

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, SEPTEMBER 14, 1992
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Roberts at 2:06 p.m. Deputy Mayor Roberts adjourned the meeting at 7:39 p.m. to meet in Closed Session on September 15, 1992, at 9:30 a.m. in the 12th floor conference room to discuss pending litigation and meet and confer issues.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-280746
(personal)
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member Hartley-present
 - (4) Council Member Stevens-present
 - (5) Council Member Behr-present
 - (6) Council Member Stallings-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Daniel Massieh, Middle East Evangelical Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Behr.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding truth and politics.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A175-210.)

ITEM-PC-2:

Comments by the following citizens in the Fourth District expressing thanks to and commending Council Member Stevens: Earl Krepelan, Phil Brown, Anthony Wajadi, James Stancil, Andrew Flynn, Joshua Von Wolfolk Sidney Cooper, Katrina Jordon, Tressia Anders, Obdur Rahim Hameed, Larry Malone, Robert Robinson, Barbara Martin, Janice Douglas, Bonnie Anderson, Tony Gomez, and James Hamilton.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B069-C020.)

COUNCIL COMMENT:

None.

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
7/27/92
7/28/92
7/28/92 Special Joint Meeting
8/03/92 Special Workshop
8/03/92
8/04/92
8/04/92 Special Joint Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION (Tape location: A039-044.)

MOTION BY McCARTY TO APPROVE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-31: (R-93-301) ADOPTED AS RESOLUTION R-280560

Proclaiming September 15 through October 15, 1992 to be

"Hispanic Heritage Month" in San Diego, and encouraging all residents to share and enjoy the festivities and cultural significance of this month.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A045-073.)

MOTION BY COMMON CONSENT TO ADOPT. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-32: (R-93-274) ADOPTED AS RESOLUTION R-280561

Expressing enthusiastic support of naming a major noncombatant ship of the United States Navy for Dr. Martin Luther King, Jr. as a fitting national tribute to this extraordinary civil rights leader, man of peace and uplifter of all humanity.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A075-116.)

MOTION BY STEVENS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-33: (R-93-325) CONTINUED TO OCTOBER 19, 1992

Proclaiming September 16, 1992 to be "CanTree Day" in San Diego.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A385-399.)

MOTION BY BEHR TO CONTINUE THE ITEM TO OCTOBER 19, 1992. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-not present.

ITEM-34: DENIED HEARING

Matter of the request of Aldo Cerciello, Owner, and Gojko Vasic of F Street Corporation, Lessee, for a hearing of an appeal from the decision of the Board of Zoning Appeals in denying variance C-20947 for the operation of an adult entertainment establishment (adult bookstore and peep show), currently in violation, located approximately five hundred and fifty (550) feet from the closest residentially zoned property, where a distance of one-thousand (1,000) feet is required. The subject property is located at 4626 Albuquerque Street, north of Garnet Avenue, and is more particularly described as a portion of Lots 2 and 4, Block 1, Homeland Villas, R.O.S. 6161 in the M-1 Zone. (Case C-20947. District-6.)

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

FILE LOCATION: ZONE - ZONING APPEALS CASE C-20947

COUNCIL ACTION: (Tape location: c024-032.)

MOTION BY STALLINGS TO DENY THE HEARING OF THE F STREET CORPORATION AND UPHOLD THE DECISION OF THE BOARD OF ZONING APPEALS BECAUSE NO EVIDENCE EXISTS TO GRANT FURTHER HEARING ON THIS MATTER. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-50:

Two actions relative to noticing requirements for Planned Districts and Special Sign Districts:

(Introduced as amended on 7/28/92. Council voted 7-0. Districts 2 and 3 not present. Re-introduced as amended on 8/10/92. Council voted 7-1. District 5 voted nay. District 8 not present.)

Subitem-A: (O-93-10 Rev.2) ADOPTED AS ORDINANCE O-17828
(New Series)

Amending Chapter X, Article 3, Division 1, of the San Diego Municipal Code by amending Section 103.0101, relating to Planned District Public Noticing Requirements.

Subitem-B: (O-93-11 Rev.2) ADOPTED AS ORDINANCE O-17829
(New Series)

Amending Chapter X, Article 4, Division 1, of the San Diego Municipal Code by amending Section 104.0100.10, relating to Special Sign Districts Public Noticing Requirements.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C039-045.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-51: (O-92-107) ADOPTED AS ORDINANCE O-17830 (New Series)

Amending Chapter X, Article 3, Division 20 of the San Diego Municipal Code, relating to administrative amendments to the Marina Planned District Ordinance. (District-8. Introduced on 8/11/92. Council voted 6-0. Districts-1, 3 and 8 not present.)

FILE LOCATION: LAND - Marina Planned District Ordinance

COUNCIL ACTION: (Tape location: C039-045.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-52: (O-92-158) ADOPTED AS ORDINANCE O-17831 (New Series)

Approving and adopting the Redevelopment Plan for the Central Imperial Redevelopment Project.
(District-4. Introduced on 8/4/92. Council voted 5-0. Districts 2, 7, 8 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C039-045.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-100: (R-93-149) ADOPTED AS RESOLUTION R-280562

Accepting the low bid of \$24,414.96 and awarding a contract to B.E. Moore Engineering Contracting, for Construction of Midway and Kemper Drain Systems; authorizing the City Auditor and Comptroller to transfer \$10,000 from CIP-17-002.0, Annual Allocation - Storm Drain Projects Not Yet Identified, Fund 30300, to CIP-11-289.0, Midway Drive and Kemper Street Storm Drain; authorizing the additional expenditure of not to exceed \$60,000 from CIP-11-289.0, \$50,000 from Fund 79505, and \$10,000 from Fund 30300, for said project and related costs. (BID-K3169/92M)
(Midway Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The intersection of Midway Drive and Kemper Street has a flat grade which causes water ponding and street flooding. This project provides for the permanent repair by constructing cross-gutter, slotted drain, curb inlet, and 18-inch storm drain. Bids were opened on June 9, 1992, with the low bid of \$24,414.96 from B.E. Moore Engineering Contracting. This bid was the lowest of the three bids received from 37 bid packages issued and was 3.5 percent under the

engineer's estimate of \$25,300. The second low bid was from Dietrich Corporation for \$41,016. It is recommended that this contract be awarded to B.E. Moore Engineering Contracting.

Aud. Cert. 9300165.

FILE LOCATION: CONT - B.E. Moore Engineering Contracting
CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-101: (R-93-47) ADOPTED AS RESOLUTION R-280563

Awarding a contract to Century Wheel and Rim for the purchase of brake rotors, as may be required for a period of one year beginning September 1, 1992 through August 31, 1993, for a total cost of \$48,454.64, including tax and terms, with an option to renew the contract for four additional one year periods with increases not to exceed six percent of the prices in effect in each prior period. (BID-C3296/93)
(Seven bids received. Requested by the Police Department to repair Police vehicles.)

FILE LOCATION: CONT - PURCHASE - Century Wheel and Rim
CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-102: (R-93-46) ADOPTED AS RESOLUTION R-280564

Awarding a contract to Atlas Pumping Service for furnishing wastewater removal from portable toilets and

holding tanks located at City reservoirs, as may be required for a period of one year beginning September 1, 1992 through August 31, 1993, for a total estimated cost of \$57,734.42, including terms, with an option to renew the contract for four additional one year periods, with option period price increases not to exceed 10 percent of the prices in effect in each prior period. (BID-C3312/93)

(Three bids received. Requested by the Water Utilities Department, Water Production Division.)

FILE LOCATION: CONT - PURCHASE - Atlas Pumping Service CONT
FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-103: (R-93-41) ADOPTED AS RESOLUTION R-280565

Awarding contracts to Industrial Tool, Knox Industrial Supplies, Cal-West Products, Inc. and Continental Tool & Hoist for the purchase of miscellaneous small tools, as may be required for a period of one year beginning September 1, 1992 through August 31, 1993, for a total estimated cost of \$227,387, including tax and terms, with an option to renew the contract for four additional one year periods. (BID-I3226/92)

(Ten bids received. For use by all City Departments.)

FILE LOCATION: CONT - PURCHASE - Industrial Tool, Knox
Industrial Supplies, Cal-West Products, Inc.
and Continental Tool & Hoist CONT FY93-4

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-104: (R-93-42) ADOPTED AS RESOLUTION R-280566

Accepting the sole bid and awarding a contract to J.G. Tucker & Son, Inc. for furnishing calibration, certification and repair of gas detection equipment, as may be required for a period of one year beginning August 1, 1992 through July 31, 1993, for a total estimated cost of \$61,456, including tax and terms, with an option to renew the contract for three additional one year periods, with option period increases not to exceed 10 percent of prices in effect at the end of each prior contract period. (BID-I3285/93)

(One bid received. For use by the Water Utilities Department.)

FILE LOCATION: CONT - PURCHASE- J.G. Tucker & Son, Inc.
CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-105: (R-93-45) ADOPTED AS RESOLUTION R-280567

Awarding contracts to Westburne Supply and Pacific Pipeline Supply for the purchase of miscellaneous water works fittings, as may be required for a period of one year beginning September 1, 1992 through August 31, 1993 for a total estimated cost of \$306,900, including tax and payment terms, for the first contract year. (BID-F3219/92)

(Two bids received. The primary users of these items are the Water Utilities Department, Systems Division, the Park and Recreation Department, and General Services Department, Buildings Division.

FILE LOCATION: CONT - PURCHASE - Westburne Supply and
Pacific Pipeline Supply CONT FY93-2

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-106: (R-93-43) ADOPTED AS RESOLUTION R-280568

Awarding contracts to Border Products Corp. and Atlas/SCA Construction Supply for the purchase of miscellaneous cementitious building materials, as may be required for a period of one year beginning August 15, 1992 through August 14, 1993, for a total estimated cost of \$47,369.06, including tax and terms, with an option to renew the contract for four additional one year periods.
(BID-Q3305/93)

(Seven bids received. For use by the City Departments with cementitious paving, construction, patching or repair work.)

FILE LOCATION: CONT - PURCHASE - Border Products Corp. and Atlas/SCA Construction Supply CONT FY93-2

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-107: (R-93-48) ADOPTED AS RESOLUTION R-280569

Awarding contracts to Bantry Industrial Marine, Continental Tool & Hoist, American Rigging & Supply and Pacific Rigging Loft for the purchase of rigging materials, as may be required for a period of one year beginning September 1, 1992 through August 31, 1993 for a total estimated cost of \$59,500, with an option to renew the contracts for four additional one year

periods. (BID-H3306/93)
(Five bids received. For use by various Water
Utilities Departments and the Lifeguard Service.)

FILE LOCATION: CONT - PURCHASE - Bantry Industrial marine,
Continental Tool & Hoist, American Rigging &
Supply and Pacific Rigging Loft CONT FY93-4

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by
Stallings. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-
yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-108: (R-93-49) CONTINUED TO SEPTEMBER 29, 1992

Awarding a contract to Klein America, Inc., for the
purchase of four 2 meter filter belt presses, for an
actual cost of \$1,013,108.60, including tax;
authorizing the expenditure of an amount not to exceed
\$1,013,108.60, from Department No. 700, Organization
No. 336, Object Account No. 6010, and Job Order No.
2502, 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-B3071/92)

(Nine bids received. Requested by the Water Utilities
Department, Metro Wastewater Division, for use on
Fiesta Island.)

Aud. Cert. 9300199.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A218-233.)

MOTION BY HARTLEY TO CONTINUE THE ITEM TO SEPTEMBER 29,
1992, AS REQUESTED BY THE CITY MANAGER. Second by
Wolfsheimer. Passed by the following vote: Wolfsheimer-
yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not
present.

* ITEM-109: (R-93-50) ADOPTED AS RESOLUTION R-280570

Awarding a contract to G.E. Supply for luminaries, for a total cost of \$93,401, including tax and terms; authorizing the expenditure of an amount not to exceed \$93,401 from Department No. 302045, Organization No. 108, Object Account No. 3302, and Job Order No. 680120, 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-I3330/93)

(Eleven bids received. Requested by the General Services Department, Communications and Electrical Division.)

Aud. Cert. 9300198.

FILE LOCATION: CONT - PURCHASE - G. E. Supply CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-110: (R-93-44) TRAILED TO SEPTEMBER 15, 1992 DUE TO LACK OF TIME

Modifying the contract with Frankson's Inc., for the purchase of 13 parking control scooters at a cost of \$14,000 each, to reduce the trade-in allowance by \$1,200, for a combined total cost of \$188,615; authorizing the expenditure of \$1,200 from Fund No. 70209, Department No. 70212, Object Account No. 6013, and Job Order No. 950291/95026, 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-C2863/92)
Aud. Cert. 9300177.

FILE LOCATION:

COUNCIL ACTION: (Tape location: --.)

* ITEM-111: (R-93-148) ADOPTED AS RESOLUTION R-280571

Inviting bids for Architectural Remodeling of Four Balboa Park Buildings on Work Order No. 119471; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$1,330,386 from CIP-21834.0, Balboa Park/Mission Bay Park Requirements, of which \$1,306,606 is from San Diego Facility and Equipment Leasing Construction Fund 91101, and \$23,780 is from Capital Outlay Other Fund No. 302453, 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-K3358/93)
(Prime construction contract \$1,170,000. Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The Museum of Man, Casa de Balboa, Centro Cultural de la Raza and the War Memorial Building are located in Balboa Park. The proposed project will provide new additional restrooms for the Museum of Man, Casa de Balboa, and the Centro Cultural de la Raza, which lack adequate restroom facilities, new roofing for Centro Cultural de la Raza, a disabled ramp for Casa de Balboa, and a kitchen remodel for the War Memorial Building.

Aud. Cert. 9200928.

FILE LOCATION: W.O. 119471 CONT - Randazzo Construction
CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-112: (R-93-145) ADOPTED AS RESOLUTION R-280572

Inviting bids for the Construction of Prefabricated Storage Building at the Point Loma Wastewater Treatment Plant on Work Order No. 172651; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$131,000 from CIP-46-119.0, Annual Allocation - Point Loma Treatment Plant, Sewer Revenue Fund 41508, 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-K3324/93)

(Prime construction contract \$105,000. Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Due to construction activities at the treatment plant, the existing makeshift shed used for storage of motorized workcarts will be removed. This project will construct a prefabricated metal storage building to house these workcarts. Because these carts routinely contain tools, materials and equipment, a secure and environmentally protective storage building is required.

