

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, OCTOBER 25, 1993
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Behr at 2:04 p.m. Deputy Mayor Behr adjourned the meeting at 7:30 p.m. into Closed Session at 9:00 a.m. in the 12th floor conference room on Tuesday, October 26, 1993 to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-excused by R-282944
(meeting with NFL Site Committee)
- (1) Council Member Wolfsheimer-excused by
R-282946 (family illness)
- (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 (11)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-not present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-not 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

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Rev. Jerry Swanson of the College Avenue Baptist Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stallings' brother, Mr. John Spire.

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Erin Cullin inviting the Council and Mayor to a speech by William Jasper on countering U. S. propaganda.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A047-063.)

ITEM-PC-2:

Comment by Don Stillwell regarding income tax and the citizens constitutional rights.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A063-086.)

ITEM-PC-3:

Comment by Hans Jovishoff regarding the incompetency of the Housing Authority staff.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A088-123.)

ITEM-PC-4:

Comment by Anna Daniels thanking the Council for the recognition of the efforts of the Project C.L.E.A.N. participants.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A125-138.)

ITEM-PC-5: REFERRED TO THE CITY MANAGER

Comment by Michael Burns concerning his false arrest and the subsequent obstruction of justice.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A138-160.)

ITEM-PC-6:

Comment by Diana Lucero complimenting the Council's promotion of Red Ribbon Week.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A168-191.)

COUNCIL COMMENT:

None.

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
09/27/93
09/28/93
09/28/93 Special Joint Meeting
10/04/93
10/05/93

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A200-209.)

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

ITEM-31:

SUBJECT: Beatrice Hill - 1993 Mid-City Business Person of the Year.

COUNCILMEMBER HARTLEY'S RECOMMENDATION:

Adopt the following resolution:

(R-94-366) ADOPTED AS RESOLUTION R-282823

Commending Beatrice Hill for her tireless efforts on behalf of businesses in North Park and congratulating her for her well-deserved award as Mid-City Small Business Person of the Year for 1993.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A210-274.)

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, Vargas-yea, Mayor Golding-not present.

ITEM-32:

SUBJECT: Commending Project C.L.E.A.N.

COUNCILMEMBER HARTLEY'S RECOMMENDATION:

Adopt the following resolution:

(R-94-325) ADOPTED AS RESOLUTION R-282824

Commending the hard work, tenacity, and vigilant efforts of Project C.L.E.A.N. in taking pride in their community by providing the weekly service of eliminating litter, graffiti and blight from the Community of City Heights and for their on-going commitment to make one of America's Finest City's communities a better place to live.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A277-358.)

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, Vargas-yea, Mayor Golding-not present.

ITEM-33:

SUBJECT: Poway High School Girls Volleyball Day.

COUNCILMEMBER ROBERTS' RECOMMENDATION:

Adopt the following resolution:

(R-94-549) ADOPTED AS RESOLUTION R-282825

Congratulating the Poway High School Girls Volleyball Team for its spectacular play and good sportsmanship; Proclaiming October 25, 1993 to be "Poway High School

Girls Volleyball Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A359-362; C019-075.)

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, Vargas-yea, Mayor Golding-not present.

ITEM-34:

SUBJECT: The Greater Skyline Community Association Day.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:
(R-94-509) ADOPTED AS RESOLUTION R-282826

Commending the Greater Skyline Community Association for its outstanding leadership and community service; Proclaiming October 25, 1993 to be "The Greater Skyline Community Association Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A365-413.)

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, Vargas-yea, Mayor Golding-not present.

* ITEM-50:

SUBJECT: Unclassified Position of Neighborhood Services Coordinator.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on 10/4/93 (Council voted 5-0. Districts 2, 3, 5 and 6 not

present):

(O-94-34) ADOPTED AS ORDINANCE O-17997 (New Series)

Amending Ordinance O-17915 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1993-94," to create the new position of Neighborhood Services Coordinator; Exempting the new position from the Classified Service; Amending Exhibit "C" to the Ordinance to include the positions in Managerial Category B; Establishing a salary rate; Amending Resolution R-281923 to add the position to be eligible for the Management Benefits Plan.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-not present.

* ITEM-51:

SUBJECT: Aggressive Solicitation ("pan handling") Ordinance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on 10/11/93 (Council voted 9-0):

(O-94-24 Cor. Copy) ADOPTED AS ORDINANCE O-17998 (New Series)

Amending Chapter V, Article 2, of the San Diego Municipal Code by adding a new Division 40 entitled "Aggressive Solicitation" and new Sections 52.4001, 52.4002, 52.4003, 52.4004, 52.4005, and 52.4006, to Prohibit Aggressive Solicitation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-52:

SUBJECT: Full Shielding of Light Fixtures.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/28/93, as Additional Business to Item 339 (Council voted 5-4. Districts 1,6,7 and Mayor voted nay):

(O-94-40) ADOPTED AS ORDINANCE O-17999 (New Series)

Amending Chapter X, Article 1, Division 13, of the San Diego Municipal Code, by amending Section 101.1303, relating to Light Pollution, by adding a definition regarding full shielding of light fixtures.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Roberts. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-not present.

* ITEM-53:

SUBJECT: Pacific Beach Rezoning Pipeline Provision.
(District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on 10/12/93 (Council voted 7-0. Districts 3 and 5 not present):

(O-94-26) ADOPTED AS ORDINANCE O-18000 (New Series)

Amending Section 5 of Ordinance O-17904 N.S., adopted April 12, 1993, relating to the pipeline provision for the Pacific Beach Rezoning.

FILE LOCATION: LAND-Pacific Beach Community Plan

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-54:

SUBJECT: Joint Use Agreement for Washington Elementary School Site.
(Centre City Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/27/93 (Council voted 8-0. District 2 not present):

(O-94-25) ADOPTED AS ORDINANCE O-18001 (New Series)

Authorizing a 25-year joint use agreement with the San Diego Unified School District, for the construction, operation, maintenance, and lease of turf field and recreation facilities at Washington Elementary School; Authorizing the expenditure of not to exceed \$150,000 from CIP-29-790.0, Washington Elementary School, CDBG Fund No. 18528/4024.

FILE LOCATION: LEAS-San Diego Unified School District,
Washington Elementary School
LEAS FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-55:

SUBJECT: Rezoning and an amendment to the Stonecrest Development Agreement.
(Case-92-0738. Kearny Mesa Community Area.
District-6.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances, which were introduced on 10/12/93 (Council voted 8-1. District 4 voted nay):

Subitem-A: (O-94-39) ADOPTED AS ORDINANCE O-18002 (New Series)

Conditionally rezoning 16.9 acres located south of Aero Drive and West of Interstate 15, into the CA/CA(HR) Zones, and conditionally rezoning 45.3 acres located south of Aero Drive and west of Interstate 15, to the CA Zone.

Subitem-B: (O-94-38) ADOPTED AS ORDINANCE O-18003 (New Series)

Approving the first amendment to the Stonecrest Development Agreement between the City of San Diego and Stonecrest Associates, Daley Corporation and D.L. Daley, Sr., as Trustee of the D.L. Daley Trust.

FILE LOCATION: Subitem-A: ZONE ORD. NO.; Subitem-B:
DEVL-Stonecrest Development Agreement
CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND

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

* ITEM-56:

SUBJECT: Rezone for the Palm Plaza - Walmart project.
(Case-92-0736. Otay Mesa Community Area. District-8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on 10/12/93 (Council voted 8-1. District 4 voted nay):

(O-94-37) ADOPTED AS ORDINANCE O-18007 (New Series)

Conditionally rezoning 87.7 acres located on the south side of Palm Avenue, the east side of Interstate 805 and the north side of Del Sol Boulevard, into the CA (Commercial) Zone.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-100:

SUBJECT: Awarding Contracts for the Purchase of Domestic Service Cold Water Meters.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-299) ADOPTED AS RESOLUTION R-282828

Awarding contracts to Kent Meters, Inc. and Precision Meters, Inc., for furnishing domestic service cold water meters, as may be required for a period of one year beginning October 1, 1993 through September 30, 1994, for a total estimated cost of \$134,700 including tax and terms, for Kent Meters, Inc., and \$300,900 including tax and terms, for Precision Meters, Inc. (BID-E3934/94)

FILE LOCATION: CONT-Purchase-Kent Meters, Inc. and
Precision Meters, Inc. CONT FY 94-2

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-101:

SUBJECT: Awarding Contracts for Groundskeeping Equipment.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-296 Rev.) ADOPTED AS RESOLUTION R-282829

Awarding contracts to San Diego Turf and Western Turf for the purchase and maintenance of groundskeeping equipment, for a total estimated cost of \$95,500 for lease/purchase and \$10,000 for maintenance;
Authorizing the City Manager to finance the total acquisition under the Master Lease Program;
Authorizing the expenditure of \$105,600 from Fund 41400, Dept. 730, Object Account Nos. 4212/4690, and Job Order Nos. 073020/073030;
Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-P3885/93)

Aud. Certs. 9400341/9400342/9400343.

FILE LOCATION: CONT-Purchase-San Diego Turf and Western
 Turf CONT FY 94-2

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-102:

SUBJECT: Two actions related to Inviting Bids for Construction
 of the Point Loma Wastewater Treatment Plant
 Sedimentation Basins 11 and 12.
 (Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-436) ADOPTED AS RESOLUTION R-282830

 Inviting bids for Construction of the Point Loma
 Wastewater Treatment Plant Sedimentation Basins 11 and
 12 on Work Order No. 172951. (BID-K94060)

Subitem-B: (R-94-437) ADOPTED AS RESOLUTION R-282831

 Certifying that the information contained in Mitigated
 Negative Declaration and Mitigation Monitoring and
 Reporting Program DEP-91-0889, dated March 26, 1992, in
 connection with the construction of the Point Loma
 Wastewater Treatment Plant Sedimentation Basins 11 and
 12, has been completed in compliance with the
 California Environmental Quality Act of 1970, and State
 guidelines, and that the Declaration has been reviewed
 and considered by Council.

CITY MANAGER SUPPORTING INFORMATION:

Advanced primary treatment has been used in the San Diego
metropolitan area since completion of the Point Loma Wastewater
Treatment Plant in 1963. Expansion of the treatment plant is
necessary for meeting the discharge requirements of the National
Pollutant Discharge Elimination System (NPDES) and in
accommodating increased future wastewater flows due to growth

within the Metro agency area.

Construction of Sedimentation Basins 11 and 12 will increase the current treatment and discharge rate of 219 million gallons per day (mgd) to 240 mgd for average dry weather flow. Peak wet weather flow for treated discharge will increase from 395 mgd to 432 mgd. As part of this project, a fabricated odor control system will be installed for attenuating odors which may be generated by the two new sedimentation basins. Necessary prior construction items, which were never undertaken due to schedule delays on the Fiesta Island Replacement Project, have been incorporated within the building of the two sedimentation basins. These items will include a new expanded pipe gallery beneath the basins and the relocation of two air compressor units along with utility lines. Amendment No. 4 to the agreement with Sverdrup Corporation is a separate Council action that will be brought forward to provide the necessary construction management for this project.

FILE LOCATION: W.O. 172951 CONT - Nielsen Construction Co.
CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-103:

SUBJECT: Inviting bids for Sewer Pump Station No. 20.
(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-431) ADOPTED AS RESOLUTION R-282832

Inviting bids for the Construction of Sewer Pump
Station No. 20 on Work Order No. 171951;
Authorizing the execution of a contract with the lowest

responsible bidder;

Authorizing the expenditure of \$911,751 from Annual Allocation for Sewer Pump Station Restorations, CIP-46-106.0;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K94058)

Subitem-B: (R-94-432) ADOPTED AS RESOLUTION R-282833

Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, DEP-92-0418, has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines and has been reviewed and considered by the Council.

Subitem-C: (R-94-434) ADOPTED AS RESOLUTION R-282834

Authorizing the use of City Forces to make connections and perform operational checks; declaring that the cost of the work shall not exceed \$20,000.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Pump Station No. 20 is located at 5990 Camino de la Costa, near the bluffs at Sun Gold Point in the La Jolla Community Plan area. The existing pump station was constructed in 1950 and operates using two pumps discharging 200 gallons per minute. There is one source of electrical power. The existing structure is not suitable for rehabilitation to meet sewerage demands and be serviced with a secondary power source because of bluff deterioration and a lack of adequate space. This project incorporates the construction of a new underground pump station in the roadway of Camino de la Costa; and to demolish the above ground portion of the existing pump station. The proposed pump station will house two, 260 gallons per minute pumps, and will include a natural gas powered generator to be used as a secondary power source. The new pump station will be connected to the existing force main, and to a new force main under construction along Camino de la Costa.

Aud. Cert. 9400181.

WU-P-93-138.

