congestion Mitigation and Air Quality Funds (Fund No. 38676) for the design and construction of the Miramar Road Traffic Signal Interconnect;

Amending the Fiscal Year 2000 Capital Improvements Program by adding CIP- 62-306.0, Miramar Road Traffic Signal Interconnect;

Authorizing the expenditure of an amount not to exceed $425,000 (Fund No. 38676) from Miramar Road Traffic Signal Interconnect, contingent upon the receipt of fully executed program supplements;

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

CITY MANAGER SUPPORTING INFORMATION:

This action authorizes the City Manager to accept, appropriate, and expend Congestion Mitigation and Air Quality (CMAQ) grant funds for the following project: Miramar Road Traffic Signal Interconnect (Fund 38676) - $425,000. This project will install fiber optic traffic signal interconnect along Miramar Road from Camino Ruiz to Interstate 805 and along La Jolla Village Drive from Interstate 805 to Genesee Avenue. The cost of this project is divided into $69,350 for design and $355,650 for construction and construction engineering. This is contingent upon receipt of fully
executed program supplements. This action further authorizes the City Manager to amend the FY 2000 Capital Improvement Program by adding the following project: CIP-62-306.0 (Fund 38676) Miramar Road Traffic Signal Interconnect.

**FISCAL IMPACT:**

The total cost of this project is $425,000, which is reimbursable by a Federal (CMAQ) grant.

Loveland/Belock/PKB

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: B180-466.)

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

* ITEM-106: Linda Vista Road Traffic Signal Interconnect.

(Linda Vista Community Area. Districts-5 and 6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-182) ADOPTED AS RESOLUTION R-292199

Accepting the Program Supplements and appropriating $307,000 of Congestion Mitigation and Air Quality Funds (Fund No. 38677) for design and construction of the Linda Vista Road Traffic Signal Interconnect;

Amending the Fiscal Year 2000 Capital Improvements Program by adding CIP-62-308.0, Linda Vista Road Traffic Signal Interconnect;

Authorizing the expenditure of an amount not to exceed $307,000 (Fund No. 38677) from Linda Vista Road Traffic Signal Interconnect, contingent upon the receipt of fully executed program supplements;
Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

This action authorizes the City Manager to accept, appropriate, and expend Congestion Mitigation and Air Quality (CMAQ) grant funds for the following project: Linda Vista Road Traffic Signal Interconnect (Fund 38677) - $307,000. This project will install fiber optic traffic signal interconnect along Linda Vista Road from Napa Street to Kramer Street. The cost of this project is divided into $47,000 for design and $260,000 for construction and construction engineering. This is contingent upon receipt of fully executed program supplements. This action further authorizes the City Manager to amend the FY 2000 Capital Improvement Program by adding the following project: CIP-62-308.0 (Fund 38677) Linda Vista Road Traffic Signal Interconnect.

FISCAL IMPACT:

The total cost of this project is $307,000, which is reimbursable by a Federal (CMAQ) grant.

Loveland/Belock/PKB

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)

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

* ITEM-107: South Bay Traffic Signal Interconnect.

(Lincoln Park, Otay Mesa-Nestor and Valencia Park Community Areas. Districts-4 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:
(R-2000-184) ADOPTED AS RESOLUTION R-292200

Accepting the Program Supplements and appropriating $1,410,000 of Congestion Mitigation and Air Quality Funds (Fund No. 38681) for the design and construction of the South Bay Traffic Signal Interconnect;

Amending the Fiscal Year 2000 Capital Improvements Program by adding CIP-62-307.0, South Bay Traffic Signal Interconnect;

Authorizing the expenditure of an amount not to exceed $1,410,000 (Fund No. 38681) from South Bay Traffic Signal Interconnect, contingent upon the receipt of fully executed program supplements;

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

CITY MANAGER SUPPORTING INFORMATION:

This action authorizes the City Manager to accept, appropriate, and expend Congestion Mitigation and Air Quality (CMAQ) grant funds for the following project: South Bay Traffic Signal Interconnect (Fund 38681) - $1,410,000. This project will install fiber optic traffic signal interconnect along Euclid Avenue from Market Street south to the City limits, through the City of National City and the City of Chula Vista, and along Beyer Boulevard from the City limits south to Coronado Avenue. The cost of this project is divided into $317,000 for design and $1,093,000 for construction and construction engineering. This is contingent upon receipt of fully executed program supplements. This action further authorizes the City Manager to amend the FY 2000 Capital Improvement Program by adding the following project: CIP-62-307.0 (Fund 38681) South Bay Traffic Signal Interconnect.

FISCAL IMPACT:

The total cost of this project is $1,410,000, which is reimbursable by a Federal (CMAQ) grant.

Loveland/Belock/PKB

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)
CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108: Protected-Permissive Signal Upgrade Phase 3.

(College, Eastern Area, Memorial, Mira Mesa, Mountain View, Stockton University, Uptown Community Areas. Districts-1, 2, 4, 5, 7 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-188) ADOPTED AS RESOLUTION R-292201

Accepting the Program Supplements and appropriating $117,000 of Congestion Mitigation and Air Quality Funds (Fund No. 38680) for the design and construction of the Protective-Permissive Signal Upgrade Phase 3;

Amending the Fiscal Year 2000 Capital Improvements Program by adding CIP-62-311.0, Protective-Permissive Signal Upgrade Phase 3;

Authorizing the expenditure of an amount not to exceed $117,000 (Fund No. 38680) from Protected-Permissive Signal Upgrade Phase 3, contingent upon the receipt of fully executed program supplements;

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

CITY MANAGER SUPPORTING INFORMATION:

This action authorizes the City Manager to accept, appropriate, and expend Congestion Mitigation and Air Quality (CMAQ) grant funds for the following project: Protected/Permissive Signal Upgrade Phase 3 (Fund 38680) - $117,000. This project will install protected/permissive traffic signal phasing at 11 intersections throughout the City. The cost of this project is divided into $17,000 for design and $100,000 for construction and construction engineering. This is contingent upon receipt of fully executed program supplements. This action further authorizes the City Manager to amend the FY 2000 Capital Improvement Program by adding the following project: CIP-62-311.0 (Fund 38680) Protected/Permissive Signal Upgrade Phase 3.
FISCAL IMPACT:

The total cost of this project is $117,000, which is reimbursable by a Federal (CMAQ) grant.

Loveland/Belock/PKB

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)

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

* ITEM-109: Protected-Permissive Signal Upgrade Phase 2.

(City Heights, Eastern Area, Old San Diego, Otay Mesa-Nestor and Peninsula Community Areas. Districts-2, 3, 7 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-187) ADOPTED AS RESOLUTION R-292202

Accepting the Program Supplements and appropriating $135,000 of Congestion Mitigation and Air Quality Funds (Fund No. 38675) for the design and construction of the Protected-Permissive Signal Upgrade Phase 2;

Amending the Fiscal Year 2000 Capital Improvements Program by adding CIP-62-305.0, Protected-Permissive Signal Upgrade Phase 2;

Authorizing the expenditure of an amount not to exceed $135,000 (Fund No. 38675) from Protected-Permissive Signal Upgrade Phase 2, contingent upon the receipt of fully executed program supplements;

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

This action authorizes the City Manager to accept, appropriate, and expend Congestion Mitigation and Air Quality (CMAQ) grant funds for the following project: Protected/Permissive Signal Upgrade Phase 2 (Fund 38675) - $135,000. This project will install protected/permissive traffic signal phasing at 7 intersections throughout the City. The cost of this project is divided into $19,000 for design and $116,000 for construction and construction engineering. This is contingent upon receipt of fully executed program supplements. This action further authorizes the City Manager to amend the FY 2000 Capital Improvement Program by adding the following project: CIP-62-305.0 (Fund 38675) Protected/Permissive Signal Upgrade Phase 2.

FISCAL IMPACT:

The total cost of this project is $135,000, which is reimbursable by a Federal (CMAQ) grant.

Loveland/Belock/PKB

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)

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

* ITEM-110: Brown Field Airport Soil Remediation.

( Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-252) ADOPTED AS RESOLUTION R-292203

Amending the FY2000 Capital Improvement Program by adding $170,000 to the Underground Hazardous Materials Storage Tanks Project CIP-33-084.0 for Underground Storage Tank Program staff, consultant and associated costs for the site assessment and mitigation of contaminated soil and groundwater at Brown Field Airport;
Authorizing the Auditor and Comptroller to appropriate $170,000 from Airport CIP Fund 10511, CIP-31-001.0, Annual Allocation - Montgomery and Brown Field Airports, to CIP-33-084.0, Underground Hazardous Materials Storage Tanks;

Authorizing the expenditure of $170,000 from the Underground Storage Tank Management Program CIP-33-084.0 for the site assessment and mitigation of Brown Field Airport.

CITY MANAGER SUPPORTING INFORMATION:

On March, 17, 1989, the City of San Diego began the removal of what eventually became thirty-three (33) Underground Storage Tanks (UST's) at Brown Field Airport. Of the UST's removed during the course of six construction contracts twenty-five (25) Unauthorized Releases (UR's) remain open due to unresolved soil and groundwater contamination issues. During September and October 1997, thirteen (13) soil borings, three (3) deep groundwater monitoring wells and two (2) vapor extraction wells were installed within an area at Brown Field Airport known as the Fuel Farm. An additional twenty-three (23) soil borings and two (2) shallow groundwater monitoring wells were also installed in the Industrial Park at Brown Field Airport. Analytical results from this field activity indicated that extensive soil and groundwater contamination remains within the Fuel Farm. Jet fuel and/or aviation gas has impacted the soil from 18 feet below grade (fbg) to 200 fbg. The groundwater table is at 200 fbg and has also been impacted. Due to the extent of the contamination the County of San Diego, Department of Environmental Health, Land and Water Division requires additional site assessment activity within both areas including additional soil borings and groundwater monitoring wells. Once the assessment activity has been completed the County will require one or more of the following: site remediation, health risk assessments, and/or engineering controls to mitigate the contamination impacts at this site. This work must be done to allow the City to proceed with redevelopment of the impacted areas at Brown Field Airport. The City has applied to the State Water Resources Control Board for funding from the UST Cleanup Fund for this site, however, acceptance of the application and issuance of a Letter of Commitment may take two or more years.

FISCAL IMPACT:

$170,000 is available in Airport Division CIP-31-001.0, Job Order 310010.

Loveland/Hays/MHZ

Aud. Cert. 2000232.
CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-111: Reallocation of CDBG Program Income Funds to the Center for Social Services.

(Hillcrest Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-84) ADOPTED AS RESOLUTION R-292204

Approving the appropriation of $600,000 of CDBG Program Income Funds to the Center for Social Services for facility renovations contingent upon repayment of $600,000 CDBG funding from the same organization;

Authorizing the City Manager to execute an agreement with the Center for Social Services for facility renovations, together with any reasonably necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purpose and intent of the project and agreement;

Authorizing the expenditure of $600,000 of CDBG Program Income Funds;

Authorizing the City Manager to execute a “Refinancing Agreement” with the Center for Social Services which restricts refinancing of the property without the consent of the City.

CITY MANAGER SUPPORTING INFORMATION:

In Fiscal Year 1991, the Council allocated $600,000 of Community Development Block Grant (CDBG) funding to the Center for Social Services for purposes of acquiring their operations facility at 3916
Normal Street in the Hillcrest Area. Since that time they have outgrown their facility and began leasing additional space at other locations. In October 1998 the Center purchased a larger facility at 3909 Centre Street which allowed the Center to consolidate all of their operations in one location. In order to make the new facility functional, the agency has adopted a $1.3 million dollar phase renovation plan which targets the first two phases to be completed by June 30, 2000. On May 24, 1999, the Center accepted a purchase offer of $1,000,000 for the Normal Street facility with an escrow closing date of July 12, 1999. The Center will repay the City's CDBG Program $600,000 at the close of escrow. The Center has requested that the $600,000 CDBG funding be reallocated to the Center to assist in a $1.3 million renovation plan for the new facility. The City would protect the City's interest in this facility by entering into a "Refinancing Agreement" with the Center which will restrict the Center from refinancing, encumbering or hypothecating the property without the approval of the City.

**FISCAL IMPACT:**

This action reallocates a $600,000 loan repayment from the Center for Social Services back to the Center for Social Services. There is no fiscal impact to the General Fund. This action expends $600,000 of CDBG funds.

Culbreth-Graft/Christiansen/EL

Aud. Cert. 2000053.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: C250-302.)

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

*ITEM-112: Time Limit Parking on El Cajon Boulevard.*

*(Normal Heights Community Area. District-3.)*

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:
(R-2000-280) ADOPTED AS RESOLUTION R-292205

Approving the removal of a two-hour unmetered time limit parking zone on the north side of El Cajon Boulevard between Interstate 805 and the northbound on-ramp and 33rd Street;

Authorizing the removal of the necessary signs and markings.

CITY MANAGER SUPPORTING INFORMATION:

This action removes a two-hour unmetered time limit parking zone on the north side of El Cajon Boulevard between the Interstate 805 northbound on-ramp and 33rd Street. Council approval is required, according to the Municipal Code, Section 86.04. A petition signed by four of five affected properties, representing 91 percent of the property adjacent to this segment, was submitted in support of this action. The Normal Heights Community Planning Committee supports this action.

FISCAL IMPACT:

None.

Loveland/Gonzalez/AH

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)

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

* ITEM-113: Installation of Angle Parking on Sundevil Way.

(Rancho Peñasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:
(R-2000-315) ADOPTED AS RESOLUTION R-292206

Approving the installation of 182 angle parking spaces on the east and west sides of Sundevil Way between Carmel Mountain Road and Paseo Cardiel, in front of Mt. Carmel High School;

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

CITY MANAGER SUPPORTING INFORMATION:

The Poway Unified School District has requested the installation of angle parking on Sundevil Way between Carmel Mountain Road and Paseo Cardiel, in front of Mt. Carmel High School. There would be a gain of approximately 96 parking spaces with angle parking, which would mitigate the parking impacts from the school on adjacent residential streets. The Rancho Peñasquitos Community Planning Board has supported this action, and the residents of the adjacent streets have been notified of this proposed action. We recommend approval of this request.

FISCAL IMPACT:

None.

Loveland/Gonzalez/AH

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)

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

* ITEM-114: Two actions related to Street Dedications - Carmel Valley Road, Black Mountain Road and El Vestido Street.

(Carmel Valley Community Area. District-1.)
CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-292 Cor. Copy 2) ADOPTED AS RESOLUTION R-292207

Approving the acceptance by the City Manager of a grant deed of Black Mountain Ranch Developers, LLC, granting to the City an easement in a portion of Parcel 7 of Parcel Map No 17996 for public street purposes, dedicating and naming the street El Vestido Street;

Approving the acceptance by the City Manager of a grant deed of Black Mountain Ranch Developers, LLC, granting to the City the easements for drainage facilities in a portion of Parcel 7 of Parcel Map No. 1796.

Subitem-B: (R-2000-293 Corr. Copy) ADOPTED AS RESOLUTION R-292208

Approving the acceptance by the City Manager of two easements for public street purposes and naming the same Carmel Valley Road and Black Mountain Road;

Approving the acceptance by the City Manager of an easement for public street purposes shown “Reserved for Future Street Purposes” on Parcel Map No. 11688 and naming the same Carmel Valley Road.

CITY MANAGER SUPPORTING INFORMATION:

This requested action authorizes the City Manager to accept the dedication of land located westerly of Black Mountain Road for additional right-of-way for public street purposes as shown on engineering drawing no. 29022-D (1-2). The dedications will support several new developments in the Carmel Valley area including Black Mountain Ranch. The drainage easement is a requirement of the Tentative Map conditions for the Black Mountain Ranch development. Public Improvement Permit No. W47472 has been issued to the public improvement plans, engineering drawing no. 29021-D(1-102). Performance bond numbers S.D.00032194 and S.D.00032197 in the amount of $10,218,618 have been posted to guarantee the construction of the improvements. Staff recommends approval of these items.

FISCAL IMPACT:

None. The applicant has paid all processing costs.
Culbreth-Graft/Haase/SH

FILE LOCATION: Subitems A & B: DEED F-7594

COUNCIL ACTION: (Tape location: B180-466.)