Aud. Cert. 9300032.

FILE LOCATION: W.O. 172651 CONT-ESSDI dba Cairo Construction Co. CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-113: (R-93-146) ADOPTED AS RESOLUTION R-280573

Inviting bids for Replacement of Traffic Signal Controllers at Various Locations on Work Order No. 119925; authorizing the execution of a contract with

the lowest responsible bidder;

authorizing the expenditure of \$300,000 from CIP-63-002.0, Annual Allocation - Replace Obsolete Traffic Signal Controllers, (\$150,000 from Fund 30219, and \$150,000 from Fund 30300), for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to retain excess monies, if any, in CIP-63-002.0. (BID-K3351/93)
(Prime construction contract \$80,000.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvement Program project to replace obsolete traffic signal controllers provides for the capability of coordinated signal operation, protected left-turns, and emergency vehicle preemption. The traffic signal controllers are solid state, less costly to maintain and are more adaptable to current traffic operations.

Aud. Cert. 9201001.

FILE LOCATION: W.O. 119925 CONT-MCR Electrical Contractors Inc. CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-114: (R-93-150) ADOPTED AS RESOLUTION R-280574

Inviting bids for the Construction of San Ysidro Community Activity Center on Work Order No. 119156; authorizing the execution of a contract with the lowest responsible bidder;

authorizing the transfer of \$42,000 from PSD Fund 11740 to CIP-37-183.0, San Ysidro Community Activity Center; authorizing the expenditure of funds not to exceed \$460,700 from San Ysidro Community Activity Center, CIP-37-183.0, \$129,500 from DIF Fund No. 79518, \$57,200 from Private Contribution - CIP Fund No. 63022,

\$232,000 from Prop. 70 Grant Fund No. 38032, and \$42,000 from PSD Fund No. 11740, 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-K3362/93)
(Prime construction contract \$344,000. San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The San Ysidro Community Activity Center is a 14,000 square foot building located at 179 Diza Road in the San Ysidro Community Planning Area. The building was acquired from the San Diego Boys and Girls Club in 1987. CIP-37-183.0, San Ysidro Community Activity Center, was to provide site improvements around the building and to remodel the interior. The gymnasium floor began showing signs of stress while the project plans were being prepared. A soils investigation has determined that the building is on fill that is consolidating and the soil movement is causing significant cracks in the gym floor. The solution to the problem is the construction of concrete piers that extend through the fill material and support the building's foundation. This work requires the demolition and removal of the gym floor. The revised project will provide a new foundation under the gym, a new hard wood gym floor, a small children's play area, a multi-purpose court and interior remodeling as permitted by the budget and the low bid received.

Aud. Cert. 9300013.

FILE LOCATION: W.O. 119156 CONT-J. Fife Construction CONT
FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-115: (R-93-281) ADOPTED AS RESOLUTION R-280575

Inviting bids for the Market Street Drain - 12th Avenue to 13th Street on Work Order No. 119539; authorizing the execution of a contract with the lowest responsible

bidder; authorizing the expenditure of an amount not to exceed \$215,325 from CIP-11-259.0, Fund 30300 (TransNet Fees), 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-K3368/93)

(Prime construction contract \$149,825. Centre City Community Area. Districts-2 and 8.)

CITY MANAGER SUPPORTING INFORMATION: Capital Improvement Project CIP-11-259.0 provides for the design and construction of a storm drain system on Market Street between 12th Avenue and 13th Street. The proposed storm drain system will eliminate localized flooding which has occurred at the intersection of 12th Avenue and Market Street.

Aud. Cert. 9300183.

FILE LOCATION: W.O. 119539 CONT - L. R. Hubbard
Construction Co. Inc. CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-116: (R-93-282) ADOPTED AS RESOLUTION R-280576

Inviting bids for the Construction of Balboa Park Improvement - HVAC Upgrade on Work Order No. 119470; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$2,758,250 from CIP-21834.0, Balboa Park/Mission Bay Park Requirements, of which \$2,714,250 is from San Diego Facility and Equipment Leasing Construction Fund 91101, and \$44,000 is from Capital Outlay Other Fund No. 302453, 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-K3369/93)

(Prime construction contract \$2,446,000. Balboa Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The Museum of Art, Museum of Man, Natural History Museum and Casa de Balboa are located on El Prado in Balboa Park. The proposed project will provide an upgrade to the heating system in the Casa de Balboa building, installation of new heating and air conditioning systems for Museum of Man and Natural History Museum, and an upgrade to the existing heating and air conditioning system in the Museum of Art.

Aud. Cert. 9200884.

FILE LOCATION: W.O. 119470 CONT-Lemon Grove Sheet Metal Works, Inc. CONT FY93-1
COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-117: (R-93-147) ADOPTED AS RESOLUTION R-280577

Rejecting all bids received on January 30, 1992 for Overhaul of Pumps at Storm Pumping Station L on Work Order No. 005204A;

authorizing the Purchasing Agent to re-advertise for bids;

authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$84,000 from Fund 100 for providing funds for said project and related costs.

(BID-K2854/92A)

(Pacific Highway. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Stormwater Pumping Station L is located at 3895 Pacific Highway. this is one of the largest storm stations in the City. As part of a five year plan for maintaining the station, the pumps are to be overhauled. These pumps have never been refurbished in their history. Two years ago they were removed and showed signs of wear. It is imperative

that these pumps are reconditioned so they will work at their rated capacity and prevent overflows which could cause damage to surrounding areas. A previous low bid from ACTA Construction was rejected as they did not meet the required Equal Employment Opportunity conditions.

FILE LOCATION: W.O. 005204A CONT-Cal Southwest Construction Inc. CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-118: (R-93-388) ADOPTED AS RESOLUTION R-280578

Approving Parcel Map W.O. No. 910694 located on the west side of Carmel Mountain Road and south of Rancho Carmel Drive.

(Carmel Mountain Ranch Community Area. District-5.)

FILE LOCATION: SUBD - Parcel Map 16195, Parcel 2 division of

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-119: (R-93-257) ADOPTED AS RESOLUTION R-280579

Approving the final subdivision map of Black Mountain Vistas North Unit No. 5, a 12-lot subdivision located northwesterly of Black Mountain Road and Carmel Mountain Road.

(Penasquitos East Community Area. District-1.)

FILE LOCATION: SUBD - Black Mountain Vista North Unit No. 5.

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-120: (R-93-256) ADOPTED AS RESOLUTION R-280580

Approving the final subdivision map of Carmel Valley Neighborhood Unit 12A, an 8-lot subdivision located north of Carmel Country Road and Carmel Creek Road. (Carmel Valley Community Area. District-1.)

FILE LOCATION: SUBD - Carmel Valley Neighborhood Unit 12A

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-121: (R-93-255) ADOPTED AS RESOLUTION R-280581

Authorizing the City Manager to release a portion of the surety issued by American Home Assurance Company in the form of Permit Performance Bond No. 099957, so that the same is reduced as follows:

1. For faithful performance, to the sum of \$137,559.
2. For the benefit of the contractor, subcontractor and topersons renting equipment or furnishing labor or materials, to the sum of \$68,779.50.

(Located northeasterly of Towne Centre Drive and Renaissance Avenue. University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On November 6, 1989, the City issued Engineering Permit No. W-37588 for the construction of public improvements for Lots 14 and 15 of Five Creeks subdivision. Permit Performance Bond No. 3SM 722717 00 issued by American Motorists Insurance Company in the amount of \$478,466

was provided by the subdivider. The permit expired November 6, 1990. Permit Performance Bond No. 099957 issued by American Home Assurance Company in the amount of \$478,466 has been substituted for the original bond. On December 13, 1991 a time extension to February 1, 1993 was granted for Permit No. W-37588. Approximately 95 percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. In accordance with Council Policy 800-11, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 71.25 percent of the original surety will be released which will reduce the surety to \$137,559.

FILE LOCATION: SUBD - Lots 14 and 15 of Five Creeks
Subdivision

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-122: (R-93-379) ADOPTED AS RESOLUTION R-280582

Granting an extension of time to 1/1/94 to Pardee Construction Company, subdivider, to complete the improvements required in Cambria Unit No. 2.
(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On November 25, 1985, the City entered into an agreement with Pardee Construction Company for the construction of public improvements for Cambria Unit No. 2. The agreement expired on November 25, 1987. The subdivider has requested an extension of time to January 1, 1994 in which to complete the required improvements. The improvements are approximately 95 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - Cambria Unit No. 2

COUNCIL ACTION: (Tape location: C172-190.)

MOTION BY WOLFSHEIMER TO ADOPT, APPROVING THE EXTENSIONS FOR ITEMS 122, AND 124 THROUGH 133 WITH COMMENTS NOTING THAT PARDEE HAS AGREED TO INSPECT THE SITES TO MAKE SURE THEY ARE CLEAN AND FREE OF DEBRIS DURING THE EXTENSION PERIOD. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-123:

Two actions relative to Mirador Park Unit No. 2:
(Located northwesterly of Calle Cristobal and Camino Ruiz. Mira Mesa Community Area. District-5.)

Subitem-A: (R-93-364) ADOPTED AS RESOLUTION R-280583

Granting an extension of time to 1/11/93 to The Fieldstone Company, subdivider, to complete the improvements required in Mirador Park Unit No. 2.

Subitem-B: (R-93-365) ADOPTED AS RESOLUTION R-280584

Authorizing the City Manager to release a portion of the surety issued by the American Insurance Company in the form of Performance Bond No. 7131468, so that the same is reduced as follows: 1. For faithful performance to the sum of \$455,695. 2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$227,847.50.

CITY MANAGER SUPPORTING INFORMATION: On January 11, 1988, the City entered into an agreement with The Fieldstone Company for the construction of public improvements for Mirador Park Unit No. 2. Performance Bond No. 7131468 issued by The American Insurance Company in the amount of \$1,585,026 was provided by the subdivider. The agreement expired on January 11, 1990. The subdivider has requested a partial release of surety and an extension of time to January 11, 1993 in which to complete the required improvements. Ninety-five percent of the work has been

completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 71.25 percent of the original surety will be released which will reduce the surety to \$455,695.

FILE LOCATION: SUBD - Mirador Park Unit No. 2

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-124: (R-93-366) ADOPTED AS RESOLUTION R-280585

Granting an extension of time to 1/1/94 to Pardee Construction Company, subdivider, to complete the improvements required in N.C.W. Neighborhood 3, Unit 12.

(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On April 21, 1986, the City entered into an agreement with Pardee Construction Company for the construction of public improvements for N.C.W. Neighborhood 3, Unit 12.

The agreement expired on April 21, 1988. The subdivider has requested an extension of time to January 1, 1994 in which to complete the required improvements. The improvements are approximately 80 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - N.C.W. Neighborhood 3, Unit 12

COUNCIL ACTION: (Tape location: C172-190.)

MOTION BY WOLFSHEIMER TO ADOPT, APPROVING THE EXTENSIONS FOR ITEMS 122, AND 124 THROUGH 133, WITH COMMENTS NOTING THAT PARDEE HAS AGREED TO INSPECT THE SITES TO MAKE SURE THEY ARE CLEAN AND FREE OF DEBRIS DURING THE EXTENSION PERIOD. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-125: (R-93-367) ADOPTED AS RESOLUTION R-280586

Granting an extension of time to 1/1/94 to Pardee Construction Company, subdivider, to complete the improvements required in N.C.W. Neighborhood 4A, Unit No. 2.

(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On August 8, 1988, the City entered into an agreement with Pardee Construction Company for the construction of public improvements for N.C.W. Neighborhood 4A, Unit No. 2. The agreement expired on August 8, 1990. The subdivider has requested an extension of time to January 1, 1994 in which to complete the required improvements. The improvements are approximately 85 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - N.C.W. Neighborhood 4A, Unit No. 2

COUNCIL ACTION: (Tape location: C172-190.)

MOTION BY WOLFSHEIMER TO ADOPT, APPROVING THE EXTENSIONS FOR ITEMS 122, AND 124 THROUGH 133 WITH COMMENTS NOTING THAT PARDEE HAS AGREED TO INSPECT THE SITES TO MAKE SURE THEY ARE CLEAN AND FREE OF DEBRIS DURING THE EXTENSION PERIOD. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-126: (R-93-368) ADOPTED AS RESOLUTION R-280587

Granting an extension of time to 1/1/94 to Pardee Construction Company, subdivider, to complete the improvements required in N.C.W. Neighborhood 4A, Unit No. 3.

(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On August 8, 1988, the City entered into an agreement with Pardee Construction Company for the construction of public improvements for N.C.W. Neighborhood 4A, Unit No. 3. The agreement expired on August 8, 1990. The subdivider has requested an extension of time to January 1, 1994 in which to complete the required improvements. The improvements are approximately 65 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - N.C.W. Neighborhood 4A, Unit No. 3

COUNCIL ACTION: (Tape location: C172-190.)

MOTION BY WOLFSHEIMER TO ADOPT, APPROVING THE EXTENSIONS FOR ITEMS 122, AND 124 THROUGH 133 WITH COMMENTS NOTING THAT PARDEE HAS AGREED TO INSPECT THE SITES TO MAKE SURE THEY ARE CLEAN AND FREE OF DEBRIS DURING THE EXTENSION PERIOD. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-127: (R-93-369) ADOPTED AS RESOLUTION R-280588

Granting an extension of time to 1/1/94 to Pardee Construction Company, subdivider, to complete the improvements required in N.C.W. Neighborhood 6, Unit No. 1.

(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On April 25, 1988, the

City entered into an agreement with Pardee Construction Company for the construction of public improvements for N.C.W. Neighborhood 6, Unit No. 1. The agreement expired on April 25, 1990. The subdivider has requested an extension of time to January 1, 1994 in which to complete the required improvements. The improvements are approximately 15 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - N.C.W. Neighborhood 6, Unit No. 1

COUNCIL ACTION: (Tape location: C172-190.)

