

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, NOVEMBER 28, 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 2:11 p.m. Council Member Kehoe invited the Council and the public to attend the Annual Holiday Lighting of the Christmas on the Prado in Balboa Park on Friday, December 2nd and Saturday, December 3rd. Mayor Golding adjourned the meeting at 5:59 p.m. to meet in Closed Session in the 12th floor Conference Room to discuss pending litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
 - (1) Council Member Mathis-present
 - (2) Council Member Roberts-present
 - (3) Council Member Kehoe-present
 - (4) Council Member Stevens-present
 - (5) Council Member Warden-present
 - (6) Council Member Stallings-present
 - (7) Council Member McCarty-present
 - (8) Council Member Vargas-present
- Clerk-Fishkin (ew)

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 Rabbi Michael Gotlieb of Temple Judea.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Kehoe.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding the Federal Government and G.A.T.T.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A034-058.)

ITEM-PC-2:

Comments by Bill Schuenker regarding the road paving of Arroyo Sorrento Road.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A059-078.)

COUNCIL COMMENT:

ITEM-CC-1:

Comments by Council Member Stevens regarding the homeless shelters being able to accommodate the homeless people during the time when the temperature falls below 40 degrees.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A079-111.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
10/31/94
11/01/94
11/01/94 Special Joint Meeting
11/07/94
11/08/94 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A128-130.)

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

ITEM-31: ACCEPTED

Mayor Golding to accept the Surface Mining and Reclamation Act (SMARA) Lead Agency Award to San Diego from the State of California Department of Conservation.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A112-127.)

ITEM-32:

SUBJECT: North Park Toyland Parade Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-95-840) ADOPTED AS RESOLUTION R-284943

Recognizing the outstanding contributions that the North Park Toyland Parade has made to enrich the lives of people living in North Park;

Proclaiming December 3, 1994 to be "North Park Toyland Parade Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A131-169.)

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

ITEM-33:

SUBJECT: Pearl Harbor Remembrance Day.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-95-732) ADOPTED AS RESOLUTION R-284944

Proclaiming December 7, 1994 to be "Pearl Harbor Remembrance Day" in San Diego, to honor all members of the United States Armed Forces who perished in the attack on Pearl Harbor on December 7, 1941;

Declaring that the Pearl Harbor Survivors Association flag will fly over the proceedings of the December 5, 1994 City Council meeting in tribute to the American service members who lost their freedom defending the principles of the United States of America.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A170-211.)

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

* ITEM-50:

SUBJECT: Proposition B Revisions to the San Diego Municipal Code
- Filling Council Vacancies.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as amended on 11/14/94. (Council voted 9-0):

(O-95-45 Rev.) ADOPTED AS ORDINANCE O-18109 (New Series)

Amending Chapter II, Article 7, Division 31, of the San Diego Municipal Code by amending Sections 27.3101, 27.3102, 27.3103, 27.3104, 27.3105, 27.3106 and 27.3107; by adding a new Section 27.3108; and by renumbering and amending the former Section 27.3108 to Section 27.3109, relating to Procedures for Filling Vacancies in Elective Offices.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-51:

SUBJECT: Amending San Diego Municipal Code, Section 86.01, Relating to Parking Enforcement.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/7/94.

(Council voted 9-0):

(O-95-31) ADOPTED AS ORDINANCE O-18110 (New Series)

Amending Chapter VIII, Article 6, of the San Diego Municipal Code by amending Section 86.01, relating to Parking Enforcement, by deleting Columbus Day from the list of Non-enforcement Days and adding Presidents' Day to the list of Non-enforcement Days.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-52:

SUBJECT: Amending the San Diego Municipal Code relating to Sewer and Water Capacity Charges.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/14/94.

(Council voted 9-0):

(O-95-66) ADOPTED AS ORDINANCE O-18111 (New Series)

Amending Chapter VI, Article 4, Division 4, and Chapter VI, Article 7, of the San Diego Municipal Code by amending Section 64.0410 and Section 67.72, relating to Sewer and Water Capacity Charges, to allow the City Council to change the time for payment of capacity charges by resolution.

FILE LOCATION: WATER - Sewer and Water Capacity Charges

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-53:

SUBJECT: Water-Conserving Plumbing Standards.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/14/94.

(Council voted 9-0):

(O-94-71 Rev.2) ADOPTED AS ORDINANCE O-18112 (New Series)

Amending Chapter IX, Article 3, Division 2, of the San Diego Municipal Code, by amending Section 93.0208, relating to Water-Conserving Plumbing Standards.

WU-U-94-137.

FILE LOCATION: WATER - Conserving Plumbing Standards.

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-54:

SUBJECT: Amendment to Civil Service Rule II (Municipal Code Section 23.0340) relating to Acceptance and Rejection of Applications.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/7/94.

(Council voted 9-0):

(O-95-24) ADOPTED AS ORDINANCE O-18113 (New Series)

Amending Chapter II, Article 3, Section 23.0304 of the San Diego Municipal Code, to allow the acceptance of late applications for good cause.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-55:

SUBJECT: Amendment to Civil Service Rule V (Municipal Code Sections 23.0603 and 23.0604) relating to the City's Layoff Policies and Procedures.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/7/94.

(Council voted 9-0):

(O-95-23) ADOPTED AS ORDINANCE O-18114 (New Series)

Amending Chapter II, Article 3, Division 6, Sections 23.0603 and 23.0604 of the San Diego Municipal Code, relating to Layoff Policies and Procedures.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-56:

SUBJECT: Two actions related to the Mid-City Communities Planned District Ordinance Amendment and Re-zoning.

