

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, DECEMBER 10, 1990
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:00 p.m. No quorum was present. All council members were present at 2:09 p.m. The meeting was adjourned by Mayor O'Connor at 10:30 p.m. to meet in Closed Session on Tuesday, December 11, 1990 in the twelfth floor Council conference room to discuss pending and potential litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (ll)

FILE LOCATION: MINUTES

Dec-10-1990

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-not present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-not present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-not present

Dec-10-1990

ITEM-10: INVOCATION

Invocation was given by Pastor John Malki of Horizon
Christian Fellowship Church.

FILE LOCATION: MINUTES

Dec-10-1990

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Bernhardt.

FILE LOCATION: MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

- 10/29/90
- 10/30/90
- 10/31/90 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A125-130.)

MOTION BY McCARTY TO APPROVE. Second by Bernhardt. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea,

Filner-yea, Mayor O'Connor-yea.

Dec-10-1990

ITEM-31: PRESENTED

Presentation to the Mayor and Council by the Waste Management Department regarding a Public Service Announcement promoting recycling in the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A132-138.)

ITEM-32: RECOGNIZED AND PRESENTED

Recognizing, and receiving a presentation from student representatives of Memorial Academy's Associated Student Body.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A139-144.)

ITEM-33: GRANTED HEARING

Matter of the request of Lucia Forde-Murphy, et al, for a hearing of an appeal from the decision of the Planning Commission in granting Coastal Development Permit CDP-90-0533, proposing demolition of an existing single

family home and construction of a two residential unit structure. The subject property is located at 536 Palomar Avenue, in Zone R-3000, in the La Jolla Community Plan area, and is more particularly described as Lot 30, La Jolla Gables, Map-1993.

(CDP-90-0533. District-1.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM-CDP-90-0533

COUNCIL ACTION: (Tape location: A256-291.)

MOTION BY WOLFSHEIMER TO GRANT THE HEARING. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-34: DENIED HEARING

Matter of the request of Marshall A. Lewis, Trustee of the Lewis Family Trust of 1981, for a hearing of an appeal from the decision of the Board of Zoning Appeals in approving a modified yard variance which partially approved the maintenance of approximately 80 sq. ft. of residential building area (study) which observes a minimum 4 foot side yard where 10 feet is required. The original request for the variance that was approved by the Zoning Administrator was for the maintenance of approximately 150 sq. ft. of residential building area (80 sq. ft. section of the study and 70 sq. ft. storage closet) which observes a zero ft. side yard where 10 ft. is required. The subject property is located at 4705 Yerba Santa Drive in the R1-40000 Zone and is more particularly described as Lot 128, Alvarado Unit No. 3, Map-5158.

(Case C-20627. District-7.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: ZONE-ZONING APPEALS - Case C-20627

COUNCIL ACTION: (Tape location: A292-313.)

MOTION BY McCARTY TO DENY THE REQUEST FOR A HEARING. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-35: GRANTED HEARING

Matter of the request of Dr. and Mrs. Homer Peabody, for a hearing of an appeal from the decision of the Board of Zoning Appeals in approving the variance which partially approved the maintenance of 93'-11" of retaining planter walls in excess of the maximum 3'0" permitted in the Nahant Court yard. The original request for the variance that was denied by the Zoning Administrator was for the maintenance of 120'-11" of freestanding and retaining planter walls which exceed the three foot height limit permitted in the 15 foot required yard along Nahant Court. The subject property is located at 3544-46 Bayside Walk, in the Mission Beach Planned District, R-S Subdistrict and is more particularly described as Lot A, Block 146, Mission Beach, Altered Map-1809.

(Case C-20557. District-6.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: ZONE-ZONING APPEALS- Case C-20557

COUNCIL ACTION: (Tape location: A314-327.)

MOTION BY ROBERTS TO GRANT THE HEARING. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-36: GRANTED HEARING

Matter of the request of Hamid Raissi for a hearing of an appeal from the decision of the Planning Commission in

denying Coastal Development Permit CDP-89-0843 and Conditional Use Permit CUP-89-0843, proposing to demolish a single family house and an existing restaurant and construct a mixed-use project consisting of four commercial suites and five residential units with associated off-street parking. The Conditional Use Permit would allow parking on the residentially zoned portion of the property. The subject property is located at 2253 Sunset Cliffs Boulevard, in Zones C-1 and R-3000, in the Ocean Beach Community Plan area and consists of four lots zoned C-1 and a fifth lot and a portion of a sixth lot which are zoned R-3000 (approximately 14,050 square feet), and is more particularly described as Lots 1-5 and a portion of Lot 6, Block 22, Ocean Beach Park Map-1167. (CDP & CUP-89-0843. District-2.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM CDP & CUP-89-0843

COUNCIL ACTION: (Tape location: A332-336.)

MOTION BY ROBERTS TO GRANT THE HEARING. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-50: O-91-86) ADOPTED AS ORDINANCE O-17556 (New Series)

Amending Ordinance No. O-17468 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1990-91" by amending Exhibit B to create and add a new class entitled "Police Lead Dispatcher" in the Communications Occupation Group; amending Exhibit A-1 of the Ordinance to provide a new salary rate 66.1 for the position in the Classified Service; amending Resolution No. R-275865 to place the newly created class in the Technical Bargaining Unit; and amending Resolution No. R-275864 to approve and declare the above newly created class as eligible for premium rate overtime by placing it in group A of the Overtime Eligibility Resolution No. R-275864.

(Introduced on 11/26/90. Council voted 7-0. Districts 5 and 8 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B173-184.)

CONSENT MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-51: (O-91-87) ADOPTED AS ORDINANCE O-17557 (New Series)

Amending Ordinance No. O-17468 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1990-91" by amending Exhibit B to create and add a new class entitled "Work Control Manager" in the Engineering Occupation Group; amending Exhibit A-1 of the Ordinance to provide a new salary rate 99.4 for the position in the Classified Service; amending Resolution No. R-275865 to place the newly created class in the Supervisory Representation Unit; and amending Resolution No. R-275864 to approve and declare the above newly created class as eligible for regular rate overtime by placing it in group C of the Overtime Eligibility Resolution No. R-275864.

(Introduced on 11/26/90. Council voted 7-0. Districts 5 and 8 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B173-184.)

CONSENT MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-52:

Five actions relative to development in the Future

Urbanizing Area:

Subitem-A: (O-90-215 Rev. 2) ADOPTED AS ORDINANCE O-17558
(New Series)

Amending Chapter X, Article 1, Division 4 of the San Diego
Municipal Code, by amending Section 101.0404, relating to
the A-1 (Agricultural Zones).

(Introduced as amended on 11/19/90. Council voted 5-4.
Districts 1, 3, 5 and 8 voted nay.)

Subitem-B: (O-90-217 Rev. 2) ADOPTED AS ORDINANCE O-17559
(New Series)

Amending Chapter X, Article 1, Division 9 of the San Diego
Municipal Code, by amending Section 101.0901, relating to
Planned Residential Developments.

(Introduced as amended on 11/19/90. Council voted 5-4.
Districts 1, 3, 5 and 8 voted nay.)

Subitem-C: (O-90-219 Rev. 2) ADOPTED AS ORDINANCE O-17560
(New Series)

Amending Chapter X, Article 1, Division 5 of the San Diego
Municipal Code, by amending Section 101.0510, relating to
Conditional Use Permits.

(Introduced on 11/19/90. Council voted 5-4. Districts 1,
3, 5 and 8 voted nay.)

Subitem-D: (O-90-221 Rev. 1) ADOPTED AS ORDINANCE O-17561
(New Series)

Amending Chapter X, Article 1, Division 4 of the San Diego
Municipal Code, by amending Section 101.0403, relating to
the FW (Floodway) Zone.

(Introduced on 11/19/90. Council voted 5-4. Districts 1,
3, 5 and 8 voted nay.)

Subitem-E: (O-91-76 Rev. 1) ADOPTED AS ORDINANCE O-17562

(New Series)

An Interim Zoning Ordinance pursuant to Section 101.0203.1 of the San Diego Municipal Code, relating to the suspension of discretionary development approvals in the North City Future Urbanizing Area until necessary amendments to the above listed policies and regulations become effective and the Council approves the preliminary delineation of the Environmental Tier within the North City area, or for one year, whichever occurs first.

(Introduced as amended on 11/19/90. Council voted 6-2. Districts 1 and 7 voted nay. District 5 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B391-600.)

Motion by Hartley to continue. Second by Bernhardt. Failed.

Yeas-1,3,5,8; Nays-2,4,6,7,M.

MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT SUBITEMS A THROUGH D. Second by Pratt. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-nay, Pratt-yea, Bernhardt-nay, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

MOTION BY ROBERTS TO DISPENSE WITH THE READING AND ADOPT SUBITEM E. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-nay, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-53: (O-91-54) RE-INTRODUCED AS AMENDED, TO BE ADOPTED JANUARY 7, 1991.

Incorporating various properties in the Pacific Beach Community Planning Area to comply with the single family neighborhood classification map for Pacific Beach.

(District-6. Introduced as amended on 11/20/90. Council voted 5-4. Districts 2, 3, 4 and 5 voted nay.)

FILE LOCATION: LAND-Pacific Beach Community Plan

COUNCIL ACTION: (Tape location: E124-215.)

MOTION BY HENDERSON TO AMEND THE ORDINANCE AND RE-INTRODUCE TO CORRECT THE LANGUAGE IN SECTIONS 4 AND 5 TO PUT IN A SPECIFIC DATE FOR APPLICABILITY. THE ORDINANCE WOULD BECOME EFFECTIVE NOVEMBER 20, 1990 WHICH CONFORMS TO THE APPLICABLE DATES OF THE

TANDEM PARKING ORDINANCES. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Pratt-nay, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

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* ITEM-54: (O-91-85 Corr.Copy) ADOPTED AS ORDINANCE O-17564
(New Series)

Amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by adding Sections 101.0411, 101.0412 and 101.0413, relating to R Zones (Multiple Family Residential, Landscaping and Parking Regulations Applicable within the Pacific Beach and Clairemont Community Plan Areas. (District-6. Introduced on 11/19/90. Council voted 8-0. District 8 ineligible.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B173-184.)

CONSENT MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-55: (O-91-89) ADOPTED AS ORDINANCE O-17565 (New Series)

Amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by amending Sections 101.0411, 101.0412 and 101.0413, relating to R Zones (Multiple Family Residential), Landscaping and Parking Regulations Applicable within Certain Community Plan Areas, by adding the Serra Mesa, Kearny Mesa and Linda Vista Plan Areas. (Introduced on 11/26/90. Council voted 7-0. Districts 5 and 8 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B173-184.)

CONSENT MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

* ITEM-56: (O-91-77) ADOPTED AS ORDINANCE O-17566 (New Series)

Amending Section 1 of Ordinance No. O-16066 (New Series), adopted October 24, 1983, incorporating a portion of Pompeii Subdivision, Map-1738 (Parcels 1, 2, and 3 of Financial Parcel Map PM-15107), a 117-acre site, located on the west side of Carmel Mountain Road between Rancho Carmel Drive and Conference Way, into CA Zone.
(Case-89-1323. Carmel Mountain Ranch Community Area. District-1. Introduced on 11/27/90. Council voted 7-0. Districts 3 and 5 not present.)

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: B173-184.)

CONSENT MOTION BY HENDERSON TO DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

* ITEM-57: (O-91-82) INTRODUCED, TO BE ADOPTED JANUARY 7, 1991

Introduction of an Ordinance amending Chapter I, Article 3, Division 3, of the San Diego Municipal Code by amending Sections 13.0332 and 13.0342 relating to Administrative Remedies.

CITY MANAGER SUPPORTING INFORMATION: Ordinance O-17407 (NS), adopted on January 8, 1990, established the legal authority for an administrative citation program to be available as an enforcement remedy for minor code violations. The program has been tested in the Planning Department and its use is now being expanded to other departments. The proposed amendment would add the directors of the Water Utilities and Waste Management departments to the list of those authorized to utilize

administrative citation authority, thereby allowing those departments to operate an administrative citation program. The directors of Planning, Building Inspection, Engineering and Development, General Services, Animal Control, Health and the

Fire and Police Chiefs are already so authorized. Ordinance O-17195 (NS), adopted on December 12, 1988, established the civil penalties program which authorizes the administrative imposition of monetary penalties against violators of the San Diego Municipal Code. (Ordinance O-17408 (NS) subsequently renumbered the section of the San Diego Municipal Code in which this authorization appears.) The proposed amendment would add the director of Waste Management to those authorized to utilize civil penalties authority. The directors of Planning, Building Inspection, Engineering and Development, General Services, County Animal Control and Health, Water Utilities and the Fire and Police Chiefs are already so authorized.

WU-M-91-062.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C022-031.)

CONSENT MOTION BY PRATT TO INTRODUCE. Second by Roberts.

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

* ITEM-58: (O-91-78) INTRODUCED, TO BE ADOPTED JANUARY 7, 1991

Introduction of an Ordinance amending Chapter II, Article 6, Division 7, of the San Diego Municipal Code by amending Sections 26.0701 and 26.0703 relating to the Duties and Functions of the Commission for Arts and Culture. (See City Manager Report CMR-90-490 and Legislative Specialist Analysis PSS-90-30.)

COMMITTEE ACTION: Reviewed by PSS on 11/21/90.

Recommendation to accept the City Manager and Legislative Specialist's recommendations. Districts 3, 4 and 7 voted yea. Districts 2 and 5 not present.

FILE LOCATION:

COUNCIL ACTION: (Tape location: C022-031.)

CONSENT MOTION BY PRATT TO INTRODUCE. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-59: (O-91-75) INTRODUCED, TO BE ADOPTED JANUARY 7,
1991

Introduction of an Ordinance amending Chapter VI, Article
4, Division 4, of the San Diego Municipal Code by amending
Section 64.0410, relating to Capacity Charges, to permit
waivers of capacity charges by the Water Utilities
Department for the discharge of groundwater for one year
with up to a two year extension by Council, upon a showing
that a National Pollutant Discharge Elimination System
(NPDES) permit has been applied for and no adverse effect
to the publicly owned treatment plant.
(See City Manager Report CMR-90-421 and Committee
Consultant Analysis PSS-90-15.)

COMMITTEE ACTION: Reviewed by PSS on 10/3/90. Recommendation
to approve the City Manager's recommendations to amend the San
Diego Municipal Code Section 64.0410 to allow Council to waive
sewer capacity charges for a third year and issue a third year
waiver of charges for the St. Vincent de Paul Center. Approve
the Legislative Specialist's recommendations to: Direct the
City Manager to return to the PS&S Committee with an analysis on
the Environmental Health Coalition's 9/13/90 and 9/20/90
recommendations; incorporate a long-term downtown discharge
strategy; and provide a status report on the Regional Water
Quality Control Board's (RWQCB) review of downtown area
applications for permanent direct storm drain discharge. The
PSS Committee report is due within 60 days. Districts 2, 3, 4,
5 and 7 voted yea.

CITY MANAGER SUPPORTING INFORMATION: Under San Diego
Municipal Code Section 64.0410, the St. Vincent De Paul Joan
Kroc Center has received temporary sewer capacity charge waivers
for two years, during which time it has been discharging
approximately 13,000 gallons of groundwater to the sewer system,
daily, pending the implementation of other disposal options.
Since the Center has been unable to reach accord with the
Regional Water Quality Control Board (RWQCB) regarding the
appropriate method of disposal, the purpose of this ordinance
amendment and resolution is to allow the Center to continue to
be connected to the sewer system through June 30, 1991, without

paying capacity charges. During this time, City staff will work with affected parties, the RWQCB and the Environmental Health Coalition on permanent disposal options for groundwater. This recommendation was approved by the Public Services and Safety Committee on October 3, 1990.
WU-U-91-048.

FILE LOCATION:

COUNCIL ACTION: (Tape location: C022-031.)
CONSENT MOTION BY PRATT TO INTRODUCE. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-60: (O-91-81) INTRODUCED, TO BE ADOPTED JANUARY 7,
1991

Introduction of an Ordinance amending Chapter II, Article 2, of the San Diego Municipal Code by amending Section 22.0209, relating to Alterations in Contracts, authorizing the City Manager to approve alterations in contracts up to \$100,000 for Capital Improvement Program Construction Projects which have previously been approved by City Council.
(See City Manager Report CMR-90-494.)

COMMITTEE ACTION: Reviewed by RULES on 11/21/90.
Recommendation to approve the City Manager's recommendation to increase the authorization from \$25,000 to \$100,000. Districts 2, 4, 5, and Mayor voted yea. Districts 1 and 8 not present.