MOTION BY WOLFSHEIMER TO ADOPT, APPROVING THE EXTENSIONS FOR ITEMS 122, AND 124 THROUGH 133 WITH COMMENTS NOTING THAT PARDEE HAS AGREED TO INSPECT THE SITES TO MAKE SURE THEY ARE CLEAN AND FREE OF DEBRIS DURING THE EXTENSION PERIOD. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-128: (R-93-370) ADOPTED AS RESOLUTION R-280589

Granting an extension of time to 1/1/94 to Pardee Construction Company, subdivider, to complete the improvements required in N.C.W. Neighborhood 6, Unit No. 2.
(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On May 9, 1988, the City entered into an agreement with Pardee Construction Company for the construction of public improvements for N.C.W. Neighborhood 6, Unit No. 2. The agreement expired on May 9, 1990. The subdivider has requested an extension of time to January 1, 1994 in which to complete the required improvements. The improvements are approximately 10 percent complete.

It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - N.C.W. Neighborhood 6, Unit No. 2

COUNCIL ACTION: (Tape location: C172-190.)

MOTION BY WOLFSHEIMER TO ADOPT, APPROVING THE EXTENSIONS FOR ITEMS 122, AND 124 THROUGH 133 WITH COMMENTS NOTING THAT PARDEE HAS AGREED TO INSPECT THE SITES TO MAKE SURE THEY ARE CLEAN AND FREE OF DEBRIS DURING THE EXTENSION PERIOD. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-129: (R-93-371) ADOPTED AS RESOLUTION R-280590

Granting an extension of time to 1/1/94 to Pardee Construction Company, subdivider, to complete the improvements required in N.C.W. Neighborhood 6, Unit No. 3.

(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On September 8, 1987, the City entered into an agreement with Pardee Construction Company for the construction of public improvements for N.C.W. Neighborhood 6, Unit No. 3. The agreement expired on September 8, 1989. The subdivider has requested an extension of time to January 1, 1994 in which to complete the required improvements. The improvements are approximately 50 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - N.C.W. Neighborhood 6, Unit No. 3

COUNCIL ACTION: (Tape location: C172-190.)

MOTION BY WOLFSHEIMER TO ADOPT, APPROVING THE EXTENSIONS FOR ITEMS 122, AND 124 THROUGH 133 WITH COMMENTS NOTING THAT PARDEE HAS AGREED TO INSPECT THE SITES TO MAKE SURE THEY ARE CLEAN AND FREE OF DEBRIS DURING THE EXTENSION PERIOD. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-130: (R-93-372) ADOPTED AS RESOLUTION R-280660

Granting an extension of time to 1/1/94 to Pardee Construction Company, subdivider, to complete the improvements required in N.C.W. Neighborhood 6, Unit No. 4.

(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On September 14, 1987, the City entered into an agreement with Pardee Construction Company for the construction of public improvements for N.C.W. Neighborhood 6, Unit No. 4. The agreement expired on September 14, 1989. The subdivider has requested an extension of time to January 1, 1994 in which to complete the required improvements. The improvements are approximately 10 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - N.C.W. Neighborhood 6, Unit No. 4

COUNCIL ACTION: (Tape location: C172-190.)

MOTION BY WOLFSHEIMER TO ADOPT, APPROVING THE EXTENSIONS FOR ITEMS 122, AND 124 THROUGH 133 WITH COMMENTS NOTING THAT PARDEE HAS AGREED TO INSPECT THE SITES TO MAKE SURE THEY ARE CLEAN AND FREE OF DEBRIS DURING THE EXTENSION PERIOD. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-131: (R-93-373) ADOPTED AS RESOLUTION R-280591

Granting an extension of time to 1/1/94 to Pardee Construction Company, subdivider, to complete the improvements required in N.C.W. Neighborhood 7, Unit 6B.

(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On April 4, 1988, the City

entered into an agreement with Pardee Construction Company for the construction of public improvements for N.C.W. Neighborhood 7, Unit No. 6B. The agreement expired on April 4, 1990. The subdivider has requested an extension of time to January 1, 1994 in which to complete the required improvements. The improvements are approximately 60 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - N.C.W. Neighborhood 7, Unit 6B

COUNCIL ACTION: (Tape location: C172-190.)

MOTION BY WOLFSHEIMER TO ADOPT, APPROVING THE EXTENSIONS FOR ITEMS 122, AND 124 THROUGH 133 WITH COMMENTS NOTING THAT PARDEE HAS AGREED TO INSPECT THE SITES TO MAKE SURE THEY ARE CLEAN AND FREE OF DEBRIS DURING THE EXTENSION PERIOD. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-132: (R-93-374) ADOPTED AS RESOLUTION R-280592

Granting an extension of time to 1/1/94 to Pardee Construction Company, subdivider, to complete the improvements required in N.C.W. Neighborhood 7, Unit 6C.

(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On July 11, 1988, the City entered into an agreement with Pardee Construction Company for the construction of public improvements for N.C.W. Neighborhood 7, Unit No. 6C. The agreement expired on July 11, 1990. The subdivider has requested an extension of time to January 1, 1994 in which to complete the required improvements. The improvements are approximately 20 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - N.C.W. Neighborhood 7, Unit 6C

COUNCIL ACTION: (Tape location: C172-190.)

MOTION BY WOLFSHEIMER TO ADOPT, APPROVING THE EXTENSIONS FOR ITEMS 122, AND 124 THROUGH 133 WITH COMMENTS NOTING THAT PARDEE HAS AGREED TO INSPECT THE SITES TO MAKE SURE THEY ARE CLEAN AND FREE OF DEBRIS DURING THE EXTENSION PERIOD.

Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-133: (R-93-375) ADOPTED AS RESOLUTION R-280593

Granting an extension of time to 1/1/94 to Pardee Construction Company, subdivider, to complete the improvements required in N.C.W. Neighborhood 7, Unit No. 12.

(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On February 17, 1987, the City entered into an agreement with Pardee Construction Company for the construction of public improvements for N.C.W. Neighborhood 7, Unit No. 12. The agreement expired on February 17, 1989. The subdivider has requested an extension of time to January 1, 1994 in which to complete the required improvements. The improvements are approximately 90 percent complete. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - N.C.W. Neighborhood 7, Unit No. 12

COUNCIL ACTION: (Tape location: C172-190.)

MOTION BY WOLFSHEIMER TO ADOPT, APPROVING THE EXTENSIONS FOR ITEMS 122, AND 124 THROUGH 133 WITH COMMENTS NOTING THAT PARDEE HAS AGREED TO INSPECT THE SITES TO MAKE SURE THEY ARE CLEAN AND FREE OF DEBRIS DURING THE EXTENSION PERIOD.

Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-134: (R-93-341) ADOPTED AS RESOLUTION R-280594

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of the Governor Drive (Stresemann Street to Regents Road) Underground Utility District.
(University City Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Governor Drive between Stresemann Street and Regents Road. This was a scheduled project in the Fiscal Year 1991 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas & Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

FILE LOCATION: STRT K-205

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-135: (R-93-350) ADOPTED AS RESOLUTION R-280595

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of the Morena Boulevard (W. Morena Boulevard to Napier Street) Underground Utility District.
(Clairemont Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Morena Boulevard between W. Morena Boulevard and Napier Street. This is a scheduled project in the Fiscal Year 1992 Capital Improvements Program. The formation of this district will require the

affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas & Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

FILE LOCATION: STRT K-206

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-136: (R-93-330 Cor.Copy) ADOPTED AS RESOLUTION R-280596

Approving the acceptance by the City Manager of a grant deed of Mark Gleiberman and Nora Gleiberman, granting to the City an easement for public street purposes in a portion of Lot 5, Arboles Tract, Map-2073; dedicating said land as and for a public street, and naming the same Adelaide Avenue and 56th Street.
(Mid-City Community Area. District-7.)

FILE LOCATION: DEED F-5888 DEED FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-137: (R-93-329) ADOPTED AS RESOLUTION R-280597

Approving the acceptance by the City Manager of a street easement deed of S & E Properties, granting to the City an easement for public street purposes in a portion of Lot 1, Block 20, Middletown Addition, Map-

384; dedicating said land as and for public streets and naming the same Columbia Street and Andrews Street. (Uptown Community Area. District-2.)

FILE LOCATION: DEED F-5889 DEED FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-138: (R-93-204) ADOPTED AS RESOLUTION R-280598

Setting aside portions of Lots 28, 29, 30, 31 and 32 of Block 99 of Pacific Beach, Map-933; dedicating said land as and for a public street and naming the same Beryl Way. (Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: This section of Beryl Way is approximately 60 feet long between the alley and Soledad Mountain Road, and the only section of Beryl Way southerly of Beryl Street which is not dedicated. The entire Beryl Way is open, improved, and used. The legal description (Exhibit "A") is presented for dedication.

FILE LOCATION: DEED F-5890 DEED FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-139: (R-93-331) ADOPTED AS RESOLUTION R-280599

Vacating the City's interest in an unneeded sewer easement affecting Lot 3, Block 146, University Heights, pursuant to Section 8300 et seq. of the Streets and Highways Code.

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

FILE LOCATION: DEED F-5891 DEED FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-140: (R-93-383) ADOPTED AS RESOLUTION R-280600

Changing the name of Scripps North Parkway to Scripps Poway Parkway; authorizing the installation and removal of the necessary signs and markings; declaring that the resolution shall not become effective unless and until the City of Poway has approved and adopted a street name change of South Poway Parkway to Scripps Poway Parkway; in the event that no such action is taken within six months of the adoption date of this resolution, then the resolution shall become void and be of no further force or effect.

(Miramar Ranch North Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: At the request of the City of Poway, the City of San Diego has initiated the proposed name change of Scripps North Parkway to Scripps Poway Parkway. All affected property owners are in agreement with the proposed name change. Scripps North Parkway was recently dedicated and named in connection with development in the Miramar Ranch North area. Because the roadway continues through the City of Poway as South Poway Parkway, the City of Poway and the City of San Diego both feel that the common name of Scripps Poway Parkway along the entire length would create less confusion for motorists and residents in the area. Because the street name signs for Scripps North Parkway have yet to be installed, the costs associated with this name change are limited to staff review time. The Building Inspection Department, Engineering and Development Department, Fire Department, and Police Department have reviewed the proposed street name change and have all indicated the name change is acceptable. The Planning Department and the Miramar Ranch North Planning Committee have no objections to the proposed name change.

FILE LOCATION: DEED F-5897 DEED FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-141: (R-93-304) ADOPTED AS RESOLUTION R-280601

Adopting the Conflict of Interest Code for the Office of the City Clerk of the City of San Diego.

CITY CLERK SUPPORTING INFORMATION: The existing Conflict of Interest Code for the Office of the City Clerk was adopted by Council Resolution R-271968 on September 26, 1988, as required by the Political Reform Act. The City Clerk's Conflict of Interest Code has been revised to reflect changes in the law and regulations and to update the designated positions required to disclose economic interests. This revision is also intended to conform to Government Code No. 87306.5 requiring biennial review and update of local conflict of interest codes, as reflected in City Council Resolution R-280174, adopted on June 22, 1992.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-142: (R-93-210) ADOPTED AS RESOLUTION R-280602

Adopting the Conflict of Interest Code for the Office of the City Auditor and Comptroller of the City of San Diego.

CITY AUDITOR AND COMPTROLLER SUPPORTING INFORMATION: The Political Reform Act of 1974 (Government Code Section 87300, et. seq.) requires all agencies to prepare and submit for approval a

Conflict of Interest Code to the City Council. This amendment to the code updates Appendix A. This appendix lists the designated reportable positions in the Department. This appendix has been modified to only list those positions that make or participate in the making of decisions which may have a material effect on any financial interest. This amendment to the code also updates Appendix B to conform to overall City policy.

The City Attorney's Office has reviewed the proposed revisions to the City Auditor and Comptroller Department's designated positions and has determined they conform to the standards set by the Fair Political Practice Commission (FPPC). Employees filling new positions designated as having potential conflicts of interest were afforded the opportunity to review and comment on this amendment.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-143: (R-93-259) ADOPTED AS RESOLUTION R-280603

Declaring the Conflict of Interest Code of the City's Funds Commission to be superseded by Government Code Sections 87200 through 87210; rescinding Resolution R-218251.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-144: (R-93-338) ADOPTED AS RESOLUTION R-280604

Adopting the City Manager's recommendation that no change be made at this time to the Conflict of Interest Code for the Local Assessment Committee.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-145: (R-93-382) ADOPTED AS RESOLUTION R-280605

Adopting the Conflict of Interest Code for the Department of the City Treasurer of the City of San Diego.

CITY MANAGER SUPPORTING INFORMATION: Government Code Section 87306.5 requires all agencies to review their Conflict of Interest Codes on every even numbered year. Accordingly the City Treasurer Department has reviewed its Conflict of Interest Code and has made necessary changes. Exhibits A and B which list the designated positions in the department and the disclosure categories, respectively, have been updated to accommodate organizational changes within the department.

In addition, Exhibit A has been revised to exclude all statutory filers (i.e., City Treasurer and Investment Officers) per Government Code Section 87200.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-146: (R-93-252) ADOPTED AS RESOLUTION R-280606

Excusing Councilmember Tom Behr from attending the Council meetings of July 20 and 21, 1992, due to being out of town on City business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H274-333.)

MOTION BY FILNER TO ADOPT ITEMS 146, 147, 148 AND THE NON-DOCKET ITEM. Second by Hartley. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-147: (R-93-327) ADOPTED AS RESOLUTION R-280607

Excusing Councilmember Judy McCarty from attending the Council meeting of Tuesday, March 3, 1992, due to illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H274-333.)

MOTION BY FILNER TO ADOPT ITEMS 146, 147, 148 AND THE NON-DOCKET ITEM. Second by Hartley. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-148: (R-93-276) ADOPTED AS RESOLUTION R-280608

Excusing Councilmember Judy McCarty from attending the regularly scheduled Council meetings of August 3 and 4, 1992.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H274-333.)