(RZ-94-0558. Uptown Community Area. District-3.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 11/15/94.

(Council voted 9-0):

Subitem-A: (O-95-61) ADOPTED AS ORDINANCE O-18115 (New Series)

Re-zoning .83 acres located south of University Avenue, north of Robinson Avenue, east of Seventh Avenue and west of Interstate Highway 163, from the NP-1 zone into the CN-1A Zone.

Subitem-B: (O-95-64) ADOPTED AS ORDINANCE O-18116 (New Series)

Amending Chapter X, Article 3, Division 15 of the San Diego Municipal Code, relating to the Mid-City Communities Planned District.

FILE LOCATION: LAND - Mid-City Communities Planned District

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-57:

SUBJECT: Twelve actions related to Redevelopment Plan Amendments Pursuant to Amendments to the California Community Redevelopment Law Concerning Plan Time Limits.

(Districts 3, 4, 5, 7 and 8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 11/15/94.

(Council voted 9-0):

Subitem-A: (O-95-49 Cor.Copy 1/20/95) ADOPTED AS ORDINANCE O-18117 (New Series)

Amending Time Limits in the Redevelopment Plan for the Barrio Logan Redevelopment Project.

Subitem-B: (O-95-50 Cor.Copy 1/20/95) ADOPTED AS ORDINANCE
0-18118 (New Series)

Amending Time Limits in the Redevelopment Plan for the
Central Imperial Redevelopment Project.

Subitem-C: (O-95-51 Cor.Copy 1/19/95) ADOPTED AS ORDINANCE
O-18119 (New Series)

Amending Time Limits in the Redevelopment Plan for the
Centre City Redevelopment Project.

Subitem-D: (O-95-52 Cor.Copy 1/20/95) ADOPTED AS ORDINANCE
O-18120 (New Series)

Amending Time Limits in the Redevelopment Plan for the
City Heights Redevelopment Project.

Subitem-E: (O-95-53 Cor.Copy 1/20/95) ADOPTED AS ORDINANCE
O-18121 (New Series)

Amending Time Limits in the Redevelopment Plan for the
College Community Redevelopment Project.

Subitem-F: (O-95-54 Cor.Copy 1/20/95) ADOPTED AS ORDINANCE
O-18122 (New Series)

Amending Time Limits in the Redevelopment Plan for the
College Grove Redevelopment Project.

Subitem-G: (O-95-55 Cor.Copy 1/20/95) ADOPTED AS ORDINANCE
O-18123 (New Series)

Amending Time Limits in the Redevelopment Plan for the
Gateway Center West Redevelopment Project.

Subitem-H: (O-95-56 Cor.Copy 1/19/95) ADOPTED AS ORDINANCE
O-18124 (New Series)

Amending Time Limits in the Redevelopment Plan for the
Horton Plaza Redevelopment Project.

Subitem-I: (O-95-57) ADOPTED AS ORDINANCE O-18125 (New
Series)

Amending Time Limits in the Redevelopment Plan for the
Linda Vista Shopping Center Redevelopment Project.

Subitem-J: (O-95-58) ADOPTED AS ORDINANCE O-18126 (New Series)

Amending Time Limits in the Redevelopment Plan for the Market Street Industrial Park Redevelopment Project.

Subitem-K: (O-95-59 Cor.Copy 1/20/95) ADOPTED AS ORDINANCE O-18127 (New Series)

Amending Time Limits in the Redevelopment Plan for the Mount Hope Redevelopment Project.

Subitem-L: (O-95-60 Cor.Copy 1/20/95) ADOPTED AS ORDINANCE O-18128 (New Series)

Amending Time Limits in the Redevelopment Plan for the Southcrest Redevelopment Project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-58:

SUBJECT: Lease Agreement with VVH Resorts, Ltd. (San Diego Princess Resort).

(Mission Bay Community Area. District-2.)

(Continued from the meeting of November 14, 1994, Item 51, at the City Manager's request, to allow for proper noticing.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 10/31/94.

(Council voted 8-0. District 3 not present):

(O-95-29) ADOPTED AS ORDINANCE O-18129 (New Series)

Authorizing a 50-year lease agreement with VVH Resorts, Ltd. for property located in Mission Bay Park.

FILE LOCATION: LEAS - VVH Resorts, Ltd. (San Diego Princess Resort). LEASFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-100:

SUBJECT: Amendment to the 1994 Legislative Calendar.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-844 Cor. Copy) ADOPTED AS RESOLUTION R-284945

Amending the calendar year 1994 Legislative Calendar for the City Council and Standing Committees of the Council to add a regular Council meeting on Monday, December 12, 1994, commencing at 9:00 a.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-101:

SUBJECT: Awarding a Contract for Pumps for the FIRP Pump Station
(Point Loma Sludge Pump Station).

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-742) ADOPTED AS RESOLUTION R-284946

Awarding a contract to Abel Pumps Corporation
(Sewickley, PA) for the purchase of three high-pressure
piston membrane pumps and ancillary equipment, for a
total estimated cost of \$1,936,700, including tax;

Authorizing the expenditure of not to exceed \$3,450,257
from Metropolitan Wastewater Department Fund No. 40012,
Dept. 700, Organization 7002, Object Account No. 42201,
Job Order No. 198082, and CIP-46-055.0, FIRP Pump
Station in the following manner: 1) \$2,235,747 from FY
95 appropriations; 2) \$1,214,510 from FY 96
appropriations contingent upon Council appropriating
funds for this purpose in the FY 96 CIP Budget;

Authorizing the Auditor and Comptroller, upon advice
from the administering department, to transfer excess
budgeted funds, if any, to the appropriate reserves.
(BID-B4482/95)

CITY MANAGER SUPPORTING INFORMATION:

The City is under a mandate from the Coastal Commission to
relocate the existing sludge processing facilities from Fiesta
Island. The City has made a commitment to complete new sludge
processing facilities by December 1996.

