

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JANUARY 10, 1994
AT 5:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 5:06 p.m.
Mayor Golding adjourned the meeting at 6:01 p.m. to the regular
meeting of Tuesday, January 11, 1994 at 10:00 a.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
 - (1) Council Member Mathis-present
 - (2) Council Member Roberts-present
 - (3) Council Member Kehoe-present
 - (4) Council Member Stevens-present
 - (5) Council Member Warden-present
 - (6) Council Member Stallings-excused by
R-283370 (out-of-town City business
relating to recycling issues)
 - (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 Mathis-present
- (2) Council Member Roberts-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present

- (5) Council Member Warden-present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Tony Guzman of the Victory Outreach Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Roberts.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding breaking the myth of the income tax.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A034-064.)

ITEM-PC-2:

Comment by Arthur Hills regarding teenage curfew.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A065-085.)

COUNCIL COMMENT:

ITEM-CC-1:

Council Member Stevens congratulated Mrs. Laura Williams on her 106th birthday.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B161-165.)

ITEM-30: RECOGNIZED

Recognizing City Staff and City Projects receiving William Earl Hayden Awards for 1993. The Project Managers receiving Awards include: Project Manager of the Year: Jim Shamloufard, Clean Water Honorable Mention: Afshin Oskoui, Water Utilities Citation: Javier Saunders, Water Utilities Certificates of Merit: Karen Henry, Yousef Ibrahim, Therese Walch, Dave Zoumaras;

Projects of the Year will be presented to the following Department Heads: Repairs to the Point Loma Outfall: Dave Schlesinger South Bay Land Outfall: Dave Schlesinger New Pumps for Pump Station 2: Milon Mills, Jr.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A086-256.)

ITEM-31: APPROVED

Approval of Council Minutes for the Meetings of:

11/29/93
11/30/93
12/06/93 Special
12/06/93
12/07/93
12/13/93 Adjourned
12/14/93 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A257-263.)

MOTION BY McCARTY TO APPROVE. Second by Vargas. Passed by

the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Award of Contract - Improvement of Dahlia and Donax Avenues (1911 Improvement Act). (Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-752) ADOPTED AS RESOLUTION R-283218

Awarding a contract to T.B. Penick and Sons, Inc., for the Improvement of Dahlia and Donax Avenues.

Subitem-B: (R-94-753) ADOPTED AS RESOLUTION R-283219

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$180,612.91 from CIP-17-001.0, Annual Allocation, Minor Drain and Seepage Problems, TransNet Fund 30300 to CIP-11-281.0, Dahlia Avenue and Donax Avenue Storm Drain; Authorizing the expenditure of not to exceed \$755,612.91 from CIP-11-281.0, Dahlia Avenue and Donax Avenue Storm Drain (\$127,000 DIF Fund 79517, and \$628,612.91 from TransNet Fund 30300).

CITY MANAGER SUPPORTING INFORMATION:

This project consists of clearing, grubbing, excavating, grading, paving, curb, gutter inlets, storm drain systems and a pump station. The improvements are to be financed by a Special Assessment District with a City contribution for the lot that the City owns and the pump station. This assessment on City property is \$29,312.61. The only bid received was from T.B. Penick and Sons, Inc., in the amount of \$652,698 which is 5 percent higher than the estimate of \$624,193. Although the cost for the total project increased, the total sum of the street improvements, which is paid by the assessment district, has decreased. As a result, the assessments to the property owners was lowered about 33 percent to 38 percent from what they were notified in the June 1993 public hearing notice.

Aud. Cert. 9400458.

FILE LOCATION: STRT D-2286 CONTFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-101:

SUBJECT: Awarding contracts for Furnishings for the new Mira Mesa Branch Library. (District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-691) ADOPTED AS RESOLUTION R-283220

Awarding contracts for furnishings for the new Mira Mesa Branch Library, for a total cost of \$169,237.87, including tax and terms, as follows:

1. Plan-It Space for Items A, B, M, R, S, T, U, V, Y Z1 and Z2.
2. Contract Interiors for Items C, P and X.
3. Maday O'Donnel Design Consultants, Inc., for Item E.
4. Display Warehouse, Inc., for Item F.
5. Gaylord Brothers, Inc., for Items G, K and Q.
6. Hodkinson Torbensen Assoc. Inc., for Items H1, H2, I1, I2 and J.
7. San Diego Office Interiors for Item L.
8. Bradson Contract Furniture for Item W.

Authorizing the expenditure of not to exceed \$169,237.87 from Fund No. 30244/79006, Organization No. 106, Object Account No. 6010, and Job Order No. 350760, Work Order No. 119622 and CIP-35-076.0;

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

(BID-H4052/94)

Aud. Cert. 9400624.

FILE LOCATION: CONT - Purchase - Plant-It Space;
Contract Interiors; Maday O'Donnel
Design Consultants, Inc.; Display Warehouse,
Inc.; Gaylord Brothers, Inc.; Hodkinson
Torbensen Assoc. Inc.; San Diego Office
Interiors; Bradson Contract Furniture.
CONTFY94-8

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-102:

SUBJECT: Awarding a Contract for the Expansion and Modification
of Traffic Signal Master Control Systems.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-690) ADOPTED AS RESOLUTION R-283221

Awarding a contract to KVE Systems, Inc., for the expansion
and modification of Traffic Signal Master Control Systems,
for a total estimated cost of \$416,833.03, including tax;

Authorizing the expenditure of not to exceed \$416,833.03
from Fund No. 30244, Department No. 549, Org. No. 108,
Object Account No. 4118, Job Order 119421, CIP-68-007;

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

(BID-B4023/94)

Aud. Cert. 9400627.

