

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
SUPPLEMENTAL DOCKET NUMBER 2  
FOR THE REGULAR MEETING OF  
TUESDAY, MAY 4, 2004 AT 10:00 A.M.  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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ADOPTION AGENDA, CONSENT ITEMS

RESOLUTION:

\* ITEM-S506: Asian Pacific Islander American Heritage Month.

**COUNCILMEMBER FRYE’S RECOMMENDATION:**

Adopt the following resolution:

(R-2004-1153)

Commending and thanking all the participants of the festival for sharing their rich traditions and cultural diversity with the residents of San Diego;

Proclaiming the month of May 2004 to be “Asian Pacific Islander American Heritage Month” in the City of San Diego.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

ORDINANCE TO BE INTRODUCED:

ITEM-S507: Public Art Master Plan.

(Continued from the meeting of April 27, 2004, Item 332, Subitem C, at the request of Councilmember Atkins, to allow time for the City Attorney to finalize language in the ordinance.)

**TODAY'S ACTION IS:**

Introduce the following ordinance:

(O-2004-124 Cor. Copy 2)

Introduction of an Ordinance amending Chapter 2, Article 6, Division 7, of the San Diego Municipal Code by amending Section 26.0701, by renumbering and amending Section 26.0702 to 26.0703, Section 26.0703 to 26.0704, and Section 26.0705 to 26.0702, by adding new Section 26.0705, by retitling and amending Sections 26.0706 and 26.0707, and by adding new Sections 26.0708, 26.0709, 26.0710, and 26.0711, all relating to the Commission for Arts and Culture and the development of cultural and artistic resources in the City of San Diego.

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

On 3/17/2004, NR&C voted 5 to 0 to approve the City Manager's recommendations as follows:

- 1a. Advance the Public Art Master Plan, in concept, to City Council for approval.
- 1b. Direct the City Attorney to draft a Council Policy as applied to eligible Public Works projects to implement the program as outlined in this report, but waive the Council Policy as it applies to Public Works projects for Fiscal Year 2005.
- 1c. Direct the City Attorney to draft an Ordinance as applied to Private Development and Redevelopment projects to implement the program as outlined in this report.
2. In light of the ongoing efforts undertaken by the Park and Recreation and Engineering and Capital Projects Departments to streamline the design review process which already includes exhaustive community input and review, the City Manager recommends not establishing a Civic Design Commission.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

ORDINANCE TO BE INTRODUCED: (Continued)

ITEM-S507: (Continued)

**NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:**

(Continued)

Direct the Arts and Culture Commission to present the Public Art Master Plan to the following organizations before the Public Art Master Plan is heard before the City Council: a) San Diego Regional Chamber of Commerce, b) National Association of Office and Industrial Properties, and c) Community Planners Committee (CPC).

To determine the annual fiscal impact of the proposed policies contained in the Public Art Master Plan, direct the City Manager to conduct a fiscal analysis of the potential annual costs based on the Fiscal Year 2004 City budget before the Public Art Master Plan is heard before City Council.

(Councilmembers Zucchett, Lewis, Frye, Madaffer, and Inzunza voted yea.)

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTION:

ITEM-S508: Awarding Construction Contracts to Metro Builders & Engineering LTD for the Mid City Transit Gateways Project, Phase 2.

(City Heights, Normal Heights, and Kensington Community Areas. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1112)

Authorizing the City Manager to award construction contracts to Metro Builders & Engineering LTD in an amount not to exceed \$3,193,592, for the Mid City Transit Gateways Project, Phase 2 (El Cajon Blvd. and University Ave. Bridge Decks over Highway I-15), Capital Improvements Project CIP-39-232.0, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the City Auditor and Comptroller to accept, appropriate, and expend \$2,725,846 in TEA 21 funding authorized by CalTrans on December 17, 2003;

Authorizing the City Auditor and Comptroller to appropriate \$200,000 from Fund No. 10259, Redevelopment Contributions to City Heights Projects to CIP-39-232.0, Mid City Transit Gateways Project;

Authorizing the increase of the FY 2004 CIP budget for CIP-39-232.0, Mid City Transit Gateways Project, (Fund No. 30244, Dept. No. 30244, Org. No. 106, and J.O. No. 392320) by \$2,925,846 (\$2,725,846 from Fund No. 38610 TEA 21 and \$200,000 from Fund No. 10259);

Authorizing the expenditure of an amount not to exceed \$270,431 for contingencies and inspection costs;

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTION: (Continued)

ITEM-S508: (Continued)

Authorizing the City Auditor and Comptroller, upon direction of the City Manager, to relocate the funding resources from TransNet funds between TransNet Cash and Commercial Paper funded projects as may be appropriate to maximize the use of TransNet Cash and minimize the use of Commercial Paper funding for CIP-39-232.0.

**CITY MANAGER SUPPORTING INFORMATION:**

The Mid City Transit Gateways Project (Project) is largely funded by a Federal TEA 21 enhancement grant of \$4,255,000 and a City TransNet match of \$534,000. Phase 1 of the project, which added landscaping improvements to the medians on El Cajon Boulevard between I-15 and 43<sup>rd</sup> Street is complete. Phase 2 of the project will enhance the freeway bridge decks over I-15 at El Cajon Boulevard and University Avenue with lighted transit shelters and seating, noise attenuation panels, rest rooms, concession structures, enhanced paving and community identification signage. Improvements will enhance the pedestrian environment, create a pleasing and welcoming transit plaza for riders of public transportation and contribute to a sense of community identity.

This Council Action would approve the award of construction contracts to Metro Builders & Engineers Group, LTD, for construction of both the University Avenue and El Cajon Boulevard bridge deck improvements over I-15. Metro Builders was the lowest responsible bidder on both bid packages. Bridge deck improvements were conceived of in the late 1990's by a coalition of community groups who ultimately collaborated with City staff to write a TEA 21 federal enhancement grant application in 1998. The grant was awarded by SANDAG in 1999 receiving #1 project ranking. Authorization to proceed with preliminary engineering for Phase 2 of the project came in 2000.

Four major community workshops and numerous coalition group meetings were held to develop preliminary and then final plans for the bridge deck improvements. Construction of the project will culminate many years of community-based and community-supported planning and implementation. Due to the escalating costs of steel on the open market, the low bids were 17% higher than the engineer's estimates. An Additional ~~\$220,000~~ \$200,000 in tax increment funding has been requested from the City Heights Redevelopment Agency as a companion item on today's docket. These additional funds will make it possible to award the contracts and begin construction, a critical milestone, given that TEA 21 funding is awarded on a "use it or lose it" basis by SANDAG.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTION: (Continued)

ITEM-S508: (Continued)

**FISCAL IMPACT:**

Previously authorized:	TEA 21 =	\$1,534.42
	TransNet =	\$436,643.10
	MTDB =	<u>\$100,000.00</u>
	TOTAL =	\$538,177.52
Current authorization:	TEA 21 =	\$2,725,846.00
	Redevelopment =	<u>\$200,000.00</u>
	TOTAL =	\$2,925,846.00
<b>GRAND TOTAL AVAILABLE =</b>		<b>\$3,464,023.52</b>

Project Cost Estimate: Contracts =	\$3,193,592.00
Contingencies =	\$223,551.00
City Inspections =	\$46,880.52
<b>TOTAL PROJECT COSTS =</b>	<b>\$3,464,023.52</b>

Herring/Cunningham/SHM

Aud. Cert. 2401044.

**NOTE:** See the Redevelopment Agency Agenda of 5/4/2004 for a companion item.