

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, SEPTEMBER 12, 1994
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 2:13 p.m. The meeting was adjourned by Mayor Golding at 7:27 p.m. into Closed Session at 9:00 a.m. on Tuesday, September 13, 1994, in the twelfth floor conference room to discuss pending litigation, potential litigation, and potential negotiation matters.

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-present
(7) Council Member McCarty-present
(8) Council Member Vargas-present
Clerk-Abdelnour (mp)

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-present
(7) Council Member McCarty-present
(8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Diana Hicks of the Islamic Center of San Diego.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stallings.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Mary Sharp, Willie Mitchell, and Nathan Benjamin voicing their objections to the renaming of Ozark Street to William James Jones Avenue.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A049-118.)

ITEM-PC-2:

Comments by Lewis T. Gussin explaining the help provided by St. Vincent de Paul to himself and others less fortunate.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A119-140.)

ITEM-PC-3:

Comments by Don Stillwell on the Bible, the Constitution, and identifying the enemy; SB2834 illegally passed; people becoming slaves of the world.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A244-273.)

ITEM-PC-4:

Comments by Sidney Hall and Ben Linker regarding the problems tenants at his trailer park are experiencing with the manager of the park; problems with children; problem with vandalism.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A274-338.)

ITEM-PC-5: REFERRED TO THE CITY MANAGER

Comments by Jonathan G. Schwarz regarding his parking fines, about the fines being turned over to a collection agency, and asking how he can make arrangements to possibly work it off since he is an unemployed, full-time student.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A339-357.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Vargas regarding the successful Street Scene; commending the City Manager and the San Diego Police Department.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A359-375.)

ITEM-CC-2:

Comments by Council Member Stallings regarding the signing of the crime bill by the President, and that she was invited to attend the signing. Mayor Golding stated that she, too, was invited and that Police Chief Sanders will be representing the City of San Diego.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A376-389.)

ITEM-CC-3:

Announcement by Deputy Mayor Stevens that he has the petition signed by the residents of Ozark Street and that the peititon is available for review.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A390-399.)

ITEM-CC-4: REFERRED TO RULES COMMITTEE

Request of Council Member Roberts that the Rules Committee docket for discussion the matter of reconsidering the renaming of Ozark Street.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A120-240.)

ITEM-30:

SUBJECT: Fred Wilson Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-301) ADOPTED AS RESOLUTION R-284531

Recognizing the accomplishments of Frederick Leo Wilson

for his faithful and unwavering dedication to the San Diego community and its citizens;

Proclaiming September 12, 1994 to be "Officer Fred Wilson Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A442-535.)

MOTION BY WARDEN TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31:

SUBJECT: POW/MIA Recognition Day.

COUNCILMEMBERS WARDEN AND ROBERTS' RECOMMENDATION:

Adopt the following resolution:

(R-95-390) ADOPTED AS RESOLUTION R-284532

Proclaiming September 16, 1994 to be "POW/MIA Day" in the City of San Diego, to honor those military men and women who have returned and to ensure that those who are missing are not forgotten;
Declaring that the POW/MIA flag will fly over the proceedings of the September 19, 1994 meeting of the City Council in tribute to those San Diego military men and women who have returned and to those who are missing.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A545-690.)

MOTION BY WARDEN TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32:

SUBJECT: Rear Admiral Francis K. Holian Day.

COUNCILMEMBER STALLINGS' RECOMMENDATION:

Adopt the following resolution:

(R-95-300) ADOPTED AS RESOLUTION R-284533

Recognizing the significant and lasting impact of Rear Admiral Francis K. Holian on the City;

Proclaiming September 12, 1994 to be "Rear Admiral Francis K. Holian Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B035-101.)

MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-33:

SUBJECT: John and Martha King Day.

COUNCILMEMBER STALLINGS' RECOMMENDATION:

Adopt the following resolution:

(R-95-370) ADOPTED AS RESOLUTION R-284534

Recognizing the dedication of John and Martha King to improve pilot awareness to the needs of safe and friendly flying; Proclaiming September 12, 1994 to be "John and Martha King Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B102-154.)

MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by

the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-34: COMMENDED

Commending the Risk Management Department/Safety Division and the Park and Recreation Department/Coastline Parks Division for successful implementation of a trial employee safety program which reduced on-the-job injuries in Coastline Parks Maintenance by 53 percent.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A400-437.)

MOTION BY KEHOE TO APPROVE THE COMMENDATION. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-35: APPROVED

Approval of Council Minutes for the Meetings of:

07/15/94 Special Meeting
07/25/94
07/26/94
08/01/94
08/02/94
08/02/94 Special Meeting
08/02/94 Special Joint Meeting
08/08/94
08/09/94
08/09/94 Special Joint Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A437-441.)

MOTION BY KEHOE TO APPROVE THE MINUTES. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-not present, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-50:

SUBJECT: Alcoholic Beverage Consumption Prohibited in Certain Areas. (District-8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 8/8/94. (Council voted 9-0):

(O-95-2 Cor.Copy) ADOPTED AS ORDINANCE O-18096 (New Series)

Amending Chapter V, Article 6, of the San Diego Municipal Code, by amending Section 56.54, relating to Alcoholic Beverage Consumption Prohibited in Certain Areas, to include the San Ysidro Business District in the Southern Division of the San Diego Police Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-51:

SUBJECT: Rezoning 6.76 Acres - Miramar and Padgett Business Center. (Case-93-0550. Mira Mesa Community Area. District-5.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 8/9/94. (Council voted 9-0):

(O-95-10) ADOPTED AS ORDINANCE O-18097 (New Series)

Rezoning 6.76 acres located at 9212-92 Miramar Road,
into the CC (Community Commercial) Zone.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO DISPENSE WITH THE READING AND
ADOPT THE ORDINANCE. Second by Roberts. Passed by the
following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-
yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea,
Mayor Golding-yea.

* ITEM-52:

SUBJECT: Rezoning 13.4 Acres - Miramar Metroplex.
(Case-93-0551. Mira Mesa Community Area. District-5.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on
8/9/94. (Council voted 9-0):

(O-95-11) ADOPTED AS ORDINANCE O-18098 (New Series)

Rezoning 13.4 acres located at 7340-7380 Miramar Road
into the CC (Community Commercial) Zone.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO DISPENSE WITH THE READING AND
ADOPT THE ORDINANCE. Second by Roberts. Passed by the
following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-
yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea,
Mayor Golding-yea.

* ITEM-53:

SUBJECT: Rezoning 10.3 acres - Miramar Commercial Center.
(Case-93-0552. Mira Mesa Community Area. District-5.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 8/9/94. (Council voted 9-0):

O-95-12) ADOPTED AS ORDINANCE O-18099 (New Series)

Rezoning 10.3 acres located at 8990 Miramar Road and 9457 Camino Ruiz, into the CC (Community Commercial) Zone.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-54:

SUBJECT: Rezoning 7.60 acres - Miramar Home Improvement Center. (Case-93-0618. Mira Mesa Community Area. District-5.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 8/9/94. (Council voted 9-0):

(O-95-13) ADOPTED AS ORDINANCE O-18100 (New Series)

Rezoning 7.60 acres located at 7750-7790 Miramar Road, into the CC (Community Commercial) Zone.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-

yea, Mayor Golding-yea.

* ITEM-55:

SUBJECT: Uniform Fire Code. (See City Manager Report CMR-94-182; Maureen Stapleton's memorandum of 6/30/94; Bob Grinchuck's letter of 6/30/94.)

Introduction of the following ordinance:

(O-95-9) INTRODUCED, TO BE ADOPTED ON OCTOBER 3, 1994

Introduction of an Ordinance amending Chapter V, Article 5, Division 8, of the San Diego Municipal Code by repealing Section 55.0889.0101 and amending Section 55.0101.0001, relating to the Uniform Fire Code, regarding life safety requirements for existing buildings other than high-rise.

Public Services and Safety Committee's Recommendation: On 7/6/94 PS&S voted 5-0 (Councilmembers Roberts, Kehoe, Stevens, McCarty and Vargas voted yea) to: 1) Approve the City Manager's recommendation to repeal Appendix I-A from the 1991 Uniform Fire Code as adopted by the City of San Diego; 2) Direct the City Manager to develop an information brochure that clearly explains the inspection and appeals process to the public; 3) Direct the City Manager to develop a compliance matrix with a time line that enforces Section 1215 of the State Building Code; 4) Direct the City Manager to formalize, in writing, an appeals process that describes what needs to be done, how to do it, and the time constraints on the process; 5) Implement Items 2, 3, and 4 in conjunction with the Office of Small Business Task Force; and 6) Direct the City Attorney to return to the Committee with an Ordinance to require on-site managers of buildings to attend a course by the San Diego Fire Department on fire safety and what to do in case of a fire. Chairperson McCarty requested the City Manager to provide the Committee with an information report on fire-related property damage, deaths, and insurance costs.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B195-C210.)

CONSENT MOTION BY VARGAS TO INTRODUCE THE ORDINANCE. Second

by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Awarding Contracts for Furnishing Six Asphalt Patch Trucks.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-21) ADOPTED AS RESOLUTION R-284535

Awarding contracts for furnishing six Asphalt Patch Trucks, for an estimated cost of \$567,669.24, as follows; 1) Hawthorne Machinery, Co. (San Diego, CA), for Item 1 - Three Automated Patch Trucks; and 2) Dion International Trucks, Inc. (San Diego, CA), for Item 2 - Three Heated Patch Trucks, with an option to purchase additional vehicles at the price bid within six months of the date of the original purchase order, and an option to renew for two additional one year periods, with price escalation not to exceed 10 percent of prices in effect at the end of each prior year;

Authorizing the expenditure of not to exceed \$567,669.24 from Fund No. 50033, Department No. 8203, Object Account No. 6013, and Job Order No. 088084;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-C4328/94)

Aud. Cert. 9500160.

FILE LOCATION: CONT - Purchase - Hawthorne Machinery, Co. (San Diego, CA); Dion International Trucks, Inc. (San Diego, CA) FY95-2

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.

Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-101:

SUBJECT: Awarding a Contract for Type III Asphalt Concrete.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-277) TRAILED TO TUESDAY, SEPTEMBER 13, 1994

Awarding a contract to Sim J. Harris Co. (San Diego, CA), for furnishing Type III Asphalt Concrete, as may be required for a period of one year beginning July 1, 1994 through June 30, 1995, for an estimated cost of \$1,519,045, including tax and terms. (BID-I4356/94)

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: E515-F412.)

