

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, OCTOBER 3, 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. Mayor Golding adjourned the meeting at 9:24 p.m. to meet in Closed Session on Tuesday, October 4, 1994, at 9:00 a.m., in the 12th floor Conference Room to discuss pending litigation, potential litigation and property acquisition.

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-Fishkin (gb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin 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 Abdul-Hakeem Sham-Sud-Deen of Mosque Ar-Ribat.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Roberts.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Gary Hill regarding illegal business practices.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A034-049.)

ITEM-PC-2:

Comments by Otto Emme regarding alcohol related arrests in

Pacific Beach.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A050-090.)

ITEM-PC-3:

Comments by Don Stillwell regarding injustice of elected officials to citizens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A091-129.)

ITEM-PC-4:

Comments by David Bruce Thompson regarding community consciousness of kids.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A130-154.)

ITEM-PC-5:

Comments by Kim James regarding Council Member Kehoe's birthday.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A155-179.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Stallings regarding Rideshare Week in the City of San Diego.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A180-187.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

9/12/94

9/13/94

9/13/94 Special Joint Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A188-194.)

MOTION BY WARDEN TO APPROVE. 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-31:

SUBJECT: Arts and Humanities Month.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-484) ADOPTED AS RESOLUTION R-284665

Proclaiming the month of October 1994 to be "Arts and Humanities Month" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A195-235.)

MOTION BY ROBERTS 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-32:

SUBJECT: Jammin' Z-90 Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-485) ADOPTED AS RESOLUTION R-284666

Proclaiming October 3, 1994 to be "Jammin' Z-90 Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A236-306.)

MOTION BY ROBERTS 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-33:

SUBJECT: Kids' Newsday.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-95-443) ADOPTED AS RESOLUTION R-284667

Commending Children's Hospital Auxiliary for its efforts to ensure quality health care for children in San Diego;

Proclaiming Tuesday, October 4, 1994 to be "Kids' Newsday" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A316-362.)

MOTION BY ROBERTS 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:

SUBJECT: Three actions related to Palomar Observatory.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-506) ADOPTED AS RESOLUTION R-284668

Commending Palomar Observatory for all its valuable contributions to science;

Proclaiming October 3, 1994 to be "Palomar Observatory Day" in San Diego.

Subitem-B: (R-95-507) ADOPTED AS RESOLUTION R-284669

Recognizing the accomplishments of David H. Levy and proclaiming October 3, 1994 to be "David H. Levy Day" in San Diego.

Subitem-C: (R-95-508) ADOPTED AS RESOLUTION R-284670

Recognizing the accomplishments of Eugene and Carolyn Shoemaker and proclaiming October 3, 1994 to be "Eugene and Carolyn Shoemaker Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A363-564.)

MOTION BY ROBERTS 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-35:

SUBJECT: In the matter of a Request for Reconsideration of the City Council's Action of August 8, 1994, Renaming Ozark Street to Willie James Jones Avenue.

(See memorandum from Mayor Golding dated 9/21/94. Lincoln Park Community Area. District-4.)

On August 8, 1994, Council voted 8-1 to waive Council Policy 600-12 and change the name of Ozark Street to Willie James Jones Avenue. (Councilmembers Mathis, Roberts, Stevens, Warden, Stallings, McCarty, Vargas, and Mayor Golding voted yea. Councilmember Kehoe voted nay.)

Subitem-A: FAILED

A motion to reconsider the Council's action of August 8, 1994.
(5 votes required.)

If Subitem A receives 5 votes, Council may take action on Subitem B:

Subitem-B: NOTE AND FILE

If approved for reconsideration by a majority vote, setting the matter of the street name change for a future hearing.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C164-D310.)

MOTION BY STEVENS TO WAIVE COUNCIL RULES FOR DISCUSSION. 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.

SUBSTITUTE MOTION BY ROBERTS TO RECONSIDER. Second by Stallings. Failed by the following vote: Mathis-nay, Roberts-yea, Kehoe-yea, Stevens-nay, Warden-nay, Stallings-yea, McCarty-nay, Vargas-nay, Mayor Golding-nay.

* ITEM-50:

SUBJECT: Uniform Fire Code.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on 9/12/94. (Council voted 9-0):

(O-95-9) ADOPTED AS ORDINANCE O-18101 (New Series)

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.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. 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-51:

SUBJECT: Carmel Valley Neighborhood 10 Rezoning.
(Case-91-0834 and Case-93-0141. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/20/94.
(Council voted 9-0):

(O-95-18) ADOPTED AS ORDINANCE O-18102 (New Series)

Amending the Carmel Valley Planned District Ordinance to rezone property into the A-1-10, SF2, SF3, MF1, NC, EP and OS Zones.

FILE LOCATION: LAND Carmel Valley Planned District Ordinance

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. 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-52:

SUBJECT: San Diego Stadium Authority Refunding Lease Revenue Bonds Series 1994A.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 9/19/94.

(Council voted 9-0):

(O-95-19 Rev.1) ADOPTED AS ORDINANCE O-18103 (New Series)

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 related documents;

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.

Aud. Cert. 9500287.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND

ADOPT ORDINANCE. 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 the Operation and Maintenance of the 19F5A Fire Simulator.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-279) ADOPTED AS RESOLUTION R-284671

Awarding a contract to Cubic Field Services (San Diego), for the operation and maintenance of the 19F5A Fire Simulator, for a period of one year beginning October 1, 1994 through September 30, 1995, for an estimated first year cost of \$138,000, for options to renew the contract for four additional one year periods, with option period price increases not to exceed the prices in effect for the previous contract period by more than 4.5 percent;

Authorizing the expenditure of not to exceed \$138,000 from Fund No. 100, Department No. 120, Object Account No. 4222, and Job Order No. 8602;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-E4409/95)

Aud. Cert. 9500311.

FILE LOCATION: CONT-Purchase-Cubic Field Services (San Diego) CONT FY95-1

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-101:

SUBJECT: Inviting Bids for the Construction of a Traffic Signal and Street Lighting System at Carroll Road and Kenamar Drive.
(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-315) ADOPTED AS RESOLUTION R-284672

Inviting bids for the Construction of a Traffic Signal and Street Lighting System at Carroll Road and Kenamar Drive on Work Order No. 112150A;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of \$122,500 from CIP-68-010.0, Annual Allocation - Construction Top 10-15 Prioritized Traffic Signals, Fund 30300;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess monies, if any, in CIP-68-010.0. (BID-K95023)

CITY MANAGER SUPPORTING INFORMATION:

The subject Capital Improvement Program Project is to install a traffic signal system at Carroll Road and Kenamar Drive. The traffic signal system will provide a safe passage through the intersection for emergency equipment, pedestrians, and vehicles. Traffic signal features include emergency vehicle preemption equipment.

Aud. Cert. 9500290.

FILE LOCATION: W.O. 112150A CONT - Lekos Electric, Inc.
CONT FY95-1

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-102:

SUBJECT: Two actions related to Improvements at the Metropolitan
Operations Center (MOC).

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-8) ADOPTED AS RESOLUTION R-284673

Inviting bids for the Metropolitan Operations Center
Passenger Elevator on Work Order No. 195710;

Authorizing a contract with the lowest responsible
bidder, provided that the City Auditor first furnishes
a certificate demonstrating that the funds necessary
for such expenditures are, or will be, in the City
Treasury;

Authorizing the expenditure of not to exceed \$113,636
for the construction of a new passenger elevator and
its related appurtenances;

Authorizing the expenditure of \$127,828 for other
related costs for this project;

Authorizing the expenditure of \$118,316 for new data
systems by San Diego Data Processing Corporation;

Authorizing a total expenditure of not to exceed
\$1,097,828 from Sewer Revenue Fund 41509, CIP-45-920.1,
for a passenger elevator, new construction and
improvements at MOC, provided that the City Auditor
first furnishes a certificate demonstrating that the
funds necessary for such expenditure are, or will be,
on deposit in the City Treasury. (BID-K95104)

Subitem-B: (R-95-9) ADOPTED AS RESOLUTION R-284674

Authorizing the use of City Forces and City-procured materials for the new construction and improvement of both buildings involving the Metropolitan Operations Center Passenger Elevator;

Declaring that the cost of the work shall not exceed \$738,048.

CITY MANAGER SUPPORTING INFORMATION:

On December 6, 1993, the City Council authorized the acquisition of the two buildings at 9150 & 9192 Topaz Way and the adjacent two acre vacant lot to serve as the new Metropolitan Wastewater (MWWD) Operation Center. A portion of the acquisition funds in the amount of \$450,000, which represented a credit reduction in the sales price, has been used to correct some items of deferred maintenance and to construct a portion of the required tenant improvements. Water Utilities Systems Division has leased the 9150 Topaz Way building, 30,000 square feet along with the two acre vacant lot for the next four years ending in December 31, 1997. In addition, Water Utilities Systems Division moved into this facility on May 9, 1994, and has completed the grading of the empty two acre vacant lot.