FILE LOCATION:

COUNCIL ACTION: (Tape location: C022-031.)
CONSENT MOTION BY PRATT TO INTRODUCE. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-100:
Two actions relative to the Construction of Public Safety Communications Project - Various Site Improvements: (BID-K1897/91)

Subitem-A: (R-91-727) ADOPTED AS RESOLUTION R-276949

Awarding a contract to Errecas Inc. in the amount of \$98,700 for the Construction of Public Safety Communications Project - Various Site Improvements on Work Order No. 119638; authorizing the expenditure of an amount not to exceed \$395,000 from CIP-33-395.0, Police and Fire Communications Project, Capital Outlay - Other 302453, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Subitem-B: (R-91-731) ADOPTED AS RESOLUTION R-276950

Certifying that the information contained in Environmental Negative Declaration DEP-90-0846, DEP-90-0847, DEP-90-0848, DEP-90-0849, DEP-90-0850, and DEP-90-4873, dated October 12, 1990 in connection with the Construction of Public Safety Communications Project - Pre-Engineered Building/Various Locations, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: City Manager Report, dated October 2, 1989, described to Council the imperative nature of the new communications system and elements comprising this multi-phased Public Safety Communications project. The project was advertised in the City's newspaper of record, the San Diego Daily Transcript on 11/2/90. Seeking Council approval after the fact saves three weeks in the overall project schedule. The specifications for which approval is requested are the same as those advertised. Of 21 bid packages distributed, eight bids were received. The low bid is acceptable and award of the project is recommended. There are three major components of the Site Development Phase: (1) the construction of site improvements (2) the assembly and then installation of the pre-engineered radio equipment buildings and (3) the shop production and then site construction of towers and monopoles. Each of these components is a separate contract and will be advertised and awarded separately. This will allow ordering and partial or complete fabrications of towers, monopoles,

and pre-engineered buildings to proceed concurrently with the advertising and awarding of the site improvements - a savings of one to two months. This component portion of the project

will provide grading, retaining walls, demolition and rock removal, fencing, concrete flatwork, building footings and foundations, landscaping and other miscellaneous work for Mount Soledad, San Ysidro View Park, Black Mountain, Cowles Mountain, Encanto, Mary Lane and Brown Field. In addition, the general contractor awarded this contract shall provide the overall coordination and construction management for the other components of the Site Development Phase work.
Aud. Cert. 9100337.

FILE LOCATION: W.O. 119638 & CONT-Errecas, Inc.
CONT FY91-1

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-91-705) ADOPTED AS RESOLUTION R-276951

Awarding contracts to Case Power & Equipment Company, Jack's Tractor & Equipment Company and Haaker Equipment Company for furnishing four tractors for a total cost of \$216,410.12, including tax, as follows: (BID-B1803/91)

1. Case Power and Equipment Company for Item 1 - two articulated 4 x 4 tractors.
 2. Jack's Tractor & Equipment Company for Item 2 - one beach tractor.
 3. Haaker Equipment Company for Item 3 - one beach screen.
- Authorizing the expenditure of an amount not to exceed \$216,410.12 (\$131,698.71 for Case Power & Equipment Company, Fund No. 50033, Department No. 8203, Object Account No. 6013, Job Order No. 88080; \$42,363.75 for Jack's Tractor & Equipment Company, Fund No. 50033, Department No. 8203, Object Account No. 6013, Job Order No. 88080; and \$42,347.66 for Haaker Equipment Company, Fund

No. 50033, Department No. 8203, Object Account No. 6013 and Job Order No. 88080), for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
Aud. Cert. 9100364.

FILE LOCATION: CONT-Purchase - Case Power and Equipment

Company, Jack's Tractor & Equipment Co.,
Haaker Equipment Company CONT FY
91-3

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-102: (R-91-708) ADOPTED AS RESOLUTION R-276952

Awarding a contract to Aair Purification Systems for
furnishing and installing 12 emergency vehicle exhaust
extraction systems at 10 fire stations for a total cost of
\$132,298.88, including tax and terms; authorizing the
expenditure of \$132,298.88, from Department No. 30244, Fund
No. 30244, Organization No. 106, Object Account No. 4222,
and Job Order No. 330790, for providing funds for said
project and related costs; authorizing the City Auditor and
Comptroller, upon advice from the administering department,
to transfer excess budgeted funds, if any, to the
appropriate reserves. (BID-H1778/91)
Aud. Cert. 9100357.

FILE LOCATION: CONT-Purchase - Aair Purification Systems
CONT FY91-1

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-103: (R-91-711) ADOPTED AS RESOLUTION R-276953

Awarding a contract to Biocom Incorporated for furnishing
seven Duplex/Multiplex Coronary Observation Radio Units
(Biocom Model 3550-12), and four AC Chargers (Biocom Model
3552-AC), for an actual cost of \$60,381.75, including tax;
authorizing the expenditure of an amount not to exceed
\$60,381.75, from Department No. 120, Fund No. 100, Object
Account No. 6010, and Job Order No. 6100, for providing
funds for said project and related costs; authorizing the
City Auditor and Comptroller, upon advice from the

administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-B1848/91) Aud. Cert. 9100368.

FILE LOCATION: CONT-Purchase- Biocom Incorporated
CONT FY91-1

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-104: (R-91-714) ADOPTED AS RESOLUTION R-276954

Awarding a contract to San Diego Police Equipment Company for furnishing protective vests, as may be required for a period of one year beginning December 1, 1990 through November 30, 1991, for a total estimated cost of \$122,994, including tax and terms, with options to renew the contract for two additional one year periods with increases not to exceed 10 percent of prices in effect at the end of each prior contract period. (BID-I1775/91)

FILE LOCATION: CONT-Purchase - San Diego Police Equipment
Co. CONTFY91-1

COUNCIL ACTION: (Tape location: C048-074.)
MOTION BY BERNHARDT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-105: (R-91-709 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-276955

19901210

Awarding contracts to Accuracy Gun Shop, San Diego Police Equipment, and Adamson Uniforms Equipment for furnishing semi-automatic pistols and shotguns for an actual cost of \$169,137.02, including tax, terms and trade-in, as follows:

(BID-I1846/91)

1. Accuracy Gun Shop for Item 1 - Smith & Wesson 9MM 6906.
2. San Diego Police Equipment for Item 2 - Ruger Model KP85.
3. Adamson Uniforms and Equipment for Item 3 - Shotgun, Remington 870 Magnum.

Authorizing the expenditure of not to exceed \$169,137.02 from Fund No. 100, Organization No. 200, Object Account No. 6010, and Job Order No. 111475, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
Aud. Cert. 9100361.

FILE LOCATION: CONT-Purchase - Adamson Uniforms and Equipment CONT FY 91-3

COUNCIL ACTION: (Tape location: C075-088.)

MOTION BY FILNER TO ADOPT AS AMENDED AT THE REQUEST OF THE CITY MANAGER (1) TO APPROVE THE ADAMSON UNIFORMS AND EQUIPMENT CONTRACT, AND (2) TO RETURN THE ACCURACY GUN SHOP CONTRACT AND SAN DIEGO POLICE EQUIPMENT CONTRACT TO THE CITY MANAGER TO COMPLETE A RESEARCH STUDY, AND BRING THAT BACK TO COUNCIL.

Second by Henderson. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-91-718) ADOPTED AS RESOLUTION R-276956

Awarding contracts for the purchase of hardware and fasteners, as may be required for a period of one year beginning November 1, 1990 through October 31, 1991, for an estimated cost of \$27,163 for Kar Products, Inc. and \$40,499 for Ababa Bolt, Inc., including tax and terms, as follows: 1) Kar Products Inc. for Section 1 - bolts, washers, nuts, screws, all-threads, with options to renew the contract for two additional one year periods, with increases not to exceed 3 percent of prices in effect at the end of each prior contract period; 2) Ababa Bolt, Inc. for Section II - Stainless Steel Fasteners, with options to

renew the contract for two additional one year periods,
with increases not to exceed 10 percent of prices in effect
at the end of each prior period. (BID-I1796/91)

FILE LOCATION: CONT-Purchase - Kar Products, Inc., Ababa
Bolt, Inc. CONT FY 91-2

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-91-322) ADOPTED AS RESOLUTION R-276957

Accepting the option of Sun Electric Corporation to
purchase two smog testing machines, for a total cost of

\$64,418.64, including tax; authorizing the expenditure of
not to exceed \$32,209.32 from Department No. 820, Fund
No. 50030, Organization No. 400, Object Account No. 6010,
and Job Order No. 88019, and \$32,209.32 from Department
No. 820, Fund No. 50030, Organization No. 450, Object
Account No. 6010, and Job Order No. 88019, for providing
funds for said project and related costs; authorizing the
Auditor and Comptroller, upon advice from the administering
department, to transfer excess budgeted funds, if any, to
the appropriate reserves. (BID-D1473/90)
Aud. Cert. 9100333.

FILE LOCATION: CONT-Purchase - Sun Electric Corporation
CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-91-724) ADOPTED AS RESOLUTION R-276958

Inviting bids for Street Light Painting on Work Order No. 052000; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$100,000 from Fund No. 70210, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-K1953/91)

(Districts-2, 3 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The San Diego Street Lighting Maintenance District No. 1 was formed by Council Resolution R-20411 on July 28, 1970 under provisions of the San Diego Maintenance District Procedural Ordinance of 1969. The cost of maintenance and provision of electrical energy for the street lights is financed by a special assessment of the property owners within the District. Approximately 768 poles will be painted in this contract and will include the areas of Talmadge, Kensington, Logan Ave., Presidio Hills, North Park,

and East San Diego. It is estimated that the project will be completed around January of 1991. The Communications and Electrical Division will administer the project, and the Engineering and Development Department will provide for contract processing and inspection.

Aud. Cert. 9100380.

FILE LOCATION: W.O. 052000 CONT - Sky Lines of America
CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-109:

Three actions relative to the Improvement of Reo Drive from State Route 54 to Rancho Hills Drive: (BID-K1961/91)
(Skyline-Paradise Hills Community Area. District-4.)

Subitem-A: (R-91-728) ADOPTED AS RESOLUTION R-276959

19901210

Inviting bids for the Improvement of Reo Drive from State Route 54 to Rancho Hills Drive on Work Order No. 118779; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$50,000 from CIP-58-004, Miscellaneous Requirements - City Streets from Capital Outlay to CIP-52-283.0, Improvement of Reo Drive - State Route 54 to Rancho Hills Drive; authorizing the expenditure of an amount not to exceed \$1,040,300 (\$557,300 from Fund No. 73-195.0, Bonita Pipeline; and \$483,000 from CIP-52-283.0, Improvement of Reo Drive - State Route 54 to Rancho Hills Drive), for the purpose of providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

Subitem-B: (R-91-729) ADOPTED AS RESOLUTION R-276960

Authorizing the use of City Forces to make connections and perform operational checks, as required in connection with the Improvement of Reo Drive from State Route 54 to Rancho Hills Drive; declaring that the cost of said work shall not exceed \$11,250.

Subitem-C: (R-91-730) ADOPTED AS RESOLUTION R-276961

Certifying that the information contained in Environmental Assessment EQD-85-0881 and addendum to Environmental Negative Declaration dated September 25, 1989, in connection with the Improvement of Reo Drive from State Route 54 to Rancho Hills Drive, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: This project will provide for widening of Reo Drive to four lanes including Class II bikelanes from State Route 54 to Rancho Hills Drive. Reo Drive exists as a winding two-lane collector street. The

widening and realignment of the roadway will provide needed capacity and improved safety. This project includes curbs, sidewalks, retaining walls, street lighting, drainage improvements, decorative medians, landscaping, and a portion of the 48-inch Bonita water pipeline in the project limits. The project will be classified as a four-lane collector street, but due to the proximity of the project adjacent to the Reo Terrace Condominiums, that portion of the roadway will be modified to provide four-lanes without on-street parking.

Aud. Cert. 9100376.

WU-P-91-055.

FILE LOCATION: W.O. 118779 CONT - CASS Construction, Inc.
CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110:

Seven actions relative to the final subdivision map of Otay

La Media Business Center, a 5-lot subdivision located

northwesterly of La Media Road and Airway Road:

(Otay Mesa Community Area. District-8.)

Subitem-A: (R-91-870) ADOPTED AS RESOLUTION R-276962

Authorizing the execution of a Subdivision Improvement

Agreement with Otay La Media Ltd., for the installation and

completion of public improvements.

Subitem-B: (R-91-869) ADOPTED AS RESOLUTION R-276963

Approving the final map.

Subitem-C: (R-91-871) ADOPTED AS RESOLUTION R-276964

Authorizing the execution of an agreement with Otay La

Media Ltd., for the payment of fees for public facilities.

Subitem-D: (R-91-872) ADOPTED AS RESOLUTION R-276965

Authorizing the execution of an agreement with Otay La Media Ltd., for a traffic signal at Otay Mesa Road and Otay Mesa Center Road.

Subitem-E: (R-91-873) ADOPTED AS RESOLUTION R-276967

Approving the acceptance by the City Manager of street easement deeds of Peninsula Vegetable Exchange Incorporated, granting to the City easements for public street purposes in portions of the Northeast Quarter of the Northeast Quarter of Section 34, Township 18 South, Range 1 West, San Bernardino Meridian; dedicating said land as and for public streets and naming the same Saint Andrews Avenue, Otay Mesa Road and La Media Road.

Subitem-F: (R-91-874) ADOPTED AS RESOLUTION R-276968

Approving the acceptance by the City Manager of street easement deeds of Otay Mesa Center Partnership, granting to the City an easement for public street purposes in portions of the Northwest Quarter of the Northeast Quarter of Section 34, Township 18 South, Range 1 West, San Bernardino

Meridian; dedicating said land as and for public streets and naming the same Saint Andrews Avenue, Otay Mesa Road and Otay Mesa Center Road.

Subitem-G: (R-91-875) ADOPTED AS RESOLUTION R-276969

Approving the acceptance by the City Manager of street easement deeds of Otay Mesa International Plaza, Ltd., granting to the City an easement for public street purposes in a portion of the Northwest Quarter of the Northwest Quarter of Section 35, Township 18 South, Range 1 West, San Bernardino Meridian; dedicating said land as and for a public street and naming the same Otay Mesa Road.

CITY MANAGER SUPPORTING INFORMATION: In addition to the standard Subdivision Improvement Agreement, Otay La Media Ltd., is entering into two additional agreements. The first is to satisfy Condition Nos. 19 and 22 of the resolution approving the Tentative Map. These conditions require the payment of fees for public facilities in the Otay Mesa East community, and financing the design, construction and maintenance of drainage facilities in the Otay Mesa area. The agreement provides for the payment of these fees at the time of building permit issuance. The

second agreement provides for the construction of a traffic signal at the intersection of Otay Mesa Road and Otay Mesa Center Road. A bond has been posted in the amount of \$77,000 to assure the work. Upon completion of said installation, the City shall give the subdivider a credit in an amount equal to 50 percent of the cost of installation. The subdivider may use this credit and apply the credit toward the Traffic Signal Charge or Development Impact Fee payments which become payable by the subdivider for building permits within the Otay Mesa East Community.

FILE LOCATION: Subitems A,B,C,D - SUBD-Otay La Media Business Center; Subitem E- DEED F-5461; Subitem F - DEED F-5462; Subitem G - DEED F-5463 CONT FY 91-3; DEED FY 91-3

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-111: CONTINUED TO JANUARY 14, 1991
Two actions relative to amended agreements for Scripps Eastview Unit 1:
(Scripps Miramar Ranch Community Area. District-6.)
Subitem-A: (R-91-827)
Authorizing the execution of an Amendment to Subdivision Improvement Agreement for Scripps Eastview Unit 1 to provide for the substitution of Donald L. Bren Company for ITEC Properties, as subdivider; accepting Performance Bond Nos. 111325-84-175 and 111325-84-167, issued by The American Insurance Company, in the amounts of \$509,500 and \$2,941,222, respectively, as the sureties for the required improvements in the subdivision, and releasing Bond Nos. 112-70-06 and 112-70-05, issued by Insurance Company of the West, in the amounts of \$509,500 and \$2,941,222.

Subitem-B: (R-91-828)

Authorizing the execution of an amendment to the agreement for the construction of street improvements, to provide for the substitution of Donald L. Bren Company for ITEC Properties, as subdivider.

CITY MANAGER SUPPORTING INFORMATION: On October 31, 1988 the

City entered into two agreements with ITEC Properties, a California general partnership. The first was for the construction of public improvements for Scripps Eastview Unit 1 including public improvements to Pomerado Road. The second was for reimbursement of costs from FBA for Pomerado Road, Spring Canyon Road and median islands. The Subdivision Improvement Agreement expires on October 31, 1990. The property is now owned by Donald L. Bren Company, a California Corporation. The new owner has signed amended agreements to assume all of the rights and obligations of the original subdivider and complete the required work. The new subdivider has provided riders to the existing performance bonds for the same amounts as the original bonds changing the principal on the bonds to Donald L. Bren Company, a California Corporation.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A-434-445.)

MOTION BY HENDERSON TO CONTINUE TO JANUARY 14, 1991 AT THE REQUEST OF THE CITY MANAGER TO COMPLETE FINAL PAPERWORK. Second by Mayor O'Connor. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112:

Two actions relative to the Catalina Boulevard (Canon Street to Varona Street) Underground Utility District: (Peninsula Community Area. District-2.)
Subitem-A: (R-91-850) ADOPTED AS RESOLUTION R-276970

Designating January 11, 1991 as the date upon which all property in the Catalina Boulevard (Canon Street to Varona Street) Underground Utility District must be ready to receive underground service and May 1, 1991 as the date for the removal of all overhead utility facilities.

