

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, APRIL 26, 1993
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:04 p.m. Mayor Golding announced that the City of San Diego, the United States Small Business Administration and the Chamber of Commerce will be sponsoring the first annual "Start Your Own Business Expo" to be held at Golden Hall on May 8, 1993 from 9:00 a.m. to 5:00 p.m. Mayor Golding commended City Manager Jack McGrory for a job well done after announcing that San Diego was ranked as having one of the best business climates in California, as stated in the Special California Business Report. City Manager Jack McGrory reported that Beth Chadwick would be leaving the position of Council Liaison for the City Manager. In the next year and a half the following people have been selected for the position on a rotation basis: Rudolph Johnson, III, Michael Behan, Ana Maria Gutierrez and Marcela Escobar. The meeting was adjourned by Deputy Mayor Behr at 5:15 p.m. to meet in Closed Session on Tuesday, April 27, 1993, at 9:15 a.m. in the twelfth floor conference room to discuss pending litigation, significant exposure to litigation, initiating litigation and meet and confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-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 Vargas-present

Clerk-Abdelnour/Fishkin (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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

ITEM-10: INVOCATION

Invocation was given by Pastor Lorie Purdey of the
Poway Seventh Day Adventist Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Vargas.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding a citizen's responsibility to report fraud to the leaders.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A042-064.)

ITEM-PC-2:

Comment by Susan Darnall regarding Del Mar Terrace streets.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A065-079.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Behr expressing the need to achieve an atmosphere that will draw businesses to San Diego and change the negative articles that appear in various newspapers which state that San Diego is a poor relocation area for businesses.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A084-135.)

ITEM-CC-2:

Comment by Council Member Stallings encouraging everyone to attend the World Children's Baseball Fair International Youth Program to be held at the Jack Murphy Stadium from July 26-31, 1993.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A136-161.)

ITEM-CC-3:

Comment by Council Member Stevens encouraging the business leaders to line up with City leaders to visit other cities for the purpose of welcoming businesses to the San Diego area.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A162-173.)

ITEM-CC-4:

Comment by Council Member McCarty announcing that a Small Business Rally will be held in District 7 on April 29, 1993, at the Bank of America Building in the Vons Shopping Center at Mission Gorge and Friars Roads.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A238-243.)

ITEM-30: PRESENTED

Presenting the environmental poster contest winners from La Mirada Elementary School.

(Docketed at the request of Councilmember Vargas. District-8.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A174-212.)

ITEM-31: APPROVED

Approval of Council Minutes for the Meetings of:

4/12/93

4/13/93

4/13/93 Special Joint Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A213-214.)

MOTION BY COMMON CONSENT TO APPROVE. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-50: (O-93-115) INTRODUCED, TO BE ADOPTED MAY 17, 1993

Introduction of an Ordinance amending Chapter II, Article 2, Division 1, of the San Diego Municipal Code by amending Section 22.0101, entitled "Permanent Rules of the Council" by amending Rule 21, to reduce the number of members on the Council's Public Services and Safety Committee from six members to five.

COMMITTEE ACTION: Reviewed by Rules on 3/22/93.

Recommendation to approve the amendment as drafted. Mayor Golding and Districts 2,3,& 6 voted yea. District 5 not present.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO INTRODUCE THE ORDINANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-100: (R-93-1252) ADOPTED AS RESOLUTION R-281799

Awarding a contract to P & P Enterprises, for Fire Station No. 24 - Landscaping; authorizing the expenditure of not to exceed \$95,000 from CIP-33-014.0, Construction of Fire Station No. 24, Fund 79002, Carmel Valley North - FBA; authorizing the City Auditor and

Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves. (BID-K3615/93M)
(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This project provides for the construction of Fire Station No. 24 located at 13077 Hartfield Avenue. The building is a new 6,800 sq. ft. structure and is in its final stages of construction. The additional funding allows for final subcontracting work to be done. The work includes: landscaping, painting, roofing, roofing, glazing, plumbing, heating/cooling, plastering, cabinetry and fire sprinklers. The Fire Department expects to occupy the facility in May 1993. The landscaping work has been rebid due to the withdrawal of the original subcontractor, American Eagle. The project was advertised and bids were opened on March 10, 1993. Four competitive bids were received. The apparent low bidder withdrew their bid and the second low bid was 19 percent over the estimated cost. Landscaping will be the final work contracted for the building to be completed.

Aud. Cert. 9300976.

FILE LOCATION: CONT - P & P Enterprises CONFY93-1

COUNCIL ACTION: (Tape location: E095-174.)

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

* ITEM-101: (R-93-1245) ADOPTED AS RESOLUTION R-281800

Awarding a contract to Quality Manufacturing, Inc., for the purchase of one 1500 GPM Triple Combination Fire Apparatus; authorizing the expenditure of not to exceed \$241,711.67 from CIP-33-0760, Fire Station No. 43 - Otay Mesa, Fund 39062, Otay Mesa - Fac. Dev. Fund; authorizing the Auditor and Comptroller, upon advice from the administering department to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-H3528/93)

Aud. Cert. 9300943.

FILE LOCATION: CONT - Purchase - Quality Manufacturing, Inc.
CONFY93-1

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

ITEM-102: (R-93-1248) ADOPTED AS RESOLUTION R-281801

Awarding a contract to ESD Company for furnishing an
emergency power system for a total cost of \$64,350,
including tax and terms; authorizing the expenditure of
not to exceed \$64,350 from Fund No. 30244, Department
No. 30244, Organization No. 106, and Job Order No.
342000; authorizing the Auditor and Comptroller, upon
advice from the administering department, to transfer
excess budgeted funds, if any, to the appropriate
reserves. (BID-I3621/93)

Aud. Cert. 9300945.