As of May 9, 1994, MWWD has moved the Industrial Waste Program Section, the Operations and Maintenance Division administration staff, and a portion of City and consultant construction management personnel to 9192 Topaz Way. General Services/Electrical & Communications Division has leased a 5,000 square foot storage space at 9192 Topaz Way for a period of one year ending in December 13, 1994. This additional request for \$1,097,828 is for the following: A proposed child care center; a training classroom for new treatment plant employees; a project and a document control room for the construction management section; a large meeting room; a new passenger elevator; required American with Disabilities Act (ADA) improvements; MOC improvements for heating, ventilating and air conditioning (HVAC) systems; additional roof repairs for both buildings; and expenditure of \$127,828 for other related costs for this purpose. MWWD needs to proceed forward with these activities in order to meet the target date of the North City Water Treatment Plant which will be ready to commence start up procedures in January 1997. It is intended to use General Services/Buildings Division personnel to perform the majority of this work, instead of private contract, due to an estimated time and cost savings.

WU-CWP-94-184.

FILE LOCATION: W.O. 195710 CONT - C.D.M. Construction
Development CONT FY95-1

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-103:

SUBJECT: Two actions related to Construction of West Bernardo
Drive Bike Lanes.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-311) ADOPTED AS RESOLUTION R-284675

Inviting bids for Construction of West Bernardo Drive
Bike Lanes on Work Order No. 112280;

Authorizing a contract with the lowest responsible
bidder;

Authorizing the execution of a Fund Transfer Agreement
with the State of California for \$160,000 from
Proposition 116 funds;

Authorizing the Auditor and Comptroller to transfer
\$160,000 from Proposition 116, Fund 38533 and \$25,000
from Local Transportation Fund 390055 to CIP-58-103.0;

Authorizing the expenditure of not to exceed \$185,000
for CIP-58-103.0, West Bernardo Drive Bike Lanes. (BID-
K95021)

Subitem-B: (R-95-314) ADOPTED AS RESOLUTION R-284676

Certifying that the information contained in Negative Declaration DEP-93-0259, dated 10/27/93, in connection with construction of West Bernardo Drive Bike Lanes, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Declaration has been reviewed and considered by Council.

CITY MANAGER SUPPORTING INFORMATION:

This project will construct a bike lane on each side of West Bernardo Drive from Aguamiel Drive north to the City Park/Casa De Las Palmas intersection, then from the intersection north to I-15. The bike lanes will include pavement, signing and striping adjacent to the existing roadway pavement. Staff is also managing the intersection improvements at West Bernardo Drive and the City Park/Casa De Las Palmas under CIP-52-489.0. These two projects are independent and do not conflict or overlap with each other. State rules regarding funding of bike lane projects prohibit joining these two projects together under one construction contract. Staff will make every effort to advertise and construct the bike lane project concurrently with the intersection project.

Aud. Cert. 9500282.

FILE LOCATION: W.O. 112280 CONT - Sim J. Harris Company
CONT FY95-1

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-104:

SUBJECT: Two actions related to Terminating Subdivision
Agreements and Releasing Bonds for Sunburst Scripps
Units No. 2 and 3.

(Located west of Pomerado Road and Spring Canyon Road.
Scripps Miramar Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-423) ADOPTED AS RESOLUTION R-284677

Terminating the Subdivision Improvement Agreement of October 31, 1988, on file in the Office of the City Clerk as Document No. RR-272245;

Releasing Performance Bond No. 112 70 81, issued by Insurance Company of the West, guaranteeing the improvements in the Sunburst Scripps Unit No. 2 subdivision.

Subitem-B: (R-95-424) ADOPTED AS RESOLUTION R-284678

Terminating the Subdivision Improvement Agreement of December 12, 1988, on file in the Office of the City Clerk as Document No. RR-272540;

Releasing Performance Bond No. 112 70 83, issued by Insurance Company of the West, guaranteeing the improvements in the Sunburst Scripps Unit No. 3 subdivision.

CITY MANAGER SUPPORTING INFORMATION:

The subdivision improvement agreements for Sunburst Scripps Unit No. 2 and Sunburst Scripps Unit No. 3 were originally executed with Sunburst Homes Company, which subsequently sold both units to BPKC Associates. As a result of a court ordered bankruptcy sale, BPKC Associates has granted all property rights to the Fieldstone Company for Unit No. 2 and Centex Homes for Unit No. 3. Both Fieldstone and Centex have since completed all of the conditions of the subdivision improvement agreements, and have posted sureties to cover the remaining construction punch list items, minor concrete work, and any operational deficiencies that may be found during the final inspection. Therefore, it is appropriate to terminate the subdivision agreements and release the original performance bonds as initially executed with BPKC Associates.

FILE LOCATION: SUBD-Sunburst Scripps Units No. 2 and 3.

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-105:

SUBJECT: Market Street (6th Avenue to 12th Avenue) Underground Utility District.

(Centre City Community Area. Districts-2, 3 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-415 Cor.Copy) ADOPTED AS RESOLUTION R-284679

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of the Market Street (6th Avenue to 12th Avenue) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district will underground the overhead utility facilities on Market Street between 6th and 12th Avenues. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 9500241.

FILE LOCATION: STRT K-226

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-106:

SUBJECT: National Avenue (32nd Street to 43rd Street)
Underground Utility District.
(Memorial, Mountain View and Southcrest Community
Areas. Districts 4 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-428) ADOPTED AS RESOLUTION R-284680

Calling a public hearing to determine whether the
public health, safety or general welfare requires the
formation of the National Avenue (32nd Street to 43rd
Street) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district will underground the overhead utility
facilities on National Avenue between 32nd and 43rd Streets. The
formation of this district will require the affected property
owners to underground the portion of their utilities on their
parcel prior to removal of the overhead utilities. Council
Policy 800-2 provides for the use of San Diego Gas and Electric
Company's Annual Allocation Funds (Case 8209) to make
reimbursement payments to affected property owners based on the
length of their electrical service trench. A future resolution
will establish the date for removal of overhead utilities as the
undergrounding work approaches completion.

Aud. Cert. 9500240.

FILE LOCATION: STRT K-227

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-107:

SUBJECT: Two actions related to Sewer and Drain Easement
Abandonment - Stonecrest Plaza.

(Located southeasterly of I-15 and Aero Drive. Kearny
Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-411 Cor.Copy 10/13/94) ADOPTED AS
RESOLUTION R-
284681

Determining sewer and drainage easements in Lots 1
through 6 and Lots 8 through 15 of Stonecrest Plaza,
Map-13072 to be surplus and authorizing them to be sold
to Aero Drive Associates, Ltd., L.P., the Vons
Companies, Inc., and Wal Mart Stores, Inc.;

Authorizing the execution of a quitclaim deed,
quitclaiming to Aero Drive Associates, Ltd., L.P., the
Vons Companies, Inc., and Wal Mart Stores, Inc. said
easements;

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

Subitem-B: (R-95-412) ADOPTED AS RESOLUTION R-284682

Stating for the record that the City of San Diego has
reviewed and considered DEP-92-0738, dated September 9,
1993, certified by Resolution R-282805, adopted on
October 12, 1993;

Adopting the Mitigation Monitoring and Reporting
Program.

FILE LOCATION: DEED F-6377 DEED FY95-1

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-108:

SUBJECT: Marketing of the Eastgate Technology Park.

(See City Manager Report CMR-94-279. University City Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-452) ADOPTED AS RESOLUTION R-284683

Authorizing the City Manager to enter into exclusive negotiations with CB Commercial Real Estate Group, Inc., for services involving the marketing of Eastgate Technology Park.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I394-J101.)

MOTION BY KEHOE 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-109:

SUBJECT: Donation from Rancho Bernardo Community Library Association, Inc.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-396) ADOPTED AS RESOLUTION R-284684

Accepting the generous donation of \$20,000 and all future donations from the Rancho Bernardo Community Library Association, Inc. to provide funding for a new branch library, its construction, equipment, and furnishings;

Authorizing the City Auditor and Comptroller to establish an interest bearing account with Fund No. 10602 for the donations;

Thanking the Rancho Bernardo Library Association, Inc. for its donation and act of civic generosity.

CITY MANAGER SUPPORTING INFORMATION:

On December 12, 1993, the City executed a grant award agreement with the California State Library for Proposition 85 bond act grant funds to construct a new Rancho Bernardo Branch Library. These State grant funds will cover 65 percent of the eligible project costs, with additional funding being provided by local sources, including the Rancho Bernardo Community Library Association, Inc. This Capital Improvement Project CIP-35-084.0, is currently in the design phase. The Rancho Bernardo Community Library Association, Inc. has mounted a capital campaign with the goal of providing local funds for the construction and furnishing of the new facility. It will continue to donate monies through on-going fundraising activities.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-110:

SUBJECT: Disability Awareness Week.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-498) ADOPTED AS RESOLUTION R-284685

Encouraging all citizens to join in appropriate observances recognizing the role of disabled employees in the work place and in all aspects of society;

Proclaiming the week of October 3 through 7, 1994 to be "Disability Awareness Week" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-111:

SUBJECT: Gene Luth Day.