MOTION BY FILNER TO ADOPT ITEMS 146, 147, 148 AND THE NON-DOCKET ITEM. Second by Hartley. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea,

Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-149: (R-93-232) ADOPTED AS RESOLUTION R-280609

Accepting the generous donation from Old Mission Beach Athletic Club of one all terrain vehicle, to be utilized by the Park and Recreation Department, Lifeguard Services Division; thanking Old Mission Beach Athletic Club for its generous donation of this equipment; indemnifying Old Mission Beach Athletic Club and its agents and employees against and holding them harmless from any and all damage or expense resulting from, arising out of or in any way connected with the City's alleged negligence or the alleged negligence of any City employee related to the use of this donated equipment.

(Pacific Beach and Mission Beach Community Areas. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Old Mission Beach Athletic Club has offered to donate one all terrain vehicle to the City of San Diego for use by Lifeguard Services. This vehicle has an estimated value of \$2,500. This vehicle is appropriate for use in rescue work along the City's beachfront. Lifeguard Services Division has been notified by the Old Mission Beach Athletic Club that this vehicle will be picked up by the City of San Diego at a place and time to be agreed upon, at which time ownership will be transferred to the City. This action constitutes ratification of the agreement and accepts the generous offer of the Old Mission Beach Athletic Club in donating beach safety equipment for use by the Park and Recreation Department, Lifeguard Services Division.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-150: (R-93-264) ADOPTED AS RESOLUTION R-280610

Proclaiming August 23, 1992 to be "Dr. S.M. Lockridge Day" in San Diego and commending him for his sterling leadership, dedication and unequalled service.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-151: (R-93-317) ADOPTED AS RESOLUTION R-280611

Amending Council Policy 200-08 regarding Criteria for the Installation of Stop Signs.
(See City Manager Report CMR-92-225.)

COMMITTEE ACTION: Reviewed by TPE on 8/12/92. Recommendation to approve the proposed amendments to Council Policy 200-8 (CMR-92-225) as updated by the 7/20/92 memo from the Assistant City Manager. Districts 1,4,6 and 7 voted yea. District 5 not present.

CITY MANAGER SUPPORTING INFORMATION: This action modifies Council Policy 200-08, "Criteria for the Installation of Stop Signs," to become more responsive to requests for stop signs on lower-volume residential streets. The primary changes for two-way stops are relaxing the point criteria from 18 to 15 and waiving the 15-point criteria if justified by accident experience, visibility conditions, and special conditions such as schools, parks, or libraries. The following modifications are also recommended for all-way stops: relaxing the point criteria from 25 to 20 for all but major streets; enumerating additional special conditions such as strip commercial districts, hospitals, and post offices; and allowing more points for lower traffic volumes commonly found on residential streets. The proposed changes to Council Policy 200-08 are in accordance with the Neighborhood Traffic Safety Program which addresses traffic concerns in residential neighborhoods.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-152: (R-93-235) ADOPTED AS RESOLUTION R-280612

Approving the proposal by the Encina Wastewater Authority to modify the County Solid Waste Management Plan to allow consideration of a sludge composting facility to be located adjacent to the San Marcos Landfill.

CITY MANAGER SUPPORTING INFORMATION: The Integrated Waste Management Act of 1989, AB 939, requires counties to replace existing County Solid Waste Management Plans (CoSWMPs) with County Integrated Waste Management Plans (CoIWMPs). This requirement resulted in a "gap" in legislation governing solid waste facility siting issues. A subsequent bill, AB 2296, established approval procedures for siting solid waste facilities not included in existing CoSWMPs during the gap until the CoIWMPs are approved. It required cities and counties to select approval processes for solid waste transfer facilities that recycle less than 15 percent of the total volume of materials processed. On January 28, 1991, the City of San Diego, in concurrence with the majority of cities in the County, selected option 2: review by the County and a majority of the cities having a majority of the population of the incorporated areas, followed by host jurisdiction consideration and review by the California Integrated Waste Management Board (CIWMB).

The Encina Wastewater Authority (EWA) is proposing to site a composting facility not included in the CoSWMPs. In order for the EWA to consider the proposed project under local land use laws, it must first gain the approval of the majority of the cities containing a majority of the population to include the facility in the CoSWMP. AB 939 and AB 2296 do not limit a jurisdiction's ability to impose land use restrictions.

Council action on this project will not infer approval of the proposed project, it merely allows the project to be considered by the host jurisdiction. The proposed facility does not

conflict with City of San Diego waste management goals and policies. The proposed sludge composting facility would be constructed in phases, with ultimate build-out by the year 2010. Phase I would process 10,000 tons of sludge per year; ultimately the facility would handle 47,000 tons (55,000 cubic yards) of sludge and 30,000 to 80,000 tons of yard waste per year. Sludge would be brought to the composting facility by truck from the Encina Wastewater Pollution Control Facility. The proposed site is a 71 acre parcel located immediately west of the San Marcos Landfill, 20 acres of which would be used for the proposed facility. The remainder of the site would remain in utility easements or would be used as a biological preserve.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C192-222.)

MOTION BY McCARTY TO ADOPT WITH COMMENTS REQUESTING THAT THE ENCINA WASTE WATER AUTHORITY CONSIDER THE COMMUNITIES THAT WILL BE IMPACTED BY THIS AND TO BE INVOLVED IN THE DISCUSSIONS OF IT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-153: (R-92-2074) ADOPTED AS RESOLUTION R-280613

Approving the concept of the Miramar Landfill General Development Plan, as contained in City Manager Report CMR-92-236; authorizing the City Manager to proceed with the planning of expanded facilities at Miramar, which includes: Materials Recovery Facility, Fiesta Island Replacement Project/Northern Sludge Processing Facilities (FIRP/NSPF), Household Hazardous Waste Transfer Facilities, Paper Pulp Processing Plant, Cogeneration Plant and related support facilities. (See City Manager Report CMR-92-236. District-5.)

COMMITTEE ACTION: Reviewed by PFR on 8/12/92. Recommendation to approve the City Manager's recommendation. Districts 3, 5, 6 and 7 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-154: (R-93-384) ADOPTED AS RESOLUTION R-280614

Directing the City's representative to SANDAG to support adoption of the proposed amendment to the Comprehensive Land Use Plan for NAS Miramar; declaring that Council has reviewed and considered the information contained in the negative declaration in connection with the proposed amendment to the Comprehensive Land Use Plan for NAS Miramar. (See City Manager Report P-92-170. Districts-1 and 5.)

COMMITTEE ACTION: Reviewed by TPE on 8/12/92. Recommendation to approve the City Manager's recommendation as contained in CMR-P-92-170. Districts 1,4 and 6 voted yea. Districts 5 and 7 not present.

FILE LOCATION: LAND - NAS Miramar

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-155: (R-93-203 Cor. Copy) ADOPTED AS RESOLUTION R-280615

Declaring eastbound Polk Avenue between 33rd Street and Winona Avenue to be a one-way street; authorizing the installation of the necessary signs and markings; the regulations shall become effective upon the installation of the signs. (Mid-City Community Area. Districts-3,7.)

CITY MANAGER SUPPORTING INFORMATION: Polk Avenue between 33rd Street and Winona Avenue is a narrow east/west street. The width of Polk Avenue ranges between 26 and 27 feet. Intersections

along Polk Avenue are controlled by either stop or yield signs on Polk Avenue.

Currently, the street handles two-way traffic operation with parking on both sides. Due to the narrow width of the street, this results in traffic congestion and an unsuitable environment for pedestrians, cyclists, and motorists. A review of the Police Department's accident records disclosed that there has been a higher number of vehicular accidents on Polk Avenue for a period of over three years from 1988 to 1991. We received many requests from the community residents to prohibit parking on one side of Polk Avenue to relieve traffic congestion. Alternative solutions were discussed with the community.

The proposal to convert Polk Avenue between 33rd Street and Winona Avenue to a one-way operation eastbound is supported by the City Heights Area Planning Community and community residents. Residents along Polk Avenue were notified of the above proposal by means of letters and public meetings. In addition, notification signs will be installed at various locations on Polk Avenue prior to the conversion to a one-way street. The conversion of Polk Avenue to one-way will minimize on-street parking removal, ease traffic congestion, and reduce traffic conflicts and accidents with minimum inconvenience to the residents. Therefore, we recommend that the above described section of Polk Avenue be converted to a one-way operation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-156: (R-93-386) ADOPTED AS RESOLUTION R-280616

A Resolution approved by the City Council in Closed Session on Tuesday, August 11, 1992 by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-yea; Stevens-yea; Behr-yea; Stallings-yea; McCarty-yea; Filner-not present; Mayor-not present.

Authorizing the City Manager to pay the total sum of

\$270,000 from CIP-21-839.0 in the settlement of each and every claim against the City, its agents and employees, resulting from claims by Landex Construction Corporation (Superior Court Case No. 647601);

authorizing the transfer of \$125,000 from CIP-21-834, Balboa Park/Mission Bay Requirements, Transient Occupancy Tax Fund No. 102242 to CIP-21-829.0, Balboa Park Building No. 1 Renovation;

authorizing the expenditure of \$125,000 from CIP-21-829.0, Balboa Park Building No. 1 Renovation, Transient Occupancy Fund No. 102242 to supplement the project financing authorized by Resolution R-276335; authorizing the City Auditor and Comptroller to issue one check in the total amount of \$270,000 made payable to Landex Construction Corporation and their attorney of record, Craig A. Ramseyer, in full settlement of the lawsuit and all claims.
Aud. Cert. 9300197.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-157: (R-93-258) ADOPTED AS RESOLUTION R-280617

Directing the City Manager to proceed with the development of a financing package for the construction of the City's proposed Materials Recovery Facility, as outlined in City Manager's Report CMR-92-261.
(See City Manager Report CMR-92-261.)

COMMITTEE ACTION: Reviewed by PFR on 8/12/92. Recommendation to approve the City Manager's recommendation. The Committee requested the City Manager to report back to the Committee in September on SB 1523 (Killea) Solid Waste: Composting Facilities, to provide the Committee members an opportunity to develop compost beneficial to San Diego that could be incorporated into this legislation. Districts 3, 5, 6 and 7 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-158: (R-93-103) ADOPTED AS RESOLUTION R-280618

Authorizing the City Manager to submit a Grant Application to the California Office of Traffic Safety for a Roadside Sobriety Checkpoint Mini-Grant; authorizing the execution of the grant proposal program.
(District-8.)

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego Police Department has been pre-approved, pending application and acceptance, for a California Office of Traffic Safety (OTS) Roadside Sobriety Checkpoint Mini-Grant. The grant will provide approximately \$11,000 for the purchase of a fully-equipped trailer to set up DUI checkpoints, and \$2,000 for public information and educational materials. The Police Department's Southern Division has prepared an application for the mini-grant which will utilize Patrol Officers to operate the Checkpoints in order to decrease drunk driving and related traffic accidents, primarily targeting motorists returning from Mexico. OTS will provide materials for training Patrol Officers in Checkpoint operation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-159: (R-93-169) TRAILED TO SEPTEMBER 15, 1992, DUE

TO LACK OF TIME

Authorizing the City Manager to participate in a Drug Elimination Grant prepared by the San Diego Housing Commission, and selected for funding by the Department of Housing and Urban Development.
(Districts-3 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The federal Department of Housing and Urban Development (HUD) has selected the San Diego Housing Commission to receive a grant in the amount of \$250,000 to implement drug prevention activities in public housing sites. One component of the grant includes one San Diego Police Officer to provide walking patrol and community policing in the City Heights target developments. HUD has provided \$52,827 for a one-year period for this purpose. The grant is competitively renewable for subsequent years. In addition to the community policing component, the proposal includes Youth Activities Coordinators to coordinate youth drug diversion programs; staffing for youth Educational Centers; drug awareness programs; and physical security upgrades including intercoms, security gates, and sensory lighting. The proposal includes target sites in San Ysidro, for which the San Diego Police Department is not requested to provide additional patrol activity.

FILE LOCATION:

COUNCIL ACTION: (Tape location: --.)

* ITEM-160: (R-93-202) ADOPTED AS RESOLUTION R-280619

Authorizing the City Manager to apply for, and if selected, to accept and expend a renewal of the Jurisdictions Unified for Drug/Gang Enforcement (JUDGE) Program grant from the California Office of Criminal Justice Planning.

CITY MANAGER SUPPORTING INFORMATION: The San Diego County Office of the District Attorney has prepared an application for renewal of the ongoing Jurisdictions Unified for Drug/Gang Enforcement grant from the California Office of Criminal Justice Planning (JUDGE). JUDGE is a cooperative program including the District Attorney, Probation Department, San Diego Sheriff, and the Police Departments of Escondido, Oceanside, National City, Chula Vista, and San Diego. The program operates County-wide

with the goal of targeting gang-involved, violent and repeat narcotics offenders for arrest, conviction, and probation revocation. The total grant award requested is \$1,747,337. The San Diego Police Department anticipates funding of \$217,096 for a Police Lieutenant, Police Sergeant, and two Police Officer II Detectives.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-161: (R-93-221) ADOPTED AS RESOLUTION R-280620

Authorizing the City Manager to apply for, and if selected, to accept and expend a renewal of the Financial Investigations (FINVEST) Grant from the Federal Bureau of Justice Assistance.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Police Department wishes to apply for a fourth year renewal of the successful Financial Investigations (FINVEST) Grant Program from the Federal Bureau of Justice Assistance. FINVEST is stationed at, and works cooperatively with, the Narcotics Task Force in National City. The goal of FINVEST is to apply intensive investigative methods to detecting and seizing the hidden assets of narcotics dealers. The total renewal grant budget is \$321,250. Of this, \$150,000 is Bureau of Justice Assistance Funds, and \$171,250 is previously budgeted City funds. The grant renewal is expected to continue funding one Police Sergeant Detective and three Police Officer II Detectives, overtime, travel, computer equipment and support, supplies, and vehicles.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-162: (R-93-313) ADOPTED AS RESOLUTION R-280621

Approving the submittal of a nondiscretionary grant application, and acceptance of a grant award from the California Integrated Waste Management Board, to reimburse the Waste Management Solid Waste Enterprise Fund, for the completion of mandated household hazardous materials program activities in Fiscal Year 1991-1992, as contained in City Manager Report CMR-92-270.

(See City Manager Report CMR-92-270.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-163: (R-93-223) ADOPTED AS RESOLUTION R-280622

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$14,200 from PSD Fund 11430 to CIP-29-679.0, Kearny Mesa Community Park - Requirements; authorizing the expenditure of an amount not to exceed \$14,200 from CIP-29-679.0, Kearny Mesa Community Park - Requirements, to supplement the financing previously authorized by Resolution R-277137 for the project.