FILE LOCATION: CONT - Purchase - ESD COMPANY CONFY93-1

COUNCIL ACTION: (Tape location: A553-B150.)

MOTION BY ROBERTS TO ADOPT. Second by Stallings. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-
yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-103: (R-93-1249) ADOPTED AS RESOLUTION R-281802

Awarding a contract to Imperial West Chemical Company
for the purchase of ferric chloride, as may be required
for a period of one year beginning May 1, 1993 through
April 30, 1994 for an estimated cost of \$472,220.34.
(BID-B3653/93)

FILE LOCATION: CONT - Purchase - Imperial West Chemical

Company CONFY93-1

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104: (R-93-1243) ADOPTED AS RESOLUTION R-281803

Awarding contracts for miscellaneous printing papers and related supplies for the Print Shop to: 1) Unisource Corp., 2) Zellerbach a Mead Co., and 3) La Salle Paper Company, for an estimated cost of \$173,400, for the initial six month period, including tax and terms, as may be required for a period of six months beginning February 1, 1993 through July 31, 1993. (BID-E3575/93)

FILE LOCATION: CONT - Purchase - 1) Unisource Corp.
2) Zellerbach, A Mead Co., and 3) La Salle
Paper Company CONFY93-3

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-nay, Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-yea.

* ITEM-105: (R-93-1532) ADOPTED AS RESOLUTION R-281804

Resolution of Intention for the Improvement of Dahlia and Donax Avenues under the provisions of the Improvement Act of 1911.

(See City Manager Report CMR-93-110. Otay Mesa-Nestor Community Area. District-2.)

FILE LOCATION: STRT D-2286

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106: (R-93-1653) ADOPTED AS RESOLUTION R-281805

Resolution of Intention to vacate the east/west alley adjacent to Lot 4 and Lot 5 in Block 54 of Normal Heights, Map-985; fixing a time and place for a public hearing.

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

FILE LOCATION: DEED F-6029; STRT J-2791 DEEDFY93-1

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-107: (R-93-1549) ADOPTED AS RESOLUTION R-281806

Calling for a noticed preliminary public hearing regarding the formation of a City initiated improvement district for the improvement of traffic islands in Federal Boulevard between Euclid Avenue and 47th Street, under the provisions of the Improvement Act of 1911.

(See City Manager Report CMR-93-109. Webster Community Area. District-4.)

FILE LOCATION: STRT D-2295

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-108: (R-93-1657) ADOPTED AS RESOLUTION R-281807

Authorizing the sale by negotiation of Site 933 - Mast Boulevard, for \$510,600 to the City of Santee; authorizing the execution of a grant deed, granting the property to the City of Santee.

(Santee Community Area.)

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego was contacted by the City of Santee to purchase Site 933 for construction of a neighborhood park. The subject parcel had previously been annexed into the jurisdiction of the City of Santee in 1991, but the City of San Diego retained its ownership of the property. Site 933 is located south and east of Mast Boulevard, east of Padre Dam. The property consists of 8.41 acres and is zoned R-2. The parcel was appraised at \$510,600 by an independent fee appraiser and was reviewed by City of San Diego Valuation staff. A condition of the sale involves future reimbursement by the City of Santee to the City of San Diego in an amount not less than \$122,500 if the adjacent School District shares in paying half the cost of correcting a drainage problem affecting both properties.

FILE LOCATION: DEED F-6030 DEEDFY93-1

COUNCIL ACTION: (Tape location: E175-222.)

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

ITEM-109: (R-93-1673) ADOPTED AS RESOLUTION R-281808

Proclaiming April 26, 1993 to be "Mt. View Recreation Council Community Day" in San Diego and commending the Council for their hard work and persistence in helping

to "Take Back our Neighborhood."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A370-414; A457-458.)

MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-110: (R-93-1674) ADOPTED AS RESOLUTION R-281809

Proclaiming Monday, April 26, 1993 to be "Share Our Strength Day" in San Diego; congratulating the sponsors of Share Our Strength (SOS) and thanking them for their efforts on behalf of the hungry.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A288-328; A457-458.)

MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-111: (R-93-1462) ADOPTED AS RESOLUTION R-281810

Endorsing Carlsbad as the home of Lego's Family Park, and pledging support to provide Lego a warm welcome to San Diego County.

COMMITTEE ACTION: Reviewed by RULES on 4/12/93. Recommendation to approve. Mayor Golding and Districts 2, 3, 5 and 6 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A329-369; A457-458.)

MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-

yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112: (R-93-1561) ADOPTED AS RESOLUTION R-281811

Accepting a \$30,000 grant from the National Endowment for the Arts (NEA) to support the City of San Diego Commission for Arts and Culture's Community Cultural Planning Project; authorizing the expenditure of \$30,000 in matching monies to be paid out of the following funds: \$22,750 out of Fund No. 10224, and \$7,250 out of Fund No. 19007.

CITY MANAGER SUPPORTING INFORMATION: The goal of the Community Planning Project is to develop an action plan which includes implementation strategies and identifies resources to achieve cultural equity and diversity in the City's arts and culture program. The commitment to develop a cultural plan for equity and diversity began with an awareness of the wealth of arts and cultural offerings and the need to make these programs accessible to all citizens. The special role that the City plays as the lead agency shaping the cultural landscape of this border town, home to many established and recently arrived ethnic groups, requires that it become more intimate with the needs of both the community at large and the growing artistic and cultural community. Encouraged by community advocacy, the Commission for Arts and Culture must ensure that the City supports opportunities for creating and participating in arts and cultural activities for all citizens, through equitable distribution of resources. The plan will result in policy recommendations, implementation strategies and identification of resources to be presented to the City Manager and City Council for final approval.