Motion by McCarty to approve staff's recommendation. No second. Trailed to Tuesday to afford Council members time to review the bid documents.

* ITEM-102:

SUBJECT: Awarding Contracts for Ready-Mix Concrete.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-23) ADOPTED AS RESOLUTION R-284536

Awarding contracts for furnishing ready-mix concrete, as may be required for a period of one year beginning July 1, 1994 through June 30, 1995, for a total estimated cost of \$582,000, including tax and terms, as follows:

Nelson and Sloan for Schedule I (Chula Vista, CA), with an option to renew the contract for three additional one year periods with increases not to exceed 7 percent of the prices in effect at the end of the prior contract period;

Diamond Concrete Supply for Schedule II (San Diego, CA) with an option to renew the contract for three additional one year periods with increases not to exceed 10 percent of the prices in effect at the end of the prior contract period. (BID-I4355/94)

FILE LOCATION: CONT - Purchase - Nelson and Sloan; Diamond Concrete Supply CONTFY95-2

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Awarding a Contract for Security Guard Service at the Metro Operations Center.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-278) ADOPTED AS RESOLUTION R-284537

Awarding a contract to Apex Security Service, Inc. (San Diego) for furnishing security guard service at the Metro Operations Center, as may be required for a period of seven months beginning October 1, 1994 through April 30, 1995, for a total estimated cost of \$55,571.25, with options to renew for four one-year periods beginning May 1, 1995 through April 30, 1999. In the event the contractor fails to perform in accordance with specifications, the Purchasing Agent is authorized to terminate the contract and award to the next low bidder, or to subsequent bidders, if

necessary, until a bidder is found who can comply with specifications; or, if no bidder will comply with specifications, to obtain this service on the open market until the contract can be rebid. (BID-B4405/95)

FILE LOCATION: CONT - Purchase - Apex Security Service, Inc.
CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Awarding a Contract for Vehicle Mounted Message Boards.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-29) ADOPTED AS RESOLUTION R-284538

Awarding a contract to G.C.S. Inc. (Fullerton, CA), for the installation of two vehicle mounted message boards, for a total cost of \$51,604.19;

Authorizing the expenditure of not to exceed \$51,604.19 from Fund No. 100, Department No. 534, Object Account No. 6010, and Job Order No. 2204;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-H4395/94)

Aud. Cert. 9500181.

FILE LOCATION: CONT - Purchase - G.C.S. Inc. (Fullerton, CA)
CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105:

SUBJECT: Awarding a Contract for Liquid Chlorine.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-280) ADOPTED AS RESOLUTION R-284539

Awarding a contract to Abcana Industries (El Cajon, CA), for furnishing liquid chlorine, as may be required for a period of one year beginning July 1, 1994 through June 30, 1995, for a total estimated cost of \$55,000, including terms, with options to renew the contract for two additional one year periods; In the event Abcana Industries fails to perform in accordance with specifications, the Purchasing Agent is authorized to terminate the contract and obtain this service on the open market until the contract can be rebid. (BID-P3041/92)

FILE LOCATION: CONT - Purchase - Abcana Industries (ElCajon, CA) CONTFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106:

SUBJECT: Awarding a Contract for Custodial Services in the
Downtown Enhancement Program. (Centre City Community
Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-30) ADOPTED AS RESOLUTION R-284540

Awarding a contract to Eugene Carter Enterprises, Inc., dba Environmental Maintenance Service Specialist (San Diego, CA), for furnishing custodial services in the Downtown Enhancement Program, as may be required for a period of one year beginning August 1, 1994 through July 31, 1995, for a total estimated cost of \$93,147, including terms, with options to renew the contract for four additional one year periods;

In the event the contractor fails to perform in accordance with specifications, the Purchasing Agent is authorized to terminate the contract and re-award to the next low responsible and responsive bidder. (BID-F4373/95)

FILE LOCATION: CONT - Purchase - Eugene Carter Enterprises, Inc., dba Environmental Maintenance Service Specialist (San Diego,CA) CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-107:

SUBJECT: Awarding Contracts for Bicycle Storage Lockers & Bike Parking Racks.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-24) ADOPTED AS RESOLUTION R-284541

Awarding contracts to Creative Computer Furniture (Monrovia, CA) and American Bicycle Security Co.,

(Santa Paula, CA), for furnishing 103 bicycle storage lockers and 52 bicycle parking racks, for a total estimated cost of \$65,765.50, including tax and terms, as follows:

- 1) Creative Computer Furniture for 103 bicycle storage lockers at a cost of \$1,007.18 each for a total cost of \$111,001.31;
- 2) American Bicycle Security Co., for 52 bicycle parking racks at a cost of \$85 each, for a total cost of \$4,729.40; Authorizing the expenditure of not to exceed \$65,765.50 from TDA Grants Fund No. 39005, and Job Order No. 580540;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-J4312/94)

Aud. Cert. 9500195.

FILE LOCATION: CONT - Purchase - Creative Computer Furniture
(Monrovia, CA) and AmericanBicycle Security Co.
(Santa Paula, CA) CONFY95-2

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108:

SUBJECT: Assignment of Contract for Lubricating Oils and
Greases.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-276) ADOPTED AS RESOLUTION R-284542

Authorizing the assignment of contractual rights for

furnishing lubricating oils and greases delivered in bulk from Padre Petro Products to Hawthorne Petroleum Company;

Authorizing the City Manager to execute a Consent Agreement to the assignment.

FILE LOCATION: MEET CONTFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-109:

SUBJECT: Inviting Bids for Improvement of Traffic Signals and Street Lighting Systems at Various Locations. (Corridor, Mountain View, Normal Heights, and Valencia Park Community Areas. Districts-3 and 4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-305) ADOPTED AS RESOLUTION R-284543

Inviting bids for the Improvement of Traffic Signals and Street Lighting Systems at Various Locations on Work Order No. 112282;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of \$163,000 from CIP-62-001.0, Annual Allocation - High Accident Locations, TransNet Fund 30300;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess monies, if any, in CIP-62-001.0. (BID-K95017)

CITY MANAGER SUPPORTING INFORMATION:

The subject Capital Improvement Program Project to improve traffic signal systems at high accident locations, provides for the addition and upgrade of various traffic signal equipment. Traffic signal improvements at various locations may include the addition of emergency vehicle detection and pedestrian or vehicular indicators to provide for the safe passage of emergency equipment, pedestrians, and vehicles through the intersection.

Traffic signal upgrades include relocation and installation of larger vehicular indicators. The locations are identified and prioritized by the Traffic Engineering Division, based on the number and type of accidents occurring at intersections throughout the City. The five locations included in this project are:

- 1) University Avenue and Fairmount Avenue
- 2) University Avenue and Euclid Avenue
- 3) Imperial Avenue and San Jacinto Drive
- 4) 38th Street and National Avenue
- 5) 33rd Street and El Cajon Boulevard

Aud. Cert. 9401243.

FILE LOCATION: W.O. 112282 CONT - Lekos Electric Inc.
CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-110:

SUBJECT: Inviting Bids for Replacement and Upgrade of Centre City Traffic Signal System (Phase II) from Broadway to G Street and from India Street to Third Avenue and the Intersection of 4th Avenue and C Street.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-130) ADOPTED AS RESOLUTION R-284544

Inviting bids for the Replacement and Upgrade of Centre City Traffic Signal System (Phase II) from Broadway to G Street and from India Street to Third Avenue and the Intersection of 4th Avenue and C Street on Work Order No. 112094;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of \$295,250 from CIP-68-011.0,

Annual Allocation - Modernize Top 5-10 Prioritized Traffic Signals, Fund 30300;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-68-011.0. (BID-K94006A)

CITY MANAGER SUPPORTING INFORMATION:

On August 2, 1993, the City Council authorized the expenditure of \$342,950 (Resolution R-281938) for the Replacement and Upgrade of Centre City Traffic Signal System from Broadway to G Street and from India Street to Third Avenue. Ten bid packages were issued and five bids were received. On August 26, 1993, the Purchasing Agent opened bids and the low bid was received from Trasig Corporation, in the amount of \$179,758, which was 24.7 percent below the engineer's construction estimate of \$239,000. On April 11, 1994, Trasig Corporation asked to be released from their contract obligation for the subject project, due to the inability of the City and Trasig to reach an agreement on the pricing for the material changes to the Specifications made subsequent to the award process. The new material changes include different pole types with longer mast arm and switching the street lighting system from low pressure sodium to high pressure sodium. The City concurs that the changes are of such a substantial nature that the contract specifications upon which Trasig bid have been materially superseded. The Project Manager and the City Attorney agreed with Trasig Corporation's proposal to resolve this matter by mutually rescinding the contract. In the meantime City staff has modified the Plans and Specifications to ensure proper construction of this project. The subject Capital Improvement Program Project to replace and upgrade the traffic signal system includes the installation of traffic signal standards, programmed

visibility signal heads, the replacement of 8-inch signal heads with 12-inch signal heads and standardized pole mounted street name signs. The traffic signal system provides for the safe passage of pedestrians and vehicles through the intersection. Aud. Cert. 9500191.

FILE LOCATION: W.O. 112094 CONT - MCR Electrical Contractors Inc. CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111:

SUBJECT: Inviting Bids for the Construction of Traffic Signal and Street Lighting Systems at Antigua Boulevard and Villarica Way. (Tierrasanta Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-306) ADOPTED AS RESOLUTION R-284545

Inviting bids for the Construction of Traffic Signal and Street Lighting Systems at Antigua Boulevard and Villarica Way on Work Order No. 112508;
Authorizing a contract with the lowest responsible bidder;
Authorizing the expenditure of \$94,500 from CIP-61-001.0, AA - Signal Installations for Sudden Changes, TransNet Fund 30300, for said project and related costs;
Authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess monies, if any, in CIP-61-001.0. (BID-K95018)

CITY MANAGER SUPPORTING INFORMATION:

The subject Capital Improvement Program project to install a traffic signal system at Antigua Boulevard and Villarica Way,

provides for the safe passage of emergency equipment, pedestrians and vehicles through the intersection. Traffic signal features include protected left-turn pockets on Antigua Boulevard and emergency vehicle preemption equipment on Antigua Boulevard and Villarica Way.

Aud. Cert. 9500231.