FILE LOCATION: CONT - KVE Systems, Inc. CONTFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-103:

SUBJECT: Inviting bids for the Construction of Traffic Signal
and Street Lighting Systems at Activity Road and Camino
Ruiz and at Arjons Drive and Cabot Drive.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-728) ADOPTED AS RESOLUTION R-283222

Inviting bids for the Construction of Traffic Signal and
Street Lighting Systems at Activity Road and Camino Ruiz and
at Arjons Drive and Cabot Drive on Work Order No. 112150;
Authorizing the execution of a contract with the lowest
responsible bidder;

Authorizing the expenditure of \$250,730 from CIP-68-010.0,
Annual Allocation - Construction Top 10-15 Prioritized
Traffic Signals, Fund 30300; Authorizing the City Auditor
and Comptroller, upon advice from the administering
department, to retain excess monies, if any, in
CIP-68-010.0. (BID-K94080)

CITY MANAGER SUPPORTING INFORMATION:

The subject Capital Improvement Program project to install a
traffic signal system provides for the safe passage of emergency
equipment, pedestrians, and vehicles through the intersection.
Traffic signal features include emergency vehicle preemption
equipment.

Aud. Cert. 9400604.

FILE LOCATION: W.O. 112150 CONT - Lekos Electric Inc.
CONFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-104:

SUBJECT: Federal Boulevard (47th Street to Euclid Avenue)
Underground Utility District.

(Webster Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-908) ADOPTED AS RESOLUTION R-283223

Calling a public hearing to determine whether the public
health, safety or general welfare requires the formation of
the Federal Boulevard (47th Street to Euclid Avenue)
Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district will underground the overhead utility
facilities on Federal Boulevard between 47th Street and Euclid
Avenue. This is a scheduled project in the calendar year 1993
Capital Improvements Program. The formation of this district will
require the affected property owners to underground the portion
of their utilities on their parcel prior to removal of the
overhead utilities. Council Policy 800-2 provides for the use of
San Diego Gas and Electric Company's Annual Allocation Funds
(Case 8209) to make reimbursement payments to affected property
owners based on the length of their electrical service trench. A
future resolution will establish the date for removal of overhead
utilities as the undergrounding work approaches completion.
Aud. Cert. 9400581.

FILE LOCATION: STRT K-220

COUNCIL ACTION: (Tape location: A269-412.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,

Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105:

SUBJECT: Vacating an Excess Portion of Bangor Street, North of
Charles Street. (Peninsula Community Area.
District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-788) ADOPTED AS RESOLUTION R-283224

Vacating an excess portion of Bangor Street, north of Charles Street under the procedure for the summary vacation of streets; Declaring that the City reserves from vacation from and abandonment, easements and rights of any public utility pursuant to any existing franchise or renewals, for the transportation and distribution of electrical or electronic energy, natural gas and for the transportation of communication signals, and for incidental purposes including access to protect the property from all hazards; Declaring that this resolution shall not become effective unless and until the property owner has entered into an agreement with the City of San Diego waiving the right to oppose special assessment proceedings initiated for any future street improvements; In the event the above condition is not completed within 18 months following the adoption of this resolution, then this resolution shall become void and be of no further force or effect; Directing the City Engineer to advise the City Clerk of the approval of the waiver agreement.

CITY MANAGER SUPPORTING INFORMATION:

The proposed vacation has been requested by the abutting property owner in order to eliminate the irregularly-aligned front property line and to accommodate the design of a building addition which is being contemplated. The area-of-vacation will be utilized for landscaping. The subject vacation is located in the Peninsula Community and is situated in an R1-5000 Zone. The area-of-vacation totals 344 square feet and will not affect density or existing residential entitlements. The vacation would, however, adjust the front yard setback to parallel the existing curb line and to correct the present irregular property

line alignment. The Peninsula Community Planning Board and the Planning Department have no objections, and the Planning Commission recommended approval of the vacation on September 5, 1991, by a vote of 5-0. The area-of-vacation is unimproved, landscaped right-of-way which may be considered excess but does contain franchise facilities for which an easement must be reserved. Bangor Street is presently improved as a local street with curb, gutter, and 26 feet of pavement. The right-of-way northerly of the proposed vacation is 40 feet wide with a seven-foot curb-to-property-line distance on both sides of the street. The right-of-way southerly of the proposed vacation is 50 feet wide with a 17-foot curb-to-property-line distance on the west side and a seven-foot curb-to-property-line distance on the east side. Thus, vacating a ten-foot-wide strip of right-of-way on the west side, adjacent to the applicant's property, would create a consistent seven-foot curb-to-property-line distance. Because there are no sidewalks existing on Bangor Street, the applicant will be required to enter into a 1911 Act waiver agreement, for future street improvements, as a condition of 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 excess right-of-way is not required for present or prospective public use, and the facilities for which the right-of-way was originally acquired will not be detrimentally affected. The public will benefit from the vacation through improved utilization of the land and relieving the City of maintenance and liability responsibilities. Stapleton/Rollinger/HR

FILE LOCATION: DEED F-6198; STRT J-2799 DEEDFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-106:

SUBJECT: Two actions related to an Alley Dedication.

(Ocean Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-948) ADOPTED AS RESOLUTION R-283225

Accepting the grant deed of Tom Keus, Thomas Anthony Vicelja and Johanna S. Bergman, granting to the City an easement for public alley purposes in Lots 18 and 19, Block 25 of Ocean Beach Park, Map-1167; dedicating the same as and for a public alley.

Subitem-B: (R-94-949) ADOPTED AS RESOLUTION R-283226

Certifying that the information contained in Environmental Negative Declaration END-92-0722, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines, that the Declaration reflects the independent judgment of the City as Lead Agency, and that Declaration has been reviewed and considered by the Council.

FILE LOCATION: DEED F-6199 DEEDFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-107:

SUBJECT: Street Dedication of 65th Street.
(Southeast San Diego Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-887) ADOPTED AS RESOLUTION R-283227

Approving the acceptance of the grant deed of Byron E. Wear, granting to the City an easement for public street purposes in a portion of Lot 46 of Del Sur No. 1, Map-1259; dedicating and naming the same 65th Street.

FILE LOCATION: DEED F-6200 DEEDFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-108:

SUBJECT: Environmental Enhancement and Mitigation Program Grant Application.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-938) ADOPTED AS RESOLUTION R-283228

Authorizing the City Manager to submit an AB 471 Grant Application to the State of California.

CITY MANAGER SUPPORTING INFORMATION:

The project is in the 1000 block of Prospect Street in the La Jolla community of San Diego. It consists of removing about 400 feet of a retaining wall and replacing it with a landscaped area with a greatly enlarged pedestrian promenade which increases visual resources by improving the view to Scripps Park and to the ocean. Both directions of traffic will be on the lower level.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-109:

SUBJECT: Reimbursement of the Natural History Museum.