FILE LOCATION: W.O. 171951 CONT - El Cajon Grading &

Engineering Company, Inc.
CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-104:

SUBJECT: Inviting bids for the Construction of South Chollas
Drainage Improvements.
(Mid-City Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-433) ADOPTED AS RESOLUTION R-282835

Inviting bids for the Construction of South Chollas
Drainage Improvements on Work Order No. 119453;
Authorizing a contract with the lowest responsible
bidder;
Authorizing the expenditure of \$193,000 from CIP-37-
250, Landfill Closure and Environmental Projects, Waste
Management Enterprise Fund 41201 for providing funds
for said project and related costs;
Authorizing the Auditor and Comptroller, upon advice
from the administering department, to transfer excess
budgeted funds, if any, to the appropriate reserves.
(BID-K94059)

CITY MANAGER SUPPORTING INFORMATION:

The South Chollas Landfill was operated as a City landfill from
1951 through 1981. Preventative maintenance has been performed
at the site to try to restore drainage to portions of the
landfill. However, due to deterioration of the original drainage
collection system and landfill settlement, additional
improvements are required. This construction contract will
provide for the fine grading of the area, planting of the new
slopes and installation of drainage improvements. These
improvements are needed in order to comply with the Federal

National Pollutant Discharge Elimination System Program (NPDES) as well as landfill closure and maintenance requirements.

Aud. Cert. 9400208.

FILE LOCATION: W.O. 119453 CONT - RTB General Engineering Co. Inc. CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

ITEM-105:

SUBJECT: Inviting Bids for Resurfacing of Various City Streets - Group "C".

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-440) ADOPTED AS RESOLUTION R-282836

Inviting bids for the resurfacing of various City streets Group "C" FY93;
Authorizing a contract with the lowest responsible bidder;
Authorizing the expenditure of not to exceed \$4,800,000 from Gas Tax Fund 302191, and \$1,000,000 of Transnet Funds transferred in the FY94 budget to Dept. 534/Fund 100, and not to exceed \$105,000 from Sewer Revenue Fund 41506, for a total expenditure not to exceed \$5,975,000. (BID-K94056)

CITY MANAGER SUPPORTING INFORMATION:

The proposed contract is for the Annual Street Maintenance Program of Resurfacing Various City Streets. Specific streets to be resurfaced are selected on the basis of an annual survey using the following criteria: age, oxidation, cracking, amount of patching, and amount of traffic carried. Proposed streets are all checked for planned underground utility work, and held until the work is completed. The proposed streets for resurfacing are

shown in the specifications. The work will include repairs to areas of failed pavement along with placement of 1 to 2 inches of new asphalt paving on top of the existing roadway.

The contract includes a requirement that the existing asphalt in the gutter area be lowered by grinding before resurfacing, to maintain curb heights and proper drainage. The asphalt that is removed will be recycled for use in later street maintenance activities. The Utilities Department contributes funds annually to this contract to pay for the raising of sewer manhole covers and gate valve covers to the new surface elevation.

Aud. Cert. 9400374.

FILE LOCATION: CONT-Daley Corporation - California
 Commercial Asphalt Corporation
 CONT FY 94-1

COUNCIL ACTION: (Tape location: G213-262.)

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

* ITEM-106:

SUBJECT: Inviting bids for Construction of Lindo Paseo Storm Drain.
 (State University Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-350) ADOPTED AS RESOLUTION R-282837

Inviting bids for the Construction of Lindo Paseo Storm Drain on Work Order No. 119783;

Authorizing a contract with the lowest responsible bidder;

Authorizing the transfer of \$88,000 from CIP-17-001.0, Annual Allocation - Minor Drain and Seepage Problems, Proposition "A" Fund No. 30300, to CIP-11-285.0, Lindo Paseo Storm Drain;

Authorizing the expenditure of \$145,000 from CIP-11-

285.0, Lindo Paseo Storm Drain, (\$7,000 from Development Impact Fee, Fund No. 79519, \$50,000 from Capital Outlay Fund No. 3245, and \$88,000 from Proposition "A" Fund 30300);
Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K94057)

CITY MANAGER SUPPORTING INFORMATION:

The existing street surface drainage system on Lindo Paseo between Montezuma Place and College Avenue is inadequate and tends to pond. This project will alleviate this problem by providing for the design and construction of a new curb, gutter, and storm drain system on the north side of Lindo Paseo Drive.

Aud. Cert. 9400308.

FILE LOCATION: W.O. 119783 CONT - Dietrich Corporation
CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

ITEM-107:

SUBJECT: Inviting bids for the Construction of Balboa Park Club Building Phase II.
(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-439) ADOPTED AS RESOLUTION R-282838

Inviting bids for the Construction of Balboa Park Club Building Phase II on Work Order No. 112263;
Authorizing a contract with the lowest responsible bidder;
Authorizing the expenditure of \$855,905 from CIP-21-

826.0, Balboa Park Club Requirements, Balboa Park Grant Fund No. 39042 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-K94061)

CITY MANAGER SUPPORTING INFORMATION:

The City received a \$2,478,000 Community Parklands Act of 1986 Grant for the rehabilitation of the Balboa Park Club building. The building will be rehabilitated in two phases. The first phase will renovate the ballroom and the rooms located below the ballroom. The second phase will renovate most of the remainder of the building. First priority is being given to the structural integrity of the building, duplicating the 1935 appearance of the exterior and first floor access improvements related to public use of the ballroom. The construction of the improvements was divided into two phases to allow the City to start construction before the grant deadline. Construction of the first phase of the project began in April 1993.

Aud. Cert. 9400335.

FILE LOCATION: W.O. 112263 CONT - Randazzo Construction -
San Diego CONT FY 94-1

COUNCIL ACTION: (Tape location: H010-110.)

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

* ITEM-108:

SUBJECT: Inviting Bids for the Concourse Facility Improvement -
Phase A Construction.
(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-441) ADOPTED AS RESOLUTION R-282839

Inviting bids for the Concourse Facility Improvement - Phase A on Work Order No. 112278;
Authorizing the execution of a contract with the lowest responsible bidder;
Accepting the contribution from the San Diego Convention Center Corporation in the amount of \$60,000 for the purpose of sharing the cost of the improvements being made to the Concourse Facility;
Amending the FY94 CIP Budget by increasing CIP-37-001.0, Concourse Facility Improvement Project by \$60,000 received from the San Diego Convention Center Corporation;
Authorizing the expenditure of \$429,098.02 from CIP-37-001.0, Concourse Facility Improvement, \$369,098.02 from Fund 102243, TOT-CIP Fund, and \$60,000 from Fund 63022, Private and Others Contribution-CIP Fund. (BID-K94062)

CITY MANAGER SUPPORTING INFORMATION:

This action will provide for the Construction of the Concourse Facility Improvement-Phase A. The San Diego Concourse has a need for a major refurbishment program in order to enhance its appearance, effectiveness and marketability. Phase A Construction will include upgrading Golden Hall; Golden Hall Lobby; Golden Hall Box Office; removal of asbestos in these areas. The upgrades include: carpeting; wall coverings; ceiling tile replacement; additional lighting.

Aud. Cert. 9400367.

FILE LOCATION: W.O. 112278 CONT - Davis and Adams
Construction CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

ITEM-109: TRAILED TO OCTOBER 26, 1993

SUBJECT: Inviting bids for the Northern Wildlife Preserve
Observation Deck.
(Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-348)

Inviting bids for the Construction of Northern Wildlife Preserve Observation Deck on Work Order No. 119543;
Authorizing the execution of a contract with the lowest responsible bidder;
Authorizing the expenditure of \$60,641 from CIP-22-079.0, Northern Wildlife Preserve Requirements, Sludge Mitigation Fund No. 10507;
Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K94055)

Subitem-B: (R-94-349)

Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, DEP-91-0146, has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

This project will provide a wildlife preserve observation platform, on the southeasterly side of Crown Point Drive near Honeycutt Street. The platform is 6 feet wide and 35 feet long. It begins behind the sidewalk and extends toward the preserve. The sidewalk in this area was constructed as part of another City contract using this project's funds.

Aud. Cert. 9400219.

FILE LOCATION: None.

COUNCIL ACTION: (Tape location: F447-G209.)

ITEM-110:

SUBJECT: Inviting bids for Transporting, Processing, and Marketing Recycling Program Materials.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-577) ADOPTED AS RESOLUTION R-282840

Inviting bids to transport, process and market material collected by the City's Recycling Program, and to provide hauling services for delivery of recyclable materials to the Louisiana-Pacific facility;
Authorizing the execution of a contract with the lowest responsible bidder;
Authorizing the expenditure of not to exceed \$1,100,00 from the Waste Management Enterprise Fund (41200).

CITY MANAGER SUPPORTING INFORMATION:

The Curbside Recycling Program has processed, transported, and marketed materials under an existing contract since March, 1990. However, this contract has proved unworkable due to the recent downturn in recyclable materials markets. The amendment of this contract is the subject of a separate Council action, which would result in modifying the existing contract and shortening its duration, so that it will expire on December 31, 1993. The volatile condition of recyclable materials markets, the abbreviated duration of the existing contract, and the potential for identifying a more cost-effective contractor, are compelling reasons for the release of the Request for Bids. Experiences gained while operating under the existing agreement will be incorporated in bid specifications to improve the level of service provided to the City. The contractor's compensation will no longer be tied to the value of the recyclable materials, and the City will receive 100 percent of the revenue from the sale of the marketed recyclables. The new contract will also enhance the City's ability to deliver recyclable materials to the Louisiana-Pacific facility, as specified by an existing agreement with that firm. The term of the agreement will be for a period of two years commencing January 1, 1994, through December 31, 1995, with options to renew the contract for three additional one year periods, in accordance with the bid specifications.

Aud. Cert. 9400401.

FILE LOCATION: CONT-Transporting, Processing, and Marketing
Recycling Program Materials CONT FY 94-1

COUNCIL ACTION: (Tape location: H017-072.)

MOTION BY McCARTY TO ADOPT THE CITY MANAGER'S RECOMMENDATIONS FOR ITEMS 110 AND 136 AND TO DIRECT THE CITY MANAGER TO RETURN TO THE PF&R COMMITTEE WITHIN THE NEXT 30 DAYS WITH A COMPREHENSIVE REPORT ON THE STATUS OF THE CITY'S CURBSIDE RECYCLING PROGRAM. THE REPORT SHOULD ADDRESS THE STATUS OF RECYCLING MARKETS AND WHAT THE STAFF IS DOING TO DEVELOP NEW MARKETS; AN ANALYSIS OF WHAT MATERIALS ARE MOST COST EFFECTIVE FOR US TO RECYCLE; RECOMMENDATIONS FOR MODIFICATION OF THE CURBSIDE RECYCLING PROGRAM INCLUDING RECOMMENDATIONS FOR MINIMUM PARTICIPATION RATES; A REPORT ON THE EFFECT OF SCAVENGING AND WHAT STEPS CAN BE TAKEN TO REDUCE IT; STAFF IS DIRECTED TO TALK TO CR&R AND REQUEST THEY PAY WHAT THEY OWE THE PEOPLE OF TIERRASANTA. Second by Vargas. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-111:

SUBJECT: Approving the final subdivision map of Scripps Ranch North Unit 4-A.
(This 152-lot subdivision is located west of Spring Canyon Road and south of Scripps Poway Parkway. Miramar Ranch North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-519) ADOPTED AS RESOLUTION R-282841

Authorizing the execution of a Subdivision Improvement Agreement with Miramar Ranch North, for the installation and completion of public improvements.

Subitem-B: (R-94-518) ADOPTED AS RESOLUTION R-282842

Approving the final map.

FILE LOCATION: SUBD-Scripps Ranch North Unit 4-A CONT FY4-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-112: TRAILED TO OCTOBER 26, 1993

SUBJECT: Two actions related to the final subdivision map of
Stonecrest Plaza.
(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-564)

Authorizing a Subdivision Improvement Agreement with
Aero Drive Associates, L.P., for the installation and
completion of public improvements.

Subitem-B: (R-94-565)

Approving the final map.

FILE LOCATION: None.

COUNCIL ACTION: (Tape location: A590-598.)

* ITEM-113: TRAILED TO OCTOBER 26, 1993

SUBJECT: Two actions related to the final subdivision map of
Palm Promenade.
(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-566)

Authorizing a Subdivision Improvement Agreement with Palm 805 Investments Associates Limited Lt, for the installation and completion of public improvements.

Subitem-B: (R-94-567)

Approving the final map.

FILE LOCATION: None.

COUNCIL ACTION: (Tape location: A590-598.)

ITEM-114: TRAILED TO OCTOBER 26, 1993

SUBJECT: Acquisition of 20 acres of Penasquitos Canyon Preserve - North No. 4 for Open Space.
(North City Future Urbanizing Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-559)

Resolution of Intention to acquire approximately 20 acres of Penasquitos Canyon Preserve - North No. 4, for the San Diego Open Space Park Facilities District No. 1.

