

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, SEPTEMBER 19, 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 2:07 p.m. Mayor Golding adjourned the meeting at 5:35 p.m. to meet in Closed Session on Tuesday, September 20, 1994, at 9:00 a.m., in the 12th floor Conference Room, to discuss litigation 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 (rb)

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

ITEM-10: INVOCATION

Invocation was given by Father Chris, St. Andrews By the Sea Episcopal Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Vargas.

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding "Identify the Enemy."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A046-078.)

ITEM-PC-2:

Comments by Jim Harnsberger regarding youth and domestic crime.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A079-104.)

ITEM-PC-3:

Comments by Darlene Davis regarding a letter concerning her business to be delivered to Mayor Golding.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A105-126.)

COUNCIL COMMENT:

ITEM-CC-1:

Comments by Council Member Warden announcing that the "POW/MIA" flag will be displayed in the Council Chambers during this meeting.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A137-142.)

ITEM-30:

SUBJECT: Pollution Prevention Week - September 19-25, 1994.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-320) ADOPTED AS RESOLUTION R-284610

Proclaiming September 19 through 25, 1994 to be "Pollution Prevention Week" in San Diego, and urging all citizens and businesses of San Diego to participate in local and regional celebratory and educational activities.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A145-170.)

MOTION BY ROBERTS 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-31:

SUBJECT: Cabrillo Festival Week.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-317) ADOPTED AS RESOLUTION R-284611

Proclaiming September 25 through October 2, 1994 to be "Cabrillo Festival Week" in San Diego, and urging all San Diegans to join in the commemoration of this historic week.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A171-257.)

MOTION BY ROBERTS TO ADOPT. Second by Warden. 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-32:

SUBJECT: Border Voices Day.

COUNCILMEMBER ROBERTS' RECOMMENDATION:

Adopt the following resolution:

(R-95-318) ADOPTED AS RESOLUTION R-284612

Congratulating all the participants in the Border Voices project for their contribution to literacy and poetry in San Diego; Proclaiming September 19, 1994 to be "Border Voices Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A258-456.)

MOTION BY ROBERTS 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: Hispanic Heritage Month.

COUNCILMEMBER VARGAS' RECOMMENDATION:

Adopt the following resolution:

(R-95-385) ADOPTED AS RESOLUTION R-284613

Proclaiming September, 1994 to be "Hispanic Heritage Month" in San Diego; Encouraging all residents to share and enjoy the festivities and cultural significance of this month.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A457-497.)

MOTION BY ROBERTS 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-34:

SUBJECT: Peter S. Silva Day.

COUNCILMEMBER VARGAS' RECOMMENDATION:

Adopt the following resolution:

(R-95-299) ADOPTED AS RESOLUTION R-284614

Proclaiming Monday, September 19, 1994 to be "Peter S. Silva Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A498-531.)

MOTION BY ROBERTS 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-35:

SUBJECT: Radio Latina Day.

COUNCILMEMBER VARGAS' RECOMMENDATION:

Adopt the following resolution:

(R-95-316) ADOPTED AS RESOLUTION R-284615

Proclaiming Monday, September 19, 1994 to be "Radio Latina Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A559-602.)

MOTION BY ROBERTS 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-36: APPROVED

Approval of Council Minutes for the Meetings of:

08/15/94 Adjourned
08/16/94 Adjourned
08/22/94 Adjourned
08/23/94 Adjourned
08/29/94 Adjourned
08/30/94 Adjourned
09/05/94 Adjourned
09/06/94 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A126-128.)

MOTION BY McCARTY TO APPROVE. 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-100:

SUBJECT: Awarding a Contract for Mission Avenue Median Islands.
(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-313) ADOPTED AS RESOLUTION R-284616

Awarding a contract to Edward A. Zasueta Contracting Company (San Diego), for construction of Mission Avenue Median Islands, in the amount of \$42,882.88, which is 6.7 percent under the City's estimate of \$46,000;

Authorizing the Auditor and Comptroller to transfer \$19,300 from CIP-17-001.0, Annual Allocation - Minor Drain Requirements, TransNet Fund 30300 to CIP-52-587.0, Mission Avenue Median Islands;

Authorizing the additional expenditure of \$20,000 from CIP-52-587.0, Mission Avenue Median Islands, to supplement funds previously authorized by Resolution R-284054, adopted on June 20, 1994, for \$60,000 for a total of \$80,000; Authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds in the project until completion;

Authorizing the acceptance of an additional \$700 from the University Heights Community Development Corporation, Fund No. 63022, to the Mission Avenue Median Islands Project, CIP-52-587.0. (BID-K94238M)

CITY MANAGER SUPPORTING INFORMATION:

The University Heights Community Development Corporation has been working with City staff in an effort to provide attractive median islands on Mission Avenue at the intersections of Florida Street, Alabama Street, and Louisiana Street. Currently these medians are paved with asphalt concrete. Bids were opened on July 7, 1994, with the low bid of \$42,882.88 from Edward A. Zasueta Contracting Co. This bid was the lowest of five bids received from eight bid packages issued. This bid was 6.7 percent under the City's estimate of \$46,000. After review of these bids, staff recommended that this contract be awarded to Edward A. Zasueta Contracting Co.

Aud. Cert. 9500262.

FILE LOCATION: CONT - Edward A. Zasueta Contracting
Company (San Diego) CONT FY95-1

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-101:

SUBJECT: Two actions related to Construction of Water and Sewer
Group 503. (Ocean Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-309) ADOPTED AS RESOLUTION R-284617

Inviting bids for Construction of Water and Sewer Group
503 on Work Order No. 181281/171701;

Authorizing a contract with the lowest responsible
bidder;

Authorizing the expenditure of \$1,346,577 from Water
Revenue Fund 41500, CIP-73-083, and \$306,552 from
Sewer Revenue Fund 41506, CIP-44-001. (BID-K95020)

Subitem-B: (R-95-310) ADOPTED AS RESOLUTION R-284618

Authorizing the use of City Forces to isolate and make connections to the existing water system and perform construction operations; declaring that the cost of the work shall not exceed \$254,236.