(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-920) ADOPTED AS RESOLUTION R-283229

Authorizing the expenditure of \$1,765,340 from CIP-21-834.0, Balboa Park/Mission Bay Park Certificates of Participation, Phase IB Proceeds, into San Diego Facilities and Equipment Leasing Corporation Fund 91101, to reimburse the Natural History Museum for building improvements.

CITY MANAGER SUPPORTING INFORMATION:

The agreement between the City of San Diego and the Natural History Museum was approved by City Council under Resolution R-281699 on March 29, 1993. Under this agreement, the Natural History Museum receives \$2,255,262 for the Museum building improvements. Currently under construction are the Museum building upgrades necessary to bring the facility into compliance with the City's fire/life safety requirements. The Museum is prepared to initiate construction of the facility's HVAC improvements and has initiated the upgrade of its seismic resistance. These components of the project are partially funded for \$489,922 from Certificates of Participation (COP) 1A, with the balance of funding programmed in the amount of \$1,765,340 from COP1B. Balboa Park/Mission Bay Park COP 1B proceeds were received on November 30, 1993 and are now available to reimburse the Natural History Museum. Aud. Cert. 9400574.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-110:

SUBJECT: Access Center of San Diego Design Agreement.

(Hillcrest Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-932) ADOPTED AS RESOLUTION R-283230

Authorizing an agreement with The Access Center of San Diego for the design of the renovation of their facility at 1295 University Avenue; Authorizing the expenditure of not to exceed \$92,000 from CDBG Fund 18529, Dept. 4042, Org. 4222, JO 119602.

CITY MANAGER SUPPORTING INFORMATION:

The Access Center of San Diego (formerly Community Services Center for the Disabled) located at 1295 University Avenue is a non-profit agency. The agency provides support services to San Diego residents with disabilities. Support services include: financial benefit counseling, client assistance programs, peer counseling, personal assistance referral, independent living program, employment services, housing, and disabled equipment shop. This action will allow The Access Center of San Diego to design the renovation of their facility under the Americans with Disabilities Act (ADA). This will be a national model to demonstrate design features that enhance the use of the building for individuals with disabilities. On May 24, 1993, the City Council adopted Resolution R-282036, granting the Community Development Block Grant funding for this project.

Aud. Cert. 9400608.

FILE LOCATION: MEET CCONFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-111:

SUBJECT: Amendment to Agreement with the Boys and Girls Clubs of San Diego for their Clairemont Facility.

(Clairemont Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-861) ADOPTED AS RESOLUTION R-283231

Authorizing a second amendment to the agreement with the Boys and Girls Clubs of San Diego for renovation of their facility located at 4635 Clairemont Mesa Boulevard; Authorizing the expenditure of not to exceed \$330,000 from CDBG Fund 18529, Dept. 4042, Org. 4215, JO 119981.

CITY MANAGER SUPPORTING INFORMATION:

The Boys and Girls Clubs of San Diego is a non-profit organization devoted to helping youths improve their lives by building self esteem and developing qualities needed to become responsible adults. Program services include: vocational guidance; supplemental education; counseling; citizenship and leadership activities; cultural enrichment; health and physical education; social recreation; and environmental education. This amendment will add the necessary funding of \$330,000 to accomplish the agency's proposed renovation to provide safer environments for youths, expand after school programs, and make the facility more cost efficient to operate. These improvements will include bathroom remodeling to meet the ADA requirements, renovation of a portion of the building to provide for two locker rooms, shower rooms, and multi-purpose room, renovation of the pool and gym exhaust system, resurfacing of pool deck, roof repair, and parking lot overlay. On May 24, 1993, the City Council adopted Resolution R-282036 granting the additional Community Development Block Grant funding for this project. Aud. Cert. 9400517.

FILE LOCATION: MEET CONFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-112:

SUBJECT: Amendment to Agreement with the Boys and Girls Clubs of San Diego for their Linda Vista Facility. (Linda Vista Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-830) ADOPTED AS RESOLUTION R-283232

Authorizing a third amendment to the agreement with the Boys and Girls Clubs of San Diego for renovation of their Linda Vista facility located at 2230 East Jewett Street;
Authorizing the expenditure of not to exceed \$215,800 from CDBG Fund 18529, Dept. 4042, Org. 4214, JO 119608.

CITY MANAGER SUPPORTING INFORMATION:

The Boys and Girls Clubs of San Diego is a non-profit organization devoted to helping youths improve their lives by building self esteem and developing qualities needed to become responsible adults. Program services include: vocational guidance; supplemental education; counseling; citizenship and leadership activities; cultural enrichment; health and physical education; social recreation; and environmental education. The renovation project for the Linda Vista Boys and Girls Club was divided into two phases. Phase I consisted of the complete remodel of bathrooms and shower rooms; installation of carpet in the learning center, game rooms and offices; and repair/resurfacing of the parking lot. Phase I was completed in September 1993. This amendment will provide the additional funding of \$215,800 for Phase II of the renovation which will include the following: roof repair; replacement of pool water heater, game room counter, ceiling, doors and windows; remodel of the Arts and Crafts room; and installation of exterior lighting, landscape and irrigation system. On May 24, 1993, the City Council adopted Resolution R-282036 granting the Community Development Block Grant funding for this portion of the project. Aud. Cert. 9400514.

FILE LOCATION: MEET CONFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-113:

SUBJECT: Agreement with the County of San Diego for Mission Trails Park Visitors Center. (Mission Trails Regional Park Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-959) ADOPTED AS RESOLUTION R-283233

Authorizing a reimbursement agreement with the County of San Diego in connection with Mission Trails Visitors Center; Authorizing the City Auditor and Comptroller to deposit the amount of \$371,325 of County Funds, as received, into the Mission Trails Regional Park Fund, Fund No. 10580, and to transfer the amount of \$371,325 from Fund No. 10580 to CIP-29-680.0, Mission Trails Regional Park Center.