(Linda Vista Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: City Council authorized construction financing for the Kearny Mesa Community Park Comfort Station on January 9, 1991. An additional \$50,000 was authorized on October 28, 1991 to construct a sewer line to the building. The building was designed to connect to a sewer shown in City records. The sewer could not be located and research determined that the sewer was not constructed and the record drawings were in error. The building has been completed and the project is expected to have a small cost overrun. City Engineering charges

are higher than estimated due to the length of time it has taken to complete the project. The building's exterior has been damaged by graffiti, and additional work is required to remove it and refinish the walls. The proposed transfer of funds will provide financing for City Engineering costs for minor work related to vandalism.

Aud. Cert. 9300073.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-164: (R-93-265) ADOPTED AS RESOLUTION R-280623

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$18,500 from CIP-20-010.0, Annual Allocation - Resource Based Open Space Parks, Environmental Growth Fund No. 10505, to CIP-28-005.0, Sunset Cliffs Shoreline Park Master Plan. (Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: On June 29, 1990, the City of San Diego and Van Dyke and Associates entered into an agreement for professional services required for the preparation of a Master Plan for Sunset Cliffs Shoreline Park. Approximately 40 acres of the 80-acre park site are located adjacent to Sunset Cliffs Boulevard between Adair Street and Ladera Street, and the remaining 40 acres is located south of Ladera Street between the Pacific Ocean on the west, Point Loma College of the Nazarene on the east, and the U.S. Naval Property on the south. Enthusiastic community involvement, numerous planning issues, complex interfaces with adjacent landowners and extensive archaeological and cultural findings have required meetings, studies, and reports that were not anticipated. Additional financing is required to pay for consultant costs to date.

Aud. Cert. 9300130.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H235-253.)

MOTION BY STEVENS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-165: (R-93-195) ADOPTED AS RESOLUTION R-280624

Authorizing the City Auditor and Comptroller to transfer the amount of \$270,000 from State Grant Tecolote Canyon Visitors Center Fund 39040, to CIP-29-616.0, Tecolote Canyon Natural Park and Tecolote Community Park; authorizing the expenditure of an amount not to exceed \$270,000 from CIP-29-616.0, Tecolote Canyon Natural Park and Tecolote Community Park, State Grant Tecolote Canyon Visitors Center Fund 39040, to supplement financing previously authorized for this project by Resolution R-280007.
(Linda Vista Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: City Council action on May 26, 1992, authorized advertising for bids and the expenditure of funds required for the construction of additional park improvements at Tecolote Community Park. Six bids have now been received and the apparent low bid of \$849,000 was withdrawn because of an error. The second low bid of \$1,026,000 exceeds the estimate of \$939,000. Current City charges against the project are higher than estimated when the project was advertised and construction engineering costs will increase with the higher construction contract cost. Additional project financing is required and is available in 1984 State Bond Act Grant Funds. The State has approved using the funds at Tecolote Community Park. Excess project funds will be returned to the appropriate fund balance.

Aud. Cert. 9300059.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H230-232.)

MOTION BY STALLINGS TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-

yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-166: (R-93-180) ADOPTED AS RESOLUTION R-280625

Authorizing and approving the expenditure of an amount not to exceed \$100,000 from CIP-53-046.0, Friars Road Bridge-Widening over San Diego River, Dept. 30244, Org. 107, Account 4638, Job Order 530460, for acquisition of property rights and related costs in connection with this project.

(Navajo Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: This project provides for widening of Friars Road Bridge over San Diego River from four lanes to six lanes. Friars Road will be widened on both sides of the bridge to accommodate the new bridge lanes. Bike lanes will also be provided.

This project is consistent with the General Plan Guidelines and the Tierrasanta Community Plan which classifies Friars Road as a primary arterial. Improvement to full width primary arterial street standards is required to assure efficient movement of traffic.

Aud. Cert. 9300135.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-167: (R-93-283) ADOPTED AS RESOLUTION R-280626

Designating Laurie Schwaller, Assistant Purchasing Agent, to accept surplus Federal personal property on behalf of the City of San Diego. (BID-K3381/93)

CITY MANAGER SUPPORTING INFORMATION: The City has for years participated in the Federal Surplus Property Program. Under the

program, the City can obtain items of surplus Federal personal property at a cost of roughly ten cents on the dollar. We have obtained a boat, helicopter repair parts and many other essential items via this program. Purchases under the program are handled through the Purchasing Department. The program requires the Council to designate individuals to accept the property on behalf of the City. Today's requested action would name Laurie Schwaller, Assistant Purchasing Agent, as the City's current designee.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-168: (R-93-271) ADOPTED AS RESOLUTION R-280627

Authorizing the execution of an agreement with American Ventures, Inc., for as-needed pipeline value engineering services for the Water Utilities Department; authorizing the transfer of an amount not to exceed \$100,000 within Water Revenue Fund 41500, from CIP-73-083.0, Annual Allocation for Water Main Replacement, to Water Operations Engineering Program (70830), and to transfer an amount not to exceed \$100,000 within Sewer Revenue Fund 41506, from CIP-44-001.0, Annual Allocation for Sewer Main Replacements, to Sewer Operations Engineering Program (70820); authorizing the expenditure of not to exceed \$200,000, consisting of \$100,000 from Water Revenue Fund 41500, Water Operations Engineering Program (70830), and \$100,000 from Sewer Revenue Fund 41506, Sewer Operations Engineering Program (70820), to provide funds for the above project; authorizing the City Manager to finance or refinance this agreement with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION: A number of large and difficult pipeline projects are currently included in the Water Utilities Department's Capital Improvement Program. Consultant services to perform an independent review of selected projects are desired to ensure that cost effective methods are included in

project design and construction contract specifications, thereby reducing the overall project cost. The request for consultant services was advertised on November 15, 1991, in the San Diego Daily Transcript. The City's Nominating Committee reviewed eight letters of interest from qualified consultants and selected five firms to be interviewed. On March 12, 1992, interviews were conducted in accordance with Council Policy 300-7 and American Ventures, Inc. (MBE) was selected as the best qualified consultant to perform these services. Hirsch & Company (MBE) will be a subconsultant providing support services with an estimated 20 percent of the total contract amount. Engineering services shall be provided on an as-needed, hourly fee basis, with a cost ceiling per task of \$50,000. The total contract amount shall not exceed \$200,000. The agreement will terminate two years from the date of execution by the City.

Aud. Cert. 9300136.

WU-92-159.

FILE LOCATION: MEET CCONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-169: (R-93-307) TRAILED TO SEPTEMBER 15, 1992, DUE TO LACK OF TIME

Authorizing the execution of an amendment to the agreement of June 8, 1992, with Basmaciyen-Darnell, Inc. (Darnell and Associates, Inc.) for as-needed engineering consultant services for the Water Utilities Department.

CITY MANAGER SUPPORTING INFORMATION: Council authorized an agreement for engineering services with Basmaciyen-Darnell, Inc. (BDI) on June 8, 1992, Document No. RR-280084, to provide traffic engineering services on an as-needed hourly fee basis, for a two-year period, at a cost not to exceed \$200,000. On June 19, 1992, the City was notified by letter that BDI has been divided into two companies. Mr. Bill Darnell has taken over the San Diego

operations and has formed Darnell & Associates, Inc. Darnell & Associates, Inc. has been assigned the agreement as part of the company division with the City's concurrence.

The same personnel proposed in the BDI contract will be working for Darnell & Associates, Inc. and would continue to be assigned to this project. This amendment transfers the agreement to Darnell & Associates, Inc.

WU-U-93-011.

FILE LOCATION:

COUNCIL ACTION: (Tape location: --.)

* ITEM-170: (R-93-260) ADOPTED AS RESOLUTION R-280628

Authorizing the execution of a first amendment to the agreement with Beach Area Family Health Center, for the renovation of their facilities; authorizing the expenditure of an amount not to exceed \$318,000 from CDBG Fund 18528, Dept. 4023, Org. 2303, for the purpose of providing funds for this project.

(Mission Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: In October 1990 the Beach Area Family Health Center received a CDBG grant in the amount of \$115,000 to commence renovation of the facility at 3705 Mission Boulevard. The building is in such condition that work needed to bring it up to acceptable compliance requires additional funds. This first amendment to the agreement with the agency will provide \$318,000. The renovation will enable the agency to continue its health services program in the City's beach areas.

Aud. Cert. 9300106.

FILE LOCATION: MEET CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-171:

Three actions relative to Children's Hospital and Health Center and Sharp Health Care:
(Serra Mesa Community Area. District-6.)

Subitem-A: (R-93-314) ADOPTED AS RESOLUTION R-280629

Authorizing the execution of an agreement with Children's Hospital and Health Center and Sharp Health Care, for public improvements of Genesee Avenue and State Route 163.

Subitem-B: (R-93-315) ADOPTED AS RESOLUTION R-280630

Authorizing the execution of a Development Impact Fee and City Reimbursement Agreement with Children's Hospital and Health Center, for a traffic signal at Health Center Drive and Frost Street.

Subitem-C: (R-93-316) ADOPTED AS RESOLUTION R-280667

Authorizing the execution of an agreement with Sharp Health Care, regarding Development Impact Fee credit for improvements on Health Center Drive at Mesa College Drive.

CITY MANAGER SUPPORTING INFORMATION: On July 6, 1989 the Planning Commission of the City of San Diego granted Conditional Use Permit CUP-87-1096 to Children's Hospital and Health Center (CHHC), and Conditional Use Permit CUP-88-1297 to Sharp Health Care (SHC), for the expansion of their respective facilities. On July 13, 1989 the Planning Commission approved Tentative Map TM-87-1096 (Planning Commission Resolution No. 0523-PC). Condition No. 8 of Planning Commission Resolution No. 0523-PC and Condition No. 13 (d) of CUP-88-1297 required CHHC and SHC, respectively, to enter into an agreement with the City for the modification of the SR-163/Genesee Avenue interchange. This work is to be included with the construction of the additional westbound lane. Condition No. 13(a) of CUP-88-1297 required the applicants to enter into an agreement with the City to pay their share of the costs of the westbound lane. Condition No. 6 of Planning Commission Resolution No. 0523-PC and Condition No. 20(b) of CUP-87-1096 required CHHC to design and construct a traffic signal at the intersection of Health Center Drive and Frost Street and

interconnect this signal with the signal at Health Center Drive and Mesa College Drive. CHHC was required to enter into an agreement with the City for credits and/or reimbursement. In order to satisfy Condition No. 14(aii) of CUP-88-1297, SHC was required to design and construct dual left turn lanes on northbound Health Center Drive at Mesa College Drive and at westbound Mesa College Drive at Health Center Drive. Then the City will give SHC a credit against future Development Impact Fees (DIF) for Serra Mesa improvements representing the total improvement costs.

FILE LOCATION: MEET CONT FY93-3

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-172: (R-93-385) RETURNED TO THE CITY MANAGER

Authorizing execution of an agreement with Episcopal Community Services for the operation of a program to provide services to crime victims and their families; authorizing the expenditure of \$86,520 for providing funds for this program.

CITY MANAGER SUPPORTING INFORMATION: As directed by the City Council on June 15, 1992, the Community Services Program of the City Manager's Office issued a Request for Proposals (RFP) for a crime victim services program. Seven proposals were received before the due date of July 27, 1992. A three person panel composed of representatives from the Human Relations Commission, Police Department, and San Diego Mediation Center interviewed representatives from each of the seven agencies on August 10, 1992. Their unanimous recommendation was to award contracts to both the District Attorney's Victim Witness Program and Episcopal Community Services. The District Attorney's Office subsequently declined the shared funding, and a single agreement with Episcopal Community Services has been negotiated. Episcopal Community Services' Crime Victim Services Program will offer: 1) a Crime Victim's Crisis Line which will provide a telephone number that crime victims can call to receive immediate crisis counseling and referral information to other services they may

need; 2) a Crime Victim's Newsletter which will include information about services available in the community, articles written by victims of crime, and a calendar of events and announcements; 3) a Crime Victim's Resource Directory that will contain information about specialized services offered in San Diego to victims of crime; and 4) a Police Ride-Along Program in which trained counselors will accompany law enforcement officers to the scene of a crime to counsel victims and survivors. It is the Manager's belief that this program will provide an effective and coordinated approach to crime victim services.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A234-245.)

MOTION BY WOLFSHEIMER TO RETURN THE ITEM TO THE CITY MANAGER AS REQUESTED BY THE CITY MANAGER. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-173:

Two actions relative to private street improvements in public right of way:
(Uptown Community Area. District-3.)

Subitem-A: (R-93-225 Cor.Copy) ADOPTED AS RESOLUTION R-280631

Approving the acceptance by the City Manager of an encroachment removal agreement of Hillcrest Village, Inc., in connection with private street improvements in a portion of Albert Street, being Lots 10, 11 and 12, and a portion of Lot 13, Block 229, University Heights.

Subitem-B: (R-93-226) ADOPTED AS RESOLUTION R-280632

Certifying that the information contained in Negative Declaration DEP-92-0409, in connection with private street improvements in a portion of Albert Street, together with any Hillcrest Village, Inc., is in the process of construction of a condominium project at the southwest corner of Robinson Avenue and Albert Street. The developer is proposing to improve Albert Street in

order to gain access to this condominium project. Albert Street is a paper street in the block south of Robinson Avenue, and standard street improvements would be very impractical because of the topography at the south end of the project site, where it drops into a deep canyon. Future improvement of the street across the canyon is highly unlikely; therefore, the developers have requested that they be allowed to improve Albert Street as a non-standard street from Robinson Avenue south approximately 120 feet to the project entrance. The execution of this encroachment removal agreement, if authorized by City Council, will transfer the liability and maintenance responsibility of non-standard improvements within the Albert Street right of way to the developer. In accordance with Municipal Code Section 62.0303(c), the City Engineer has determined that the encroachments are of sufficient public interest to require City Council approval. The improvements are shown on Engineering Drawing 26356-D. A permit performance bond will be required and an Engineering Permit will be issued to assure the work.

