

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, NOVEMBER 15, 1993  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:06 p.m. Mayor Golding adjourned the meeting at 4:07 p.m. to meet in Closed Session on Tuesday, November 16, 1993 at 9:00 a.m. in the twelfth floor conference room to discuss pending litigation and meet and confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
  - (1) Council Member Wolfsheimer-present
  - (2) Council Member Roberts-present
  - (3) Council Member Hartley-present
  - (4) Council Member Stevens-present
  - (5) Council Member Behr-excused by R-283133  
(vacation)
  - (6) Council Member Stallings-present
  - (7) Council Member McCarty-present
  - (8) Council Member Vargas-present
- Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-not 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 Reverend Taylor McKinzie.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Hartley.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding NAFTA.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A033-058.)

COUNCIL COMMENT:

None.

ITEM-30: WELCOMED

Mickey Mouse visits San Diego on behalf of National Children's Day.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A063-187.)

ITEM-31:

SUBJECT: San Diego for the Holidays--A City of Lights.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-770) ADOPTED AS RESOLUTION R-282976

Encouraging all San Diegans to join in the "San Diego for the Holidays--A City of Lights" campaign to stimulate community spirit and promote San Diego as a visitor destination during the Holiday Season.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A188-263.)

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

ITEM-32:

SUBJECT: Carol Seneff Day.

COUNCILMEMBER HARTLEY'S RECOMMENDATION:

Adopt the following resolution:

(R-94-584) ADOPTED AS RESOLUTION R-282977

Recognizing the accomplishments of Carol Seneff and commending her on receiving the Dorothy Richards Award for Resident Leadership Development and her tireless efforts of volunteering to make America's Finest City a better place to live;

Proclaiming November 15, 1993 to be "Carol Seneff Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A269-363; A401-406.)

MOTION BY HARTLEY TO ADOPT ITEMS 32 AND 33. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-33:

SUBJECT: Paradise Hills Neighborhood Watch Council Day.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-524) ADOPTED AS RESOLUTION R-282978

Commending all of the members of The Paradise Hills Neighborhood Watch Council for their outstanding leadership and dedication for the safety of their neighborhood and for their unselfish service to the community;

Proclaiming November 15, 1993 to be "The Paradise Hills Neighborhood Watch Council Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A364-406.)

MOTION BY HARTLEY TO ADOPT ITEMS 32 AND 33. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present,

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

ITEM-34: APPROVED

Approval of Council Minutes for the Meetings of:

10/25/93  
10/26/93  
10/26/93 Special Joint Meeting  
11/01/93 Adjourned  
11/02/93 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A264-268.)  
MOTION BY HARTLEY TO APPROVE. Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-100:

SUBJECT: Construction of the Headworks and Primary Sedimentation Tanks for the North City Water Reclamation Plant.  
(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-633) ADOPTED AS RESOLUTION R-282979

Authorizing the City Manager to award a contract to the lowest responsible bidder for the North City Water Reclamation Plant Headworks and Primary Sedimentation; Authorizing the expenditure of funds not to exceed \$24,131,000 from the Clean Water Program Sewer Fund 41509, CIP-42-910.1, North City Water Reclamation Plant, \$2,000,000 from FY 1994 appropriations, and \$22,131,000 from FY 1995 appropriations contingent upon Council appropriating funds for this purpose in the FY 1995 CIP Budget. (BID-K94027)



(R-94-307) ADOPTED AS RESOLUTION R-282980

Awarding contracts to Nationwide Papers, Unisource Corp., and LaSalle Paper Co., for furnishing Premium No. 4 Sulfate High Speed Xerographic Paper, as may be required for a period of 6 months beginning October 1, 1993 through March 31, 1994, for a total estimated cost of \$168,800, including tax and terms.  
(BID-E4026/94)

FILE LOCATION: CONT - Purchase - Nationwide Papers,  
Unisource Corp., and LaSalle Paper Co.  
CONFY94-3

COUNCIL ACTION: (Tape location: A459-553.)

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

ITEM-102:

SUBJECT: Awarding Contracts for Office Furniture.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-681) ADOPTED AS RESOLUTION R-282981

Awarding contracts to Arenson Office Furniture for Section I - Metal Furniture and Section II - Executive Furnishings, and to McMahan Desk of San Diego, Inc., for Section II - Executive Furnishings, as may be required for a period of one year beginning November 1, 1993 through October 31, 1994, for a total estimated cost of \$139,621, including tax and terms, for Section I only. (BID-H4039/94)

FILE LOCATION: CONT - Purchase - Arenson Office  
Furniture; McMahan Desk of San Diego,  
Inc. CONFY94-2

COUNCIL ACTION: (Tape location: C317-333.)

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

\* ITEM-103:

SUBJECT: Two actions related to the final subdivision map of Creekview South Parcels 23, 24, 25, 26 and 27 Unit No. 4.

(A 7-lot subdivision located in the south side of Poway Road, east of Sabre Springs Parkway. Sabre Springs Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-628) ADOPTED AS RESOLUTION R-282982

Authorizing a Subdivision Improvement Agreement with Pardee Construction Company for the installation and completion of public improvements.

Subitem-B: (R-94-627) ADOPTED AS RESOLUTION R-282983

Approving the final map.

FILE LOCATION: SUBD - Creekview South CONFY94-1

COUNCIL ACTION: (Tape location: A459-553.)

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

\* ITEM-104:

SUBJECT: Dedication of Pacific Beach Amended Map Site 836.  
(Pacific Beach Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:



Adopt the following resolution:

(R-94-733) ADOPTED AS RESOLUTION R-282984

Dedicating as a public alley a portion of Acre Lot 48, Pacific Beach Amended Map-854, being approximately 3,302 square feet of an improved alley located between Missouri Street and Diamond Street, east of Jewell Street.

CITY MANAGER SUPPORTING INFORMATION:

A portion of Acre Lot 48, Pacific Beach Amended Map is an improved alley between Missouri and Diamond Streets, east of Jewell Street. This property has been designated as a public street. This action will dedicate the property, roughly 3,302 square feet, for use as an alley.

FILE LOCATION: DEED F-6162 DEEDFY94-1

COUNCIL ACTION: (Tape location: A459-553.)

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

\* ITEM-105:

SUBJECT: Revestment of Access Rights to Kearny Villa Road.  
(Miramar/Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-679) ADOPTED AS RESOLUTION R-282985

Authorizing the execution of a quitclaim deed with the United States of America, effecting the revestment of certain abutter's rights of access in and to Kearny Villa Road, adjacent and contiguous to the Northwest Quarter of the Northwest Quarter of Section 8, Township 15 South, Range 2 West, SBM.