CITY MANAGER SUPPORTING INFORMATION:

Water and Sewer Replacement Group 503 is part of the City's ongoing Cast Iron Water Main and Concrete Sewer Main replacement program. The water and sewer mains to be replaced in this project are well over fifty years old and have reached their useful service life.

Replacement of these deteriorated water and sewer mains will continue to provide the community with a safe and reliable water and sewer infrastructure well into the next century. This project is located in the Ocean Beach community area and consists of replacing approximately 8,600 lineal feet of 8-inch water main, 1,200 lineal feet of 8-inch sewer main, and 5 manholes. Most of the construction will occur in the commercial district along Abbott Street, and along Newport and Santa Monica Avenue between Abbott Street and Sunset Cliffs Boulevard. All of the affected community groups have been notified of the construction. A special effort has been made to accommodate the Ocean Beach Merchants Association's needs and concerns about the construction.

Aud. Cert. 9500196.

WU-P-95-003.

FILE LOCATION: W.O. 181281/171701 CONT - Southern California Underground Contractors CONT FY95-1

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-102:

SUBJECT: Inviting Bids for the Construction of Rancho Bernardo Recreation Center. (Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-312) ADOPTED AS RESOLUTION R-284619

Inviting bids for the Construction of Rancho Bernardo Recreation Center on Work Order No. 119475;

Authorizing a contract with the lowest responsible bidder;

Authorizing the Auditor and Comptroller to transfer \$4,728 from PSD Fund No. 11100 and \$411,236 from Special Park Fee Fund No. 39086 to CIP-29-349.3, Rancho Bernardo Community Park - Recreation Building, and to expend \$1,911,874 from CIP-29-349.3, Rancho Bernardo Community Park - Recreation Building, \$155,660 from PSD Fund No. 12000, \$19,978 from PSD Fund No. 11100, and \$1,736,236 from Special Park Fee No. 39086;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K95022)

CITY MANAGER SUPPORTING INFORMATION:

The Rancho Bernardo Recreation Center will be in Rancho Bernardo Community Park, a 35.10 acre site located on the west side of West Bernardo Drive, north of Bernardo Center Drive. The proposed 14,582 square foot building includes a gymnasium, multi-purpose room, kitchen, classrooms, lobby, office, restrooms, equipment check-out room and storage. Site improvements include 52 parking spaces, concrete pathways, landscaping and lighting. The Rancho Bernardo Recreation Council, Northern Area Committee, Facilities Committee and Park and Recreation Board approved the project schematic plans.

Aud. Cert. 9500222.

FILE LOCATION: W.O. 119475 CONT - Randazzo Construction
CONT FY95-1

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-103:

SUBJECT: Two actions related to the Final Subdivision Map of
Palomar P.I.R.D.

(A 5-lot subdivision located east of La Jolla Boulevard
at Palomar Avenue. La Jolla Community Area.
District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-414) ADOPTED AS RESOLUTION R-284620

Authorizing a Subdivision Improvement Agreement with
Mercado Associates, Inc., for the installation and
completion of public improvements.

Subitem-B: (R-95-413) ADOPTED AS RESOLUTION R-284621

Approving the final map.

FILE LOCATION: SUBD-Palomar P.I.R.D. CONT FY95-1

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-104:

SUBJECT: Four actions related to the Final Subdivision Map of

Rio Vista West Unit No. 1.(A 7-lot subdivision located southwesterly of Friars Road and Stadium Way. Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-420) ADOPTED AS RESOLUTION R-284622

Authorizing a Subdivision Improvement Agreement with Calmat Properties Company, for the installation and completion of public improvements.

Subitem-B: (R-95-419) ADOPTED AS RESOLUTION R-284623

Approving the final map.

Subitem-C: (R-95-421) ADOPTED AS RESOLUTION R-284624

Authorizing an Agreement Providing Assurances with Calmat Company.

Subitem-D: (R-95-422) ADOPTED AS RESOLUTION R-284625

Authorizing the Mission Valley Light Rail Transit Agreement with the Metropolitan Transit Development Board and Calmat Company.

CITY MANAGER SUPPORTING INFORMATION:

On December 7, 1993 the City Council of the City of San Diego adopted Resolution R-283174, conditionally approving Tentative Map TM-92-0586. Condition No. 28 of City Council Conditions for Tentative Map TM-92-0586 required that prior to recordation of the final map, that the subdivider enter into an agreement with the City to provide assurances for a traffic signal at Camino del Este and Camino de la Reina, for one-half the cost of traffic signal improvements at Stadium Way and Friars Road eastbound off-ramp, for a traffic signal study for the intersection of Rio San Diego Drive and Gill Village Way (formerly Avenue "A"), and for reciprocal agreements for access and/or parking to be granted upon transfer of ownership of the lots. This condition is being met by the City entering into the Agreement Providing Assurances with the developer, Calmat Company. Condition No. 35 required that a Light Rail Transit (LRT) Agreement be prepared prior to recordation of the first map for Rio Vista West, and that an LRT right-of-way irrevocable offer of dedication be granted at the

time of the recordation of the first map, in accordance with Metropolitan Transit Development Board (MTDB) design standards. The Mission Valley Light Rail Transit Agreement is being entered into by and among the City of San Diego, Metropolitan Transit Development Board, and the developer, in order to satisfy this condition.

FILE LOCATION: SUBD-Rio Vista West Unit No. 1 CONT
FY95-3

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-105:

SUBJECT: Bond Substitution for Carmel Mountain Ranch Unit 22A.
Carmel Mountain Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-405) ADOPTED AS RESOLUTION R-284626

Authorizing the substitution of Performance Bond No.
111 2725 6813 in the amount of \$1,127,875 for
Performance Bond Nos. 7900 530539 and 7900 530540, in
the amounts of \$562,793 and \$565,082; Releasing
Performance Bond Nos. 7900 530539 and 7900 530540.