FILE LOCATION: MEET CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-174: (R-93-361) ADOPTED AS RESOLUTION R-280633

Authorizing the execution of an agreement with Hirsch and Company, for as-needed utility location consultant services for the Water Utilities Department; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$50,000 within Water Revenue Fund 41500, from CIP-73-083.0, Annual Allocation for Water Main Replacements, to Water Operations Engineering Program (70830); and an amount not to exceed \$50,000 within Sewer Revenue Fund 41506, from CIP-44-001.0, Annual Allocation for Sewer Replacements, to Sewer Operations Engineering Program (70820); authorizing the expenditure of an amount not

to exceed \$100,000, consisting of \$50,000 from Water Revenue Fund 41500, Water Operations Engineering Program (70830), and \$50,000 from Sewer Revenue Fund 41506, Sewer Operations Engineering Program (70820), to provide funds for the above project; authorizing the City Manager to finance or refinance this activity with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION: The Water Utilities Department regularly performs subsurface exploration services to locate existing water and sewer facilities for various improvement projects located throughout the City of San Diego. To reduce disruption resulting from the use of conventional excavating equipment currently used by the Water Utilities Department, it is desirable to employ vacuum excavation methods to accurately locate the water and sewer facilities. On November 15, 1991, an advertisement was placed in the San Diego Daily Transcript for utility location services to be provided, as needed, for the Water Utilities Department. These services would include the accurate location of existing water and sewer facilities using vacuum excavation methods which cannot be provided by the Water Utilities Department. The City's Consultant Nominating Committee reviewed the letters of interest from five qualified consultants, four of which were MBE or WBE firms. The Nominating Committee nominated all five firms to participate in the final selection process. In conformance with Council Policy 300-7, these firms were interviewed on March 30, 1992, and Hirsch and Company (MBE) was selected as the best qualified firm to provide the consulting services.

Aud. Cert. 9300194.

WU-U-92-180.

FILE LOCATION: MEET CCONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-175: (R-93-312) ADOPTED AS RESOLUTION R-280634

Authorizing the execution of a third amendment to the agreement of September 19, 1988 with HYA Consulting Engineers, Inc., for consultant services in connection with the modified wastewater treatment facility. (Greater North Park and Mission Valley Community Areas. Districts-3 and 6.)

CITY MANAGER SUPPORTING INFORMATION: A major conveyance pipeline will be required under both the Consumer's Alternative, and the Federally mandated Alternative IV. Under the Federally mandated Alternative IV, the change in siting of the Water Reclamation Facility from Balboa Park to Mission Valley necessitates the issuance of Amendment No. 3. Amendment No. 3 will modify and increase the Scope of Work for Phase V of the Agreement to include preliminary design of the delivery pipeline for reclaimed water from the Mission Valley Water Reclamation Plant to a storage facility within Balboa Park. This delivery pipeline includes the initial segments of the major conveyance pipeline servicing Balboa Park, Mission Valley and Mission Bay Park. Amendment No. 3 also includes accelerated final design of a segment of the delivery pipeline along Texas Street. By completing final design now, this project will enable concurrent construction with Engineering and Development's Texas Street Improvements Project. Under the Consumer's Alternative, reclaimed water for the Central Service Area will, in the absence of a plant in the area, be provided from the North City Water Reclamation Plant via north-south delivery pipelines. A booster pump located at the Mission Valley Plant site will provide necessary pressure to the aforementioned major conveyance pipeline.

WU-CWP-92-150.

FILE LOCATION: MEET CCONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-176: (R-93-310) ADOPTED AS RESOLUTION R-280635

Terminating the agreement with Manuel Oncina,

Architect, dated January 27, 1992; authorizing the execution of an agreement with Manuel Oncina, Architect, for professional design and related services for Valencia Park Library; authorizing the expenditure of an amount not to exceed \$415,770 from CIP-35-079.0 (CDBG Fund 18527, Dept. 4013, Org. 1310), for the purpose of providing funds for the above project. (Emerald Hills Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: Capital Improvement Program Project CIP-35-079.0 now provides for design and construction of a 25,000 square foot library at 51st and Market Streets. The professional design agreement approved in January this year was for a 15,000 square foot building. Additional funding in the amount of \$2,966,943 enabled the scope and size of the new facility to increase to a point where a complete range of library services and community activity rooms will be available. The addition of Library Bond Act funds, significant change in the scope of the project and professional design services required make it necessary to proceed with a new design agreement. The project will provide a greatly expanded public library, including community activity rooms to accommodate programs not possible to implement at the existing 4,100 square foot branch on 50th Street at Imperial Avenue. The professional design base fee of \$380,770 includes production of plans and specifications and construction phase services. The additional services contingency is \$35,000. The MBE and WBE participation for this agreement will be 50.9 percent and 40.2 percent respectively.

Aud. Cert. 9300141.

FILE LOCATION: MEET CCONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-177: (R-93-161) ADOPTED AS RESOLUTION R-280636

Authorizing the execution of a reimbursement agreement with H-C Otay Mesa Developers, Ltd., developer of Mesa Business Park, for construction of a traffic signal at

the intersection of Otay Mesa Road and Cactus Road as conditioned in Tentative Map TM-86-0243;

authorizing the expenditure of an amount not to exceed \$37,261.68 from CIP-68-013.0 and Otay Mesa Development Impact Fee Fund No. 39062, for reimbursement to H-C Developers, Ltd., for 50 percent of the cost of the traffic signal construction at Otay Mesa Road and Cactus Road.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: H-C Otay Mesa Developers, Ltd., Mesa Business Park developer, as a condition of its Tentative Map TM-86-0243, was required to construct a traffic signal at the intersection of Otay Mesa Road and Cactus Road. The map conditions also provided for a cost reimbursement district to recover a portion of the costs of construction from the adjacent property owners. The Reimbursement Agreement is in lieu of a cost reimbursement district.

In addition, the Otay Mesa Public Facilities Financing Plan for Fiscal Year 1992 provided for expending up to \$53,000 from Otay Mesa Development Impact Fees (DIFs) for the traffic signal, and the funds have been appropriated for Fiscal Year 1992. The agreement specifies that the City will pay 50 percent and that the adjacent developer will pay up to 25 percent of the cost. The total cost of the traffic signal was \$74,523.36; therefore, the City's portion of the cost will be \$37,261.68 to be reimbursed to the developer upon execution of this agreement. Upon receipt of a deposit of funds from the adjacent developer, the City will forward that 25 percent share or \$18,630.84 to H-C Otay Mesa Developers Ltd. The traffic signal has been constructed and accepted by the City. The developer has sought this agreement and funds after the fact to recover 75 percent of the construction costs of the signal. The DIF funds for the City's 50 percent portion have been programmed and appropriated and are available for the reimbursement.
Aud. Cert. 9300082.

FILE LOCATION: MEET CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-178: (R-93-360) ADOPTED AS RESOLUTION R-280637

Authorizing the execution of an agreement with the Port of San Diego, for the purpose of performing work for the Port of San Diego on tidelands property; authorizing the City Manager to accept \$50,000 from the Port of San Diego, and to deposit the funds into the Human Care Services Special Fund (19663);

authorizing the execution of a third amendment to the agreement with the San Diego Urban Corps, for the purpose of performing work for the Port of San Diego on tidelands property; authorizing the City Auditor and Comptroller to expend up to an amount not to exceed \$50,000 from the Human Care Services Special Fund (19663), for the above agreement; authorizing the execution of further amendments to the agreement with the San Diego Urban Corps when such amendments are deemed necessary and proper, provided that no such amendment shall be made unless sufficient funds to fulfill the City's obligations have first been received by the City from any beneficiary to that amendment; authorizing the City Auditor and Comptroller to expend up to, but not in excess of, any amount actually received in advance from a third party beneficiary to any further amendment to the agreement with the San Diego Urban Corps.

CITY MANAGER SUPPORTING INFORMATION: The City entered into a "Master Agreement" in December of 1989 with the San Diego Urban Corps for services to be provided for various City departments. This amendment will allow the San Diego Urban Corps to provide needed maintenance work for the Port of San Diego. All costs associated with the maintenance will be covered by a contribution made to the City of San Diego for this purpose. The San Diego Urban Corps will provide program participants the training and supervision to carry out the desired tasks.

Aud. Cert. 9300193.

FILE LOCATION: MEET CONT FY93-2

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-179: (R-93-362) ADOPTED AS RESOLUTION R-280638

Authorizing the execution of an agreement with the San Diego Service Center for the Blind, for the renovation of their facility at 5922 El Cajon Boulevard; authorizing the expenditure of an amount not to exceed \$190,000 from C.D.B.G. Fund 18528, Dept. 4023, Org. 2308, for the purpose of providing funds for this project.
(Mid-City Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: The San Diego Service Center for the Blind is a non-profit organization serving the blind community from their facility at 5922 El Cajon Blvd. This Community Development Block Grant funded project will provide kitchen improvements to complete the interior remodel and renovation of the building exterior. Landscape and irrigation, along with parking lot improvements are also proposed.

Aud. Cert. 9300163.

FILE LOCATION: MEET CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-180: (R-93-308) ADOPTED AS RESOLUTION R-280639

Authorizing the City Manager to execute an agreement with the Unified San Diego County Emergency Services Organization, to continue San Diego Fire Department participation in the Hazardous Material Incident Response Team program, for the period from July 1, 1992 to December 31, 1992.

CITY MANAGER SUPPORTING INFORMATION: The Hazardous Materials Incident Response Team (HIRT) is a program established by the Unified San Diego County Emergency Services Organization. The San Diego Fire Department participates in this program by providing member agencies with the services of its Hazardous Materials Unit during incidents involving hazardous materials. During the FY 1993 budget process, a decision was made to terminate the Fire Department's participation in HIRT at the end of December, 1992.

FILE LOCATION: MEET CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-181: (R-93-201) ADOPTED AS RESOLUTION R-280640

Authorizing the execution of a first amendment to the lease agreement with Young Men's Christian Association of San Diego County (YMCA), which transfers ownership of the improvements of the Mission Valley YMCA property to the City, and updates the lease agreement with current lease language and conditions;

approving an amendment to the Mission Valley Interim Public Facilities Financing Plan and Development Impact Fee, dated January 1988, showing the Mission Valley YMCA as a City-owned project.

(Mission Valley Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: In 1980, the City Council authorized the execution of a 50-year lease agreement with YMCA of San Diego County for the construction, operation and maintenance of a community center in Mission Valley. In August, 1991, the City Council authorized the City Manager to negotiate a lease amendment for the Mission Valley YMCA transferring ownership of the improvements from the YMCA to the City, updating lease provisions and amending the Mission Valley Interim Public Facilities Financing Plan. The YMCA is currently completing an 18,000 square foot expansion to the original 14,440 square foot

Mission Valley facility. Upon completion the total value of the facility will be \$3.7 million. As a result of transferring ownership of improvements, the Mission Valley Interim Public Facilities Financing Plan and Development Impact Fee, dated January 1988, will also be amended to include, as shown on Attachment I, the Mission Valley YMCA as a City-owned project. Therefore, City assessed Development Impact Fees will not be realized. The lease agreement includes the City's standard lease provisions regarding equal opportunity, political activity, hazardous/toxic waste and insurance requirements. Rent is maintained at \$100 per year along with the original termination date of 2030.

FILE LOCATION: LEAS - Young Men's Christian Association of
San Diego County (YMCA) LEAS FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-182: (R-93-344) TRAILED TO SEPTEMBER 15, 1992, DUE
TO LACK OF TIME

Approving Change Order No. 2, dated July 8, 1992, issued in connection with the contract with Ahrens Corporation, amounting to a net increase in the contract price of \$46,754.80; authorizing the transfer of \$47,160.77 within Sewer Revenue Fund 41506, from CIP-46-106.0, Annual Allocation - Sewer Pump Station Restoration, to CIP-46-152, Sewer Pump Station 77; authorizing the expenditure of an amount not to exceed \$66,754.80, from Sewer Revenue Fund 41506, CIP-46-152, Sewer Pump Station 77, to fund the change order and related costs.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: Sewer Pump Station No. 77 is located south of Lake Hodges, off West Bernardo Drive. The pump station was originally used as a regional waste water treatment plant before being converted to a pump station; at the same time, the existing oxidation ponds were converted to emergency holding ponds.

Ahrens Corporation, the low bidder for the rehabilitation of the three emergency holding ponds at Sewer Pump Station No. 77, has nearly completed work on this project. During construction, it was determined that additional imported fill is needed to properly drain the ponds.

Change Order No. 2 includes extra costs incurred for both the imported soils and the discharge piping changes. The extra costs incurred for Change Order No. 2 total \$66,754.80. This includes \$40,606.80 for extra imported fill material and \$6,148 for the discharge piping and \$20,000 for related engineering costs.

Aud. Cert. 9300237.

WU-U-93-013.

FILE LOCATION:

COUNCIL ACTION: (Tape location: --.)

ITEM-183: (R-93-184) TRAILED TO SEPTEMBER 15, 1992, DUE TO LACK OF TIME

Approving Change Orders Nos. 2,3,4,6 and 7, dated 5/27/92, 5/26/92, 6/10/92, 5/27/92 and 6/10/92, issued in connection with the contract between the City of San Diego and Kim Construction Co., Inc., for the construction of Sewer Group 97, amounting to a net increase in the contract price of \$66,638; authorizing the City Auditor and Comptroller, contingent upon the Council's approval of the FY 1993 CIP budget, to expend an amount not to exceed \$66,638 from CIP-44-001.0, Annual Allocation - Sewer Main Replacements, to fund the above change orders.
(Pacific Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Kim Construction Company, contractor for Sewer Group 97, began installation of 8-inch and 10-inch sewer mains on January 6, 1992. Nearly 50 percent of the approximately 5,464 feet of sewer main is installed. Although most of the installation proceeded according to plan, there were some final bid quantity adjustments and several unforeseen problems typically associated with this type of work. Kim Construction Company is asking for additional

compensation through Change Orders Nos. 2,3,4,6, and 7 for this extra work. Change Order No. 2 for \$10,000 is for the removal of concrete thicker than typically found in streets, and removal of concrete encasement on an existing 30-inch sewer main. Change Order No. 3 for \$21,000 is for 1,000 cubic yards of additional backfill, 100 tons of temporary resurfacing and for televising of sewer mains after replacement. Change Order No. 4 for \$10,988 is for the construction of two man holes with PVC lining and 17 feet of 10-inch sewer main.