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


(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-309) ADOPTED AS RESOLUTION R-292209

Authorizing the City Manager to execute an agreement with Berryman & Henigar Consultants, Inc., for the design of La Jolla/Pacific Beach Trunk Sewer-Chelsea Street Relocation, together with any reasonably necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of the project and agreement;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed $558,258 from Sewer Fund 41506, CIP-46-215.0, Annual Allocation-Infrastructure Upgrade and Replacement to Sewer Fund 41506, CIP-46-194.0, Annual Allocation-Trunk Sewer Rehabilitation;

Authorizing the expenditure of an amount not to exceed $558,258 from Sewer Fund 41506, CIP-46-194.0, Annual Allocation-Trunk Sewer Rehabilitation, for the purpose of providing funds for the project;
Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

**CITY MANAGER SUPPORTING INFORMATION:**

This agreement is for the design of the La Jolla/Pacific Beach Trunk Sewer - Chelsea Street Relocation, which will replace approximately 3,800 feet of existing 21-inch trunk sewer to eliminate the existing odor and capacity problems. A list of six (6) consultants was provided by the City's Consultant Coordinator. The firms were interviewed in accordance with Council Policy 300-7, and Berryman & Henigar Consultants, Inc. was selected. Berryman & Henigar Consultants, Inc.'s responsibilities will include an alternative evaluation study, preparation of the construction plans, specifications and cost estimate, and support services during bidding and construction, for a contract amount not to exceed $558,258. Project subconsultants, if required, are Haley & Aldrich for geotechnical services - $115,107; Saf-R-Dig for sewer lateral locating and potholing - $78,231; Katz & Associates for public outreach - $3,000; Gillespie Design Group for landscaping architecture - $43,200.

**FISCAL IMPACT:**

This request estimate is $558,258 for professional services, which included $320,941 for basic services, $210,733 for special services, and $26,584 for additional services as required. Funding will be available in Sewer Fund 41506, CIP-46-194.0, Annual Allocation for Trunk Sewer Rehabilitation for this purpose. The total estimated cost for this project is $5,432,322.

Loveland/Belock/AO

Aud. Cert. 2000259.

WWF-00-414.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: B180-466.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.
* ITEM-116: Contribution Agreement for Park Improvements at Park de la Cruz.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-163) ADOPTED AS RESOLUTION R-292210

Authorizing the City Manager to enter into a Contribution Agreement with CalTrans, for the design and construction of the Improvements at Park de la Cruz;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed $296,250 from CIP-29684.0, Park de la Cruz Development.

CITY MANAGER SUPPORTING INFORMATION:

Park de la Cruz is located at 39th and Landis Streets in the Mid-City area of San Diego. This proposed project is required to mitigate the adverse impacts resulting from construction of the I-15 freeway through Mid-City. As outlined in the approved Memorandum of Understanding (MOU) between CalTrans and the City, CalTrans is obligated to design, construct and fund all of the basic park improvements, totaling approximately $1,249,000. Basic park improvements include construction of a ballfield, sportsfield lighting, parking lot, security lighting, and passive open space picnic areas. The City desires to fund additional park improvements not included in the MOU, such as sportsfield lighting, playground equipment, and site furnishings. This action will transfer City funding to CalTrans for implementation of the additional park improvements.

FISCAL IMPACT:

Funds in the amount of $296,250 are available for this purpose in CIP-29-684.0, Park de la Cruz Development, ($246,250 in State Park Trailer Bill Funds, Fund No. 38062 and $50,000 in Mid-City Park Development Fees, Fund No. 39094.)

Annual Maintenance Costs: Following the construction of the park improvements, the City will take over responsibility for the on-going maintenance. Annual park maintenance costs are estimated to be approximately $76,000.

Culbreth-Graft/McLatchy/TM
COUNCIL ACTION: (Tape location: B180-466.)

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

ITEM-117: First Amendment to the Consultant Agreement for Sorrento Valley Road Improvement Project.

(Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-250) ADOPTED AS RESOLUTION R-292211

Authorizing the City Manager to execute the first amendment to an agreement with BRW, Inc., for the final preparation of the Environmental Impact Report and initiation of the final design, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of the project and agreement;

Authorizing the expenditure of an amount not to exceed $321,139 from TransNet Fund 30300, CIP-52-330.0, Sorrento Valley Road, for the purpose of providing funds for the project.

CITY MANAGER SUPPORTING INFORMATION:

Sorrento Valley Road is currently closed to vehicular traffic from Carmel Valley Road to Pump Station 65, just north of Carmel Mountain Road. The road, however, is open to pedestrian and bicycle traffic. The closure was initiated by CalTrans due to Interstate 5 construction conflicts. On January 19, 1999,
City Council directed the City Manager, via Resolution R-291196, to evaluate the options of fully reopening Sorrento Valley Road to vehicular traffic or to partially reopen Sorrento Valley Road on weekdays and during certain specified hours. In addition, City Council also wanted further studies to evaluate the creation of a wildlife corridor and evaluate the planning recommendations of the Sorrento Valley Road Task Force. This action will provide funding for consultant work to prepare an Environmental Impact Report and engineering design support to evaluate the options stated above.

**FISCAL IMPACT:**

With this Amendment, the total consultant compensation will be increased from $217,159 to $538,298. The additional funding is available in CIP 52-330.0, Sorrento Valley Road, TransNet Fund 30300.

Loveland/Belock/PB

Aud. Cert. 2000218.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: C303-370.)

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

* ITEM-118: Amendment to the Agreement with TAVA Y2KOne, Inc. for Year 2000 Testing Services of the Metropolitan Wastewater Department Facilities.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-285 Corrected) ADOPTED AS RESOLUTION R-292212

Authorizing an amendment to the agreement of December 4, 1998, with TAVA Y2KOne, Inc., for Year 2000 testing services of the Metropolitan Wastewater Department facilities, in an amount not to exceed $284,000, bringing the total contract value to $459,600;
Authorizing the expenditure of an additional amount not to exceed $324,000, consisting of $56,400 from Fund No. 41506, and $268,000 from Fund No. 41508, expended as follows: $284,000 for the amendment and $40,400 for project contingency, subject to further amendment of the agreement by the City Manager if he determines it necessary to attain objectives of the agreement.

CITY MANAGER SUPPORTING INFORMATION:

As part of the City-wide Year 2000 (Y2K) Compliance Project, the IT&C Department coordinated the search for qualified firms to perform the initial assessment of "embedded microchip" devices within city facilities. TAVA Y2kOne, Inc. was the only firm with expertise in wastewater and water treatment facilities that could perform this assessment. In October 1998, the City Manager authorized the Metropolitan Wastewater Department (MWWD) to proceed with a sole source Agreement with TAVA Y2kOne, Inc. in the amount of $175,600, executed on December 4, 1998, City Document No. C-09115.

The assessment phase has been completed and MWWD must proceed with the testing phase of the Y2K Compliance Project to ensure continued operation of plant equipment using "embedded chip" devices. This phase includes the development of detailed testing plans for each major facility, and performance of actual date testing on "embedded chip" devices. This Amendment No. 1 to the Agreement with TAVA Y2kOne, Inc. is for an additional not-to-exceed amount of $324,400, that includes $284,000 for testing and $40,400 for contingencies, to perform this required "embedded chip" device testing phase of MWWD's Y2K Compliance Project, bringing the total Agreement value to $500,000.

FISCAL IMPACT:

Funding for this action is available in the FY2000 Annual Metropolitan Wastewater Department Budget using Metro and Municipal Sewer Funds as appropriate for the facilities served. The additional not-to-exceed amount of $324,400 includes $284,000 for testing and $40,400 for contingencies.

Loveland/Schlesinger/ABW

Aud. Cert. 2000282.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)
CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-119: Re-appointments to the San Diego Data Processing Corporation Board of Directors.  