CITY MANAGER SUPPORTING INFORMATION:

Los Penasquitos Canyon Preserve is priority number 1, Category A, on the Council's adopted open space retention list. This 20 acre parcel is a portion of the large finger canyon north of and adjacent to the Newland tradeland property. On September 15, 1986, Council approved an acquisition plan for this land, along with funds to have it appraised for purposes of acquisition for open space. Further, on June 1, 1987, Council established priorities for the acquisition plan which identified this land as the number eight priority. Since available funds were not adequate to proceed with all of the parcels included in this priority, we have returned to Council for approval of funds on a parcel by parcel basis. When acquisition of this parcel was originally recommended to Council in 1989, Jerry McCaw and Richard L. Fletcher, who identified themselves as the owners, stated to Council that they would grant the City an open space

easement over the slopes and canyon bottom, approximately eleven acres, if the City would drop acquisition of the total parcel. Council Resolution R-272741 subsequently authorized the City Manager to accept a negative open space easement in lieu of acquisition.

After continued unfulfilled promises to deliver the easement, Mr. McCaw has now stated he is unable to get agreement of all of the owners to provide such an easement. Therefore, this request is for \$800,000 to purchase this parcel at fair market value plus funds to cover title, escrow and other miscellaneous costs.

Aud. Cert. 9400371.

FILE LOCATION: None.

COUNCIL ACTION: (Tape location: H079-156.)
BY COMMON CONSENT ITEM WAS TRAILED FOR ADDITIONAL
INFORMATION AND AN ORAL REPORT.

* ITEM-115:

SUBJECT: Three actions related to Clairemont Drive (Galveston
Street to Blackfoot Avenue) Underground Utility
District.
(Clairemont Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-505) ADOPTED AS RESOLUTION R-282843

Designating December 1, 1993, as the date upon which
all property in the Clairemont Drive (Galveston Street
to Blackfoot Avenue) Underground Utility District must
be ready to receive underground service and February 1,
1994, as the date for the removal of all overhead
utility facilities.

Subitem-B: (R-94-506) ADOPTED AS RESOLUTION R-282844

Authorizing the City Auditor to open Fund No. 78064 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Clairemont Drive Underground Utility District; Authorizing the City Treasurer to receive these funds from the San Diego Gas and Electric Company; Authorizing payment to all property owners in the Clairemont Drive Underground Utility District, as reimbursement for electrical service underground conversion work done on private property whenever the required length of trenching exceeds 1 foot; Authorizing the City Auditor to return to San Diego Gas and Electric Company any undisbursed funds upon written notice from SDG&E that all electric service conversions within a particular district have been completed.

Subitem-C: (R-94-507) ADOPTED AS RESOLUTION R-282845

Authorizing the expenditure of an amount not to exceed \$91,598 from Annual Allocation - Undergrounding of City Utilities, CIP-37-028.0, Capital Outlay, Fund 30245 for the payment to San Diego Gas and Electric Company for the purchase and installation of street lights in the Clairemont Drive Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The Clairemont Drive (Galveston Street to Blackfoot Avenue) Underground Utility District was created by the City Council on April 23, 1991. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set December 1, 1993 as the Customer Ready Date, which will require that, upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish February 1, 1994, as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

Aud. Cert. 9400315.

FILE LOCATION: STRT K-195

COUNCIL ACTION: (Tape location: A590-B221.)
CONSENT MOTION BY McCARTY TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-not present,
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-
yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-116:

SUBJECT: Abandonment of a Storm Easement.
(Uptown Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-511) ADOPTED AS RESOLUTION R-282846

Authorizing the execution of a quitclaim deed,
quitclaiming to Julie Klements, all the City's right,
title and interest in a storm drain easement lying
within Lots 27 to 31, inclusive, in Block 241 of
University Heights;
Authorizing the execution of a quitclaim deed,
quitclaiming to Betty Jane Daum, all the City's right,
title and interest in a storm drain easement lying
within the west 10 feet of Lot 30, all of Lot 31 and
the east 15 feet of Lot 32, Block 241 of University
Heights.

CITY MANAGER SUPPORTING INFORMATION:

When flooding occurred at 1715 and 1725 Robinson Avenue from the
collapse of a storm drain caused by a broken water main, City
Engineers determined that an alternate route for a new storm
drain was necessary due to further collapse of the existing
drain. A title check showed no easements available to re-route
the pipe; therefore, the alternative was to purchase a new
easement from the property owners and abandon the old easement.
Because of potential damage to the house at 1725 Robinson,
emergency measures were taken and the new easement has been
granted to the City. The new pipe is in place and the
abandonment can now be completed. The original easement was
granted to the City in 1927 at no cost.

FILE LOCATION: DEED F-6151 DEED FY 94-2

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-117:

SUBJECT: Exclusive sale of a portion of Lot 7, T-Tract, Fanita
Rancho (Mission Gorge Road) to CalTrans for State Route
52.
(Santee Community Area.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-513) ADOPTED AS RESOLUTION R-282847

Authorizing the sale by negotiation of a portion of Lot
7, T-Tract, Fanita Rancho for the sum of \$345,000 to
the State of California, Department of Transportation;
Authorizing the execution of a grant deed, granting to
the State of California, Department of Transportation,
all that portion of Lot 7, T-Tract, Fanita Rancho;
determining that no broker's commission shall be paid
by the City on the negotiated sale;
Authorizing the execution of a Right of Way Contract
with the State of California Department of
Transportation in connection with the above property.

Subitem-B: (R-94-514) ADOPTED AS RESOLUTION R-282848

Stating for the record that the City Council has
reviewed and considered the information in
Environmental Impact Statement Report FHWA-CA-EIS-87-
02-D(F), Sch. 84040407, prepared by the State of
California, Department of Transportation in connection
with State Route 52.

CITY MANAGER SUPPORTING INFORMATION:

The subject property is required by CalTrans for State Route 52. This portion of the project consists of constructing the highway west of Mission Gorge Road and east of Route 125. The subject site consists of 8.92 acres from a larger 123.09 acre Water Utilities parcel located in the City of Santee. The property is zoned R-1-40,000 and has a general plan designation of Open Space. A portion of the site has riparian habitat. Mitigation has been covered through CalTrans' EIR for SR 52. The Water Utilities Department has reviewed the proposed sale and has no opposition. The parcel was appraised at \$345,000 by a CalTrans staff appraiser and has been reviewed by the City of San Diego Valuation Staff.

FILE LOCATION: DEED F-6152 DEED FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-118:

SUBJECT: National Unfunded Mandates Day.
(See Department of Legislative Services Report DLS-93-38.)

DEPARTMENT OF LEGISLATIVE SERVICES' RECOMMENDATION:

Adopt the following resolution:

(R-94-568) ADOPTED AS RESOLUTION R-282849

Adopting the Resolution prepared by the National League of Cities declaring October 27, 1993 as National Unfunded Mandates Day; requesting the Mayor to communicate this action to the appropriate offices.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A590-B221.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Roberts.

Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-119:

SUBJECT: Rancho Bernardo Foundation Day.

COUNCILMEMBER BEHR'S RECOMMENDATION:

Adopt the following resolution:

(R-94-550) ADOPTED AS RESOLUTION R-282850

Recognizing the accomplishments of the Rancho Bernardo Community Foundation and thanking the Foundation for its service to the people of Rancho Bernardo;
Proclaiming October 27, 1993 to be "Rancho Bernardo Foundation Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-120:

SUBJECT: Sweetwater Assembly of God Church Day.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-516) ADOPTED AS RESOLUTION R-282851

Commending the Sweetwater Assembly of God Church on their 50th Golden Anniversary;
Proclaiming October 17, 1993 to be "Sweetwater Assembly of God Church Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-121:

SUBJECT: Excusing Deputy Mayor Tom Behr from the Council
Meetings of 10/4/93 and 10/5/93.

DEPUTY MAYOR BEHR'S RECOMMENDATION:

Adopt the following resolution:

(R-94-530) ADOPTED AS RESOLUTION R-282852

Excusing Deputy Mayor Behr from attending the regularly
scheduled Council meetings of October 4 and 5, 1993, to
represent the City of San Diego in Washington, D.C., at
a Border Trade Alliance Conference regarding NAFTA.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-122:

SUBJECT: Excusing Councilmember Roberts from the PS&S Committee
Meeting of 10/6/93 and Council Meetings of 10/4/93 and
10/5/93.

COUNCILMEMBER ROBERTS' RECOMMENDATION:

Adopt the following resolution:

(R-94-520) ADOPTED AS RESOLUTION R-282853

Excusing Councilmember Roberts from the Public Services and Safety Committee meeting of October 6, 1993 and the regularly scheduled Council meetings of October 4 and 5, 1993, to attend the 1993 APTA Annual Meeting and Expo in New Orleans.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-123:

SUBJECT: Excusing Councilmember Abbe Wolfsheimer from attending the 9/29/93 PS&S Committee meeting.

COUNCILMEMBER WOLFSHEIMER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-515) ADOPTED AS RESOLUTION R-282854

Excusing Councilmember Abbe Wolfsheimer from attending the regularly scheduled Public Services and Safety Committee meeting of Wednesday, September 29, 1993, due to a doctor's appointment.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-124:

SUBJECT: Grant Application for Congestion Mitigation/Air Quality Funds.

(Barrio Logan, Lincoln Park, Linda Vista, Logan Heights, Mountain View, Southcrest, Otay-Nestor and University Community Areas. Districts-1,2,4,5,6, & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-480) ADOPTED AS RESOLUTION R-282855

Authorizing the City Manager to apply for, accept and expend, for and on behalf of the City, Congestion Mitigation/Air Quality Grant Funds for the Genesee Avenue/North Torrey Pines Traffic Signal System, Linda Vista Traffic Signal System, Logan Heights Traffic Signal System and the Nestor Traffic Signal System.

CITY MANAGER SUPPORTING INFORMATION:

The Congestion Mitigation/Air Quality (CMAQ) Program was authorized under the Intermodal Surface Transportation Efficiency Act of 1991. Federal funds are distributed to metropolitan planning organizations such as the San Diego Association of Governments for further distribution to local agencies. Of the \$66 million of CMAQ funds assigned to the San Diego region over six years, about \$12.1 million is earmarked for traffic signal optimization projects. Grant contracts will be administered by the California Department of Transportation on behalf of the Federal Highway Administration. The four proposed projects are: the Genesee Avenue/North Torrey Pines Traffic Signal System, Linda Vista Traffic Signal System, Logan Heights Traffic Signal System and the Nestor Traffic Signal System. The traffic signals in these areas will be re-timed for optimum traffic flow, and direct communications links will be installed to connect the signals with the central traffic signal control computer downtown. Traffic signal optimization has been shown to be the most cost-effective transportation strategy for improving air quality. Other benefits of signal optimization include reduced stops, delays, and fuel consumption. The link to the central computer will ensure that the optimized timing is maintained, and that staff can monitor traffic conditions and respond quickly to traffic congestion.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-125:

SUBJECT: Grant Application for Traffic Systems Management Funds.
(Centre City, Peninsula and University Community Areas.
Districts-1 and 2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-360) ADOPTED AS RESOLUTION R-282856

Authorizing the City Manager to apply for, accept and
expend Traffic Systems Management Program grant funds
from the California Department of Transportation for
the Convention Center/Airport Area Motorist
Information/Traffic Signal System, the Golden Triangle
Traffic Signal System and the Nimitz Boulevard Left
Turn Lanes Projects.

Subitem-B: (R-94-361) ADOPTED AS RESOLUTION R-282857

Authorizing the execution of an agreement with the
California Department of Transportation, for the
Convention Center/Airport Area Motorist
Information/Traffic Signal System, the Golden Triangle
Traffic Signal System and the Nimitz Boulevard Left
Turn Lanes Project.

CITY MANAGER SUPPORTING INFORMATION:

The Traffic System Management Program is funded by state gas
taxes through Proposition 111, which was approved by statewide
voters in June of 1990. To be eligible for this funding source,
projects must improve capacity and reduce delay without requiring
additional right-of-way. Projects must also be on facilities
identified in the regional Congestion Management Plan. The three

proposed projects meet the requirements and will provide substantial benefits. The Golden Triangle and Convention Center project represent major steps toward the development of intelligent vehicle/highway systems (IVHS) in San Diego. IVHS utilizes high technology, including defense-conversion technology, to provide motorists with safer and more efficient transportation through rapid response to congestion and real-time motorist information. The Nimitz Boulevard project will install left turn pockets on Nimitz Boulevard at its intersections with Capistrano Street and Oliphant Street. Currently, left turns are made from the number one through lane.

FILE LOCATION: MEET CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-126:

SUBJECT: U.S. Dept. of Commerce, EDA, Economic Adjustment Program, Title IX, Sudden & Severe Economic Dislocation Grant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-570) ADOPTED AS RESOLUTION R-282858

Authorizing the City Manager or the Director of Economic Development Services to submit the final grant application to the U.S. Department of Commerce, Economic Development Administration, Economic Adjustment Program, Title IX, Sudden & Severe Economic Displacement Grant;
Designating Economic Development Services as the Grant Administrator.

CITY MANAGER SUPPORTING INFORMATION:

On July 27, 1993, the City Council approved the Economic

Development Strategic Plan. Item 3 of the Plan authorized the Manager to continue to pursue federal funding for the San Diego Economic Adjustment Program activities including High Technology Advisory Council, High Technology Resource Center, Seed Capital Fund, Business Incubator and World Trade Center, and dedicate matching funds for this purpose.