CITY MANAGER SUPPORTING INFORMATION:

The Mission Trails Regional Park Visitors and Interpretive Center site is located at the southern intersection of Father Junipero Serra Trail and Mission Gorge Road. The facility will provide a 14,081 square foot visitors center, historical and natural science exhibits, and other site improvements. The proposed reimbursement agreement with the County of San Diego provides \$371,325 for the construction of the Mission Trails Regional Park Visitors and Interpretive Center project. The County's \$371,325 contribution to the development of this facility will complete the funding necessary to provide all the facility's proposed features.

Aud. Cert. 9400562.

FILE LOCATION: MEET CONFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

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

ITEM-114:

SUBJECT: Agreement with Dudek & Associates, Inc. for Consultant Services for Regents Road Bridge. (North University City Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-915) ADOPTED AS RESOLUTION R-283234

Authorizing an agreement with Dudek and Associates, Inc., to provide Environmental Documents for the Regents Road Bridge Project; Authorizing the transfer of not to exceed \$59,519 from Fund 30300, Transnet Savings to CIP-53-044, Regents Road Bridge; Authorizing the transfer of not to exceed \$45,000 from Fund 30300, Transnet Interest to CIP-53-044, Regents Road Bridge; Authorizing the expenditure of not to exceed \$214,478 from CIP-53-044 (\$109,959 from FBA Fund 79001 and \$104,519 from Transnet Interest Fund 30300.

CITY MANAGER SUPPORTING INFORMATION:

Executing an agreement with the firm of Dudek & Associates, Inc., will provide consultant services to produce environmental documents for the Regents Road Bridge project. This project provides for a 925-foot long bridge spanning the AT&SF railroad in Rose Canyon and includes Class II bike lanes. This project will complete a missing portion of Regents Road and provide continuous access to the University City communities. Consultant services are required for preparation of an Environmental Impact Report (EIR), confirming feasibility from a structural and visual standpoint considering alternatives which would have the minimum environmental impact. Specific issues to be addressed include visual quality, biology, geotechnical, archaeology, hydrology, noise, traffic and landform alteration. A development permit application and resource protection ordinance permit will be provided as part of these services. Aud. Cert. 9400587.

FILE LOCATION: MEET CCONFY94-1

COUNCIL ACTION: (Tape location: A488-B024.)

MOTION BY MATHIS TO ADOPT. Second by McCarty. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-115:

SUBJECT: Agreement with San Ysidro Health Center for Roof
Replacement. (San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-934) ADOPTED AS RESOLUTION R-283235

Authorizing an agreement with San Ysidro Health Center for the design and construction of a roof replacement at their facility at 4004 Beyer Blvd.; Authorizing the expenditure of an amount not to exceed \$91,000 from CDBG Fund 18529, Dept 4042, Org. 4219, JO 112415, for providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

San Ysidro Health Center is a non-profit organization located at 4004 Beyer Blvd. The Center serves approximately 30,000 patients annually, the majority of which are publicly insured Medi-Cal beneficiaries or uninsured low income clients. With the demand for services increasing at a rapid rate, it is vital that the center be renovated to operate more efficiently, and to extend the useful life of its existing facility. The clinic was built in 1972 with a flat roof design. Due to the natural settlement of the structure, along the intermittent installations of rooftop piping and electrical conduits, the existing roof does not drain as well as it was intended, and is difficult to maintain in a weatherproof condition. In addition, the rooftop mechanical equipment which was installed at the time the building was constructed is now due for replacement. The \$91,000 Community Development Block Grant (CDBG) funding will provide a new built up roof, new roof drains, and installation of new energy efficient equipment and insulated duct work. On May 24, 1993, City Council adopted Resolution R-282036 granting CDBG funding for this project.

Aud. Cert 9400607.

FILE LOCATION: MEET CCONFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present,

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

* ITEM-116:

SUBJECT: Amended Agreement and Time Extension for Summers
Governor Park Plaza Unit No. 2.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-940) ADOPTED AS RESOLUTION R-283236

Authorizing the execution of an amendment to the Subdivision Improvement Agreement for Summers Governor Park Plaza Unit No. 2, to provide for the substitution of Harry L. Summers, Inc., for ATC Realty Sixteen, Inc., as subdivider; Declaring that the public improvements to be constructed shall be completed by July 8, 1995; Declaring that Letter of Credit No. SBS104165, issued by Wells Fargo Bank in the amount of \$92,427, shall remain in full force and effect as Exhibit C to the agreement.

CITY MANAGER SUPPORTING INFORMATION:

On August 8, 1988 the City entered into an agreement with Harry L. Summers, Inc. for the construction of public improvements for Summers Governor Park Plaza Unit No. 2. On July 8, 1991 a time extension was granted to July 8, 1992 by Resolution R-278265. The agreement expired on July 8, 1992. The property is now owned by ATC Realty Sixteen, Inc. The new owner has signed an Amended Agreement to assume all of the obligations of the original subdivider and complete the required work. The Amended Agreement also provides for an extension of time to complete the work to July 8, 1995. The work is approximately 88 percent complete. The new subdivider has provided a letter of credit for the approved amount of \$92,427. The Amended Agreement and time extension are in accordance with Council Policy 600-21. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD - Summers Governor Park Plaza Unit
No. 2 CONFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-117:

SUBJECT: Operation Weed and Seed Coordinator.

(Districts-2 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-956) ADOPTED AS RESOLUTION R-283237

Authorizing an extension to the contract with Michael Van Keith, as Seed Coordinator, for the period of October 1, 1993 through September 30, 1994, contingent upon receipt of Bureau of Justice Assistance Funding; Authorizing the expenditure of not to exceed \$50,000 of Weed and Seed Grant Funds, contingent upon receipt of the grant extension and grant funding;

CITY MANAGER SUPPORTING INFORMATION:

Resolution Number R-280081, dated June 8, 1992, authorized the City Manager to accept and expend funding for Operation Weed and Seed from the U.S. Department of Justice. In July 1993, the City entered into a contract, in an amount of less than \$12,000, with Michael Van Keith to coordinate and administer the Community Revitalization ("Seed") portion of the program for the remaining funding period (July through September, 1993). Council Policy 300-7 was satisfied prior to letting the initial interim contract through a competitive bid and interview process. The contractor has provided satisfactory service in his present capacity. In the interest of continuity and fulfilling the goals of Operation Weed and Seed community revitalization, the City Manager wishes to retain the existing contractor, Michael Van Keith, through the FY 1994 Weed and Seed funding period (approximately October 1, 1993 through September 30, 1994, and including any extensions thereto) contingent upon allocation of sufficient Department of Justice funds.