Aud. Cert. 9300854.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-113: (R-93-1652) TRAILED TO APRIL 27, 1993

Authorizing the City Manager to apply for, accept, and administer grant funds from the U.S. Department of Education to expand the Library's foreign language collection.

(Centre City, Linda Vista, Mid-City, Mira Mesa, Otay Mesa/Nestor, San Ysidro and Southeast San Diego Community Areas. Districts-2,3,5,6, & 8.)

CITY MANAGER SUPPORTING INFORMATION: The United States Department of Education has invited the San Diego Public Library to apply for grant funds to expand its collection of foreign language materials. The grant will allow the Library to enhance library services by expanding its collection of Spanish, Vietnamese, Cambodian, Hmong and Laotian language materials in seven libraries that serve these communities. In addition, each library will develop and expand partnerships with area schools, Hispanic and Indochinese community organizations, agencies and churches.

FILE LOCATION:

COUNCIL ACTION: (Tape location: E223-228; E236-238.)

* ITEM-114: (R-93-1539) ADOPTED AS RESOLUTION R-281812

Authorizing the City Manager to apply for, accept and expend, a grant award from the Telecommunications Education Trust of the California Public Utilities Commission (Fraudulent Telemarketing Prevention Project Grant).

CITY MANAGER SUPPORTING INFORMATION: The Telecommunications Education Trust was established by the California Public Utilities Commission in 1986 to provide a distribution conduit for fines levied the Pacific Bell for selling unwanted or unneeded service features to residential and small business customers. The purpose of the Trust is to educate California consumers in telecommunications uses. The goal of the program is to educate telephone consumers on the fraudulent, misleading, and unfair charitable solicitation tactics used by "cold-call" operators, most commonly out of telephone "boiler rooms". The public education campaign will use television, radio,

periodicals, affiliations with legitimate fund raisers and charities, and community meetings such as Neighborhood Watch. The campaign will reach the general public, with special emphasis on elderly, immigrant, and limited-English speaking residents. The second goal of the program is to research, draft, and enact appropriate legislation to regulate and discourage fraudulent charitable telephone solicitors from operating in San Diego, while protecting the interests of legitimate charities and fund raisers. The grant requests funding for one Police Officer II, one Deputy City Attorney, one half-time Clerical employee, and video production costs, miscellaneous supplies and expenses.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-115: (R-93-1614) ADOPTED AS RESOLUTION R-281813

A Resolution approved by the City Council in Closed Session on Tuesday, March 30, 1993 by the following vote: Wolfsheimer-yea; Roberts-yea; Hartley-yea; Stevens-yea; Behr-nay; Stallings-nay; McCarty-nay; Vargas-yea; Mayor-yea.

Authorizing the payment of \$396,449.85 for attorney fees awarded in Citizens Against Jackson Drive Extension v. City of San Diego (Superior Court Case No. 641964), from CIP-524310, Jackson Drive Extension to SR52 Fund 30302 TransNet Bond Proceeds; authorizing the City Auditor to issue one check in the amount of \$396,449.85 made payable to Citizens Against Jackson Drive and their attorney, Milberg, Weiss, Bershad, Specthrie & Lerach.

Aud. Cert. 9300946.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-116: (R-93-1672) ADOPTED AS RESOLUTION R-281814

A Resolution approved by the City Council in Closed Session on Tuesday, March 2, 1993 by the following vote: Mayor-yea; Wolfsheimer-not present; Roberts-not present; Hartley-not present; Stevens-not present; Behr-yea; Stallings-yea; McCarty-yea; Vargas-yea.

Authorizing the payment of \$117,500 in the settlement of the property damage claim of Landex Construction Corporation (Superior Court Case No. 651047,) for the construction of the Metro Pump Station No. 2, Control Room; authorizing the City Auditor and Comptroller to issue one check in the total amount of \$117,500 made payable to Landex Construction Corporation and their attorney, Richard D. Corona, of Corona, Balistreri & Ramseyer, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of Landex Construction Corporation property damage claim as a result of the incident on August 21, 1991.

Aud. Cert. 9300980.
WU-FM-93-122.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117:

Two actions relative to construction of East Clairemont Athletic Area - Phase I:
(Clairemont Mesa Community Area. District-6.)

Subitem-A: (R-93-1084) ADOPTED AS RESOLUTION R-281815

Authorizing the transfer of and expenditure of \$86,000 to complete East Clairemont Athletic Area - Phase I: Transferring not to exceed \$5,900 from PSD Fund No. 11430, \$63,100 from PSD Fund No. 13000 and \$17,000 from Storm Drain - DIF Funded CIP-112980, Fund No. 79521, all to CIP-29-688.0, East Clairemont Athletic Area - Phase I; authorizing the expenditure of not to exceed \$86,000 from CIP-29-688.0, East Clairemont Athletic Area - Phase I.

Subitem-B: (R-93-1085) ADOPTED AS RESOLUTION R-281816

Stating for the record that the City Council has reviewed and considered the information in the final Environmental Document DEP-89-1401, in connection with East Clairemont Athletic Area - Phase I.

CITY MANAGER SUPPORTING INFORMATION: The East Clairemont Athletic Area is located on Mt. Acadia Boulevard at Mt. Abbey Avenue. Construction of Phase I park improvements began in January 1992 and is expected to be completed in February 1993. The construction period and construction cost are greater than expected due to unanticipated problems such as unconsolidated fill material under the proposed comfort station and additional improvements to the existing ballfield facilities requested by the community. Long construction times typically result in higher administration and engineering costs because these costs are directly related to time spent on the project. An additional \$86,000 is required to complete this project.