The City has been invited by the U.S. Department of Commerce, Economic Development Administration (EDA) to submit an application for funding from a pilot program under the Economic Adjustment Program, Title IX, Sudden and Severe Economic Dislocation (SSED) Grant. A requirement from EDA is that a resolution be passed designating the authorizing agent for grant submittal and acceptance, and the grant administrator. It is recommended that the City Manager and the Director of Economic Development Services be designated as authorizing agents for grant submittal and acceptance; and that the City's Economic Development Services be designated as the grant administrator.

Aud. Cert. 9400419.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-127:

SUBJECT: Drain Reconstruction at San Diego Mission Road and Rancho Mission Road.
(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-499) ADOPTED AS RESOLUTION R-282859

Authorizing the transfer of an amount not to exceed \$45,000 from Storm Drain Fee Fund Balance 10508 to CIP-12-059.0, Drain Reconstruction at San Diego Mission

Road and Rancho Mission Road;
Authorizing the expenditure of an amount not to exceed
\$45,000 from CIP-12-059.0 for the purpose of
supplementing Resolution R-280338 to fund Change Orders
1 through 7 and related engineering costs.

CITY MANAGER SUPPORTING INFORMATION:

This project consisted of removing and replacing various
deteriorated drains at the intersection of San Diego Mission Road
and Rancho Mission Road and at several locations along San Diego
Mission Road. The intersection had collapsed in places due to the
deteriorated drains inability to handle intense rainfall in 1991
and 1992. This emergency situation needed immediate engineering
design and construction of adequate drainage for this area.
Because of many unexpected existing utility conflicts,
construction was difficult and resulted in additional design
costs and change orders.

Aud. Cert. 9400329.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-128:

SUBJECT: Improvement of Otay Mesa Road between SR-125 and
Harvest Road.
(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-481) ADOPTED AS RESOLUTION R-282860

Approving Change Order No. 1, dated June 14, 1993, with
Sim J. Harris Company, amount to a net increase in the
contract price of \$90,000;
Authorizing the transfer of \$90,000 from CIP-58-004.0,

Annual Allocation - Miscellaneous Requirements - City Streets Fund 30300 to CIP-52-473.0, Improvement of Otay Mesa Road between SR-125 and Harvest Road;
Authorizing the expenditure of not to exceed \$90,000 from CIP-52-473, State Contract, for the purpose of performing additional work as required by CalTrans.

CITY MANAGER SUPPORTING INFORMATION:

This transfer of funds will provide the necessary funding for the installation of a permanent traffic signal as required by CalTrans. This traffic signal was originally designed as a temporary traffic signal; however, due to the lengthy time frame involved in the construction of SR-905, also in the vicinity, CalTrans has requested construction of a permanent traffic signal. CalTrans anticipates it will be several years before the freeway interchange is constructed and they are not equipped to service and maintain temporary traffic signals. The contract change order will compensate the contractor for all the changes in the items of work and will also pay CalTrans inspection fees. Most of the additional work is being performed by MBE/WBE subcontractors. With this additional work, the contract consists of 46.8 percent WBE participation and 23.8 percent MBE participation.

Aud. Cert. 9400334.

FILE LOCATION: CONT-Sim J. Harris Company CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-129:

SUBJECT: Amendment to the Gas Tax Budget to Fund Resurfacing of City Streets.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-548) ADOPTED AS RESOLUTION R-282861

Amending the Fiscal Year 1993-94 Gas Tax budget by appropriating \$3,806,935 from the Gas Tax Fund balance to the General Services/Street Division Program within the Gas Tax budget, to be used to resurface City streets.

CITY MANAGER SUPPORTING INFORMATION:

This action restores Gas Tax funding for street resurfacing that was allocated but not spent during FY '93. The issuance of a contract for resurfacing was originally scheduled to occur during the Spring of 1993. The contract was delayed in order to rewrite the contract specifications. The need to rewrite the specifications was found during review of the failures that occurred with the FY '90 resurfacing contract. The unexpended funds from the FY '93 resurfacing budget were returned to the Gas Tax Fund balance at the end of the fiscal year instead of being encumbered as had been intended so that the delayed project could proceed. It is recommended that the Gas Tax Budget be amended to allow a second resurfacing contract to be let in the Spring or early Summer of 1994. If this amendment is not made, then streets currently scheduled to be resurfaced during the Summer of 1994 will have to be delayed until the Fall of that year. All subsequent streets will then be scheduled for resurfacing one year later than currently planned.

Aud. Cert. 9400375.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-130:

SUBJECT: Settlement of the Claims by Nolte and Associates for
the Point Loma Sedimentation Basins 9 and 10 Project.
(Peninsula Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following resolution, which was approved by City Council in Closed Session on Tuesday, September 28, 1993 (Council voted 8-0; Mayor Golding not present):

(R-94-574) ADOPTED AS RESOLUTION R-282862

Authorizing the City Manager to pay the total sum of \$120,000 in settlement of each and every claim and counter claims against the City, its agents and employees relating to the agreement with Nolte and Associates for the construction of the Point Loma Sedimentation Basins 9 and 10 project;
Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$120,000 from the Point Loma Annual Allocation, CIP-46-119.0, to Sedimentation Basins 9 and 10, CIP-46-088.0;
Authorizing the expenditure of not to exceed \$120,000 from Sewer Revenue Fund No. 41506, CIP-46-088.0;
Authorizing the City Manager to receive \$30,000 from Woodward Clyde Consultants for the City's claim against Nolte.

CITY MANAGER SUPPORTING INFORMATION:

In November 1988, the City entered into a new agreement with Nolte & Associates to provide engineering and construction management services during the construction of two sedimentation basins, Nos. 9 and 10, Influent Tunnel and Channel. The construction contract for this project was awarded to Western Summit Constructors in December 1989 with Nolte and Associates providing the construction inspection until the completion of the construction contract on April 1992. On March 24, 1993, Nolte and Associates submitted a claim relating to the construction activities. The City's counter claim was forwarded to Nolte on May 10, 1993. On Tuesday, September 28, 1993, in closed session, the City Council approved authorizing the City Manager to pay the total of \$120,000 in settlement of each and every claim against the City, its agents and employees, resulting from a dispute regarding the engineering contract entered into between the parties on November 28, 1988 claim dated 3-24-93, and authorizing the City Manager to receive simultaneously \$30,000 from Woodward Clyde consultant in full settlement of the City's claim against Nolte; authorizing the City Auditor and Comptroller to issue one check in the total amount of \$120,000 to Nolte, in full settlement of all claims.

Aud. Cert. 9400402.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-131:

SUBJECT: Seamanship and Rescue Boating Handling and Marine
Firefighting Classes.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-527) ADOPTED AS RESOLUTION R-282863

Authorizing the Park and Recreation Department,
Lifeguard Services Division to conduct two classes:
Seamanship & Rescue Boat Handling and Marine
Firefighting, co-sponsored by the State of California,
Department of Boating and Waterways.

CITY MANAGER SUPPORTING INFORMATION:

The California Department of Boating and Waterways (DBW) currently offers four 40-hour modules of training in the area of Boating Rescue and Enforcement. These courses are approved by the Port Captains and Harbor Masters Association. The modules are Seamanship & Rescue Boat Handling, Marine Firefighting, Boating Safety & Enforcement, and Navigation. DBW requested that the City of San Diego host two classes: Seamanship & Rescue Boat Handling and Marine Firefighting. Classes are open to agencies involved in boating safety, rescue and enforcement, including lifeguards, harbor patrolmen and law enforcement officers. By hosting this class, San Diego staff members will be able to attend without having to incur the cost of travel. DBW will reimburse the City of San Diego for the cost of the classes up to \$11,000. A Certification of Appropriation in the amount of \$11,000 has been received from the Department of Boating and Waterways.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

ITEM-132: TRAILED TO OCTOBER 26, 1993

SUBJECT: Three Agreements for "Academy 2000."

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-455)

Authorizing agreements with: 1) Systemics, 2)
Organization Systems, Inc., and 3) Southwest
Communication Resources, Inc., to provide professional
services for a continuing City program entitled
"Academy 2000";
Authorizing the expenditure of an amount not to exceed
\$51,000 from FY 1994 Special Training Fund (\$18,000 -
Systemics; \$16,000 - Organization Systems, Inc.;
\$17,000 - Southwest Communication Resources, Inc.) for
providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

Supervisor's Academy, now called Academy 2000, was established in 1976 and is the City's ongoing program designed for training of first-line supervisors. Supervisor's Academy was renamed Academy 2000 in 1988, when the course content was thoroughly revised and updated. The goal of Academy 2000 is to enhance the management, supervisory, and professional skills of City supervisors in order to increase their effectiveness in current job assignments and prepare them for future management opportunities. Academy 2000 is essential for ensuring that supervisors receive the training and knowledge required to be effective in the City environment. Academy 2000 takes place six to eight times a year, with an average attendance of twenty-five participants per session. Each Academy session lasts seven days. The Organization Effectiveness Program administers Academy 2000. This action extends for

another year the contracts of the three consulting firms which provide training services for Academy 2000. These consultants have been involved in Academy 200 program design and implementation and are sustaining high-quality delivery of Academy sessions through a series of program upgrades. For the City to maintain the continuity of Academy program content and delivery, therefore, it is not recommended to go out to bid again at this time; we are however, in the process of writing a Request for Proposals to provide an as-needed list of consultants able to deliver a variety of organization development, facilitation and training services to the City.

Aud. Certs. 9400330, 9400331 and 9400332.

FILE LOCATION: None.

COUNCIL ACTION: (Tape location: H162-205.)

Motion by Vargas to Adopt. No Second.

* ITEM-133:

SUBJECT: Cooperative Agreement for Traffic Signals at the SR-905/Picador Blvd/Smythe Avenue Interchange.
(Otay Mesa/Nestor and San Ysidro Community Areas.
District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-538) ADOPTED AS RESOLUTION R-282864

Authorizing a cooperative agreement with the State of California, Department of Transportation, for the installation of traffic signals and related roadway improvements at the SR-905/Picador Blvd/Smythe Avenue interchange;

Authorizing the expenditure of an amount not to exceed \$261,800 from CIP-68-001, Annual Allocation for Cooperative Signals (Transnet Fund 30300) for the above agreement.

CITY MANAGER SUPPORTING INFORMATION:

CalTrans and the City are proposing to install traffic signals at

the interchange ramps for State Route 905, Picador Boulevard, and Smythe Avenue. Improvements to the City streets and sidewalks in the vicinity of the interchange are required as part of the signal installation. The City will pay for these roadway improvements, half of the engineering and construction costs, and half of the maintenance and energy costs of the signals. CalTrans will pay the other half of the engineering and construction, maintenance and energy costs, and will operate the signals.

Aud. Cert. 9400362.

FILE LOCATION: MEET CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-134:

SUBJECT: Extension of Forensic Examination Contract.
(See memorandum from Jerry Sanders, Chief of Police, dated 8/10/93.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-249) ADOPTED AS RESOLUTION R-282865

Authorizing an extension to the agreement with Children's Hospital to provide, on an as required basis for a period of up to six months, forensic physical, sexual and psychosocial medical examinations of minor and developmentally delayed victims and witnesses of criminal acts;

Authorizing the expenditure of an amount not to exceed \$120,000 from Fund 100, Department 110, Organization 222, Account 4222, for the purpose of providing funds for the above purpose during Fiscal Year 1994;

Authorizing the City Manager to issue a request for proposals, solicit responses, determine the lowest cost

responsive and responsible bidder, enter into negotiations and return to City Council with a new contract for forensic evidentiary examinations for child abuse and child molest victims.

Aud. Cert. 9400141.

FILE LOCATION: MEET CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-135:

SUBJECT: Agreement with City Heights Community Development Corporation for Economic Development Activities. (City Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-573) ADOPTED AS RESOLUTION R-282866

Authorizing an agreement with City Heights Community Development Corporation for economic development activities;

Authorizing the expenditure of an amount not to exceed \$50,000 from Fund 18529, Dept. 4049, Org. 4906, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

The City Council, in the 1993-94 Community Development Block Grant (CDBG) appropriation cycle, approved \$50,000 for the City Heights CDC for neighborhood development activities. Major activities will be a special quality neighborhood project including security lighting, street trees, graffiti abatement, and maintenance of a specific neighborhood area to be defined. As a condition of funding, the City Heights CDC has agreed to amend their organization's by-laws to provide for community

election of their board of directors consistent with Council Policy 700-2. The first community election for seats on the Board of Directors will be held on December 9, 1993.

Aud. Cert. 9400370.