Aud. Cert. 9400619.

FILE LOCATION: CONT - Purchase - Michael Van Keith

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-118:

SUBJECT: Two actions related to Sewer Pump Station No. 20 Force Main Change Order No. 6.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-953) ADOPTED AS RESOLUTION R-283238

Approving Change Order No. 6, dated November 16, 1993, with Mur-Vic Construction, Inc., increasing the contract price by \$120,000; Authorizing the expenditure of not to exceed \$166,604 from Sewer Revenue Fund 41506, Annual Allocation - Sewer Pump Station Restorations, CIP-46-106.0, to fund this change order and related in-house contract administration expenses.

Subitem-B: (R-94-954) ADOPTED AS RESOLUTION R-283239

Stating for the record that the City Council has reviewed and considered the information contained in the Environmental Impact Report DEP-94-1014, in connection with the Pump Station No. 20 Force Main Project.

CITY MANAGER SUPPORTING INFORMATION:

The City Council authorized advertising Sewer Pump Station No. 20 Force Main on October 5, 1992 (R-280794). The City Manager awarded a contract for \$175,135 to Mur-Vic Construction Company on January 15, 1993. This contract was 55 percent under the estimate of \$389,400. The contracted work, located on Camino De La Costa and La Canada in La Jolla, consists of installing a new force main and rehabilitating an existing six-inch cast iron force main. The existing six-inch cast iron force main is located

underneath decorative gardens, fence walls, and other improvements and cannot be replaced by open trench without major impact to the community. The new force main installation has been completed and the contractor proceeded with the rehabilitation of the existing force main by a method known as sliplining. This method, a trenchless technology, inserts a polyethylene pipe inside an existing pipe. The contract document specifies to clean the interior of the existing pipe prior to the insertion of the new pipe. Several attempts were made to clean the existing pipe and none were successful due to excessive internal deterioration. This excess deterioration prohibited insertion of the new pipe into the old main. In order to complete the job a new method to rehabilitate the existing pipe is proposed. This new method is an alternative trenchless technology that crushes the existing pipe in place and inserts a new one. The additional cost of this method is \$120,000. This method will avoid digging up the old deteriorated main and will allow for the replacement of an in-kind pipe size.

Aud. Certs. 9400622/9400623.

WU-U-94-070.

FILE LOCATION: CONT - Mur-Vic Construction, Inc.
 CONFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-119:

SUBJECT: Approving Change Order No. 43 for the Improvement of
Mission Beach Drainage Phase I Streets and Drains.

(Mission Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-939) ADOPTED AS RESOLUTION R-283240

Approving Change Order No. 43, dated December 3, 1993,
issued in connection with the contract with Western Utility

Contractors, amounting to a net increase in the contract price of \$200,000; Authorizing the transfer of \$300,000 from the TransNet Interest Fund No. 30300 to CIP-11-226, Mission Beach Drainage; Authorizing the expenditure of not to exceed \$300,000 from CIP-11-226, Mission Beach Drainage.

CITY MANAGER SUPPORTING INFORMATION:

On April 18, 1991, by Resolution R-277638 the City Council authorized execution of a construction contract with Western Utility Contractors, Inc. for Mission Beach Drainage Phase I Streets and Drains. The original contract was authorized for \$5,516,892. Contract Change Order No. 43 will reimburse the contractor for overhead costs due to delays and disruptions during the course of construction. The delays were caused by City Forces work, conflicts with existing underground utilities, and material delivery delays beyond the control of the contractor.

Aud. Cert. 9400626.

FILE LOCATION: CONT - Western Utility Contractors
 CONTFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-120:

SUBJECT: Homeless Voucher Program.

(See memorandum from Mayor Golding dated 11/17/93.)

PUBLIC SERVICES AND SAFETY COMMITTEE'S RECOMMENDATION: On 11/17/93, PS&S voted 5-0 to recommend adoption of the following resolution (Councilmembers Wolfsheimer, Roberts, Hartley, Stevens and Vargas voted yea):

(R-94-957) ADOPTED AS RESOLUTION R-283241

Approving the Homeless Voucher Program; Directing the City Manager to implement the Homeless Voucher Program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-121:

SUBJECT: Nathan Shapell Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1008) ADOPTED AS RESOLUTION R-283242

Proclaiming January 25, 1994 to be "Nathan Shapell Day" in
San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A269-412.)

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

* ITEM-122:

SUBJECT: Rules Committee Calendar Time Change.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-967) ADOPTED AS RESOLUTION R-283243

Amending the schedule of meetings for the Rules Committee
contained in the 1994 Legislative Calendar, adopted on
December 6, 1993 by Resolution R-283159, to provide for a
change in the time for the following Rules Committee

meetings:

	FROM	TO
February 7, 1994	10:00 a.m.	2:00 p.m.
March 7, 1994	10:00 a.m.	2:00 p.m.
April 11, 1994	10:00 a.m.	2:00 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A269-412.)

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

ITEM-150:

SUBJECT: Amendments to Council Policy 000-19, Legislative Policy
Guidelines (Regulatory Relief Legislation). (See
Department of Legislative Services Report DLS-93-34.)

RULES COMMITTEE'S RECOMMENDATION:

On 10/11/93, RULES voted as follows to recommend adoption of the
resolution: 1) The Committee voted 4-0 to adopt Legislative
Policy Guidelines 1, 3, 4 and the Building Inspection Department
recommendation (Councilmembers Roberts, Hartley, Stallings and
Mayor voted yea; Councilmember Behr not present); 2) The
Committee voted 3-1 to adopt Legislative Policy Guidelines 2 and
5 (Councilmembers Roberts, Stallings and Mayor voted yea;
Councilmember Hartley voted nay; Councilmember Behr not present):

(R-94-606) ADOPTED AS RESOLUTION R-283244

Approving the following revisions, as an addendum, to
Council Policy 000-19, Legislative Policy Guidelines, under
new Subsection H, "Regulatory Relief," as set forth in
Department of Legislative Services Report DLS-93-34, dated
10/6/93:

1. Promote the use of "master" environmental documents that
provide a comprehensive analysis at the outset of the
planning process with the objective of avoiding redundant
and repetitive analysis.