FILE LOCATION: W.O. 112508 CONT - Southwest Traffic Signal Service, Inc. CONTFY95-1

COUNCIL ACTION: (Tape location: B158-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112:

SUBJECT: Inviting Bids for the Construction of South Crown Point Walkway. (Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-127) ADOPTED AS RESOLUTION R-284546

Inviting bids for the Construction of South Crown Point Walkway on Work Order No. 119966;

Authorizing the execution of a contract with the lowest responsible bidder;

Authorizing the expenditure of \$150,000 from CIP-22-092.0, South Crown Point Walkway, Sludge Mitigation Fund No. 10507;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K95011)

CITY MANAGER SUPPORTING INFORMATION:

This project is located on the east side of Crown Point Shores Drive in Mission Bay Park, and will provide a sidewalk between the east side of the Ingraham Street bridge and existing Crown Point Shores improvements. The sidewalk is needed to provide a missing link in the pedestrian/bicycle path around the perimeter of Mission Bay Park.

Aud. Cert. 9401266.

FILE LOCATION: W.O. 119966 CONT - Marquez Constructors Inc.
CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113:

SUBJECT: Inviting Bids for the Construction of West Bernardo
Drive - Phase I.
(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-126) ADOPTED AS RESOLUTION R-284547

Inviting bids for the Construction of West Bernardo
Drive - Phase I on Work Order No. 119731;

Authorizing a contract with the lowest responsible
bidder;

Authorizing the expenditure of \$654,240 from CIP-52-
489.0, West Bernardo Drive, Fund No. 30300, 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-K94070A)

CITY MANAGER SUPPORTING INFORMATION:

The original Plans and Specifications for this project were approved by Resolution R-283083, dated November 29, 1993. On March 22, 1994, the bid opening for this project was canceled to revise the Plans and Specifications in order to lower the project cost.

This project provides for the realignment of the entrance to the existing Casa De Las Campanas private retirement home and the existing Rancho Bernardo Community Park. Other improvements include sidewalks, storm drain facilities, landscaping and irrigation, and a traffic signal at the realigned intersection. Completion of this project will enhance both vehicular and pedestrian safety.

Aud. Cert. 9401122.

FILE LOCATION: W.O. 119731 CONT - Sierra Pacific West,
Inc. CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-114:

SUBJECT: Inviting Bids for the Construction of Nestor Community
Sidewalks. (Otay Mesa-Nestor Community Area.
District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-307) ADOPTED AS RESOLUTION R-284548

Inviting bids for the Construction of Nestor Community
Sidewalks on Work Order No. 526180;

Authorizing a contract with the lowest responsible

bidder;

Authorizing the City Auditor and Comptroller to modify the FY 94 Capital Improvements Program Budget by adding CIP-52-618.0, Nestor Community Sidewalks;

Authorizing the expenditure of \$100,000 from CIP-52-618.0,

Nestor Community Sidewalks, Fund 18529, Community Development Block Grant;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in the project until completion. (BID-K95019)

CITY MANAGER SUPPORTING INFORMATION:

In Fiscal Year 1994, Council District 2 applied for and received Community Development Block Grant money for sidewalk improvements within the Nestor Community. The Engineering Department, Traffic Engineering Division, then prioritized various unimproved sidewalk areas within the Nestor Community based on providing school children and students with safe walkways. This project will construct approximately 4,300 square feet of sidewalk along Elm Avenue and Thermal Avenue.

Aud. Cert. 9500228.

FILE LOCATION: W.O. 526180 CONT - Sapper Construction
CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

ITEM-115:

SUBJECT: Inviting Bids for the Construction of Marston House
Public Restroom. (Balboa Park Community Area.
District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-128) ADOPTED AS RESOLUTION R-284549

Inviting bids for the Construction of Marston House
Public Restroom on Work Order No. 119390;

Authorizing a contract with the lowest responsible
bidder;

Authorizing the expenditure of \$131,650 from CIP-21-
834.0, Balboa Park/Mission Bay Park Requirements,
Sublet Project 21-834.9, Marston House Renovation, San
Diego Facility and
Equipment Leasing Corporation Construction Fund No.
91101, 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-K95013)

CITY MANAGER SUPPORTING INFORMATION:

The Marston House is located at 3525 Seventh Avenue. The property was donated to the City of San Diego by the Marston family in 1974. The house is operated by the San Diego Historical Society. The grounds are maintained by the Park and Recreation Department and are used for functions like weddings. CIP-21-834.9, Marston House Renovation, will provide a small inconspicuous restroom between the carriage house and the wall on the north property line and will refurbish the main house. A City contract will build the restroom. The work on the house may be done by the San Diego Historical Society after a reimbursement agreement has been approved.

Work on this project began in 1992. A reroofing contract has been completed and a report has been prepared identifying the remaining work needed on the Marston House. Plans for the work have been prepared but not completed. The plans for the restrooms have been completed and are the subject of today's action.

Aud. Cert. 9500197.

FILE LOCATION: W.O. 119390 CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

ITEM-116: CONTINUED TO OCTOBER 3, 1994

SUBJECT: Four actions related to Terminating Subdivision
Agreements and Releasing Bonds for Penasquitos Park
View Estates Nos. 8, 9 and 10, 11 and 12, and 13.
(Penasquitos East Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-265 Cor. copy)

Terminating the Subdivision Improvement Agreement of
January 12, 1987 with Genstar Development, subdivider of
Penasquitos Park View Estates Unit No. 8;

Releasing Performance Bond No. 111 3291 1618, issued by
The American Insurance Company, guaranteeing the
improvements in Penasquitos Park View Estates Unit No.
8.

Subitem-B: (R-95-266)

Terminating the Subdivision Improvement Agreement of
June 22, 1987 with Genstar Development, subdivider of
Penasquitos Park View Estates Unit Nos. 9 and 10;

Releasing Performance Bond No. SC 645 40 16, issued by
The American Insurance Company, guaranteeing the
improvements in Penasquitos Park View Estates Unit Nos.
9 and 10.

Subitem-C: (R-95-267)

Terminating the Subdivision Improvement Agreement of

July 6, 1987 with Genstar Development, subdivider of Penasquitos Park View Estates Unit Nos. 11 and 12; Releasing Performance Bond No. SC 645 48 26, issued by The American Insurance Company, guaranteeing the improvements in Penasquitos Park View Estates Unit Nos. 11 and 12.

Subitem-D: (R-95-268)

Terminating the Subdivision Improvement Agreement of July 6, 1987 with Genstar Development, subdivider of Penasquitos Park View Estates Unit No. 13; Releasing Performance Bond No. SC 645 48 27, issued by The American Insurance Company, guaranteeing the improvements in Penasquitos Park View Estates Unit No. 13.

CITY MANAGER SUPPORTING INFORMATION:

The subdivision improvement agreements for Penasquitos Park View Estates Unit Nos. 8, 9 and 10, 11 and 12, and 13 were originally signed by Genstar Development. Genstar Development later became American Newland Associates, and recently changed its name to AG Land Associates. AG Land Associates has sold the subject subdivisions to several different developers who have completed all of the significant remaining public improvements. Thus, it is appropriate to terminate the subdivision agreements and have the bonds released to the original developer. City staff has met with the new developers, who have agreed in writing to complete the minimal work left to be done. This action will enable the City to terminate the original subdivision improvement agreements and release the bonds.

FILE LOCATION: SUBD - Subitem-A: Penasquitos Park View Estates Unit No. 8; Subitem-B: Penasquitos Park View Estates Unit Nos. 9 and 10; Subitem-C: Penasquitos Park View Estates Unit Nos. 11 and 12; Subitem-D: Penasquitos Park View Estates Unit No. 13

COUNCIL ACTION: (Tape location: F415-427.)

MOTION BY MATHIS TO CONTINUE FOR THREE WEEKS AT HIS REQUEST FOR TIME TO REVIEW THE ISSUE OF RELEASING BONDS PRIOR TO WORK BEING FULLY COMPLETED. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117:

SUBJECT: First San Diego River Improvement Project Assessment
District Bonds.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-323 Cor. copy) ADOPTED AS RESOLUTION R-284550

Setting Tuesday, October 4, 1994 as the date for a public hearing regarding the City Treasurer's "Notice of Potential Loss to Bondholders" for the First San Diego River Improvement Project (FSDRIP) Improvement Bonds, Assessment District No. 4007.

CITY MANAGER SUPPORTING INFORMATION:

Pursuant to Section 8770 of the California Streets and Highways Code, the City Treasurer gave the City Council a "Notice of Potential Loss to Bondholders - First San Diego River Improvement Project (FSDRIP) Improvement Bonds, Assessment District No. 4007" on July 22, 1994. The Streets and Highways Code requires the Council to make a determination whether in its judgement there will ultimately be insufficient money in the redemption fund to discharge the unpaid bonds and interest. If the Council determines that in its judgment there will be no such insufficiency, it shall direct the Treasurer to pay matured bonds and interest as long as there is available money in the redemption fund. The Streets and Highways Code further requires the Council to fix a date for conducting a public hearing on this matter. The notice of this hearing must be posted by the City Clerk for a minimum of 10 days. It is suggested that the Council set Tuesday, October 4, 1994 as the date for the public hearing.

FILE LOCATION: STRT D-2256

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-118:

SUBJECT: Sewer Easement Exchange - Pep Boys, El Cajon Boulevard.
(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1861) ADOPTED AS RESOLUTION R-284551

Approving the acceptance by the City Manager of the deed of Groundspark Limited, conveying to the City a sewer easement in a portion of Lot 1 of Padre Dodge Subdivision, Map No. 5926;

Authorizing a quitclaim deed, quitclaiming to Groundspark Limited, all of the City's right, title and interest in a sewer easement in Lot 1 of Padre Dodge Subdivision, Map-5926.

FILE LOCATION: DEED F-6365 DEEDFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-119:

SUBJECT: Loan of One 1992 Chevrolet Truck for the Regional Auto
Theft Team.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-225) ADOPTED AS RESOLUTION R-284552

Accepting the loan of one 1992 Chevrolet Truck from
National Insurance Crime Bureau (NICB) to be used by

the Regional Auto Theft Team in its vehicle theft suppression efforts;

Expressing gratitude to National Insurance Crime Bureau for this civic act of generosity.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-120:

SUBJECT: Dr. Victor J. DePratti Day.

COUNCILMEMBER ROBERTS' RECOMMENDATION:

Adopt the following resolution:

(R-95-271) ADOPTED AS RESOLUTION R-284553

Congratulating and thanking Dr. Victor J. DePratti for his long and devoted service to the community;

Proclaiming August 23, 1994 to be "Dr. Victor J. DePratti Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-121:

SUBJECT: National Family Values Day.

DEPUTY MAYOR STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-95-298) ADOPTED AS RESOLUTION R-284554

Proclaiming September 10, 1994 to be "National Family Values Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F438-G215.)