CITY MANAGER SUPPORTING INFORMATION:

Application has been received by the Engineering and Development Department for the revestment of access rights for 95 feet on Kearny Villa Road. The access rights were obtained at no cost when the State relinquished Kearny Villa Road to the City. The adjacent parcel was subsequently vacated by the State of California and acquired by the United States of America, which is the applicant for the access rights. The application has been reviewed by the affected City Departments. All have concluded that there is no present or prospective public need for the access rights. It is therefore recommended that the access rights be revested to the United States of America by quitclaim deed.

FILE LOCATION: DEED F-6163 DEEDFY94-1

COUNCIL ACTION: (Tape location: A459-553.)

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

\* ITEM-106:

SUBJECT: Grant of Easement to Pacific Bell in Carmel Valley Neighborhood No. 1.  
(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-678) ADOPTED AS RESOLUTION R-282986

Authorizing the execution of a deed, conveying to Pacific Bell an easement in Lot 69 of Carmel Valley Neighborhood 1 Units 3 & 4 Resubdivision, Map-12976 for telecommunications services for Carmel Valley Neighborhood No. 1.

CITY MANAGER SUPPORTING INFORMATION:

Pacific Bell wishes to acquire a telecommunications easement to provide service to Carmel Valley Neighborhood No. 1, the future site of a planned neighborhood park in Carmel Valley located at

Camarena Road and Carmel Center Road. The proposed easement is four feet wide and runs along Camarena Road for approximately one thousand feet. The Park and Recreation Department has no objections to this easement.

FILE LOCATION: DEED F-6164 DEEDFY94-1

COUNCIL ACTION: (Tape location: A459-553.)

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

ITEM-107:

SUBJECT: Sale by negotiation of a 3.41-acre portion of Oaks Tract, Rancho San Bernardo.  
(Escondido Community Area.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-735) ADOPTED AS RESOLUTION R-282987

Authorizing the sale by negotiation of a 3.41-acre portion of Oaks Tract, Rancho San Bernardo, Map-1415, for the sum of \$1,905,000 to the State of California; Authorizing the execution of a grant deed, granting to the State of California the property; 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 in connection with the above property.

Subitem-B: (R-94-737) ADOPTED AS RESOLUTION R-282988

Stating for the record that the City Council has reviewed and considered the information contained in Mitigated Negative Declaration DEP-92-0600, including any comments received during the public review process, in connection with the approval of a sale of a portion of Oaks Tract, Rancho San Bernardo, Map-1415;

Finding that the project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and approving the Mitigated Negative Declaration; Adopting the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required in order to mitigate or avoid significant effects on the environment.

CITY MANAGER SUPPORTING INFORMATION:

The subject property (3.41 acres) is required by CalTrans for a park-and ride lot. The property is part of a larger site comprised of 7.16 acres; the northerly portion to consist of the proposed park-and-ride lot, and the southerly portion (3.75 acres) ground leased by the City of San Diego to Terraton for a neighborhood commercial center. The Terraton lease was approved by Council on July 26.

The sale property is located at the northwest corner of Via Rancho Parkway and I-15. The property is owned by the Water Utilities Department, which has reviewed the proposed sale and has no opposition. The parcel was appraised by CalTrans staff appraiser at \$1,905,000 and reviewed by the City of San Diego Valuation staff. On September 13, Council approved a cooperative agreement between the City of San Diego and CalTrans in which the City agreed to share in the costs of acquiring a mitigation parcel (City's share not to exceed \$250,000) for the loss of coastal sage scrub/gnatcatcher habitat resulting from the commercial center development and the park-and-ride lot. The actual cost will deducted from the sale proceeds.

FILE LOCATION: DEED F-6165 DEEDFY94-1

COUNCIL ACTION: (Tape location: C334-341.)

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

\* ITEM-108:

SUBJECT: Sponsoring the Tia Juana Valley County Water District in the San Diego County Water Authority's Financial Assistance Program.

(Tia Juana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-675) ADOPTED AS RESOLUTION R-282989

Sponsoring the Tia Juana Valley County Water District in the San Diego County Water Authority's Financial Assistance Program;  
Authorizing the City Manager or his designee to execute necessary documents to sponsor the Tia Juana Valley County Water District's Groundwater Management Plan at the San Diego County Water Authority.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego County Water Authority (CWA) operates a Financial Assistance Program (FAP) that provides funding, on a 50:50 cost sharing basis, for water reclamation and groundwater planning and investigative studies. The Financial Assistance Program (FAP) is intended to encourage facilities planning, feasibility investigations, preliminary engineering studies and research projects related to water reclamation and groundwater development. Any agency considering a project which will replace an existing or new firm demand upon the fresh water supply may apply for funding, however, non-member agencies must be sponsored by the Water Authority member agency within whose service area the proposed project is located. The sponsoring agency will be a party to the FAP agreement but will have no obligation to reimburse the Authority for FAP funding. The Tia Juana Valley County Water District received FAP funds for the initial, conceptual phase of the project and is now seeking additional funding for the final study phases. This project is important to the City as it relates to potential water reclamation projects in the Tia Juana Valley and the fact that the City is the water purveyor in this area.

FILE LOCATION: WATER - Tia Juana Valley County Water District

COUNCIL ACTION: (Tape location: A459-553.)

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

\* ITEM-109:

SUBJECT: Gellerosa Ranch Barbecue Restaurant Day.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-680) ADOPTED AS RESOLUTION R-282990

Proclaiming October 30, 1993 to be "Gellerosa Ranch Barbecue Restaurant Day" in San Diego, and wishing Joyce Henderson much success in her future endeavors.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A459-553.)

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

\* ITEM-110:

SUBJECT: Used Oil Recycling Block Grant and related agreements.  
(See City Manager Report CMR-93-309.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-704) ADOPTED AS RESOLUTION R-282991

Accepting a used oil recycling grant award from the California Integrated Waste Management Board at \$371,324 or alternate award;  
Authorizing the Deputy Waste Management Director, Services Division, to conduct all negotiations, and execute and submit all grant related documents on behalf of the City;  
Authorizing the execution of public/private partnership

agreements with businesses collecting used oil or oil filters to enable these firms to be reimbursed for expenditures related to the collection and recycling of used oil and oil filters;  
Authorizing the execution of an expanded community outreach agreement with Pacific Gateway Group for expanded services to support the used oil recycling block grant activities;  
Authorizing the expenditure of funds to pay required local permit and regulatory review expenditures related to the collection of used oil or oil filters;  
Authorizing the expenditure of an amount not to exceed \$267,480 for reimbursable non-personnel costs to implement this grant from Fund 41200, Department 751, for the purpose of providing funds for the above project.