Subitem-B: (R-91-851) ADOPTED AS RESOLUTION R-276971

Authorizing the City Auditor and Comptroller to open Fund No. 78052 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Catalina Boulevard (Canon Street to Varona Street) Underground Utility District; authorizing the City

Treasurer to receive these funds from the San Diego Gas & Electric Company; authorizing payment to all property owners in the Catalina Boulevard (Canon Street to Varona Street) Underground Utility District as reimbursement for electrical service underground conversion work done on private property whenever the required length of trenching exceeds 15 feet; authorizing the City Auditor and Comptroller to return to San Diego Gas & Electric Company any undisbursed funds upon written notice from SDG&E to the City that all electric service conversions within a particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION: The Catalina Boulevard (Canon St. to Varona St.) Underground Utility District was created by the City Council on January 12, 1988. The resolution

creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set January 11, 1991 as the Customer Ready Date, which will require that, upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish May 1, 1991 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

Aud. Cert. 9100324.

FILE LOCATION: STRT K-185

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-113:

Two actions relative to the vacation of Azusa Street and Ruby Street:
(Linda Vista Community Area. District-5.)

Subitem-A: (R-91-846) ADOPTED AS RESOLUTION R-276972

Vacating Azusa Street between Ruby Street and Linda Vista Road, and Ruby Street west of Azusa Street and between Azusa Street and Josephine Street, under the procedure for the summary vacation of streets; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public drainage facilities of any kind or nature; declaring that the easement reserved

herein is in, under, over, upon, along and across portions of Azusa Street and Ruby Street; declaring that this resolution shall not become effective unless and until filing of a consolidation map or other appropriate map to eliminate the landlocked parcels which will exist upon vacation of the rights-of-way; declaring that in the event the above map is not filed within eighteen months following the adoption of this resolution, this resolution shall become void and of no further force or effect; directing the City Engineer to advise the City Clerk of the completion of the consolidation map, and subdivision map.

Subitem-B: (R-91-847) ADOPTED AS RESOLUTION R-276973

Approving the acceptance by the City Manager of that slope easement deed of the University of San Diego, granting to City an easement for slopes in a portion of Parcel 4 and Parcel 5.

CITY MANAGER SUPPORTING INFORMATION: The University of San Diego has requested the proposed vacation in order to consolidate the area-of-vacation with several adjoining properties under this ownership. The vacation area will be utilized in the future for a parking lot that will accommodate the University. The City has a fee interest in a portion of Ruby Street and, therefore, a land sale is required, which is also a companion item. The proposed vacation is located in the Linda Vista Community Plan area with approximately 44,700 square feet situated in an R1-5000 zone and approximately 28,000 square feet situated in a C Zone.

The potential residential entitlements will be increased by a total of 27 units. However, no increase in density is anticipated, since the University is proposing utilization of the property for additional off-street parking. Any development of the property will require an amendment(s) to the University's

Conditional Use Permit. The Planning Department has no objections to the proposed vacation. The Planning Commission recommended approval on April 3, 1984. The Linda Vista Community Planning Committee recommended approval on June 25, 1990 by a 7-0 vote, with one abstention.

The area-of-vacation is unimproved and is located on steep slopes. Due to the steep slopes, it is not practical to improve the rights-of-way for traffic circulation. Ruby Street does provide sole access to several adjacent lots in Block 23 to the north; therefore, a consolidation parcel map is required to eliminate landlocking. The areas-of-vacation contain drainage facilities, franchise facilities, and slopes for which easements are required. The proposed vacation is consistent with Council

Policy 600-15. The areas-of-vacation are no longer required for present or prospective public use and will not detrimentally affect the facility for which they were required, since there are no future plans for public use of the unimproved rights-of-way.

The public will benefit based upon the improved utilization of the property involved, as the University will utilize it for additional parking, and upon recovery of costs incurred through acquisition of the fee-owned vacation area. The vacation is consistent with the General Plan and the community plan. Staff review has indicated that the right-of-way may be summarily vacated conditioned upon the approval of a consolidation parcel map.

NOTE: See Item 114 for a companion item.

FILE LOCATION: STRT J-2754; Subitem A - DEED F-5464;
Subitem B - DEED F-5465 DEED FY 91-2

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-114: (R-91-811) ADOPTED AS RESOLUTION R-276974

Sale by negotiation of a portion of Pueblo Lot 1177, being a 14,706 square-foot, rectangular parcel located on Linda Vista Road between Benicia and Josephine Streets, for the amount of \$39,000 to the University of San Diego; authorizing the execution of a grant deed, granting to the University of San Diego all that portion of Pueblo Lot

1177; declaring that no broker's commission shall be paid by the City on the negotiated sale.

(Linda Vista Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On June 6, 1989, the City Council authorized the City Manager to exclusively negotiate with the University of San Diego for the sale of a parcel of City-owned land. On July 10, 1990, the Linda Vista Community Planning Committee recommended approval of the sale.

The subject property, located at the northwest corner of the intersection of Linda Vista Road and Josephine Street, consists of 14,706 square-feet. The parcel was appraised at \$39,000 by City staff. The University will use the City-owned parcel for assemblage with a larger parcel to the north and west. The University has plans to develop the larger parcel into a parking facility. The City-owned parcel will not be used for parking purposes, but will be utilized for open space. Since the City parcel is a dedicated street, a street vacation will be processed concurrently with the sale. The sale is conditioned upon the approval of the street vacation and filing of a consolidation parcel map joining the subject to the University of San Diego property. As additional conditions to the sale, access rights to Linda Vista Road will be relinquished and easements for drainage purposes will be retained.

NOTE: See Item 113 for a companion item.

FILE LOCATION: DEED F-5466 DEED FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-115: (R-91-865) ADOPTED AS RESOLUTION R-276975

Approving the acceptance by the City Manager of a grant deed of Genuine Parts Company, granting to the City an easement for public street purposes in Lot 13, Kearny Industrial Park Unit 2, Map-6241; dedicating said land as and for a public street and naming the same Ruffner Street. (Serra Mesa Community Area. District-5.)

FILE LOCATION: DEED F-5467 DEED FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-116: (R-91-896) ADOPTED AS RESOLUTION R-276976

Authorizing the sale by negotiation of a storm drain easement in Lot 45 in Reynard Hills, Map-2097, for the processing fee to Daniel E. Weaver, Hugo A. Kayes and Pauline A. Kayes; authorizing the execution of two quitclaim deeds, quitclaiming to Daniel E. Weaver, Hugo A. Kayes and Pauline A. Kayes, the storm drain easement; declaring that no broker's commission shall be paid by the City on the negotiated sale.

(Uptown Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: Application has been received by the Engineering and Development Department for the abandonment of a 6-foot-wide storm drain easement that encumbers property located between Eagle Street and Reynard Way, north of Laurel in the Uptown area. The easement was acquired for storm drain purposes in 1928 at no cost to the City. Replacement drains were constructed in Eagle street and in Reynard Way in 1986 making the subject storm drain obsolete. Owners will take full responsibility of the existing inactive, deteriorated, 12-inch storm drain. This application has been reviewed by all affected departments and all have concluded there is no present or prospective public need for the easement. Also, per Council Policy 600-15, the abandonment has been reviewed by the Uptown Planners Community Group and they have no objection to the abandonment, therefore abandonment is recommended.

FILE LOCATION: DEED F-5468 DEED FY 91-2

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-117: (R-91-858) ADOPTED AS RESOLUTION R-276977

Excusing Councilmember Judy McCarty from attending the Council meeting of Tuesday, October 30, 1990, due to other City business in Tierrasanta.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-118: (R-91-885) ADOPTED AS RESOLUTION R-276978

Accepting the generous donation of \$15,000 from Westana Builders/Developers, to be deposited into Fund 70225, Job Order 095251, Object Account 4222, to the Penasquitos East Landscape Maintenance District, to assist in the beautification of planted medians along Black Mountain Road; thanking Westana Builders/Developers on behalf of the citizens of San Diego for its acts of civic generosity.

(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Mr. Donald W. Fontana,

Vice-President of Westana Builders/Developers, has offered a donation of \$15,000 to the Penasquitos East Landscape Maintenance District to assist in the beautification of planted medians located on Black Mountain Road north of Twin Trails Drive to Oviedo Street. Mr. Fontana's offer letter stated, "Due to the success of our latest project, Westridge, we have decided to contribute \$15,000 towards the plantings of numerous trees and groundcover in the median planters, and thus alleviate an unsightly street scene of the community." On June 19, 1990 the Penasquitos East Landscape Maintenance District Committee recommended acceptance of the donation, which will be used to purchase and install the desired trees and groundcover in the designated area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-119: (R-91-929) ADOPTED AS RESOLUTION R-276979

Authorizing the expenditure of an amount not to exceed \$150,000 from Water Fund 41500 to continue the Weather

Modification Project 1990-91.

CITY MANAGER SUPPORTING INFORMATION: In November 1989, Council approved a five-year agreement between the City of San Diego, the Helix Water District and the Sweetwater Authority, to jointly fund a weather modification program in San Diego. Also approved was a five-year contract with Atmospheric Inc. to execute the program. It is recommended that the City of San Diego, the Helix Water District and the Sweetwater Authority continue to fund the Weather Modification Program. This year's program is a continuation of the five-year agreement and contract mentioned above.

The results of last year's project appeared to be favorable, with an estimated rainfall increase (due to cloud seeding efforts) in the range of 11 to 15 percent over the target area. This project is still considered a pilot project to determine the feasibility and efficiency of cloud seeding in San Diego.

Aud. Cert. 9100416.

WU-P-91-046.

FILE LOCATION: MEET CONT FY 91-2; CCONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-120: (R-91-844) ADOPTED AS RESOLUTION R-276980

A Resolution approved by the City Council in Closed Session on Tuesday, November 13, 1990 by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-yea; Pratt-yea; Bernhardt-yea; Henderson-yea; McCarty-yea; Filner-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$93,500 in the settlement of each and every claim of Defendant Baja-Mex against the City, its agents and employees, resulting from the claims for loss of goodwill in an eminent domain action (Superior Court Case No. 575407, City of San Diego v. Fritz Neumann, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$93,500 made payable to Baja-Mex Insurance Services, Inc., in full settlement of the lawsuit and all claims.

(San Ysidro Community Area. District-8.)

Aud. Cert. 9100430.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

ITEM-121: (R-91-560) REFERRED TO RULES COMMITTEE

Adopting Council Policy 100-16 for procurement of products and services from California's Prison Industry Authority (PIA).

CITY MANAGER SUPPORTING INFORMATION: During the Purchasing Department budget hearing, Councilmember Hartley suggested that the City adopt a policy regarding purchases from the PIA, and offered the County policy as a model. Council directed the City Manager to draft and forward such a policy to the appropriate Council Committee. The City currently purchases materials and

services from the PIA from time to time; however, there is no current City Council policy governing such purchases. The policy, if adopted, would encourage acquisitions from the PIA and set forth operating parameters for such purchases.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C072-086.)

MOTION BY HARTLEY TO REFER BACK TO RULES COMMITTEE AS ITEM INADVERTENTLY DID NOT GO BACK TO COMMITTEE BEFORE COMING BACK TO

COUNCIL. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-122: (R-91-387) ADOPTED AS RESOLUTION R-276981

Amending the Conflict of Interest Code for the City of San Diego's Department of General Services.

CITY MANAGER SUPPORTING INFORMATION: Pursuant to Section 87300 of the Political Reform Act (Gov. Code, 87300), the General Services Department is submitting its Conflict of Interest Code for Council approval since the Council sits as the local "code reviewing body" (see Gov. Code, 82011). The Code has the approval of both the City Attorney and the General

Services Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-123: (R-91-859) ADOPTED AS RESOLUTION R-276982

Authorizing and empowering the City Manager to resume and complete negotiations with Padre Dam Municipal Water District for the lease of their existing water reclamation plant, plant site and surrounding property.
(See City Manager Report CMR-90-493.)

COMMITTEE ACTION: Reviewed by PSS on 11/21/90.

Recommendation to approve the City Manager's report. Districts 3, 4 and 7 voted yea. Districts 2 and 5 not present.

FILE LOCATION: WATER - Padre Dam Municipal Water District

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-124: (R-91-881) ADOPTED AS RESOLUTION R-276983

Authorizing the execution of an agreement with ERC Environmental and Energy Services Company for technical services required by the California Ocean Plan, together with any 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 purposes and intent of the project and agreement; authorizing the expenditure of an amount not to exceed \$37,200 from Sewer Revenue Fund 41508, to provide funds for the project; authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The proposed agreement

with ERC Environmental and Energy Services Company will provide technical services for the City of San Diego to comply with the California Ocean Plan. The California Ocean Plan requires effluent toxicity testing for chronic effects on marine organisms for dischargers of 100 MGD or greater by January 1, 1991. The proposed consultant was selected in accordance with Council Policy 300-7. The project was advertised in the San

Diego Daily Transcript on June 29 and July 2, 1990, and two proposals were received. In addition, copies of the request for proposals (RFP) were sent to eleven firms currently conducting similar testing for other dischargers. The Screening Committee reviewed the responses and recommended that three firms be interviewed by the Water Utilities Department. The City Manager received recommendations from the Water Utilities Department, and has selected ERC Environmental and Energy Services Company as the consultant for the project.

Aud. Cert. 9100375.

WU-U-91-057.

FILE LOCATION: MEET CCONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-125: (R-91-924) ADOPTED AS RESOLUTION R-276984

Authorizing the execution of the third amendment to the agreement of June 27, 1988 with Engineering-Science, Inc., to provide design services for the extension of the ocean outfall at the Point Loma Wastewater Treatment Plant to achieve State Ocean Plan compliance, together with any further modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and amendment; authorizing the City Auditor and Comptroller to transfer the amount of \$24,229 within the Clean Water Program Fund No. 41509, from CIP-46-155.0, State Ocean Plan Compliance, to CIP-40-911.5, State Ocean Plan Compliance, Phase 2; authorizing the expenditure of an amount not to exceed \$2,024,229 from the Clean Water Program Fund No. 41509, CIP-40-910.5, State Ocean Plan - Phase 2 to provide funds for the above

project.
(See City Manager Report CMR-90-514. Point Loma Community Area. District-2.)

Aud. Cert. 9100436.
WU-CWP-91-072.

FILE LOCATION: MEET CCONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-126: (R-91-923) ADOPTED AS RESOLUTION R-276985

Authorizing the execution of the second amendment to the agreement of September 18, 1989 with Engineering-Science, Inc., for the Tijuana Oceanographic and Engineering Studies, Phase IV (TOES IV) to provide engineering consultant services in connection with studies for the San Diego River Outfall, together with any further modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and amendment; authorizing the expenditure of an amount not to exceed \$368,764 from the Clean Water Program Fund No. 41509, CIP-40-920.1, San Diego River Outfall, for the purpose of providing funds for the above project.

(Point Loma Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The current schedule for the Clean Water Program (CWP) has been developed to comply with a Consent Decree schedule negotiated with the EPA and the State, and to provide additional capacity in the Metropolitan Sewerage System by 1995. The recommended alternative to relieve the Point Loma Plant before it reaches its maximum capacity is to implement the North City Reclamation Plant, which will include an ocean outfall off the San Diego River. In order to stay on schedule, the design of the North City Plant and accompanying conveyance lines need to be completed by December 1992. Predesign of the Treatment Plant will be completed in February 1991, followed by completion of full design in December 1992. Preliminary studies prior to design for the San Diego River Outfall must begin in January 1991. The proposed amendment to

an existing contract with Engineering-Science, Inc. provides for Outfall length analysis, Geophysical/Geotechnical studies and a Marine Cultural Resources investigation. This information is necessary in order to begin final design, scheduled to occur in January 1992. The MBE/WBE (Equal Opportunity) participation for the proposed amendment would be: 38 percent MBE and 3 percent WBE.

Aud. Cert. 9100435.
WU-CWP-91-073.

FILE LOCATION: MEET CCONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-127:

Three actions relative to engineering services for the
Phase I Predesign Activities of the Clean Water Program:
Subitem-A: (R-91-932) ADOPTED AS RESOLUTION R-276986

Authorizing the execution of an agreement with Kramer, Chin and Mayo, to provide value engineering services for the North Subsystem of the Clean Water Program in conjunction with the services of Lewis and Zimmerman Associates and U.S. Cost, Inc., together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of the project and agreement; authorizing the expenditure of an amount not to exceed \$180,983 from the Clean Water Program Fund (41509), CIP-45-910.3, Job Order No. 190126, to provide funds for the above agreement; authorizing the City Manager to finance or refinance these activities with tax exempt securities, if circumstances so warrant.

Subitem-B: (R-91-933) ADOPTED AS RESOLUTION R-276987

Authorizing the execution of an agreement with Lewis and Zimmerman Associates, to provide value engineering services for the Central Subsystem of the Clean Water Program Fund (41509), CIP-45-910.3, Job Order No. 190127, to provide

funds for the above agreement; authorizing the City Manager to finance or refinance these activities with tax exempt securities, if circumstances so warrant.