COUNCILMEMBER ROBERTS' RECOMMENDATION:

Adopt the following resolution:

(R-95-449) ADOPTED AS RESOLUTION R-284686

Congratulating and thanking Gene Luth for his involvement, charitable contributions, commitment and service to the community and citizens of San Diego;

Proclaiming Saturday, September 24, 1994 to be "Gene Luth Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-112:

SUBJECT: Youth Earth Savers Festival, Yes!Fest '94 Day.

COUNCILMEMBER ROBERTS' RECOMMENDATION:

Adopt the following resolution:

(R-95-450) ADOPTED AS RESOLUTION R-284687

Congratulating and thanking San Diego Earth Day for its
commitment and service to San Diego;

Proclaiming October 23, 1994 to be "Youth Earth Savers
Festival, Yes!Fest '94 Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-113:

SUBJECT: National Day of Republic of China.

COUNCILMEMBERS ROBERTS' AND WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-95-505) ADOPTED AS RESOLUTION R-284688

Recognizing the proud heritage of the Chinese American
Community by proclaiming October 7, 1994 to be
"National Day of Republic of China" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-114:

SUBJECT: TRW Mead Day.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-95-444) ADOPTED AS RESOLUTION R-284689

Recognizing the accomplishments of TRW Mead for its outstanding achievements and for its corporate presence in the City of San Diego;

Proclaiming September 30, 1994 to be "TRW Mead Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-115:

SUBJECT: Normal Heights Community Park - Acquisition (Adams Avenue 39th Street).
(Normal Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-502) ADOPTED AS RESOLUTION R-284690

Transferring an amount not to exceed \$168,500 from Mid-City Park Development Fund 39094 to CIP-29-705.0,

Normal Heights Community Park - Acquisition;

Authorizing the expenditure of not to exceed \$168,500 from Mid-City Park Development Fund 39094, CIP-29-705.0, Normal Heights Community Park - Acquisition, and \$181,500 from CDBG Fund 18525, Dept. 5883, Org. 8303, for acquisition of property rights and related costs for the Normal Heights Community Park.

CITY MANAGER SUPPORTING INFORMATION:

The authorization of funds and the acceptance of this acquisition will provide another 5,000 square feet of additional land for the 39th Street/Adams Avenue Park. This acquisition adjoins a City-owned parcel designated for development of the 4+-acre community park southeast of 39th Street and Adams Avenue. This site is also referred to as the Normal Heights Community Park. This action will provide the City with six of the seven parcels identified for this project. The seventh parcel is a concurrent item for condemnation action.

Aud. Cert. 9500331.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-116:

SUBJECT: Underground Storage Tank Permanent Closures - Phase 13.
(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-486) ADOPTED AS RESOLUTION R-284691

Authorizing the Auditor and Comptroller to transfer not to exceed \$17,000 from CIP-360210, Southern Area Police Station, Fund 320453, Capital Outlay Other to CIP-33-

084.0, Underground Storage Tank Management Program, to fund a portion of Change Order No. 1 and related engineering costs incurred to the construction contract previously authorized by Resolution R-282137;

Authorizing the expenditure of not to exceed \$17,000 from CIP-33-084.0, Underground Storage Tank Management Program, Fund 302453, Capital Outlay Other, for providing funds for Change Order No. 1;

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

CITY MANAGER SUPPORTING INFORMATION:

This project provides for the removal and permanent closure of 14 underground fuel storage tanks (UST) and all associated equipment at various City sites. Phase 13 is part of the City-wide Underground Storage Tank Management Program and is the latest in a series of UST removal projects. The work is mandated by Federal and State law and County regulations. All work under this contract, including the change order, has been completed and the contractor has received final payment. This action seeks to reimburse the Underground Storage Tank Management Program for the costs incurred on behalf of the Police Department to remove two underground storage tanks at the Old Southern Police Station at 663 E. San Ysidro Blvd. Costs are comprised of \$14,327.31 for Change Order No. 1, and \$2,672.69 for related engineering costs. The site is now leased to the San Ysidro Revitalization Project, Inc.

Aud. Cert. 9500097.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-117:

SUBJECT: Request for Additional Funds - Temporary Improvement of

Dairy Mart Road.
(Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-442) ADOPTED AS RESOLUTION R-284692

Authorizing the transfer of \$25,000 from CIP-17-002.0, Annual Allocation - Storm Drain Projects Not Yet Identified, Proposition "A" Fund 30300 to CIP-52-570.0, Temporary Improvements to Dairy Mart Road;

Authorizing the expenditure of not to exceed \$25,000 from CIP-52-570.0, Temporary Improvements to Dairy Mart Road, Proposition "A" Fund 30300, to supplement Resolution R-282661, for a total of \$211,000.

CITY MANAGER SUPPORTING INFORMATION:

During the rains of January and February, 1993, a portion of Dairy Mart Road was completely washed out. The road was temporarily reconstructed with assistance from the U.S. Army National Guard. The road was in rough, dirt condition and in need of an asphalt overlay and additional drainage facilities. This project paved the rebuilt section of Dairy Mart Road and built a swale to assist in the passage of water should the Tijuana River swell again next winter. To complete this project, \$25,000 is required to cover field inspection and other City staff charges. This project is eligible for disaster assistance and the federal and state governments have pledged to reimburse the City for up to ninety-four percent of the construction costs.

Aud. Cert. 9500246.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-118:

SUBJECT: Central Library's AIDS Resource Center.
(Central, Valencia Park, and Logan Heights Community
Areas. Districts-2, 4, and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-387) ADOPTED AS RESOLUTION R-284693

Authorizing the City Manager to apply for, accept, and administer funds from the National Library of Medicine to expand materials and electronic access to national databases in the Central Library's AIDS Resource Center and to establish two satellite resource centers.

CITY MANAGER SUPPORTING INFORMATION:

In 1992 the San Diego Public Library established an AIDS Resource Center in the Science and Industry section of the Central Library. Today, this center contains over 230 circulating books and audio-visual materials as well as reference materials on the subject of AIDS/HIV. The National Library of Medicine (NLM) has requested proposals for projects that will improve access to HIV/AIDS related information by patients, the affected community and their caregivers. The provision of access to electronic information resources is a key element of the RFP. The Central Library and thirty-three branches will provide on-site Internet services to library customers during the fall of 1994. These services will include free on-line access to AIDS-related databases and an online directory of sources of information. NLM funding will be used to enhance the electronic capabilities at Valencia Park and Logan Heights Branch Libraries and at the Central Library's AIDS Resource Center through the provision of fax machines at each location. Copies of reference materials at Central can be provided to library customers at these satellite locations. Collections of AIDS/HIV materials will be established at the satellite centers and expanded at the Central Library.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-119:

SUBJECT: Additional Funding for Montgomery-Waller Parking Lot Addition.
(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-386) ADOPTED AS RESOLUTION R-284694

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$6,000 from PSD Fund No. 16000, and an amount not to exceed \$4,000 from PSD Fund No. 11720, to CIP-29-809.0, Montgomery Waller Community Park - Parking Lot Addition;

Authorizing the expenditure of an amount not to exceed \$10,000 from CIP-29-809.0, Montgomery Waller Community Park - Parking Lot Addition, to fund additional costs of this project.

CITY MANAGER SUPPORTING INFORMATION:

Bids were received on June 10, 1994 for the parking lot improvements at Montgomery-Waller Community Park. Additional funds in the amount of \$10,000 are needed to award a contract to the lowest responsible bidder.

The additional funds will provide for the construction of deductive alternate No. 1, which increases the number of new parking spaces from 15 to 24.

Aud. Cert. 9500163.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-120:

SUBJECT: Developer Fees.
(See City Manager Report CMR-94-275.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-425) ADOPTED AS RESOLUTION R-284695

Approving the information contained in City Manager Report CMR-94-275, regarding Developer Fees, which is declared to be the City's publicly available information on the City's development impact fee program.
WU-U-95-034.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-121:

SUBJECT: Waiver of the City Purchasing Process for the Violent Crimes Task Force.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-431) ADOPTED AS AMENDED AS RESOLUTION R-284696

Authorizing the Chief of Police to execute a Memorandum of Understanding with the United States Department of Justice and local law enforcement agencies to create the Violent Crimes Task Force for San Diego and Imperial Counties;

Authorizing the Auditor and Comptroller to establish a Violent Crimes Task Force Fund for receipt and expenditure of funds in connection with the Violent Crimes Task Force;

Authorizing the City Manager to provide purchasing services for the Violent Crime Task Force;

Authorizing the Chief of Police to approve expenditures for procurement of equipment and supplies, and for incidental expenses for the Violent Crimes Task Force;

Waiving the requirement of the City purchasing process that any expenditure of \$50,000 or more be submitted for Council approval for the purpose of expediting the procurement process for the above project.