(See memorandum from Mayor Golding dated 9/13/99.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-327) ADOPTED AS RESOLUTION R-292213

Considering the following nominees for reappointment to the San Diego Data Processing Corporation Board of Directors:

<table>
<thead>
<tr>
<th>Name</th>
<th>Category Represented</th>
<th>Nominated by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kevin C. Leap</td>
<td>Data Processing</td>
<td>Mayor Golding</td>
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<tr>
<td>Mike Gross</td>
<td>Data Processing</td>
<td>Mayor Golding</td>
</tr>
<tr>
<td>Ross J. Schwartz</td>
<td>Law</td>
<td>Mayor Golding</td>
</tr>
</tbody>
</table>

After full and complete public discussion and deliberation, Kevin C. Leap, Mike Gross, and Ross J. Schwartz are re-elected to the Board of Directors of the San Diego Data Processing Corporation, for terms ending July 1, 2002.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.
* ITEM-120: Appointment to the Historical Site Board.

(See memorandum from Mayor Golding dated 9/10/99 with resume attached.)

**MAYOR GOLDING’S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-325 Rev.1) ADOPTED AS RESOLUTION R-292214

Council confirmation of the appointment by the Mayor of Harry A. Sherr to the Historical Site Board, for a term ending March 1, 2001, to replace Vonn Marie May, whose term has expired.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: B180-466.)

CONSENT MOTION BY STEVENS TO ADOPT WITH THE CLARIFICATION BY MAYOR GOLDING STATING THAT VONN MARIE MAY IS NOT BEING REPLACED AND WILL CONTINUE TO SERVE ON THE HISTORICAL SITE BOARD UNTIL HER SUCCESSOR TAKES OFFICE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-121: Appointment to the Board of Appeals and Advisors (Buildings).

(See memorandum from Mayor Golding dated 9/10/99 with resume attached.)

**MAYOR GOLDING’S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-324) ADOPTED AS RESOLUTION R-292215

Council confirmation of the appointment by the Mayor of Wes Johnson to the Board of Appeals and Advisors (Buildings), in the category of Electrical Industry, for a term ending March 1, 2001, to replace M. Kevin Canty, whose term has expired.
CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-122: Reappointments to the Small Business Advisory Board.

(See memorandum from Mayor Golding dated 9/13/99.)

MAYOR GOLDING’S RECOMMENDATION:

Adopt the following resolution:

(R-2000-328) ADOPTED AS RESOLUTION R-292216

Council confirmation of the following reappointments by the Mayor to the Small Business Advisory Board, for terms ending as indicated, representing the Member at Large category:

<table>
<thead>
<tr>
<th>Name</th>
<th>Term Ending</th>
</tr>
</thead>
<tbody>
<tr>
<td>L. Tyler Orion</td>
<td>July 1, 2001</td>
</tr>
<tr>
<td>Alice M. Tana</td>
<td>July 1, 2000</td>
</tr>
<tr>
<td>Jacqueline C. Wise</td>
<td>July 1, 2001</td>
</tr>
</tbody>
</table>
* ITEM-123: Reappointments to the Human Relations Commission.

(See memorandum from Mayor Golding dated 9/10/99.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-326) ADOPTED AS RESOLUTION R-292217

Council confirmation of the following reappointments by the Mayor to the Human Relations Commission, for terms ending July 22, 2003, respectively:

Jonathan A. Stein  
M.E. Stephens

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: B180-466.)

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

* ITEM-124: United Domestic Workers of America Day.

**DEPUTY MAYOR WEAR'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-308) ADOPTED AS RESOLUTION R-292218

Proclaiming Thursday, September 30, 1999, to be "United Domestic Workers of America Day" in San Diego, in recognition of the social and economic gains of this noble and diligent labor organization.

**FILE LOCATION:** AGENDA
COUNCIL ACTION:  (Tape location:  B180-466.)

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

* ITEM-125: Herman Hersum Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-305) ADOPTED AS RESOLUTION R-292219

Commending Herman Hersum for improving our community and congratulate him on his retirement;

Proclaiming September 24, 1999 to be "Herman Hersum Day" in San Diego.

FILE LOCATION:  AGENDA

COUNCIL ACTION:  (Tape location:  B180-466.)

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

ITEM-126:  Amending the 1999 Legislative Calendar for Meetings of the San Diego City Council and Standing Committees, by rescheduling the Rules Committee Meeting of October 4, 1999; canceling the regular Council meeting of October 4, 1999; and adding a Special Workshop at 6:00 p.m on October 4, 1999.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:
(R-2000-322) ADOPTED AS RESOLUTION R-292220

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 1999 through December 31, 1999 by:

1. Rescheduling the Rules Committee meeting from 10:00 a.m. to 2:00 p.m. on October 4, 1999, in the Council Committee Room, 202 "C" Street, San Diego, CA 92101, and canceling the regularly scheduled Council meeting at 2:00 p.m.;

2. Adding a Special Council meeting as a Special Workshop on Examination of Alternatives for Adding Air Transportation Capacity to San Diego, at 6:00 p.m. on October 4, 1999, in the Council Chambers, 202 "C" Street, San Diego, CA 92101.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C371-455.)


* ITEM-127: Amending the 1999 Legislative Calendar for Meetings of the San Diego City Council and Standing Committees, by adding a meeting of the Public Safety and Neighborhood Services Committee on Wednesday, November 10, 1999, at 9:00 a.m.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-317) ADOPTED AS RESOLUTION R-292221
Amending the schedule of meetings for the City Council and Standing Committees of
the City Council for the period of January 1, 1999 through December 31, 1999, by
adding a meeting of the Public Safety and Neighborhood Services Committee on
Wednesday, November 10, 1999, at 9:00 a.m., in the Council Committee Room, 202
"C" Street, San Diego, CA 92101.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)

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

* ITEM-128: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage
from Tijuana, Mexico.

(District-8.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2000-149) ADOPTED AS RESOLUTION R-292222

Declaring a Continued State of Emergency regarding the discharge of raw sewage from
Tijuana, Mexico.

FILE LOCATION: GEN'L-State of Emergency regarding the discharge of raw
sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: B180-466.)

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


TODAY'S ACTION IS:

Introduction of the following ordinance in Subitem A; and adoption of the resolutions in Subitems B and C:

Subitem-A: (O-2000-23) INTRODUCED, TO BE ADOPTED ON OCTOBER 18, 1999

Introduction of an Ordinance amending Chapter 6, Article 1, Division 5, of the San Diego Municipal Code by amending Sections 61.0505, 61.0508, 61.0511, 61.0514 and 61.0516, relating to Underground Utilities Procedures.

Subitem-B: (R-2000-270) ADOPTED AS RESOLUTION R-292223

Adoption of a Resolution amending Council Policy 600-8 regarding Underground Conversion of Utility Lines at Company Expense.

Subitem-C: (R-2000-271) ADOPTED AS RESOLUTION R-292224

Adoption of a Resolution amending Council Policy 800-2 regarding Utility Undergrounding Program - Use of Case 8209 Fund for Conversion Work on Private Property.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 5/26/99, LU&H voted 5-0 to approve the City Manager's recommended changes to the Council Policy on Utility Undergrounding and respond to the following requests: a) Deputy Mayor Wear requested that staff respond to questions from the Councilmembers on utility undergrounding in and around scenic highways, alleys, designated view sheds, and mature tree lines streets. Staff is also directed to work on language for a Council Policy that will protect trees from being destroyed during undergrounding procedures; b) Councilmember McCarty requested that the City Manager respond to the idea of the City hiring a utility consultant to direct policy on utility undergrounding, and whether
that consultant could be paid out of the undergrounding budget; and c) Councilmember Mathis
directed staff to look at what can be done to set up a contingency fund and establish criteria for
covering individuals who cannot pay for hook-ups. (Councilmembers Mathis, Wear, Stevens,
McCarty and Vargas voted yea.)

FILE LOCATION: Subitem A: NONE; Subitems B & C: MEET

COUNCIL ACTION: (Tape location: B180-466.)

CONSENT MOTION BY STEVENS TO INTRODUCE THE ORDINANCE AND ADOPT
THE RESOLUTIONS. Second by Wear. Passed by the following vote: Mathis-yea,
Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea,
Vargas-yea, Mayor Golding-yea.