This project is part of the system to relocate the sludge
processing facilities from Fiesta Island. The Point Loma Sludge
Pump Station is located at the existing Point Loma Wastewater
Treatment Plant. This pump station will pump digested sludge
from Point Loma to the new sludge processing facilities to be
constructed at NAS Miramar. Given the critical time-line for
this project and the long lead time for the manufacture and
delivery of the pumps, the City is pre-purchasing the pumps under
a limited competitive bid, per San Diego Municipal Code Section
22.0504. The project was advertised on August 15, 1994 and bids

were opened on September 14, 1994. This action is for the award of the purchase of three high pressure piston membrane pumps and ancillary equipment to the low bidder, Abel Pumps Corporation. No local jobs will be created with the procurement of these pumps.

Aud. Cert. 9500519.

WU-MWWD-95-050.

FILE LOCATION: WATER - Abel Pumps Corporation (Sewickley, PA) CONFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis. 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-102:

SUBJECT: Awarding a Contract for Interim Removal and Disposal of Sewage Scum from the Point Loma Wastewater Treatment Plant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-637) ADOPTED AS RESOLUTION R-284947

Awarding a contract to American Processing Company, Inc. (San Diego), for furnishing Interim Removal and Disposal of Sewage Scum from the Point Loma Wastewater Treatment Plant, as may be required for a period of six months beginning October 31, 1994 through April 28, 1995, for a total estimated cost of \$61,541.04, with an option to extend the contract on a month-to-month basis;

Declaring that in the event the contractor is unable to furnish service in accordance with the specifications, the Purchasing Agent is authorized to terminate the contract and to award to the next low responsible and

responsive bidder or to obtain this service on the open market, whichever is in the best interest of the City;

Authorizing the expenditure of not to exceed \$61,541.04, from Fund No. 40012, Department No. 700, Organization No. 301, Object Account No. 4222, and Job Order No. 2501, for providing funds for the contract;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-B4550/95)

Aud. Cert. 9500529.

FILE LOCATION: WATER - American Processing Company, Inc.
(San Diego) CONFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.
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-103:

SUBJECT: Awarding a Contract for Complete Landscape Maintenance of the Otay International Center Landscape Maintenance District.

(District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-638) ADOPTED AS RESOLUTION R-284948

Awarding a contract to Ed Gomez and Son Landscape Company (San Diego), for furnishing complete landscape maintenance of the Otay International Center Landscape Maintenance District, as may be required for a period of one year beginning October 1, 1994 through September 30, 1995, for a total estimated cost of \$84,316, with

options to renew the contract for four additional one year periods, with price escalations not to exceed 15 percent of prices in effect at the end of each prior contract year;

In the event the successful bidder fails to perform in accordance with specifications, the Purchasing Agent is authorized to terminate the contract and to award to the next low bidder and to subsequent bidders, if necessary, until a bidder is found who complies with specifications;

In the event no bidder is found who complies with specifications, the Purchasing Agent is authorized to obtain this service on the open market until the contract can be rebid;

Authorizing the expenditure of not to exceed \$84,316 from Fund 70244, Department 70244, Organization N/A, Object Account 4222, and Job Order 095044, for providing funds for said project;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any to the appropriate reserves.
(BID-P4494/95)

Aud. Cert. 9500522.

FILE LOCATION: STRT M-316 CONTFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-104:

SUBJECT: Inviting Bids for Construction of Safety All-Weather Walkways in Various Locations - Contract 3.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-589) ADOPTED AS RESOLUTION R-284949

Inviting bids for Construction of Safety All-Weather Walkways in Various Locations - Contract 3 on Work Order No. 119964;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of not to exceed \$180,000 from CIP-52-327.0, Annual Allocation - Safety All-Weather Walkways, TransNet Fund 30300;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in the project. (BID-K95046)

CITY MANAGER SUPPORTING INFORMATION:

The City maintains an on-going program to promote safety within the public right-of-way. The Traffic Engineering Division of the Engineering Department has identified the most critical locations where walkways are required to provide safety for school children and students.

This project will install walkways at the following 13 locations throughout the City of San Diego:

1. Boundary Street - Commonwealth Avenue to Nutmeg Street
2. Cannington Drive - East of Mt. Abernathy
3. Clairemont Drive - Denver Street to Erie Street
4. Grove Avenue - East of Hollister Street
5. Guymon Street - 49th Street to Euclid Avenue
6. Illion Street - Milton Street to Orten Street
7. Iris Avenue - Greenbay Street to Oakden Drive
8. Jefferson Street - Ampudia Street to Conde Street
9. Morena Boulevard - North of Paul Jones Avenue
10. North Lane - North of Beyer Boulevard
11. North Torrey Pines Road - North of La Jolla Shores Drive
12. Noyes Street - Chalcedony Street to Diamond Street
13. San Jacinto Drive - Imperial Avenue to Groveland Drive

The construction of sidewalk along North Torrey Pines Road requires the removal of five trees. These trees will be replaced at a one-to-one ratio at the intersection of North Torrey Pines and Genesee Avenue.

Aud. Cert. 9500483.