CITY MANAGER SUPPORTING INFORMATION:

The United States Department of Justice, in cooperation with law enforcement agencies of local municipalities, the County of San Diego, the State of California, and various federal agencies, has formed a Violent Crimes Task Force for San Diego and Imperial Counties. The San Diego Police Department is participating in the Violent Crimes Task Force as a lead agency and has been asked to become the lead agency in terms of administering the financial affairs of the task force as they relate to the procurement of supplies and equipment for the task force, and the payment for incidental expenses of the task force. All expenditures will be from funds of the United States government and will be deposited in advance or promptly reimbursed by the federal government as enumerated in a separate agreement between the City and the U.S. Department of Justice. The San Diego Police Department has been requested to administer the finances of the Violent Crimes Task Force because the federal government has determined that the acquisition and disbursement process is more expeditious at the local level than at the federal level. Acquisition of materials and equipment at the local level will allow the task force to become operational much more quickly, which is a goal of the Department of Justice. Expenditure decisions will be made by a Coordinating Committee composed of a member of each participating agency.

It is requested that this process be made most expeditious by

waiving the requirement of the City purchasing process that any expenditures of \$50,000 or more be submitted for City Council approval. Chief of Police approval would allow more timely purchase, with federal monies, of supplies such as radios, computers, office furniture, etc., for the Violent Crimes Task Force, so that full operation of the task force can begin in the shortest possible time and so that benefits of the joint agency operation may begin to accrue as soon as possible.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F434-599.)

MOTION BY STEVENS TO ADOPT AS AMENDED TO DIRECT THE CITY MANAGER TO: 1) NEGOTIATE A LEASE AT THE CHEAPEST PRICE POSSIBLE; 2) AUTHORIZE EXPENDITURE OF INITIAL EQUIPMENT OUTLAY; 3) RETURN TO COUNCIL ON INDIVIDUAL ITEMS EXCEEDING \$100,000; AND 4) PROVIDE COUNCIL WITH PROGRESS REPORT IN SIX MONTHS. Second by Kehoe. 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: Records Disposition Schedule for City Council District 5.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1787) ADOPTED AS RESOLUTION R-284697

Adopting the Records Disposition Schedule for records maintained by City Council District 5.

CITY CLERK SUPPORTING INFORMATION:

This is a request that the City Council approve a resolution creating the Records Disposition Schedule for City Council District 5. The Records Disposition Schedule was developed by the Records Management Section of the City Clerk's Office and the staff of Council District 5. The development of this Schedule will: 1) ensure that City Council District 5's important records are retained in accordance with the City's legal, administrative,

fiscal, and historical needs; and 2) provide authority for the transfer of inactive records to storage and/or destruction, thus freeing up valuable office space. Other benefits to be realized by the creation of this Schedule include a reduction in the quantity of duplicate records which are maintained by Council Districts; descriptions which give the Council District an historical and comprehensive view of the records it generates; and aid in the improvement of filing systems, allowing greater control over the current record keeping system. Records Management staff is continuing work on the development of departmental Schedules as a key to providing a systematic control of paperwork and records creation, maintenance, usage and disposition. The approval of this Records Disposition Schedule will be the thirty-first completed to date - and the sixth City Council District - covering a total of 17,000 cubic feet of records and 1,100 different record series.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-123:

SUBJECT: Amending Council Policy 100-03 Regarding Transient Occupancy Tax.
(See City Manager Report CMR-94-280.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-499) ADOPTED AS RESOLUTION R-284698

Amending Council Policy 100-03 regarding Transient Occupancy Tax by: 1) modifying the reimbursement procedures of Transient Occupancy Tax Funds for Arts and Museums; 2) restricting an individual organization to submit only one application either to the Arts and Museums category or Civic Events and Promotional Programs category; and 3) modifying current procedures

to allow museums to apply for funding in either the Arts and Museum category or the Civic Events and Promotional Programs category.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J529-582.)

MOTION BY STEVENS 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: TRAILED TO OCTOBER 4, 1994

SUBJECT: Comprehensive Homeless Policy.
(See City Manager Report CMR-93-265 and the "Continuum of Care" description.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-185)

Establishing Council Policy No. 000-51 regarding the Comprehensive Homeless Policy.

CITY MANAGER SUPPORTING INFORMATION:

In March of 1993, the newly formed Homeless Advisory Committee identified the need for the City of San Diego to adopt a comprehensive homeless policy. Sub-committees were formed to 1) Research existing city policies pertaining to homeless issues, and 2) Research what other cities throughout the United States had developed in the way of homeless policies. City Manager Report CMR-93-265 dated 9/7/93 describes, in detail, the process the committee used in developing a draft policy which was submitted to the Public Services and Safety Committee (PS&S) on 9/15/93. The PS&S Committee directed that the draft policy proceed to Council without delay for consideration. Council considered the draft on 11/30/93 and directed its return to the City Manager to allow for Mayor and Council comments. Subsequent to its return to the Manager, the Clinton Administration announced the new "Federal Plan to Break the Cycle of Homelessness." The plan describes a "Continuum of Care" approach

along with substantial increases in federal funding. As the original draft policy contained major portions of the Federal Plan already, the Homeless Advisory Committee believed that the opportunity existed to not only review and consider the Mayor's and Councilmembers' comments, but to also insure that the policy presented was consistent with the Federal Plan. An Advisory sub-committee examined input from a number of sources, designed a local "Continuum of Care" and reorganized the policy recommendation to reflect a model designed for San Diego. On July 11, 1994, the full Homeless Advisory Committee reviewed and unanimously endorsed the final version of the policy.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: J102-528.)

* ITEM-125:

SUBJECT: Homeless Services Funding.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-409) ADOPTED AS RESOLUTION R-284699

Authorizing agreements with The County of San Diego, Love's Gift, San Diego Youth and Community Services, Neighborhood House Association, and Episcopal Community Services, to provide services to the homeless population of San Diego;

Authorizing the expenditure of not to exceed \$80,836 from Fund 185301.

CITY MANAGER SUPPORTING INFORMATION:

Under the Stewart B. McKinney Act, the City has received and funded homeless programs for the past eight years. There are \$280,378 available for the funding of homeless programs. The following programs were funded last fiscal year, and are recommended for continued funding (contracts will all expire on June 30, 1995, thus allowing the potential refunding of these programs to be considered with other social service programs competing for funds in FY 1996): 1) the Interfaith Shelter Network (\$11,627), operated in conjunction with the County of San

Diego, provides shelter to the homeless during the cold, winter season. It is a "rotational" shelter program which utilizes faith facilities to provide overnight shelter throughout the County; 2) the Perishable Food Program (\$3,764), operated by Love's Gift, picks up food that would otherwise go to waste from delis, farms, hotels, etc., and delivers the food to agencies that feed the homeless; 3) the Homeless Youth Program (\$13,359), operated by San Diego Youth and Community Services, provides shelter to homeless youths between the ages of 12 and 18; 4) the Food Bank Starter Kit Program (\$3,750), operated by the Neighborhood House Association, is designed to assist homeless persons by providing needed household items to persons who are transitioning from agency-sponsored shelters to permanent housing; and 5) the Emergency Shelter Program (\$48,336), operated by Episcopal Community Services, provides overnight shelter to homeless individuals who are enrolled in a work program or who are receiving case-managed assistance in a dually diagnosed program. It is also recommended that \$199,542 be encumbered for the express purpose of developing a program or programs that will assist the homeless population after taking into consideration the recommendations of the Homeless Advisory Committee. The new program(s) will utilize a Request for Proposal process, and the funds will be used as leverage for receiving other Federal funding.

Aud. Cert. 9500076.

FILE LOCATION: MEET CONT FY95-5

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-126: TRAILED TO OCTOBER 4, 1994

SUBJECT: Agreement with the County of San Diego and San Dieguito
Ambulance District CSA-17 for Mutual Aid Paramedic
Services.
(Districts-1 and 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-418)

Authorizing an agreement with the County of San Diego, San Dieguito Ambulance District CSA-17, and its authorized paramedic provider, for mutual aid paramedic services.

CITY MANAGER SUPPORTING INFORMATION:

Section 3.B(10) of the Agreement for EMT-Paramedic Services between the County and City of San Diego (Document No. RR-278270), executed in August, 1991, establishes as a responsibility of the City the development of mutual aid with adjoining EMT-Paramedic services, whenever practical and in the best interest of patient care. The proposed agreement authorizes the City of San Diego, and its paramedic service provider, to implement mutual aid for paramedic services with the County of San Diego, San Dieguito Ambulance District, and its paramedic service providers. The agreement clarifies the roles and responsibilities of each agency in the provision of paramedic services between these adjacent jurisdictions.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: J583-K025.)