Subitem-C: (R-91-934) ADOPTED AS RESOLUTION R-276988

Authorizing the execution of an agreement with U.S. Cost, Inc., to provide value engineering services for the South Subsystem of the Clean Water Program in conjunction with the services of Kramer, Chin and Mayo, and Lewis and Zimmerman, together with any 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 expenditure of an amount not to exceed \$58,552 from the Clean Water Program Fund (41509), CIP-45-910.3, Job Order No. 190128, to provide funds for the above agreement; authorizing the City Manager to finance or refinance these activities with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION: Value Engineering (VE)

is a way of analyzing any construction project to systematically reduce costs or improve performance. When applied properly, VE can save between 5 percent and 25 percent of construction costs while creating a project that functions more effectively. The Clean Water Program (CWP) is, by far, the largest public work undertaken by the City and a good VE program could potentially save the City millions of dollars. The procurement process for selection of the VE consultants began in December 1989. The request for Statement of Qualifications (SOQ) was advertised in several local newspapers and Society of American Value Engineers (SAVE) newsletters. On July 20, 1990, the three VE firms of Kramer, Chin and Mayo (KCM), Lewis and Zimmerman Associates, Inc. (LZA) and U.S. Cost, Inc., were selected to provide VE services for the CWP. Under their current contract with the City, James M. Montgomery (JMM) is preparing 14 predesign packages, which are divided into three subsystems for value engineering. These three subsystems are based on geographical areas: North, Central and South, which will be value engineered by KCM, LZA and U.S. Cost, Inc., respectively. It is the City's intention to retain the services of the VE firms during the

second phase of predesign and design phase of the CWP. The Council will have the opportunity to consider the approval of the amendments to the VE contracts for this future effort. The MBE/WBE (Equal Opportunity) participation for these three

contracts are: 13.6 percent MBE and 3.6 percent WBE for the agreement with KCM, 13 percent MBE and 6 percent WBE for the agreement with LZA, and 12 percent MBE and 3 percent WBE for the agreement with U.S. Cost, Inc.
Aud. Certs. 9100417, 9100418, 9100419.
WU-CWP-91-066.

FILE LOCATION: MEET CCONT FY 91-3

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-128: (R-91-857) ADOPTED AS RESOLUTION R-276989

Authorizing the execution of an eighth amendment to the agreement with Nasland Engineering Inc. for engineering and design services for development of the First San Diego River Improvement Project (FSDRIP); authorizing an increase of an amount not to exceed \$15,000 for consultant services; authorizing the expenditure of an amount not to exceed \$15,000 from FSDRIP, Fund 79364, for the purpose of providing funds for the above project.

(See City Manager Report CMR-85-542. Mission Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On November 18, 1985, the City of San Diego entered into an agreement with Nasland Engineering, Inc., a California corporation, for engineering design services for development of the First San Diego River Improvement Project (FSDRIP). On October 1, 1990, the construction for FSDRIP was completed. Upon completion of floodway projects, the City is responsible to provide Federal Emergency Management Agency (FEMA) with the necessary data to update the applicable floodway maps. The floodway maps are for use in administering the National Flood Insurance Program. This

Eighth Amendment to the agreement requests that \$15,000 be added for consultant services to provide FEMA with the required data.
Aud. Cert. 9100355.

FILE LOCATION: MEET CCONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-129: (R-91-915) ADOPTED AS RESOLUTION R-276990

Authorizing the execution of an agreement with Marsh and McLennan, Inc. to provide the City with a policy of Excess Public Liability Insurance for a one-year period beginning December 15, 1990 through December 15, 1991, 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 in order to carry out the purposes and intent of the agreement; authorizing the expenditure of an amount not to exceed \$1,726,714 (\$1,335,725.49 from Fund 100; \$234,593.11 from Fund No. 41506; and \$156,395.40 from Fund No. 41500), for the purpose of providing funds for the execution of the above agreement.
(See City Manager Report CMR-90-495.)

COMMITTEE ACTION: Reviewed by RULES on 11/21/90.

Recommendation to approve the City Manager's alternative recommendation to purchase \$12 million of excess coverage over the City's self-insured amount of \$5 million, for \$1.7 million per year. Districts 2, 4, 5 and Mayor voted yea. Districts 1 and 8 not present.

Aud. Cert. 9100415.

WU-RM-91-083.

FILE LOCATION: MEET CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-130: (R-91-821) ADOPTED AS RESOLUTION R-276991

Authorizing the execution of an agreement with Nancy McPherson, consultant, for administrative and coordination services required for the implementation of the Police Department's Problem Oriented Policing (P.O.P.) Program from November 1, 1990 through October 31, 1991; authorizing

the expenditure of an amount not to exceed \$58,000 from Fund No. 101321, Department No. 101321, Job Order No. 000001, for the purpose of providing funds for the above project.

(See City Manager Report CMR-90-509.)

Aud. Cert. 9100319.

FILE LOCATION: MEET CCONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-131: (R-91-925) ADOPTED AS RESOLUTION R-276992

Authorizing the execution of a fifth amendment to the agreement of September 27, 1988 with Regional Environmental Consultants (RECON), for additional environmental services, together with any further modifications or amendments which do not increase this project's scope or cost, and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and amendment; authorizing the City Auditor and Comptroller to transfer an

amount not to exceed \$8,055,996 from CIP-46-155.0, State Ocean Plan Compliance, to CIP-46-147.0, Modified Wastewater Treatment Facilities Plan; authorizing the expenditure of a sum not to exceed \$521,386 from CIP-46-147.0, Modified Wastewater Treatment Facilities Plan, for the purpose of providing funds for the above project; authorizing the City Manager to finance or refinance this project with tax exempt securities if circumstances warrant.

CITY MANAGER SUPPORTING INFORMATION: On September 27, 1988, the City Council approved an agreement with Regional Environmental Consultants (RECON) for environmental assessment and documentation of facilities for the Clean Water Program (CWP). Since that time, the agreement has been amended to increase the number of sites assessed, the number of environmental documents prepared, to include preparation of an environmental report on the City's Water Reclamation Master Plan and Water Reclamation Ordinance, to provide additional oceanographic studies, and to assist the International Boundary and Water Commission and Environmental Protection Agency (EPA) in preparing the Environmental Impact Statement (EIS) for the

proposed international sewerage facilities.

This Amendment No. 5 provides for: 1) The increased effort required to respond to the large number of comments on the draft environmental documents; 2) Additional environmental documents and reports as requested by the EPA for preparation of the EIS for the proposed international sewerage facility; and 3) A report outlining the cost of individual mitigation items for the Clean Water Program.

Aud. Cert. 9100434.

WU-CWP-91-079.

FILE LOCATION: MEET CCONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-132: (R-91-888) ADOPTED AS RESOLUTION R-276993

19901210

Authorizing the execution of Memorandum Agreements to ratify and reapprove the San Diego Metropolitan Water District Water Supply Agreement and the Palo Verde Irrigation District Water Supply Agreement (under the Seven Party Water Agreement to prioritize Colorado River water), by amending water supply usage to include incidental use during construction, operation and maintenance of any electrical generating facilities that utilize natural gas as a fuel source as part of San Diego Gas and Electric Company's Combined Cycle Project (electrical plant), together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and agreement.

CITY MANAGER SUPPORTING INFORMATION: San Diego Gas and Electric (SDG&E) is requesting ratification and reapproval of existing agreements for Colorado River Water Supply for use at the Combined Cycle Project in Blythe, California. The City of San Diego previously approved these agreements by Resolution R-217161 on November 24, 1976. The City of San Diego has water

rights in the Colorado River which were prioritized in the "Seven Party Water Agreement" executed in 1931. As a signatory to this "Seven Party Water Agreement," the City is periodically requested to approve any water exchange agreements. Under the original proposal, SDG&E's project was going to be nuclear. The project has now been modified so that it will now utilize natural gas. The existing water supply agreements provide that water may be used for electric plants and impose no requirement as to the type of fuel to be used. However, since the several agencies involved in the original water agreement approvals understood that nuclear and not natural gas would be used in the plant, SDG&E and its participants are seeking a ratification and reapproval of the agreements with the understanding that natural gas will be used as a fuel at the Blythe site. The Memorandum Agreements for the Metropolitan Water District (MWD) and Palo Verde Irrigation District (PVID) agreements have been approved by other parties in the Seven Party Water Agreement including MWD, PVID, Imperial Irrigation District and Coachella Valley Water District. Likewise, SDG&E requests approval from the City of San Diego.
WU-U-91-071.

FILE LOCATION: WATER - Colorado River Water CONT
FY 91-2

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-133: (R-91-684) ADOPTED AS RESOLUTION R-276994

Authorizing the execution of an agreement with the San Dieguito Union High School District for the processing of parking citations at Torrey Pines High School, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of the project and agreement.

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego

took over the processing of Parking Violation Notices from the Municipal Court in March, 1979. Currently there are 11 agencies for which the City of San Diego provides this service. Nine of the agencies are under formal agreements authorizing the City to retain 30 percent of the revenue collected as a processing fee. Two agencies, the California Highway Patrol and the Santa Fe Railroad Police, are covered by letters of agreement authorizing the City to retain all revenue collected. All agencies have authorized the City to collect any State or County mandated surcharges and the administrative costs for this collection. San Dieguito Union High School District has requested that the City provide this same service for them. All provisions of the agreement will be the same as with the other agencies. There will be a 30-day termination clause which can be exercised by either party. This agency estimates that they will write 1300 parking citations annually. The impact on the Office of the City Treasurer will be minimal.

FILE LOCATION: MEET CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

ITEM-134: (R-91-912) TRAILED TO DECEMBER 11, 1990

Authorizing the execution of an agreement with the Emergency Medical Services Training Institute (EMSTI) of the University of California, San Diego, Medical Center, for the paramedic training of City fire fighters, 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 purposes and intent of the project and agreement; authorizing the expenditure of an amount not to exceed \$97,162, consisting of \$32,000 from Object Account 3105, \$7,162 from Object Account 3222, \$33,000 from Object Account 4103, and \$25,000 from Object Account 4212, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: On September 18, 1990, the City Council authorized the City Manager to initiate a Fire Department paramedic program through the training of fire fighters to the paramedic skill level and certifications, and to place such designated fire fighter/paramedics on board Fire

Department engines to supplement the present City of San Diego paramedic delivery system. The Emergency Medical Services Training Institute (EMSTI) of the University of California, San Diego Medical Center will provide the paramedic training for the fire fighters commencing January 14, 1991 and continuing through July 1991. EMSTI was the only authorized training agency in San Diego County which was able to provide the training for the number of students necessary and in the timeframe required to meet the Fire Department's implementation schedule. The cost of the training for 33 fire fighters is \$97,162. There are savings in four Fire Department accounts to cover this cost. It is anticipated that the Fire Department will be reimbursed approximately \$73,000 of the total cost through a training agreement with the California Fire Fighter Joint Apprenticeship Committee and the San Diego Fire Department.
Aud. Cert. 9100407.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C111-114.)
TRAILED AS UNFINISHED BUSINESS.

* ITEM-135: (R-91-843) ADOPTED AS RESOLUTION R-276995

Authorizing the execution of a one-year lease agreement, with two additional one-year options, with C.A.S. Galleria for the use of Suites 2A, 4A and 10A located at 739 Fifth Avenue, at a monthly rental of \$460; authorizing the expenditure of an amount not to exceed \$3,680 to cover lease costs from November 1, 1990, through June 30, 1991.
(Gaslamp Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The Park and Recreation Department has maintained office space within the Gaslamp Building since June of 1987. The present lease is at \$460 per month for approximately 360 square feet of office space for the Downtown Street Tree Program, Gaslamp Quarter and Centre City Maintenance operations. It is proposed to renew the agreement for one year with two one-year options to extend. All other conditions are the same as in the existing agreement.
Aud. Cert. 9100346.

FILE LOCATION: LEAS-C.A.S. Galleria Leas FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-136: (R-91-880) ADOPTED AS RESOLUTION R-276996

Approving Change Order No. 2, dated June 20, 1990, issued in connection with the contract between the City and Arrieta Construction, Inc. for Water and Sewer Main Replacement Group 469, amounting to a net increase in the contract price of \$347,600; authorizing the expenditure of an amount not to exceed \$347,600 from Sewer Revenue Fund 41506, FY 1991, CIP-44-001.0, Annual Allocation for Sewer Main Replacements, to fund this change order; authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances warrant.

(Mid-City and Southeast San Diego Community Areas.
Districts-3 and 4.)

CITY MANAGER SUPPORTING INFORMATION: The City Council authorized the advertisement for construction of Water and Sewer Group 469 on June 19, 1989. The City Manager awarded a contract for \$1,122,507 to Arrieta Construction, Inc., on August 8, 1989. Change Order No. 1, consisting of six separate cost items and net contract reduction of \$14,863.80, was approved by Council on August 6, 1990. Change Order No. 2 is for replacement of the force main for Sewer Pump Station 22 located in La Jolla. Since April of this year, this station has experienced five breaks in its force main which resulted in sewage spills. Three of the breaks occurred within a one week period in May. A break also occurred last year. Given these series of breaks, the age and type of pipe, and the threat to the public health, safety and welfare, the force main was given emergency status requiring immediate replacement. The work is being accomplished by adding an emergency time and materials change order to the existing Water and Sewer Replacement Group 469. Construction of the force main is in process with completion expected in October 1990. Refer to Manager's Report CMR-90-260 for further discussion of sewer pump stations and force mains in the La Jolla/Pacific Beach Area.

Aud. Cert. 9100353.

WU-U-91-022.

FILE LOCATION: CONT - Arrieta Construction, Inc.
CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-137: (R-91-937) ADOPTED AS RESOLUTION R-276997

Approving Change Order No. 1, dated July 23, 1990, issued in connection with the contract between the City and Coleman Industries Construction for the Construction of Sewer and Water Main Replacement Group 87, amounting to a net decrease in the contract price of \$17,711.35.

(Pacific Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Sewer and Water Main Replacement Group 87 is a portion of the continuing annual Capital Improvement Program allocation to replace old and deteriorated concrete sewer mains within the City of San Diego. The original contract for purchase and installation of sewer and water mains was \$723,112.10. Change Order No. 1 represents miscellaneous adjustments of final construction quantities to those as originally bid. Major items adjusted included: increase of 201 feet of 8-inch PVC pipe; delete three concrete sewer manholes which were substituted by two hand-dug sewer cleanouts; delete 62 sewer lateral replacements because existing laterals were found to be in excellent condition upon visual inspection. Total increase of all work was \$23,463.10 and total reduction of all work was \$41,174.45 for a net reduction of \$17,711.35.

Aud. Cert. 9100408.

WU-U-91-044.

FILE LOCATION: CONT - Coleman Industries Construction
CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-138: (R-91-842) ADOPTED AS RESOLUTION R-276998

Approving Change Order No. 1, dated May 17, 1990, issued in connection with the contract between the City and D & M

Grading Co., Inc. for West Miramar Solid Waste Disposal Facility, Phase I, Contract 6, amounting to a net decrease in the contract price of \$71,866.64; authorizing the City Auditor to transfer unused funds in the amount of \$71,866.64 from Fund 41201, Dept. 30244 to CIP-37-055.4. (NAS Miramar Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: This project called for a contractor to excavate and stockpile 300,000 cubic yards of material for final cover at the West Miramar Solid Waste Disposal Facility, Phase 1. When the contractor thought that the correct amount of material had been moved, the Refuse Disposal Division surveyed the area to determine more exact quantities and found that only 80% of the material called for in the contract had been moved. At this time it was mutually agreed that due to operational constraints at the Landfill that no more excavation/stockpiling would be required. Therefore, the funds authorized for this project would not be completely expended and the remaining monies returned to CIP-37-055.4.

FILE LOCATION: CONT - D&M Grading Co., Inc. CONT FY
91-1

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-139: (R-91-849) ADOPTED AS RESOLUTION R-276999

Approving Change Order No. 2, dated July 17, 1990, issued in connection with the contract with Mur-Vic Construction Company, for Water and Sewer Main Replacement Group 458, amounting to a net increase in the contract price of \$33,000; authorizing the expenditure of an amount not to exceed \$5,260.73 from Water Reserve Fund 41502, CIP-73-083, Annual Allocation - Water Main Replacements, for the additional funding needed for Change Order No. 2.

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

CITY MANAGER SUPPORTING INFORMATION: Mur-Vic Construction Company, the contractor for Water and Sewer Main Replacement Group 458, completed the installation of 11,458 linear feet of 12-inch water main in the Barrio Logan Community Area in July 1990. As is typical for water main replacement projects, all existing deteriorated water services, either identified on the

plans as such or found to be so by the construction inspector, were replaced with new pipe. However, for lack of complete and accurate historical records, not all of the water services found during construction were shown on the plans. The contract bid

quantities for water services therefore fell significantly short of the actual water services replaced. Mur-Vic Construction Company is seeking additional compensation, through Change Order No. 2, for the extra water service replacements. Change Order No. 2 covers the cost of 66 additional water services. Change Order No. 1, which was previously authorized by the City Manager, provided funds to realign proposed water mains in conflict with abandoned street car trolley tracks and to realign a proposed crossing over a large SDG&E underground power line. Aud. Cert. 9100354.
WU-U-91-035.