Aud. Cert. 9400471.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A459-553.)

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

\* ITEM-111:

SUBJECT: North County Recycling Market Development Zone (RMDZ) Application.  
(District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-707) ADOPTED AS RESOLUTION R-282992

Authorizing the City Manager to file a joint application in conjunction with the City of Escondido, the City of Poway, the County of San Diego, and other North County cities, with the State of California, Integrated Waste Management Board, for designation of

industrial portions of the City of San Diego, within the communities of Mira Mesa and Rancho Bernardo, as a North San Diego County Recycling Market Development Zone;

Finding that the economic development and waste management goals and practices of the City of San Diego are favorable to the development of post-consumer waste materials markets, and that the designation of the application area as part of the North San Diego County Recycling Market Development Zone is necessary to assist in attracting private sector recycling business investments to the proposed zone;

Authorizing the City Manager to create an attraction package specifically designed to attract recycling processors and remanufacturers within the application area;

Authorizing the City Manager to execute a Memorandum of Understanding with the City of Escondido, the City of Poway, the County of San Diego and other participating North County cities, for the joint administration and marketing of such zone, if approved by the State of California.

**CITY MANAGER SUPPORTING INFORMATION:**

The City of San Diego has been invited to participate in a joint application with the City of Escondido, the City of Poway, the County of San Diego, and other North County cities, for the creation of a Recycling Market Development Zone (RMDZ) in the North San Diego County area. The application for this proposed RMDZ is due to the California Integrated Waste Management Board (CIWMB) on November 30, 1993. The purpose of the North County RMDZ would be to attract recycled product manufacturers to the participating jurisdictions, creating local markets for recyclable materials. The State designation will enable recycled product manufacturers to be eligible for low-interest loans from the CIWMB. The proposed North County RMDZ would include the industrial areas within the communities of Mira Mesa and Rancho Bernardo. These two areas were identified because of their proximity to other jurisdictions participating in the North County RMDZ application, and because of the wide variety of industrial properties in those communities that will provide additional options to recycled product manufacturers interested in the region. Should the CIWMB select the proposed North County RMDZ for State designation, the existing local zoning requirements and codes will not be affected. The existing San Diego RMDZ in Otay Mesa will not be negatively impacted by this action.



FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A459-553.)

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

\* ITEM-112:

SUBJECT: Replacement of Lost 1915 Act Limited Obligation Improvement Bond.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-615) ADOPTED AS RESOLUTION R-282993

Authorizing the replacement of the City of San Diego 1915 Act Limited Obligation Bond, Certificate Number I009, Alta Vista Annexation Water and Sewer Assessment District No. 3960-R, Bond Series 3651, in the amount of \$5,000.

CITY MANAGER SUPPORTING INFORMATION:

The Office of the City Treasurer has been notified that a registered bond for Alta Vista Annexation Water and Sewer Assessment District No. 3960-R, Bond Series 3651, Bond No. I009, has been lost, destroyed, or wrongfully taken. In order for the lost bond to be replaced, the City Council must authorize the replacement. A Lost Securities Bond for twice the face value of the bond has been received, indemnifying the City against possible loss due to such action. An Affidavit of Loss has been received.

FILE LOCATION: STRT D-2189

COUNCIL ACTION: (Tape location: A459-553.)

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

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

\* ITEM-113:

SUBJECT: Financial Advisory and Bond Counsel Services.  
(See City Manager Report CMR-93-310.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-666) ADOPTED AS RESOLUTION R-282994

Approving an agreement with Public Resources Advisory Group/E.J. De La Rosa (MBE) Municipal Capital Management (WBE) to provide financial advisory services for financially feasible bond refundings for monetary consideration for 1) not to exceed \$55,000 for financial advisory services and \$4,000 for reimbursable expenses in connection with a master refunding of three outstanding bond issues; and 2) not to exceed \$32,500 for financial advisory services and \$2,000 for reimbursable expenses for each other individual bond refunding;

Authorizing the expenditure of not to exceed \$172,500, the maximum contract amount, if all five bond issuances are refunded separately, provided that if the City does not proceed with any bond refunding, fees will be reimbursed on an hourly basis, not to exceed \$172,500, and will be paid from the various funding sources which service the debt associated with the five outstanding issuances;

Approving an agreement with Orrick, Herrington & Sutcliffe/Nelson & Williams (MBE) to provide bond counsel services for financially feasible bond refundings for monetary considerations as follows:

- 1) Not to exceed \$50,000 for bond counsel services in connection with a master refunding of three outstanding bond issuances, or
- 2) If individual issuances of outstanding Lease/Revenue Bonds and Certificates of Participation are necessary, not to exceed \$60,000 (or \$20,000 per refunded issue) and
- 3) Not to exceed \$30,000 for bond counsel services for the refunding of outstanding Stadium Bonds and
- 4) Not to exceed \$40,000 for bond counsel services

for the refunding of three series of Open Space Bonds and

5) Not to exceed \$10,000 for all reimbursable expenses;

6) Authorizing the City Auditor and Comptroller to expend not to exceed \$140,000, the maximum contract amount, if five outstanding issuances are refunded separately provided that if the City does not proceed with a refunding, fees will be reimbursed on an hourly basis, not to exceed \$140,000, and will be paid from the various funding sources which service the debt associated with the five outstanding issuances.

Aud. Certs. 9400452/9400453.

FILE LOCATION: MEET CCONFY94-2

COUNCIL ACTION: (Tape location: A459-553.)

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

\* ITEM-114:

SUBJECT: Firefighter/Paramedic Clinical Training Agreement with Children's Hospital.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-662) ADOPTED AS RESOLUTION R-282995

Authorizing the execution of an agreement with Children's Hospital and Health Center, to provide clinical training experience for San Diego Firefighter/Paramedics.

CITY MANAGER SUPPORTING INFORMATION:

In November, 1992, the City Council authorized the City Manager to enter into an agreement with three local hospitals to provide clinical training for San Diego Firefighter/Paramedics.

Participating hospitals at the time included Scripps Memorial in La Jolla, Scripps Memorial in Chula Vista and Sharp Memorial. The addition of Children's Hospital and Health Center will provide San Diego Firefighter/Paramedics with experience in the emergency care and treatment of children.

FILE LOCATION: MEET CCONFY94-1

COUNCIL ACTION: (Tape location: A459-553.)