FILE LOCATION: SUBD-Carmel Mountain Ranch Unit 22A

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-106:

SUBJECT: Natural Gas Line and Sewer Easements for the Olympic Training Center. (Located at Orange Avenue and Wueste Road in Chula Vista.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-291) ADOPTED AS RESOLUTION R-284627

Authorizing the execution of a deed conveying to San Diego Gas & Electric Company, an easement for natural gas service to the U.S. Olympic Training Center, in Lot 1 of Section 13, Township 18 South, Range 1 West, San Bernardino Meridian;

Authorizing the execution of a deed conveying to the City of Chula Vista an easement for sewer services to the U.S. Olympic Training Center, in a portion of Rancho Janal, Map-989.

CITY MANAGER SUPPORTING INFORMATION:

On January 17, 1994, City staff granted SDG&E a right of entry permit to allow for construction of a natural gas line in order to accommodate the timely completion of the Olympic Training Center. At this time, construction has been completed and SDG&E needs to obtain an easement from the City in order to provide permanent underground gas service to the U.S. Olympic Training Center at Orange Avenue and Wueste Road. This 8-foot wide easement will be approximately 900 feet in length. Further, the City of Chula Vista will be providing sewer service for the boat house at the Olympic Training Center. In order to provide the service, a sewer lateral and pump station have been constructed by the Olympic Training Center and will be maintained by the City of Chula Vista, thereby requiring the grant of this sewer maintenance easement. This 20-foot wide easement will be approximately 800 feet in length. The Water Utilities Department has reviewed and approved of these easements.

FILE LOCATION: DEED F-6370 DEED FY95-2

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-107:

SUBJECT: Two actions related to Amending Terms of the Sale of Site 787 to Children's Hospital. (Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-373) ADOPTED AS RESOLUTION R-284628

Modifying Resolution R-281561, adopted in March 1993, which approved the exclusive sale of a 2.88-acre industrially zoned lot at Aero Drive and Kearny Villa Road to Children's Hospital, as follows:

In the event of default by Children's Hospital in its commitment to build and to operate a child care facility for 15 years, the only right of City will be a right to reacquire the site for the original purchase price, plus interest at 4 percent per year, plus an amount equal to the fair market value of the improvements;

Authorizing the City Manager to utilize \$88,000 of the sale proceeds for improvements to Aero Drive and Kearny Villa Road.

Subitem-B: (R-95-374) ADOPTED AS RESOLUTION R-284629

Certifying that the information contained in Mitigated Negative Declaration DEP-94-0095, in connection with the approval of the sale of Site 787 to Children's Hospital, has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, that the Mitigated Negative Declaration reflects the independent judgement of the City as Lead Agency, and that the Declaration has been reviewed and considered by Council; Finding that the project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and approving the Mitigated Negative Declaration; Adopting the Mitigation Monitoring and

Reporting Program, or alterations to implement changes to the project as required in order to mitigate or avoid significant effects on the environment.

CITY MANAGER SUPPORTING INFORMATION:

In March 1993, the City Council approved the exclusive sale of Site 787 to Children's Hospital. Site 787 is a 2.88-acre industrially zoned vacant lot at the southeast corner of Aero Drive and Kearny Villa Road. The purchase price is \$800,000. Children's Hospital plans to build a \$1.5 million child care center on the site primarily for children of hospital employees. Since Site 787 is an industrial parcel which had been designated for lease only, Council conditioned the sale upon the following: 1) Children's Hospital shall construct the center within 3 years and use the site for child care for at least 15 years; and 2) A minimum of 10 percent of the spaces at the center shall be open to the general public. If Children's Hospital defaults on any of these conditions, the City retained the option to reacquire the site for \$800,000 plus 4 percent per year for inflation. However, the resolution approving the sale did not authorize any reimbursement for improvements constructed by Children's Hospital in the event the City reacquires the property. Children's Hospital requests that the City agree to pay the fair market value, if any, of the improvements if the City buys back the site. Council previously authorized up to \$43,000 of the sale proceeds to be used for improvements to Aero Drive and Kearny Villa Road. City staff now request authorization for the revised estimate of \$88,000 because the original estimate was too low.

FILE LOCATION: DEED F-5988 DEED FY95-1

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-108:

SUBJECT: Art Festival '94 In The Village of La Jolla Weekend.

COUNCILMEMBER MATHIS' RECOMMENDATION:

Adopt the following resolution:

(R-95-389) ADOPTED AS RESOLUTION R-284630

Commending Promote La Jolla, Inc. and the many volunteers involved for presenting Art Festival '94 In The Village of La Jolla; Proclaiming September 24, 1994 and September 25, 1994 to be "Art Festival '94 In The Village of La Jolla Weekend" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-109:

SUBJECT: Parking Citation Fine Schedule.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-371) ADOPTED AS RESOLUTION R-284631

Adopting the Parking Violation Fine Schedule for Fiscal Year 1995.

CITY MANAGER SUPPORTING INFORMATION:

City Council is required by California Vehicle Code Section 40203.5(a) to establish a Parking Citation Fine Schedule. Since the existing schedule was adopted in August, 1993 there have been legislative actions which impacted three violations: 1) The Annual Appropriation Ordinance for FY 95, adopted as Ordinance O-18089, directed the City Manager to decrease the fine amount for Expired Meter violation from \$30 to \$25. 2) The Municipal Code designation that regulates parking in undesignated spaces in City parks, was changed from M63.02.12 to M63.0102(b) (21). 3) California Vehicle Code Section 5204 - Current Registration not Displayed. County surcharge assessment was deleted, which reduced the fine amount from \$30 to \$25.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-110:

SUBJECT: Additional Eight Trees for Broadway Tile Replacements
Project.
(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-163) ADOPTED AS RESOLUTION R-284632

Authorizing the increase of the 1995 CIP Budget by the
amount of \$35,000 in CIP-52-325.0, Broadway Tile
Replacements Project; Authorizing the City Manager to
accept \$35,000 from Centre City Development Corporation
for an additional eight trees for CIP-52-325.0;

Authorizing the expenditure of not to exceed \$35,000
from Fund 302453 (Capital Outlay/Other), for an
additional eight trees for CIP-52-325.0.