FILE LOCATION: CONT - Mur-Vic Construction Co. CONT
FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-140: (R-91-901) ADOPTED AS RESOLUTION R-277000

Approving Change Order No. 3, issued in connection with the contract between the City and Mur-Vic Construction Company, Inc. for Water and Sewer Main Replacement Group 458, amounting to a net increase in the contract price of \$24,012; authorizing the expenditure of an amount not to exceed \$24,012 from Water Revenue Fund 41502, CIP-73-083, Annual Allocation for Water Main Replacement, for the purpose of funding the Change Order No. 3.

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

CITY MANAGER SUPPORTING INFORMATION: Mur-Vic Construction Company, the contractor for Water and Sewer Main Replacement Group 458, completed the installation of 11,458 linear feet of 12-inch water main in the Barrio Logan Community Area in July, 1990. The final tabulation of estimated versus installed bid items yielded a large number of adjustments to the contract cost. These adjustments included installed pipe lengths, the number of installed fire hydrants, the number of installed water services, and miscellaneous bedding, backfill and resurfacing

materials quantities. Additional installed quantities resulted in cost increases totalling \$39,217.50 while reduced and deleted quantities resulted in cost decreases totalling \$15,205.50.

Mur-Vic Construction Company is therefore requesting, through Change Order No. 3, compensation for the net increased cost of \$24,012. Change Order No. 3 follows two previous change orders which, for \$46,498.63, provided funds to realign a proposed water main in conflict with abandoned street car tracks and a large SDG&E underground power line, and 66 additional water services not discovered during records searches.

Aud. Cert. 9100390.

WU-U-91-063.

FILE LOCATION: CONT - Mur-Vic Construction Co., Inc.
CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-141: (R-91-897) ADOPTED AS RESOLUTION R-277001

Approving Change Order No. 7, dated October 23, 1990, issued in connection with the contract with Mur-Vic Construction Co., Inc., for the Improvement of Sorrento Valley Road between Sorrento Valley Boulevard and I-805, amounting to a net increase in the contract price of \$41,283.12.

(Torrey Pines Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On April 25, 1989, a contract was awarded to Mur-Vic Construction Company for the improvement of Sorrento Valley Road between Sorrento Valley Boulevard and I-805. The project consists of widening the existing two-lane street to a four-lane major street, along with concrete encasement of portions of an existing 30-inch diameter sewer main. After the construction of the project's fill slopes, it was determined that guardrail was necessary along a portion of the project for public safety. The contractor was directed to construct the guardrail and associated chain link

fence and sidewalk, per Caltrans' standards. In order to correct a drainage problem that was not addressed during design of the project, additional improvements were needed in AT&SF right-of-way near an existing trestle bridge. Change Order

No. 7 will compensate the contractor for all work associated with construction of necessary guardrail, fence, and sidewalk for pedestrian safety and drainage construction.

Aud. Cert. 9100381.

FILE LOCATION: STRT D-2234 CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-142: (R-91-860) ADOPTED AS RESOLUTION R-277002

Application to the Mortgage Bond Tax Credit Allocation Committee for issuance of mortgage credit certificates. (See Housing Commission Report dated 11/8/90.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-143: (R-91-789) ADOPTED AS RESOLUTION R-277003

Authorizing the execution of a first amendment to the agreement with the San Diego Housing Commission, which incorporates \$250,000 allocated for reconstruction of the New Palace Hotel, together with any modifications or

amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of this project and amendment; authorizing the execution of an agreement with the San Diego Housing Commission for the use of \$2,231,800 of 1990 CDBG funds, of which \$2,204,900 is allocated for Housing Commission purposes and \$26,900 is allocated for San Diego Neighborhood Housing Services use, together with any 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 purposes and intent of this project and agreement; authorizing the expenditure of an

amount not to exceed \$2,481,800, consisting of \$250,000 from Fund 18525 and \$2,231,800 from Fund 18526, for the purpose of providing funds for these projects.
(See Housing Commission Report, "Approval of 1990 CDBG Agreement and Amendment of 1989 CDBG Agreement.")
Aud. Cert. 9100306.

FILE LOCATION: MEET CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-144:

Two actions relative to the America's Cup Syndicate location:
(See City Manager Report CMR-90-503. Mission Bay Community Area. District-6.)

Subitem-A: (R-91-886) ADOPTED AS RESOLUTION R-277004

Authorizing the use of a portion of Mission Bay Park in the Quivira Basin area, for America's Cup syndicate activities.

Subitem-B: (R-91-887) ADOPTED AS RESOLUTION R-277005

Certifying that the information contained in Environmental Negative Declaration END-90-0987, issued in connection with America's Cup Syndicate locations, together with any comments received during the public review process, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.), as amended, and the State guidelines (California Administrative Code Section 15000 et seq.), and that said report has been reviewed and considered by the Council; declaring that the Council approves said Environmental Negative Declaration, based upon the Initial Study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment.

COMMITTEE ACTION: Reviewed by PFR on 11/28/90.
Recommendation to approve the City Manager's recommendation.
Districts 6, 7 and 8 voted yea. Districts 1 and 3 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C091-173.)

MOTION BY ROBERTS TO ADOPT. DIRECT STAFF TO RETURN TO COUNCIL 90 DAYS AFTER THE EVENT WITH A REPORT THAT ATTESTS TO THE FACT THAT THE FACILITIES BUILT WERE IN FACT TEMPORARY AND WHAT THE DISPOSITION OF THOSE FACILITIES ARE. ALSO REFER TO PF&R, THAT THE FUNDS OBTAINED FROM THIS LEASE BE CONSIDERED FOR THE WETLANDS FUNDS. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150:

Six actions relative to the 1991 Legislative Calendar, Deputy Mayor, Council Standing Committees, Housing Commission and Council representatives to organizations: (See Committee Consultant Analyses RULES-90-4 and RULES-90-5.)

Subitem-A: (R-91-919) ADOPTED AS AMENDED AS RESOLUTION
R-277006

19901210

Adopting the schedule of meetings for the City Council and Standing Committees of the City Council for a period of January 1, 1991 through December 31, 1991.

Subitem-B: (R-91-920 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-277007

Accepting the Appointment Order of the Rules Committee as it relates to the appointment of members to standing committees of the Council as follows:

Committee on Rules, Legislation and Intergovernmental Relations

Mayor Maureen O'Connor - Chairperson

Ron Roberts - Vice Chairperson

Bob Filner

Abbe Wolfsheimer

Linda Bernhardt

Wes Pratt
Committee on Public Services & Safety
Wes Pratt - Chairperson
Ron Roberts
Judy McCarty
Linda Bernhardt
John Hartley
Committee on Public Facilities & Recreation
Bob Filner - Chairperson
Judy McCarty
Abbe Wolfsheimer
John Hartley
Bruce Henderson
Committee on Transportation & Land Use
Abbe Wolfsheimer - Chairperson
Ron Roberts
Wes Pratt
Bob Filner
Linda Bernhardt

Subitem-C: (R-91-917 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-277040

Selecting Councilmember Ron Roberts as Deputy Mayor of
the City for the period commencing December 3, 1990 and
ending December 1, 1991.

Subitem-D: (R-91-918) ADOPTED AS AMENDED AS RESOLUTION
R-277008

Appointing the following Councilmembers to serve as
chairpersons of the four standing Council Committees for
terms commencing December 3, 1990 and ending December
1, 1991:

COMMITTEE	CHAIRPERSON
Committee on Rules, Legislation and Intergovernmental Relations	Mayor Maureen O'Connor
Committee on Transportation and Land Use	Abbe Wolfsheimer
Committee on Public Facilities and Recreation	Bob Filner
Committee on Public Services and Safety	Wes Pratt

Subitem-E: (R-91-927) ADOPTED AS AMENDED AS RESOLUTION
R-277009

Confirming the following appointments by the Mayor to serve as members of the San Diego Housing Commission for the term December 3, 1990 through December 1, 1991:

Councilmember Linda Bernhardt - Chairperson

C. Schuford Swift - (Representative) - Vice Chair

Councilmember Bob Filner

Councilmember John Hartley

Councilmember Wes Pratt

Subitem-F: (R-91-921 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-277010

Appointing the following named persons to serve as Council Representatives and Council liaison and their alternates to organizations as listed below for the period commencing December 3, 1990 and ending December 1, 1991:

1. ADAPT BOARD OF DIRECTORS
Judy McCarty - representative
2. ARJIS BOARD OF DIRECTORS
Linda Bernhardt - representative
Wes Pratt - alternate
3. BEACH EROSION TASK FORCE
Bruce Henderson - representative

4. CITIES ADVISORY COMMITTEE TO LAFCO
Judy McCarty - representative
5. COMMITTEE ON CITY-COUNTY WATER RE-USE
Judy McCarty - representative
Bob Filner - alternate
6. ECONOMIC DEVELOPMENT CORPORATION
Ron Roberts - representative
Wes Pratt - alternate
7. CRUISE SHIP CONSORTIUM
Bruce Henderson - representative
8. INTERJURISDICTIONAL TASK FORCE POLICY
COMMITTEE ON UNITED ENTERPRISES
Bob Filner - representative
9. LOCAL AGENCY FORMATION COMMISSION (LAFCO)
Abbe Wolfsheimer - representative
Bruce Henderson - alternate
10. LOS PENASQUITOS REGIONAL PARK TASK FORCE
Abbe Wolfsheimer - representative
Linda Bernhardt - representative
11. METROPOLITAN TRANSIT DEVELOPMENT BOARD

- Maureen O'Connor - representative
- Bruce Henderson - alternate
- Linda Bernhardt - representative
- Bob Filner - alternate
- Wes Pratt - representative
- John Hartley - alternate
- Ron Roberts - representative and Executive Board
- Judy McCarty - alternate
- 12. MISSION BAY QUALITY TASK FORCE
 - Bruce Henderson - representative
- 13. MISSION TRAILS REGIONAL PARK TASK FORCE
 - Bruce Henderson - representative
 - Judy McCarty - representative
- 14. PALM CITY SANITATION DISTRICT
 - Maureen O'Connor - representative
 - Bob Filner - alternate
- 15. PARK AND RECREATION BOARD
 - Wes Pratt - representative
- 16. PLANETARIUM AUTHORITY GOVERNING BOARD

- Judy McCarty - representative
- Bob Filner - alternate
- 17. PLANNING COMMISSION
 - Maureen O'Connor - representative
- 18. PORT COMMISSION
 - Maureen O'Connor - representative
 - Ron Roberts - alternate
- 19. PROJECT FIRST CLASS
 - Wes Pratt - representative
- 20. REGIONAL AIRPORT GROUP
 - Ron Roberts - representative

- 21. REGIONAL EMPLOYMENT AND TRAINING CONSORTIUM
 - Maureen O'Connor - representative
 - Wes Pratt - representative
 - Bob Filner - alternate
 - Ron Roberts - alternate
- 22. REINVESTMENT TASK FORCE
 - Bob Filner - representative
- 23. ROUTE 56 CITIZENS ADVISORY BOARD
 - Abbe Wolfsheimer - representative
- 24. SAN DIEGO TROLLEY ADVISORY BOARD
 - Abbe Wolfsheimer - representative
 - John Hartley - representative

- Judy McCarty - representative
Bob Filner - representative
25. SAN DIEGO COUNTY REGIONAL JUSTICE FACILITY
FINANCING AGENCY, BOARD OF DIRECTORS
Wes Pratt - representative
Ron Roberts - alternate
26. SAN DIEGUITO RIVER VALLEY REGIONAL OPEN
SPACE PARK JOINT POWERS AUTHORITY
Abbe Wolfsheimer - representative
Linda Bernhardt - alternate
Ron Roberts - representative
Wes Pratt - alternate
27. SENIOR CITIZEN ADVISORY BOARD
John Hartley - representative
Bob Filner - alternate
28. SERVICE AUTHORITY FOR FREEWAY EMERGENCIES (SAFE)
Linda Bernhardt - representative
Ron Roberts - representative
29. SMALL BUSINESS ADVISORY BOARD
Wes Pratt - representative
30. SOUTHEAST ECONOMIC DEVELOPMENT CORPORATION
Wes Pratt - representative
31. STADIUM AUTHORITY GOVERNING BOARD
Linda Bernhardt - representative
John Hartley - alternate
32. SANDAG BAY ROUTE BIKEWAY POLICY COMMITTEE
Bob Filner - representative
33. SANDAG BOARD
Judy McCarty - representative
Linda Bernhardt - representative
34. SANDAG SOUTHERN CALIFORNIA HAZARDOUS
WASTE MANAGEMENT AUTHORITY
Judy McCarty - representative
Bob Filner - alternate
35. SANDAG AVIATION POLICY ADVISORY COMMITTEE
Maureen O'Connor - representative
Linda Bernhardt - alternate
Ron Roberts - representative
Bob Filner - alternate
36. SANDAG COMMUTER RAIL ADVISORY COMMITTEE
Linda Bernhardt - representative
37. SANDAG MID-COUNTY TRANSPORTATION STUDY
Linda Bernhardt - representative
Abbe Wolfsheimer - representative

38. SANDAG REGIONAL TRANSPORTATION DEMAND
MANAGEMENT ADVISORY COMMITTEE
Judy McCarty - representative
Abbe Wolfsheimer - representative
39. SANDAG TRANSPORTATION SALES TAX
HIGHWAY SUBCOMMITTEE
Judy McCarty - representative
40. SANDAG OUTER CONTINENTAL SHELF TASK FORCE
Judy McCarty - representative
41. SANDAG SHORELINE EROSION ADVISORY COMMITTEE
Abbe Wolfsheimer - representative
42. SANDAG CRIMINAL JUSTICE
John Hartley - representative
43. TECOLOTE CANYON NATURAL PARK TASK FORCE
Linda Bernhardt - representative
Bruce Henderson - representative

COMMITTEE ACTION: Initiated by RULES on 11/21/90.
Recommendation to adopt the proposed Legislative Calendar for 1991. Appoint the members of the four standing committees as recommended by the Mayor. Send to the full Council, for adoption, the Mayor's recommendations for Deputy Mayor, Chairpersons of the standing committees, Housing Commission

membership, and Council representatives and alternates to various organizations. Districts 2, 4, 5 and Mayor voted yea. Districts 1 and 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E207-F077.)
MOTION BY PRATT TO ADOPT SUBITEM A AS AMENDED TO REFLECT THE NORMAL CALENDAR SCHEDULE FOR JANUARY AS FOLLOWS: PS&S THE FIRST AND THIRD WEDNESDAYS (16TH AND 30TH) AND PF&R THE SECOND AND FOURTH WEDNESDAYS (9TH AND 23RD). Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.
MOTION BY FILNER TO ADOPT SUBITEM B AND D AS AMENDED

SUBSTITUTING COUNCIL MEMBER McCARTY AS VICE CHAIR OF THE COMMITTEE ON RULES, LEGISLATION AND INTERGOVERNMENTAL RELATIONS

FOR COUNCIL MEMBER ROBERTS AND ALSO CHAIR OF THE COMMITTEE ON PUBLIC FACILITIES AND RECREATION IN PLACE OF COUNCIL MEMBER FILNER. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY HENDERSON TO ADOPT SUBITEM B FOR THE COMMITTEE ON PUBLIC FACILITIES AND RECREATION AS AMENDED MAKING COUNCIL MEMBER McCARTY CHAIR OF THIS COMMITTEE FOR COUNCIL MEMBER ROBERTS. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Bernhardt to appoint Council Member Roberts as Deputy Mayor. Second by Pratt. Failed by the following vote: yea-2,4,5,M; nay-1,3,6,7,8.

MOTION BY HENDERSON TO APPOINT COUNCIL MEMBER FILNER AS DEPUTY MAYOR. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-nay.

MOTION BY HENDERSON TO ADOPT SUBITEM E. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by Henderson to adopt Subitem F, item #35 with the following amendment that Henderson be included as a

representative for the Sandag Adviation Policy Advisory Committee. No vote.

MOTION BY ROBERTS TO ADOPT SUBITEM F, ITEM #35 AS IS WITH NO ADDITIONAL REPRESENTATIVES. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-nay, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-nay, Filner-nay, Mayor O'Connor-yea.

MOTION BY McCARTY TO ADOPT SUBITEM F AS AMENDED AS FOLLOWS: ADAPT BOARD OF DIRECTORS HARTLEY FOR McCARTY AS REPRESENTATIVE; HENDERSON FOR BERNHARDT AS REPRESENTATIVE FOR LOS PENASQUITOS REGIONAL PARK TASK FORCE; ROBERTS FOR HENDERSON AS REPRESENTATIVE OF THE MISSION BAY QUALITY TASK FORCE; HENDERSON FOR BERNHARDT AS REPRESENTATIVE OF THE SANDAG MID-COUNTY TRANSPORTATION STUDY. Second by Hartley. Passed by the

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

ITEM-151: (O-91-71) TRAILED TO DECEMBER 11, 1990

Introduction of an Ordinance amending Chapter II, Article 2, Division 2, of the San Diego Municipal Code by amending Section 22.0226, relating to the Hiring of Consultants, by increasing the City Manager's authorization to award architectural or engineering consultant contracts from \$100,000 to \$250,000, for the design of an individual Capital Improvement Program project which has previously been approved by the City Council.
(See City Manager Report CMR-90-480.)