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

\* ITEM-115: CONTINUED TO NOVEMBER 29, 1993

SUBJECT: Second Amendment to the Agreements with the County of San Diego and Greenfield Services Corp.  
(See City Manager Report CMR-93-308.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-703)

Authorizing the execution of a second amendment to the agreement with the County of San Diego, for Household Hazardous Materials Program Services for Fiscal Year 1994;

Authorizing the expenditure of not to exceed \$222,800 from Fund Nos. 41200 and 40012, Department Nos. 751 and 700 for providing funds for the above projects;

Authorizing the execution of a second amendment to the agreement with Greenfield Services Corporation, for Household Hazardous Materials Program Services for Fiscal Year 1994;

Authorizing the expenditure of not to exceed \$545,000 from Funds Nos. 41200 and 40012, Department Nos. 751 and 700, Org. No. 283, Account No. 4229, Job Order Nos. 7530 and 37639 for providing funds for the above projects;

Authorizing the City Manager to expend not to exceed \$25,000 from Contingency Fund for unforeseen costs

affecting the Household Hazardous Materials Program.

Aud. Certs. 9400469 & 9400470.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A423-553.)

CONSENT MOTION BY WOLFSHEIMER TO CONTINUE TO NOVEMBER 29, 1993, AT THE REQUEST OF COUNCIL MEMBER MCCARTY, TO ALLOW THE CITY MANAGER TIME TO PREPARE A RESPONSE TO THE FOLLOWING ISSUES: 1) PROVIDE A COST BENEFIT ANALYSIS OF THE PROGRAM; 2) COMMENT ON THE MIRAMAR PERMANENT SITE AND ON THE CITY'S PILOT PROGRAMS; AND 3) PROVIDE THE NUMBER OF EVENTS THAT PACIFIC GATEWAY HELD IN THE YEAR OF THEIR CONTRACT VERSUS THE NUMBER OF EVENTS THAT THE ENVIRONMENTAL HEALTH COALITION HELD. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-116:

SUBJECT: San Diego Youth and Community Services/Neighborhood Outreach Program.  
(Greater Golden Hill Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-596) ADOPTED AS RESOLUTION R-282996

Authorizing an agreement with San Diego Youth and Community Services, for the design and renovation of their facility at 2220 Broadway;  
Authorizing the expenditure of not to exceed \$130,000 from CDBG Fund 18529, Dept. 4042, Org. 4203, JO 112413 for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

San Diego Youth and Community Services' Neighborhood Outreach Program, located at 2220 Broadway in San Diego, serves the Community of Golden Hill through several youth, senior, and

community programs. This site functions as counseling offices for troubled youths and their families, as a meeting place for teenagers for afternoon activities, and as a senior center with daily lunch and nutrition programs. Several improvements are needed to provide added security, enhance the aesthetic quality of the areas; provide more space for increased demand; and improve compliance with American Disability Act (ADA) regulations by making their facility more accessible to the physically challenged clients. The expenditure of \$130,000 in C.D.B.G. funding will provide for the renovation and exterior improvements which will include electrical and mechanical repairs; replacement of doors and windows; landscaping and irrigation; fencing and retaining wall; and any requirements that will bring the facility up to the ADA standard. On May 24, 1993, the City Council adopted Resolution R-282036, granting the Community Development Block Grant funding for this project.

Aud. Cert. 9400397.

FILE LOCATION: MEET CONFY94-1

COUNCIL ACTION: (Tape location: A459-553.)

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

ITEM-117:

SUBJECT: Extending the Agreement with YMCA to Provide After School Day Camp Programs.  
(City Heights, Golden Hill, Linda Vista, Logan Heights, Otay Mesa/Nestor, San Ysidro, and Skyline/Valencia Community Areas. Districts-3,4,5 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-528) ADOPTED AS RESOLUTION R-282997

Authorizing the extension of the agreement with the YMCA of San Diego County, Inc., to provide after school day camp programs in seven communities as part of the Neighborhood Pride and Protection Program;

Authorizing the expenditure of not to exceed \$240,000 from Fund No. 100, Community Park and Recreation Operating Budget, to provide funds in Fiscal Year 1994 for this extended agreement.

CITY MANAGER SUPPORTING INFORMATION:

The Park and Recreation Department is proposing to extend the contract with the YMCA to operate youth after school day camp programs in seven high crime communities within the City as part of the Neighborhood Pride and Protection Program. The YMCA's PRYDE program format was used in the implementation of this program in FY '92. The PRYDE Program is designed to reach "at risk" youth between the ages of 8 and 15 and features anti-drug/gang education as well as wholesome recreation activities. The PRYDE Program is conducted out of four YMCA centers and outreach into the seven communities: City Heights, Golden Hill, Logan Heights, Linda Vista, Otay Mesa/Nestor, San Ysidro and Skyline/Valencia. Approximately 50 percent of the program is conducted on park or school grounds and the remainder at YMCA sites. The program includes a camping component and follow-up with families. The program has been in effect since FY'92 during which time it has proven to be effective and successful with positive evaluation. Per Resolution R-280944, the Park and Recreation Department proposes to extend the program into FY '94. The program will serve 320 to 560 children and their families during the twelve month program in FY '94, beginning July 1, 1993.

Aud. Cert. 9400360.

FILE LOCATION: MEET CONFY94-1

COUNCIL ACTION: (Tape location: C342-448.)

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

ITEM-150:

SUBJECT: Adoption of a Revenue-Neutral Uniform Fixed Fee Water Capacity Charge.  
(See City Manager Report CMR-93-302.)

PUBLIC FACILITIES AND RECREATION COMMITTEE'S RECOMMENDATION:

COMMITTEE ACTION:

On 10/27/93, PF&R voted 3-0 to recommend adoption of the following resolution (Councilmembers Stallings, McCarty, and Vargas voted yea; Councilmembers Hartley and Behr not present):

(R-93-2128) ADOPTED AS RESOLUTION R-282998

Rescinding sections 3.D. and 3.E. of Resolution R-276368, adopted on August 6, 1990;

Establishing the following minimum water capacity charges, pursuant to San Diego Municipal Code Section 67.72:

Effective 60 days subsequent to the passage of this resolution, a minimum capacity charge of \$3,380 per single family unit or its equivalent shall be paid; Effective July 1, 1994, a minimum capacity charge of \$4,012 per single family unit or its equivalent shall be paid;

The remaining provisions of Resolution R-276368 shall remain in full force and effect until further action of the Council.

OTHER RECOMMENDATIONS:

City Manager's Recommendation to PF&R:

Direct the City Manager to implement on a schedule consistent with state law, a revenue-neutral, fixed water capacity charge system for FY's 1994-95.

FILE LOCATION: WATER - Revenue-Neutral Uniform Fixed Fee Water Capacity Charge

COUNCIL ACTION: (Tape location: A554-B075.)

MOTION BY STALLINGS TO ADOPT THE PF&R'S RECOMMENDATION.