FILE LOCATION: W.O. 119964 CONT - Gypsy Queen Inc.
CONFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-105:

SUBJECT: Inviting Bids for Construction of Golfcrest Drive and
Ruane Street Drain.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-769) ADOPTED AS RESOLUTION R-284950

Inviting bids for the Construction of Golfcrest Drive
and Ruane Street Storm Drain on Work Order No. 112439;

Authorizing a contract with the lowest responsible
bidder;

Authorizing the expenditure of not to exceed \$125,000
from CIP-12-069.0, Golfcrest Drive and Ruane Street
Drain (TransNet Fund 30300);

Authorizing the Auditor and Comptroller, upon advice
from the administering department, to retain excess
budgeted funds, if any, in the project. (BID-K95047)

CITY MANAGER SUPPORTING INFORMATION:

This project will repair approximately nine hundred feet of an
existing 54" metal storm drain. The storm drain is located at
the intersection of Ruane Street at Golfcrest Drive and continues

through a drainage easement which runs parallel to Melotte Street across the rear of several residential properties. The bottom of the storm drain, damaged by corrosion, will be paved with concrete from the inside; thus causing a minimal disturbance to the street and properties.

Aud. Cert. 9500485.

FILE LOCATION: W.O. 112439 CONT-Carolyn E. Scheidel
CONFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-106:

SUBJECT: Inviting Bids for the Construction of Rancho Bernardo
Branch Library.

(See City Manager Report CMR-94-366. Rancho Bernardo
Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-770) ADOPTED AS RESOLUTION R-284951

Inviting bids for the Construction of Rancho Bernardo
Library on Work Order No. 119808;

Authorizing a contract with the lowest responsible
bidder;

Authorizing the City Auditor and Comptroller to
transfer \$593,688 from the General Fund Unallocated
Reserve No. 100/605, to the Allocated Reserve No.
10001/901, as a financing source for CIP-350840;

Appropriating \$200,000 from Edwin Benjamin Memorial

Fund No. 67014, and \$70,000 from the Rancho Bernardo Community Library Association Fund No. 10602 for CIP-35-0840, Rancho Bernardo Community Library;

Decreasing the appropriation from Capital Outlay Other Fund by \$75,000 and decreasing the Developer Agreement Fund by \$250,000;

Authorizing the expenditure of not to exceed \$4,496,583 from CIP-350840 in the following manner:

- a) Fund No. 30245, \$14,100
- b) Fund No. 30360, \$3,618,795
- c) Fund No. 10602, \$70,000
- d) Fund No. 10001/901, \$593,688
- e) Fund No. 67014, \$200,000

Authorizing the appropriation of any excess revenues over the \$70,000 received in the Rancho Bernardo Community Library Association Donation Fund to reimburse first the Allocated Reserve, up to \$518,688, and then the Edwin Benjamin Memorial Fund for expenditures incurred for the Rancho Bernardo Library Project;

Authorizing the appropriation of funds received through subsequent Developer Agreements, for said purpose, as substitution or reimbursement of General Fund Allocated Reserve Funding. (BID-K95048)

Aud. Cert. 9500523.

FILE LOCATION: W.O. 119808 CONT-Tony Wanket Construction
Inc. CONFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-107:

SUBJECT: Inviting Bids for the North City Water Reclamation
Plant Translucent Panels.

(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-494) ADOPTED AS RESOLUTION R-284952

Inviting bids for the North City Water Reclamation Plant Translucent Panels on Work Order No. 194583;

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 \$1,014,000;

Authorizing the execution of a contract with the lowest responsible bidder for the North City Water Reclamation Plant Translucent Panels, 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 \$1,014,000 from CIP-42-910.1, NCWRP, for providing funds for the project and related costs, provided that the City Auditor first furnishes one or more certificate(s) demonstrating that the funds necessary for expenditure under established contract funding phases are, or will be, or deposit in the City Treasury;

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

Stating for the record that the previously certified Environmental Impact Report EIR-91-0516, for the North City Water Reclamation Plant, was reviewed and considered for this action. (BID-K95106)

CITY MANAGER SUPPORTING INFORMATION:

The Translucent Panels Construction Package is the eleventh of several construction contracts for the North City Water Reclamation Plant (NCWRP).

The contract packaging for the Translucent Panels has been completed. Mitigation measures related to this action have been incorporated into each package. A memorandum dated August 30, 1994, signed in concurrence by the City Manager authorizes the sole source procurement of the Translucent Panels System. The Environmental Impact Report and the adoption of the Mitigation Monitoring and Reporting Program was approved by Council Resolution R-281435, dated February 2, 1993. In accordance with Federal Grant provisions for this project, the "Fair Share" goals are 8 percent combined MBE and/or WBE participation. The construction cost for this package currently is estimated as follows:

- Translucent Panels Construction Package: \$1,014,000.
The total number of local jobs created by this contract is approximately 20.

FILE LOCATION: W.O. 194583 CONT - California Sheet Metals Works, Inc. CONTFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-108:

SUBJECT: Inviting bids for the Construction of Aero Drive Material Testing Laboratory.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-773) ADOPTED AS RESOLUTION R-284953

Inviting bids for the Construction of Aero Drive Material Testing Laboratory on Work Order No. 112055;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of not to exceed \$38,630 from CIP-37-600.0, Capital Outlay Fund 30245; \$800,000 from CIP-37-600.0, TransNet Fund 30300; \$560,000 from CIP-46-173.0, Sewer Revenue Fund 41506; and \$560,000 from CIP-73-311.0, Water Revenue Fund 41500;

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

Stating for the record that the City of San Diego as Lead Agency has reviewed and considered the Mitigated Negative Declaration prior to approving the project and has adopted the Mitigation Monitoring and Reporting Program. (BID-K95050)

CITY MANAGER SUPPORTING INFORMATION:

The Aero Drive Test Lab Project provides for the design and construction of a 14,000 square foot material testing laboratory at the City's Aero Drive Industrial Park. The material testing laboratory is responsible for the quality control testing of materials which are used in the public right-of-way as well as on City owned and operated facilities.