MOTION BY KEHOE TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-122:

SUBJECT: Excusing Councilmember Christine Kehoe from the Public Services and Safety Committee Meeting of 7/27/94.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-95-290) ADOPTED AS RESOLUTION R-284555

Excusing Councilmember Kehoe from attending the regularly scheduled Public Services and Safety Committee meeting of July 27, 1994 to attend to other official City business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-123:

SUBJECT: Application for Bridge-Toll Revenues for a Traffic Signal at the Intersection of Crosby Street and National Avenue. (Barrio Logan Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-296) ADOPTED AS RESOLUTION R-284556

Directing the City Manager to apply for, accept and expend San Diego-Coronado Bridge Toll Revenue Funds for a traffic signal at the intersection of Crosby Street and National Avenue.

CITY MANAGER SUPPORTING INFORMATION:

SANDAG is accepting applications for projects for Fiscal Year 1995 San Diego - Coronado Bridge Toll Revenue Funding. Projects must be within the bridge corridor, and provide for a reduction in traffic congestion, travel demand or air pollution. The intersection of Crosby Street and National Avenue is currently an all-way stop. Signalizing this intersection will reduce traffic congestion and air pollution. The intersection is in the bridge corridor, and is impacted by traffic travelling to and from the bridge. Approximately \$200,000 is available for this round of projects.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-124:

SUBJECT: Grant Funds from United States Bureau of Reclamation.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-327) ADOPTED AS RESOLUTION R-284557

Authorizing the City Manager to apply for, accept, and expend grant funds from the United States Bureau of Reclamation under Public Law 102-575 to facilitate implementation of the City of San Diego's Water Reclamation Program;

Authorizing the City Manager to accept the City of San Diego's share of the grant funds allocated among the City of San Diego, City of Escondido, Padre Dam Municipal Water District, Otay Water District, City of Poway, and County Water Authority based on the total projected construction expenditures for the subject Federal Fiscal Year.

CITY MANAGER SUPPORTING INFORMATION:

Section 1612 of Public Law 102-575, Central Valley Improvement Act, authorizes the U.S. Bureau of Reclamation to fund up to 25 percent of the planning, design and construction costs of reclamation projects which serve the San Diego Metropolitan Sewage System service area. San Diego County Water Authority, as lead agency, is coordinating the preparation of information for presentation to the California Department of Water Resources Water Commission in September 1994. Inclusion on the Water Resource's list of endorsed water reclamation projects is a crucial step toward obtaining funding, as the Department's advocacy efforts in Washington, D.C. have been extremely successful. Additionally, City staff will be advising the Bureau of Reclamation on the need for further Federal participation in Federal Fiscal Years 1996, 1997 and 1998. The Bureau has expressed a strong interest in supporting San Diego area water reclamation projects, particularly the proposed water repurification project at North City. Other projects the Metropolitan Wastewater Department has identified as qualifying for Bureau of Reclamation funds includes but is not limited to the North City Water Reclamation Plant, the Northern and Central Reclaimed Water Distribution System, the South Bay Water Reclamation Plant, the Southern Reclaimed Water Distribution System, the Otay Valley Water Reclamation Plant, the Mission Valley Water Reclamation Plant and the San Pasqual Facility. WU-CWP-95-011.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT AND AT THE MAYOR'S REQUEST TO ADD THE MULTIPLE SPECIES CONSERVATION PROGRAM TO THE LIST OF REQUESTS FOR GRANTS FROM THE BUREAU OF RECLAMATION.

Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-125:

SUBJECT: Accepting Federal Emergency Management (FEMA) and Office of Emergency Services (OES) Grant Funds.
(Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-274) ADOPTED AS RESOLUTION R-284558

Authorizing the City Manager to accept FEMA and Office of Emergency Services Grant Funds in the amount of \$15,135 (plus additional funds received should cost overruns occur);

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$15,135 from TransNet Funds to CIP-17-002.0, Annual Allocation - Storm Drain Projects Not Yet Identified, Fund 30300;

Authorizing the increase of the 1995 CIP Budget by \$15,135 (plus additional funds received should cost overruns occur) in order to return funds to the appropriate CIP project.

CITY MANAGER SUPPORTING INFORMATION:

During the January and February 1993 storms, the City of San Diego was declared a Federal Disaster Area. The City established a Capital Improvement Project for the construction of International Avenue south of Wardlow Avenue. Funds were transferred from CIP-17-002.0, Annual Allocations - Storm Drain Projects Not Yet Identified, Fund 30300 until Federal Emergency Management Agency (FEMA) or State Office of Emergency Services

(OES) reimbursements were made. Reimbursements of \$15,135 have been approved. Under the terms of those grants, all reimbursements must be restored to the project that supplied funding. This action is to accept those reimbursements and reimburse the original funding source, CIP-17-002.0, Annual Allocation - Storm Drain Projects Not Yet Identified. Aud. Cert. 9500138.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-126:

SUBJECT: California State Library - Internet Workstations.
(Logan Heights and Linda Vista Community Areas.
Districts-4 and 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-218) ADOPTED AS RESOLUTION R-284559

Authorizing the City Manager to apply for and accept Internet Workstations at the Linda Vista and Logan Heights branch libraries as part of the California State Library Partnerships for Change Program.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Public Library has been notified that participating Partnerships for Change Libraries are eligible to receive Internet Workstations, as well as a training series and partial support of telecommunications costs. The Linda Vista and Logan Heights branch libraries, as prior participants in the Partnerships for Change Program through the State Library, are the eligible San Diego Public Library locations for these workstations. These workstations and ancillary training and technical support enhance the library's commitment to the

establishment of services and programs which meet the specific needs of African-American, Hispanic and Asian/Pacific communities, and promotes equal access to the latest library technology.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-127:

SUBJECT: Accumulated Interest in the Northern Wildlife Preserve Grant Fund. (Mission Bay Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-325) ADOPTED AS RESOLUTION R-284560

Authorizing the transfer of accumulated interest not to exceed \$12,336 from the Northern Wildlife Preserve Grant Fund No. 38034, to CIP-22-917.0, Northern Wildlife Preserve Fence;

Authorizing the expenditure of not to exceed \$12,336 from CIP-22-917.0, Northern Wildlife Preserve Fence, to supplement funding previously authorized by the City Council on January 18, 1994 in Resolution R-283266.

CITY MANAGER SUPPORTING INFORMATION:

The Northern Wildlife Preserve Fence project in Mission Bay Park has been completed. An additional \$12,336 is needed due to the change orders processed during construction of the Northern Wildlife Preserve Fence. Change orders included installation of a gate, increasing the height of the fence at Campland by the Bay, and additional fencing fabric around the UCSD facility at Crown Point Drive and Pacific Beach Drive.

Aud. Cert. 9500217.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-128:

SUBJECT: Authorizing Payment-in-Lieu for Lost Registered Bonds.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-334) ADOPTED AS RESOLUTION R-284561

Authorizing the Bank of America, as paying agent, to
make payment for the 1978 San Diego Open Space Park
Bond, Series 79-A, Registered Bond Certificate Numbers
2428 and 2429, with a value of \$5,000 each.

CITY MANAGER SUPPORTING INFORMATION:

The City Treasurer's Department has been notified that registered
bond numbers 2428 and 2429 for the 1978 San Diego Open Space Park
Bond, Series 79A, for a total par value of \$10,000 and called
July 1, 1994 have been lost. In order for the bank to make
payment for the lost bonds, the City Council must authorize
payment. 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 also been
received.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-129:

SUBJECT: Settlement of the Personal Injury Claim of Yolanda Martinez, et al.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-261) ADOPTED AS RESOLUTION R-284562

A Resolution approved by the City Council in Closed Session on Tuesday, August 2, 1994 by the following vote: Mathis-yea; Roberts-yea; Kehoe-not present; Stevens-yea; Warden-yea; Stallings-nay; McCarty-yea; Vargas-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$60,000 in the settlement of each and every claim against the City, Kevin McNamara, Stuart Littlefield and all other agents and employees of the City of San Diego, resulting from injuries sustained by Victoria Yolanda Martinez, Arturo Martinez, Yolanda Martinez, Gerry Martinez, Sr., Imelda Martinez, Bobby Martinez, Lillybell Martinez, Lisbet Martinez, Gerry Martinez, Jr., Hortencia Rodriguez and Angel Gil on January 24, 1993, as is alleged and more fully set forth in United States District Court Case No. 940165B (BTM), Martinez v. City of San Diego et al.;

Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$60,000 made payable to Michael R. Marrinan, attorney, in trust for Victoria Yolanda Martinez, et al, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the personal injury claim of Yolanda Victoria Martinez, et al. against the City of San Diego, its agents and employees, as a result of an incident which occurred on January 24, 1993.

Aud. Cert. 9500198.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-130:

SUBJECT: Settlement of the Claim against HomeFed Bank in the
Bankruptcy Reorganization of the U.S. Grant Hotel.
(See City Manager Report CMR-94-247.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-62) ADOPTED AS RESOLUTION R-284563

Authorizing the City Manager to accept from Resolution
Trust Corporation, as successor to HomeFed Bank, the
amount of \$844,450.61 as payment in full of the City's
claim against HomeFed Bank in the bankruptcy
reorganization of the U.S. Grant Hotel.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

ITEM-131:

SUBJECT: Alpha Project for the Homeless.

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-95-294 Rev.1) ADOPTED AS RESOLUTION R-284564

Authorizing the expenditure of not to exceed \$8,000 from Fund 19621, for providing funds to pay the prior year workers' compensation insurance payments associated with the Neil Good Day Center staff employed by the Alpha Project for the Homeless.

CITY MANAGER'S RECOMMENDATION:

Do not approve the resolution.

CITY MANAGER SUPPORTING INFORMATION:

The City has contracted for three years with the Alpha Project for the Homeless to operate the Neil Good Day Center located at 299 17th Street. During the second year of the contract, due to an agency staff error, no workers' compensation insurance was paid on any agency staff including staff associated with the Neil Good Day Center. The total error amounted to \$22,000 of which approximately \$8,000 is associated with the staff operating the Neil Good Day Center. The agency has requested that contract savings in Fiscal Year 1994 be used to pay the prior year's obligation. There are current year savings due to vacant budgeted positions. The Neil Good Day Center is funded from a combination of sources including the Housing Commission, the County of San Diego, and private fund raising. The County and private funding has been fully expended. The Housing Commission staff have indicated that they have not by practice funded prior year expenditures with current year funding. The City Auditor and Comptroller by practice has not allowed prior year obligations to be paid from current year funds. The City Manager is concerned that the precedent set by approving this request would make it difficult in administering the other 40 social services contracts. We do not recommend approval of this request. But it is within the Council's discretion to approve the request. If so directed, an administrative budget adjustment will be made and the obligation paid as requested. If this item is not approved, the funds unexpended in the account would be returned to the Housing Commission.