Second by Vargas. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.



ITEM-151:

SUBJECT: Tree Replacement Policy on City Streets.  
(See City Manager Reports CMR-93-304, CMR-93-225,  
CMR-93-369, CMR-92-292; Bruce Herring's memorandum of  
6/28/93; Councilmember Stevens' memorandum of 5/26/93;  
Councilmember Roberts' memorandum of 5/19/93.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-177) ADOPTED AS RESOLUTION R-282999

Amending Council Policy 200-5 regarding Planting of  
Trees on City Streets; rescinding Resolutions R-179191  
and R-185821 which implemented the current Council  
Policy 200-5.

OTHER RECOMMENDATIONS:

Public Facilities and Recreation Committee's Recommendation:

COMMITTEE ACTION:

Reviewed by PFR on 7/28/93. Recommendation to accept the  
City Manager's recommendation with an interim report in 90  
days to the Committee on potential for matching funds  
regarding tree/sidewalk replacement, possible methods of  
privatizing sidewalk replacement, one-for-one tree  
replacement policy, notification by staff to Council Offices  
on the species of trees acceptable for planting in the  
right-of-way. Districts 6,7, and 8 voted yea. Districts 3  
and 5 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B076-213.)

MOTION BY STALLINGS TO ADOPT THE CITY MANAGER'S  
RECOMMENDATION AND REQUEST THE CITY MANAGER TO: 1) REPORT  
BACK TO PF&R IN 90 DAYS WITH AN INTERIM REPORT WHICH SHOULD  
ALSO INCLUDE THE CRITERIA THAT CHULA VISTA USES IN PRUNING  
TREES; AND 2) SEND A NOTICE TO PEOPLE FOR TREES EACH TIME  
THE SUBJECT OF TREES IS TO COME BEFORE ANY COMMITTEE AGENDA.  
Second by Vargas. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,  
Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea,

Mayor Golding-yea.

ITEM-152:

SUBJECT: Site 662 Lease Negotiations.  
(See City Manager Report CMR-93-295. Kearny Mesa  
Community Area. District-6.)

PUBLIC FACILITIES AND RECREATION COMMITTEE'S RECOMMENDATION:

COMMITTEE ACTION:

On 10/27/93, PF&R voted 3-0 to recommend adoption of the  
following resolution (Councilmembers Stallings, McCarty, and  
Vargas voted yea; Councilmembers Hartley and Behr not  
present):

(R-94-512) ADOPTED AS RESOLUTION R-283000

Authorizing the City Manager to enter into lease  
negotiations with Gatlin Development Company to  
construct and operate a commercial development on Site  
662, located at the southwest corner of Aero Drive and  
Interstate 15.

OTHER RECOMMENDATIONS:

City Manager's Recommendation to PF&R: Authorize the lease  
negotiations.

FILE LOCATION: LEAS - Gatlin Development Company LEASFY94-1

COUNCIL ACTION: (Tape location: A459-553.)

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

ITEM-153:

SUBJECT: Four actions related to the City Ventures Program.  
(See City Manager Reports CMR-93-292, CMR-93-37 and  
Community Investment Partnership Brochure.)

PUBLIC FACILITIES AND RECREATION COMMITTEE'S RECOMMENDATION:

COMMITTEE ACTION:

On 10/13/93, PF&R voted 3-0 to recommend adoption of the following resolutions (Councilmembers Hartley, Stallings, and Vargas voted yea; Councilmembers Behr and McCarty not present):

Subitem-A: (R-94-768) ADOPTED AS RESOLUTION R-283001

Expanding the City Ventures Program to include all City departments and to continue to be entitled "City Ventures";

Approving the Donor Recognition Policy (Attachment C to City Manager's Report CMR-93-292);

Amending Council Policy 100-2 by separate Resolution, in accordance with the City Manager's recommendation in City Manager's Report CMR-93-292, except that reporting limits should be raised to \$250, not \$500, to comply with current federal Internal Revenue Service regulations;

Authorizing the City Manager to execute all contracts necessary for the City Ventures Program, the contracts to be funded to the extent of monies donated and received by the Auditor and Comptroller;

Authorizing the City Auditor and Comptroller to continue the special interest bearing fund authorized by Resolution R-281549 and titled "The Public/Private Partnership Program Fund" to record all revenues and expenditures of the City Ventures Program;

Declaring that the interest earnings generated by the Public/Private Partnership Program Fund continue to be authorized to be retained and added to the Public/Private Partnership Program Fund's revenues.

Subitem-B: (R-94-767) ADOPTED AS RESOLUTION R-283002

Amending Council Policy 100-2 regarding City Receipt of Donations.

Subitem-C: (R-94-766) ADOPTED AS RESOLUTION R-283003

Amending Council Policy 000-23 regarding Product Endorsement.

Subitem-D: (R-94-769) ADOPTED AS RESOLUTION R-283004

Authorizing the City Manager to work closely with the City Attorney in seeking, receiving, and evaluating advertising proposals;  
Directing that all proposed advertising contracts be referred to Council for approval;  
Declaring that the City does not intend to accept advertising revenues from the tobacco or alcoholic beverage industries or from police-regulated businesses;  
Amending Council Policy 000-23, "Product Endorsement" by separate Resolution to clarify that acceptance by City of donation, sponsorship, advertising, revenue, etc., does not imply or grant the City's endorsement of a product, service or organization.

OTHER RECOMMENDATIONS:

City Manager's Recommendation to PFR:

1. Approve the program City-wide and authorize the City Manager to negotiate and execute sponsorship agreements; amend Council Policy 000-23, "Product Endorsement" to clarify that no endorsement is implied or granted; amend Council Policy 100-2, "City Receipt of Donations" to raise the reporting limit to the City's Endowment Officer to \$500; raise the City's expenditure limit on restricted donation to \$5,000.
2. Approve the Donor Recognition policy.
3. Authorize the City Manager to seek potential advertising revenues for appropriate venues such as publications and directories, kiosks, trash bins, and non-emergency vehicles; clarify Council Policy 100-2 to state that no endorsement of an advertiser or product is implied or granted.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B214-552.)