Aud. Cert. 9500068.

FILE LOCATION: W.O. 112055 CONT - DM Erickson Construction Co. CONFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-109:

SUBJECT: Two actions related to Inviting Bids for the Construction of Inspiration Point - Phase I - Central Courtyard.

(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-590) ADOPTED AS RESOLUTION R-284954

Rejecting all bids received on August 18, 1994 and re-advertising for bids for the Construction of Inspiration Point - Phase I - Central Courtyard on Work Order No. 119245;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of \$795,776 from CIP-21-828.0, Naval Hospital Exchange Parcel - Landscaping and Related Work, Balboa Park, \$406,514 from Inspiration Point Grant Fund No. 38003, and \$389,262 from Inspiration Point Landscape Fund No. 60253;

Authorizing the Auditor and Comptroller, upon advice from the Administering Department, to transfer excess funds, if any, to the appropriate reserves. (BID-K94210A)

Subitem-B: (R-95-591) ADOPTED AS RESOLUTION R-284955

Certifying that the information contained in Negative Declaration DEP-94-0092, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

Inspiration Point Phase I Central Courtyard is located in Balboa Park in the area known as Inspiration Point (former site of the Naval Hospital).

On March 28, 1989 a State Grant was awarded to the City for rehabilitation and preservation of three existing courtyards. The proposed Phase I of the project will provide walks, benches, cupolas, security lighting, landscaping and other miscellaneous improvements to the central court.

Council approved plans and specifications and authorized the

Purchasing Agent to advertise for bids on March 28, 1994. Bids were received on August 18, 1994. The estimate of the low bidder exceeded the consultant's estimate by 27 percent, therefore, it is recommended that all bids be rejected. At the time of rebidding, an addendum will be issued that identifies deductive alternates for the project.

Aud. Cert. 9500487.

FILE LOCATION: W.O. 119245 CONT - Wier Construction Corporation CONFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-110:

SUBJECT: Marston House Public Restroom.

(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-588) ADOPTED AS RESOLUTION R-284956

Rejecting all bids received on September 21, 1994 pursuant to publication of notice calling for bids on Construction of Marston House Public Restroom on Work Order No. 119390.

(BID-K95013)

CITY MANAGER SUPPORTING INFORMATION:

The Marston House is located at 3524 Seventh Avenue. The property was donated to the City of San Diego by the Marston family in 1974. The house is functioning as a museum which is operated by the San Diego Historical Society. The garden is maintained by the Park and Recreation Department. The City Council approved plans and specifications for a small public

restroom and authorized the Purchasing Agent to advertise for bids on September 12, 1994. Bids were received on September 21, 1994 and the low bid was \$81,277, 29 percent over the estimate of \$63,000. The plans will be revised to lower costs. Rejecting bids and rescinding Resolution No. R-284549, which approved the plans and authorized the expenditure of project funds is recommended.

FILE LOCATION: W.O. 119390 CONFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-111:

SUBJECT: Amendment to the Agreement for Del Mar Summit.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-805) ADOPTED AS RESOLUTION R-284957

Authorizing an amendment to the Subdivision Improvement Agreement for Del Mar Summit, to provide for the substitution of Galey Development Group, Inc. for J. Marotta Construction Company, Inc., as subdivider;

Declaring that the public improvements to be constructed pursuant to the Subdivision Improvement Agreement shall be completed by December 8, 1994;

Accepting Performance Bond No. 177140S, issued by Developers Insurance Company in the amount of \$320,852 as the surety for the required improvements in the subdivision;

Releasing the Letter of Credit No. 920601IS086LA-PB, issued by the Bank of America in the amount of

\$320,852.

CITY MANAGER SUPPORTING INFORMATION:

On December 8, 1992 the City entered into an agreement with J. Marotta Construction Company, Inc. for the construction of public improvements for Del Mar Summit. The agreement expires on December 8, 1994. The property is now owned by Galey Development Group, Inc. The new owner has signed an Amended Agreement to assume all of the obligations of the original subdivider and complete the required work. The new subdivider has provided a performance bond for the same amount as the original letter of credit in the amount of \$320,852. The Amended Agreement is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - Del Mar Summit

COUNCIL ACTION: (Tape location: A543-B113.)

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

* Item-112: THERE ISN'T AN ITEM-112 ON TODAY'S DOCKET.

* ITEM-113:

SUBJECT: Improvement of Alley Block 2, Spencer's Subdivision.

(Memorial Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-800) ADOPTED AS RESOLUTION R-284958

Granting the petition for the improvement of Alley Block 2, Spencer's Subdivision, under the provisions of the Improvement Act of 1911;

Directing the City Manager to prepare plans, drawings, typical cross-sections, profiles and specifications for

the improvement of Alley Block 2, Spencer's Subdivision, with estimates of the costs and expenses of work, and to furnish a description of the district to be included in the assessment for the improvements.