Aud. Cert. 9500173.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G217-418.)

MOTION BY VARGAS TO ADOPT THE RESOLUTION AUTHORIZING PAYMENT

OF THE PRIOR YEAR'S WORKERS COMPENSATION INSURANCE PAYMENTS. AMENDMENT BY ROBERTS, ACCEPTED BY VARGAS AND McCARTY, TO STIPULATE THAT THIS ROLL-OVER COULD NOT BE REPEATED BY THIS ORGANIZATION WITHIN THE NEXT FIVE YEARS. Second by McCarty. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-132:

SUBJECT: Modification of Centre City Traffic Signal System from Broadway to Market Street and from Fourth Avenue to Sixth Avenue.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-273) ADOPTED AS RESOLUTION R-284565

Authorizing the expenditure of not to exceed \$30,000 from CIP-68-011.0 of Transnet Fund 30300, for providing funds for the replacement and upgrade of Centre City Traffic Signal System from Broadway to Market Street and from Fourth Avenue to Sixth Avenue; Authorizing the City Auditor and Comptroller to retain excess money, if any, in CIP-68-011.0.

CITY MANAGER SUPPORTING INFORMATION:

The subject Capital Improvement Program Project replaces and upgrades the Traffic Signal System in Centre City from Broadway to Market Street and from Fourth Avenue to Sixth Avenue. The work involves the installation of Traffic Signal Standards, programmed visibility signal heads, the replacement of 8-inch signal heads with 12-inch signal heads and standardized pole mounted street name signs. This improvement will enhance safety for motorists and pedestrians throughout the downtown area. During construction, it was necessary to do a special design for signal pole foundations on top of existing basements at several locations. This change required an extensive increase in time by Engineering and Field personnel for design and field inspection. Aud. Cert. 9500137.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

ITEM-133:

SUBJECT: Mercado Project Section 108 Loan Request and Economic
Development/Incentive Grant Application Certifications.
(See City Manager Report CMR-94-251. Barrio
Logan/Harbor 101 Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-357) ADOPTED AS RESOLUTION R-284566

Setting forth the legal authority and certifications
necessary to make application for Section 108 Loan
Guarantee Funds and Economic Development Incentive
Grant Funds.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H045-068.)

MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by
the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-
yea, Mayor Golding-yea.

* ITEM-134:

SUBJECT: Compliance with Section 1.150-2 of the Treasury
Regulations (Water).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-275) ADOPTED AS RESOLUTION R-284567

Declaring the intent of the City to use proceeds of taxable or tax-exempt indebtedness issued by the City of San Diego or the Public Facilities Financing Authority of the City of San Diego to reimburse project expenditures made by the City in compliance with Section 1.150-2 of the Treasury Regulations for the Water Utility.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego or the Public Facilities Financing Authority of the City of San Diego are empowered to issue and sell bonded indebtedness on behalf of the City to finance construction of capital facilities of the Water Utilities Department necessary to comply with requirements of the Safe Drinking Water Act, replace existing infrastructure, provide new infrastructure to accommodate growth, and establish a distribution system for reclaimed water. This resolution is adopted solely for the purpose of complying with Treasury Regulations, which require the issuing agency to expressly state its intent to reimburse itself from bond proceeds for expenditures incurred on behalf of the bond-financed project(s). The reimbursement of project expenditures from bond proceeds is limited to one year after the date of a payment for the facilities or the in-service date of the entire facility. In Fiscal Year 1995 the City Council will be presented with a long term Water Fund financing plan which may request authorization to issue debt for the water treatment and distribution system. The adoption of this resolution does not commit the City Council to the issuance of bonds, but only satisfies Internal Revenue Service regulations to give the City an option to reimburse itself from bond proceeds for previous expenditures if it decides to issue bonds.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-135:

SUBJECT: Amendment to the Agreement for the Fiesta Island Replacement Project and Northern Sludge Processing Facility.
(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-352) ADOPTED AS RESOLUTION R-284568

Authorizing an amendment to the agreement of February 22, 1993, with Michael Brandman Associates, for environmental consultant services in connection with the Fiesta Island Replacement Project and Northern Sludge Processing Facility;

Authorizing the expenditure of not to exceed \$98,660 from the Metropolitan Wastewater Department Fund No. 41509, CIP-42-911.4, Northern Sludge Processing Facility Phase II.

CITY MANAGER SUPPORTING INFORMATION:

The original agreement between the City and Michael Brandman Associates for Environmental Services for the Fiesta Island Replacement Project and the Northern Sludge Processing Facility (FIRP/NSPF) was adopted on February 22, 1993, via Resolution R-281507. Since the inception of the environmental studies, a decision to accelerate the schedule for this project and incorporate this project with Waste Management's General Development Plan EIS/EIR was made. As such, revisions to the project description and the addition of new tasks were required which accounted for the request for an amendment to the original agreement. Amendment No. 1 added \$79,784 to the original agreement. This Amendment No. 2 is to revise Task 3.2, to expand distribution of the final document; to revise Task 3.2.4.1, to supplement and add additional analyses related to additional project features; to add Task 3.2.11, to prepare a Biological Revegetation Plan; to add Task 3.2.12, to prepare Findings and Statement of Overriding Considerations; to add Task 3.2.13, to provide additional services for USF&WS's Section 7 processing; and add Task 3.2.14, to perform additional air quality conformity analysis.

Aud. Cert. 9500261.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-nay, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-136:

SUBJECT: First Amendment to the San Ysidro Boulevard Storm Drain
Study. (San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-93) ADOPTED AS RESOLUTION R-284569

Authorizing a first amendment to the agreement with BSI
Consultants, Inc., to provide professional services for
the San Ysidro Boulevard Storm Drain Study, CIP-12-
071.0;

Authorizing the expenditure of not to exceed \$40,600
from CIP-12-071.0, San Ysidro Boulevard Storm Drain
Study, TransNet - Proposition A, Fund No. 30300.

CITY MANAGER SUPPORTING INFORMATION:

The San Ysidro Boulevard Storm Drain Study CIP-12-071.0 consists
of two phases. The purpose of Phase I was to determine the
hydrology for the drainage basins affecting San Ysidro Boulevard
and assess the existing drainage system. The purpose of Phase II
is to rank deficiencies in the existing drainage system per City
requirements, and recommend possible solutions with engineering
and construction cost estimates. The agreement for the Phase I
work was approved on April 25, 1994 per Council Resolution R-
283752. The first amendment to the agreement is for the Phase II
work. In accordance with Council Policy 300-7 and Administrative
Regulation 25.60, the Consultant Coordinator provided the names
of five firms on the "As-Needed" list for consideration.

Interviews were conducted on November 30, 1993 with BSI Consultants, Inc., being recommended for professional services. Fee negotiations were consummated on February 3, 1994 resulting in mutually acceptable terms and conditions including a base fee of \$65,600 and additional services of \$5,000. \$25,000 of the base fee and additional services were approved per Council Resolution R-283752. The 40,600 increase in base fee is for the second phase of the study.

Aud. Cert. 9500020.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-137:

SUBJECT: Reimbursement Agreement with the County of San Diego for the Relocation of the East Mission Gorge Interceptor Sewer.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-350) ADOPTED AS RESOLUTION R-284570

Authorizing an agreement with the County of San Diego for the reimbursement of design costs incurred on behalf of the County in the relocation of the East Mission Gorge Interceptor Sewer.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego owns and operates the East Mission Gorge Interceptor Sewer, which transmits sewage from Padre Dam, the Lakeside/Alpine Sanitation District (County of San Diego) and the City of El Cajon. This sewer, along with a diversion structure and metering station, as well as reaches of interceptor sewer and metering station owned by the City of El Cajon, an interceptor owned by the Lakeside/Alpine Sanitation District, and sections of

the Santee Force Main and metering station are all within the proposed alignment of State Route 52 Freeway. To accommodate construction of the freeway, these structures must be relocated. In July of 1993, the City of San Diego agreed to take the lead in the design of the affected facilities. The City hired Dudek and Associates to perform the design for the relocation of these facilities, and has paid for all services to date. El Cajon and the County of San Diego have agreed to reimburse the City for all costs incurred on their behalf for the design of the relocated facilities. The construction will be performed by the State. This agreement will allow the City to be reimbursed by the County of San Diego for the County's portion of the consultant design costs, which is estimated to be \$30,000. It was approved by the Board of Supervisors on June 21, 1994.
WU-U-95-009.

FILE LOCATION: WATER - County of San Diego; East Mission Gorge
Interceptor Sewer CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-138:

SUBJECT: Balboa Park - Japanese Garden Reimbursement Agreement.
(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-324) CONTINUED TO OCTOBER 10, 1994

Authorizing an agreement with the Japanese Friendship
Garden Society, for the reimbursement of a substantial
portion of the cost to improve the garden;

Authorizing the expenditure of not to exceed \$1,824,700
from CIP-21-834.0, Balboa Park/Mission Bay Park
Requirements, to provide funds for this project, to
be expended as follows: \$578,800 from Fiscal Year 1994

appropriations; and \$1,245,900 from Fiscal Year 1995 and other fiscal year appropriations, contingent on the City Council's appropriation of funds for this purpose.

CITY MANAGER SUPPORTING INFORMATION:

The Balboa Park Master Plan identifies \$2.0 million for landscaping and facility improvements to the Japanese Garden. The Japanese Friendship Garden Society and the City of San Diego desire to provide substantial improvements to the Garden jointly in the form of a reimbursement agreement. The total estimated cost of the project is \$1,901,900 of which the City proposes to fund, in the form of a reimbursement agreement, the sum of \$1,824,700. The proposed improvements include fencing the site, grading, and landscaping development, implementing disabled access requirements and constructing a new cultural center with view decks. Aud. Cert. 9500162.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO CONTINUE THE ITEM TO OCTOBER 10, 1994, AS REQUESTED BY KEHOE FOR TIME TO REVIEW THE MATTER AND TO WORK WITH THE JAPANESE GARDEN BOARD TO SEE HOW THE CITY OF SAN DIEGO CAN ASSIST THEM. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-139:

SUBJECT: San Diego Residential Water Survey Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-63) ADOPTED AS RESOLUTION R-284571

Entering into an agreement with Metropolitan Water District of Southern California (MWD) for receipt of \$81,763 from the MWD to be used to implement the City's Residential Water Survey Program.