CITY MANAGER SUPPORTING INFORMATION:

As part of Broadway Tile Replacements Project to correct the
failed tile pavers on the north side of Broadway between Fourth
and Seventh and Eighth and Ninth Avenues, eight additional trees
are being added. The funding for these trees has been provided
by Centre City Development Corporation (CCDC) as an enhancement
to the design and maintenance of Broadway sidewalks.

Aud. Cert. 9500233.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-111:

SUBJECT: Four actions related to Authorizing Suggestion Awards
to City Employees.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-381) ADOPTED AS RESOLUTION R-284633

Renee Beal - Treasurer's - \$25
James M. Romines - Neighborhood Code Compliance
Department - \$40.08

Subitem-B: (R-95-382) ADOPTED AS RESOLUTION R-284634

Todd A. Dubler - Fire - \$80
Monica Davis - Water Utilities - \$85.48

Subitem-C: (R-95-383) ADOPTED AS RESOLUTION R-284635

Tony Padilla - Water Utilities - \$100
John Bahl - Park and Recreation/Lifeguards - \$320

Subitem-D: (R-95-384) ADOPTED AS RESOLUTION R-284636

Scott D. Carter and Frank A. Hernandez - Police
-\$500 (shared equally)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-112:

SUBJECT: Health Insurance Premium Reimbursement for Pre-1980 Retirees.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-401) ADOPTED AS RESOLUTION R-284637

Authorizing the City Manager to carry out the purposes and intent of the Health Insurance Premium Reimbursement Benefit for Eligible Pre-1980 Retirees for Fiscal Year 1995;

Authorizing the City Auditor and Comptroller to expend not to exceed \$800,000 from Fund 60013;

Authorizing the Retirement Administrator to administer the program.

CITY MANAGER SUPPORTING INFORMATION:

As a result of negotiations between the City Manager and representatives of the various employee organizations, a Health Insurance Premium Reimbursement Benefit for eligible pre-1980 retirees for Fiscal Year 1995 was established. The benefit established is a reimbursement of up to \$589.20 for actual health insurance premium expense incurred. The benefit is effective from July 1, 1994 through June 30, 1995 only. The benefit is available to all retirees (no survivors or ex-spouses) who are not currently provided a City-paid health insurance benefit. This includes those retirees who retired prior to October 6, 1980 as well as those retirees who were ineligible for health insurance as of June 30, 1994 for any other reason, such as deferred retirement, disability retirement, etc. Eligible retirees may: 1) apply the benefit toward reimbursement of the Medicare Part B premium, which is reimbursed on a quarterly basis, or, 2) request reimbursement of actual premium expense incurred, up to \$589.20, for either a privately secured health insurance plan or one of the City-sponsored group health insurance plans, or, 3) request reimbursement for a combination of (1) and (2) above for actual premium expense incurred, not to

exceed \$589.20. If the retiree should die prior to distribution of the annual reimbursement benefit, the named beneficiary will receive a pro-rata benefit based on the retiree's date of death. It is estimated that the benefit will cost approximately \$800,000 and will be paid from the Retiree Health Insurance Trust Fund 60013. The Health Insurance Premium Benefit for Eligible Retirees will be administered by the Retirement Administrator for the City Employees' Retirement System.

Aud. Cert. 9500285.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-113:

SUBJECT: Approving and Ratifying a Memorandum of Understanding with the Municipal Employees Association (MEA).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-376) ADOPTED AS RESOLUTION R-284638

Endorsing and approving the one-year Memorandum of Understanding for Fiscal Year 1995, agreed to by the Management Team and representatives of the Municipal Employees Association.

FILE LOCATION: MEET CONT FY95-1

COUNCIL ACTION: (Tape location: D410-E421.)

MOTION BY McCARTY TO ADOPT ITEMS 113, 114, 115, AND 116, NOTING THE VOTES THAT WERE MADE IN CLOSED SESSION AS RELATED TO DOMESTIC PARTNERSHIP. 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-114:

SUBJECT: Approving and Ratifying a Memorandum of Understanding with the Police Officers Association (POA).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-377) ADOPTED AS RESOLUTION R-284639

Endorsing and approving the one-year Memorandum of Understanding for Fiscal Year 1995, agreed to by the Management Team and representatives of the Police Officers Association (POA).

FILE LOCATION: MEET CONT FY95-1

COUNCIL ACTION: (Tape location: D410-E421.)

MOTION BY McCARTY TO ADOPT ITEMS 113, 114, 115, AND 116, NOTING THE VOTES THAT WERE MADE IN CLOSED SESSION AS RELATED TO DOMESTIC PARTNERSHIP. Second by Warden. 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-115:

SUBJECT: Endorsing and Approving the One-Year Operating Procedures Manual for Fiscal Year 1995 with Local 127, AFSCME, and AFL/CIO.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-378) ADOPTED AS RESOLUTION R-284640

Endorsing and approving the one-year Operating Procedures Manual for Fiscal Year 1995, prepared by

the Management Team.

FILE LOCATION: MEET CONT FY95-1

COUNCIL ACTION: (Tape location: D410-E421.)