ITEM-127: TRAILED TO OCTOBER 4, 1994

SUBJECT: Agreement with the County of San Diego, Heartland Paramedic District CSA-69 for Mutual Aid Paramedic Services.
(Districts-1 & 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-319)

Authorizing an agreement with the County of San Diego, Heartland Paramedic District CSA-69, and its authorized paramedic provider, for mutual aid paramedic services.

CITY MANAGER SUPPORTING INFORMATION:

Section 3.B(10) of the Agreement for EMT-Paramedic Services between the County and City of San Diego (Document RR-278270), executed in August, 1991, establishes as a responsibility of the City the development of mutual aid with adjoining EMT-Paramedic services, whenever practical and in the best interest of patient care. The proposed agreement authorizes the City of San Diego, and its paramedic service provider, to implement mutual aid for paramedic services with the County of San Diego, Heartland Paramedic District, and its paramedic service providers. The agreement clarifies the roles and responsibilities of each agency in the provision of paramedic services between these adjacent jurisdictions.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: J583-K025.)

* ITEM-128:

SUBJECT: Participation Agreement for the Relocation of the
Murphy Canyon Trunk Sewer.
(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-353) ADOPTED AS RESOLUTION R-284700

Authorizing a Participation Agreement with Aero Drive Associates, Inc. (San Diego), for the relocation of the Murphy Canyon Trunk Sewer;

Authorizing the addition of CIP-46-183.0, Murphy Canyon Trunk Sewer, to the Fiscal Year 1995 Capital Improvement Program;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$571,867 within the Sewer Revenue Fund No. 41506, from CIP-46-158.0, Mission Bay Sewerage Interceptor System, to CIP-46-183.0, Murphy Canyon Trunk Sewer;

Authorizing the expenditure of not to exceed \$571,867 from the Sewer Revenue Fund 41506, CIP-46-183.0, Murphy

Canyon Trunk Sewer;

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

CITY MANAGER SUPPORTING INFORMATION:

As a condition of Tentative Map TM-92-0738, the Developer is required to make improvements to a certain portion of the existing sewer system known as the Murphy Canyon Trunk Sewer. During the course of construction, the contractor discovered that the existing condition of the downstream sewer main varies from the as-built documents. Furthermore, after a detailed investigation and verification with the City of San Diego, Water Utilities Department, it was concluded that during the flood of 1979-1980, a portion of the existing sewer main including approximately 1,000 lineal feet of 30-inch Vitrified Clay Pipe (VCP), together with six (6) manholes were washed away and the City acted on an emergency basis to replace that portion of the sewer system with 24-inch PVC. Following the review of the existing condition between the developer and the City, it was agreed that the portion of the existing sewer main is to be replaced by 30-inch VCP by the developer and the City shall participate in the cost of design and construction of the improvements. The improvements shall include the removal of approximately 962 lineal feet of existing 24-inch PVC sewer main, replacement with approximately 962 lineal feet of 30-inch VCP sewer main and construction of six manholes. These sewer main improvements are necessary and are for the benefit of the City as a whole. After the City's acceptance of the facility, the City will reimburse the developer 100 percent of the cost for design

and replacement of the sewer main, and the reimbursement shall not exceed \$571,867.

Aud. Cert. 9500318.

WU-U-95-031.

FILE LOCATION: MEET CONT FY95-1

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-129:

SUBJECT: Three actions related to Community Development Corporation (CDC) Agreements.
(Districts-3, 4, 5 and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-495) ADOPTED AS RESOLUTION R-284701

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

Authorizing the expenditure of not to exceed \$70,000 from Fund 18530, Dept. 4070, Org. 7014.

Subitem-B: (R-95-496) ADOPTED AS RESOLUTION R-284702

Authorizing an agreement with Bayview Community Development Corporation, for neighborhood development activities;

Authorizing the expenditure of not to exceed \$50,000 from Fund 18530, Dept. 4070, Org. 7008.

Subitem-C: (R-95-497) ADOPTED AS RESOLUTION R-284703

Authorizing an agreement with Kid's Copy, for neighborhood development activities;

Authorizing the expenditure of not to exceed \$25,000 from Fund 18530, Dept. 4070, Org. 7018.

CITY MANAGER SUPPORTING INFORMATION:

The City Council, in the 1994-95 Community Development Block Grant (CDBG) appropriation cycle approved \$70,000 for City Heights, \$50,000 for Bayview and \$25,000 for Kid's Copy for neighborhood development activities.

City Heights: Major Activities will continue to provide special quality neighborhood projects which include security lighting,

street trees, graffiti abatement and the continued maintenance of specific neighborhood areas to be defined.

Bayview: Major activities will be to develop plans to enhance community and economic development in an effort to reverse the deterioration of the quality of life in the Southeast Community area.

Kid's Copy: Major activities will be to include administration of educational and job training programs for youth in partnership with San Diego City Schools and youth programs in Council Districts 3, 4, 5 and 7.

Aud. Certs. 9500323-9500325.

FILE LOCATION: MEET CONT FY95-3

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-130:

SUBJECT: Agreement for As-Needed Environmental Consultant
Services for the Water Utilities Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-456) ADOPTED AS RESOLUTION R-284704

Authorizing an agreement with Kinnetic Laboratories,
Inc., for as-needed environmental consultant services
for the Water Utilities Department;

Authorizing the expenditure of not to exceed \$200,000,
consisting of \$100,000 from CIP-73-312.0, Annual
Allocation - As-Needed Consultant Services/Water, and
\$100,000 from CIP-46-174.0, Annual Allocation - As-

Needed Consultant Services/Sewer;

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

CITY MANAGER SUPPORTING INFORMATION:

A list of as-needed environmental consultants was requested from the Consultant Selection Coordinator on March 22, 1994. The Consultant Nominating Committee nominated five firms to participate in the final selection process. In conformance with Council Policy 300-7, these firms were interviewed on May 23, 1994, and Kinnetic Laboratories was selected as the best qualified firm to provide the as-needed environmental consultant services. Subconsultants on the project are: Ninyo & Moore - Hydrology/Hazardous Materials; Affinis (WBE, SBE) - Cultural/Biological Resources; and the San Diego National History Museum - Paleontological Resources. The agreement provides for environmental services by task orders on an hourly-fee basis not to exceed \$20,000 per task.

These services would include environmental evaluation reports and preliminary hazardous waste material analysis for water and sewer projects. These reports and analyses will help to avoid construction delays by anticipating mitigative measures and selecting appropriate sites and pipeline alignments. The total contract shall not exceed \$200,000 for a period of two years from the date of execution by the City.

Aud. Cert. 9500213.
WU-U-94-187.

FILE LOCATION: MEET CCONT FY95-1

COUNCIL ACTION: (Tape location: D310-D509.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
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-131:

SUBJECT: Amending the 1993 Sewer Revenue Fund Master Installment Purchase Agreement and Acquisition Agreement with the

Public Facilities Financing Authority.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-492) ADOPTED AS RESOLUTION R-284705

Authorizing amendments to the Master Installment Purchase Agreement of July 1993 and to the Acquisition Agreement of September 1994 with the Public Facilities Financing Authority of the City of San Diego, for the financing of project mitigation;

Authorizing the City Manager to finance or refinance the agreements with tax exempt securities, if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION:

In July of 1993 the City Council approved the Master Installment Purchase Agreement and Acquisition Agreement by and between the City of San Diego and the Public Facilities Financing Authority of the City of San Diego relating to installment payments secured by the City's Sewer Revenue Fund. In September of 1994 the City Council approved a Mitigation Fund Agreement by and between the City of San Diego and the United States Fish and Wildlife Service. This agreement defines the mitigation actions to be taken for certain projects, some of which are included in the 1993 Master Installment Purchase Agreement and Acquisition Agreement. Under the advice of bond counsel, this action updates the list of projects in the 1993 Master Installment Purchase Agreement and Acquisition Agreement to include the cost of mitigation property acquisition as a covered expense suitable for financing.

FILE LOCATION: MEET CONT FY95-2

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-132:

SUBJECT: Agreement with RBF/Sholders & Sanford for As-Needed
Utility Location Consultant Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-460) ADOPTED AS RESOLUTION R-284706

Authorizing an agreement with RBF/Sholders & Sanford (Orange County), for as-needed utility location consultant services for the Water Utilities Department;

Authorizing the expenditure of not to exceed \$100,000, consisting of \$50,000 from Water Revenue Fund 41500, CIP-73-312.0, Annual Allocation - As-Needed Consultant Services/Water, and \$50,000 from Sewer Revenue Fund 41506, CIP-46-174.0, Annual Allocation - As-Needed Consultant Services/Sewer;

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

CITY MANAGER SUPPORTING INFORMATION:

The Water Utilities Department regularly performs subsurface exploration to locate existing water and sewer mains for various improvement projects throughout the City of San Diego. To reduce disruption resulting from the use of conventional excavating equipment currently used by City Forces it is desirable to employ vacuum excavation methods to accurately locate the water and sewer facilities. On March 18, 1994, an advertisement was placed in the San Diego Daily Transcript for utility location services to be provided on an as-needed basis for the Water Utilities Department. These services would include the locating of existing water and sewer facilities using vacuum excavation methods which cannot be provided by City Forces. The City's Consultant Nominating Committee reviewed the letters of interest from 14 consultants. The Committee nominated five firms to participate in the final selection process. In conformance with Council Policy 300-7, these firms were interviewed on June 2, 1994, and RBF/Sholders & Sanford was selected as the best qualified firm. Subconsultants include Urban Systems Associates (WBE) for traffic plans (8 percent), Softdig Utility Surveys (25 percent) and Miller Pipeline (30 percent) for potholing, Hirsch and Company (MBE) for survey, project management assistance and

permit processing (12 percent).