Change Order No. 6 for \$20,000 is for removal and disposal of an existing buried concrete road section. It appears the roadway was raised many years ago. Change Order No. 7 for \$4,650 is for upgrading a manhole with PVC lining and polyurethane bases.

Aud. Cert. 9300056.

WU-U-92-151.

FILE LOCATION:

COUNCIL ACTION: (Tape location: --.)

ITEM-190: (R-93-515) ADOPTED AS RESOLUTION R-280641

(Continued from the meeting of August 10, 1992, Item S406, to allow Councilmember Filner to be present.)

Communication from Councilmember Filner regarding a proposed Resolution on regulating Mexican trucking.

COMMITTEE ACTION: Forwarded to full Council due to the canceled COMM meeting of 8/5/92 (Agenda Item 1).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G170-197.)

MOTION BY FILNER TO ADOPT THE RESOLUTION AS PROPOSED BY THE LOS ANGELES CITY COUNCIL AS AMENDED AS FOLLOWS: TO CHANGE THE NEXT TO THE LAST PARAGRAPH TO STATE: "BE IT FURTHER RESOLVED THAT INTERNATIONAL AGREEMENTS WITH MEXICO SHOULD PROVIDE MUTUALLY BENEFICIAL ECONOMIC BENEFITS" AS OPPOSED TO THE PRESENT WORDING. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea,

Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-191:

(Continued from the meeting of August 10, 1992, Item S410, to allow Councilmember Filner to be present.)

Briefing by the Department of Legislative Services:

Subitem-A: (R-93-244) CONTINUED TO SEPTEMBER 21, 1992

Endorsing HR 2056, Shipbuilding Trade Reform Act, and its companion Senate Bill, S. 1361, and urging Senate approval of HR 2056 in order to preserve and protect the shipbuilding and repair business in San Diego and the rest of the nation.

(See Department of Legislative Services Report DLS-92-28.)

Subitem-B: ORAL REPORT GIVEN

Update on pending State/Federal Legislation.

Subitem-C: (R-93-245) CONTINUED TO SEPTEMBER 21, 1992

Supporting AB 3825 (Brown): California Civil Rights Restoration Act of 1992; directing the Department of Legislative Services and the City's Sacramento advocates to communicate the City's support to appropriate members of the State Legislature and the Governor.

(See Department of Legislative Services Report DLS-92-29.)

COMMITTEE ACTION: Forwarded to full Council due to the canceled Committee meeting of 8/5/92 (Agenda Item 5).

FILE LOCATION: SUBITEMS-A&C: --; SUBITEM-B: MEET

COUNCIL ACTION: (Tape location: G198-400.)

MOTION BY McCARTY TO CONTINUE SUBITEMS-A AND C TO EXAMINE

READING MATERIALS. Second by Filner. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-192:

(Continued from the meeting of August 11, 1992, Item 334, at Councilmember Wolfsheimer's request, to allow staff to provide further information regarding reduction in the number of dwelling units.)

Two actions relative to the Penasquitos East Facilities Benefit Assessment:

(See City Manager Report CMR-92-158. District-1.)

Subitem-A: (R-92-1737 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-280642

Approving the document entitled "Penasquitos East Public Facilities Financing Plan and Facilities Benefit Assessment, April, 1992".

Subitem-B: (R-92-1738) ADOPTED AS RESOLUTION R-280643

Resolution of Intention to designate an area of benefit in Penasquitos East and setting the time and place for holding a public hearing.

COMMITTEE ACTION: The Penasquitos East FBA has been at Transportation, Planning and Environment (TPE) Committee a number of times over the past few weeks. Twice the Committee referred the item back to staff of the Engineering and Development Department to work out further details and amendments with the Penasquitos Community Planning Group. On 7/27/92, the item was on the TP&E agenda. However, due to lack of quorum, it could not be heard. Therefore, after checking with other TP&E Committee members' offices to assure there were no further outstanding issues, Committee Chairperson Wolfsheimer has requested the matter be scheduled for full Council on 8/11/92, so that the FBA can be updated and completed expeditiously now that all issues appear to have been resolved.

FILE LOCATION: STRT FB-5

COUNCIL ACTION: (Tape location: E382-460.)

MOTION BY WOLFSHEIMER TO APPROVE THE RANCHO PENASQUITOS FBA LIMITING THE NUMBER OF SINGLE-FAMILY DWELLINGS TO 1,656. TO ACCEPT STAFF RECOMMENDATION TO INCLUDE IN THE RESOLUTION THE DECLARATION OF INTENT TO DESIGNATE THE AREA OF BENEFIT AND SETTING AN IMPACT FEE IN THE PENASQUITOS EAST COMMUNITY.

Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-200: CONTINUED TO SEPTEMBER 21, 1992

(Continued from the meetings of March 16, 1992, Item S408, March 23, 1992, Item S411, March 31, 1992, Item S500, April 28, 1992, Item 335, May 26, 1992, Item 334 and June 23, 1992, Item 334; Trailed from the canceled meeting of 9/8/92; last continued at the request of the City Manager and the County Water Authority, for a report from the Water Authority presenting the results of the findings of the Revenue Design Study regarding the rate structure, as well as the discussion of the Water Authority's action this spring on rates.)

In the matter of proposed wholesale water rate increases by Metropolitan Water District of Southern California (MWD) and San Diego County Water Authority (CWA).

(See memorandums from the City Manager dated 3/20/92, 3/16/92, and 3/10/92.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A248-273.)

MOTION BY STEVENS TO CONTINUE THE ITEM TO SEPTEMBER 21, 1992, AS REQUESTED BY MAYOR O'CONNOR FOR HER PRESENCE.

Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-201: (R-92-1473) CONTINUED TO SEPTEMBER 21, 1992

(Continued from the meetings of March 31, 1992, Item S502, April 28, 1992, Item 336, May 26, 1992, Item 335 and June 23, 1992, Item 335; trailed from the canceled meeting of 9/8/92; last continued at the request of the County Water Authority, for a report from them presenting the results of the findings of the Revenue Design Study regarding the rate structure, as well as the discussion of the Water Authority's action this spring on rates.)

Reducing the City's water conservation goal by 10 percent.

CITY MANAGER SUPPORTING INFORMATION: The City Council responded to a fifth year of statewide drought conditions by establishing a citywide water conservation goal of 20 percent on April 12, 1991. City residents demonstrated their commitment to water conservation by conserving an average of 26 percent between April and December 1991.

Increased statewide precipitation and runoff levels have resulted in an improved water supply situation. Officials from the State Water Project recently announced that water deliveries to urban areas were increased to 35 percent of normal, up from the 20 percent level estimated in January 1992. These events prompted the Metropolitan Water District of Southern California (MWD) and the San Diego County Water Authority (CWA) to announce earlier this month a reduction in required water conservation levels. The CWA has requested that their member agencies attain a 10 percent conservation savings between March and September 1992. In light of the CWA's actions, it is recommended that the City reduce its citywide conservation goal from the current 20 percent to 10 percent.

NOTE: See Item 200 for a companion item.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A265-283.)

MOTION BY BEHR TO CONTINUE THE ITEM TO SEPTEMBER 21, 1992, AS REQUESTED BY THE CITY MANAGER TO BE HEARD WITH COMPANION ITEM 200. Second by Hartley. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-202: (R-92-1672) ADOPTED AS AMENDED AS RESOLUTION R-280644

(Continued from the meetings of April 21, 1992, Item S502, April 28, 1992, Item S508, May 5, 1992, Item S501, May 26, 1992, Item 210 and June 23, 1992, Item 336; trailed from the canceled meeting of 9/8/92; last continued at the request of the County Water Authority, for a report from them presenting the results of the findings of the Revenue Design Study regarding the rate structure, as well as the discussion of the Water Authority's action this spring on rates.)

Declaring that the City shall support such environmentally sound and cost effective efforts as are necessary to improve the amount and utilization of water storage capacity in order for all areas of the City to be provided with a reliable water supply, with a high priority of addressing the emergency storage deficiency in the northern portion of the City.

FILE LOCATION: WATER - Water Storage Capacity

COUNCIL ACTION: (Tape location: G050-169.)

MOTION BY BEHR TO ADOPT AS AMENDED ACCEPTING HARTLEY'S AMENDMENTS TO BE INCLUDED TO THE RESOLUTION AS FOLLOWS: 1) THAT THE CITY MANAGER BE DIRECTED TO PURSUE AND EXPEDITE THE PROPOSED CONNECTIONS BETWEEN LAKE HODGES AND MIRAMAR, AND SAN VICENTE AND MIRAMAR TO MEET THE CITY OF SAN DIEGO'S EMERGENCY WATER STORAGE NEEDS, PARTICULARLY THE NORTHERN PORTIONS OF THE CITY. 2) THAT THIS RESOLUTION DOES NOT REPRESENT AN OUTRIGHT ENDORSEMENT OF THE CWA'S EVENTUAL CHOICE AND THAT THE CITY DOES NOT GIVE UP ITS RIGHT TO TAKE FUTURE ACTION ON SITE SELECTION BY THIS CURRENT ACTION. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-203: (R-93-387) ADOPTED AS RESOLUTION R-280645

(Continued from the meeting of July 27, 1992, Item 125 to 9/8/92; trailed from the canceled meeting of 9/8/92; last continued at the City Manager's request, for conclusion of negotiations with one of Sharp Rees-Stealy Medical Group's contracting hospitals.)

Authorizing the execution of an extended agreement with Sharp Rees-Stealy Medical Group, Inc., to continue the industrial medical services program for one two-year period beginning September 15, 1992 and ending on September 14, 1994; authorizing the expenditure of an amount not to exceed \$1,900,000 from Workers' Compensation Fund 60029, for the purpose of providing funds for the execution of the agreement.

(See City Manager Report CMR-92-273.)

Aud. Cert. 9300221.

FILE LOCATION: MEET CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-204: CONTINUED TO SEPTEMBER 29, 1992

(Trailed as Unfinished Business from the meeting of August 11, 1992, Item 335.)

Two actions relative to future paramedic services:
(See City Manager Reports CMR-92-258 and CMR-92-257.)

Subitem-A: (R-93-185)

Authorizing the City Manager to prepare and distribute request for qualifications/proposal and implement a competitive bid procurement evaluation process to determine the most cost effective method for paramedic service delivery.

Subitem-B: (R-93-186)

Authorizing the City Manager to expand the shared system for paramedic services by upgrading four existing engine companies Station 39 (Tierrasanta), Station 22 (Point Loma), Station 32 (Paradise Hills) and Station 17 (East San Diego/City Heights to paramedic assessment engine level in this fiscal year.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A315-332.)

MOTION BY WOLFSHEIMER TO CONTINUE THE ITEM TO SEPTEMBER 29, 1992, AS REQUESTED BY MAYOR O'CONNOR FOR HER PRESENCE.
Second by Hartley.

ITEM-205: (R-93-39) ADOPTED AS RESOLUTION R-280646

(Continued from the meeting of August 11, 1992, Item 102, at the City Manager's request, for further review.)

Awarding a contract to Imperial West Chemical Co., for furnishing ferric chloride, as may be required for a period of one year beginning November 1, 1992 through October 31, 1993, for estimated cost of \$3,217,953.75, including tax, with an option to renew the contract for four additional one year periods with price escalations not to exceed 25 percent of prices in effect at the end of the prior year; authorizing the Purchasing Agent to obtain ferric chloride from either of the other two bidders under the terms of the emergency pricing agreement, or to obtain this material on the open market until the requirement can be rebid, in the event the contractor fails at any time during the contract period to deliver material meeting specifications.

(BID-B3185/92)

(Three bids received. Requested by the Water Utilities Department, Metro Wastewater Division, for use at the Metro Wastewater Treatment Plant and Pump Station #2.)

FILE LOCATION: CONT - PURCHASE - Imperial West Chemical Co.
 CONT FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-
yea, Filner-yea, Mayor O'Connor-not present.

ITEM-206: (R-92-2640) CONTINUED TO SEPTEMBER 21, 1992

(Continued from the meeting of August 10, 1992, Item
203, at Councilmember Roberts' request on behalf of the
City Manager.)

Declaring Caves Construction, Inc. and its principals,
Jose Caves and Hortencia Torrez to be non-responsible
bidders and therefore ineligible to bid on City
requirements for a period of three years.

CITY MANAGER SUPPORTING INFORMATION: Caves Construction
Company, Inc. has received several City construction contracts
over the past few years. The City Attorney recently brought it
to the attention of the Purchasing Department that the City has
entered into a major civil lawsuit against Caves, Inc. The City
complaint alleges four causes of action: (1) Violation of City
codes related to illegal dumping; (2) Illegal land development
work; (3) Maintenance of a public nuisance; (4) Unfair business
practices. Since at least April 23, 1991, Mr. Jose Caves has
permitted Caves, Inc. and others to illegally dump excavation
material, concrete, rubble and fill dirt upon three parcels of
land owned by Mr. Caves in the Dillons Trail area of Otay Mesa.
Some of the dumped material has been directly traced to two City
projects on which Caves, Inc. was working. The parcels in
question are vacant land which spans natural canyons. No land
development permit has been applied for. The dumping has
persisted despite several notices of violation. The City
Attorney estimates that the illegal dumping has saved Caves, Inc.
over \$100,000 in dumping fees.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A333-343.)

MOTION BY STEVENS TO CONTINUE THE ITEM TO SEPTEMBER 21, 1992, AS REQUESTED BY THE CITY MANAGER, DUE TO ONGOING DISCUSSIONS WITH THE CITY ATTORNEY'S OFFICE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts- yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-207: (R-93-270) ADOPTED AS RESOLUTION R-280647

Council confirmation of the reappointment by the Mayor of Ann Parode, to serve as a member of the Commission on the Status of Women, for a term ending March 1, 1994.