Aud. Cert. 9300585.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-118: (R-93-1613) ADOPTED AS RESOLUTION R-281817

Authorizing the transfer and expenditure of \$53,689.22 for Memorial Community Park remodeling:

Establishing Fund No. 10513, Memorial Community Park Recreation Center Fire Loss, for receipt of insurance proceeds; increasing CIP-29-661.0, Memorial Community Park Recreation Improvements by \$53,689.22 from these proceeds; authorizing the expenditure of \$53,689.22 from CIP-29-661.0, Memorial Community Park Recreation Center Improvements, Fund No. 10513 to supplement the funding authorized by Resolution R-280106 and R-280853.

(Barrio Logan Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The recreation center building at Memorial Community Park is being remodeled. The plans called for the demolition and removal of every room except the gym and the construction of new rooms. The building suffered fire and smoke damage during the bidding period and as a result the gym floor and sound absorbent material on the gym walls must be replaced.

The City has received compensation from insurance and has \$53,689.22 which can be used to restore the gym. The requested Council action authorizes the expenditure of this money to supplement the financing Council has previously authorized for the construction of the Memorial Community Park Recreation Center. The new floor will be provided by construction change order.

Aud. Cert. 9300895.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-119: (R-93-1586) ADOPTED AS RESOLUTION R-281818

Authorizing the following fund transfers for Children's Play Equipment Projects, Contract No. 1 and No. 2: Transferring not to exceed \$31,154 from Proposition 70 Fund No. 38009; \$3,000 from PSD Fund No. 11650, \$3,000 from PSD Fund No. 11380 and \$3,000 from PSD Fund No. 11690, all to CIP-29-777.0, Children's Play Equipment - Contract No. 2; transferring not to exceed \$6,000 from CIP-58-007.0, Annual Allocation - Overhead/Other City Costs for Grant Projects, Capital Outlay Fund No. 30245, \$3,200 from PSD Fund No. 11600, \$3,000 from PSD Fund No. 11730 and \$3,000 from PSD Fund No. 12000, all to CIP-29-778.0, Children's Play Equipment - Contract No. 1. (Mid-City, University, Otay Mesa/Nestor, Clairemont Mesa, Scripps Miramar Ranch, Barrio Logan, Navajo, & Skyline/Paradise Hills Community Areas. Districts-1,2,3,4,5,6,7 & 8.)

CITY MANAGER SUPPORTING INFORMATION: Two projects, CIP-29-778.0 Children's Play Equipment - Contract No. 1 and CIP-29-777.0 Children's Play Equipment - Contract No. 2 will provide new disabled accessible play equipment at Kensington Park, Standley Park, South Bay Community Park, North Clairemont Community Park, Jerabek Park, Chicano Park, Allied Gardens Community Park and Skyline Community Park. The requested funding transfers add surplus Prop. 70 Funds to CIP-29-777.0 and PSD Funds to both CIP-29-777.0 and CIP-29-778.0. PSD Funds pay for project costs that are not eligible for grant reimbursement.

Aud. Cert. 9300825.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-120:

Two actions relative to the Carmel Valley Neighborhood

6 Coral Cove Park:
(Carmel Valley Community Area. District-1.)

Subitem-A: (R-93-1615) ADOPTED AS RESOLUTION R-281819

Authorizing a Reimbursement Agreement with Baldwin Builders, for the design and construction of Carmel Valley Neighborhood 6 Coral Cove Park; authorizing the expenditure of not to exceed \$160,000 from CIP-29-645.0, Carmel Valley Neighborhood 6 Coral Cove Park, Carmel Valley North Facilities Benefit Assessment Fund No. 79002.

Subitem-B: (R-93-1616) ADOPTED AS RESOLUTION R-281820

Stating for the record that the information contained in EIR-87-0228 has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: Baldwin Builders, a California Corporation, is obligated to design and construct Carmel Valley Neighborhood 6 Coral Cove Park in Carmel Valley pursuant to the "Carmel Valley Public Facilities Plan and Facilities Benefit Assessment," Document No. R-279995, dated May 26, 1992. The proposed park is a small parcel of land created by a realignment of an adjacent road. The parcel is too small to include active uses, but is large enough to accommodate passive uses such as seating, walkways, a passive lawn area and landscaping. Due to its immediate adjacency to a busy road and slopes the project will also include decorative fencing.

Aud. Cert. 9300957.

FILE LOCATION: MEET CCONFY93-1

COUNCIL ACTION: (Tape location: E229-249.)

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

ITEM-121: (R-93-1508) ADOPTED AS RESOLUTION R-281821

Authorizing an amendment to the agreement with CH2M

Hill California, Inc., for professional services during construction and start-up of the North City Water Reclamation Plant;

authorizing the transfer of not to exceed \$635,805 within Clean Water Program Sewer Fund 41509, from CIP-46-159.0, Mission Valley Water Reclamation Plant, to CIP-42-910.1, North City Water Reclamation Plant; authorizing the expenditure of not to exceed \$3,951,000 from Clean Water Program Sewer Fund 41509, CIP-42-910.1, North City Water Reclamation Plant, to be expended as follows:

Phase 1 - \$635,805 from Fiscal Year 1993 appropriations;

Phase 2 - \$1,119,687 from Fiscal Year 1994 appropriations, contingent on approval of the FY 1994 CIP budget;

Phase 3 - \$1,485,509 from Fiscal Year 1995 appropriations, contingent on approval of the FY 1995 CIP budget;

Phase 4 - \$583,960 from Fiscal Year 1996 appropriations, contingent on approval of the FY 1996 CIP budget;

Phase 5 - \$126,039 from Fiscal Year 1997 appropriations, contingent on approval of the FY 1997 CIP budget.