MOTION BY McCARTY TO ADOPT ITEMS 113, 114, 115, AND 116, NOTING THE VOTES THAT WERE MADE IN CLOSED SESSION AS RELATED TO DOMESTIC PARTNERSHIP. Second by Warden. 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-116:

SUBJECT: Approving and Ratifying a Memorandum of Understanding with Local 145 of the International Association of Firefighters (IAFF).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-375) ADOPTED AS RESOLUTION R-284641,
AMENDED THE MOU

Endorsing and approving the one-year Memorandum of Understanding for Fiscal Year 1995, agreed to by the Management Team and representatives of the International Association of Firefighters (Local 145).

FILE LOCATION: MEET CONT FY95-1

COUNCIL ACTION: (Tape location: D410-E421.)

MOTION BY McCARTY TO ADOPT ITEMS 113, 114, 115, AND 116, NOTING THE VOTES THAT WERE MADE IN CLOSED SESSION AS RELATED TO DOMESTIC PARTNERSHIP. Second by Warden. 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-117:

SUBJECT: Agreement with AIDS Foundation San Diego for Tenant Improvements.
(Hillcrest Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-404) ADOPTED AS RESOLUTION R-284642

Authorizing an agreement with AIDS Foundation San Diego for tenant improvements of their building at 140 Arbor Drive;
Authorizing the expenditure of not to exceed \$430,000 from Community Development Block Grant (CDBG) Fund 18530, Dept. 4062, Org. 6230, Job 112529, for the above project.

CITY MANAGER SUPPORTING INFORMATION:

AIDS Foundation San Diego, Inc. (AFSD) is a non-profit organization providing a wide range of educational and social services for individuals and their families with HIV/AIDS. Current headquarters for AFSD is crowded and inadequate for their services and client needs. The new 4-story building at 140 Arbor Drive, San Diego, will house the administrative and program offices of AFSD. On May 9, 1994, Council adopted Resolution R-283845 granting \$910,000 for this project: \$480,000 for acquisition and \$430,000 for tenant improvements. On August 8, 1994 Council adopted Resolution R-284452 authorizing \$480,000 for acquisition. This action will provide \$430,000 for the tenant improvements.
Aud. Cert. 9500273.

FILE LOCATION: MEET CONT FY95-1

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-118:

SUBJECT: First Amendment to Design Agreement with The Access Center of San Diego, Inc. (Hillcrest Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-366) ADOPTED AS RESOLUTION R-284643

Authorizing a first amendment to the agreement with The Access Center of San Diego, Inc., for the design of their facility at 1295 University Avenue;

Authorizing the expenditure of not to exceed \$28,125 from CDBG Fund 18530, Department 4062, Organization 6207, Job 119602, for providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

The Access Center of San Diego (formerly Community Service Center for the Disabled), located at 1295 University Avenue, is a non-profit agency. The agency provides support services to San Diego residents with disabilities. Support services include: financial benefit counseling, client assistance programs, peer counseling, personal assistance referral, independent living program, employment services, housing, and disabled equipment shop. The original funding for this project was insufficient, and this action will provide \$28,125 for the agency to complete design of the renovation of their facility under the Americans With Disabilities Act (ADA). On May 24, 1993, the City Council adopted Resolution R-282036 granting the Community Development Block Grant funding for this project; and on January 10, 1994, Council adopted Resolution R-283230 authorizing the expenditure of \$92,000 for design.

Aud. Cert. 9500238.

FILE LOCATION: MEET CCONT FY95-1

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-119:

SUBJECT: Agreement for Engineering Consultant Services in connection with the Metropolitan Wastewater System.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-399) ADOPTED AS RESOLUTION R-284644

Authorizing an agreement with BSI Consultants, Inc. (San Diego), for as-needed engineering consultant services in Fiscal Years 1995-1998, in connection with the upgrade and improvement to the Metropolitan Wastewater System;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$500,000 from Metropolitan Wastewater Department Fund No. 41508, CIP-45-911.0, South Metro Rehabilitation, to CIP-45-910.3, Program Planning and Studies;

Authorizing the expenditure of not to exceed \$500,000 from Metropolitan Wastewater Department Program Fund No. 41509, CIP-45-910.3, Program Planning and Studies;

Authorizing the City Manager to finance or refinance this project from tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION:

This agreement with BSI Consultants, Inc., is for as-needed engineering consultant services for 1994 through 1997 in support of the continuing upgrade and improvement of the Metropolitan Wastewater System (Metro System). Types of services required will be soil and geotechnical analysis, traffic, sanitary, survey, civil, mechanical, and electrical engineering and cost review/analysis of engineering projects associated with the Metro System. These services are a partial listing as additional services will be determined in conjunction with the Program's ongoing development. The need for consultant services was advertised on February 24 and 25, 1994, in the San Diego Daily Transcript, La Prensa, and Voice and Viewpoint, with 17

consultants responding. Three consultants were interviewed in accordance with Council Policy 300-7, and BSI Consultants, Inc., was selected. Their responsibilities will be to provide all management, supervision, labor, services, facilities, materials, equipment, tools, utilities, supplies, and all other items of every kind and description required to perform as-needed engineering consultant services for 1994 through 1997 for a contract amount not to exceed \$500,000. It should be noted that BSI Consultants, Inc., is a Minority Business Enterprise (MBE) certified by the City. Project Subconsultants are: HYA Consulting Engineers (MBE), CWP Geosciences (MBE), Beyaz & Patel (MBE), LSW Engineers, and Inland Aerial Surveys, Inc. (WBE).

Aud. Cert. 9500257.
WU-CWP-95-018.