COMMITTEE ACTION: Reviewed by RULES on 11/21/90.
Recommendation to refer to the City Council with the direction that the City Manager provide additional information on the types of projects which would be effected by the change.
Districts 2, 4, 5 and Mayor voted yea. Districts 1 and 8 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: I040-045.)
TRAILED TO DECEMBER 11, 1990 AS UNFINISHED BUSINESS.

ITEM-200: CONTINUED TO JANUARY 15, 1991
(Continued from the meeting of November 19, 1990, Item 200, at Councilmember Pratt's request, for further review.)
Discussion in the matter of the enactment of an ordinance establishing a Human Relations Commission for the City of San Diego.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A446-452.)
MOTION BY WOLFSHEIMER TO CONTINUE TO JANUARY 15, 1991 AT THE REQUEST OF THE CITY MANAGER. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (O-91-92) FIRST HEARING HELD

First public hearing in the matter of:
Amending Ordinance O-17504 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17504-1, as amended and adopted therein, by amending the personnel authorization of the Risk Management Department (084) by adding one (1.00) Safety Representative II position for the purpose of administering state mandated safety programs; authorizing the City Auditor and Comptroller to transfer the sum of \$143,008 to Risk Management (084) Revolving Fund 50061 from the following sources: \$128,600 - Unallocated Reserve (605), \$9,173 - Waste Management Enterprise Fund 41200, \$2,680 - Airports Enterprise Fund 41100, and \$2,555 - Building Inspection Enterprise Fund (41300), to be used for the sole and exclusive purpose of defraying personnel and nonpersonnel expenses in connection with administration of state mandated safety programs.

NOTE: See Item 333 on the regular docket of Tuesday, December 11, 1990, for the introduction and adoption of the ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G120-279.)

MOTION BY FILNER TO APPROVE THE FIRST HEARING. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (O-91-94) FIRST HEARING HELD

First public hearing in the matter of:
Amending Ordinance O-17504 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17504-1, as amended and adopted therein, by authorizing the City Auditor and Comptroller to increase the General Fund 100 Appropriation and Non-Departmental Expenditures (Department 601) by \$1,675,607, due to availability of Unappropriated General

Fund Fiscal Year 1990 closing undesignated fund balance; authorizing the City Auditor and Comptroller to allocate the funds for County of San Diego Property Tax Administration and Collection Charges; and authorizing the expenditure for said purpose.

NOTE: See Item 334 on the docket of Tuesday, December 11, 1990, for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G120-279.)

MOTION BY FILNER TO APPROVE THE FIRST HEARING. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-91-892) ADOPTED AS RESOLUTION R-277011

Confirming the appointment by the Mayor of Kayte B. Anderson to serve as a member of the Advisory Board on Women, for a term to expire March 1, 1992, to replace Rosylyn E. Johnson, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C045-072.)

MOTION BY HENDERSON TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204: (R-91-891) ADOPTED AS RESOLUTION R-277012

Confirming the appointment by the Mayor of Reverend Walter G. Wells to serve as a member of the Housing Advisory and Appeals Board, for a term expiring March 1, 1991, to replace Joseph L. Cross, Jr., whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C045-072.)

MOTION BY HENDERSON TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-205: (R-91-926) REFERRED BACK TO MAYOR'S OFFICE

Confirming the appointment by the Mayor of K. Marie Caswell to serve as a member of the Housing Commission, in the Tenant-over age 62 category, for a four-year term ending January 2, 1995, to replace Ivory Williams, whose term has expired.

(See memorandum from Mayor O'Connor dated 11/28/90 with resume attached.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A503-523.)

MOTION BY FILNER TO REFER BACK TO THE MAYOR'S OFFICE FOR ANOTHER APPOINTMENT, AT THE REQUEST OF THE CITY ATTORNEY, AS APPLICANT IS NOT A RESIDENT OF THE CITY HOUSING PROJECT AND THEREFORE IS NOT ELIGIBLE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206: (R-91-931) ADOPTED AS RESOLUTION R-277013

Amending Resolution No. R-276797, adopted October 30, 1990, appointing trustees of the Housing Trust Fund, to express a conscious exception to Council Policy 000-13 for Mr. Art Lujan, a non-city resident representing the Labor category on the Housing Trust Fund Board of Trustees, and declaring a waiver of that policy requirement for Mr. Lujan.

(See memorandum from Councilmember Wes Pratt dated 11/26/90.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C045-072.)

MOTION BY HENDERSON TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-207: (R-91-930) ADOPTED AS RESOLUTION R-277014

Authorizing the Auditor and Comptroller to transfer within the General Fund 100, the sum of \$180,000 from the Unallocated Reserve (605) to the Allocated Reserve (901)

for the purpose of defraying costs incurred by the City of San Diego in the Federal voting rights lawsuit entitled, Perez, et al. V. City of San Diego, et al.; authorizing the expenditure of the sum sufficient to pay the legal fees and costs incurred in the case as ordered by the Federal Court.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A517-B133.)

Motion by Filner to split the motion and include the payment of other legal fees on the agenda for Closed Session. Second by Hartley. Passed. Yeas-1,2,3,4,5,8,M. Nays-6,7. Not Present-None.

MOTION BY MAYOR O'CONNOR TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-nay, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-208: (R-91-889) TRAILED TO DECEMBER 11, 1990

Extension of the Paramedic Services Agreement with Hartson Medical Services, including agreement modifications to provide for a shared system which includes placing firefighter/paramedics on fire engines to supplement the present City paramedic delivery program.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G281-H370.)

MOTION BY McCARTY TO TRAIL TO DECEMBER 11, 1990 AS UNFINISHED BUSINESS TO BE HEARD WITH A COMPANION ITEM. Second by Filner.

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

ITEM-209: (R-91-837) ADOPTED AS RESOLUTION R-277015

(Continued from the meeting of November 26, 1990, Item 206, at Councilmember McCarty's request, for further review.)

Authorizing the execution of a consultant contract with Donovan/Irving Group, Inc. for office space consulting services for a period of two years, with options to extend for two six-month periods.

(See City Manager Report CMR-90-482. Centre City Community Area. District-8.)

FILE LOCATION: MEET CCONT FY 91-1

COUNCIL ACTION: (Tape location: H372-I036.)

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

Dec-10-1990

ITEM-210: TRAILED TO DECEMBER 11, 1990

(Continued from the meetings of August 7, 1990, Item 331, September 18, 1990, Item 341, and October 16, 1990, Item 338, and October 29, 1990, Item 215; last continued at Councilmember Henderson's request, for review by the Community Planners Committee.)

A proposal for amendments to the Resource Protection Ordinance, Article 1, Division 4, Section 101.0462 of the San Diego Municipal Code, including: deletion of certain exemptions and exclusions; changes to the regulations relating to biologically sensitive lands, hillsides and floodplains; changes to the findings and alternative compliance procedure; addition of a procedure to apply the ordinance to long range plans; and other amendments. The City Council will also consider the Resource Protection Ordinance Administrative Guidelines.

(City-wide.)

Subitem-A: (R-91-)

Adoption of a Resolution adopting the Resource Protection Ordinance Administrative Guidelines.

Subitem-B: (O-91-)

Introduction of an Ordinance amending Chapter X, Article 1, Division 4 of the Municipal Code.

NOTE: See Item 211 for a companion item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: I038-K684.)

Hearing began 7:30 p.m. and halted 9:15 p.m.

Hearing was open, no testimony was taken.

Motion by Wolfsheimer to prepare the ordinance for introduction as submitted with amendments by T&LU Committee, dated November 9, 1990, O-90-378. Second by Filner. No vote taken.

MOTION BY FILNER TO TRAIL TO DECEMBER 11, 1990. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-211: (O-90-209) TRAILED TO DECEMBER 11, 1990

(Continued from the meetings of July 10, 1990, Item 336, July 17, 1990, Item S405, July 31, 1990, Item 345, August 7, 1990, Item S502, September 18, 1990, Item 345, October 16, 1990, Item 340, and October 29, 1990, Item 217; last continued at Councilmember Bernhardt's request, for review by the Community Planners Committee.)

A proposal to amend the Resource Protection Ordinance, Article 1, Division 4, Section 101.0462 of the San Diego Municipal Code to delete the Black Mountain Road, and County Island Annexation areas from Paragraph E., Exclusions.

(District-5.)

Introduction of an Ordinance deleting the exclusions for Black Mountain Road Assessment District, and the County Island from the Resource Protection Ordinance, Section 101.0462, Paragraphs E4, 5 and 6 of the Municipal Code.

NOTE: See Item 210 for a companion item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: I038-K684.)

Hearing began 7:30 p.m. and halted 9:15 p.m.

Hearing was open, no testimony was taken.

Motion by Wolfsheimer to prepare the ordinance for introduction as submitted with amendments by T&LU Committee, dated November 9, 1990, O-90-378. Second by Filner. No vote taken.

MOTION BY FILNER TO TRAIL TO DECEMBER 11, 1990 AS UNFINISHED BUSINESS. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-212: (R-91-1040) GRANTED THE APPEAL AS AMENDED, DENIED PERMIT, ADOPTED AS AMENDED AS RESOLUTION R-277016

19901210

(Continued from the meetings of October 9, 1990, Item 335, October 30, 1990, Item 344 and November 27, 1990, Item 335; last continued at Councilmember Roberts' request, to review new information relative to the project.)

Appeal of Peninsula Community Planning Board, Inc., by Norman Magnuson, Chair, from the decision of the Board of Zoning Appeals in approving variance / Conditional Use Permit C-20523, subject to conditions.

The project request is to maintain the following currently in violation: a three-story, single-family dwelling 1) with three bay windows observing a 13'0" front yard where 15'0" is required; 2) a guest quarters where such use is permitted by Conditional Use Permit only; 3) a 7'2" wide fireplace observing a 3'0" rear yard where 4'0" is required; 4) an eave projection observing a 2'0" rear yard where 2'6" is required; and 5) a 7'4" high retaining wall observing a 2'0" street side yard where a 6'0" high retaining wall is the maximum height permitted in the side yard. The subject property is located at 1447 Plum Street, in Zone R1-5000, in the Peninsula Community Plan area, and is more particularly described as portions of Lots 11 and 12, Block 55, Roseville, Map-165.
(C-20523. District-2.)

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

FILE LOCATION: ZONE-Zoning Appeals C-20523

COUNCIL ACTION: (Tape location: L085-189.)

Hearing began 9:42 p.m. and halted 9:58 p.m.

MOTION BY ROBERTS TO ADOPT AS AMENDED. APPROVE THE VARIANCES
AND

DENY THE CUP WITH FINDINGS. ANY OF THE EARTHWARE THAT IS NOT IN
FULL CONFORMANCE WITH APPROVED GRADING PLANS SHOULD BE
REMOVED

FROM THE SITE AS PART OF THE WORK. THAT ANY ENCROACHMENT PERMIT
SHOULD NOT BE GRANTED FOR USE OF THE PUBLIC RIGHT-OF-WAY FOR

WALLS; THAT ALL RETAINING WALLS BE PLACED ON THE PROPERTY. RECOMMEND APPROVAL FOR THE SET BACK VARIANCES THAT ARE BEING REQUESTED, SUBJECT TO THERE BEING AN APPROVED LANDSCAPE AND IRRIGATION PLAN; RESCIND THE ENCROACHMENT PERMIT AND THAT THE LANDSCAPE AND IRRIGATION PLANS BE SUBMITTED IN 30 DAYS AND THAT THE WALLS BE CONSTRUCTED IN 60 DAYS. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-213: (R-91-906) ADOPTED AS RESOLUTION R-277363

19901210

Matter of modification to several provisions of the Preliminary Centre City Community Plan and the Interim Development and Design Ordinance. These issues were raised by members of the public and the City Council at a public hearing held on July 23, 1990. These issues are summarized below:

1. Expansion of the Cortez Hill Residential District.
2. Elimination of the street level development incentive.
3. Elimination of Ash Street remote parking area.
4. Direction that downtown streets be designed to reflect the desired mode split as outlined in the Centre City Parking Management Plan.
5. Reduction of the Floor Area Ratio from 6.5 to 4.5 and/or elimination of the bonus provisions, Sixth Avenue to 13th Street, "K" Street to Harbor Drive.
6. Reduction of the FARs along the waterfront, in Harbor-view, and the area east of the Gaslamp Quarter between Sixth Avenue and 13th Street, south of "K" Street as proposed by Citizens Coordinate for Century III (C-3) in its map dated July, 1990.
7. Expand the View Corridor Design Criteria. Establish an overlay plan that through setbacks, protects views not only along the existing linear street grid but in a diagonal direction to permit linkage between prominent public spaces, such as Balboa Park, Horton Plaza and the waterfront.
8. Designation of Fir Street as a view corridor with view

corridor stepbacks.

9. Letter from the Port of San Diego dated July 23, 1990, regarding the possible misinterpretation of the Centre City Plan and Ordinance indicating that residential development is possible on port lands.

(Districts-2 and 8.)

Authorizing the Planning Department to incorporate modifications into the Preliminary Centre City Community Plan and Interim Development and Design Ordinance.

FILE LOCATION: LAND-Centre City Community Plan

COUNCIL ACTION: (Tape location: F086-G106.)

Hearing began at 5:35 p.m. and halted 5:54 p.m.

Testimony in favor by Ernest Hahn and Matt Peterson.

Mayor O'Connor closed the hearing.

MOTION BY PRATT TO CONTINUE ITEM #3 ONLY TO JANUARY 28, 1991 TO REVIEW RECENT KNOWLEDGE OF PROPOSAL IN PLAN AND TO ALLOW TIME TO

WORK WITH CCPC AND COUNCIL. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-nay, Filner-nay, Mayor O'Connor-not present.

Motion by Filner to not continue item #3. No vote taken.

MOTION BY FILNER TO ADOPT AS AMENDED. THAT THE PERIPHERAL PARKING ISSUE (ITEM #3 WHICH WAS CONTINUED) BE REFERRED TO CCDC, MTDB AND CCPC. TO DIRECT PLANNING STAFF TO WORK WITH CCDC ON A COUNCIL POLICY WHICH REFLECTS THE CONTENTS OF THE STREET DESIGN RESOLUTION, AND RETURN TO COUNCIL. AND RETAIN THE BLOCK BOUNDED BY 6TH, 7TH, ASH AND A STREETS IN THE COMMERCIAL OFFICE DISTRICT WITH A CBD ZONING. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S400: (R-91-936) ADOPTED AS RESOLUTION R-277018

Dissolving the Metropolitan Sewer Task Force as an active committee effective January 1, 1991, or upon certification of the final environmental documents regarding Alternative IV; declaring that the City Council may request assistance in the future from the Task Force Executive Committee for consultation on an as-needed basis regarding issues derived

from the Clean Water Program; extending sincere appreciation to the Metropolitan Sewer Task Force and each of its members: E. Miles Harvey, Chairman, John M. Leach, Vice Chairman, Dr. Craig Barilotti, Granville Bowman, Diana Clark, Robert C. Cozens, Roy Dodson, Eugenia Franco, David M. George, Ruth Hayward, Deborah Huffman, Doug LeMaire, John P. Lippitt, Wendy Longley-Cook, Michael Madigan, Kimball Moore, John Pizzato, and Bill Ward, for the excellent contribution made in connection with the largest public works project ever undertaken by the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A164-255.)

MOTION BY BERNHARDT TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S401: (R-91-319) ADOPTED AS RESOLUTION R-277019

Rescinding the contract with Budco Engineering and Manufacturing for furnishing hardware and fasteners, as may be required for the period of one year beginning January 1, 1990 through December 31, 1990, for an estimated cost of \$53,117.96, previously authorized by Resolution R-274901,

adopted January 8, 1990; readvertising for bids for Section I - Bolts, Washers, Nuts, Screws, All-Threads; Section II - Stainless Steel Fasteners, and Section IV - Other Fasteners - Will Call Only. (BID-F0994/90)

(This contract provides hardware and fasteners to various storerooms throughout the City.)