CITY MANAGER SUPPORTING INFORMATION:

This action requests that the City of San Diego enter into an agreement with the Metropolitan Water District (MWD) of Southern California to accept up to \$81,763 to be used to operate the 1994 Residential Water Survey Program (Survey Program). In 1992 and 1993, the City funded 100 percent of the Survey Program costs. By entering into an agreement with the MWD, the City will receive a 50 percent funding contribution for the 1994 Survey Program. On September 23, 1991, the City Council adopted a resolution to become an original signatory to the Memorandum of Understanding (MOU) Regarding Urban Water Conservation in California. The MOU contains sixteen Best Management Practices (BMP's) that are proven long-term water conservation measures that have become standard statewide. The Survey Program, i.e. water audits, is a BMP that assists City residents in determining how water is used inside and outside their homes and identifies opportunities to conserve water. In 1992 and 1993, more than 5,600 single-family and multi-family customers participated in the Survey Program resulting in an estimated annual water savings of 241 acre-feet per year or 215,668 gallons per day. Customers have expressed their appreciation for this water conservation program by phoning and writing to thank the City for implementing the Survey Program. The City, in cooperation with the MWD, will be continuing the Survey Program in 1994, to encourage water conservation practices within the City's water service area. Participating households will lower their per capita water usage, thus consuming less imported water from MWD via the San Diego County Water Authority. The City will share program data with the MWD that they will use to plan and design future water conservation programs, and predict future customer water demand. The estimated water savings for the 1994 Survey Program is 165 acre-feet per year or 147,804 gallons per day.

WU-WC-94-180.

FILE LOCATION: WATER - Metropolitan Water District of
Southern California (MWD); Residential Water
Survey Program CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-140:

SUBJECT: Agreement with NBS/Lowry Corp. for Construction Management/Inspection Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-351) ADOPTED AS RESOLUTION R-284572

Authorizing an agreement with NBS/Lowry Corp. (San Diego), for as-needed construction management and inspection services for the Water Utilities Department;

Authorizing the expenditure of not to exceed \$240,000 consisting of \$120,000 from Fund No. 41506, CIP-46-174.0, Annual Allocation - As-Needed Consultant Services/Sewer, and \$120,000 from Fund No. 41500, CIP-73-312.0, Annual Allocation - As-Needed Consultant Services/Water;

Authorizing the City Manager to finance or re-finance this agreement with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION:

This agreement is for Construction Management/Inspection services on an as-needed basis. These services will provide additional support to our construction staff by adding expertise that is not currently available. Some of the specialty work will include electrical inspection for pump stations and welding and coating inspection that require special certification. On February 10, 1994, the Consultant Nominating Committee nominated five firms to participate in the final selection process. In conformance with Council Policy 300-7, these qualified firms were interviewed on March 14, 1994, and NBS/Lowry, Corp. was selected as the best qualified firm to provide the as-needed consultant services. NBS/Lowry, Corp. has three subconsultants for construction management support services: Construction Management Services and Engineering, Inc. (WBE), for construction management support (25 percent); Mark Balan & Associates (MBE), for specialty electrical inspections (5 percent); and L. J. Boyle Construction Services, Inc. for specialty welding inspection (5 percent). This agreement will provide for the services by task orders on an hourly fee basis not to exceed \$50,000 per task. The total contract shall not exceed \$240,000 for a period of two years from

the date of execution by the City Manager.

Aud. Cert. 9500236.

WU-95-001.

FILE LOCATION: WATER - NBS/Lowry Corp. (San Diego)
CONTFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-141:

SUBJECT: First Amendment to the Agreement for Art Work for the
Mira Mesa Branch Library.
(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-249) ADOPTED AS RESOLUTION R-284573

Authorizing the execution of a first amendment to the agreement for contractual services/Mira Mesa Branch Library with artist Larry Kirkland ("Artist"), for fabricating and installing one portion of a three-part design for the Mira Mesa Branch Library; Authorizing the expenditure of not to exceed \$40,000 for the second portion of the Artist's design, which is available in CIP-35-0760 (\$18,000 from Fund No. 63022, and \$22,000 from Fund No. 79006).

CITY MANAGER SUPPORTING INFORMATION:

This action will provide for the design, fabrication and installation of additional art at the Mira Mesa Branch Library. The original design concept for the Mira Mesa Branch Library contemplated a three element Public Art Program. During the final design phase of the Library, it was only possible to identify funding for the first element of the three element art

program. Subsequently, as a result of substantial community interest, Mr. Feuerstein, a long standing business member of the Mira Mesa Community, came forward with a generous donation which made the acquisition of this additional art work possible. Additional acknowledgment of this donation will be made through a separate "Special Order of Business" initiated by the District 5 Council Office. Total cost for the second Public Art Element, including design, fabrication, and installation, is \$40,000. In addition to Mr. Feuerstein's generous donation of \$18,000, \$22,000 is available in the Library Construction Fund. Aud. Cert. 9401220.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-142:

SUBJECT: Agreement with San Diego Service Center for the Blind. (Mid-City Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-293) ADOPTED AS RESOLUTION R-284574

Authorizing an agreement with San Diego Service Center for the Blind for renovation of their facility at 5922 El Cajon Blvd.;

Authorizing the expenditure of not to exceed \$130,000 from CDBG Fund 18530, Dept. 4062, Org. 6211.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Service Center for the Blind is a non-profit organization providing rehabilitation training programs for the blind and vision impaired adults throughout San Diego. The program's purpose is to help these students achieve their highest level of self-reliance and independence. The Center serves

approximately 1,000 individuals annually. The expenditure of \$130,000 in Community Development Block Grant (CDBG) funding will provide for the design and construction of the final phase of their facility renovation. This project will consist of a new HVAC system, a kitchen remodel, and sidewalk replacement to meet the accessibility standards. On May 9, 1994, City Council adopted Resolution R-282845 granting the CDBG funding for this project.

Aud. Cert. 9500175.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-143:

SUBJECT: San Diego Tennis Patrons Community Center.
(Ocean Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-186) ADOPTED AS RESOLUTION R-284575

Authorizing an agreement with San Diego Tennis Patrons,
for design and construction of their community center
and tennis courts at the northeast corner of West
Point Loma Boulevard and Nimitz Boulevard;

Authorizing the expenditure of not to exceed \$258,000
from CDBG Fund 18529, Dept. 4042, Org. 4221, JO 112482.

CITY MANAGER SUPPORTING INFORMATION:

San Diego Tennis Patrons Association (SDTP) is a non-profit organization providing a progression of tennis activities and financial assistance to all children. The purpose of SDTP is to educate young people and develop their character, physical fitness, educational skills, and competitive spirit through learning and participating in tennis. The programs reach

thousands of children, and use tennis as the vehicle to improve the quality of their lives. This action will provide \$232,200 to pay for permit fees and partial design costs for the proposed community center. The 12-acre center leased from the City will have study rooms, meeting rooms, locker rooms, and kitchen facilities. Adjacent to the building will be 24 tennis courts. On May 24, 1993 the City Council adopted Resolution R-282036 granting SDTP \$258,000 of Community Development Block Grant (CDBG) funding for this project.
Aud. Cert. 9500088.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-144:

SUBJECT: First Amendment to the Agreement - Washington School Child Care Center. (District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-295) ADOPTED AS RESOLUTION R-284576

Authorizing a first amendment to the agreement with the San Diego Unified School District, to retrofit the Washington School Child Care Center and turf the playground;

Authorizing the expenditure of not to exceed \$150,000 from 1993 CDBG funds.

CITY MANAGER SUPPORTING INFORMATION:

On April 22, 1991, the City Council approved an agreement (Document RR-277754) with the San Diego Unified School District to retrofit five modular classrooms at Washington Elementary School for a child care center. The City's contribution toward the project was \$200,000.

Additional funds to complete the project in the amount of \$150,000 have been set aside by the City Council from the 1993 CDBG allocation. The action before Council would amend the agreement with the School District by increasing the contribution made by the City from \$200,000 to \$350,000. The additional funds will be used for landscaping and other related expenditures. Aud. Cert. 9500180.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-145:

SUBJECT: First Amendment to the Industrial Medical Services Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-367) ADOPTED AS RESOLUTION R-284577

Authorizing the execution of a first amendment to the agreement with Sharp Rees-Stealy Medical Group Inc., to extend the terms and conditions of the contract by 60 days;

Authorizing the expenditure of not to exceed \$180,000 from Fund 60029, Account No. 9544, for this purpose.

CITY MANAGER SUPPORTING INFORMATION:

The first amendment to the agreement with Sharp Rees-Stealy Medical Group (SRSMG) would extend the terms and conditions of the agreement through November 13, 1994. The City of San Diego entered into a contractual agreement, pursuant to Resolution R-280645, on September 15, 1992 for a two year period with SRSMG to provide medical treatment to the City's industrially injured and ill employees. The City Manager is presently conducting a

Request for Proposal process for industrial medicine services.
The sixty day extension is required due to the need for
additional time to conclude the Request for Proposal process.
Aud. Cert. 9500220.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

ITEM-146:

SUBJECT: Mitigation Fund Agreement with the U.S. Fish & Wildlife
Service. (See City Manager Report CMR-94-252.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-372) ADOPTED AS RESOLUTION R-284578

Authorizing a Mitigation Fund Agreement with the United
States Fish and Wildlife Service;
Authorizing the City Auditor to establish an interest
bearing fund to be known as the "Mitigation Fund" for
the purpose of acquiring lands for wildlife habitat.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: G444-H044.)

MOTION BY MATHIS TO ADOPT THE RESOLUTION. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-147:

SUBJECT: Additional Space for Metropolitan Wastewater

Laboratory.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-368) ADOPTED AS RESOLUTION R-284579

Authorizing a five-year lease agreement, with one five-year option to extend, with Driscoll Marina, for additional lab space and docking facilities for two boats at Fisherman's Village located at 4922 N. Harbor Drive, at an initial rent of \$2,037 per month;

Authorizing the expenditure of not to exceed \$24,444 from Fund 40012, Dept. 700, Org. 278, Account 4680, Job Order 001332.