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

ITEM-200:

SUBJECT: Construction of the North City Water Reclamation Plant

Secondary Clarifiers and Tertiary Filters.  
(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-632) ADOPTED AS RESOLUTION R-283005

Authorizing the City Manager to award a contract to the lowest responsible bidder for the construction of the North City Water Reclamation Plant Secondary Clarifiers and Tertiary Filters;

Authorizing the expenditure of not to exceed \$28,925,000 from the Clean Water Program Sewer Fund 41509, CIP-42-910.1, North City Water Reclamation Plant: (1) \$6,107,000 from FY 1994 appropriations; (2) \$11,873,000 from FY 1995 appropriations contingent upon Council appropriating funds for this purpose in the FY 1995 CIP budget; (3) \$10,945,000 from FY 1996 appropriations contingent upon Council appropriating funds for this purpose in the FY 1996 CIP budget.  
(BID-K94026)

CITY MANAGER SUPPORTING INFORMATION:

The Secondary Clarifiers and Tertiary Filters is the fourth contract of the 14 construction contracts for the North City Water Reclamation Plant. The contract packaging for the Secondary Clarifiers and Tertiary Filters has been completed and mitigation measures related to this action have been incorporated into this package. At this time approval is requested to award the contract for this package to the lowest responsible bidder. The Environmental Impact Report and the adoption of the Mitigation Monitoring and Reporting Program was approved by Council Resolution R-281435, dated February 2, 1993. In accordance with Federal Grant provisions for this project, the "Fair Share" goals are 8 percent combined MBE and/or WBE participation. In order to enhance MBE/WBE participation on this project, a request for Letters of Interest has been advertised in national and local publications emphasizing the City's Equal Opportunity Contracting Program. The construction cost for the Secondary Clarifiers and Tertiary Filters is currently estimated at \$28,925,000. The project funding will be phased and come from a combination of existing revenues and future bond proceeds. The total number of local jobs created by this contract is approximately 578.

Aud. Cert. 9400487.  
WU-CWP-94-005.

FILE LOCATION: W.O. 194579 - CONT-Hunter Corporation  
CONFY94-1

COUNCIL ACTION: (Tape location: A459-553.)

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

ITEM-201:

SUBJECT: Construction of the North City Water Reclamation Plant  
Aeration Facility.  
(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-631) ADOPTED AS RESOLUTION R-283006

Authorizing the City Manager to award a contract to the  
lowest responsible bidder for the North City Water  
Reclamation Plant Aeration Facility;  
Authorizing the expenditure of an amount not to exceed  
\$25,684,000 from the Clean Water Program Sewer Fund  
41509, CIP-42-910.1, North City Water Reclamation  
Plant: (1) \$10,910,000 from FY 1994 appropriations;  
(2) \$14,774,000 from FY 1995 appropriations contingent  
upon Council appropriating funds for this purpose in  
the FY 1995 CIP budget; (3) \$1,036,205 for in-house  
engineering, other City department costs, and related  
costs. (BID-K94025)

CITY MANAGER SUPPORTING INFORMATION:

The Aeration Basins is the third contract of the 14 construction  
contracts for the North City Water Reclamation Plant. The  
contract packaging for the Aeration Basins has been completed and  
mitigation measures related to this action have been incorporated  
into this package. At this time approval is requested to award  
the contract for this package to the lowest responsible bidder.

The Environmental Impact Report and the adoption of the Mitigation Monitoring and Reporting Program was approved by Council Resolution R-281435, dated February 2, 1993. In accordance with Federal Grant provisions for this project, the "Fair Share" goals are 8 percent combined MBE and/or WBE participation. In order to enhance MBE/WBE participation on this project, a request for Letters of Interest has been advertised in national and local publications emphasizing the City's Equal Opportunity Contracting Program. The construction cost for the Aeration Basins is currently estimated at \$25,684,000. The project funding will be phased and come from a combination of existing revenues and future bond proceeds. The total number of local jobs created by this contract is approximately 514.

Aud. Cert. 9400488.  
WU-CWP-94-004.

FILE LOCATION: WATER - North City Water Reclamation  
Plant Aeration Facility CONFY94-1

COUNCIL ACTION: (Tape location: A459-553.)

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

ITEM-202:

SUBJECT: Inviting bids for the Construction of Water and Sewer  
Main Replacement Group 468.  
(Peninsula, Midway, Uptown and Old San Diego Community  
Areas. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-449) ADOPTED AS RESOLUTION R-283007

Inviting bids for the Construction of Water and Sewer  
Main Replacement Group 468 on Work Order No.  
170941/180591;  
Authorizing the execution of a contract with the lowest  
responsible bidder;

Authorizing the expenditure of not to exceed \$909,214 from Water Revenue Fund 41500, Annual Allocation for Water Main Replacement, CIP-73-083, and \$1,354,000 from Sewer Revenue Fund 41506, Annual Allocation for Sewer Main Replacement, CIP-44-001;  
Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K94064)

Subitem-B: (R-94-450) ADOPTED AS RESOLUTION R-283008

Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, DEP-90-1096, dated April 29, 1991, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

Subitem-C: (R-94-711) ADOPTED AS RESOLUTION R-283009

Authorizing the use of City Forces to make connections and perform operational checks; declaring that the cost of the work shall not exceed \$170,214: \$10,000 from Sewer Revenue Fund 41506, CIP-44-001, and \$160,214 from Water Revenue Fund 41500, CIP-73-083.

CITY MANAGER SUPPORTING INFORMATION:

Sewer and Water Main Replacement Group 468 will replace approximately 1.35 miles of sewer main and 1.12 miles of water main in the Peninsula, Midway, Uptown, and Old San Diego community areas. Existing concrete sewers and cast iron water mains were installed from 1924 to 1928 and are in a deteriorated condition. The existing facilities have experienced 14 water main breaks and 4 stops in the sewer mains since 1965. Route Slip WU-89-03-01-069 was received concerning breaks in water mains included in this job. Replacement of these mains is recommended.

Aud. Cert. 9400244.  
WU-P-93-053.

FILE LOCATION: W.O. 170941/180591 CONT - Dietrich Corporation CONFY94-1

COUNCIL ACTION: (Tape location: B553-575; C059-112.)



MOTION BY ROBERTS TO ADOPT WITH THE RECOMMENDATION FOR STAFF TO: 1) PRODUCE A WRITTEN WORK SCHEDULE THAT CAN BE DISTRIBUTED TO COMMUNITY GROUPS AND TO INFORM EACH OF THE COMMUNITIES BEFORE THE JOB STARTS; 2) PROVIDE ADEQUATE TRAFFIC MITIGATION AND ACCESSIBILITY FOR THE CITIZENS AND THE BUSINESSES IN THE AFFECTED AREAS; 3) MINIMIZE IMPACTS TO THE BUSINESSES DIRECTLY AFFECTED BY THIS PROJECT; AND 4) DO EVERYTHING POSSIBLE TO MAINTAIN A CLEAN AND SAFE WORK PLACE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Two actions related to the Consultant Agreement for Reconfiguration of City Administration Building 6th and 7th Floors.  
(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-659) ADOPTED AS RESOLUTION R-283010

Directing the City Manager to proceed with the reconfiguration of the City Administration Building Floors 6 and 7 as an integral part of the adopted Office Space Project.