2. Support the reduction of requirements for advanced notices in the preparation of environmental documents when it can be demonstrated that ample public review will occur during the required public review period.

3. Support the use of three-party agreements in the preparation of environmental analyses required by CEQA. (Currently contained in another section, this guideline will be moved to the new Regulatory Relief section.)

4. Oppose the imposition of additional noticing and posting requirements on local agencies.

5. Oppose new review periods and timelines that are not in keeping with established CEQA requirements, with the objective of streamlining the review of development proposals.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A269-412.)

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

ITEM-151:

SUBJECT: City Jail Retrofitting to House Women Inmates. (See City Manager Report CMR-93-332.)

PUBLIC SERVICES AND SAFETY COMMITTEE'S RECOMMENDATION: On 11/17/93, PS&S voted 4-0 to recommend adoption of the following resolution (Councilmembers Roberts, Hartley, Stevens, and Vargas voted yea; Councilmember Wolfsheimer not present):

(R-94-958) ADOPTED AS RESOLUTION R-283245

Approving the City Jail's retrofitting to house women inmates; Instructing the City Manager to identify funding and expedite proposed improvements and implementation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A269-412.)

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

ITEM-152:

SUBJECT: San Diego Unified School District/Carver Arts Center.

(See memorandum from Severo Esquivel dated 4/12/93. Oak
Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-93-1359 Cor.Copy) ADOPTED AS AMENDED AS RESOLUTION R-283246

Authorizing the execution of a Memorandum of Understanding
and an agreement with the San Diego Unified School District,
for the design of their art-related facility at 3251 Juanita
Street; Authorizing the City Auditor and Comptroller to
reprogram an amount not to exceed \$90,000 from CDBG Fund
18527, Dept. 4013, Org. 1301, J.O. 119975, and \$130,000 from
CDBG Fund 18528, Dept. 4023, Org. 2301, J.O. 119975 to CDBG
Fund 18529, Dept. 4042, Org. 2401, J.O. 119975, for
consolidating the CDBG funding available for this project;
Authorizing the expenditure of not to exceed \$295,000 from
CDBG Fund 18529, Dept. 4042, Org. 2410, J.O. 119975.

CITY MANAGER SUPPORTING INFORMATION:

San Diego Unified School District has received CDBG funding to
create Carver Arts Center, to be located on the campus of George
Washington Carver Elementary School, at 3251 Juanita Street. The
proposed center is an experimental research and development
project designed to integrate education, families, and community,
to better serve the present and future needs of the community in
which it resides. The center will provide a facility for
students and parents to receive visual, literary and performing
arts education in a unique partnership with the surrounding
community, historically under served and neglected. The center
will act as a catalyst to improve student and parent education
during and after school. As an urban location, the center will
bring a sense of the Town Square back to its neighborhood, and
will stimulate the community to conceive and achieve its own
ambitions. This action will provide for the design of the

art-related facility.

Aud. Cert. 9400616.

FILE LOCATION: MEET CONFY94-1

COUNCIL ACTION: (Tape location: A413-487.)

MOTION BY STEVENS TO ADOPT AS AMENDED TO APPROVE \$116,300 FOR THE DESIGN PHASE OF THIS PROJECT. THE SCHOOL AND THE RESIDENCES CAN RETURN AT A LATER DATE FOR ADDITIONAL FUNDS BASED UPON OTHER MONIES THAT THEY WILL BE ABLE TO OBTAIN. Second by McCarty. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Two actions related to Inviting Bids for the Construction of the Rose Canyon Trunk Sewer.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-726) ADOPTED AS RESOLUTION R-283247

Inviting bids for the Construction of the Rose Canyon Trunk Sewer on Work Order No. 171181; Authorizing a contract with the lowest responsible bidder; Authorizing an additional expenditure of funds not to exceed \$35,160,299 from the Sewer Revenue Fund 41506, Sewer Systems Construction Program, CIP-46-111.0, Rose Canyon Trunk Sewer, and the Clean Water Program Fund 41509, CIP-40-920.0, Rose Canyon Trunk Sewer-C.W.P. portion, for providing funds for a multi-phase contract and related costs, in the following manner: a) Phase I, from the Fiscal Year 1994 appropriation, as follows: \$5,577,188 from CIP-46-111.0, Sewer Revenue Fund, \$102,482 from CIP-40-920.0, Sewer Revenue Fund, and \$2,964,782 from CIP-40-920.0, Bond Refund Fund; b) Phase II, from Fiscal Year 1995 appropriations, 100 working days from construction notice to proceed,

contingent upon availability of funds and approval of the Fiscal Year 1995 Budget, as follows: \$5,861,568 from CIP-46-111.0, Sewer Revenue Fund, \$114,254 from CIP-40-290.0, Sewer Revenue Fund, and \$3,115,980 from CIP-40-920.0, Bond Revenue Fund; c) Phase III, from Fiscal Year 1995 appropriations, 198 working days from construction notice to proceed, contingent upon availability of funds and approval of the Fiscal Year 1995 Budget, as follows: \$4,221,161 from CIP-46-111.0, Sewer Revenue Fund, \$77,106 from CIP-40-290.0, Sewer Revenue Fund, and \$2,243,818 from CIP-40-920, Bond Revenue Fund; d) Phase IV, from Fiscal Year 1995 appropriations, 296 working days from construction notice to proceed, contingent upon availability of funds and approval of the Fiscal Year 1995 Budget, as follows: \$7,020,382 from CIP-46-111.0, Sewer Revenue Fund, \$129,487 from CIP-40-920.0, Sewer Revenue Fund, and \$3,732,091 from CIP-40-920, Sewer Bond Fund; Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves; Stating for the record, that the City of San Diego as Lead Agency has reviewed and considered the final environmental document. (BID-K94077)

Subitem-B: (R-94-727) ADOPTED AS RESOLUTION R-283248

Authorizing the use of City Forces to do all the work to isolate, relocate water mains, and make connections to the existing water system; declaring that the cost of the work shall not exceed \$75,000.