(See City Manager Report CMR-99-155; and memorandum from Deputy Mayor Wear
dated 8/4/99.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2000-221) ADOPTED AS AMENDED AS RESOLUTION R-292225

Approving the Annual Allocation - Undergrounding of Utilities, San Diego Gas &
Electric Company Allocation for Calendar Year 2000.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:
On 8/4/99, LU&H voted 3-0 to accept the Year 2000 Underground Utilities Program Projects,
incorporating changes to District 2 projects, outlined in the memorandum submitted by Deputy Mayor
Wear and allowing a new list of projects to be submitted by Council District 8 not to exceed its allocation
of funding. The list of projects will remain flexible for other Councilmembers who wish to alter projects
in their districts without going over their allocations. (Councilmembers Mathis, Stevens and Vargas
voted yea. Councilmember Wear and McCarty not present.)
CITY MANAGER SUPPORTING INFORMATION:

The list of Utility Undergrounding projects for Calendar Year 2000 is in conformance with the terms of the franchise agreement reached with SDG&E in April, 1995. The agreement requires that projects to be allocated in Calendar Year 2000 must be approved by the City Council. The proposed 2000 job listing was reviewed and discussed at the Land Use and Housing (LU&H) Committee on August 4, 1999. As a result of the meeting, revisions were made. The list reflects the changes per the LU&H Committee chairperson's recommendation.

FISCAL IMPACT:

None with this action.

ITEM-152: Pedicab Regulations.

(See City Manager Report CMR-99-53; letter from Frank R. Sanchez dated 3/22/99 and letter from Gerald P. Bretting dated 10/19/99.)

TODAY'S ACTION IS:

Introduction of the following ordinance:

(O-2000-19) INTRODUCED, TO BE ADOPTED ON OCTOBER 18, 1999
Introduction of an Ordinance amending the San Diego Municipal Code by amending the title of Chapter VIII, Article 3 to read "Pedicabs, Pedestrians and Bicycles" and by amending Chapter VIII, Article 3 by adding new Division 1, titled "Pedicabs," and by adding new Sections 83.0101, 83.0102, 83.0103, 83.0104, 83.0105, 83.0106, 83.0107, 83.0108, 83.0109, 83.0110, 83.0115, 83.0116, 83.0117, 83.0118, 83.0119, 83.0120, 83.0121, 83.0122, 83.0123, 83.0124, 83.0125, 83.0126, 83.0127, 83.0128, 83.0129, 83.0130, 83.0131, 83.0132, 83.0133 and 83.0134; and by adding new Division 2, titled "Pedestrians and Bicycles," by renumbering Sections 83.01, 83.03, 83.04, 83.06, 83.07, 83.07.1 and 83.07.2 to 83.0201, 83.0202, 83.0203, 83.0204, 83.0205, 83.0206 and 83.0207 respectively, all relating to Pedestrians, Bicycles and Pedicabs.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S RECOMMENDATION:

On 3/24/99, PS&NS voted 3-0 to accept the City Manager's recommendation with the exception of the insurance level requirements which shall be amended to specify a $1 million policy rather than the $2 million policy proposed by the City Manager. The committee further directed the City Manager to return in six months with a review of the program and a report on any accident statistics related to pedicabs. (Councilmembers Wear, Stevens and Warden voted yea. Councilmember Mathis and Kehoe not present.)

CITY MANAGER SUPPORTING INFORMATION:

In the past several years, pedicabs, bicycle trailers, and other similar human-powered vehicles for hire have become increasingly popular forms of transportation in the Gaslamp Quarter and at special events throughout San Diego. As a result, concerns have been raised regarding the safety of the vehicles themselves, and the proficiency of the operators. At its meeting of November 18, 1998, the Public Safety and Neighborhood Services Committee directed staff to investigate options for regulating human-powered vehicle businesses, with particular emphasis on liability insurance requirements, vehicle safety, and operator proficiency. The PS&NS committee directed staff from the Transportation Department, the Police Department, and the City Attorney to meet with representatives of the human-powered vehicle industry and other concerned persons, and subsequently to develop basic regulations for human-powered vehicles for hire. Under these proposed regulations, operators and vehicles will be regulated separately. Operators will be required to be at least 18 years old, have a valid driver's license, have a valid business tax certificate, and have proof of insurance in the amount of $1,000,000. Vehicles will be required to have a battery-operated headlight capable of projecting a beam of white light for a minimum distance of 300 feet, a pair of battery-operated taillights, and a pair of side-mounted rear-view mirrors. Each operator's permit and each vehicle permit will be issued upon validation of the requirements, and will be subject to a non-refundable fee of $25 each to cover costs. Failure to adhere to any of the requirements will result in revocation of the appropriate permit, and possible misdemeanor citation.
FISCAL IMPACT:
Staffing impacts are unknown, but are expected to be minimal and should be able to be incorporated into the existing staffing for the Transportation Alternatives Program. This regulatory process is intended to be entirely financially self-supporting from application fees.

Loveland/Gonzalez/AH

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B180-466.)


ITEM-200: Proposed Amendments to Chapter 2, Article 7, of the Municipal Code, Related to Nominations and Write-In Candidates for the Board of Education.

CITY CLERK'S RECOMMENDATION:
Introduce and adopt the following ordinance:

(O-2000-31) INTRODUCED AND ADOPTED AS ORDINANCE O-18690 (New Series)

Introduction and adoption of an ordinance amending Chapter II, Article 7, Division 2 of the San Diego Municipal Code by amending Sections 27.0208 and 27.0210 relating to nomination procedures for the Office of Board of Education of the San Diego Unified School District; by amending Chapter II, Article 7, Division 3 by amending Sections 27.0309 and 27.0311, relating to Write-In Candidates for the Office of Board of Education of the San Diego Unified School District.

SUPPORTING INFORMATION:
In July the City Council adopted amendments to the City's Election Code, Chapter 2, Article 7 of the San Diego Municipal Code. The procedures for candidate nominations, amended at that time, are the procedures used for elections of the Board of Education of the San Diego Unified School District. In
subsequent discussions with members of the School Board, they indicated their desire to reinstate the requirement that candidates for the Board of Education obtain 200 nominating signatures. On September 7, 1999, the Board took formal action on the issue and sent a letter to the Mayor and City Council indicating their desire that the Municipal Code be amended for their elections. This results in the need for minor amendments to the Nominations and Write-In Candidates Divisions of the code.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)


ITEM-201: Eighth Amendment to the Memorandum of Agreement with the International Boundary and Water Commission for the City to Treat Tijuana Sewage.

(San Ysidro and Tijuana River Valley Community Areas. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-287 Corr.) ADOPTED AS RESOLUTION R-292226

Authorizing an Eighth Amendment to the Memorandum of Agreement dated July 22, 1991, with the International Boundary & Water Commission, for the City to treat Tijuana sewage.

CITY MANAGER SUPPORTING INFORMATION:

In 1990, the City agreed to treat up to 13 million gallons per day (mgd) of Tijuana sewage in the City's Metropolitan Wastewater System (Metro) as an interim solution to the border sanitation problem, until the International Treatment Facilities were constructed. The City entered into an agreement with the International Boundary and Water Commission (IBWC) on July 22, 1991 to treat Tijuana sewage. Since October 1991, the City has conveyed Tijuana sewage through the emergency connection to the Metro system for treatment. The existing agreement expires on September 30, 1999. This eighth amendment will extend the agreement until September 30, 2000.
Although phase I of the International Treatment Plant, which came on line in May 1997, and the South Bay Ocean Outfall, which was completed in December 1998, can process and dispose of up to 25 mgd, Tijuana flows continue to need to be conveyed to the Metro system for disposal on an as-needed basis. At times the volume of sewage requiring treatment exceeds the volume of the International Treatment plant and this excess volume must be diverted to the Metro system. Also, there are times when the plant's treatment process must be interrupted, requiring a diversion of flow to the emergency connection.

**FISCAL IMPACT:**
In federal Fiscal Year 2000, the IBWC will be charged a rate of $420.14 per million gallons of flow, plus $148.48 per thousand pounds of Total Suspended Solids and $45.09 per thousand pounds of Chemical Oxygen Demand for treatment of Tijuana sewage. They will also be charged a monthly fee of $255 for the maintenance of the Event Notification System installed on the South Metro Interceptor to ensure that there is available capacity in the Metro system. Based on an average flow rate of 2.6 mgd, the estimated cost to treat Tijuana sewage is $1,050,000 per year for federal Fiscal Year 2000. If the IBWC is unable to reimburse the City, the City has the option to terminate this agreement with the IBWC.

Loveland/Schlesinger/AKS

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: B180-466.)