CITY MANAGER SUPPORTING INFORMATION:

The City has received a petition from property owners who are interested in improving their alley through the formation of an assessment district under the provisions of the Improvement Act of 1911, which provides the means to install public improvements with the cost assessed to the benefitting property owners. The improvements would consists of grading and paving the alley. As required in these proceedings, a petition for this improvement was circulated and signed by the owners of 64 percent of the property area involved. In addition to the petition, 3 percent of the area involved has signed a 1911 Act waiver of protest for alley improvements as a condition of approval of a building permit. This results in a total of 67 percent which is the amount required by Council Policy 800-3. If this petition is accepted, City staff will prepare the improvement plans and specifications as well as a more detailed project cost estimate. Design of the project is expected to take from six to twelve months after which the City Council will be asked to declare a Resolution of Intention and set the date and time of the public hearings to establish the district.

FILE LOCATION: STRT D-2299

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-114:

SUBJECT: Two actions related to the Alvarado Filtration Plant.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-757) ADOPTED AS RESOLUTION R-284959

Authorizing a deed conveying to San Diego Gas & Electric Company, an easement for relocation of an existing pole in a portion of the City's Alvarado Filtration Plant, adjacent to Lake Murray;

Authorizing the transfer of not to exceed \$34,516 from CIP-72-915.0, Annual Allocation - Water Treatment Plant, to CIP-73-261.0, Alvarado Filtration Plant - Upgrade and Expansion;

Authorizing the expenditure of not to exceed \$34,516 from Fund 40012, Dept. 700, Org. 306, Account 4905, Job Order 180516.

Subitem-B: (R-95-758) ADOPTED AS RESOLUTION R-284960

Stating for the record that the information contained in Environmental Impact Report and Addendum, DEP-88-0459 and DEP-94-0088, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council in connection with the approval of a grant of easement to SDG&E in a portion of the Alvarado Filtration Plant;

Adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

The City has asked SDG&E to relocate its overhead facilities to accommodate the construction of the Alvarado Filtration Plant. The existing overhead facilities are in conflict with the construction of the new reservoir. The City is required to pay for the relocation costs which will not exceed \$34,516. The City's Water Utilities Department has approved of the easement grant and has agreed to pay the relocation costs of SDG&E's facilities out of its budget. The existing easement will automatically be vacated by reason of execution of the new easement deed.

Aud. Cert. 9500503.

FILE LOCATION: DEED F-6393 DEEDFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-115:

SUBJECT: Street Reservation - Governor Drive - Texaco.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-799) ADOPTED AS RESOLUTION R-284961

Approving the acceptance by the City Manager of an
Irrevocable Offer of Dedication for an easement for
public street purposes by Texaco Refining and Marketing
Inc., in a portion of Lot 1 of University City Service
Station Sites, Map-5291;

Rejecting the dedication, but reserving the right to
dedicate all or any portion of such easement area for
public street purposes at any time in the future.

FILE LOCATION: DEED F-6394 DEEDFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-116:

SUBJECT: Conflict of Interest Code for the Commission for Arts

and Culture.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-516) ADOPTED AS RESOLUTION R-284962

Accepting without revision the Conflict of Interest Code for the Commission for Arts and Culture.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-117:

SUBJECT: Conflict of Interest Code for the Board of Zoning Appeals.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-697) ADOPTED AS RESOLUTION R-284963

Adopting a revised Conflict of Interest Code for the Board of Zoning Appeals.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-118:

SUBJECT: Conflict of Interest Code for the Fire Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-600) ADOPTED AS RESOLUTION R-284964

Accepting without revision the Conflict of Interest Code for the Fire Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-119:

SUBJECT: Conflict of Interest Code for the Park and Recreation Board.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-563) ADOPTED AS RESOLUTION R-284965

Adopting a revised Conflict of Interest Code for the Park and Recreation Board.

CITY MANAGER SUPPORTING INFORMATION:

The Political Reform Act of 1974 (Government Code Section 87300, et. seq.), as amended in 1990, requires all agencies to prepare and submit for approval a Conflict of Interest Code to the City Council. On September 29, 1992 Council approved the Conflict of Interest Code for the Park and Recreation Board. The City Attorney's office has reviewed the proposed Code for the Park and Recreation Board and has determined that it conforms to the

standards set by the Fair Political Practice Commission (FPPC). The Park and Recreation Board members were afforded the opportunity to review and comment on the Conflict of Interest Code.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-120:

SUBJECT: MTV's Anti-Violence Enough is Enough Day.

COUNCILMEMBER ROBERTS' RECOMMENDATION:

Adopt the following resolution:

(R-95-817) ADOPTED AS RESOLUTION R-284966

Congratulating MTV for its successful efforts to help the young people of San Diego find a way to make a positive difference in our society through the "Enough is Enough" anti-violence campaign;

Proclaiming November 30, 1994 to be "MTV's Anti-Violence Enough is Enough Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-121:

SUBJECT: AIDS Education Week.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-95-789) ADOPTED AS RESOLUTION R-284967

Commending the San Diego Community College District Board of Trustees, faculty and staff for their efforts to educate the community in AIDS awareness and prevention education, and commending Dr. Mary Lee Vigil for her tireless efforts in coordinating AIDS Education Week;

Proclaiming the week of November 28, 1994 through December 2, 1994 to be "AIDS Education Week" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-122:

SUBJECT: Christmas on the Prado.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-95-753) ADOPTED AS RESOLUTION R-284968

Recognizing December 2-3, 1994 as Christmas on the Prado in San Diego;

Commending the thirty participating organizations from Balboa Park for their dedication to the citizens and visitors of San Diego;

Commending the Christmas on the Prado Committee and the hundreds of volunteers for their efforts to make this an enjoyable and memorable event.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-123:

SUBJECT: Wesley and Rita Danskin Day.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-95-827) ADOPTED AS RESOLUTION R-284969

Recognizing and commending Wesley and Rita Danskin for their continuing efforts to improve the quality of life in Scripps Ranch;

Recognizing the Danskins for their selection as the Scripps Ranch Citizens of the year by proclaiming Tuesday, December 13, 1994 to be "Wesley and Rita Danskin Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-124:

SUBJECT: Excusing Councilmember Kehoe from attending the PF&R Committee Meeting of 10/26/94.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-95-759) ADOPTED AS RESOLUTION R-284970

Excusing Councilmember Christine Kehoe from attending the Public Facilities and Recreation (PF&R) Committee meeting of October 26, 1994, due to personal business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-125:

SUBJECT: Excusing Councilmember Christine Kehoe from attending the Council meetings of 10/31/94 and 11/1/94.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-95-806) ADOPTED AS RESOLUTION R-284971

Excusing Councilmember Christine Kehoe from attending the Council meetings of October 31 and November 1, 1994, due to personal reasons.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-126:

SUBJECT: Grant Assistance to Local Law Enforcement Agencies:
California Department of Alcoholic Beverage Control.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-762) ADOPTED AS RESOLUTION R-284972

Authorizing the City Manager to apply for, accept, and
expend a grant from the California Department of
Alcoholic Beverage Control for the "Grant Assistance to
Local Law Enforcement Agencies Project."

CITY MANAGER SUPPORTING INFORMATION:

The California Department of Alcoholic Beverage Control, for the
first time in its history, is providing grants to local
jurisdictions for the purpose of enhancing monitoring and
enforcement of alcohol-related ordinances and laws in and near
troublesome ABC-licensed establishments.

The grant also enhances working relationships between local law
enforcement and ABC regional personnel, and provides for public
and business education. The San Diego proposal incorporates the
concepts of Problem Oriented Policing and Community Policing into
the education and enforcement components of the program. The
grant will fund one Police Detective (Vice), and one Word
Processing Operator for clerical and administrative support,
overtime, equipment, and required travel/training.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-127:

SUBJECT: Born to Read Grant Program.

(City Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-765) ADOPTED AS RESOLUTION R-284973

Authorizing the City Manager or his designee to apply for, accept, and administer grant funds from the American Library Association to establish a national demonstration site for the Born to Read Program.

CITY MANAGER SUPPORTING INFORMATION:

The American Library Association (ALA) will be selecting five national demonstration sites to establish linkages between local public libraries and health care providers. This partnership will help at-risk expectant parents improve their reading skills and to impress upon them the importance of reading aloud to their children and raise general public awareness of the wide range of information available in public libraries.

The East San Diego Branch Library will partner with New Beginnings, a consortium of healthcare, education and family services providers.

In-home visits and special programs at the library and satellite center at New Beginnings will be undertaken as a collaborative effort to instill the love of books and reading as well as promoting a healthy start to the mind as well as body of young children and their parents.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-128:

SUBJECT: California Library Services Act (CLSA) Literacy
Funding.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-764) ADOPTED AS RESOLUTION R-284974

Authorizing the City Manager or his representative to apply for, accept, and administer grant funds from the California Library Services Act to supplement adult literacy services;

Authorizing the City Manager or his representative to apply for, accept, and administer available California Library Services Act grant funds in successive years.

CITY MANAGER SUPPORTING INFORMATION:

The California State Library provides California Literacy Campaign grant funding through the California Library Services Act. A total of \$600,000 was awarded to the San Diego Public Library to fund a five year adult literacy program (READ/San Diego) from FY 1988-1992. Since FY 1993 funding has been awarded based on a formula matching local literacy revenues by a percentage determined by the State Librarian. The California Literacy Campaign emphasizes extensive community outreach and recruitment. It is the goal of READ/San Diego to enroll and match 200 new functionally illiterate adult students with tutors annually. It is expected that READ/San Diego will continue to be eligible for, and will apply for, CLSA grants to supplement local funding in future years.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

ITEM-129: CONTINUED TO JANUARY 9, 1995

SUBJECT: U.S.O. Relocation.

(See City Manager Report CMR-94-374.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-842)

Authorizing the City Manager to purchase property needed for the relocation of the USO to allow the City to proceed with Convention Center expansion;

Authorizing the expenditure of not to exceed \$2,100,000 for acquisition of property rights and related costs from Convention Center Expansion Fund 102212, provided that such funds are to be paid by the San Diego Unified Port District or reimbursed to the City by the Port District pursuant to the Memorandum of Understanding dated June 21, 1994, Council Resolution No. R-284126;

Authorizing the Auditor and Comptroller to advance funds as required from the Transient Occupancy Fund to the Convention Center Expansion Fund, based on earned revenue receivable, in the event the funds have not yet been received from the Port District at the time they are required to be paid. Advances will be returned upon the receipt of earned revenue.

Aud. Cert. 9500554.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A251-542.)

MOTION BY WARDEN TO CONTINUE TO JANUARY 9, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-130:

SUBJECT: Settlement of Condemnation Proceedings for the City of San Diego v. Fritz and Betty Neumann, et al.