FILE LOCATION: MEET CCONT FY95-1

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-120:

SUBJECT: Second Amendment to the Agreement with Enartec, Inc.
for the Fiesta Island Replacement Project (FIRP) Phase
II Digested Sludge & Centrate Pipelines. (Linda Vista,
Mission Valley, and Clairemont Mesa Community Areas.
District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-403 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-284645

Authorizing a second amendment to the agreement of
March 15, 1993 with Enartec, Inc., for additional
design services in connection with the Fiesta Island
Replacement Project Phase II - Digested Sludge and
Centrate Pipelines;

Authorizing the expenditure of not to exceed \$500,000 from Metropolitan Wastewater Department Fund 41509, CIP-40-921.0, FIRP Phase II Digested Sludge & Centrate Pipelines, for this purpose.

CITY MANAGER SUPPORTING INFORMATION:

The FIRP Phase II Digested Sludge Pipeline carries digested sludge and reroutes it from Fiesta Island to the new drying facility at NAS Miramar (Fiesta Island Replacement Project). The FIRP Phase II Centrate Pipeline is in the same trench and carries centrate (wastewater) from the centrifuges at FIRP, along with other wastewater from the facility, back to Friars Road and Napa Street where it will eventually connect to the proposed North Metro Interceptor Sewer. Other facilities accompanying these pipelines will be two cleaning stations, a pressure reducing station, and six motorized, automated valves, along with other manually-operated isolation valves. In March 1993, the City Council approved the agreement between the City and Enartec, Inc. for providing design services for the FIRP Phase II Digested Sludge & Centrate Pipelines. This request is for approval of Amendment No. 2 to the agreement with Enartec, Inc. to provide additional engineering design services necessary to determine the feasibility of alternative alignments: (A) Napa-Linda Vista; B) Ulric-Linda Vista; and C) Mission Center Road) suggested by the affected communities. These additional services include geotechnical investigations, surveying, design, traffic study and a safety system to monitor pressures in the line that includes automated control/isolation valves.

Aud. Cert. 9500292.

FILE LOCATION: MEET CCONT FY95-1

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE TO ADOPT AND TO INCLUDE COUNCIL MEMBER STALLINGS RECOMMENDATION TO REMOVE THE REQUEST TO LOOK AT A FEASIBILITY ALIGNMENT FOR MISSION CENTER ROAD. 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-121:

SUBJECT: Agreement with Greater Golden Hill Community

Development Corporation for Economic Development
Activities. (Greater Golden Hill Community Area.
Districts-3 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-397) ADOPTED AS RESOLUTION R-284646

Authorizing an agreement with the Greater Golden Hill
Community Development Corporation, for specified
economic development activities;

Authorizing the expenditure of funds as follows:
\$157,000 from Fund 18530, Dept. 4070, Org. 7015; and
\$15,000 from Fund 18527, Dept. 4013, Org. 1305.

CITY MANAGER SUPPORTING INFORMATION:

The City Council, in the 1994-95 Community Development Block
Grant (CDBG) appropriation cycle, approved \$172,000 for the
Greater Golden Hill Community Development Corporation (CDC) for
neighborhood development activities. Major activities will
continue to include tree planting and SMART (Art) programs,
maintaining meeting spaces for residents and business owners,
promotion of special events, support of school after-care
programs and anti-crime activities, and development and
implementation of revitalization and redevelopment of the Golden
Hill community. Funding from CDBG 1991 funding year will be
coordinated by the Golden Hill CDC to install new street signage.
Aud. Cert. 9500275.

FILE LOCATION: MEET CONT FY95-1

COUNCIL ACTION: (Tape location: D391-397.)

MOTION BY STEVENS 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: Agreement with Project Design Consultants, Inc. for the
Design of Mission Gorge Road-Princess View Drive to

Margerum Avenue.
(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-344) ADOPTED AS RESOLUTION R-284647

Authorizing an agreement with Project Design Consultants, Inc., to provide construction documents for Mission Gorge Road-Princess View Drive to Margerum Avenue;

Authorizing the expenditure of not to exceed \$194,200 from TransNet Fund 30300, CIP-52-501.0, Mission Gorge Road-Princess View Drive to Margerum Avenue for the above project.

CITY MANAGER SUPPORTING INFORMATION:

Improvement of Mission Gorge Road from Princess View Drive to Margerum Avenue is consistent with the Navajo Community Plan and the City's General Plan Guidelines. This project consists of widening Mission Gorge Road from four to six lanes from Princess View Drive to Margerum Avenue. Other improvements include a Class II Bikeway, sidewalks, storm drain facilities, and traffic signal modifications at Margerum Avenue. Construction of this project will remove the existing "bottleneck" and improve travel time and safety in this area. It is proposed to utilize the services of a consultant to design this project since City staff is already fully committed to other projects.

Consultants submitted letters of interest and five were interviewed in conformance with Council Policy 300-7. The firm of Project Design Consultants was selected. They would be responsible for the preparation of construction, drawings, specifications, and cost estimates. The proposed agreement represents MBE and WBE participation of 12.0 percent and 9.1 percent, respectively.

Aud. Cert. 9500232.

FILE LOCATION: MEET CCONT FY95-1

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.
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-123:

SUBJECT: Sublease Agreement with Mid-City Development Corporation for a Neighborhood Service Center. (City Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-427) ADOPTED AS RESOLUTION R-284648

Authorizing a five-year sublease agreement with Mid-City Development Corporation for office space at 3902 El Cajon Boulevard for a Neighborhood Service Center in Council District 3, at an initial monthly rental of \$1,874;

Authorizing the expenditure of not to exceed \$17,678.11 from Fiscal Year 1995 CDBG Fund 18530, Dept. 4067, Org. 6714, Object Account 4682, Job Order 067143, for the period of September 19, 1994 to June 30, 1995.

CITY MANAGER SUPPORTING INFORMATION:

In March 1993, the City Council approved the Manager's recommendation to establish Neighborhood Service Centers (NSC) in Council Districts 3, 4 and 8, and allocate CDBG Funds to cover leasing expenses. The goal of the centers is to bring government closer to the people, thereby making it more convenient and responsive to the changing needs of San Diego and to the specialized needs of the communities. The proposed location for the NSC for District 3 is in the City Heights Community and is proposed as a sublease agreement with the Mid-City Development Corporation (MCDC). NSC and MCDC will have joint use of the area designated as common area. A summary of the proposed lease is as follows: Use: Proposed services include small business assistance, building permit and code information, job announcements and applications, complaint resolution and additional services tailored to the needs of the community. Location: 3902 El Cajon Boulevard.