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

ITEM-202: Blue Cross of California - Group Health Agreement.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-282) ADOPTED AS RESOLUTION R-292227
Authorizing the City Manager to execute an agreement with Blue Cross of California,
to provide group health insurance, to extend coverage under the agreement for a one-
year period beginning August 1, 1999 through July 31, 2000, and to authorize the
premium rates;

Authorizing the expenditure of an amount not to exceed $5,542,186 from Fund 60020,
Account 9544.

CITY MANAGER SUPPORTING INFORMATION:

The City provides health insurance coverage to active employees and their dependents through
Citymed/Blue Cross of California Plans. Effective August 1, 1999, the insurance plan is
conventionally funded through a fully insured arrangement. Blue Cross of California offers two types
of coverage, namely the California Care and Prudent Buyer $1,000 Deductible. Retired employees
and their dependents are covered through a fully insured agreement by Blue Cross of California.

The term of the agreement is extended from August 1, 1999 through July 31, 2000. The annual rates
for FY 2000 for ACTIVE employees are as follows:

<table>
<thead>
<tr>
<th></th>
<th>CALIFORNIA CARE</th>
<th>$1,000 DEDUCTIBLE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rate</td>
<td>% Increase</td>
</tr>
<tr>
<td>Employee Only</td>
<td>$2,034 19%</td>
<td></td>
</tr>
<tr>
<td>One Dependent</td>
<td>$2,384 21%</td>
<td></td>
</tr>
<tr>
<td>Two or More Dependents</td>
<td>$4,331 20%</td>
<td></td>
</tr>
</tbody>
</table>

The cost of active employee coverage is paid through the Flexible Benefits Plan (FBP). Employees
may cover their dependents through payroll deduction and/or remainder FBP monies.
FISCAL IMPACT:

The estimated cost to the City for active employees is $5,542,186. This amount is based on the total number of active employees enrolled during the open enrollment period and represents the cost of coverage for the employee only ($4,221,992) and monies designated by employees to offset the cost of their dependent ($1,320,194). Monies have been budgeted in FY 2000 for this purpose in all departments through the Flexible Benefits Plan.

Herring/Mueller/VV

Aud. Cert. 2000206.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C200-249.)

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

ITEM-203: United Behavioral Health (UBH) - Group Managed Behavioral Health Program Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-235) ADOPTED AS RESOLUTION R-292228

Authorizing the City Manager to execute an agreement with United Behavioral Health, to extend the agreement for a one-year period beginning August 1, 1999 through July 31, 2000, and to authorize the premium rates;

Authorizing the expenditure of an amount not to exceed $399,787 from Fund 60020, Account No. 9544.
CITY MANAGER SUPPORTING INFORMATION:

A bid marketing was conducted in 1995 to determine who would provide the best managed behavioral coverage to Blue Cross members. Effective August 1, 1995, United Behavioral Health (UBH) was selected to provide mental health and chemical dependency treatments for participants enrolled in Blue Cross health plans (California Care and Prudent Buyer $1000). The agreement was extended every year thereafter and is extended for the term August 1, 1999 through July 31, 2000. There is no change in the monthly premium rate for employee or retiree coverage in FY 2000.

FISCAL IMPACT:

The total estimated cost to the City is $399,787. This is based on the monthly cost of $15.91 per employee for the 2,094 employees enrolled in California Care and Prudent Buyer $1,000 deductible health plans. Monies have been budgeted in FY 2000 for this purpose through the Blue Cross rates.

Herring/Oliva/VV

Aud. Cert. 2000107.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)

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

ITEM-204: Kaiser Foundation Health Plan - Group Health Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-334) ADOPTED AS RESOLUTION R-292229

Authorizing the City Manager to execute an agreement with Kaiser Foundation Health Plans, Inc., to provide group health insurance, to extend coverage under the agreement for a one-year period beginning August 1, 1999 through July 31, 2000;
Authorizing the expenditure of an amount not to exceed $9,226,221 from Fund 60022, Account 9544.

**CITY MANAGER SUPPORTING INFORMATION:**

The City provides Kaiser Health Plan, a health maintenance organization (HMO), to active and retired employees and their dependents. The City offers Kaiser Traditional Plan and Kaiser Senior Advantage Plan. The health coverage will remain unchanged for the 1999-2000 contract year. The annual rates are as follows:

<table>
<thead>
<tr>
<th></th>
<th>FROM (FY1999)</th>
<th>TO (FY 2000)</th>
<th>% INCREASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee Only</td>
<td>$1,644</td>
<td>$1,866</td>
<td>13.5%</td>
</tr>
<tr>
<td>One Dependent</td>
<td>$1,644</td>
<td>$1,866</td>
<td>13.5%</td>
</tr>
<tr>
<td>Two or More Dependents</td>
<td>$3,267</td>
<td>$3,695</td>
<td>13.1%</td>
</tr>
</tbody>
</table>

The cost of coverage for active employees is paid through the Flexible Benefits Plan (FBP). Employees may cover their dependents through payroll deduction and/or remainder FBP monies.

**FISCAL IMPACT:**

The estimated cost to the City is $9,226,221. This amount is based on the total number of employees enrolled during the open enrollment period and represents the cost of coverage for the employee only ($6,345,450) and monies designated by employees to offset the cost of their dependents ($2,880,771). Monies have been budgeted in FY 2000 for this purpose in all departments through the Flexible Benefits Plan.

Herring/Mueller/VV

Aud. Cert. 2000190.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: C200-249.)

MOTION BY WEAR TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.
ITEM-205: Health Net Seniority Plus - Group Health Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-302) ADOPTED AS RESOLUTION R-292230

Authorizing the City Manager to execute an agreement with Health Net Seniority Plus, to provide group health insurance to Medicare eligible retirees, to extend coverage under the agreement for a one-year period beginning August 1, 1999 through July 31, 2000, and to authorize the monthly premium rate of $58 per member;

Authorizing the expenditure of an amount not to exceed $163,560 from Fund 60077, Account 9544.

CITY MANAGER SUPPORTING INFORMATION:

Health Net was selected through a competitive bid process to provide a Medicare risk health insurance plan (medical, dental and vision insurance) to retirees and their dependents effective August 1, 1995. For FY 2000, the monthly rate increased by 80 percent from $32.15 to $58 per member. The increase in premium is primarily attributed to the increase in health care costs and decrease in Medicare cost reimbursements. Due to the increases, market bidding was conducted in May 1999 to evaluate alternative insurance providers. It was determined the significant increase does not justify the disruption of care of the retirees that may be caused by any transition and provider changes because of the small number of retirees enrolled. Therefore, the contract is extended to Health Net for the term of August 1, 1999 through July 31, 2000.

FISCAL IMPACT:

The estimated cost for City-paid health insurance premiums is $163,560. This is based on the monthly cost of $58 per member for the 235 retirees enrolled. Monies are available in FY 2000 for this purpose in the Post Retirement Health Care fund (60077).

Herring/Oliva/VV
CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206: Group Health Agreement with American Family Life Assurance Company of Columbus (AFLAC).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-199 Cor. Copy) ADOPTED AS RESOLUTION R-292231

Authorizing the City Manager to execute an agreement with American Family Life Assurance Company of Columbus (AFLAC) to extend group cancer and hospital intensive care, for a one-year period beginning August 1, 1999 through July 31, 2000, with no change in benefits or rates from last year;

Authorizing the expenditure of an amount not to exceed $347,722 from Fund 60076, Account No. 9544 for the purpose of providing funds for the execution of the agreement.

CITY MANAGER SUPPORTING INFORMATION:

American Family Life Assurance Company of Columbus (AFLAC) provides additional coverage for cancer, other selected dread diseases, and intensive care hospitalization to employees and eligible dependents. The Plan offers Cancer Expense Protection Plan, Cancer Expense Protection Plan and Hospital and Dread Disease Riders, and Hospital Intensive Care Protection Plan. The agreement is extended for the term August 1, 1999 through July 31, 2000, and may be renewed for additional terms of one year each.

There is no premium rate change for FY 2000.
FISCAL IMPACT:

The total estimated cost to the City is $347,722, based on the total number of employees enrolled during the open enrollment period. Monies are budgeted in FY 2000 for this purpose in all departments through the Flexible Benefits Plan.