FILE LOCATION: MEET CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

ITEM-136:

SUBJECT: Amendment to the Agreement with CR&R Incorporated for Transporting, Processing, and Marketing Recyclable Materials.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-544) ADOPTED AS RESOLUTION R-282867

Authorizing a first amendment to agreement with CR&R Incorporated for transporting, processing, and marketing materials collected by the recycling program; Authorizing the expenditure of an amount not to exceed \$555,000 from Waste Management Enterprise Fund 41200 for providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

The Curbside Recycling Program has marketed materials under contract with CR&R Incorporated of Stanton, California since March, 1990. The terms of that agreement include processing and marketing recyclable materials, under a profit sharing arrangement, which includes a floor price for the recyclables. The current agreement also provides for renegotiation of the processing and marketing terms if there is an upheaval in the recyclable materials markets. The recent severe downturn in markets and prices for recyclable materials now yields a negative overall value for the mix of recyclables this program collects,

which has made the current contractual arrangement unworkable.

To ensure that the contractor is able to continue to transport and process the City's recyclables, it is proposed that the agreement be amended as follows: 1) The term of the amended contract will be six months, or until the award of a new contract, whichever is sooner, 2) The monthly payments made to the contractor will be based solely on a cost per ton basis by material type, 3) The City would receive all of the revenue generated from the sale of the recyclable materials, and 4) The amendment will be effective July 1, 1993. During the six month period, a Request for Bids will be released. This amendment will allow for the continued marketing of the recyclable materials collected by City programs during the transition to a new contract.

Aud. Cert. 9400395.

FILE LOCATION: MEET CONT FY 94-1

COUNCIL ACTION: (Tape location: H017-072.)

MOTION BY McCARTY TO ADOPT THE CITY MANAGER'S RECOMMENDATIONS FOR ITEMS 110 AND 136 AND TO DIRECT THE CITY MANAGER TO RETURN TO THE PF&R COMMITTEE WITHIN THE NEXT 30 DAYS WITH A COMPREHENSIVE REPORT ON THE STATUS OF THE CITY'S CURBSIDE RECYCLING PROGRAM. THE REPORT SHOULD ADDRESS THE STATUS OF RECYCLING MARKETS AND WHAT THE STAFF IS DOING TO DEVELOP NEW MARKETS; AN ANALYSIS OF WHAT MATERIALS ARE MOST COST EFFECTIVE FOR THE CITY TO RECYCLE; RECOMMENDATIONS FOR MODIFICATION OF THE CURBSIDE RECYCLING PROGRAM INCLUDING RECOMMENDATIONS FOR MINIMUM PARTICIPATION RATES; A REPORT ON THE EFFECT OF SCAVENGING AND WHAT STEPS CAN BE TAKEN TO REDUCE IT; STAFF IS DIRECTED TO TALK TO CR&R AND REQUEST THEY PAY WHAT THEY OWE THE PEOPLE OF TIERRASANTA. Second by Vargas. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-137:

SUBJECT: Two actions related to agreements for El Cajon Boulevard Economic Development Activities.
(City Heights and North Park Community Areas.)

District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-571) ADOPTED AS RESOLUTION R-282868

Authorizing an agreement with El Cajon Boulevard Central Business Improvement Association for economic revitalization activities along El Cajon Boulevard; Authorizing the expenditure of not to exceed \$25,000 from Fund 18529, Dept. 4049, Org. 4904.

Subitem-B: (R-94-572) ADOPTED AS RESOLUTION R-282869

Authorizing an agreement with El Cajon Boulevard Gateway Business Improvement Association for economic revitalization activities along El Cajon Boulevard; Authorizing the expenditure of not to exceed \$25,000 from Fund 18529, Dept. 4049, Org. 4903.

CITY MANAGER SUPPORTING INFORMATION:

The City Council, in the 1993-94 Community Development Block Grant (CDBG) appropriation cycle, approved \$25,000 for the El Cajon Boulevard Central Business Improvement Association (ECBCBIA) and \$25,000 for the El Cajon Boulevard Gateway Business Association (ECBGBIA) economic revitalization activities in the above cited Business Improvement Districts. Major activities include the following:

- advertisement of Business Improvement Association activities
- development of promotional documents and paraphernalia
- special community events
- holiday decorating projects

Aud. Certs. 9400415/9400416.

FILE LOCATION: MEET CONT FY 94-2

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-138:

SUBJECT: Agreement with Elderhelp of San Diego - Phase II
Renovation.
(Mid-City Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-526) ADOPTED AS RESOLUTION R-282870

Authorizing an agreement with Elderhelp of San Diego
for the renovation of its facility located at 4069 30th
Street;
Authorizing the expenditure of not to exceed \$200,000
from CDBG Fund 18529, Dept. 4042, Org. 4206, Job Order
112352.

CITY MANAGER SUPPORTING INFORMATION:

Elderhelp of San Diego has completed Phase I of the renovation
work on their facility at 4069 30th Street. This Phase II work
will replace the roof and the heating, ventilation and air
conditioning system. The remaining asbestos will be removed from
the second floor, and the area will be painted, carpeted, and a
new ceiling installed. On May 24, 1993, City Council adopted
Resolution R-282036, granting \$200,000 of 1994 CDBG Funds to
Elderhelp for this project.

Aud. Cert. 9400325.

FILE LOCATION: MEET CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-139:

SUBJECT: Agreement with Graffiti Control Systems for Graffiti

Abatement Services.
(See City Manager Report CMR-93-296. Southeast San
Diego, Skyline-Paradise Hills Community Areas.
District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-546) ADOPTED AS RESOLUTION R-282871

Authorizing an agreement with Graffiti Control Systems
for graffiti abatement services;
Authorizing the expenditure of not to exceed \$80,000
from the General Fund.

Aud. Cert. 9400409.

NOTE: See Item 140 for a companion item.

FILE LOCATION: MEET CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

ITEM-140:

SUBJECT: Contract Graffiti Abatement Services (Pilot Project
Expansion City-Wide).
(See City Manager Report CMR-93-296.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-545) ADOPTED AS AMENDED AS RESOLUTION R-282872

Authorizing the execution of an agreement with Urban
Corps of San Diego, to provide graffiti abatement
services;
Authorizing the expenditure of not to exceed \$320,000

from the General Fund.

Aud. Cert. 9400410.

NOTE: See Item 139 for a companion item.

FILE LOCATION: MEET CONT FY 94-1

COUNCIL ACTION: (Tape location: G263-604.)

MOTION BY VARGAS TO ADOPT WITH THE REVISION TO THE CONTRACT THAT ONLY 10 COLORS BE USED INSTEAD OF 20 WITH THE POSSIBILITY OF GOING TO 20 COLORS IN THE FUTURE SHOULD 10 PROVE NOT TO BE ENOUGH; ACCEPT COUNCIL MEMBER McCARTY'S REQUEST TO DIRECT STAFF TO COME BACK WITH A SEPARATE REPORT ON USING A MOBILE UNIT THAT MATCHES PAINT ON SITE; LOOK AT A POSSIBLE PILOT VOLUNTEER PROGRAM TO BE COORDINATED WITH URBAN CORPS OF SAN DIEGO; "SOFTEN" THE LETTER THAT GOES OUT TO PRIVATE PROPERTY OWNERS REQUESTING THEM TO REMOVE THEIR GRAFFITI; AND ACCEPT COUNCIL MEMBER ROBERTS' REQUEST TO DIRECT THE CITY MANAGER TO COME BACK TO PS&S WITH A REPORT THAT EXPLAINS WHY WE CAN AFFORD TO SPEND MILLIONS OF DOLLARS CLEANING UP GRAFFITI AND WHY WE CAN'T AFFORD TO REDIRECT SOME EFFORTS TO ASCERTAIN THE MOST EFFECTIVE WAY TO ARREST THE GRAFFITI VANDALS. Second by Hartley. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-141:

SUBJECT: Amendment No. 1 to the Agreement with Hirsch and Company for the North Mission Valley Interceptor-Phase II.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-429) ADOPTED AS RESOLUTION R-282873

Authorizing Amendment No. 1 to the agreement with Hirsch and Company for design engineering consulting services for the North Mission Valley Interceptor-Phase II;

Authorizing the expenditure of not to exceed \$1,102,097 from CIP-46-140.0, North Mission Valley Interceptor-Phase II.

CITY MANAGER SUPPORTING INFORMATION:

The City Council authorized an agreement with Hirsch & Company (HCO) on November 9, 1992, (R-281017), to provide engineering services for the North Mission Valley Interceptor (NMVI) - Phase II. HCO evaluated seven alternative alignments for the replacement of the existing North Mission Valley Interceptor between Highway 163 and Interstate 5. The preliminary design report concluded that paralleling the alignment of the proposed MTDB West Mission Valley - Light Rail Trolley (WMV-LRT) is the best alignment alternative for the project. The report recommended to install the pipeline prior to or concurrent with the Trolley construction project. This is necessary to avoid dangerous excavation adjacent to the elevated trolley support structures and deep excavations into the trolley fill embankments. The Trolley construction project is scheduled to begin in March 1994. To save time and ensure the timely completion of the NMVI, Phase II design project, the Water Utilities Department did not advertise for the final design consulting engineering services.

It is recommended that the agreement with Hirsch & Company Consulting Engineers be amended to include the final design of the North Mission Valley Interceptor, Phase II. HCO will be the prime engineering consultant responsible for the preparation of the project's contract documents. The contract is for an amount not to exceed \$1,007,097. HCO is certified by the City as an MBE firm. Subconsultants on the project are: Law/Crandall (3.6 percent), Geotechnical-\$34,300; DeC Consultants (.5 percent WBE), Corrosion Engineering - \$5,000; SOTA Environmental (3.4 percent MBE), Dewatering Study - \$31,500; OGDEN Environmental (7.2 percent), Biological/Archaeological Studies-\$67,200; Corrao Group (4.3 percent WBE), Civil Engineering/Quality Control-\$40,000; Tri-County Drilling (.6 percent WBE), Geotechnical Drilling - \$5,700. The total MBE/WBE participation will be 89.2 percent (83.8 percent MBE and 5.4 percent WBE). December 1998 is the consent decree deadline for construction completion.

Aud. Certs. 9400301, 9400302.
WU-U-94-024.

FILE LOCATION: MEET CCONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-142:

SUBJECT: Agreement with Jaykim Engineers, Inc. for the
Improvement of Sewer Pump Station No. 22.
(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-529) ADOPTED AS RESOLUTION R-282874

Authorizing an agreement with Jaykim Engineers, Inc.
for consultant services in connection with Pump Station
No. 22;
Authorizing the expenditure of not to exceed
\$423,787.18 from Sewer Revenue Fund No. 41506, Annual
Allocation for Sewer Pump Station Restoration, CIP-46-
106.0.

CITY MANAGER SUPPORTING INFORMATION:

This agreement will provide engineering services for the
improvement of Sewer Pump Station No. 22. The pump station,
located at 102 Fern Glen Street in the La Jolla community area,
has been in service since 1950. To improve the reliability of
this pump station, structural modification of the wet well, new
pumps and appurtenances, a new electrical system, a new telemetry
system, a new ventilation system, 1,350 feet of 8-inch secondary
force main, and a second power source is needed. Five
consultants were selected from the "As Needed" list of Civil
Engineers (Pump Stations) by the Consultant Selection Coordinator
on August 18, 1992.

The Water Utilities Department interviewed the five firms on
November 3, 1992, in accordance with Council Policy 300-7, and
Jaykim Engineers, Inc. (MBE) was selected. Jaykim's
responsibilities include a preliminary design report, preparation
of construction drawings and specifications, preparation of the
construction cost estimate, and construction assistance, for a

total amount not to exceed \$423,787.18, which includes a 6 percent subconsultant markup of \$9,222.18. The project subconsultants are: Helix Environmental Planning, Inc. (7.05 percent); BDK Engineers (6.6 percent); Group Delta Consultants (5.8 percent); Simon Wong Engineering, MBE (4.0 percent); Joseph Wong Design Associates, Inc., MBE (5.8 percent); Accuracy Plus Surveyors, WBE (0.65 percent); Marum Associates Landscaping Architecture, WBE (3.6 percent); Duke Noise Control (1.0 percent); Common Wealth Title (0.94 percent); Manuel Ocina (1.2 percent) and Kelifelder Geotechnical (1.3 percent).

Aud. Cert. 9400355.
WU-U-94-001.

FILE LOCATION: MEET CCONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-143:

SUBJECT: Amendment to the agreement with Kramer, Chin & Mayo (KCM), for Value Engineering Services for the City's North Subsystem.
(Districts-1, 2, 5 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-575) ADOPTED AS RESOLUTION R-282875

Authorizing the execution of Amendment No. 2 to the existing agreement with Kramer, Chin & Mayo, Inc., (KCM), for Value Engineering Services required for projects in the City's North Subsystem;
Authorizing the transfer of an amount not to exceed \$24,180 from CIP-42-911.3; \$68,986 from CIP-40-921.0; \$86,513 from CIP-40-920.5; \$220,202 from CIP-42-911.4 and \$92,145 from CIP-46-120.0 to CIP-45-910.3, Program Planning and Studies Activities;

Authorizing the expenditure of not to exceed \$492,026 from CIP-45-910.3, Program Planning and Studies Activities.