(University City Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: In October 1991, the City Council approved the agreement between the City and CH2M Hill California, Inc. for providing design services for the North City Water Reclamation Plant (NCWRP). The 100 percent design was submitted to the City on February 25, 1993. Also, as a part of this agreement, a site specific EIR was prepared which was certified by the City Council on February 2, 1993. Amendment No. 1 to CH2M Hill's contract will provide for services during construction and start-up of the NCWRP. These services were included in the original contract as Option B, to be funded at the completion of the design. Some of the services that will be provided by CH2M Hill during the four year construction of the NCWRP (May 1993 to July 1997) are as follows: shop drawing

submittal reviews, respond to technical request for information/clarifications, witness equipment tests, record drawing assistance, preparation of the operation and maintenance manual and assistance during the testing and start-up of the plant. These services will be required for all of the plant system including, but not limited to: Structural, Fire Protection, Mechanical, Instrumentation and Control, Electrical, Civil, and HVAC. This authorization for expenditures to fund these services is requested at this time since the design is completed and the construction of the NCWRP is scheduled to be started in May 1993. The MBE/WBE participation goals for this agreement are 12 percent MBE and 3 percent WBE. The MBE/WBE participation for this amendment is 13.2 percent MBE and 8.9 percent WBE.

Aud. Cert. 9300959.
WU-93-107.

FILE LOCATION: MEET CCONTFY93-1

COUNCIL ACTION: (Tape location: E250-272.)

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

ITEM-122: (R-93-1675 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-281822

Authorizing an agreement with Deloitte and Touche/Armando Martinez and Company, to conduct the City's audits for Fiscal Year 1993-1997; authorizing the expenditure of not to exceed \$88,900 from General Fund Citywide Program Expenditures (601) and \$27,400 from Water Utilities Fund (700).

CITY MANAGER SUPPORTING INFORMATION: A Request for Proposal was issued on January 19, 1993 for audit services to the City of San Diego and its related entities for Fiscal Year 1992-93 through Fiscal year 1996-97. In accordance with Council Policy 300-7, a request for Proposal was advertised in the Daily Transcript on January 29, 1993, and in La Prensa on January 29, 1993. A panel consisting of six members reviewed the three proposals submitted and interviewed three finalists (Deloitte & Touche/Armando

Martinez & Company, KPMG Peat Marwick/R. Navarro & Associates, and Calderon, Jaham & Osborn/Macias and Pierini). The panel recommends that Deloitte & Touche/Armando Martinez & Company be retained to provide services as they were the most qualified firm to provide the City and related entities with audit services.

Aud. Cert. 9300979.

FILE LOCATION: MEET CCONFY93-1

COUNCIL ACTION: (Tape location: B469-C228.)

MOTION BY BEHR TO ADOPT AS AMENDED TO AWARD THE CONTRACT TO CALDERON, JAHAM & OSBORN/MACIAS AND PIERINI. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-123:

Two actions relative to the San Pasqual Water Reclamation Facility, Contract No. 1, Change Order Request No. 1:
(San Pasqual Valley Community Area. District-5.)

Subitem-A: (R-93-1662) ADOPTED AS RESOLUTION R-281823

Approving Contract No. 1, Change Order No. 1, with Western Summit Constructors, Inc., increasing the contract price by \$188,482;

authorizing the expenditure of not to exceed \$188,482, consisting of \$94,241 from Water Revenue Fund 41500, CIP-73-290.0, San Pasqual Water Reclamation Facility, and \$94,241 from Sewer Revenue Fund 41506, CIP-46-151.0, San Pasqual Water Reclamation Facility.

Subitem-B: (R-93-1663) ADOPTED AS RESOLUTION R-281824

Stating for the record that the information contained in Environmental Impact Report and Mitigation, Monitoring and Reporting Program DEP-87-0750, and

Addendum DEP-89-0344, has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: On June 27, 1988, the Council conceptually approved relocation of the Total Resource Recovery Program (Aquaculture Plant) to the San Pasqual Valley. The engineering consultant, Black and Veatch, has prepared complete plans and specifications for the construction of the San Pasqual Water Reclamation Facilities to accomplish this relocation. The Total Resource Recovery Program is an experimental, one million gallons per day (1MGD) facility, and this construction contract is based on this flow rate.

Contract No. 1 is for construction of the treatment plant in San Pasqual Valley, including aquatic ponds for secondary treatment, and sand filtration, reverse osmosis, air stripping and granular activated carbon for advanced treatment. Construction on the facility began in April of 1992, with substantial completion expected in May or June 1993. The City of San Diego retained the services of Ogden Environmental as the archeological consultant to monitor the earthwork for the existence of potentially significant cultural artifacts. The surface of the construction site was surveyed by Ogden prior to excavation commencing, and no significant artifacts were found at the time. During the first few weeks of excavation, six archeological sites were found throughout the entire site. The certified Environmental Impact Report mandated that the earthwork and grading operations be monitored by a SOPA-certified archeologist, and that if the monitor discovers any potentially significant cultural artifacts during construction, earthwork is to cease and a testing program implemented to evaluate the significance of the discovered cultural resources. If determined to be significant, a research design and data recovery program must be initiated to mitigate impacts. As defined in the Contract Documents, EPA section titled Cultural Resources, the contractor is entitled to reasonable compensation for actual loss due to idle time of equipment, labor and increased cost of labor and materials.

Aud. Cert. 9300966.
WU-U-93-117.

FILE LOCATION: CONT - Western Summit Constructors,
Inc. CONFY93-1

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-124:

Two actions relative to Sewer Pump Stations 11, 14 and 16 Improvements:
(Mission Bay, Mission Beach & Ocean Beach Community Areas. District-2.)