Aud. Cert. 9500306.
WU-U-94-188.

FILE LOCATION: MEET CCONT FY95-1

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
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-133:

SUBJECT: Amendment to the Agreement with San Diego Association
of Governments (SANDAG) for the Multiple Species
Conservation Program (MSCP).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-493) ADOPTED AS RESOLUTION R-284707

Authorizing the execution of an amendment to the
agreement with the San Diego Association of Governments
(SANDAG), for pass-through funding for the Multiple
Species Conservation Program;

Authorizing the acceptance of not to exceed \$328,269
from the San Diego Association of Governments, from
funds distributed by the U.S. Fish and Wildlife
Service, to be placed in Metropolitan Wastewater
Department Fund 41509, CIP-45-910.3, Program Planning
and Studies, for purposes directly benefitting the
Multiple Species Conservation Program;

Amending the Fiscal Year 1995 Capital Improvement
Program budget in Metropolitan Wastewater Department
Fund 41509 from the amount of \$9,608,684 to \$9,936,953.

CITY MANAGER SUPPORTING INFORMATION:

During calendar year 1993, Metropolitan Wastewater Department

staff worked with the City's Department of Legislative Services, SANDAG (administering the North County Wildlife Forum's Multiple Habitat Conservation Program (MHCP), the County (administering the County's Multiple Habitat Conservation and Open Space Program (MHCOSP), and the City of Carlsbad (administering the Habitat Management Program (HMP), in support of MSCP, MHCP, MHCOSP, and HMP planning activities.

In November 1993, the Congress appropriated \$1,149,000 from the FY 1994 budget for use in support of habitat conservation planning in the San Diego Region. Up to \$1,149,000 in federal funds are to be allocated as follows:

- Up to \$328,269 (28.57 percent) to the City of San Diego for the MSCP;
- Up to \$328,269 (28.57 percent) to the North County Wildlife Forum for the MHCP;
- Up to \$328,269 (28.57 percent) to the County of San Diego for the MHCOSP;
- Up to \$70,434 (6.13 percent) to the City of Carlsbad for the HMP; and
- Up to \$93,759 (8.16 percent) to SANDAG for regional Geographic Information System (GIS) data support and coordination of habitat conservation planning in San Diego County.

Authorization to use the FY 1994 federal funds received by the City will be requested through a separate Council action.
WU-CWP-95-030.

FILE LOCATION: MEET CONT FY95-1

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-134:

SUBJECT: Agreement with San Diego Velodrome Association for Improvements to the Velodrome in Balboa Park.
(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-400) ADOPTED AS RESOLUTION R-284708

Authorizing an agreement with the San Diego Velodrome Association for reimbursements of the cost of improvements to the velodrome;

Authorizing the expenditure of not to exceed \$75,000 from CIP-21-834.0, Balboa Park/Mission Bay Park Requirements, Sublet Project 21-840.3, Velodrome Reimbursement Agreement, to be expended in the following manner:

\$35,000 from Transient Occupancy Tax Fund 102242

\$40,000 from San Diego Facilities and Equipment Leasing Corporation Construction Fund 91101.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Velodrome Association, a California non-profit organization, and the City of San Diego desire to provide improvements to the Velodrome, located in Balboa Park, jointly in the form of a reimbursement agreement. The proposed improvements include replacing the existing deteriorated track surface, installing a perimeter security fence, improving the drainage and irrigation system, and upgrading the lighting system. The total estimated cost of these improvements is \$80,000 of which the City proposes to fund, in the form of a reimbursement agreement, the sum of \$75,000.

Aud. Cert. 9500286.

FILE LOCATION: MEET CONT FY95-1

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-135:

SUBJECT: Two actions related to the Mission Trails Regional Park Visitors Center.
(Mission Trails Regional Park Community Area.
District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-457) ADOPTED AS RESOLUTION R-284709

Authorizing an agreement with the Sparks Exhibits Ltd., for exhibit fabrication services required for the Mission Trails Regional Park Visitors Center, CIP-29-680.0;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$330,000 from Source Fund, Mission Trails Regional Park Fund No. 10580 to CIP-29-680.0, Mission Trails Regional Park;

Authorizing the expenditure of not to exceed \$701,000 from CIP-29-68.0, Mission Trails Regional Park Visitors Center, for providing funds for the above project, as follows:

\$656,244 for this agreement and related services requested by the City; and

\$44,756 to supplement funds previously authorized by the City Council in Resolution R-282078 adopted on July 7, 1993.

Subitem-B: (R-95-458) ADOPTED AS RESOLUTION R-284710

Stating for the record that the information contained in Environmental Impact Report DEP-90-0980 and Mitigation, Monitoring and Reporting Program, has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

The proposed agreement with Sparks Exhibits Ltd., will provide the exhibit fabrication and installation services required for the Mission Trails Regional Park Visitors Center. The Mission Trails Regional Park Visitors Center is a joint effort between the City and the Mission Trails Regional Park Foundation. The

Visitors Center is located at the southern intersection of Father Junipero Serra Trail and Mission Gorge Road within the 5,740 acre Mission Trails Regional Park. The proposed consultant was selected after a Request for Qualifications was advertised in the San Diego Daily Transcript on May 12, 1994; San Diego Voice and Viewpoint on May 19, 1994; El Sol de San Diego on May 12, 1994; and the San Diego Asian Journal on May 13, 1994. A total of eight responses were received. A selection committee reviewed the responses and selected four firms/teams to submit proposals and to be interviewed. Interviews were conducted and ranked on August 10, 1994 by the Selection Committee. The final selection, Sparks Exhibits Ltd., was made by the Park and Recreation Department in conjunction with the Mission Trails Regional Park Foundation.

Aud. Cert. 9500339.

FILE LOCATION: MEET CONT FY95-1

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-136:

SUBJECT: Copley Family YMCA - Renovation Design Project.
(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-448) ADOPTED AS RESOLUTION R-284711

Authorizing an agreement with the YMCA of San Diego to hire an architect to design a facility renovation and expansion at 3901 Landis Street;

Authorizing an expenditure of not to exceed \$25,000 from CDBG Fund 18530, Dept. 4062, Org. 6204.

CITY MANAGER SUPPORTING INFORMATION:

The Copley Family YMCA, a non-profit organization, is a branch of the San Diego County YMCA. Copley Family YMCA is located at 3901 Landis Street, and has been serving the low and moderate income families in Mid-City communities since 1944. In addition to the health and fitness center, Copley Family YMCA also provides child care services (licensed for 112 children). In order to meet the needs of Mid-City's growing communities, and also to make this facility accessible to disabled persons, it has become necessary to renovate and expand the existing facility. The expenditure of \$25,000 in Community Development Block Grant (CDBG) funding will allow the Copley YMCA to hire an architect to provide design services for the renovation and expansion. On May 29, 1994, City Council adopted Resolution R-283845 granting CDBG funding for this project.

Aud. Cert. 9500297.

FILE LOCATION: MEET CONT FY95-1

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-137:

SUBJECT: Agreement for the YMCA Swimming Pool Improvements at
151 North 45th Street.
(Mountain View Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-447) ADOPTED AS RESOLUTION R-284712

Authorizing an agreement with YMCA of San Diego County,
for the swimming pool improvements at their facility
located at 151 North 45th Street;

Authorizing the expenditure of not to exceed \$90,000
from CDBG Fund 18530, Dept. 4062, Org. 6209.

CITY MANAGER SUPPORTING INFORMATION:

The Jackie Robinson YMCA, a non-profit organization, is a branch of the San Diego County YMCA. The facility is located at 151 North 45th Street and has been serving low and moderate income families in Southeast San Diego since 1957. The mission of Jackie Robinson YMCA is to improve quality of life and to help youths realize their full potential through a variety of sport programs. Their major emphasis is teaching young adults leadership and sportsmanship.

The expenditure of \$90,000 will provide for the construction of their swimming pool improvements. This project will consist of: replastering the existing pool; repairing and retrofitting the filtration system; installing a new diving board; and constructing an 8 ft. high concrete wall around the pool area for safety and security purposes. On May 9, 1994, City Council adopted Resolution R-283845 granting the Community Development Block Grant (CDBG) funding for this project.

Aud. Cert. 9500298.