CITY MANAGER SUPPORTING INFORMATION:

The Environmental Monitoring and Technical Services Division of Metropolitan Wastewater has a laboratory and support offices located at Fisherman's Village (4922 N. Harbor Drive). They require extra space for additional staff which will be on site by the first part of July 1994. They also require a dock for two vessels and storage space. The additional 1,025 square feet of space will be leased at the same rate as the existing laboratory (\$1.39 per square foot, plus utilities). The lessor will install improvements consisting of sinks, dedicated waste lines, exhaust fans, and other wet lab devices. The dock for two boats will be adjacent to the lab and the rent for it is \$612 per month. The proposed agreement will commence upon execution by the City Manager, terminate 5 years thereafter and contains one five-year option to extend, with no rental adjustments other than a pass through of expenses. The lease rate is considered competitive for this small, unique water front location.
Aud. Cert. 9500141.

FILE LOCATION: LEAS - Driscoll Marina LEASFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-148:

SUBJECT: Lease Agreement - Police Community Relations Office -
Downtown. (Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-336) ADOPTED AS RESOLUTION R-284580

Authorizing a three-year lease agreement with options for two one-year periods with Market Street Square for 1,895 square feet of office space at 205 G Street to be used as a Police Community Relations Office, at an initial base monthly rental of \$1,421.25;

Authorizing the expenditure of not to exceed \$12,791.25 from the Police Department Budget, Fund 100, Dept. 110, Org. 485, Account 4682, Job Order 111482, for the period of August 1, 1994 to June 30, 1995.

CITY MANAGER SUPPORTING INFORMATION:

In 1986 the Police Department established a Community Relations Office at 845 Fourth Avenue to serve the Downtown area. With the growth and popularity of Downtown, and the expansion of police activities (i.e. bicycle patrol), this location is now considered too congested to adequately accommodate the Police Community Relations programs. The agreement terminated January 31 and is on a month-to-month holdover. The City Manager proposes to enter into a new lease with Market Street Square and relocate the Community Relations office to 205 G Street. This new location provides additional space for expanding services and allows police vehicles to access the storefront more easily than its current location. A summary of the agreement is as follows:

Location: 205 G Street

Size: 1,895 square feet

Term: Three years with options for two one-year periods

Rent: \$1,421.25 per month (\$.75 per square foot) plus utilities.

Monthly rental rate is subject to a CPI adjustment, on the 19th month, not to exceed 5 percent.

Rent Concession: Two months free rent.

The rental rate is below market for comparable property in the

area.

Aud. Cert. 9500182.

FILE LOCATION: LEAS - Market Street Square LEASFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-149:

SUBJECT: Lease Agreement - Police Community Relations Office -
City Heights.
(City Heights Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-335) ADOPTED AS RESOLUTION R-284581

Authorizing a three-year lease agreement, with options
for two one-year periods, with Thao Bo Corp., for 2,700
square feet of office space at 4844 University Avenue
to be used as a Police Community Relations Office, at
an initial base monthly rental of \$1,539;

Authorizing the expenditure of not to exceed \$16,929
from the Police Department Budget, Fund 100, Dept. 110,
Org. 485, Account 4682, Job Order 111482, for the
period of August 1, 1994 to June 30, 1995.

CITY MANAGER SUPPORTING INFORMATION:

In 1987 the Police Department established a Community Relations
Office and an Indo-Chinese outreach program at 4246 Euclid Avenue
to serve the City Heights Community. The lease terminated June
30 and is on a month-to-month holdover. The Police Department
has requested to relocate its office to a facility that can
better accommodate its heavy walk-in traffic. The City Manager
proposes to enter into a new lease with Thao Bo Corp. for office
space at 4844 University Avenue. This new location provides the

Police Department with an additional 300 square feet of office space and additional on and off-site parking. A summary of the agreement is as follows: Location: 4844 University Avenue
Size: 2,700 square feet
Term: Three years with options for two one-year periods
Rent: \$1,539 per month (\$.57 per square foot) plus utilities; pro-rata share of monthly landscaping costs. Monthly rental rate is subject to a 4 percent rental adjustment, on the 19th month; thereafter, every year.

The rental rate is below market for comparable property in the area.

Aud. Cert. 9500183.

FILE LOCATION: LEAS - Thao Bo Corp LEASFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-150:

SUBJECT: Human Relations Commission's Semi-Annual Report to Council.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-173) ADOPTED AS RESOLUTION R-284582

Approving the City Manager's Semi-Annual Report for Fiscal Year 1994 on the status of the City's Human Relations Commission.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.

Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-151:

SUBJECT: Appointments to the Housing Advisory and Appeals Board. (See memorandum from Mayor Golding dated 7/20/94 with resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-392) ADOPTED AS RESOLUTION R-284583

Council confirmation of the following appointments by the Mayor to serve as members of the Housing Advisory and Appeals Board: Term ending March 1, 1995: Reverend Robert C. Ard(replacing Rev. Walter G. Wells, whose term has expired) Term ending March 1, 1996: Susan McFarland (replacing Marsha P. Ingersoll, whose term has expired)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-152:

SUBJECT: Appointment to the Senior Citizens' Advisory Board. (See memorandum from Mayor Golding dated 7/15/94 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-391) ADOPTED AS RESOLUTION R-284584

Council confirmation of the appointment by the Mayor of David B. Dreiman, to serve as a member of the Senior Citizens' Advisory Board, representing the City at Large, for a term ending July 1, 1996.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-153:

SUBJECT: California Uniform Tobacco Control Act - Proposition 188 on the November 1994 Ballot. (See Intergovernmental Relations Department Report IRD-94-19.)

RULES COMMITTEE'S RECOMMENDATION:

On 7/25/94, RULES voted 5-0 to recommend adoption of the following resolution (Councilmembers Roberts, Stevens, Stallings, McCarty and Mayor Golding voted yea):

(R-95-356) ADOPTED AS RESOLUTION R-284585

Declaring that the City of San Diego opposes Proposition 188 on the November 1994 ballot; Declaring that the City will take immediate steps to inform the residents of the impact of Proposition 188 on the community and will forward a copy of the resolution and the existing San Diego smoking ordinance to the Chief Executive Officer of Philip Morris.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-

yea, Vargas-yea, Mayor Golding-yea.

* ITEM-154:

SUBJECT: Negotiations for the Lease and Operation of Mission Bay Sailing Center. (See City Manager Report CMR-94-215. Mission Bay Community Area. District-2.)

PUBLIC FACILITIES AND RECREATION COMMITTEE'S RECOMMENDATION:

On 7/27/94, PF&R voted 5-0 to recommend adoption of the following resolution (Councilmembers Mathis, Kehoe, Warden, Stallings, and McCarty voted yea):

(R-94-1995) ADOPTED AS RESOLUTION R-284586

Authorizing the City Manager to enter into negotiations with Richard Gleason for the lease and operation of Mission Bay Sailing Center located at 1010 Santa Clara Place in Mission Bay.

OTHER RECOMMENDATIONS:

City Manager's Recommendation to PF&R:

Authorize lease negotiations with Richard Gleason.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Declaring a Continued State of Emergency regarding the Discharge of Raw Sewage from Tijuana, Mexico. (San Ysidro and Tijuana River Valley Community Areas.)

District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-321) ADOPTED AS RESOLUTION R-284587

Declaring a continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

CITY MANAGER SUPPORTING INFORMATION:

For over 50 years, renegade raw sewage flows from Tijuana, Mexico have flowed across the international border in the Tijuana River into the United States. These flows have impacted the health and safety of San Diego residents. The permanent solution to this border situation is the construction of the proposed International Treatment Plant by the federal government. This plant is expected to be operational by 1998 and will treat raw sewage from Mexico. In the interim, until the international plant is constructed, the City in 1991, agreed to accept and treat 13 million gallons per day of Tijuana sewage in the Metropolitan Sewerage System. The amount of flow that the City can accept is limited due to the capacity of the emergency connection. Due to increased water availability and usage in Tijuana, raw sewage flows in the Tijuana River have increased. These flows are beyond the capacity that can be handled by the Mexican treatment system and the emergency connection. These increased flows threaten the health, safety and welfare of the citizens of San Diego. The continued declaration of emergency will enable the City to assist state and federal agencies in expediting the treatment of this international sewage. The government code requires the local governing body to review a State of Emergency every fourteen days until the local emergency is declared terminated. The State of Emergency was first declared by City Council on September 7, 1993. This action requests the continuation of the State of Emergency and authorization for the City Manager to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B195-C120.)

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

Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Alvarado Filtration Plant Upgrade and Expansion.
(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-308) ADOPTED AS RESOLUTION R-284588

Awarding a contract to C.E. Wylie Construction Company (San Diego), for construction of Alvarado Water Filtration Plant Expansion;

Authorizing the additional expenditure of not to exceed \$5,547,413 from Water Revenue Fund 41502, CIP-73-261, Alvarado Filtration Plant Upgrade and Expansion, for the purpose of supplementing the authorization of Resolution R-284172, to be expended in the following manner:

- a) \$1,253,965 from Fiscal Year 1995
- b) \$3,246,035 from Fiscal Year 1996 appropriations contingent upon Council appropriating funds for this purpose in Fiscal Year 1996
- c) \$1,047,413 from Fiscal Year 1997 appropriations contingent upon Council appropriating funds for this purpose in Fiscal Year 1997 CIP;

Authorizing the transfer of \$853,965 within the Water Revenue Fund 41502 from Alvarado Filtration Plant Building Renovation CIP-73-260 to Alvarado Regulating Reservoirs, Alvarado Filtration Plant and Upgrade CIP-73-261;

Authorizing the transfer of \$400,000 within Water Revenue Fund 41502 from Bonita Pipeline CIP-73-195 to Alvarado Regulating Reservoirs, Alvarado Filtration Plant and Upgrade CIP-73-261; Stating for the record that the City of San Diego as Lead Agency has reviewed and considered the Final Environmental Document.

(BID-K94237)

CITY MANAGER SUPPORTING INFORMATION:

The Alvarado and Earl Thomas reservoirs located at the Alvarado Water Filtration Plant supply daily potable water peak flows to the central portion of the City. The oldest of the reservoirs, the Alvarado Reservoir, was built in 1950 and has served its useful life. Seismic studies indicated the reservoir structure does not comply with the current Building Code and the roof has deteriorated to a state where immediate replacement is necessary. On June 27, 1994, Council approved plans and specifications for the replacement of the 20 million gallon (MG) Alvarado Reservoir with two (2), twenty-one MG reservoirs and authorized award to the lowest responsible bidder estimated at \$20,050,000. A total of 90 bid packages were issued and three bidders responded to the bid call on July 22, 1994. The low bid by C.E. Wylie Construction is \$25,217,413 or 25.7 percent over the engineer's estimate. The highest bid was \$25,239,744. Only \$22,331 (0.09 percent) separated the low bid from the high bid. The higher than expected bids are attributable to: 1) The need to complete the piping and demolition before the gnatcatcher breeding season which begins February 15 and lasts through August 15. During this time average construction noise activities must be kept below 65 decibels as required by the Environmental Impact Report; 2) The original construction estimate assumed a market for the expert soil material; currently, there does not seem to be a need for imported soil close to the project site. Based on the uniform bids and the environmental restrictions, it is recommended that the contract be awarded to the lowest bidder, C.E. Wylie Construction in the amount of \$25,217,413. Eleven MBE/WBE first tier and second tier subcontractors with work amounting to 16.03 percent will participate in this project. Included in the cost estimate is a \$50,000 supplemental construction work by SDG&E to relocate a power pole that is in direct conflict with construction.