Herring/Oliva/VV

Aud. Cert. 2000106.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

ITEM-207: Three actions related to the Final Subdivision Map of Halifax Estates.

(Continued from the meeting of September 14, 1999, Item 100, at Councilmember McCarty's request, in order to make sure all 55 conditions on property are adhered to.)

(This is a 32-lot subdivision. Navajo Community Area. District-7.)
Subitem-A:  (R-2000-246) ADOPTED AS RESOLUTION R-292232

Authorizing the execution of a Subdivision Improvement Agreement with Pacific Allied Group, LLC, for the installation and completion of public improvements.

Subitem-B:  (R-2000-245) ADOPTED AS RESOLUTION R-292233

Approving the final map.

Subitem-C:  (R-2000-247) ADOPTED AS RESOLUTION R-292234

Authorizing a Landscape Maintenance Agreement with Pacific Allied Group, LLC, for the installation and completion of public improvements.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 5.623 acre site into 32 lots, including 25 lots for residential development. It is located east of Halifax Street and north of Greenbrier Avenue in the Navajo Community Plan area. On August 10, 1993 the Council of the City of San Diego approved Tentative Map Resolution R-282513 for Halifax Estates. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. City Council is required to give final approval of all final maps and agreements.

The public improvements required for this subdivision are shown in detail on Drawing Nos. 28865-1-D through 28865-12-D, filed in the Office of the City Clerk under Micro Number 139.80. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is $856,621 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of $5,000, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development". Subdivider shall enter into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility.
FISCAL IMPACT:
None.

Culbreth-Graft/Haase/SH

FILE LOCATION: Subitems A-C: SUBD-Halifax Estates (40)

COUNCIL ACTION: (Tape location: B180-466.)

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

ITEM-208: Request for Advanced Funding as needed from SANDAG for City Wide Street Maintenance Contracts during FY2000.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-118) ADOPTED AS RESOLUTION R-292235

Authorizing the City Manager to request advance funding from SANDAG through the commercial paper program in an amount not to exceed $13 million;

Authorizing the City Manager to execute any necessary documents relating to the receipt of the funds from SANDAG;

Declaring that the City will be responsible for paying its proportionate share of the annual interest and administrative costs of the commercial paper program based on the ratio of the amount of financing provided to the City to the total commercial paper outstanding for each fiscal year;

Declaring that SANDAG will deduct the interest and administrative costs from the City of San Diego's monthly TransNet Sales tax allocations prior to remitting any remaining sales tax proceeds for the City's projects;

Declaring that the principle amount of $13 million borrowed from SANDAG will be repaid to SANDAG during the Fiscal Year 2007;
Declaring that the first priority use of The City of San Diego's annual allocations of TransNet revenues shall be payment of the principle amount borrowed according to the schedule;

Declaring that the funds for the action are available from TransNet, CIP-59-001.0 in the amount of $13 million.

CITY MANAGER SUPPORTING INFORMATION:

$13 Million Dollars was budgeted in Fiscal Year 2000 as commercial paper, and has been authorized by prior City Council Action on August 2, 1999. This action allows the City of San Diego to request an amount in advance, up to $13 Million Dollars from SANDAG as it is needed for funding city wide street maintenance contracts throughout the year. A listing of streets included in each contract will be provided to the Mayor and Council Members as each contract is bid. Locations for resurfacing and slurry sealing are generated and evaluated through use of the City's Pavement Management System, requests from Council offices, Mayor's office, City Manager's office, and through contact with individual citizens or community groups. Proposed locations are then screened to avoid conflicts with planned underground utility work.

FISCAL IMPACT:

Funds for this action are available as follows: $13,000,000 from TransNet, CIP-59-001.0, Resurfacing/Slurry Seal of City Streets.

Loveland/Gonzalez/ZG

FILE LOCATION: MEET
COUNCIL ACTION: (Tape location: B180-466.)
CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-209: Alvarado Trunk Sewer, Phase 2.
(Navajo Community Area. District-7.)
CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-291) ADOPTED AS RESOLUTION R-292236

Amending the Fiscal Year 2000 Capital Improvements Projects Budget by adding CIP-40-929.0, Alvarado Trunk Sewer, Phase 2;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed $145,881 from Sewer Fund 41506, CIP-46-205.0, Harbor Drive Trunk Sewer to Sewer Fund 41506, CIP-40-929.0, Alvarado Trunk Sewer, Phase 2;

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

CITY MANAGER SUPPORTING INFORMATION:

The Alvarado Trunk Sewer Phase 2 Project is located in the Navajo Community, Council District 7. This project is the result of splitting the Alvarado Trunk Sewer Realignment Project. The Alvarado Trunk Sewer Realignment consisted of relocating the sewer pipe outside the Alvarado Creek which is environmentally sensitive. The work consisted of relocating 1,249 feet of pipe along Canyon Crest Drive and across Interstate 8 by tunneling method. Construction of the project began in mid 1998. The tunneling work along Canyon Crest Drive has been completed. However, complications with drilling through rock harder than anticipated, prompted the contractor to claim it as a changed condition, and proposed to complete the tunnel across the freeway at an additional cost not acceptable to the City. Therefore, the tunneling work across Interstate 8 was deleted from the contract, and will be rebid as a separate project (Alvarado Trunk Sewer, Phase 2). The Alvarado Trunk Sewer, Phase 2 project will consist of completing the original contract with a new contract including 487 feet of 30-inch trunk sewer (101 feet by open trench, and 386 feet by tunneling across Interstate 8), and repair 968 feet of existing 21-inch VC pipe.

FISCAL IMPACT:

The estimated total cost of this project is $1,794,135 of which $145,881 is for FY 2000, and $1,648,254 is for FY 2001. Funding is available in Sewer Fund 41506, CIP-40-929.0, Alvarado Trunk Sewer, Phase 2 for this purpose.

Loveland/Belock/O"
Aud. Cert. 2000248.

WWF-00-413.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)

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

ITEM-210: In the matter of authorizing the City Manager to exclusively negotiate the sale of City land located at the terminus of Boulevard Place and Torrey Pines Road, Assessor’s Parcel Number 346-484-07 to the adjacent owner, Tim Lichty.

Prior to Council discussion in Closed Session and in compliance with the Brown Act, (California Government Code Section 54956.8) this issue is listed on the docket for public testimony.

TODAY'S ACTION IS: HEARING HELD, REFERRED TO CLOSED SESSION ON TUESDAY, SEPTEMBER 28, 1999

1) Open the Public Hearing and accept testimony from any members of the public wishing to address the Council on this subject; 2) Conclude and close the public hearing; and 3) Refer the matter to Closed Session on September 28, 1999.

NOTE: Members of the public wishing to address the Council on this item should speak "in favor" or "in opposition" to the subject.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B180-466.)

ITEM-211: Proposed Financial Incentive Agreement for Novartis AG.

(See City Manager Report CMR-99-178. University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-350) ADOPTED AS RESOLUTION R-292237

Declaring that the investment from Novartis AG would result in the retention and creation of quality jobs, tax revenue, and other economic benefits and is in the best interest of the City of San Diego;

Declaring that Novartis AG proposes to invest substantial amounts for the purchase and use of manufacturing equipment used in conjunction with the expansion of research and development operations within the jurisdiction of the City of San Diego;

Declaring that the manufacturing equipment which the Novartis Institutes propose to purchase and use will be directly involved in the manufacturing process in the State of California, and not in a preliminary or subsequent activity, or one incidental to manufacturing;

Declaring that the manufacturing equipment which the Novartis Institutes propose to purchase and use will lead to the retention of over 105 existing jobs, the creation of an expected 275 additional jobs, of which 192 are to full-time manufacturing jobs, that both retained jobs and new jobs are at salary levels of at least $10 per hour, and that these jobs will continue in existence for at least a continuous five-year period;

Authorizing the City Manager to negotiate and execute an agreement with the Novartis Institutes to:

1. Rebate to the Company for a period of five years that portion of taxes which the City receives on the personal property imposed on manufacturing equipment which the Company places into service during the City's Fiscal Years 2000, 2001, 2002, 2003, and 2004;