(See memorandum from Mayor O'Connor dated 8/19/92.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-208: (O-93-13) ADOPTED AS ORDINANCE O-17832 (New Series)

Adoption of an Ordinance authorizing the execution of a 25 year joint use agreement with the San Diego Unified School District, for the lease, construction, operation and maintenance of landscaping and recreation facilities at the Dailard Elementary School. (Navajo Community Area. District-7. Introduced on 8/3/92. Council voted 7-0. Districts 7 and 8 not present.)

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego is currently in the process of planning for the development of Dailard Neighborhood Park in the Navajo Community Planning Area. Dailard Elementary School is located adjacent to the park. The proposed lease agreement would expand the area available for development as a neighborhood park by approximately 0.6 of an

acre. The lease would also allow for connection to the park of existing public and school pedestrian circulation routes. The agreement stipulates that the improvements will be constructed and maintained by the City over the course of the lease.

FILE LOCATION: LEAS - San Diego Unified School District;
Dailard Elementary School LEAS FY93-1

COUNCIL ACTION: (Tape location: C046-150.)

Hearing began at 3:40 p.m. and halted at 3:42 p.m.

MOTION BY WOLFSHEIMER TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-209: CONTINUED TO OCTOBER 6, 1992, AT 2:00 P.M.

(Continued from the meetings of June 16, 1992, Item 332 and July 21, 1992, Item 340; trailed from the canceled meeting of 9/8/92; last continued at the City Manager's request, to work out an agreement with the two parties.)

Three actions relative Centerside II, Camino Del Rio North Cost Reimbursement District:
(Mission Valley Community Area. District-6.)

Subitem-A: (R-92-1899)

Establishing Centerside II, Camino Del Rio North Cost Reimbursement District; declaring the limiting period for when assessed costs are due and payable is set at 20 years; approving the map of the proposed Centerside II, Camino Del Rio North Cost Reimbursement District; approving a description of the public improvements, the actual cost of the improvements, and the apportionment of the costs.

Subitem-B: (R-92-1900)

Authorizing a Cost Reimbursement Agreement with Homart Development Company, for the Centerside II, Camino Del

Rio North Cost Reimbursement District; declaring the term of the Reimbursement Agreement is set at a period of 20 years; authorizing the expenditure of an amount not to exceed \$429,408 from DIF Fund 79529, for the reimbursement of CIP-52-447, Camino Del Rio North, from I-805 to Milly Way (Mission City Parkway).

Subitem-C: (R-92-1901)

Authorizing a first amendment to an agreement for Cost Reimbursement Engineering with Dudek & Associates, for engineering services; authorizing the expenditure of an amount not to exceed \$2,000 from Cost Reimbursement District Fund No. 63020, Department No. 6320, Job Order 139012, for the purpose of providing funds to pay for additional consultant services.

CITY MANAGER SUPPORTING INFORMATION: On March 19, 1990, the City Council authorized execution of a Formation Cost Agreement with Homart Development Company, developer of Centerside II. The public improvements construction cost for which the developer is seeking partial reimbursement include road widening, road realignment, traffic signals, storm drain facilities and other related work along Camino Del Rio North between Stadium Way and Mission City Parkway, previously known as Milly Way. These public improvements, shown on Drawing No. 23248-D, benefit adjacent properties. It is proposed that other benefitting property owners pay \$4,179,061 in reimbursements representing their fair share of the total project costs of \$4,803,411.

Individual parcels would be liened with amounts to be paid if development occurs within a twenty-year period. Development Impact Fee (DIF) contribution towards the public improvements within this district is identified in the Capital Improvement Program and the 1988 Mission Valley Interim Public Facilities Financing Plan. The contribution is scheduled to begin in Fiscal 1994 with payments through Fiscal 1998.

Total reimbursement from DIF and benefitting property owners is \$4,608,469 and the remaining \$194,942 is the developer's cost. It is also proposed that Dudek & Associates, the consultant retained by the City, be paid an additional \$2,000. A notice of today's public hearing was set to all affected property owners a minimum of additional days prior to today's hearing.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A344-377.)

Testimony by Paul Robinson opposed to the continuance.

MOTION BY STALLINGS TO CONTINUE THE ITEM TO OCTOBER 6, 1992, AS REQUESTED BY THE CITY MANAGER, TO RESOLVE DIFFERENCES WITH THE PROPERTY OWNERS INVOLVED. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-210:

A proposal to amend the San Diego Municipal Code Section 101.0580 by deleting paragraph E.5.a. relating to a 150 ft. buffer requirement between child care centers and businesses handling hazardous materials.

The proposed amendment does not constitute an amendment to the City of San Diego's Local Coastal Program (LCP). This amendment is a procedural change which accelerates the expiration date of an adopted sunset provision.

Subitem-A: (R-93-421 Cor.Copy) ADOPTED AS RESOLUTION R-280648

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration DEP-91-0897 has been previously reviewed and considered by the Council in connection with the Child Care Ordinance.

Subitem-B: (O-93-32) INTRODUCED, TO BE ADOPTED SEPTEMBER 29, 1992

Introduction of an Ordinance amending the San Diego Municipal Code.

CITY MANAGER SUPPORTING INFORMATION: On February 11, 1992, the City Council adopted an amendment to the Child Care Facilities Ordinance (CCFO) conditioned on the following:

1. A sunset clause requiring that the 150 foot buffer requirement of the CCFO (Municipal Code Section 101.0580, Paragraph E.5.a.) expire in 12 months unless continued by Council resolution. (Expiration date to be February 23,

1993.)

2. A 6-month review with an analysis of the effectiveness of the 150 foot buffer. Specifically, the Council requested information on any applications for a child care facility that would be denied because of this buffer requirement. Deletion of the buffer requirement would be reconsidered at this time.

On August 10, 1992, staff reported that a total of 9 proposals were received during the 6-month period. Three out of 9 were located within the buffer requirement, and could not proceed without a CUP and a costly Health Risk Assessment Study.

At the center of the discussions was the fact that although a child care center could not locate within 150 feet of a business which handled hazardous materials, the reverse could happen. That is, such a business could, by right, locate next to a child care center. The buffer did not make sense.

The Council, by a 6-2 vote, directed staff to amend the ordinance to delete the 150 foot buffer requirement as soon as possible prior to its expiration date on February 23, 1993. The 1,000 foot buffer requirement from businesses handling acutely hazardous materials was retained.

FILE LOCATION: SUBITEM-A: MEET; SUBITEM-B: - -

COUNCIL ACTION: (Tape location: G405-H270.)

Hearing began at 6:55 p.m. and halted at 7:26 p.m.

Testimony in favor by Dr. William L. Dreikorn, Michelle So Hero, Bruce Baumgartner, Elena Juarez, Juliet Ellery, Joy Williams, Jose T. Brave.

Testimony in opposition by Vicky Gallagher.

MOTION BY BEHR TO APPROVE THE CITY MANAGER'S RECOMMENDATION THAT THE 150 FOOT BUFFER BE ELIMINATED AND THAT THE 1,000 FOOT BUFFER BE RETAINED. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-211: (R-93-306) ADOPTED AS RESOLUTION R-280649

Matter of consideration for approval of the Local/Regional Consistency Checklist, prepared in compliance with the Regional Growth Management Strategy (adopted by City Council on April 7, 1992) and its transmission to the Regional Planning and Growth Management Review Board (SANDAG Board of Directors). On January 24, 1992, the SANDAG Board of Directors recommended approval of the Revised Regional Growth Management Strategy to the local jurisdictions, including the region's 18 cities and the County of San Diego. The Strategy initiated by voter approval of the Proposition C advisory measure in November 1988 has been developed with extensive input from the local governments within the region. It includes quality of life standards and objectives and a proposed local government self-certification process to determine local/regional consistency. The strategy as proposed constitutes a basic framework which may be revised or expanded upon in the future, subject to approval by both SANDAG and local jurisdictions including the City of San Diego. The proposed Revised Regional Growth Management Strategy also constitutes an amendment to the City of San Diego's Local Coastal Program. If approved by the City Council, the proposed Local Coastal Program Amendment must be submitted to the California Coastal Commission for review and final approval. The proposed Local Coastal Program amendment would not become effective until after approval by the California Coastal Commission.

Adoption of a Resolution approving the Regional Consistency Checklist for the Regional Growth Management Strategy and transmitting the Checklist to the Regional Planning and Growth Management Review Board.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

Hearing began at 3:40 p.m. and halted at 3:42 p.m.

MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S400: (R-93-420) ADOPTED AS RESOLUTION R-280650

Congratulating and commending Dr. Harry A. (Al) Best for being named a fellow of the Biomedical Research Institute of America, and for the many community spirited activities he has undertaken.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A120-174.)

MOTION BY McCARTY TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-S401: (R-93-423) ADOPTED AS RESOLUTION R-280651

Recognizing and commending Fire Chief John Delotch for his outstanding service to the City of San Diego on the occasion of his retirement from the Fire Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

* ITEM-S402: (R-93-405) ADOPTED AS RESOLUTION R-280652

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$50,000 from the General Fund Unallocated Reserve to the Allocated Reserve for legal fees related to the Hughes Aircraft Company matter; authorizing the expenditure of an

amount not to exceed \$50,000 from Fund 605, Org. 100, Object Account 48814, Job Order 060531, for providing funds for legal fees, travel and other related costs for the services of Arent, Fox, Kintner, Plotkin and Kahn, and other experts, as may be necessary to assist the City Attorney and City Manager in taking appropriate actions regarding the proposed sale by General Dynamics of its missile division to Hughes Aircraft Company, and the City's proposed Economic Conversion Program.

Aud. Cert. 9300250.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S403:

Two actions relative to the Twinports Master Plan - Phase IB:
(Otay Mesa Community Area. District-8.)

Subitem-A: (R-93-424) ADOPTED AS RESOLUTION R-280653

Authorizing the City Manager to accept a FAA Airport Improvement Grant; authorizing the expenditure of funds for the purpose of completing Phase I of the Twinports Master Plan.

Subitem-B: (R-93-425) ADOPTED AS RESOLUTION R-280654

Authorizing the City Manager to enter into an agreement with P&D Technologies for the purpose of completing Phase IB of the Twinports Master Plan.

FILE LOCATION: MEET CONT FY93-1

COUNCIL ACTION: (Tape location: C223-E130.)

Motion by Filner to continue the item until there is a consensus from both governments as to what has been agreed upon. Second by Wolfsheimer. Failed. Yeas: 2,3,4,5,6,7. Nays: 1,8. Not present: M.

MOTION BY BEHR TO ADOPT, APPROVING THE CITY MANAGER'S RECOMMENDATIONS AS CONTAINED WITHIN REPORT NO. 92-282. ACCEPT THE FAA GRANT; AUTHORIZE THE EXPENDITURE OF \$450,000; AUTHORIZE THE EXPENDITURE OF \$500,000 FROM THE AIRPORT ENTERPRISE FUND; AND TO AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH P&D TECHNOLOGIES FOR COMPLETION OF PHASE IB. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-nay, Mayor O'Connor-not present.

ITEM-S404: (R-93-445) ADOPTED AS RESOLUTION R-280655

Council confirmation of the following appointments and reappointment by the Mayor to serve as members of the Commission for Arts and Culture, for terms expiring August 31, 1995, and appointing Sandra Pay as Chair of the Commission:

(See memorandum from Mayor O'Connor dated 9/9/92 with resumes attached.)

Appointment

Juan Manuel Oncina

(To replace David Thompson, whose term has expired.)

Ann Halpenny Kantor

(To replace Darlene Shiley, whose term has expired.)

Reappointment

Ann W. MacCullough

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046 150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S405: (R-93-446) ADOPTED AS RESOLUTION R-280656

In the matter of the Fiscal Year 1993 Animal Control Services Agreement between the City and the County of San Diego.

(See City Manager Report CMR-92-280.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E470-G040.)

Motion by Stevens to amend Stallings' motion raising the vaccination fee from \$2 to \$6. Second by Filner. Motion accepted by Stallings.

MOTION BY STALLINGS TO ACCEPT THE CITY MANAGER'S RECOMMENDATIONS AS FOLLOWS: 1) THE COUNTY WOULD ABSORB A \$120,000 EXPENDITURE REDUCTION IN THE CURRENT CONTRACT. 2) THAT THE CITY WOULD ASSUME RESPONSIBILITY FOR A MORE AGGRESSIVE DEBT COLLECTION PROGRAM TO RAISE AN ADDITIONAL \$120,000. 3) THAT THE FEE FOR DOG LICENSES BE INCREASED FOR BOTH NEUTERED AND NON-NEUTERED DOGS. ACCEPT COUNCIL MEMBER STEVEN'S AMENDMENT TO INCREASE THE VACCINATION FEE FROM \$2 TO \$6. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, Filner-yea, Mayor O'Connor-not present.

* ITEM-S406: (R-93-438) ADOPTED AS RESOLUTION R-280657

Declaring September 12, 1992 to be "Greyhound Pets of America Day" in San Diego; recognizing Greyhound Pets of America for their efforts and commitment for the care of greyhounds.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S407: (R-93-449) ADOPTED AS RESOLUTION R-280658

Adopting a Resolution in support of AB 2601 (Friedman) Employment, Discrimination and Sexual Orientation.
(See Department of Legislative Services Report DLS-92-32.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C046-150.)

MOTION BY STALLINGS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

NON-DOCKET ITEMS:

ITEM-ND-1: (R-93-458) ADOPTED AS RESOLUTION R-280659

Excusing Council Member Bob Filner from attending the Council meetings of Monday, August 10, 1992 and Tuesday, August 11, 1992, to attend to official City business in Washington, D.C., relating to funding in the Federal Government's budget of the City of San Diego's Clean Water Program and reimbursement for treatment of Tijuana sewage.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H274-333.)

MOTION BY HARTLEY TO ACCEPT THE ITEM FOR CONSIDERATION. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

MOTION BY FILNER TO ADOPT THE NON-DOCKET ITEM AND ITEMS 146,

147, AND 148. Second by Hartley. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Roberts at 7:39 p.m. in honor of the memory of the following individuals: Debra J. Miller, requested by Council Member McCarty; Detty June Klauber, Minos D. Generales, Dorothy Shapiro, requested by Council Member Wolfsheimer; Paul C. Markel, requested by John W. Witt, City Attorney; and Jerome O'Connor, requested by Mayor O'Connor.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H335-396).