Subitem-B: (R-94-660) ADOPTED AS RESOLUTION R-283011

Authorizing the execution of an agreement with Fahey/Watts Architects, for professional design and related services for City Administration Building 6th and 7th Floors Tenant Improvements;  
Authorizing the expenditure of not to exceed \$54,856 from the Office Space Project Fund 10404 for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

The Office Space Project, adopted by Council in 1991 to save \$18-22 million in future office space expense, involves the

development of office space and relocation of City personnel in several downtown leased facilities as well as the City Administration Building (CAB) and City Operations Building (including the new Permit Center).

With the relocation of the Personnel Department to Civic Center Plaza, the 6th and 7th floors of CAB are being reconfigured to accommodate the Auditor and Comptroller and Financial Management departments. Because the existing CAB 6 & 7 improvements cannot feasibly be reused for the necessary change in office use, this part of the Office Space Project requires demolition, asbestos abatement, and construction of tenant improvements. As the first step in the CAB reconfiguration, it is proposed that an architect be retained to develop construction plans. Fahey/Watts Architects is recommended, having been selected in accordance with Council Policy 300-7 and A.R. 25.60. The proposed professional services agreement includes a base fee of \$49,856 and additional services of \$5,000. Fahey/Watts represents 70 percent WBE and subconsultants represent 30 percent MBE participation. Authorization to proceed with demolition/asbestos abatement and tenant improvement construction contracting will be proposed to Council separately when construction plans are completed.

Aud. Cert. 9400454.

FILE LOCATION: MEET CCONFY94-1

COUNCIL ACTION: (Tape location: B576-C058.)

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

ITEM-204:

SUBJECT: Transfer of the San Diego Concourse to the San Diego Convention Center Corporation.  
(See City Manager Report CMR-93-307. Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

Approving the Fiscal Year 1994 Budget for the San Diego Convention Center Corporation (SDCCC), totalling \$16,531,266 which includes operation and management of the San Diego Concourse (CPAC);

Approving the use of the New Convention Facility Fund 10225, for the expanded operations of the San Diego Convention Center by SDCCC to include the San Diego Concourse (Convention and Performing Arts Center - (CPAC)) operations;

Accepting the repayment of \$256,073 in working capital advanced to SDCCC;

Authorizing the City Auditor and Comptroller to appropriate \$232,000 from the New Convention Facility Fund 10225 fund balance and to expend these funds in the amount of \$232,000 for one-time costs related to the consolidation of San Diego Concourse operations with the San Diego Convention Center Corporation;

Authorizing the City Auditor and Comptroller to appropriate \$782,776 from the New Convention Facility Fund 10225 fund balance increasing the Fiscal Year 1994 New Convention Facility Fund Convention Center Corporation appropriation to \$5,606,939;

Authorizing the City Auditor and Comptroller to appropriate \$100,000 in Fiscal Year 1993 carry-over funds from the Port District for carpet replacement;

Authorizing the execution of a third amendment to the Operating Agreement between the City of San Diego and the San Diego Convention Center Corporation;

Authorizing the Auditor and Comptroller, upon direction of the City Manager, to amend the Transient Occupancy Tax transfer to the New Convention Facility Fund (10225), by increasing it up to \$150,000, if deemed necessary as a result of the closure of CPAC Facility Funds accounts and transfer of account balances to the SDCCC.

Aud. Cert. 9400460.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A459-553.)

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

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

ITEM-205:

SUBJECT: San Diego Data Processing Corporation Management Audit.

(See City Manager Reports CMR-93-208, CMR-93-156 and CMR-93-73.)

(Returned to the City Manager from the meeting of October 11, 1993, Item 204, to be redocketed after reviewing additional information received regarding the analysis of the budget particularly in the telecommunications area.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-93-2186) ADOPTED AS RESOLUTION R-283013

Accepting the City Manager's Informational Report (CMR-93-208) regarding the San Diego Data Processing Corporation Management Audit.

OTHER RECOMMENDATIONS:

CITY MANAGER'S RECOMMENDATIONS (CMR-93-156):

NOTE: The following recommendations (Nos. 1,2,3, and 4) were continued from June 1, 1993:

1. Accept the City Manager's recommendations (as contained in City Manager Report CMR-93-73) to implement changes in response to the management audit.
2. Retain the San Diego Data Processing Corporation as a non-profit corporation and evaluate services provided to determine if they can be better provided within the City's organization or through outplacement.
3. Adopt, in concept, the hybrid organizational structure outlined in City Manager Report CMR-93-156 which would bring some services back to the City of San Diego, solicit proposals for mainframe and network operations from the private sector, and retain software development in the San Diego Data Processing Corporation.
4. Direct the City Manager to report back to the City Council on a semi-annual basis regarding the implementation of the audit recommendations.

NOTE: The following recommendations (Nos. 5 and 6) were adopted by Council on 6/1/93:

5. Eliminate the current exclusivity clause within San Diego Data Processing Corporation's operating agreements.
6. Direct the City Manager to work with the San Diego Data Processing Corporation to develop an implementation plan for a \$1.0 million reduction in the San Diego Data Processing Corporation's budget. This reduction should have minimal operational impact on City of San Diego Departments.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C113-316.)

MOTION BY ROBERTS TO ADOPT THE RESOLUTION ACCEPTING THE MANAGEMENT AUDIT AND TO:

