

(R-92-2156)

RESOLUTION NUMBER R-280432
ADOPTED ON JUL 27 1992

WHEREAS, on November 28, 1988, the City of San Diego executed the original Agreement with the University of San Diego Law School (USD) to develop an 18 month pilot project to: 1) use mediation and other dispute resolution methods to resolve appropriate code enforcement cases; and 2) study the feasibility of creating an Environmental Court to hear government initiated criminal and civil actions in the field of municipal and land-use law; and

WHEREAS, the City and USD in satisfaction of the original Agreement established the Environmental Mediation Program (EMP) and have executed annual contracts to continue the Mediation Program for the past two fiscal years; and

WHEREAS, the Environmental Mediation Program has conducted 401 mediations and conciliations since September 1989, of which 92% resulted in a written agreement between the City and alleged violator and 68% of these written agreements have resulted in complete compliance with the Municipal Code; and

WHEREAS, the City and USD wish to continue this program for fiscal year 1993 without interruption as 90 active cases are ready to be scheduled for mediation or need further monitoring; and


WHEREAS, on June 30, 1992, the City Council approved \$111,000 for the Mediation Program as part of its annual budget for fiscal year 1993; and

WHEREAS, the City and USD have agreed to carry forward an estimated \$3,000 from the Mediation Program's existing budget from fiscal year 1992, to be used for mediations in fiscal year 1993; thus bringing the Mediation Program's total budget to \$114,000; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego that the City Manager is hereby authorized and empowered to execute, for and on behalf of the City, an Agreement with the University of San Diego Law School to operate the Environmental Mediation Program to resolve appropriate municipal disputes by using various dispute resolution methods, as set forth in the terms and conditions of the Agreement, on file in the office of the City Clerk as Document No. RR-280432 :

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to expend an amount not to exceed \$111,000 for fiscal year 1993, to the University of San Diego Law School for purposes of the above Agreement from the following sources, Building Inspection Enterprise Fund (\$22,500), Non-Departmental Account (\$33,000), and the Neighborhood Code Compliance Department Account (\$55,500).

APPROVED: JOHN W. WITT, City Attorney

By 
Joseph M. Schilling
Deputy City Attorney

JMS:lmk
Date: 07/23/92
Or.Dept:Atty
Aud.Cert: 9300050
R-92-2156
Form=r-t

The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE AC 9300050

ORIGINATING DEPT. NO.: 040

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount \$ _____ Fund _____

Purpose _____

Date _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed \$ 111,000.00

Vendor University of San Diego Law School

Purpose Authorizing the expenditure of funds for environmental mediation program agreement.

Date July 17, 1992 By: Cecilia San Pedro

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/EQUIP	FACILITY	AMOUNT
1	0	100	601	167	4222	060167				\$33,000.00
2	0	41300	1300	2515	4222	005531				22,500.00
3	0	100	075		4222	07544				55,500.00
TOTAL AMOUNT										\$111,000.00

FUND OVERRIDE

AC-361 (REV 2-92)

*CONTINGENT UPON APPROVAL OF FY93 BUDGET

Q-280432

JUL 27 1992

AC 9300050

JUL 27 1992

Passed and adopted by the Council of The City of San Diego on
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Stevens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Behr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Stallings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By *Blenda L. Barnes*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number *R-280432* Adopted *JUL 27 1992*

92 JUL 27 AM 11: 04

MAIL DELIVERY OFFICE
SAN DIEGO, CA