CITY MANAGER SUPPORTING INFORMATION:

The Rose Canyon Trunk Sewer, an EPA mandated Consent Decree Project, consists of a 48-inch, 54-inch, 60-inch, and 72-inch diameter trunk sewer from the south tunnel portal of Pump Station No. 64 to the Morena Boulevard Interceptor in Santa Fe Street, a distance of 4.8 miles. There are currently two pipelines which comprise the existing Rose Canyon sewer system. The "original" line was constructed in 1958. A second pipeline was installed in 1970. At present, the existing pipelines are operating near capacity, with local areas experiencing surcharges during heavy rainfalls. The new pipeline being proposed for construction, the Rose Canyon Trunk Sewer (RCTS), will enable the City to provide for the ultimate sewage conveyance needs of the North City communities of Los Penasquitos, Del Mar, Mira Mesa, Miramar, University City, City of Poway, and the coastal communities. The new pipeline will serve as a gravity sewer to provide capacity relief for the two existing lines, and prevent the threatened overflow to Mission Bay Park.

Aud. Cert. 9400603.

WU-94-069.

FILE LOCATION: W.O. 171181 CONT-PCL Civil Constructors
Inc. CONFY94-

COUNCIL ACTION: (Tape location: A269-412.)

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

ITEM-201:

SUBJECT: Point Loma Treatment Plant Ocean Outfall Intake
Structure Restoration and Default and Debarment of Roca
Construction, Inc.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-945 Cor. Copy) ADOPTED AS RESOLUTION R-283249

Declaring Roca Construction, Inc. to be in default of the contract with the City for the Point Loma Treatment Plant Ocean Outfall Intake Restoration; Authorizing the City Manager and City Attorney to initiate default proceedings against Roca Construction, Inc. and to exonerate the surety in this project; Declaring Roca Construction, Inc. and its officers and principals to be non-responsible bidders and ineligible to bid on City projects for a period of three years, pursuant to San Diego Municipal Code Section 22.0514 and upon the advice of the City Manager and City Attorney; Authorizing the City Auditor to transfer an amount not to exceed \$50,500 within Sewer Revenue Fund 41508, from CIP-46-119.0, Annual Allocation - Point Loma Treatment Plant, to CIP-46-131.0, Point Loma - Ocean Outfall Intake Structure Restoration; Approving Change Order No. 2, dated June 18, 1993, with Roca Construction, Inc. for the Point Loma Treatment Plant Ocean Outfall Intake Restoration; amounting to a net increase in the contract price by \$50,500; Authorizing the expenditure of not to exceed

\$50,500 from Sewer Revenue Fund 41508, CIP-46-131.0, Point Loma Ocean Outfall Intake Structure Restoration, to fund Change Order No. 2, and to supplement the financing previously authorized by Resolution R-278939, adopted on November 4, 1991, Resolution R-276751, adopted on October 29, 1990 and City Manager Action No. C-02821, approved on August 4, 1989.

CITY MANAGER SUPPORTING INFORMATION:

This project provides for the restoration of the onshore outfall intake structures at the Point Loma Wastewater Treatment Plant. The Notice to Proceed was issued to Roca Construction, Inc. on October 27, 1992. At this time, approximately 40 percent of the construction has been completed. A portion of the work included restoring the 84-inch diameter steel pipe that directs flow to the plant's throttling valve. After sandblasting the pipe's interior, extensive corrosion and severe pitting was discovered. It was recommended that steel plates be welded in these areas to ensure the structural integrity of the pipe. The approval of Change Order No. 2 will provide funds for this task. Roca completed work associated with Change Order No. 2 but has subsequently become insolvent. Therefore, per section 6-4 of the Standard Specifications for Public Works Construction, 1988 Edition, it is recommended that Roca's contract be canceled.

CITY MANAGER'S RECOMMENDATION:

Furthermore, because of the contractor's inability to complete the project and thus failing to honor the contractual obligations, it is recommended that Roca and its principals be ineligible to bid on City projects for a period of three years. With the impending completion of the Ocean Outfall Extension Project and the ongoing construction of the South Effluent Outfall Connection Project, the remaining work cannot be completed at this time. In addition, it has been determined that the remaining work can be redesigned and completed less expensively by combining it with the work associated with the South Effluent Outfall Connection Project. For these reasons, it is in the City's best interest that Roca's surety be exonerated.

Aud. Cert. 9400230.

WU-P-94-010.

FILE LOCATION: CONT - Roca Construction, Inc.

COUNCIL ACTION: (Tape location: B025-051.)

MOTION BY McCARTY TO ADOPT THE CITY MANAGER'S

RECOMMENDATION. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Business Innovation Center (BIC).

(See City Manager Report CMR-94-1. Southeast San Diego Community Area. Districts-4 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-941) ADOPTED AS RESOLUTION R-283250

Authorizing the execution of an agreement with Business Innovation Center to operate a small business incubator program;

Authorizing the expenditure of not to exceed \$130,500 from Fund 18529, Dept. 4047, Org. 4705. Aud. Cert. 9400630.

FILE LOCATION: MEET CONFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

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

ITEM-203:

SUBJECT: Lease and Operating Agreements - YMCA - Rancho Penasquitos Branch.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance and adopt the following

resolutions:

Subitem-A: (O-94-58) INTRODUCED, TO BE ADOPTED ON
JANUARY 31, 1994

Introduction of an Ordinance authorizing a 50-year lease agreement with the Young Men's Christian Association of San Diego County (YMCA) for the Rancho Penasquitos Branch YMCA, and authorizing a 50-year Operating Agreement with the YMCA for construction, operation and maintenance of the Rancho Penasquitos Branch YMCA.

Subitem-B: (R-94-951) ADOPTED AS RESOLUTION R-283251

Adoption of a Resolution approving the acceptance of a Deed of Conveyance by the Young Men's Christian Association of San Diego County (YMCA) transferring ownership of the improvements of the Rancho Penasquitos Branch YMCA from the YMCA to the City.