Space Allocation: NSC - 900 sq. ft.

MCDC - 1,080 sq. ft.
Common space - 1,770 sq. ft.
Total 3,750 sq. ft.

Rent: \$1,874 per month (\$1.05 per sq. ft. NSC space; \$0.52 common area) plus utilities. Commencement date: September 19.
Term: Five year term. City may terminate the agreement at the end of each lease year with a 90-day notice, if CDBG funding is not available. Rental rate is comparable to similar properties in the area.

Aud. Cert. 9500294.

FILE LOCATION: LEAS-Mid-City Development Corporation LEAS
FY95-1

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-124:

SUBJECT: First Amendment to the Agreement with Wilson
Engineering in connection with Del Cerro Reservoir.
(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-398) ADOPTED AS RESOLUTION R-284649

Authorizing a first amendment to the agreement of
September 13, 1993, with Wilson Engineering for
additional engineering services in connection with the
Del Cerro Reservoir;
Authorizing the expenditure of not to exceed \$15,022
from Water Revenue Fund No. 41500, CIP-73-277.0, Annual
Allocation for Standpipe Reservoir Restoration for the
above amendment.

CITY MANAGER SUPPORTING INFORMATION:

Council authorized an agreement with Wilson Engineering on

September 13, 1993 (RR-282626) to provide consultant services for the rehabilitation and seismic retrofit of Del Cerro Reservoir. This original agreement provided funding for lateral (seismic) design exclusively. Total design fees allocated by the original agreement are \$64,550. The seismic retrofit for Del Cerro Reservoir is in the final stage of design. However, during the design process the geotechnical subconsultant soils study revealed existing unforeseen soil conditions. It has been concluded that additional soils investigation will be required; total cost for this work shall be \$3,743. The unforeseen soils condition will also require structure design changes to provide additional static load support on the southside wall of the reservoir; total cost for this shall be \$7,970. Amendment No. 1 will provide funding for the additional soils analysis and the structural design of the Del Cerro Reservoir to include static load supports. This funding shall be added to Phase I of the original contract. Additional services funds are completely depleted. To provide funds for future unforeseen conditions that may arise, \$3,309 is requested. Some of the anticipated unforeseen conditions may arise during construction activity, geotechnical studies, and any work resulting from changes in plans and specifications made at the direction of the City after submittal of plans and specifications. The original contract authorized \$5,870 for additional services; these funds were used for soils investigation and other minor design changes.

Aud. Cert. 9500289.

WU-U-95-019.

FILE LOCATION: MEET CCONT FY95-1

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-125:

SUBJECT: Third Amendment to the Agreement with the U. S.
International Boundary and Water Commission. (San
Ysidro and Tijuana River Valley Community Areas.
District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-402) ADOPTED AS RESOLUTION R-284650

Authorizing a third amendment to the agreement of July 22, 1991 with the U. S. International Boundary and Water Commission to extend the agreement until September 30, 1995 for use of the Tijuana Emergency Connection.

CITY MANAGER SUPPORTING INFORMATION:

On July 22, 1991, the City and the International Boundary and Water Commission (IBWC) entered into a Memorandum of Agreement (MOA) which allowed the IBWC to use the Tijuana Emergency Connection to the Metropolitan Sewerage System for a period of one year as an interim measure until the International Wastewater Treatment Plant is on-line. It allowed a maximum flowrate of 13 million gallons per day to be transported from Tijuana into the Metropolitan Sewerage System. The agreement expired on July 22, 1992. The MOA was subsequently amended twice to extend the agreement until September 30, 1994. The Third Amendment to the MOA will allow the IBWC to continue use of the Tijuana Emergency Connection for one year, under the same terms and conditions, until September 30, 1995. Although the City is able to accept a maximum flowrate of 13 million gallons per day (mgd) through the Emergency Connection, we believe there will only be an average flowrate of three to five mgd coming from Tijuana. The IBWC has recently been able to maximize the efficiency and use of the Mexican system.

Aud. Cert. 9500281.

FILE LOCATION: MEET CONT FY95-1

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-126:

SUBJECT: Water and Sewer Main Replacement Group 507 Contract
Change Order No. 1. (Greater Golden Hill Community
Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-388) ADOPTED AS RESOLUTION R-284651

Approving Emergency Change Order No. 1, dated August 22, 1994, with BRH-Garver, Inc., increasing the contract price by \$189,933;

Authorizing the expenditure of not to exceed \$189,933, consisting of \$174,233 from Sewer Revenue Fund 41506, CIP-44-001.0, Annual Allocation for Sewer Main Replacements, and \$15,700 from Water Revenue Fund 41500, CIP-73-083.0, Annual Allocation for Water Main Replacement.

CITY MANAGER SUPPORTING INFORMATION:

On April 11, 1994, the City Council adopted a resolution authorizing the City Manager to award a contract for the replacement of water and sewer facilities located in Greater Golden Hills area. This contract for Water and Sewer Group 507 was awarded in the amount of \$1,838,776 to BRH Garver Inc., on June 21, 1994. In July, 1994, the 8-inch sewer main south of the Tennis Center at Morley Field was reported broken. City forces dug out the broken section and tried to clean the sewer main from the break point toward the Tennis Center. Due to the severity of the rupture and its proximity to public facilities this work was given emergency status requiring immediate replacement. The cause of the rupture is unknown, however, there are several factors contributing to this failure: 1) The concrete main is well over 70 years old. 2) The ground around the main was saturated due to a unknown water source. The work is being accomplished by adding an emergency lump sum change order to the existing Water and Sewer Group 507 at a cost not to exceed \$189,933. The emergency work in Morley Field consists of the abandonment of existing 8-inch concrete pipe under the tennis court and the installation of 988 linear feet of 6-inch and 8-inch sewer main, 6 new manholes, rehabilitation of one existing manhole, replacement of 300 linear feet of 10-inch water main, installation of 555 linear feet of 4-inch french drain, and restoration of the site.