CITY MANAGER SUPPORTING INFORMATION:

On December 10, 1990, the City entered into an agreement with Kramer, Chin & Mayo, Inc. (KCM), for Value Engineering Services on the Predesign (10 percent Design Level) for the North Subsystem. When the consultant was selected for Value Engineering (VE Services), it was intended that they would provide VE Services for both predesign and detailed design packages. At the time of the original agreement, only Stage 1 predesign packages were defined to the point that a VE scope of work could be developed. Therefore, the original agreement provided for only VE Services for Stage 1 predesign packages with the intent that VE Services for Stage 2 predesign and detailed design packages including Stage 1 design packages would be incorporated into the agreement by amendment. Amendment No. 1 provided value engineering services for Stage 1, detailed designs at the 30 percent and 60 percent design level; and Stage 2, predesigns for 7 design packages. The proposed amendment will establish the actual costs for six of the seven workshops completed under Amendment No. 1 and provide value engineering services for five Stage 1, detailed designs; and Stage 2 predesign/detailed designs not previously identified in the agreement.

The Clean Water Program requires Value Engineering Services to complete design and predesign projects for the North Subsystem. Contract designers will prepare 5 design packages. Exhibit "A" describes the general Scope of Work for KCM. Attachment No. 1 to Exhibit "A" identifies the number of Value Engineering Workshops with Associated Projects. Attachment No. 2 to Exhibit "A" provides workshop descriptions. Exhibit "A" describes the Schedule of Work/Deliverables. Exhibit "C" provides Progress Payment Schedules.

The MBE/WBE goals for this amendment are 12 percent MBE and 3 percent WBE. MBE/WBE Participation for the five additional workshops identified under Amendment No. 2 of the agreement with KCM is 9.5 percent WBE and 17.1 percent MBE. MBE/WBE Participation for the total agreement with KCM is 5.4 percent WBE and 16.4 percent MBE. With this agreement, approximately 12 local jobs would be provided.

Aud. Cert. 9400407.
WU-CWP-93-028.

FILE LOCATION: MEET CCONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)
CONSENT MOTION BY McCARTY TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-not present,
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-
yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

* ITEM-144:

SUBJECT: Amendment to the Agreement with Malcolm Pirnie, Inc.
for "As-Needed" Engineering Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-576) ADOPTED AS RESOLUTION R-282876

Authorizing an amendment to the agreement with Malcolm
Pirnie, Inc. for "as needed" engineering services in
support of the Clean Water Program;
Authorizing the expenditure of not to exceed \$200,000
from Clean Water Program Sewer Fund 41509, CIP-45-
910.3, which are available due to reimbursement of past
costs from issuance of bonds.

CITY MANAGER SUPPORTING INFORMATION:

The original agreement between the City and Malcolm Pirnie, Inc.,
for "As Needed" Engineering Services was adopted July 27, 1992
via Resolution RR-280425. The agreement was issued for a
duration of two years and for a \$300,000 not-to-exceed funding
limit. Due to the unexpected critical situation with the South
Metro Interceptor, more "As Needed" Engineering Services were
required than originally estimated for this project. The design
for the repair of the South Metro Interceptor has depleted the
original \$300,000 to a current balance of \$48,711 which is
inadequate for the remaining 12 months duration.

This amendment is to add \$200,000 to the original agreement for
continued as-needed engineering services for the Clean Water
Program. Types of services that may be required include: soil
and geotechnical analysis, traffic, sanitation, survey, civil,
mechanical, and electrical engineering and cost review/analysis

of engineering projects associated with the Clean Water Program. These services are a partial listing as additional services will be determined in conjunction with the Program's ongoing development. Project subconsultants are: Beyhas & Protel (MBE), Structural; Ninyo & Moore (MBE), Geotechnical; CMSE (WBE), Cost Estimating; Kercheval Engineers (MBE), Survey/Civil; and Urban Systems Associates (WBE), Traffic. For work performed to date, Malcolm Pirnie has achieved MBE participation of 24.1 percent and WBE participation of 3.6 percent. Malcolm Pirnie's total goal of 28 percent MBE and 16 percent WBE participation is based on the completion of the total agreement (August 6, 1994).

Aud. Cert. 9400406.

FILE LOCATION: MEET CCONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-145:

SUBJECT: Agreement with Peek Traffic, Inc. for implementation of an Intelligent Vehicle Highway System (IVHS).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-569) ADOPTED AS RESOLUTION R-282877

Authorizing an agreement with Peek Traffic, Inc. in the amount of \$450,000 to provide consulting services for the development and implementation of a traffic-adaptive traffic signal control system; Authorizing the expenditure of an amount not to exceed \$450,000 from CIP-63-013.0 for providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

Peek Traffic, Inc., in cooperation with BITran Systems, Inc. (MBE), Kelar Corporation (WBE), Cooperative Computer Corporation,

and Kimley-Horn and Associates, Inc., has been selected to implement San Diego's first intelligent vehicle highway system (IVHS). The system will consist of computer hardware, software and communications equipment to provide "smart traffic signals" which will respond dynamically to changing traffic conditions throughout a network of traffic signals. The first two project areas will be Miramar Road and Friars Road/Mission Gorge Road. (The field construction work will be bid separately. This agreement includes only computer services and equipment.) The entire project is funded by a grant from the California Department of Transportation. This consulting contract award represents 15.55 percent MBE participation and 4.44 percent WBE participation.

Aud. Cert. 9400381.

FILE LOCATION: MEET CCONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-146:

SUBJECT: Agreements in connection with the Home Avenue Trunk Sewer.
(Mid-City Community Area. Districts-3 and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-430) ADOPTED AS RESOLUTION R-282878

Authorizing the execution of an agreement with Regional Environmental Consultants (RECON), for mitigation of impact to Archeological Site SDi-10528, Home Avenue Trunk Sewer Project, for an amount not to exceed \$136,603;
Authorizing the execution of Amendment No. 2 to the Agreement with Pountney and Associates, Inc., for

Engineering Consultant Services for the Home Avenue Trunk Sewer Project CIP-46-139, for an amount not to exceed \$25,252;

Authorizing the expenditure of \$161,855, from Sewer Revenue Fund No. 41506, Home Avenue Trunk Sewer, CIP-46-139, for the purpose of executing the above agreements;

Certifying that the information contained in Mitigated Negative Declaration DEP-88-0234, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Declaration has been reviewed and considered by the City Council;

Finding that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Based upon the results of the Home Avenue Trunk Sewer archaeological survey, the Mitigated Negative Declaration indicates that there could be significant impacts to cultural resources of the San Diego dump site beneath Home Avenue, therefore requiring an approved research design and data recovery program to be made prior to construction. Four consultants were selected from the "As-Needed" List of Environmental Consultants by the Consultant Selection Coordinator. On January 14, 1992, the Water Utilities Department interviewed the firms in accordance with Council Policy No. 300-7, and Professional Service Industries, Inc., (PSI) was selected. The City was unable to reach an agreement with PSI. Therefore, the second firm on the list, Regional Environmental Consultants (RECON), was selected. RECON's responsibilities shall include data recovery, field investigation and preparing the final report of all findings as described in the Scope of Work. The amount of this contract should not exceed \$136,603. RECON will perform 40 percent of the work. Subconsultants and the percent of their work that they will perform are: Walter Enterprises-WBE-42 percent, Christenson Enterprises-WBE-3 percent, and A. O. Trepte-MBE 15 percent. On December 7, 1987, the City of San Diego and Pountney and Associates, Inc. entered into an Engineering Agreement to design the Home Avenue Trunk Sewer. Amendment No. 1 with Pountney and Associates, Inc. was for the design work associated with the I-15 Freeway expansion project that was mandated by CalTrans. Amendment No. 2 with Pountney and Associates, Inc. is to perform additional engineering services to

satisfy the requirements of the groundwater discharge permit. The scope of work will include the installation of monitoring well and groundwater samples.

Aud. Certs. 9400272/9400273.
WU-U-93-042.

FILE LOCATION: MEET CCONT FY 94-2

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-147:

SUBJECT: Agreement with SDG&E for a Gas Main Extension to Sewer Pump Station No. 5.
(Barrio Logan/Harbor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-373) ADOPTED AS RESOLUTION R-282879

Authorizing the execution of an agreement with San Diego Gas & Electric Company, for the extension of a gas main at Pump Station No. 5;
Authorizing the expenditure of not to exceed \$7,325 from Sewer Revenue Fund No. 41506, Annual Allocation for Pump Station Restorations, CIP-46-106.0, Sewer Pump Station No. 5.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Pump Station No. 5 is designed to have a generator on site to produce electricity in case of electrical failure. City staff has determined that an electric generator, powered by natural gas, is the most economical and reliable way to produce electricity. Therefore, a generator fueled by natural gas has been designed to serve the pump station. During the review process, SDG&E determined that the nearest source of gas is 670

feet away and that a new 2-inch gas main will be needed to transport the natural gas to the site. Funds, herein, are to be allocated to SDG&E for contract administration, engineering design, inspection and taxes. A refund of \$233 is expected after acceptance of the installed gas main. Furthermore, the City will be reimbursed, over a 10-year period, by SDG&E on a pro-rated basis if any nearby property owners use the gas main installed by the City. It is not recommended that SDG&E install the 670 feet of gas main. City staff estimates that cost of construction under a City contract at \$30,000, exactly one-half the cost of construction if SDG&E would do the work. It is proposed that the contractor hired by the City to construct Sewer Pump Station No. 5 will install the gas main.

Aud. Cert. 9400249.
WU-U-93-160.

FILE LOCATION: WATER-San Diego Gas & Electric Company, Sewer Pump Station No. 5 CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-148:

SUBJECT: Renewal of Lease Agreement with the U.S. Department of Justice, Immigration and Naturalization - Office and Helicopter Operations.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-467) ADOPTED AS RESOLUTION R-282880

Authorizing the execution of a one-year lease agreement, with four one-year renewal options to be exercised at the option of the U.S. Government, and with a 180-day notice of cancellation clause if the area is needed for future airport expansion, with the U.S. Department of Justice, Immigration and

Naturalization Service, Western Regional Office, for 697 square feet of office space in Building 2002 and helicopter tiedown ramp space at Brown Field Airport, an initial monthly rent of \$645.

CITY MANAGER SUPPORTING INFORMATION:

The U.S. Department of Justice, Immigration and Naturalization Service (INS) has been a tenant at Brown Field Airport since January 1988. This renewal is to maintain an office and helicopter tiedowns ramp space at Brown Field Airport. The current lease is on holdover status. The INS has requested the City to renew the lease for a one year period, with four one-year options to renew. The proposed lease provides for a Consumer Price Index (CPI) rent adjustment beginning on the first day of April 1996. Staff is proposing a lease term of one year with four one-year renewals. The lease will contain a 180-day cancellation clause if the area is needed for future airport expansion. The U.S. Department of Justice, Immigration and Naturalization Service (INS), as an agency of the U.S. Government, is subject to a comprehensive anti-discrimination program.

FILE LOCATION: LEAS-U. S. Department of Justice, Immigration and Naturalization Service, Western Regional Office LEAS FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-149:

SUBJECT: Two actions related to the Morena Boulevard Interceptor.
(Clairemont Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-553) ADOPTED AS RESOLUTION R-282881

Approving Change Order No. 14, dated July 19, 1993, issued in connection with the contract between the City of San Diego and Chilcote, Inc., amounting to a net increase in the contract price of \$318,125.37.

Subitem-B: (R-94-554) ADOPTED AS RESOLUTION R-282882

Authorizing the execution of Amendment No. 4 with Boyle Engineering Corporation for engineering services for the Morena Boulevard Interceptor;
Authorizing the expenditure of not to exceed \$50,060 from Sewer Revenue Fund 41506, CIP-43-123.0, Morena Boulevard Interceptor.

CITY MANAGER SUPPORTING INFORMATION:

On August 5, 1991 by Resolutions 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 (MBI). The construction contract was awarded to Chilcote, Inc. on December 17, 1991. The contractor was required to construct quadruple 36-inch diameter bores under the railroad tracks across from the Toys "R" Us parking lot. During installation of the pipes on February 11, 1993, the contractor experienced significant pipe movement both horizontally and vertically. The heavily saturated soil conditions, due to the heavy winter rains, made it impossible to proceed as planned. Additionally, the railroad track inspector reported a track defect due to our operation. Because of this track disturbance the trains were put on 10-mph slowdown order at this location, and our operations were shut down. However, due to the landslide in Dana Point on February 23, 1993, the railroad was effectively shutdown. This afforded the City the opportunity to negotiate an emergency agreement on February 26, 1993, to restart the construction at this site with an open trench method. This method provided the City with the least cost and liability in restoring the rail traffic in this area. On January 12, 1987, the City entered into an agreement with Boyle Engineering Corporation for engineering services for the Morena Boulevard Interceptor, (Document Number RR-267456). On March 14, 1988, August 6, 1990, and November 2, 1992, the original agreement was amended, (Document Numbers RR-270531, RR-276358, and RR-281001), to design an interim peak period sewage storage facility in Mission Bay and to provide required additional design/construction services for completion of the Morena Boulevard Interceptor Sewer project. MBI has encountered numerous complexities during construction. As a result a large volume of construction-phase engineering services has been

required to rectify the resulting field adjustments. The level of effort on Boyle Engineering's part has consequently exhausted presently available funding under this contract. Contract Amendment No. 4 encompasses additional work not included in the previous authorizations. Amendment No. 4 includes more involvement in shop drawing reviews, response to contractor questions, review of Change Order requests, and increased general observation of the construction to assist the City in controlling the construction costs due to changed conditions. There is no work to be performed by subconsultants in this amendment.