Subitem-A: (R-93-1659) ADOPTED AS RESOLUTION R-281825

Approving Change Order No. 9, with The Industrial Company (formerly P&H Contracting, Inc.), increasing the contract price by \$212,131.39; transferring \$242,000 within Sewer Revenue Fund 41506, Catalina Boulevard Trunk Sewer, CIP-46-072.0 to Sewer Pump Stations 11, 14 and 16 Improvements, CIP-46-121.0; authorizing the expenditure of \$242,000 from CIP-46-121.0 as follows: \$212,132 will be placed in contingency for Change Order No. 9 for Sewer Pump Stations 11, 14 and 16 Improvements, CIP-46-121.0 and \$29,868 will be used to cover in-house costs to close out the project.

Subitem-B: (R-93-1660) ADOPTED AS RESOLUTION R-281826

Stating for the record that the City Council has reviewed and considered the information in Negative Declaration DEP-89-0314, in connection with Change Order No. 9.

CITY MANAGER SUPPORTING INFORMATION: On January 29, 1990, the City Council approved a construction contract with The Industrial Company (formerly P&H Contracting, Inc.) for the amount of \$2,335,622 for the construction of Sewer Pump Stations 11, 14 and 16. It replaced three existing pump stations in the Mission Beach area which were built in the 1920s and constructed 2,700 lineal feet of pressurized sewer mains. All three pump stations have been completed and a final change order is necessary to close out the project. Item No. 1 of this change order is for payment for extended overhead claims by the contractor for all extra work done on a cost plus basis in previous orders No. 1 -

8. This includes delay costs associated with encountering and removing buried concrete rubble, the repair of an existing sewer main, and various measures taken to protect Pump Station No. 11 against ongoing beach erosion. In addition, Item No. 1 provides for trouble-shooting and testing of Pump Station No. 16. During start-up testing, it was determined that Pump Station No. 16 did not meet performance specifications. The pump station did not perform as expected and could not be accepted. The contractor was directed to remove one pump and have it tested by an independent laboratory. The pumps passed the laboratory test and the City became responsible for the actual cost for testing and the extended overhead costs for the delay time associated with the acceptance of Pump Station No. 16. The low performance of the pump was determined to be caused by valves and the piping arrangement within the station, not the pump. The City is investigating recouping the costs associated with the pump station performance from the consultant who designed the pump station. The remaining change order items include replacement of valves, one months billing for SDG&E power to the three pump stations, and the installation of three protective bollards near Pump Station No. 16. These three items total \$6,904.81. The administration of this project has extended well beyond its expected duration. This has resulted in the need for an additional \$29,868 to close out the project.

Aud. Certs. 9300923 & 9300922.
WU-U-93-063.

FILE LOCATION: CONT - The Industrial Company (formerly
P&H Contracting, Inc.) CONFY93-1

COUNCIL ACTION: (Tape location: E273-279.)

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

ITEM-125:

Two actions relative to Construction of Morena
Boulevard Interceptor:
(Clairemont Mesa Community Area. District-6.)

Subitem-A: (R-93-1558) ADOPTED AS RESOLUTION R-281827

Approving Change Order No. 2 and Change Order No. 5 with Chilcote, Inc., increasing the contract price by \$289,300; authorizing the expenditure of not to exceed \$289,300 from Fund No. 45106, CIP-43-123.0.

Subitem-B: (R-93-1559) ADOPTED AS RESOLUTION R-281828

Stating for the record that the City Council has reviewed and considered the information in Negative Declaration DEP-87-0497 and Addendum DEP-91-0278 in connection with the Morena Boulevard Interceptor.

CITY MANAGER SUPPORTING INFORMATION: On August 5, 1991, by Resolution R-278466-1 and R-278466-2, the City Council approved the plans and specifications and authorized execution of a contract for the construction of the Morena Boulevard Interceptor. The construction contract was awarded to Chilcote, Inc. on December 17, 1991. During construction of the tunnel portion of the project, the contractor experienced difficulties which were unforeseen and beyond the scope of work identified in the contract documents. Change Order No. 2 is for shutting down the tunneling operations to formulate an approach to handle a hazardous waste site, and to have the contractor resume his operations through this site with the necessary precautionary steps. This change order is for \$127,500. Change Order No. 5 resulted from additional work necessary to work through hard formation soils as opposed to softer and poorly consolidated materials called out in the contract documents. This change order is for \$161,800.

Aud. Cert. 9300908.
WU-U-93-077.

FILE LOCATION: CONT - Chilcote, Inc. CONFY93-1

COUNCIL ACTION: (Tape location: E280-288.)

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

* ITEM-126: (R-93-1651) ADOPTED AS RESOLUTION R-281829

Authorizing the use of City forces to perform construction and inspection of Sewer Group 97, with the cost of the work not to exceed \$55,000; authorizing the expenditure of not to exceed \$185,000 from Sewer Revenue Fund 41506, CIP-44-001.0 to fund the use of City forces in the amount of \$55,000 and to fund City field inspection services in the amount of \$130,000.

(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 95 percent of the project is completed, and all of the sewer mains are installed and accepted by Systems Division. Although most of the installation proceeded according to plan, there were several unforeseen problems typically associated with this type of work. These changes will fund the relocation of a water main in La Jolla Boulevard. To avoid a sewer conflict, a 6-inch water main will be relocated by City forces. This will cost \$55,000. In addition to this, the Field Division's engineering staff will soon exceed funds allocated for inspection. An increase of \$130,000 will fund future project inspection costs.

Aud. Cert. 9300937.
WU-U-93-050.

FILE LOCATION: CONT - Kim Construction Company

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-150: (R-93-1566 Rev.2) ADOPTED AS AMENDED AS
RESOLUTION R-281798

Supporting the retention of the Naval Training Center San Diego; requesting that the Defense Base Closure and Realignment Commission take into account the impact on the private sector ship building and repair industry when considering the disposition of Navy shipyards; directing the Director of Legislative Services to

communicate with and provide a copy of this resolution to San Diego's congressional delegation and to the City's legislative advocates in Washington, D.C.