Subitem-C: (R-94-952) ADOPTED AS RESOLUTION R-283252

Adoption of a Resolution certifying that the information contained in Negative Declaration DEP-87-0599, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines, and that the Declaration has been reviewed and considered by the Council in connection with the approval of a lease and an operating agreement for the Rancho Penasquitos YMCA.

CITY MANAGER SUPPORTING INFORMATION:

In 1989, American Newland Associates conveyed a parcel of land located in Rancho Penasquitos to the YMCA for establishment of a recreational facility. The land is located at the intersection of Fairgrove Drive and Salmon River Road. The YMCA is now proposing to develop the property in five phases. Phase I is a 4,690 square foot building for use as a teen center/multi-purpose room and supporting administrative offices and will be complete by Summer 1994. Phases II through V, which will be built when funding is secured, include a child care center, swimming pool, weight training area and development of a park. The park will be conveyed to the City upon completion. Total value of Phase I, including construction of an adjacent parking lot, is estimated at \$700,410. The YMCA proposes to lease its land to the City for 50 years at \$1 per year, develop the facility, transfer ownership of the improvements to the City, and enter into a 50 year agreement to operate the recreational facility for the City. Rent is proposed at \$1 per year for the operating agreement

because the YMCA's development and subsequent operation of the center will provide additional park and recreation facilities for the community. The proposed lease and operating agreements include the City's standard lease provisions and options to extend the respective agreements for an additional 49 years. The City can terminate the lease in which case the operating agreement will also terminate and the improvements will then revert to the YMCA.

FILE LOCATION: Subitem A: NONE; Subitems B & C: DEED
F-6201 DEEDFY94-1

COUNCIL ACTION: (Tape location: A269-412.)

CONSENT MOTION BY McCARTY TO INTRODUCE SUBITEM A AND ADOPT SUBITEMS B & C. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S400:

(Continued from the meeting of January 3, 1994, Item 106, at the City Manager's request, for proper noticing.)

SUBJECT: Two actions related to Inviting Bids for Cabrillo Heights Neighborhood Park Ballfield Lighting and Southcrest Community Park Ballfield Lighting.

(Serra Mesa and Southeast San Diego Community Areas. Districts-6 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-724) ADOPTED AS RESOLUTION R-283253

Inviting bids for the Construction of Various Sportsfield and Security Lighting Projects on Work Order Nos. 119646 and 119649; Authorizing a contract with the lowest responsible bidder; Authorizing the expenditure of \$90,500 from CIP-29-752.0, Cabrillo Heights Neighborhood Park Ballfield Lighting CDBG Fund No. 18526/5893, and \$86,200 from CIP-29-747.0, Southcrest Community Park Ballfield Lighting CDBG Fund No. 18526/5893 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-K94078)

Subitem-B: (R-94-725) ADOPTED AS RESOLUTION R-283254

Certifying that the information contained in Negative Declaration, DEP-90-0019BG, dated November 5, 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.

CITY MANAGER SUPPORTING INFORMATION:

Cabrillo Heights Neighborhood Park is located at 8303 Hurlbut Street between Kearny Villa Road and Afton Road. Southcrest Community Park is located at 4199 Keeler Avenue between Alpha Street and Newton Avenue. The proposed projects will provide softball field and multi-sport field lighting at Cabrillo Heights Park and softball field and security lighting at Southcrest Park.

Aud. Cert. 9400586.

FILE LOCATION: W.O. 119646 & 119649 CONT - Creative
Lighting Inc., (San Diego) CONTFY94-2

COUNCIL ACTION: (Tape location: A269-412.)

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

ITEM-S401:

SUBJECT: Proclaiming January 10, 1994 to be "Assistant Deputy
Secretary Wade R. Sanders Day."

COUNCILMEMBER STALLINGS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1005) ADOPTED AS RESOLUTION R-283255

Proclaiming January 10, 1994 to be "Assistant Deputy
Secretary Wade R. Sanders Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B052-136.)

MOTION BY COMMON CONSENT TO ADOPT. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S402:

SUBJECT: Use of San Diego Gas & Electric Company's Fiber Optic System by Others.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-965) ADOPTED AS RESOLUTION R-283256

Granting San Diego Gas & Electric Company (SDG&E) a license for 39 months from the effective date for the Teleport Communications Group (TCG) to use excess capacity on SDG&E's fiber optic network, located in areas covered by the Franchises, in order to further the implementation of the fiber optic telecommunications superhighway within the City which is in the public interest; Declaring that the City does not waive any right it has now or any have in the future to take a different position with regard to use of non-telecommunications franchises for telecommunications purposes. Both SDG&E and the City acknowledge that they have each informed the other that neither party waives any right it has now or may have in the future to assert or contest that the City has any right to regulate or charge for SDG&E's use of its Franchises for telecommunication purposes; Declaring that SDG&E's agreement with TCG for the use of portions of SDG&E's fiber optic network that are located in areas covered by the Franchises and are not then presently necessary or useful for the provisions of gas and electric service, are not in contravention or violation of the Franchises and will not require the payment of additional franchise fees from SDG&E to the City; As consideration for this license agreement, SDG&E agrees to pay the City 5 percent of revenues it receives from TCG for the use of its fiber optic network located in the City's Franchise area for the period of this license agreement.

CITY MANAGER SUPPORTING INFORMATION:

SDG&E's recent development of a fiber optic network was originally designed to meet its internal communications needs. SDG&E now desires to enter into an agreement with the Teleport Communications Group (TCG) to make its excess fiber optic network capacity available for private and other uses. To facilitate this fiber optic telecommunications effort, the City intends to grant a license for 39 months authorizing SDG&E to make its excess fiber optic network capacity available to TCG. SDG&E agrees to pay the City five percent of revenues received from TCG for use of its fiber optic network for the period of this license agreement.

FILE LOCATION: FRAN - San Diego Gas & Electric Company

COUNCIL ACTION: (Tape location: A269-412.)

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

ITEM-S403: RETURNED TO CITY MANAGER

A presentation by IBM regarding the InfoCal kiosk.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A264-268.)

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 6:01 p.m. in honor of the memories of Christine M. Schanes, Albert Edwin Bell, Randall Cunningham, Dwane Wittmayer and Arline Anderson.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B166.)