Aud. Cert. 9500268.
WU-U-95-013.

FILE LOCATION: CONT-BRH-Garver, Inc. CONT FY95-1

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.
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-127:

SUBJECT: City Manager's Fiscal Year 1994 Equal Opportunity
Contracting Program Biannual Status Report. (See City
Manager Report CMR-94-212.)

PUBLIC SERVICES AND SAFETY COMMITTEE'S RECOMMENDATION:

On 7/27/94, PS&S voted 4-0 to recommend adoption of the
following resolution (Councilmembers Roberts, Stevens,
McCarty, and Vargas voted yea; Councilmember Kehoe not
present):

(R-95-348) ADOPTED AS RESOLUTION R-284652

Accepting the City Manager's Fiscal Year 1994 Biannual
Equal Opportunity Report on the status of the City's
Equal Opportunity Contracting Program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-128:

SUBJECT: Fiscal Year 1993 Equal Opportunity Contracting Program

Annual Status Report. (See City Manager Report CMR-94-213.)

PUBLIC SERVICES AND SAFETY COMMITTEE'S RECOMMENDATION:

On 7/27/94, PS&S voted 4-0 to recommend adoption of the following resolution (Councilmembers Roberts, Stevens, McCarty and Vargas voted yea; Councilmember Kehoe not present):

(R-95-349) ADOPTED AS RESOLUTION R-284653

Accepting the City Manager's Fiscal Year 1993 Annual Equal Opportunity Report on the status of the City's Equal Opportunity Contracting Program, as set forth in City Manager Report CMR-94-213.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A603-B151.)

CONSENT MOTION BY KEHOE 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-200:

SUBJECT: Expansion of the San Diego Convention Center.
(See City Manager Report CMR-94-263. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-426 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-284654;
CONTINUED THE DESIGN PROCESS TO OCTOBER
11, 1994

Authorizing the City Manager to negotiate and enter into an agreement with Martinez, Cutri and McArdle and ZHA, Inc. (MCM/ZHA), to provide project management services related to expansion of the San Diego Convention Center for an amount not to exceed \$1,654,415;

Authorizing the City Attorney and City Manager to develop and draft a Joint Powers Agreement with the San Diego Unified Port District to serve as a funding mechanism for the expansion effort;

Authorizing the City Manager to utilize the design/build construction process for the expansion to ensure that the expansion project has a guaranteed maximum price and is completed on schedule;

Declaring the City's intent to reimburse expenditures for the project with proceeds of indebtedness, in compliance with the requirements of Section 1.150-2 of the Treasury Regulations.

Aud. Cert. 9500293.

FILE LOCATION: MEET CONT FY95-2

COUNCIL ACTION: (Tape location: B157-D386.)

MOTION BY ROBERTS TO ADOPT ITEMS 1, 2, AND 4 OF THE CITY MANAGER'S RECOMMENDATIONS. CONTINUED TO OCTOBER 11, 1994, ITEM 3 (THE DESIGN/BUILD CONSTRUCTION PROCESS) OF THE CITY MANAGER'S RECOMMENDATIONS WITH INSTRUCTIONS TO STAFF TO BRING BACK FOR DISCUSSION: 1.) THE QUALIFICATIONS THAT HAVE BEEN ESTABLISHED; AND 2.) ADVISE COUNCIL IF THERE IS A WAY TO GET THE THREE QUALIFIED FIRMS, THAT WOULD OTHERWISE HAVE BEEN SELECTED, INTO A COMPETITION THAT WOULD ALLOW COUNCIL TO DETERMINE A DESIGN AND A COST AS PART OF THE COMPETITION PRIOR TO COUNCIL MAKING A SELECTION FROM THE THREE COMPANIES. 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-201:

SUBJECT: San Diego Stadium Authority Refunding Lease Revenue Bonds Series 1994A. (See City Manager Report CMR-94-262.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-95-19) INTRODUCED, TO BE ADOPTED ON OCTOBER 3, 1994

Introduction of an Ordinance authorizing the issuance and sale of Refunding Lease Revenue Bonds by the San Diego Stadium Authority in an aggregate principal amount not to exceed \$6,500,000;

Approving the forms of Preliminary Official Statement, Escrow Agreements, Amended and Restated Facility Lease, Indenture and related financing documents;

Approving Amendment No. 3 to the San Diego Stadium Authority Joint Powers Agreements, Amended and Restated Facility Lease, Indenture and related financing documents;

Approving Amendment No. 3 to the Stadium Authority Joint Powers Agreement between the City and County of San Diego, to provide for the issuance of refunding bonds;

Amending the Stadium Operations Fund 10330 to increase the FY 95 Annual Budget by \$275,000;

Authorizing the transfer of \$125,000 from the Stadium Operations Fund 10330 to the Stadium Authority Working Capital Fund 95040 to fund the 1983 Bonds escrow;

Authorizing the transfer of \$150,000 from the Stadium Operations Fund 10330 to the Stadium Authority Working Capital Fund 95040 to pay costs of issuance for the 1994A Refunding Bonds.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: NONE.

COUNCIL ACTION: (Tape location: A603-B151.)

Hearing began at 3:03 p.m. and halted at 3:04 p.m.

CONSENT MOTION BY KEHOE TO INTRODUCE. 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.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 5:35 p.m. in honor of the memory of Laura Rodriguez as requested by Deputy Mayor Stevens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E432-461).