COMMITTEE ACTION: Reviewed by RULES on 4/12/93. Recommendation to approve the revised Resolution. Mayor Golding and Districts 2, 3, 5 and 6 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B178-461.)

MOTION BY VARGAS TO ADOPT AS AMENDED TO MENTION THE LONG BEACH NAVAL SHIPYARD IN THE RESOLUTION. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200: (R-93-1676 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-281830

Requesting the Postal Rate Commission to consider offering lower than the current lowest rate for Bulk Business Mailers containing recycled content, the rate and percentage to be determined; to qualify for the lower rate, Bulk Business Mailers would be required to meet the highest standards of bar-coding and labeling which should result in increased efficiencies to offset the lower rate.

(See memo from Mayor Golding dated 4/14/93.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C231-325.)

MOTION BY McCARTY TO ADOPT AS AMENDED TO INCLUDE THE FOLLOWING SUGGESTIONS IN THE PROPOSAL: 1) A REASONABLE LEVEL OF POST-CONSUMER RECYCLED CONTENT MUST BE A REQUIREMENT IN THE USE OF RECYCLED PAPER RATHER THAN JUST PRE-CONSUMER CONTENT; 2) DIRECT MAIL PIECES MUST STATE THAT THEY ARE PRINTED ON RECYCLED PAPER AND SPECIFY THE PERCENTAGE THAT IS POST-CONSUMER AND PRE-CONSUMER CONTENT; AND 3) ALL MAILINGS THAT ARE ELIGIBLE SHOULD BE DOUBLE SIDED. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-

yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201: (R-93-1687) ADOPTED AS RESOLUTION R-281831

Consideration of the following nominees to fill two vacancies on the San Diego Convention Center Corporation Board of Directors:
(See memorandum from Mayor Golding dated 4/15/93 with resumes attached.)

NOMINEE	NOMINATED BY
John Kennedy	Mayor Golding
Su-Mei Yu	Mayor Golding/Tom Behr
Joe Francis (reappointment)	John Hartley/Ron Roberts
Brian Seltzer	Judy McCarty/Ron Roberts

Adoption of a Resolution making two appointments to replace Joe Francis and Dene Oliver, whose terms have expired, for three year terms ending December 1, 1995.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C326-489.)

Mayor Golding announced that Brian Seltzer had withdrawn his name from consideration.

The first ballot was taken, and Clerk Abdelnour announced the tally for Round 1: Kennedy-3; Yu-9; Francis-6.

MOTION BY COMMON CONSENT TO CONFIRM THE APPOINTMENTS OF SU-MEI YU AND JOE FRANCIS. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202: (R-93-1689) ADOPTED AS RESOLUTION R-281832

Council confirmation of the following appointments by the Mayor to serve as members of the Board of Library Commissioners for two-year terms expiring March 1, 1995:

(See memorandum from Mayor Golding dated 4/15/93 with resumes attached.)

James Abbott (Replacing Joshua Von Wolfolk, whose term has expired.)

Khalada Salaam (Replacing Judith M. Copeland, whose term has expired.)

Charles Elster (Replacing Rosalia Salinas, whose term has expired.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C490-D075.)

MOTION BY WOLFSHEIMER TO CONFIRM THE APPOINTMENTS OF KHALADA SALAAM AND CHARLES ELSTER. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY BEHR TO CONFIRM THE APPOINTMENT OF JAMES ABBOTT. Second by McCarty. Passed by the following vote: Wolfsheimer-nay, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203: (R-93-1688) ADOPTED AS RESOLUTION R-281833

Council confirmation of the following appointments by the Mayor to serve as members of the Board of Zoning Appeals, for two-year terms ending March 1, 1995:

(See memorandum from Mayor Golding dated April 15, 1993 with resumes attached.)

Appointments:

Joe Outlaw - Chair
(replacing Frances M. Ugoretz, whose term has expired.)

Michael Clark (replacing Naomi F. Zimmerman, who has resigned.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204: (R-93-1686) ADOPTED AS RESOLUTION R-281834

Council confirmation of the following appointments by the Mayor to serve as members of the Park and Recreation Board, for two-year terms expiring March 1, 1995:

(See memorandum from Mayor Golding dated 4/15/93 with resumes attached.)

Terrence J. Curren - Chair
(Reappointment.)

Christopher Rhoades
(To replace Mark Bruce, whose term has expired.)

Ike Enriques
(To replace Barbara Goergen, whose term has expired.)

Linda Lopez (To replace Katharine J. Kharas, whose term has expired.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205: (R-93-1667) ADOPTED AS RESOLUTION R-281835

Selecting the members of the financing teams for three proposed current refundings and one default refunding of City of San Diego Multifamily Housing Revenue Bonds; authorizing the City Manager and City Attorney to work with the financing teams in preparing necessary documentation for the contemplated refundings which will be submitted for consideration and approval by the Housing Commission Board and the City Council.

(See Housing Commission Report HCR-93-008CC.
Districts- 1, 2 & 6.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206: (R-93-1576) ADOPTED AS RESOLUTION R-281836

Accepting the City Manager's recommendation on the MBE/WBE (including Disabled and Local Business Enterprise) Disparity Study; directing the City Manager to solicit proposals for the Disparity/Predicate Study. (See City Manager Report CMR-93-91.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D076-E094.)

Motion by Behr to adopt and to direct the City Manager to bring the short-listed RFP's back to Council to review and make certain that the Council's directions and policies are still being continued. No second.

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

ITEM-207: (R-93-1499) ADOPTED AS RESOLUTION R-281837

(Continued from the meeting of April 12, 1993, Item 117, at Councilmember Behr's request, for further review.)