2. Provide the rebates or credits authorized through Council Resolution R-288034 for participation in the Business Cooperation Program;
3. Reduce by $1,000 per equivalent dwelling unit (EDU) the normal charges of $2,500/EDU for water and sewer capacity pursuant to Council Resolution R-96-1480;

4. Reimburse Company's costs for payment of the Housing Impact Fees from General Fund tax revenues generated by the project. Such agreement shall be subject to the Council's annual review and approval during the adoption of the City's budget. The agreement shall contain the following provisions:

   a) The maximum amount of the rebate of taxes paid on tangible personal property, over the entire nine-year rebate period, shall not exceed $200,000, irrespective of the amount of investments made by Company in tangible personal manufacturing property;

   b) The company shall provide a means of assuring that the maximum number of jobs or positions possible shall be made available to San Diego area residents, such as entering into a Work Source Hiring Agreement with the San Diego Workforce Partnership, or recruiting through local universities. The Company shall provide a means of assuring that the jobs or position shall meet the requirements of City Council Policy 900-12 and California Revenue and Taxation Code Section 5108 regarding the quality of the jobs. Finally the Company shall provide a means of assuring that the number of new employees constitutes an increase in the total number of employees as defined in Section 621 of the Unemployment Insurance Code, employed by the Company in the State of California:

   c) The company shall participate in the Business Cooperation Program by self-assessing California use taxes, and shall properly report and allocate, and/or cause to be properly reported and allocated, such sales and use taxes to the City of San Diego as the situs of the transaction. Such taxes will equal or exceed the amount of the personal property tax to be rebated pursuant to any agreement with company.

Authorizing the City Auditor and Comptroller, upon the direction of the Financial Management Director to: (a) appropriate property tax revenues paid by company for manufacturing property and to appropriate expenditures to rebate the property taxes paid; (b) appropriate use tax revenues paid by Company and to appropriate expenditure to rebate or credit taxes paid pursuant to the Business Cooperation Program; and (c) appropriate sales, use, and property taxes paid by company and to appropriate
expenditures to reimburse Housing Impact Fees paid;

Directing City staff, acting by and through the City Manager, to take all actions necessary to implement this agreement following its execution by the City and Company;

Directing the City Manager to return to Council with an amendment to Council Policy 900-12 which specifically provides for future reimbursements of Housing Impact Fees for other businesses which may make large capital investments in the City, and in which the City stands to realize substantial net financial gains.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B180-466.)


(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-314) ADOPTED AS RESOLUTION R-292238

Vacating Northside Drive southeast of Friars Road;

Vacating the drainage easement and building restricted easement;

Declaring that the resolution shall not become effective unless and until the City Engineer approves the proposed Tentative Parcel Map 95-0544 for the site, including the dedication of a right-of-way for a cul-de-sac on Northside Drive; and assurance is obtained through permit and bond, the construction of the cul-de-sac on Northside Drive
as required by the City Engineer; and the drainage system within the subject drainage easement is converted into a private drainage system maintained by the property owner as required by the City Engineer; and the water and sewer facilities within the vacated portion of Northside Drive are relocated as required by the City Engineer;

Declaring that in the event that the above conditions are not completed within twelve months following the adoption of this resolution, this resolution shall become void and be of no further force or effect.

CITY MANAGER SUPPORTING INFORMATION:

The applicant proposes to vacate a portion of Northside Drive, a drainage easement, and a building restricted easement in order to facilitate development of a library site and shopping center. The development will create a lot which will be donated to the City as a library site.

The vacated street will be used for a private driveway system. SDG&E and Pacific Bell facilities in Northside Drive will be removed with the approval of both utilities. Water and sewer facilities within Northside Drive will be relocated and new easements granted on the Parcel Map for the development.

The drainage system in the vacated drainage easement will be converted into a private drainage system and maintained by the property owner. The building restricted easement was over all of a remnant portion of a street vacation that was unuseable for a building site and will no longer be required when the public right of way adjacent to this easement is vacated. The Mission Valley Unified Planning Committee approves the street vacation by a vote of 13-0-2. Staff recommends that the right of way and easements be vacated upon the filing and recording of a Parcel Map for the project site.

Findings: Staff review has indicated that the right-of-way may be vacated because the four required findings for vacation can be made: 1. That there is no prospective use for the right-of-way, either for the facility for which it was originally acquired for any other public use of a like nature that can be anticipated. 2. That the Public will benefit from the action through improved utilization of land made possible by the street vacation. 3. That the vacation is not inconsistent with the General Plan, an approved Community Plan, or the Local Coastal Program. 4. That the facility for which the right-of-way was originally acquired will not be detrimentally affected by the street vacation.

FISCAL IMPACT:

None. All costs have been paid for by the applicant.

Culbreth-Graft/Haase/GH
ITEM-213: Two actions related to the Final Subdivision Map of Mission City Phase I.

(This is a 37-lot subdivision. Mission Valley Community Area. District-6.)

CITY MANAGER’S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2000-343) ADOPTED AS RESOLUTION R-292239

Authorizing the City Manager to execute a Landscape Maintenance Agreement with H.G. Fenton Company, for the installation and completion of public improvements.

Subitem-B: (R-2000-342) ADOPTED AS RESOLUTION R-292240

Approving the final map.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of a 40.98 acre site into 3 lots for residential development. It is located south of Friars Road in the Mission Valley Community Plan area. On April 21, 1998 the Council of the City of San Diego approved Tentative Map No. 96-0544 for Mission City Subdivision. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 29611-1-35-D, 29654-1-36-D, 29247-1-19-D, and 29434-1-2-D. Permit Nos. W47471, W48255, W47984, W47447 have been issued for public improvements and Permit Performance Bond Nos. 1558508, 1558501, 1558494 and 1558493 in the amounts of $1,406,431.00, $2,449,320.00, $1,155,858.00 and $92,404.00 respectively have been issued by the Insurance Company of the West to ensure the completion of the public improvements. All improvements are to be completed within two years. A cash bond in the amount of $6,500, as determined by the surveyor’s estimate, has been posted as surety for the setting of survey monuments.
This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and U.S. Department of Housing and Urban Development". Subdivider shall enter into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way, adjacent to this subdivision until another mechanism is established and assumes maintenance responsibility.

**FISCAL IMPACT:**

None.

Culbreth-Graft/Haase/SH

**FILE LOCATION:** Subitems A & B: SUBD- Mission City Phase I Final Map (40)

**COUNCIL ACTION:** (Tape location: B180-466.)

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

**ITEM-S400:** Consul General Herrera-Lasso Day.

**MAYOR GOLDING’S RECOMMENDATION:**

Adopt the following resolution:

(R-2000-375) TRAILED TO TUESDAY, SEPTEMBER 28, 1999

Proclaiming September 27, 1999, to be "Consul General Herrera-Lasso Day" and commending him for his role in building an exemplary binational relationship between San Diego and Tijuana.

**FILE LOCATION:** NONE

**COUNCIL ACTION:** (Tape location: B180-466.)
Mayor Golding announced that this item will trail to Tuesday, September 28, 1999.

* ITEM-S401: Settlement of the Personal Injury, Property Damage Claims and Diminution of Value of the Real Property of Richard Pearson at 817 Oliver Street.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2000-360) ADOPTED AS RESOLUTION R-292241

A Resolution approved by the City Council in Closed Session on Tuesday, July 20, 1999, by the following vote: Mathis-yea; Wear-yea; Kehoe-yea; Stevens-nay; Warden-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of $350,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury, property damage claims and diminution in value of the real property of Richard Pearson at 817 Oliver Street in San Diego;

Authorizing the City Auditor and Comptroller to issue one check in the total amount of $350,000 made payable to Richard Pearson, as complete and final settlement of the claims as a result of the incident which occurred on February 3, 1998, July 20, 1998 and December 5, 1998.

Aud. Cert. 2000320.

**NOTE:** The Auditor's Certificate was not requested prior to Closed Session. The vote taken in Open Session shall be the official vote.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: B180-466.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.
NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:07 p.m. in honor of the memories of:

Dr. Marco Walshok as requested by Mayor Golding;
Josephine “Jay” Ghio as requested by Mayor Golding and Council Member Warden;
Frederick Liebhardt as requested by Mayor Golding; and
Joseph Gabriel Chemali as requested by City Clerk Charles Abdelnour.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C534-540).