Aud. Cert. 9500266.
WU-P-95-010.

FILE LOCATION: CONT - C.E. Wylie Construction Company
(San Diego) CONFY95-1

COUNCIL ACTION: (Tape location: C123-319.)

MOTION BY ROBERTS TO ADOPT THE RESOLUTION. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,

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

ITEM-202:

SUBJECT: Three actions related to Montgomery Field Runway
10L/28R Extension. (See City Manager Report CMR-94-249.
Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-160) ADOPTED AS RESOLUTION R-284589

Inviting bids for the Montgomery Field Runway 10L/28R
Extension on Work Order No. 311410;

Authorizing the expenditure of not to exceed \$412,500
from Fund 41100, Airports Division Fund Balance, for
land acquisition for environmental mitigation;

Authorizing the expenditure of not to exceed \$75,000
from the Airports Division Fund Balance for the first
year of on-site environmental mitigation.

Subitem-B: (R-95-161) ADOPTED AS RESOLUTION R-284590

Certifying that the information contained in
Environmental Impact Report DEP-93-0423, in connection
with the approval of the Montgomery Field Runway
10L/28R Extension, has been completed in compliance
with the California Environmental Quality Act of 1970
and State guidelines, and that the Declaration has
been reviewed and considered by Council; adopting the
Mitigation Monitoring and Reporting Program.

Subitem-C: (R-95-162) ADOPTED AS RESOLUTION R-284591

Authorizing the execution of a contract with the lowest
responsible bidder for the Montgomery Field Runway
10L/28R Extension, including additive alternatives for
an access taxiway and upgrading taxiway lights and
signage at Montgomery Field;

Authorizing the expenditure of not to exceed

\$1,406,758, including an additive alternative of \$129,800, for the construction related costs of the Montgomery Field Runway 10L/28R Extension;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves; The \$1,406,758 is contained in CIP-31-141.0, of which \$1,015,854 is an FAA Grant, and \$243,000 is a State of California, Department of Aviation Grant, and a City share of \$147,904 comprised of \$31,396 (CIP-31-141.0) and \$116,508 from the Fiscal Year 1995 Montgomery Field Annual Allocation.

Aud. Cert. 9500260.

FILE LOCATION: Subitems-A,B,C: W.O. 311410 CONT - Sim J.
Harris Company CONFY95-1

COUNCIL ACTION: (Tape location: C323-382.)

MOTION BY STALLINGS TO ADOPT THE RESOLUTIONS. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: San Ysidro Revitalization Project.
(San Ysidro Community Area. District-8.)
(Continued from the meeting of July 25, 1994, Item 133, at Councilmember Vargas' request.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-359) ADOPTED AS RESOLUTION R-284592

Authorizing and directing the City Manager and City Attorney to take all necessary steps to dissolve the San Ysidro Revitalization Project; Granting the City Manager the authority to expend not to exceed \$83,974.38 from Fund 18530, Dept. 4070, Org. 7012, for the purpose of paying outstanding debts of the San

Ysidro Revitalization Project (SYRP) and to pay for any costs associated with SYRP's dissolution.

CITY MANAGER SUPPORTING INFORMATION:

On July 25, 1994, the scheduled Request for Council Action to authorize and adopt the FY 95 budget and Operating Agreement for the San Ysidro Revitalization Project (SYRP) was continued to September 12, 1994. Without an approved budget and agreement, SYRP has in the meantime exhausted its funds, terminated its Executive Director and staff, stopped all activity and is therefore a non-functioning corporation. This action would formally commence the process for the dissolution of SYRP. It would also authorize the City Manager to expend an amount not to exceed \$83,974.38 from FY 95 CDBG funds previously allocated to SYRP to make payment on any outstanding debts incurred by SYRP and on costs associated with the dissolution. Debt payments would be estimated to occur over the next 120 days. Utilization of any remaining FY 95 CDBG funds allocated to SYRP would be considered by the City Council after all SYRP debts are cleared.

Aud. Cert. 9500267.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

ITEM-204:

SUBJECT: Two actions related to Reuben H. Fleet Space Theater and Science Center Business Plan for Expansion. (See City Manager Reports CMR-94-248 and CMR-94-98. Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-354 Rev.1) ADOPTED AS RESOLUTION R-
284593

Approving the City Manager's recommendations as contained in City Manager Report CMR-94-248;
Encouraging the Science Center to work with the California Statewide Communities Development Authority to secure long term financing for its expansion;

Authorizing the negotiation of a new agreement with the Science Center, pursuant to which the Science Center would obtain long term leasehold rights in the Balboa Park property as necessary to obtain financing, and pursuant to which the City would waive the present provision which requires eight percent of gross revenues from operations to be paid to the City, and pursuant to which the Science Center would agree to complete payment on the outstanding bond indebtedness in Fiscal Years 1995, 1996, and 1997;

Accepting the City Manager's recommendation that the Science Center continue to apply on an annual basis for Transient Occupancy Tax allocations through the Commission for Arts and Culture.

Subitem-B: (R-95-355) ADOPTED AS RESOLUTION R-284594

Directing the City Manager to prepare a proposed policy for reviewing and making recommendations on requests for financing received from nonprofit entities, and to return the draft policy to the City Council or the appropriate Council committee for review.

FILE LOCATION: Subitem-A,B: MEET CONFY95-1

COUNCIL ACTION: (Tape location: C387-E466.)

Motion by McCarty to pledge our general fund and security for bonds issued, and to meet the operating and maintenance expenses and ensure that funding for the debt service from the City be the first obligation of the Fleet Center's reserve, and that the Center keep two years in reserve. Second by Vargas. Second withdrawn.

MOTION BY VARGAS TO REFER TO THE CITY MANAGER FOR CONTINUED DISCUSSION THE QUESTION OF FINANCING THE PROJECT; DIRECT THE CITY ATTORNEY DRAFT THE ETENSION OF THE LEASE; ADOPT THE REMAINDER OF THE ITEM. DIRECT THE CITY MANAGER TO RETURN TO COUNCIL ON OCTOBER 3,1994, WITH FINANCING OPTIONS AND WITH

THE DRAFT LEASE EXTENSION AGREEMENT. Second by McCarty.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

ITEM-205:

SUBJECT: Two actions related to the Traffic Signal at Clairemont
Drive and Rappahannock Drive (CIP-63-020.0).(Clairemont
Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1902 Cor.Copy) ADOPTED AS RESOLUTION R-
284595

Amending the Clairemont Mesa Public Facilities
Financing Plan to include the Traffic Signal at
Clairemont Drive and Rappahannock Drive (CIP-63-020.0);

Amending the FY 94 Capital Improvement Budget by adding
CIP-63-020.0, Traffic Signal at Clairemont Drive and
Rappahannock Drive;

Authorizing the City Auditor and Comptroller to
transfer an amount not to exceed \$48,000 from Annual
Allocation - Modernize Top 5-10 Priority Traffic
Signal, CIP-68-011.0, to the Traffic Signal at
Clairemont Drive and Rappahannock Drive, CIP-63-020.0;

Authorizing the City Auditor and Comptroller to
transfer an amount not to exceed \$42,000 from
Borrenson Storm Drain, CIP-11-298.0, to CIP-63-020.0,
Traffic Signal at Clairemont Drive and Rappahannock
Drive, DIF Fund No. 79521;

Authorizing the City Auditor and Comptroller to
transfer an amount not to exceed \$20,000 from the
Clairemont DIF to CIP-63-020.0, Traffic Signal at
Clairemont Drive and Rappahannock Drive, DIF Fund No.
79521;

Authorizing the expenditure of \$110,000 from CIP-63-

020.0, for this contract and related costs.

Subitem-B: (R-95-129) ADOPTED AS RESOLUTION R-284596

Inviting bids for the Construction of a Traffic Signal and Street Lighting System at Clairemont Drive and Rappahannock Avenue on Work Order No. 630200;

Authorizing a contract with the lowest responsible bidder. (BID-K95014)

CITY MANAGER SUPPORTING INFORMATION:

The signalization of the intersection of Clairemont Drive and Rappahannock Drive is a high priority of the Clairemont Community and satisfies the City's warrants for signalized intersections. It is necessary to amend the current Public Facilities Financing Plan for Clairemont Mesa to include this project. The current Public Facilities Financing Plan was adopted in September 1990. The addition of the project will not result in a revision of the transportation portion of the fee as the increase would have been less than \$1 per trip.

Aud. Cert. 9401189.

FILE LOCATION: Subitem-A,B: W.O. 630200 CONT - Select Electric Inc. CONFY95-1

COUNCIL ACTION: (Tape location: B195-C120.)

CONSENT MOTION BY VARGAS TO ADOPT. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206:

SUBJECT: Fee Schedule for Neighborhood Code Compliance Department. (See City Manager Report CMR-94-239.) (Continued from the meeting of August 8, 1994, Item 212, at Mayor Golding's request, for further review.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1569) TRAILED TO TUESDAY, SEPTEMBER 13, 1994, DUE

TO LACK OF TIME

Directing the City Clerk to revise the Ratebook of City Fees and Charges to add four new fees and revise three fees charged by the Neighborhood Code Compliance Department; making certain findings with respect to the new and revised fees administered by the Neighborhood Code Compliance Department and directing the City Clerk to repeal certain obsolete index numbers in the ratebook of City Fees and Charges.

NON-DOCKET ITEMS:

None .

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 7:27 p.m. in honor of the memory of the following:

Catherine T. Ghio, requested by Mayor Golding and Council Member Roberts; Walter Heiligenberg, requested by Mayor Golding; Clara Breed, requested by Mayor Golding and Council Member McCarty; Bert M. Strauss and Richard H. Hiller, requested by Council Member Warden; Arlene Kesler, requested by Council Member Roberts; Dolores F. Vicknair, requested by Council Member McCarty; Donald Fitzroy McLean, Jr., requested by City Attorney Witt.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H072-130).