Authorizing an agreement with NCR Corporation, for construction of two traffic signals: 1) at the intersection of Via Del Campo and West Bernardo Drive; and 2) at the intersection of Via Del Campo and Via Del Campo Court; authorizing the expenditure of not to exceed \$50,000 from Development Impact Fee (D.I.F.) Fund 39056 for construction of the traffic signal at the intersection of Via Del Campo and West Bernardo Drive.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: Condition No. 35 of the Manufacturing Industrial Park Permit MIP-91-0831 requires the construction and completion of a traffic signal at the intersection of Via Del Campo and West Bernardo Drive prior to issuance of a certificate of occupancy for the property. Developer is entitled to a 50 percent reimbursement of the traffic signal cost by the City, not to exceed \$50,000. Condition No. 35 also requires that the developer contribute 50 percent of the design and construction costs for a signal at Via Del Campo and Via Del Campo Court when the City decides to build this traffic signal. It is recommended that the City enter into a participation agreement with the developer to complete the above mentioned improvements for a cost not to exceed \$50,000.

Aud. Cert. 9300846.

FILE LOCATION: CONT - NCR Corporation CONFY93-1

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S400: (R-93-1523) ADOPTED AS RESOLUTION R-281838

(Continued from the meeting of April 20, 1993, Item 115, at Councilmember Roberts' request, for full Council.)

A Resolution approved by the City Council in Closed Session on Tuesday, March 23, 1993 by the following vote: Wolfsheimer-nay; Roberts-yea; Hartley-yea; Stevens-nay; Behr-nay; Stallings-nay; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$41,500 toward settlement of Superior Court Case No. 646524, City of San Diego v. American Newland Associates, et al., a condemnation action to acquire the real property necessary for a park and ride facility located at Carmel Mountain Road in the community of Rancho Penasquitos; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$41,500 from the Rancho Penasquitos East FBA Account No. 79-004 to CIP-52-415.0, Park and Ride--Carmel Mountain Road and Penasquitos Boulevard; authorizing the City Auditor and Comptroller to expend the amount of \$41,500 from CIP-52-415.0, by the issuance of Warrant Check 2197860 in the amount of \$41,500, made payable to American Newland Associates.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Council voted in closed session to approve the expenditure of \$41,500 to American Newland Associates for the acquisition of real property for a park and ride facility in Rancho Penasquitos. This amount will complete the condemnation action in Superior Court Case No. 646524 and includes interest payments. Any subsequent contributions to this payment from CalTrans and/or MTDB will be returned to the Rancho Penasquitos FBA.

Aud. Cert. 9300932.

NOTE: The Auditor's Certificate was not requested prior to Closed Session. The vote taken in Open Session shall be the official vote.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-nay, Behr-nay, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S401:

(Continued from the meeting of April 20, 1993, Item 118, at Councilmember Roberts' request, for further review.)

Two actions relative to G Street/State Route 94 HOV Lane:

(Centre City Community Area. District-2.)

Subitem-A: (R-93-1645) ADOPTED AS RESOLUTION R-281839

Accepting a 1993 Traffic Management Plan Grant from CalTrans in the amount of \$707,000 for the G Street/State Route 94 HOV Lane; authorizing an agreement with CalTrans for the construction of the G Street/State Route 94 HOV Lane; establishing Capital Outlay Grant Fund No. 38521, G Street/State Route 94 HOV Lane; modifying the FY 1993 Capital Improvements Program by adding \$707,000 to CIP-52-562.0, G Street/State Route 94 HOV Lane.

Subitem-B: (R-93-1647) ADOPTED AS RESOLUTION R-281840

Authorizing an agreement with Boyle Engineering, for the design of the G Street/State Route 94 HOV Lane; authorizing the expenditure of not to exceed \$65,240 from CIP-52-562.0, Capital Outlay Grant Fund No. 38521.

CITY MANAGER SUPPORTING INFORMATION: Capital Improvement Project CIP-52-562.0 provides for the design and construction of

a High Occupancy Vehicle (HOV) lane along G Street to State Route 94. G Street is the primary access roadway to the Martin Luther King Freeway (State Route 94) from downtown San Diego. The project will consist of restriping G Street for the HOV lane, relocation and modification of the existing CalTrans on ramp meters, the installation of a CHP enforcement pad, and minor public improvements to the bus stops and other facilities along G Street. By facilitating and encouraging carpools, this project will be consistent with the goals of SANDAG's Congestion Management Program and the California and Federal Clean Air Acts. In accordance with Council Policy 300-7 and Administrative Regulation 25.60, the Consultant Coordinator provided the names of five firms on the "As-Needed" list for consideration. Interviews were conducted on March 1, 1993 with Boyle Engineering being recommended for professional services. Fee negotiations were consummated on March 12, 1993 resulting in mutually acceptable terms and conditions including base fee of \$51,649 and additional services of \$13,591. Boyle Engineering has 28 percent MBE and 32 percent WBE sub-consultant participation for this project.

Aud. Cert. 9300956.

FILE LOCATION: MEET CCONFY93-1

COUNCIL ACTION: (Tape location: E289-309.)

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

* ITEM-S402: (R-93-1682) ADOPTED AS RESOLUTION R-281841

Designating April 25 through May 2, 1993 to be "Crime Victims Week" in San Diego.
(Docketed at Councilmember Behr's request.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A416-531.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-

yea, Vargas-yea, Mayor Golding-yea.

ITEM-S403: (R-93-1739) ADOPTED AS RESOLUTION R-281842

Adoption of a Resolution in memory of Cesar Chavez.
(Docketed at the request of Councilmember Vargas.)

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A245-267.)

MOTION BY VARGAS TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Behr at 5:15 p.m. in honor of the memory of Kevin Liem.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E333.)