Aud. Certs. 9400378/9400379.
WU-U-94-034.

FILE LOCATION: Subitem-A: CONT-Chilcote, Inc.; Subitem-B:
MEET CCONT FY 94-1; CONT FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-150:

SUBJECT: Appointment to the Commission for Arts and Culture.
(See memorandum from Mayor Golding dated 10/13/93 with
resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-600) ADOPTED AS RESOLUTION R-282883

Council confirmation of the appointment by the Mayor of
Darlene Davies, to serve as a member of the Commission
for Arts and Culture, for a term ending August 31,
1994, replacing Jean Hahn, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

* ITEM-151:

SUBJECT: Appointments and Reappointment to the Senior Citizen
Advisory Board.
(See memorandum from Mayor Golding dated 10/6/93 with
resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-587) ADOPTED AS RESOLUTION R-282884

Council confirmation of the following appointments and
reappointment by the Mayor to serve as members of the
Senior Citizen Advisory Board, representing districts
as indicated, for terms ending July 1, 1995:

Appointments:	Representing
Leonard J. Zanville (replacing Marguerite Brodeur, whose term has expired)	City at Large
Lisa Boykin (replacing Susan J. Hoekenga, whose term has expired)	Council District 2
Verne Goodwin (replacing Ruth White, whose term has expired)	Council District 5
Reappointment:	
Rosemary White-Pope (reappointment - formerly representing City at Large, replacing Joyce James, whose term has expired)	Council District 4

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

ITEM-160: TRAILED TO OCTOBER 26, 1993

SUBJECT: ISTEА/TEA Grant Applications.
(See Legislative Specialist Analysis TLU-93-9.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-423)

Authorizing the City Manager to submit an ISTEА/TEA
Grant Application to SANDAG;
Approving the prioritized list of projects as presented
by the City Manager.

TRANSPORTATION AND LAND USE COMMITTEE'S RECOMMENDATION:

On 10/13/93, T&LU voted 3-1 to revise the priority list as
follows: 1) Ward Canyon Bike Path; 2) Prospect Street
Realignment; 3) SR15/40th Street Linear Parks;
4) University/Euclid Revitalization; 5) Mid-City Streetscape
Revitalization; 6) Broadway Enhancements; 7) SR52 Bike Path.
(Councilmembers Wolfsheimer, Roberts and Stallings voted yea;
Councilmember McCarty voted nay; Councilmember Behr not present.)

CITY MANAGER SUPPORTING INFORMATION:

Under the Federal ISTEА/Transportation Enhancement Activities
program, the San Diego County region is eligible to receive up to
\$11 million in the current 3-year cycle of grants. Grant
applications were sent from City departments and other agencies
to SANDAG by the September 10 deadline. SANDAG also requires a
resolution from Council authorizing the grant applications and
prioritizing the projects.

The project applications have been prioritized as follows:

1. Ward Canyon Bicycle Path (SR-15)
2. Prospect Street Realignment (Girard Avenue)
3. University/Euclid Improvement Project
4. Mid-City Streetscape Revitalization
5. SR-15/40th Street Linear Parks

6. Broadway Enhancements
7. State Route 52 Bicycle Path

The Manager also supports a project application submitted jointly by the cities of Coronado, Imperial Beach, and San Diego for enhancements to State Route 75. Approximately \$100,000 from this joint grant will be used for billboard removal and median landscaping along Palm Avenue.

FILE LOCATION: None.

COUNCIL ACTION: (Tape location: B241-C015; C075-532.)

Motion by Hartley to adopt and accept the City Manager's recommendation with the exception of switching the Mid-City streetscape revitalization project with the SR-15/40th Street Linear Parks project. Second by Roberts. Failed. Yea-2,3,4,6; Nay-5,8,7; Not present-1,M.

Motion by McCarty to amend the prioritization of these projects as follows:

1. Ward Canyon Bicycle Path.
2. University/Euclid Improvement.
3. Mid-City Streetscape revitalization.
4. SR-15/40th Street Linear Parks
5. Prospect Street Realignment.
6. Broadway enhancements
7. State Route 52 Bicycle Path.

Direct staff to look at using the Urban Corps, Youth At Risk and Triple Crown for work force. Second by Hartley. Failed. Yea-3,4,6,7; Nay-2,5,8; Not present-1,M.

ITEM-161:

SUBJECT: Casa Familiar Lease Renewal.
(See City Manager Report CMR-93-246. San Ysidro Community Area. District-8.)

PUBLIC FACILITIES AND RECREATION COMMITTEE'S RECOMMENDATION:

On 8/11/93, PFR voted 3-0 to recommend adoption of the following resolution (Councilmembers Stallings, McCarty, and Vargas voted yea; Councilmembers Hartley and Behr not present):

(R-94-180) ADOPTED AS RESOLUTION R-282885

Authorizing the execution of an agreement with Casa Familiar, to operate the San Ysidro Recreation Center, for a four-year period and waiving the \$600 rental fee for non-profit leases.

FILE LOCATION: LEAS-Casa Familiar LEAS FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

ITEM-162: TRAILED TO OCTOBER 26, 1993 FOR FULL COUNCIL.

SUBJECT: Police Assessment Districts.
(See City Manager Report CMR-93-201, and City Attorney's Memorandum of Law dated 6/25/93.)

PUBLIC SERVICES AND SAFETY COMMITTEE'S RECOMMENDATION:

On 6/30/93, PS&S voted 4-0 to recommend introduction of the following ordinance: (Councilmembers Wolfsheimer, Roberts, Hartley and Stevens voted yea; Councilmember Vargas not present):

(0-94-163)

Introduction of an ordinance amending Chapter VI, Article 1, of the San Diego Municipal Code by adding Division 25, Sections 61.2501 - 61.2524, relating to the San Diego Public Safety and Supplementary Crime Suppression District Procedural Ordinance.

FILE LOCATION: None.

COUNCIL ACTION: (Tape location: A602-608.)

ITEM-163: CONTINUED TO NOVEMBER 8, 1993

SUBJECT: Regulation of Public Pay Telephones.
(See City Manager Report CMR-93-241; City Attorney

Report dated 7/29/93; memorandum from Councilmember Roberts dated 8/3/93.)

(O-94-27)

Introduction of an Ordinance amending Chapter V, Article 4, of the San Diego Municipal Code by adding Division 5, Sections 54.0501, 54.0502, 54.0503, 54.0504, 54.0505, relating to the Regulation of Public Pay Telephones.

PUBLIC SERVICES AND SAFETY COMMITTEE'S RECOMMENDATION:

Amend the Ordinance as recommended by PS&S on 8/4/93: On 8/4/93 PS&S voted 3-0 to approve the concept of regulating the location and removal of public pay phones, by building on the draft ordinance provided by the City Attorney, to include a permit requirement for the location of new pay phones as requested by Councilmember Roberts, a Police Department and community review process prior to approval, and a business license fee requirement for any new public telephone. The Committee requested that in the interest of time, this item be taken directly to the City Council to expedite.

(Councilmembers Hartley, Stevens, and Vargas voted yea; Councilmembers Roberts and Wolfsheimer not present.)

FILE LOCATION: None.

COUNCIL ACTION: (Tape location: A421-578; C538-E352.)

Motion by Stevens to accept the City Attorney's draft ordinance. Second by Vargas. Motion withdrawn.

MOTION BY ROBERTS TO CONTINUE TO NOVEMBER 8, 1993 AND COME BACK TO COUNCIL WITH THE FOLLOWING AMENDMENTS TO THE DRAFT ORDINANCE: THE OWNER OF ANY PUBLIC PAY PHONE SHALL GIVE WRITTEN NOTICE TO THE SAN DIEGO POLICE DEPARTMENT AND A RECOGNIZED COMMUNITY PLANNING GROUP OF ANY PROPOSED INSTALLATION OF A PUBLIC PAY PHONE WITHIN HIGH CRIME AND REDEVELOPMENT AREAS; THESE COMMUNITY PLANNING GROUPS WOULD HAVE THIRTY DAYS TO RESPOND; REDEVELOPMENT AREAS OR HIGH CRIME AREAS TO BE DEFINED FURTHER AND MAPS WILL BE PROVIDED TO THE COUNCIL THAT SHOW THE IMPACT BOTH AT TWO TIMES AND ONE AND ONE-HALF TIMES THE CRIME RATE. DIRECT THE POLICE CHIEF TO COME TO PS&S COMMITTEE MEETINGS EVERY THREE MONTHS TO DETERMINE THE EFFECTIVENESS OF MONITORING THESE HIGH CRIME/REDEVELOPMENT AREAS AND RECOMMEND ANY CHANGES THAT

MIGHT NEED TO BE MADE FOR THE FUTURE IN TERMS OF GEOGRAPHIC LOCATIONS. Second by Vargas. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-not present.

ITEM-164:

SUBJECT: Annual Equal Employment Opportunity Report.
(See Report from Personnel Director dated 8/6/93.)

PUBLIC SERVICES AND SAFETY COMMITTEE'S RECOMMENDATION:

On 9/15/93, PS&S voted 3-0 to recommend adoption of the following resolution (Councilmembers Hartley, Stevens and Vargas voted yea; Councilmembers Wolfsheimer and Roberts not present):

(R-94-492) ADOPTED AS RESOLUTION R-282886

Accepting the Biannual Equal Opportunity Report from the Personnel Director, dated August 6, 1993, covering the period from December 18, 1992 to June 4, 1993.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-221.)

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

ITEM-200:

SUBJECT: Declaring a Continued State of Local Emergency.
(San Ysidro, Tijuana River Valley Community Areas.
District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-582) ADOPTED AS RESOLUTION R-282887

Declaring a continued state of emergency to persist relative to the escalated discharge of raw sewage from Tijuana, Mexico and that the measures previously taken by the Council in Resolution R-282544 shall continue to have full force and effect.

CITY MANAGER SUPPORTING INFORMATION:

For over 50 years, renegade raw sewage flows from Tijuana, Mexico have flowed across the international border in the Tijuana River into the United States. These flows have impacted the health and safety of San Diego residents. The permanent solution to this border situation is the construction of the proposed International Treatment Plant by the federal government. This plant is expected to be operational by 1998 and will treat raw sewage from Mexico. In the interim, until the international plant is constructed, the City in 1991, agreed to accept and treat 13 million gallons per day of Tijuana sewage in the Metropolitan Sewerage System. The amount of flow that the City can accept is limited due to the capacity of the emergency connection.

Due to increased water availability and usage in Tijuana, raw sewage flows in the Tijuana River have increased. These flows are beyond the capacity that can be handled by the Mexican treatment system and the emergency connection. These increased flows threaten the health, safety and welfare of the citizens of San Diego. The declaration of emergency enacted on September 7, 1993, and continued on September 27, 1993, and again on October 11, 1993, will enable the City to assist state and federal agencies in expediting the treatment of this international sewage. The government code requires the local governing body to review a State of Emergency every 14 days until the local emergency is declared terminated. This action requests the continuation of the State of Emergency declared by City Council on September 7, 1993.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

ITEM-201:

SUBJECT: Awarding a Contract for Construction of the Dulzura Conduit Renovation Project.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-442) ADOPTED AS RESOLUTION R-282888

Awarding a contract to Mingus Constructors, Inc. for the construction of the Dulzura Conduit Renovation Project, on Work Order No. 180171, for a total estimated cost of \$4,933,393;
Authorizing the expenditure of \$4,933,393 from Water Revenue Fund 41500, CIP-73-252.0 - Dulzura Conduit Renovation for the purpose of executing these contracts (\$3,838,148) and to cover expenditures related to in house design engineering, City Force work, equipment, contingencies and land acquisition (\$1,095,245);
Authorizing a new agreement with Kennedy/Jenks Consultants for construction support services of the Dulzura Conduit Renovation Project at a cost not to exceed \$370,148;
Stating for the record that the City of San Diego as Lead Agency has reviewed and considered the final environmental document (Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program DEP-88-0719). (BID-K93008)

CITY MANAGER SUPPORTING INFORMATION:

Bids for the construction of the Dulzura Conduit Renovation Project were opened on August 5, 1993. Of the 54 bid packages issued, 10 prime contractors responded to the bid call with the bids ranging from \$3,468,000 to \$7,741,457. The apparent low bid of \$3,468,000 was submitted by Mingus Constructors, Inc., from Arizona. The 10.7 mile long Dulzura Conduit is located 28 miles southeast of the City of San Diego. Raw water is conveyed along the conduit, from Barrett Reservoir to Dulzura Creek, where it ultimately flows into the Lower Otay Reservoir for water treatment processing. The Dulzura Conduit was constructed around the turn of the century and is currently inoperable because several wooden flumes and supporting trestle sections have deteriorated. This project consists of the replacement/renovation of six wooden flume sections plus the

replacement/renovation of a concrete channel and buried corrugated metal pipe. The results of the bids were expected primarily due to the inaccessibility of the site and the specialized nature of construction. The 10 percent construction contingency is required, due to construction difficulties, inaccessible sites, possible use of helicopters for construction activities and the unforeseen amount of rock bolting required at the slope of the rugged terrain. MBE/WBE participation for this contract is 20 percent and 25.1 percent respectively. This request is also for approving construction support services with Kennedy/Jenks Consultants for limited specialized structural inspection, Geotechnical Services as well as other construction support services throughout the duration of the project in the amount of \$370,148, with MBE/WBE participation of 13.8 percent and 0 percent respectively. Considering the unique, specialized nature of construction and the unforeseen amount of rock bolting required, the bids received are considered optimal. It is therefore recommended that the construction contract be awarded to the lowest responsible bidder.