FILE LOCATION: MEET CONT FY95-1

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-138:

SUBJECT: Appointment to the Citizens Equal Opportunity Commission.
(See memorandum from Mayor Golding dated 9/19/94 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-503) ADOPTED AS RESOLUTION R-284713

Council confirmation of the appointment by the Mayor of Juanita C. Santos to serve as a member of the Citizens

Equal Opportunity Commission, representing the Filipino category, for a term ending January 1, 1995, replacing Carol Leyva-Stickels, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-139:

SUBJECT: Appointment to the Retirement System, City Employees' Board of Administration.
(See memorandum from Mayor Golding dated 10/3/94 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-504) NOTED AND FILED

Council confirmation of the appointment by the Mayor of Ann Parode to the Retirement System, City Employees' Board of Administration, as the Officer of a Local Bank, for a term ending December 7, 1998, to replace Jerald Lewis, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS TO NOTE AND FILE THIS ITEM BECAUSE ANN PARODE WITHDREW HER NAME FROM CONSIDERATION. 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-150:

SUBJECT: Alternate actions related to Curfew Hours.
(See City Attorney Report dated 6/10/94 and City
Manager Report CMR-94-286.)

TODAY'S ACTION IS:

Either introduction of the ordinance in Subitem A; or
adoption of the resolution in Subitem B:

Subitem-A: (O-94-122) NOTED AND FILED

Introduction of an Ordinance amending Chapter V,
Article 8, of the San Diego Municipal Code by amending
Sections 58.01 and 58.01.1, pertaining to Curfew, to
change the commencement time on weekends from 10:00
p.m. to 12:01 a.m.;

OR

Subitem-B: (R-95-501) ADOPTED AS RESOLUTION R-284714

Accepting the City Manager's Report;

Retaining the use of Area Commands as Juvenile
Detention Centers;

Retaining 10:00 p.m. as the starting time for curfew
enforcement.

RECOMMENDATIONS:

A) The Public Services and Safety Committee recommends
introduction of the ordinance in Subitem A.

On 5/18/94 the Public Services and Safety Committee voted 5-
0 to direct the City Attorney to prepare amendments to the
City's curfew ordinance to change the curfew on Friday and
Saturday nights to 12:01 a.m., and to review the Dallas
curfew ordinance and suggest any other amendments that would
enhance the City's ordinance. (Councilmembers Roberts,
Kehoe, Stevens, McCarty and Vargas voted yea.)

B) The City Manager recommends adoption of the resolution in
Subitem B.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D506-F433.)

Motion by McCarty to adopt the manager's recommendation but that language come back October 31, 1994 on the parameters so that we are consistent between what we are enforcing and what we are putting in the ordinance. Second by Stallings. Stallings withdrew her second.

MOTION BY STALLINGS TO ACCEPT THE CITY MANAGER'S RECOMMENDATION, ACCEPT THE REPORT, KEEP THE DETENTION CENTERS AT THE AREA COMMANDS STAFFED BY POLICE PERSONNEL, AND KEEP THE CURFEW AT 10:00 P.M. Second by Roberts.

Motion by McCarty to amend the motion to add language that says that it is a defense to prosecution under section 5801-(a)(b)or (c) that the minor was responsibly moving to or from any legitimate social activity. Second by Stevens. Failed by the following vote: Yeas-4,7. Nays-1,2,3,5,6,8,M. Not present-None.

Vote on the motion to accept City Manager's recommendation 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-200: RETURNED TO CITY MANAGER

SUBJECT: Compromise Agreement and Mutual Release with Pacific Bell.
(See City Manager Report CMR-94-285.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-95-27)

Introduction of an Ordinance authorizing the City Manager and City Attorney to enter into a Compromise Agreement and Mutual Release with Pacific Bell, pursuant to Section 103.1 of the City Charter, concerning the provision of Video Dialtone Service (VDT), along and upon the public streets within the City of San Diego.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A584-B183, F600-H426.)

Motion by Stevens to refer the item to Public Service and Safety Committee for a full hearing 60 days prior to coming back to council. Second by Mathis. Failed by the following vote: Yeas-4,7. Nays-1,2,3,5,6,8,M. Not present-none.

Motion by McCarty to move the City Manager's recommendation. Second by Vargas. McCarty withdrew her motion.

MOTION BY ROBERTS TO ACCEPT MAYOR GOLDING'S RECOMMENDATION TO REFER THE ITEM TO THE CITY MANAGER WITH INSTRUCTIONS TO RETURN TO COUNCIL ON NOVEMBER 7, 1994 ON CONDITION ALL NECESSARY DOCUMENTS ARE PROVIDED TO THE RULES COMMITTEE CONSULTANT BY OCTOBER 26, 1994. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-ineligible, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Defensible Space Crime Prevention and Community Planning Techniques in High Crime Areas.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-451) ADOPTED AS RESOLUTION R-284715

Approving the concept of "Defensible Space Planning Techniques" as a means to combat crime in neighborhoods with high crime rates;

Directing the City Manager to initiate a program to define communities within the City with high crime rates and to establish a pilot program, and to report back to the City Council within 30 days on an implementation plan, including potential funding sources such as TransNet, CDBG, and the crime bill enacted by Congress.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H427-I380.)

MOTION BY WARDEN TO APPROVE THE CONCEPT AND DIRECT THE CITY MANAGER TO COME BACK TO COUNCIL WITH RECOMMENDATIONS FOR TARGET COMMUNITIES. Second by Kehoe. 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-202:

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-95-473) ADOPTED AS RESOLUTION R-284716

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: D310-D509.)

CONSENT MOTION BY STALLINGS 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-203:

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.)

(Continued from the meeting of September 12, 1994, Item 116, at the City Manager's request, due to concerns by Councilmember Mathis regarding the release of bonds before the work is 100 percent completed.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-265 Cor. copy) ADOPTED AS RESOLUTION R-284717

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) ADOPTED AS RESOLUTION R-284718

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) ADOPTED AS RESOLUTION R-284719

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) ADOPTED AS RESOLUTION R-284720

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-Penasquitos Park View Estates Nos. 8, 9 and 10, 11 and 12, and 13.

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-204:

SUBJECT: Inviting Bids for Implementation of the Wetlands Mitigation and Revegetation Plan for the Sorrento Valley Utilities Improvement Project.
(Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-10) ADOPTED AS RESOLUTION R-284721

Inviting bids for Mitigation and Revegetation of the Sorrento Valley Utilities Improvement Project on Work Order Nos. 181773, 170659, and 170517;

Authorizing the City Manager to establish contract funding phases with the lowest responsible bidder, based on the actual low bid submitted, provided that the bid does not exceed \$2,100,000;

Authorizing a contract with the lowest responsible bidder, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for expenditure under the contract are, or will be, on deposit in the City Treasury;

Authorizing the expenditure of not to exceed \$2,100,000

in the following amounts: \$280,220 from Sewer Revenue Fund 41506, CIP-46-117.0, Pump Station 65 Expansion and Force Main; \$909,890 from Sewer Revenue Fund 41506, CIP-46-122.0, Carmel Valley Trunk Sewer Replacement; and \$909,890 from Water Revenue Fund 41500, IP-70-910, Sorrento Valley Road Pipeline Relocation, provided that the City Auditor first furnishes one or more certificates demonstrating that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller to adjust expenditures from estimate to actual based on the final established contract phase funding amounts;

Stating for the record that the City of San Diego as Lead Agency under CEQA, has reviewed and considered the Final Environmental Impact Report and Addendum.
(BID-K95103)

CITY MANAGER SUPPORTING INFORMATION:

The design contract for Pump Station No. 65 Expansion and Force Main (CIP-46-117.0), Carmel Valley Trunk Sewer Replacement (CIP-46-122.0), and Sorrento Valley Road Pipeline Relocation (CIP-70-910.0), collectively known as the Sorrento Valley Utilities Improvements Project (SVUIP) was approved on March 30, 1987. As part of the certification of the Environmental Impact Report for the SVUIP, a Wetlands Mitigation and Revegetation Plan was required to mitigate for the temporary impacts that will occur to the wetlands of Los Penasquitos Lagoon. Although there will be temporary impacts, there will be no permanent impacts to the wetlands of Los Penasquitos Lagoon. This request is to advertise for bids and award for the Implementation of the Wetlands Mitigation and Revegetation Plan. The budgeted implementation cost of the Wetlands Mitigation and Revegetation Plan for the Sorrento Valley Utilities Improvement Project is \$2,100,000 including contingencies. The total estimated number of local jobs created by this contract will be 10.
WU-CWP-95-008.

FILE LOCATION: W.O. 181773, 170659, AND 170517 CONT-Valley Crest Landscape Inc. CONT FY95-1

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-205: CONTINUED TO DECEMBER 5, 1994

SUBJECT: Two actions related to Miramar Landfill General Development Plan/Fiesta Island Replacement Project. (District-5.)