FILE LOCATION: CONT-Purchase - Budco Engineering and Manufacturing

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-S402: (R-91-720) ADOPTED AS RESOLUTION R-277020

Awarding a contract to Potters Industries, Inc. for the purchase of reflective glass spheres, as may be required for a period of one year beginning November 1, 1990 through October 31, 1991, for an estimated cost of \$53,300, including tax, with an option to renew for four additional one-year periods with increases not to exceed 7 percent of prices in effect at the end of each prior contract period. (BID-P1876/91)

FILE LOCATION: CONT-Purchase - Potters Industries, Inc.
CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S403: (R-91-533) ADOPTED AS RESOLUTION R-277021

Awarding a contract to Imperial West Chemical Company for the purchase of ferric chloride, as may be required for a period of one year beginning November 1, 1990 through October 31, 1991 for an estimated cost of \$2,680,000, including sales tax, with an option to renew the contract for three additional one year periods with a price escalation not to exceed 20 percent of prices in effect at the end of each prior year; in the event that the contractor fails at any time during the contract period to deliver material meeting specifications, the Purchasing Agent is authorized to obtain ferric chloride from Chemwest Industries, Inc. under the terms of the emergency price clause in the specifications, or to obtain the material on the open market, if necessary. (BID-B1691/91)

FILE LOCATION: CONT-Purchase - Imperial West Chemical
Company CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S404: (R-91-734) ADOPTED AS RESOLUTION R-277022

19901210

Inviting bids for the Mission Beach Drainage Phase 1 Streets, Alleys and Drains on Work Order No. 119256; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$4,340,000 from CIP-11-226.0, Mission Beach Drainage, (\$2,738,000 Capout Fund No. 30245; and \$1,602,000 from TransNet Fund No. 30300), for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K1970/91) (Mission Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Mission Beach Drainage Project to be constructed in three phases will rebuild and improve the existing gravity storm drain system in Mission Beach to current City standards. Boundaries for this Phase I portion of the project are the Pacific Ocean westerly, Pacific

Beach Drive northerly, Nantasket Court southerly and Mission Bay easterly. The project will provide a storm drain system of inlets, cleanouts, pipes and alley reconstruction that will collect and convey drainage to the proposed Phase I Pump Station in Santa Clara Cove. This system, when complete, will reduce flooding of Mission Boulevard and minimize closure of Mission Boulevard during heavy storms. Existing alleys and streets that have inadequate drainage characteristics and those to receive new storm drains will be demolished and reconstructed to convey surface flows to the new inlets on Mission Boulevard and Bayside Lane. Phase I Pump Station Santa Clara Cove is expected to advertise for construction proposals in early 1991. The Mission Beach drainage project is scheduled for a hearing before the California Coastal Commission on December 11, 1990. No award of contract for construction will be made until a valid permit is issued by the Coastal Commission.
Aud. Cert. 9100428.

FILE LOCATION: W.O. 119256 CONT - Western Utility Contractors, Inc. (WESTCON) CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-S405: (R-91-733) ADOPTED AS RESOLUTION R-277023

19901210

Inviting bids for Torrey Pines Golf Course Improvements on
Work Order No. 119142; authorizing the execution of a
contract with the lowest responsible bidder.

(BID-K1969/91)

(University City Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This project will
provide improvements to the Torrey Pines Golf Course - (south 18
hole course) which is located at 11480 North Torrey Pines Road.

The improvements will include a state-of-the-art computerized
irrigation system, concrete golf cart paths, and greens
reconstruction. The existing irrigation system is in poor
repair and needs replacement. The computerized irrigation
system will save water and is designed to be converted to
reclaimed water when reclaimed water becomes available.

Financing for this project is being generated from golf course
fees. Authorization to spend project funds will be requested
when Council approval of the award of a construction contract is
requested. It is anticipated that sufficient additional
surcharge fees will be collected in the interim between bid
advertising and award to provide for total project funding. It
is necessary to advertise the project at this time in order to
begin construction immediately following the
Shearson-Lehman-Hutton, PGA Golf Tournament in January 1991.

FILE LOCATION: W.O. 119142 CONT - Western Landscape
Construction CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-S406: (R-91-735) ADOPTED AS RESOLUTION R-277024

19901210

Inviting bids for the Construction of Traffic Signal and Street Lighting at Bernardo Center Drive Fire Station on Work Order No. 119632; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$9,310 from Fund No. 30300, CIP-68-008.0, Annual Allocation - Traffic Signal Subsystems into Fund No. 302453, CIP-62-002.0, Annual Allocation Minor Traffic Signal Requirements; authorizing the expenditure of an amount not to exceed \$44,310 from Fund No. 302453, CIP-62-002.0, Annual Allocation Minor Signal Requirements, for the purpose of providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-62-002.0. (BID-K1974/91) (Rancho Bernardo Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvements Program Project installs a traffic signal at Fire Station No. 33, located on Bernardo Center Drive, to provide safe egress from the fire station for emergency equipment responding to calls. Emergency vehicle preemption equipment is

being installed at the intersection of Bernardo Center Drive and Rancho Bernardo Road.
Aud. Cert. 9100329.

FILE LOCATION: W.O. 119632 CONT - MCR Electrical Contractors,
Inc. CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

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

ITEM-S407: (R-91-732) ADOPTED AS RESOLUTION R-277025

19901210

Rejecting all bids received on September 27, 1990, pursuant to publication of notice calling for bids on Construction of Alvarado Filtration Plant - Joint Laboratory Facility; inviting bids for the above construction on Work Order No. 170292/180232; authorizing the execution of a contract with the lowest responsible bidder. (BID-K1671/91)
(See City Manager Report CMR-90-531.)

FILE LOCATION: W.O. 170292/180232 CONT - Blake Construction Co., Inc. CONT FY 91-1

COUNCIL ACTION: (Tape location: C204-E112.)

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

* ITEM-S408: (R-91-966) ADOPTED AS RESOLUTION R-277026

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company an easement for underground power lines within Point Loma Community Park, being a portion of Pueblo Lot 190.
(Point Loma Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: By Resolution, Council directed the undergrounding of electrical service for the Catalina Blvd. conversion. This district extends from Canon Street to Varona Street. A portion of Point Loma Community Park falls within this district and is served by the underground power lines. Consequently, no right-of-way compensation is

being required. The Park and Recreation Department has approved this action.

FILE LOCATION: DEED F-5470 Deed FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-S409: (R-91-967) ADOPTED AS RESOLUTION R-277027

Authorizing the execution of a deed conveying to San Diego Gas & Electric Company an easement for an anchor and cable truss to correct the leaning (hazardous) condition of SDG&E Pole No. 734992, located at the easterly end of Lot 8, Block 29, Ocean Beach Park Annex Map-1217, adjacent to Robb Field.

(Mission Bay - Robb Field Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The SDG&E Pole No. 734992 carries a heavy load of power lines to service the Mission Bay area. The pole, in spite of several re-settings, is leaning toward West Point Loma Boulevard creating a hazardous condition. To correct this condition, SDG&E must place a 10-foot anchor extending northeast from the pole. As this action will mitigate a hazardous condition, no consideration is required. The Park & Recreation Department has approved this action.

FILE LOCATION: DEED F-5471 Deed FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-S410: (R-91-951) ADOPTED AS RESOLUTION R-277028

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company an easement for electrical service to City lessee Pinery Tree Farm.

(San Pasqual Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Semipermanent electrical

service is needed within the tree farm at Pinery leasehold. Pinery has agreed to remove this service at termination of its lease. The City's Agricultural Lease Manager has reviewed the easement and obtained a letter of agreement for the removal at termination, and therefore recommends approval of this easement. WU-PR-91-047.

FILE LOCATION: DEED F-5472 Deed FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-S411: (R-91-968) ADOPTED AS RESOLUTION R-277029

Authorizing the execution of a deed conveying to Olivenhain Municipal Water District a pipeline easement in Lot 2, Fairbanks Country Club Unit No. 1. (Fairbanks Ranch Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The Olivenhain Municipal Water District is requesting this easement for a raw water line to serve a number of golf course projects in the district including the Fairbanks Ranch Country Club, thereby relieving the potable water supply. This same water line will eventually be one of the connections in a future project the District is planning for the transporting of reclaimed water to these golf courses and other appropriate users. This portion of the Fairbanks Ranch Country Club sought is an easement 30 feet wide and 1,500 feet long containing approximately 1.036 acres. This portion of the Country Club is actually not used for the golf course as it is a marshy area.

FILE LOCATION: DEED F-5473 Deed FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-S412: (R-91-980) ADOPTED AS RESOLUTION R-277030

A Resolution approved by the City Council in Closed Session

on Tuesday, November 27, 1990 by the following vote:
Wolfsheimer-yea; Roberts-not present; Hartley-not present;
Pratt-yea; Bernhardt-not present; Henderson-yea;
McCarty-yea; Filner-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$99,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Mae Florence Jones (Superior Court Case No. 612040, Mae Florence Jones v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$99,000 made payable to Mae Florence Jones and her attorney, Gerard F. Dermody, Esq., in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claim of Mae Florence Jones against the City of San Diego as a result of the incident of December 7, 1988.

Aud. Cert. 9100453.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-S413: (R-91-893) ADOPTED AS RESOLUTION R-277031

Authorizing the execution of an agreement with Old Town Trolley Tours for the operation of a tram system in Balboa Park, together with any 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 purposes and intent of the project and agreement; authorizing the expenditure of an amount not to exceed \$437,043, consisting of \$100,000 from Fund 10224, \$318,043 from Fund 102242, and \$19,000 from Fund 63031, to provide funds for the above project, as follows: \$351,857 from tram service beginning April 13, 1991 through October 31, 1992; \$50,000 for retrofitting of trolley vehicles; and \$35,186 plus any funds remaining after retrofitting as a contingency reserve for related miscellaneous costs. (See City Manager Report CMR-90-469. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 11/14/90. Recommendation to: 1) Approve the City Manager's recommendation; 2) Direct the City Manager to report back to the PFR Committee with an update on Balboa Park leaseholds and a discussion of the feasibility of introducing into the Park franchises or other private sources of revenue which might help fund the tram in future years. Districts 1, 3, 6, 7 and 8 voted yea. Aud. Cert. 9100393.

FILE LOCATION: MEET CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

* ITEM-S414: (R-91-806) ADOPTED AS RESOLUTION R-277032

Authorizing the execution of an agreement with Wallace Roberts and Todd for the preparation of a Precise Plan for Balboa Park East Mesa, 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 in order to carry out the purposes and intent of this project and agreement; authorizing the

expenditure of an amount not to exceed \$250,000 from Fund 102242, for the purpose of providing funds for the above project.

(See City Manager Report CMR-90-429. Balboa Park Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 10/10/90. Recommendation to approve the City Manager's recommendation. Districts 1, 3, 6 and 8 voted yea. District 7 not present. Aud. Cert. 9100342.

FILE LOCATION: MEET CCONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S415: (R-91-970) ADOPTED AS RESOLUTION R-277033

Authorizing the execution of a second amendment to the agreement of March 6, 1989 with Boyle Engineering Corporation, for professional services in connection with the Rose Canyon Trunk Sewer, with any further modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and amendment; authorizing the expenditure of an amount not to exceed \$154,785 from Sewer Revenue Fund 41506, CIP-46-111.0, for the purpose of providing funds for the above project.

(Clairemont Mesa and University Community Areas.
Districts-1 and 6.)

CITY MANAGER SUPPORTING INFORMATION: On March 6, 1989, the City entered into an agreement with Boyle Engineering Corporation for engineering services for the Rose Canyon Trunk Sewer Project, Document No. RR-273001. On July 10, 1989, the agreement was amended, Document No. RR-273923, to provide aerial surveying services. On August 3, 1990, the Development and Environmental Planning Division conducted an Initial

Environmental Study, and based upon the results of the Initial Study, it was determined that the proposed project may have a significant environmental effect.

Therefore, preparation of a draft Environmental Impact Report (EIR) was required. The proposed work would be conducted by Keller Environmental Associates, Inc., (KEA), a WBE firm, under a subcontract to Boyle Engineering Corporation. KEA is currently the subcontractor responsible for the preliminary environmental analysis of this trunk sewer project. This amendment will provide the funds necessary to perform the additional services associated with the preparation of the EIR for the Rose Canyon Trunk Sewer.

Aud. Cert. 9100455.

WU-U-91-086.

FILE LOCATION: MEET CCONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-S416: (R-91-961) ADOPTED AS RESOLUTION R-277034

Authorizing the execution of a fourth amendment to the agreement with Ralph Bradshaw/Richard Bundy and Associates to provide consultant services; authorizing the expenditure of an amount not to exceed \$51,700 from CIP-35-060.0, Scripps Miramar Ranch Public Facilities Benefit Assessment Fund 79007, for the purpose of providing funds for the above project and related purposes.

(Scripps Miramar Ranch Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: This amendment to the consultant agreement will modify the existing 15,000 sq. ft. Library design to provide a 20,000 sq. ft. facility with a community meeting room. The original agreement authorized by Council action provided for a master plan of a 20,000 sq. ft. Library including a 5,000 sq. ft. community meeting room facility. After review by community groups, the consultant was

to proceed with an expandable 10,000 sq. ft. Phase I since total project funding was not yet available. Subsequently a 15,000 sq. ft. design was authorized. Now funding is available for a 20,000 sq. ft. design which will be compatible with the new building code requirements and site limitations. This branch will serve both the Scripps Ranch and Miramar Ranch North communities. The architecture will be in the "Mission revival" style and it will replace the existing store-front Library in Scripps Ranch. This project is identified in and is consistent with the Scripps Miramar Ranch Community Plan and is in accordance with the City's General Plan Guidelines.

Aud. Cert. 9100443.

FILE LOCATION: MEET CCONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-S417: (R-91-904) ADOPTED AS RESOLUTION R-277035

Authorizing the execution of a fifth amendment to the agreement of December 7, 1987 with Black and Veatch, Engineers-Architects, for additional environmental services in connection with East Mission Gorge Interceptor Sewer, together with any modifications or amendments which do not

increase the project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of this project and amendment; authorizing the expenditure of an amount not to exceed \$89,000 from CIP-43-104.0, East Mission Gorge Interceptor System, Clean Water Program Fund 41509, to provide funds for this amendment; authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

(District-7.)

CITY MANAGER SUPPORTING INFORMATION: 1. On December 7, 1987, the City Council approved an agreement with Black and Veatch to provide consulting services for the design of the East Mission Gorge Interceptor Sewer. The contract was later amended to

provide for an environmental assessment of live stream discharge from proposed water reclamation plant to the San Diego River.

2. This Amendment No. 5 will provide for additional environmental services for the: a) East Mission Gorge Interceptor Environmental Impact Report; b) Santee Basin Water Reclamation Environmental Impact Report; and c) San Diego Live Stream Discharge Studies. These additional services will include the increased effort required in the collection and coordination of comments on the draft environmental documents to support Consent Decree Milestone schedules, additional biological and cultural surveys, additional paleontological research and performance of noise measurements at three locations within the project area.

Aud. Cert. 9100437.

WU-CWP-91-078.

FILE LOCATION: MEET CCONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-S418: (R-91-903) ADOPTED AS RESOLUTION R-277036

Authorizing the execution of a second amendment to the agreement with HYA Consulting Engineers, Inc. for environmental services concerning the Balboa Park Water Reclamation Facility (Mission Valley Water Reclamation Project), with any further modifications or amendments

thereto which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purposes and intent of this project and amendment; authorizing the expenditure of an amount not to exceed \$42,685 from CIP-46-147.0, Modified Wastewater Treatment Facility Plan, Clean Water Program Fund 41509, to provide funds for this amendment; authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.
(District-5.)

CITY MANAGER SUPPORTING INFORMATION: On September 19, 1988, the City entered into an agreement with HYA Consulting Engineers, Inc. (HYA) to provide professional engineering services for the planning and preliminary design of a proposed Balboa Park Water Reclamation Project. On June 16, 1989, PS&S authorized a shift in emphasis to a regional plant in the Mission Valley area as recommended in the Clean Water Program Water Reclamation Report accepted by PS&S on May 3, 1989. This additional environmental work is necessary for the evaluation of this project to respond to comments on the draft environmental document. The Consent Decree requires finalization and certification of the EIR's by February 15, 1991. The proposed work will be carried out by Keller Environmental Associates (KEA) under subcontract with HYA. KEA prepared the draft EIR for the Mission Valley Water Reclamation Project.
Aud. Cert. 9100438.
WU-CWP-91-077.

FILE LOCATION: MEET CCONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S419: (R-91-946) ADOPTED AS RESOLUTION R-277037

Authorizing the execution of an agreement with Jaykim Engineers, Inc. for professional services in connection with the Valencia Park Trunk Sewer, together with any 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 purposes and intent of the project and agreement; authorizing the City Auditor and

Comptroller to transfer \$207,357 within Sewer Revenue Fund No. 41506, consisting of \$40,000 from CIP-44-001.0, Annual Allocation-Sewer Main Replacement, and \$167,357 from CIP-43-093.0, Island Avenue Sewer Interceptor, to CIP-46-166.0, Valencia Park Trunk Sewer; authorizing the expenditure of an amount not to exceed \$491,357 from Sewer Revenue Fund No. 41506, CIP-46-166.0, Valencia Park Trunk Sewer, for the purpose of providing funds for the above

project; authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

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

CITY MANAGER SUPPORTING INFORMATION: This agreement requires consultant services to prepare plans, specifications, and cost estimates for the upgrade and replacement of the Valencia Park Trunk Sewer which services the communities of Southeast San Diego and a northwestern portion of National City. This improvement project will relieve the existing sewer and provide additional capacity needed for further growth in the are in accordance with the community plans. The Valencia Park Trunk Sewer was built in 1943 and has been in service for over 47 years. The project proposes replacement of approximately 9,800 lineal feet of 12-, 15-, and 21-inch diameter mains from Harbor Drive to I-805 near Delta Street, and from I-805 to Logan Avenue near 49th Street. The design project was advertised in the San Diego Daily Transcript on May 4, 1990 with 37 consultants responding. Five consultants were interviewed in accordance with Council Policy 300-7, and Jaykim Engineers, Inc. was selected. Jaykim's responsibilities shall include a preliminary design report, final design and documents, improvement plans and specifications, and construction assistance for a contract amount not to exceed \$491,357. Project subconsultants and the percent of work that they will perform are: Keller Environmental, Inc., WBE (6.06%); Ninyo and Moore, MBE, Geotechnical (7.47%); JHK and Associates Traffic (6.65%); San Diego Land Surveying and Engineering, Inc. (6.52%); and San-Lo Aerial Surveys, Aerial Topo (2.93%). The total percentage of MBE and WBE subconsultant work amounts to 13.53%.
Aud. Cert. 9100437.