- 1) REQUEST THE ATTORNEY TO RETURN TO COUNCIL BY THE FIRST MEETING IN JANUARY WITH LANGUAGE TO IMPLEMENT RECOMMENDATION OF AUDIT TO EXPAND THE DPC BOARD BY TWO: ADDING A REPRESENTATIVE FROM THE CITY MANAGER'S OFFICE AND THE CHAIR OF THE CITY'S RESOURCE ADVISORY COMMITTEE TO SIT AS EXOFFICIO MEMBERS.
- 2) REQUEST ATTORNEY TO DRAFT NECESSARY LANGUAGE TO CREATE AN APPOINTMENT OF "COUNCIL LIAISON" TO THE DPC BOARD;
- 3) REQUEST DPC/MANAGER TO RETURN QUARTERLY WITH A REPORT TO THE RULES COMMITTEE. THE REPORT SHOULD INCLUDE THE FOLLOWING ELEMENTS:
  - A) AN INTERIM "GENERAL BUSINESS PLAN" BASED ON GENERAL BUSINESS STRATEGIES THAT HAVE BEEN APPROVED BY THE CITY. THE PLAN SHOULD CONTAIN AN IMPLEMENTATION PROGRAM, INCLUDING TIME FRAME AND STAFFING CONSIDERATIONS;
  - B) STATUS REPORT ON IMPLEMENTATION OF THE RECOMMENDATIONS OF THE AUDIT, ESPECIALLY THOSE RECOMMENDATIONS PERTAINING TO PROJECT MANAGEMENT, SYSTEM DESIGN AND DEVELOPMENT, RESOURCE UTILIZATION SCHEDULING AND FORECASTING PRACTICES;
  - C) REPORT ON TELECOMMUNICATIONS PROGRAM; FOLLOWING UP THE MEMOS OF OCTOBER 7 FROM BRIAN YORK TO COUNCIL MEMBER ROBERTS AND THE RESPONSE OF NOVEMBER 8 BY ROBERT METZGER TO THE CITY COUNCIL. THIS REPORT SHOULD PROVIDE A STATUS REPORT OF THE REGULATORY ISSUES ADDRESSED IN BOTH MEMOS AND THE FEASIBILITY OF ADDITIONAL SAVINGS FROM THE TELECOMMUNICATIONS PROGRAM; AND
  - D) REPORT ON IMPLEMENTATION OF THE \$500,000 CUT APPROVED BY THE COUNCIL ON JULY 26.

REQUEST DPC AND THE CITY MANAGER TO REPORT TO THE RULES COMMITTEE IN JANUARY OF 1994. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206:

SUBJECT: San Diego Data Processing Corporation's Fiscal Year 1994 Budget.  
(See Memorandum from the City Manager dated 9/27/93.)  
(Returned to the City Manager from the meeting of October 11, 1993, Item 205, to be redocketed after reviewing additional information received regarding the analysis of the budget particularly in the telecommunications area.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-394) ADOPTED AS RESOLUTION R-283014

Approving San Diego Data Processing Corporation's proposed FY 1994 Budget, pursuant to Section 3(a) of the Operating Agreement.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A459-553.)

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

ITEM-207: TRAILED TO NOVEMBER 16, 1993, 10:00 A.M. TO MEET NOTICING REQUIREMENTS

SUBJECT: Three actions related to the Valencia Park Trunk Sewer.  
(See City Manager Report CMR-93-314. Southcrest Community Area. Districts-4 & 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-732)

FINDINGS MUST BE MADE AS PART OF COUNCIL ADOPTION  
Determining and declaring that the public interest,  
convenience and necessity of the City of San Diego  
require the construction, operation and maintenance of  
the Valencia Park Trunk Sewer, to provide additional  
sewer capacity and relief for the existing lines, and  
to enable the City to provide for ultimate sewage  
conveyance needs for the Barrio Logan and Southcrest  
Communities;

Declaring that the public sewer will require the  
acquisition of permanent sewer easements over, under,  
along and across portions of real property located in  
Pueblo Lot 1168 and Lot 69 of Ex-Mission Lands of San  
Diego;

Directing the City Attorney to commence an action in  
Superior Court for the purpose of condemning and  
acquiring the easements.

NOTE: Six votes required for Subitem A.

Subitem-B: (R-94-739)

Authorizing the transfer of not to exceed \$21,000  
within Sewer Revenue Fund 41506 from Annual Allocation  
- Sewer Main Replacement, CIP-44-001, to Valencia Park  
Trunk Sewer, CIP-46-166;

Authorizing the expenditure of not to exceed \$75,000  
from Sewer Revenue Fund 41506, Org. 386, Object Account  
4638, Job Order 172079 (CIP-46-166, Valencia Park Trunk  
Sewer).

Subitem-C: (R-94-740)

Certifying that Mitigated Negative Declaration DEP-90-  
0792, and Addendum DEP-92-0223, in connection with the  
approval of the condemnation proceedings for Valencia  
Park Trunk Sewer, has been completed in compliance with  
the California Environmental Quality Act of 1970, and  
State Guidelines, and that the information contained in

the report, together with any comments received during the public review process, has been reviewed and considered by Council; Finding that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and approving the Mitigated Negative Declaration; Adopting the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required in order to mitigate or avoid significant effects on the environment.

Aud. Cert. 9301175.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A409-417.)

ITEM-208:

SUBJECT: Vacation of a portion of Field Street and the Alley in Block 105 of Morena Amended Map 809.

(Clairemont Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-542) ADOPTED AS RESOLUTION R-283015

Vacating a portion of Field Street and the alley in Block 105 of Morena Amended Map 809, under the procedure for the summary vacation of streets; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature; declaring that the City reserves and excepts from vacation and abandonment, easements, and rights of any public utility pursuant to any existing franchise; declaring that the easements reserved herein are in, under, over, upon, along and across that portion of Field Street and the alley in Block 105 of Morena Amended Map 809; declaring that this resolution shall not become effective unless and until the Encroachment Removal Agreement is obtained for the auxiliary structures that are within the easement reservation; in the event the



above condition is not completed within twelve months following adoption of this resolution, this resolution shall become void and of no further force or effect; directing the City Engineer to advise the City Clerk of the completion of the above condition.

CITY MANAGER SUPPORTING INFORMATION:

The proposed vacation has been requested by the abutting property owner in order to obtain legal use of the non-utilized alley right-of-way. The vacation will allow the current encroachments, which include a storage shed and deck, to remain in their present locations. The subject vacation is located in the Clairemont Mesa Community Planning area and R1-5000 Zone. The area-of-vacation totals approximately 900 square feet but will not affect the adjacent property entitlements with regard to density. The vacation will allow a potential increase to the floor area ratio. The Planning Department and the Clairemont Mesa Planning Committee have reviewed the vacation proposal and have no objections. The area-of-vacation is unimproved, non-travelable due to adverse topography, and provides only secondary access to the fully-developed adjoining properties. The right-of-way does not contain franchise facilities but does contain a drainage facility for which an easement is to be reserved. An encroachment removal agreement will be required for the portions of the existing deck and storage shed that would remain within the drainage easement and is therefore a condition to the vacation.

FINDINGS:

Staff review has indicated that the vacation is consistent with the General Plan, the adopted community plan, and Council Policy 600-15 and may be summarily vacated. The right-of-way is no longer required for present or prospective public use and will not detrimentally affect the facilities for which it was originally acquired. The public will benefit through improved utilization of the land and relieving the City's liability and maintenance responsibilities.

FILE LOCATION: DEED F-6166; STRT J-2797 DEEDFY94-1

COUNCIL ACTION: (Tape location: A459-553.)

Hearing began at 2:34 p.m. and halted at 2:44 p.m.

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

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:07 p.m.

FILE LOCATION:                   MINUTES

COUNCIL ACTION:                   (Tape location: C462.)