CITY MANAGER'S RECOMMENDATION:

Introduce the ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-95-28)

Authorizing the City Manager to enter into an agreement with the United States of America for lease of land at NAS Miramar for the location of the Miramar Landfill General Development Plan/Fiesta Island Replacement Project.

Subitem-B: (R-95-532)

Authorizing an amount not to exceed \$177,268 from the Metropolitan Wastewater Department Fund 41509, CIP-42-911.3, for the acquisition of easement rights and related costs for the North City Raw Sludge and Water Pipeline;

Authorizing an amount not to exceed \$2,226,803 from Metropolitan Wastewater Fund 41509 (CIP-42-911.4), \$1,418,705 from Materials Recovery Facility Waste Management Enterprise Fund 41201 (CIP-37-255.0) and \$1,748,110 from the West Miramar Refuse Disposal Facility-Phase II, Waste Management Enterprise Fund 41201 (CIP-37-056.0), for the property rights and related costs for the leased property.

CITY MANAGER SUPPORTING INFORMATION:

A lease agreement and easement deed have been negotiated with the Department of the Navy in connection with the Miramar Landfill General Development Plan/Fiesta Island Replacement Project. The lease agreement will provide for the citing of the Fiesta Island Replacement Project (FIRP), as well as solid waste facilities

needed for the West Miramar Landfill Project, and access to completed portions of closed and inactive landfills on Miramar for extended monitoring and maintenance under a 50 year agreement. The easement deed will provide right of way for related FIRP pipelines. The proposed facilities will help the City comply with the Coastal Commission mandate to cease sludge treatment at Fiesta Island and vacate the site.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B192-C163.)

MOTION BY STALLINGS TO CONTINUE ITEMS 205 AND 206 TO DECEMBER 5, 1994 TO BE HEARD WHEN MIRAMAR PIPELINE ISSUES ARE DISCUSSED. Second by Roberts. Passed by the following vote: Mathis-nay, Roberts-yea, Kehoe-nay, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-nay, Mayor Golding-yea.

ITEM-206: CONTINUED TO DECEMBER 5, 1994

SUBJECT: Four actions related to the Miramar Landfill General Development Plan.

(See City Manager Report CMR-94-281. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-435)

Certifying that the information contained in Environmental Impact Report DEP-91-0653, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and the National Environmental Policy Act, and that the report has been reviewed and considered by the Council prior to approval of the Miramar Landfill Development Plan/Fiesta Island Replacement Project/Northern Sludge Processing Facility;

Adopting Findings and Statement of Overriding Considerations;

Adopting the Mitigation Monitoring and Reporting Program, or alterations to implement changes to the project as required by the Council in order to mitigate or avoid significant effect on the environment.

Subitem-B: (R-95-436)

Authorizing the expenditure of not to exceed \$700,335 from the Metropolitan Wastewater Department Fund 41509, CIP-42-911.4, Northern Sludge Processing Facility Phase II, and an amount not to exceed \$11,385 from the Environmental Services Department Fund 41201, CIP-37-056.0, West Miramar Refuse Disposal Facility - Phase II, to provide environmental mitigation in connection with the Miramar Landfill General Development Plan/Fiesta Island Replacement Project/Northern Sludge Processing Facility.

Subitem-C: (R-95-437)

Approving the Miramar Landfill General Plan.

Subitem-D: (R-95-438)

Accepting the low bid and awarding a contract to Signs and Pinnick, Inc., for construction of the initial site preparation in connection with the Miramar Landfill General Development Plan/Fiesta Island Replacement Project/Northern Sludge Processing Facility;

Authorizing the expenditure of an amount not to exceed \$2,839,979 from Metropolitan Wastewater Fund No. 41509, CIP-42-911.4, Northern Sludge Processing Facility Phase II, to fund this construction contract, City Force work, and other related costs for Fiscal Year 1995;

Authorizing the City Manager to award to Signs and Pinnick, Inc., a change order in a amount not to exceed \$220,000 for a revised road alignment and mounds configuration.

Aud. Certs. 9500329, 9500330.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B192-C163.)

MOTION BY STALLINGS TO CONTINUE ITEMS 205 AND 206 TO DECEMBER 5, 1994 TO BE HEARD WHEN MIRAMAR PIPELINE ISSUES ARE DISCUSSED. Second by Roberts. Passed by the following vote: Mathis-nay, Roberts-yea, Kehoe-nay, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-nay, Mayor Golding-yea.

ITEM-207:

SUBJECT: Telecommunication Applications and Network Technology.
(See City Manager Report CMR-94-282.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-500) ADOPTED AS RESOLUTION R-284722

Adopting Council Policy 900-13 concerning Telecommunications, requiring the City to base decisions affecting telecommunications applications, network technology and policy on a concrete, detailed understanding of the telecommunications needs of the City and its constituencies.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-208: HEARING HELD

SUBJECT: Exempting an Assistant Deputy Director Position from the Classified Service.

CITY MANAGER'S RECOMMENDATION:

Hold the first public hearing of the following ordinance:

(O-95-22)

First public hearing in the matter of:

Amending Ordinance O-18089 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1994-95 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-18089-1, by amending the personnel authorization of the Park and Recreation Department (441) to exempt a new assistant Deputy Director position from the Classified Service, and establishing a salary rate for the position.

CITY MANAGER SUPPORTING INFORMATION:

In November 1979, the voters approved an amendment to Charter Section 117 to allow for additional positions in the unclassified service. This Charter Section now reads, "The Unclassified Service shall include: Managerial employees having significant responsibilities for formulating or administering departmental policies and programs. Each such position shall be exempted from the Classified Service by ordinance, upon the initiation of the appropriate appointing authority and after receiving the advisory review and comment of the Civil Service Commission and the approval of the City Council."

The requested position, which was included in the FY '95 budget for Landscape Maintenance Assessment Districts, has significant management level responsibilities which fall well within the managerial definition contained in Charter Section 117 (a) 17. This position, which will manage landscape maintenance assessment districts with budgets totalling over \$6.3 million, has duties and responsibilities comparable in level of difficulty and independence to other Assistant Deputy Director positions in the City. On August 11, 1994 the Civil Service Commission reviewed this recommendation and voted unanimously in support of exempting this position from the Classified Service.

NOTE: See Item 337 on the docket of Tuesday, October 4, 1994, for the introduction and adoption of the ordinance.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS TO APPROVE THE HEARING. 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-209: REPORT APPROVED

SUBJECT: Reuben H. Fleet Space Theater and Science Center Expansion.
(Docketed according to the direction of the City Council at the meeting of September 12, 1994, Item 204.)

TODAY'S ACTION IS:

A progress report on the financing of the Reuben H. Fleet Space Theater and Science Center Expansion, including alternative interim financing options to assist the Fleet Center in keeping the project on schedule.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: I381-392.)

MOTION BY VARGAS TO APPROVE THE REPORT. Second by Kehoe. 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-S400:

SUBJECT: Three actions related to the Final Subdivision Map of Carmel Valley Neighborhood 1 Unit 16B.

(A 22-lot subdivision located southwesterly of Del Mar Heights Road and Carmel Canyon Road. Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-433) ADOPTED AS RESOLUTION R-284723

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

Subitem-B: (R-95-432) ADOPTED AS RESOLUTION R-284724

Approving the final map.

Subitem-C: (R-95-434) ADOPTED AS RESOLUTION R-284725

Authorizing a Park Purchase Agreement with Village Properties, for the acquisition of the park site.

CITY MANAGER SUPPORTING INFORMATION:

On April 22, 1991 the Subdivision Board approved Tentative Map TM-90-0766 Subdivision Board Resolution No. 5566). Condition 14(a) required the developer to enter into an agreement with the City to acquire the site as shown and described on Exhibit A of the Park Purchase Agreement on or before June 30, 1997. The condition stipulated that the purchase price shall be the market value at the time of the filing of the tentative map, plus the taxes against such reserved area from the date of the agreement, and any costs incurred by the subdivider in the maintenance of such reserved area. Staff recommends entering into the Park Purchase Agreement with Village Properties to satisfy Condition No. 14(a).

FILE LOCATION: SUBD-Carmel Valley Neighborhood 1 Unit
16B CONFY95-2

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS 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-S401: (R-95-504 Rev.) ADOPTED AS RESOLUTION R-284726

A hearing for Council consideration of the nomination of Paul Barnett for appointment to the Retirement System, City Employees Board of Administration, to fill one (1) vacancy created by the resignation of Jerald Lewis, for a term ending December 7, 1998.

(See memorandum from Mayor Golding dated 9/30/94 with resume attached.)

FILE LOCATION: MEET CONT FY95-1

COUNCIL ACTION: (Tape location: D310-509.)

CONSENT MOTION BY STALLINGS TO WAIVE THE DOCKETING REQUIREMENT AND 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.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 9:24 p.m. in honor of the memory of Virginia Fong by Council Member Roberts and Fred Pruitt by Deputy Mayor Stevens.