FILE LOCATION: MEET CCONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S420: (R-91-853) ADOPTED AS RESOLUTION R-277038

Authorizing the execution of an amendment to the agreement between the City and the San Diego Urban Corps (San Diego Conservation Corps), by amending Paragraph No. 5, Compensation, to change the total sum authorized from \$47,050 to \$241,650 to accommodate the additional tasks required by the City; further amending the agreement with the San Diego Urban Corps to reflect within the Scope of Services specific reference to construction of trails for open space in San Pasqual Staging Areas pursuant to Planning Department, Development and Engineering Planning Division Initial Study No. 90-0166, for a sum not to exceed \$194,600; authorizing the expenditure of not to exceed \$194,600 from Environmental Growth Fund No. 10505, CIP-20-010.7, Annual Allocation - Resource Based Open Space Parks, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION: This first amendment to agreement provides improvements to the San Pasqual Staging Area, located two miles east of Brandy Canyon Road on State Route 78 in the San Pasqual Valley. The San Diego Urban Corps is providing approximately 14 miles of hiking trails with rest and viewing areas and other trail amenities (drainage culverts, directional signs). This action authorizes the City Manager to execute a first amendment to the City's agreement with the San Diego Urban Corps. The expenditure of funds and the selection of the San Diego Urban Corps for this project has prior City Council authorization.
Aud. Cert. 9100447.

FILE LOCATION: MEET CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

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

* ITEM-S421: (R-91-972) ADOPTED AS RESOLUTION R-277039

Approving Change Order No. 1, dated September 25, 1990, issued in connection with the contract with Roca Construction, Inc. for the Improvement of Carmel Mountain Road/Rancho Penasquitos Boulevard between Paseo Montalban and Azuaga Street, amounting to a net increase in the contract price of \$38,610; authorizing the expenditure of an amount not to exceed \$38,610 from CIP-52-365.0, Carmel Mountain Road - Paseo Montalban to Rancho Penasquitos Boulevard, Penasquitos East FBA Fund No. 79004, for the purpose of providing funds for the above project.

(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The slopes on the west side of Carmel Mountain Road between stations 53+00 and 77+00 were constructed in the right-of-way. In order to widen the road and build the new sidewalk behind the curbs, it is necessary to construct a retaining wall behind the sidewalk. Additionally, the existing irrigation system for the slope needs to be modified. Change Order No. 1 will compensate the contractor for all work associated with the construction of the retaining wall and necessary landscape and irrigation system reconstruction. This change order will increase the duration of the contract by twenty working days.

Aud. Cert. 9100448.

FILE LOCATION: CONT- Roca Construction, Inc. CONT
FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

ITEM-S422: (R-91-841) REFERRED BACK TO ARTS COMMISSION

Approving the Manager's recommendation for funding the Special Projects Program for the Commission for Arts and Culture; authorizing the execution of contracts with 69 organizations in amounts not to exceed those recommended by the City Manager or as determined and approved by Council; authorizing the City Auditor and Comptroller to expend an amount not to exceed \$566,914 from Fund No. 10224 for the purpose of funding the above contracts.

(See City Manager Reports CMR-90-490 and CMR-90-481.)

COMMITTEE ACTION: Reviewed by PSS on 11/21/90.

Recommendation to refer the City Manager's recommendations to Council with consideration given to the Freedom Arts Festival at 85 percent full funding (\$29,750). Districts 2, 3, 4, 5 and 7 voted yea.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: L192-M112.)

Motion by Bernhardt to refer the committee system and policy issue to Rules Committee. Once the policy is resolved, the concept of programming should then be referred to PS&S. No second. No vote taken.

MOTION BY HENDERSON TO REFER BACK TO THE ARTS COMMISSION TO DEFINE "SPECIAL PROJECTS" AS PREVIOUSLY AGREED TO WITH THE HOTEL/MOTEL ASSOCIATION. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S423: (O-91-95) FIRST HEARING HELD

First public hearing in the matter of:
Amending Ordinance O-17504 (New Series), as amended, entitled "An Ordinance adopting the Annual Budget for the Fiscal Year 1990-91, and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year," by amending Document No. 00-17504-1, as amended and adopted therein, by authorizing the Auditor and Comptroller to increase the General Fund 100 by \$300,000 due to the availability of unappropriated transfer of funds from the Arts Festival Corporation and allocating the \$300,000 to the Allocated Reserve 901; authorizing the Auditor and Comptroller to appropriate and allocate the \$300,000 to offset reductions in Transient Transportation Revenues. (See City Manager Report CMR-90-501.)

NOTE: Today's action is the first public hearing. See Item S502 on the docket of Tuesday, December 11, 1990, for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G120-279.)

MOTION BY FILNER TO APPROVE THE FIRST HEARING. Second by McCarty. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S424: (O-91-88) INTRODUCED - TO BE ADOPTED JANUARY 9,
1991

Introduction of an Ordinance amending Ordinance O-17509,
(New Series) adopted August 6, 1990, which imposed a
Transient Transportation Tax on the short term rental of
passenger vehicles, to delay the effective date and the
collection of tax until January 1, 1991, or on the
thirtieth day of its passage, whichever is later, provided
that the State Board of Equalization has determined that
the provisions of Ordinance O-17509 (NS) do not violate the
Bradley-Burns Act, Revenue and Taxation Code Section
7203.5.

(See City Manager Report CMR-90-501.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G120-279.)

MOTION BY FILNER TO INTRODUCE. Second by McCarty. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-S425: (O-91-96) INTRODUCED, TO BE ADOPTED JANUARY 7, 1991

Introduction of an Ordinance amending Chapter IV, Article
2, Division 4, of the San Diego Municipal Code by
renumbering Sections 42.0400, 42.0401, 42.0402, 42.0403,
42.0405 and 42.0408; by amending and renumbering Sections
42.0404, 42.0406, 42.0407; by amending Sections 42.0415 and
42.0416; and, by repealing Sections 42.0409 and 42.0413,
relating to Regulation of Bathhouses.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C045-072.)

MOTION BY HENDERSON TO INTRODUCE. Second by Hartley. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-S426: CONTINUED TO FEBRUARY 4, 1991

Two actions relative to the Fiesta Island Facilities
Replacement Project - Sludge Management Master Plan Report
Supplement:

(See City Manager Report CMR-90-510. Peninsula, Ocean
Beach, Mission Bay, Mission Valley, Linda Vista, Clairemont
Mesa and University Community Areas. Districts-2, 5
and 6.)

Subitem-A: (R-91-913)

Authorizing the acceptance of the findings and
recommendations contained in the San Diego Sludge
Management Master Plan Report Supplement as prepared by the
City's consultant, Metcalf & Eddy.

Subitem-B: (R-91-914)

Certifying that the information contained in Environmental
Impact Report DEP-90-0393 and a Mitigation Monitoring and
Reporting Program, has been completed in compliance with
the California Environmental Quality Act (CEQA) of 1970, as
amended, and State guidelines, and that the information,
along with Findings and Statement of Overriding
Considerations, has been reviewed and considered by the
Council.

WU-CWP-91-075.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A463-490.)

MOTION BY WOLFSHEIMER TO CONTINUE TO FEBRUARY 4, 1991 AND IN THE
INTERIM REQUEST STAFF WORK WITH THE NAVY TO EVALUATE THE
FEASIBILITY OF THE NAVY SITE AND DETERMINE WHAT IS NECESSARY IN
TERMS OF PROCEDURE TO REQUIRE NAVAL APPROVAL, AND TRY TO
SYNCHRONIZE THE FIFRP (FIESTA ISLAND FACILITIES REPLACEMENT
PROJECT) WITH THE CLEAN WATER PROGRAM SO THE TWO DOVETAIL
APPROPRIATELY. REFER TO THE CITY MANAGER TO REDOCKET WITH OTHER
ITEM. Second by Roberts. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

* ITEM-S427: (R-91-725) ADOPTED AS RESOLUTION R-277041

Awarding contracts for the purchase of light duty vehicles,

for a total cost of \$1,973,030.26, including tax, to Dixon Ford/Isuzu, Inc., Courtesy Chevrolet, City Chevrolet, H.W. Hunter, Inc., Fuller Ford, and Jack Powell Chrysler Plymouth Dodge; authorizing the expenditure of an amount not to exceed \$1,973,030.26, as follows: Dixon Ford/Isuzu Inc. - \$543,443.15; Courtesy Chevrolet - \$502,167.03; City Chevrolet - \$455,425.50; H.W. Hunter, Inc. - \$184,738.13; Fuller Ford - \$98,091.92; Jack Powell Chrysler Plymouth Dodge - \$189,164.53; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
Aud. Cert. 9100441.

FILE LOCATION: CONT-Purchase - Dixon Ford/Isuzu, Inc.,
Courtesy Chevrolet, City Chevrolet, H. W.
Hunter, Inc., Fuller Ford, Jack Powell
Chrysler Plymouth Dodge CONFY91-6

COUNCIL ACTION: (Tape location: C045-072.)
CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S428: (R-91-701) ADOPTED AS RESOLUTION R-277042

Awarding contracts to Advanced Communications, Best Tech, California Mobile Communications, Gifford Engineering, Midland International, and Motorola Communications & Electric, for furnishing communications equipment, as may be required for a period of eight months beginning November 1, 1990 through June 30, 1991, for an estimated cost of \$411,023.37, with an option to renew the contract for four additional one year periods with price escalations not to exceed 15 percent of prices in effect at the end of each prior year; authorizing the Purchasing Agent to enter into a contract with the next low acceptable bidders and to successive bidders if necessary, if for any reason a bidder awarded a contract is unable to furnish any item per that contract. (BID-B1424/90)

FILE LOCATION: CONT-Purchase - Advanced Communications,
Best Tech, California Mobile Communications,
Gifford Engineering, Midland International,

Motorola Communications & Electric
CONTFY91-6

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

* ITEM-S429:

Two actions relative to the Construction of Sewer/Landscape
Restoration at Hoffman Canyon:

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

Subitem-A: (R-91-736) ADOPTED AS RESOLUTION R-277043

19901210

Inviting bids for the Construction of Sewer/Landscape
Restoration at Hoffman Canyon on Work Order No. 171881;
authorizing the execution of a contract with the lowest
responsible bidder; authorizing the expenditure of funds
not to exceed \$221,500 (\$218,500 from Sewer Revenue Fund
No. 41506, CIP-44-001.0, for the purpose of executing this
contract and related costs; and \$3,000 from CIP-44-001.0
(Hoffman Canyon) for the acquisition of property rights and
related costs; authorizing the Auditor and Comptroller,
upon advice from the administering department, to transfer
excess budgeted funds, if any, to the appropriate reserves.
(BID-K1976/91)

Subitem-B: (R-91-737) ADOPTED AS RESOLUTION R-277044

Certifying that the information contained in Environmental
Negative Declaration DEP File END-90-0746, dated October
15, 1990, issued in connection with Construction of
Sewer/Landscape Restoration at Hoffman Canyon, has been
completed in compliance with the California Environmental
Quality Act of 1970, and State guidelines, and that said
Declaration has been reviewed and considered by the
Council.

CITY MANAGER SUPPORTING INFORMATION: An old deteriorated

sewer main in the canyon area south of Massachusetts and Hoffman Streets collapsed in October, 1989. The Water Utilities Department crews have made a temporary repair to this collapsed sewer. This project will replace the temporary repair, and upgrade the sewer while providing capacity to meet the long-term need of the North Park-East Community/Hoffman Canyon area. This upgrade includes replacement of 600 feet of existing deteriorated sewer main with a new 8-inch sewer main. The sensitive natural setting of this canyon also will be restored, as close as possible, to its original state prior to the October, 1989 emergency work. This restoration will be accomplished through extensive planting of native plants in the same proportional density as the existing vegetation. This action requests authority for a \$221,500 expenditure, which includes \$3,000 to acquire an easement for a new storm drain that will be constructed with this project.

Aud. Cert. 9100387.

WU-U-91-043.

FILE LOCATION: W.O. 171881 CONT - ROCA Construction, Inc.
CONT FY 91-1

COUNCIL ACTION: (Tape location: C045-072.)

CONSENT MOTION BY HENDERSON TO ADOPT. Second by Hartley.

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

ITEM-S430:

Five actions relative to Underground Storage Tank

Replacement - Phase III:

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

Subitem-A: (R-91-956) ADOPTED AS RESOLUTION R-277045

Approving Change Order No. 1, dated September 6, 1990,
issued in connection with the contract with Environmental
Restoration, Inc. for Underground Storage Tank Replacement

- Phase III, amounting to a net increase in the contract
price of \$11,503.44 and an extension of time of two working
days, extending the completion to 56 working days.

Subitem-B: (R-91-959) ADOPTED AS RESOLUTION R-277046

Approving Change Order No. 2, dated October 25, 1990, issued in connection with the contract with Environmental Restoration, Inc. for Underground Storage Tank Replacement - Phase III, amounting to a net increase in the contract price of \$52,527.45 and an extension of time of 12 working days, extending the completion to 58 working days.

Subitem-C: (R-91-960) ADOPTED AS RESOLUTION R-277047

Approving Change Order No. 3, dated November 1, 1990, issued in connection with the contract with Environmental Restoration, Inc. for Underground Storage Tank Replacement - Phase III, amounting to a net increase in the contract price of \$42,183.28 and an extension of time of 6 working days, extending the completion to 47 working days.

Subitem-D: (R-91-958) ADOPTED AS RESOLUTION R-277048

Modifying the Fiscal Year 1991, Capital Improvements Program, Annual Appropriations Budget, Ordinance No. O-17504, by adding \$125,000 to CIP-33-084, Underground Hazardous Materials Storage Tanks, from General Services - Maintenance Improvement Fund 10503; authorizing the expenditure of \$125,000 from Fund 30244, CIP-33-084 for construction and related costs for Underground Storage Tanks Replacement, Phase III.

Subitem-E: (O-91-98) FIRST HEARING HELD

First public hearing in the matter of:

Amending Ordinance No. O-17504 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1991 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. OO-17504-1 as amended and adopted therein, by transferring the sum of \$125,000 from the Equipment Division Operating Fund 50030, Object Account 3333 to the General Service - Maintenance Improvement Fund 10503 for the purpose of funding Change Orders No. 1, No. 2 and No. 3 for Underground Storage Tank Replacement - Phase III.

NOTE: See Item S505 on the docket of Tuesday, December 11, 1990 for the introduction and adoption of the Ordinance.

CITY MANAGER SUPPORTING INFORMATION: This project provides for the replacement of underground storage tanks and

reconstruction of the gas pump islands at Chollas Operation Center. Currently County, State and Federal regulations require the replacement of all single-wall underground tanks with double-wall tanks and modified ancillary leak detection equipment. Phase III is part of the City-wide Underground Hazardous Materials Storage Tank Management program and is the third of a series of tank replacement projects. This action will transfer \$125,000 from Equipment Division Operating Fund to fund the necessary change orders and provide contingency funding to complete this phase. Change Orders Nos. 1 and 3 provide equipment, materials, and labor for additional excavation to remove contaminated soil discovered when the old fuel tanks were removed. Change Order No. 1 was for removal of 300 cubic yards of contaminated soil and replacement with clean fill; cost is \$11,503. Change Order No. 3 was for removal of 2000 cubic yards of contaminated soil and replacement with clean fill; cost is \$42,183. Change Order No. 2 includes high-speed fueling system required to fill fuel tanker for fleet fueling, relocation of fuel island found to block vehicle access into and out of lube bay, and installation of double-walled piping and concrete pad for proposed emergency generator. Change Order No. 2 also includes extra concrete paving not anticipated in the original contract. Total cost for Change Order No. 2 is \$52,528. Aud. Cert. 9100403.

FILE LOCATION: Subitems A,B,C CONT- Environmental Restoration, Inc., Subitem D MEET CONT FY 91-3

COUNCIL ACTION: (Tape location: C045-072.)
MOTION BY HENDERSON TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:
None.

COUNCIL COMMENT:
None.

PUBLIC COMMENT:
ITEM-PC-1:

Public comment by Ron Bociung regarding a monument to Charles Lindbergh.

ITEM-PC-2:

Public comment by Arthur Wollgast on preserving the cannery building.

ITEM-PC-3:

Public comment by Allen Ziter on Commission for Arts and Culture special projects.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: M130-269.)

ADJOURNMENT:

The meeting was adjourned in honor of the memory of Ron Lochhead by Mayor O'Connor at 10:30 p.m.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: M270.)