Aud. Certs. 9400403/9400404/9400405.
WU-P-94-027.

FILE LOCATION: W.O. 180171 & CONT-Mingus Constructors, Inc.
CCONT FY 94-1; CONT FY 94-1

COUNCIL ACTION: (Tape location: F428-445.)

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

ITEM-202: TRAILED TO OCTOBER 26, 1993

SUBJECT: Two actions related to Awarding Contracts for the Fiesta Island Facility Improvements.
(Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-443)

Certifying that the information contained in Negative Declaration DEP-93-0419, dated October 8, 1993, in connection with Fiesta Island Facility Improvements and Fiesta Island Reclaimed Water Pipeline, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines and that the Declaration has been reviewed and considered by Council.

Subitem-B: (R-94-444)

Awarding a contract to Suncoast Pipeline, Inc., for Fiesta Island Reclaimed Water Pipeline, in the amount of \$159,400 and awarding a contract to Hunter Corporation, for Fiesta Island Facility Improvements, in the amount of \$1,382,507;

Awarding a contract to Hydronix, for the purchase of one 40-HP Centrifugal Effluent Pump Station in an amount not to exceed \$63,027, plus sales tax;

Awarding a contract to Generator Power Systems, for the purchase of two 300-KW Propane Generators, in an amount not to exceed \$297,290, plus sales tax;

Awarding a contract to Cal Fab, Inc., for the purchase of two 5,000 Gallon Surge Tanks, in an amount not to exceed \$32,580, plus sales tax;

Authorizing the City Manager to award a contract to the lowest responsible bidder for the purchase of seven belt filter presses and ancillary equipment for the Fiesta Island Dewatering Facility on Work Order No. 030045;

Authorizing the City Manager to award a contract to the lowest responsible bidder in an amount not to exceed \$2,296,000;

Authorizing the City Manager to award a contract to the lowest responsible bidder for a temporary lease of four belt filter presses;

Authorizing the City Manager to award a contract to the lowest responsible bidder for temporary lease of two 250-KW generator engine sets;

Authorizing the Auditor and Comptroller to transfer \$4,553,400 from the Metro Sewer Utility Fund 41508 CIP-44-001.0, Annual Allocation for Sewer Main Replacements to CIP-46-119.0, Annual Allocation for Point Loma Treatment Plant;

Authorizing the expenditure of not to exceed \$6,633,400 from Metro Sewer Utility Fund 41508, CIP-46-119, Annual Allocation for the Point Loma Treatment Plant, and

authorizing the expenditure of \$300,000 for leases from Program Element 70228, Job Order No. 030046. (BIDS-K94034, K94035, E4010/94, B4003/94, F4005/94, B4004/94, B4047/94, B4049/94)

CITY MANAGER SUPPORTING INFORMATION:

In the past the City has periodically not been in compliance with Regional Water Quality Control Board (RWQCB) Cease and Desist Order 87-113 and Order No. 90-32 regarding suspended solids removal rates at the Point Loma Treatment Plant. This has occurred in part, due to insufficient wet weather capacity at the Fiesta Island Sludge Dewatering Facility. The City has pledged to the Regional Board that necessary improvements will be made to the Fiesta Island facilities. This project will provide for the purchase of seven belt filter presses and ancillary equipment, the installation of this equipment, and the construction of a 10-inch water line. The RWQCB requires that this project be completed by this winter. The manufacture and delivery schedule for some of the purchased equipment does not meet this timeframe. Therefore, this action also includes the temporary (4 month) lease of equipment for installation prior to the delivery of the purchase equipment. The authorization to advertise for bid for the installation of the belt filter presses and the construction of the 10-inch water line was approved by Council on September 28, 1993.

The bid opening is scheduled for October 8, 1993. Bid opening for the purchased equipment was held on September 24, 1993. Bid opening for the leased equipment is scheduled for October 14, 1993. At this time approval is requested to award the contracts to the lowest responsible bidders. A Negative Declaration DEP-93-0419, was prepared for this action.

Aud. Cert. 9400417.

WU-CWP-94-049.

FILE LOCATION: None.

COUNCIL ACTION: (Tape location: E358-F365.)

Motion by McCarty to continue to November 8, 1993 for additional information. No second.

Motion by Stallings to Adopt the City Manager's Recommendation. No second.

Motion by McCarty to continue to November 8, 1993. Second by Stevens. Motion withdrawn.

TRAILED TO OCTOBER 26, 1993 FOR ADDITIONAL INFORMATION ON SPENDING ADDITIONAL MONEY, BID INFORMATION AND INFORMATION ON THE USE OF TEMPORARY EQUIPMENT.

ITEM-203:

SUBJECT: Agreement with the County of San Diego for Animal Control Services.

(Continued from the meeting of October 4, 1993, Item 202, at Councilmember McCarty's request, for a report from the City Manager on whether or not the performance goals were met.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-419) ADOPTED AS AMENDED AS RESOLUTION R-282889

Authorizing a one year (July 1, 1993 through June 30, 1994) agreement with the County of San Diego, for general animal control services;

Authorizing the expenditure of not to exceed \$1,400,000 from General Fund 100, Citywide Program Expenditures (Program 60101).

CITY MANAGER SUPPORTING INFORMATION:

In Fiscal Year 1989, the City of San Diego entered into an agreement with the County of San Diego under which the County recovers full costs for the provision of general animal control services. The contract for Animal Control Service provides services from July 1, 1993 through June 30, 1994. The terms of the agreement remain the same as Fiscal Year 1993 with the cost for general animal control services for Fiscal Year 1994 estimated at \$1,400,000. The County has estimated the full-cost for Animal Control Services to the City in Fiscal Year 1994 as described in the agreement to be \$2,936,893. The estimated Fiscal Year 1994 revenues collected by the County from City dog license sales and other related revenues is \$1,536,893, leaving a \$1,400,000 net cost to the City.

Aud. Cert. 9400310.

FILE LOCATION: MEET CONT FY 94-1

COUNCIL ACTION: (Tape location: F367-409.)

MOTION BY McCARTY TO ADOPT WITH THE FOLLOWING CONDITIONS TO THE CONTRACT: AMEND FY 93-94 CONTRACT, PAGE 6, ITEM 19, TO REFLECT SEPARATE COST FOR FULL SERVICE AS REFLECTED IN FY 92-93 CONTRACT, PAGE 6, ITEM 19; AMEND FY 93-94 CONTRACT, PAGE 6, TO INCLUDE "COUNTY AGREES THAT BY JANUARY 15, 1994, COUNTY WILL PROVIDE CITY WITH STATUS REPORT ON THE REVENUE ENHANCEMENT PROGRAM". THIS TERM WAS INCLUDED IN FY 92-93 CONTRACT, PAGE 6, ITEM 21, BUT ELIMINATED IN THIS CONTRACT; AMEND FY 93-94 CONTRACT, PAGE 8, SERVICE AND PERFORMANCE GOALS, TO INCLUDE, "CONTINUE TO INCREASE ACTIVE VOLUNTEERS BY 10% IN FY 93-94". THIS TERM WAS INCLUDED IN FY 92-93 CONTACT, PAGE 8, ITEM 35E. Second by Stevens. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ITEM-204: CONTINUED TO NOVEMBER 30, 1993 AT 2:00 P.M.

SUBJECT: Smoking Ordinance Task Force Recommendations.
(See City Manager Report CMR-93-298.)

(R-93-1806)

Adoption of a Resolution directing the City Manager to prepare the amendments to the City's Smoking Ordinance in accordance with changes approved by the City Council.

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution and approve the recommendations of the Smoking Ordinance Task Force regarding "Workplaces" and "Penalties." Select from the options presented by the Task Force for "Restaurants," "Bars," and "Cigarette Vending Machines."

FILE LOCATION: None.

COUNCIL ACTION: (Tape location: A620-B057.)

MOTION BY ROBERTS TO CONTINUE TO NOVEMBER 30, 1993 AT 2:00 P.M. FOR FULL COUNCIL. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-

yea, Vargas-yea, Mayor Golding-not present.

ITEM-205:

SUBJECT: Deleting State Routes 157, 171 and 252 from the State Highway System.
(Southeast, Skyline/Paradise Hills, Balboa Park, Greater North Park Community Areas. Districts-3, 4 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-539) ADOPTED AS RESOLUTION R-282890

Supporting CalTrans' proposal to delete State Routes 157, 171 and 252 from the State highway system.

CITY MANAGER SUPPORTING INFORMATION:

CalTrans is proposing to delete three routes from the State highway system: SR-157, SR-171, and SR-252. These routes were added to the State highway system in 1959 as proposed routes. Since that time, conditions have changed and they are no longer considered to be buildable. They have not been in the City's General Plan since 1978. State Route 157 would extend from I-805 to SR-54. There is extensive residential and commercial development in the western portion of the corridor. An adopted alignment for the eastern portion was rescinded on December 18, 1974, and right-of-way was later sold. State Route 171 would require acquisition of right-of-way through Balboa Park and would also cross several canyons, residential areas, and a municipal golf course. State Route 252 was designed to connect I-805 with I-5. In 1978, Council terminated agreements between the City and the State relative to the construction of SR-252, and SANDAG removed it from the Regional Transportation Plan. The concept now is to rescind SR-157, SR-171, and SR-252 from the state highway system in clean-up legislation. State statutes require that a resolution from the appropriate government body be submitted showing support for the recommendations. A resolution from the City Council stating agreement with or no opposition to the deletions is being requested at this time. No adopted alignments are being deleted.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

ITEM-206:

SUBJECT: Public auction for the sale of Sites 501, 502 and 665. (Continued from the meetings of July 12, 1993, Item 110; July 26, 1993, portion of Item 202; and September 7, 1993, Item 200; last continued at the City Manager's request, to allow the Housing Commission to review the matter on 9/20/93.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-547) ADOPTED AS RESOLUTION R-282891

Designating Sites 501, 502 and 665 for sale at public auction;
Authorizing the City Manager to hold a public auction for the sale of sites 501, 502 and 665;
Approving the minimum bids;
Referring the sites to the San Diego Housing Commission for further review if they do not sell at public auction.

CITY MANAGER'S SUPPORTING INFORMATION:

In 1990, Council reaffirmed Sites 501, 502 & 665 land use designation for sale at public auction. Prior to sale, all sites involved in the auction are cleared through various City departments and agencies to ascertain if they may have a present or future need for the site and obtain their recommendations on disposition. Information packets are also sent to the appropriate local planning groups soliciting their review and endorsement on use of these sites or a reaffirmation of a recent recommendation made by that organization.

After Council approval to hold the auction and approval of the

minimum bid, an advertising period will be initiated 45 days prior to the auction, consisting of display ads in local newspapers, signs on the properties, and a mass mailing. Recipients of the mailing include realty offices, adjacent property owners, subscribers to the Property Department's Marketing Subscription Service, and people who have called in requesting this information. The mailing packet contains data sheets and general information on the bidding procedure, payment plans and broker's participation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B221.)

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

ITEM-207:

SUBJECT: Sale by negotiation of City-owned property located westerly of Hwy 67 and easterly of Channel Road in Lakeside.
(See memorandum from the Property Director dated 10/13/93.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-93-1942 Rev.1 Cor. Copy) ADOPTED AS RESOLUTION R-282892

Authorizing the sale by negotiation of a 7.65-acre parcel, located westerly of Highway 67 and easterly of Channel Road, for the amount of \$72,900 to The Signs Family;

Authorizing the execution of a grant deed, granting the property to The Signs Family;

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

FILE LOCATION: DEED F-6153 DEED FY 94-1

COUNCIL ACTION: (Tape location: A590-B221.)

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

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Behr at 7:30 p.m. in honor of the memory of George A. Scott.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H219-269.)