

(R-94-410)

RESOLUTION NUMBER R-282770

ADOPTED ON OCTOBER 11, 1993

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 for resolving 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 originally created the Environmental Mediation Program (EMP) and have executed annual contracts to continue the Mediation Program for the past three fiscal years; and

WHEREAS, the Mediation Program was renamed the "Center for Municipal Dispute Resolution" (CMDR) to more accurately reflect its current mission--resolution of disputes that involve municipal governmental issues through mediation or public policy facilitation; and

WHEREAS, CMDR has conducted 504 code enforcement mediations since September 1989, of which over 90% resulted in a written agreement between the City and alleged violator and 75% 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 1994 without interruption as 86 active cases are

ready to be scheduled for mediation or need further monitoring;
and

WHEREAS, the City Council approved \$99,900 for the Mediation Program as part of the Neighborhood Code Compliance Department's annual budget for fiscal year 1994; and

WHEREAS, the City and USD have agreed to carry forward approximately \$2,686 from the existing budget from fiscal year 1993, to be used for mediations in fiscal year 1994; thus bringing the City's total contribution to \$102,586; 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 Center for Municipal Dispute Resolution 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- ~~282270~~:

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to expend an amount not to exceed \$99,900 for fiscal year 1994, to the University of San Diego Law School for purposes of the above Agreement from the Neighborhood Code Compliance Account.

BE IT FURTHER RESOLVED, that the City Manager negotiate with USD as to additional costs and fees for expanding the scope of this Agreement to develop a public policy mediation strategy and

provide the City with public policy facilitation services as
needed.

APPROVED: JOHN W. WITT, City Attorney

By 
Joseph M. Schilling
Deputy City Attorney

JMS:lmd
10-27-93
Or.Dept:Atty
Aud.Cert: 9400305
R-94-410
Form=r-t

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE AC 9400305

ORIGINATING
DEPT. NO.: 045

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 \$ 99,900.00

Vendor University of San Diego Law School

Purpose To authorize the expenditure of funds for the operation of the Centre for Munciple Dispute

Resolution.

Date September 15, 1993 By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
01	0	100	075	101	4222	002115				\$99,900.00
TOTAL AMOUNT										\$99,900.00

FUND OVERRIDE

l- 282770

OCT 11 1993

Passed and adopted by the Council of The City of San Diego on OCT 11 1993
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Juan Vargas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Susan Golding	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

(Seal)

SUSAN GOLDING
Mayor of The City of San Diego, California.

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

By Mary Cepeda, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 282770 Adopted OCT 11 1993