(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-798) ADOPTED AS RESOLUTION R-284975

A Resolution approved by the City Council in Closed Session on Tuesday, October 18, 1994 by the following vote: Mathis-yea; Roberts-yea; Kehoe-yea; Stevens-yea; Warden-not present; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$215,000 from CIP-52-166.1, San Ysidro Boulevard - Smyth Avenue to Border Village Road, Prop A Fund 30300, for settlement and expenses of condemnation proceedings entitled "The City of San Diego v. Fritz and Betty Neumann, et al.," Superior Court Case Nos. 575404 and 575407. The payment of \$212,000 to Fritz and Betty Neumann and the prior payment of \$228,159.30 pursuant to Resolution R-276980, making a total payment of \$440,159.30, shall be a complete settlement of all damages, interest, costs and fees of any type, including attorney's fees, in the litigation. The remaining \$3,000 will be used by the Real Estate Assets Department to pay outstanding expert fees; Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$212,000 made payable to Fritz and Betty Neumann and their attorneys of record, Asaro, Keagy, Freeland and McKinley, from CIP-52-166.1, San Ysidro Boulevard - Smyth Avenue to Border Village Road, Prop A Fund 30300.

Aud. Cert. 9500540.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

yea, Vargas-yea, Mayor Golding-yea.

* ITEM-131:

SUBJECT: Settlement of Condemnation Proceedings for The City of San Diego v. Park Village Ltd.

(Southcrest Community Area. Districts-4 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-760) ADOPTED AS RESOLUTION R-284976

A Resolution approved by the City Council in Closed Session on Tuesday, November 1, 1994 by the following vote: Mathis-yea; Roberts-yea; Kehoe-not present; Stevens-yea; Warden-yea; Stallings-not present; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$100,000 from CIP-46-166.0, Sewer Revenue Fund 41506, for settlement of condemnation proceedings entitled "The City of San Diego v. Park Village Ltd.," Superior Court Case No. 671016. This payment and conveyance shall be a complete settlement of all damages, interest, costs and fees of any type, including attorney's fees in the litigation;

Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$100,000 made payable to Park Village Limited and its attorney, Menke, Fahrney & Carroll, from CIP-46-166.0, Sewer Revenue Fund 41506.

Aud. Cert. 9500518.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

yea, Vargas-yea, Mayor Golding-yea.

* ITEM-132:

SUBJECT: Funding to Implement a Tree Replacement Program South of Interstate Highway 8.

(Districts-2,3,4,7, and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-751) ADOPTED AS RESOLUTION R-284977

Authorizing the expenditure of not to exceed \$50,000 from the fund balance of the Special Gas Tax Street Improvement Fund No. 302191, for a tree replacement program south of Interstate Highway 8.

CITY MANAGER SUPPORTING INFORMATION:

The Tree Maintenance Program, managed by the Park and Recreation Department for trees in the streets rights-of-way in the City of San Diego, has typically been funded for removal of trees that present a hazard to people or property. This program has typically not funded replacement costs for those trees that have been removed. It is the desire of the City Manager, as well as various members of the public, to implement a program to replace trees that are removed in the streets rights-of-way.

Aud. Cert. 9500453.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-133:

SUBJECT: Additional Funding for the South Digester Boiler

Replacement Project.

(Point Loma Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-790) ADOPTED AS RESOLUTION R-284978

Authorizing the expenditure of not to exceed \$60,000 from the Sewer Revenue Fund 41508, CIP-46-129.0, Point Loma Digester N1 and N2 Roofs and Heating Systems, to provide additional funding for construction contract contingencies for the South Digester Boiler Replacement Project;

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

CITY MANAGER SUPPORTING INFORMATION:

This funding will allow for change orders to the contract to proceed without delay. This project is a remodel of an existing boiler and piping system and all conditions could not be fully determined or anticipated during the design phase. At the time of the award of the construction contract insufficient contingency was authorized for the South Digester Boiler Replacement Project. This contingency will allow the project to proceed toward completion and meet its anticipated deadline.

Aud. Cert. 9500515.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-134:

SUBJECT: Reconstruction of Palm Avenue between Beyer Way and I-805 (Phase I).

(Otay Mesa/Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-793) ADOPTED AS RESOLUTION R-284979

Authorizing the expenditure of an amount not to exceed \$32,382 from CIP-52-512.0, Palm Avenue Adjacent Street, Transnet Fund 30300, for providing final payment to the contractor for unforeseen work performed.

CITY MANAGER SUPPORTING INFORMATION:

Palm Avenue is classified as a four-lane major street in the Otay Mesa/Nestor Community Plan; however, the street is deficient in several respects. Pedestrians ramps are missing and areas of pavement are substandard and incomplete. The purpose of the CIP project is to repair the broken pavement and bring the street to current standards. Since completion of the design phase, many areas of the street pavement have continued to crack and fail. Rainstorms have aggravated the pavement conditions, whereby water enters the storm drain and water line trench areas. The further accumulation of water eventually may cause ruptures and failure of the water lines and storm drains. Repairs to these areas will be performed as Change Orders. These repairs will require additional roadway reconstruction. This request will authorize payment to the contractor for the additional work required.

Aud. Cert. 9500536.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-135:

SUBJECT: Transfer of Funds - Underground Storage Tank Management Program.

(Mid-City and Clairemont Mesa Community Areas.
Districts-4 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-761) ADOPTED AS RESOLUTION R-284980

Amending the Fiscal Year 1995 Capital Improvements Program by transferring funds from the General Services Department, Equipment Division, for the Underground Storage Tank Management Program;

Authorizing the expenditure of not to exceed \$635,000 for the replacement of the Underground Fuel Storage Tanks and auxiliary equipment at Rose Canyon Operations Yard;

Authorizing the expenditure of not to exceed \$635,000 from the General Services Department, Equipment Division Operating Fund 50030; \$200,000 from Object Account 4226, Program 82031 and \$435,000 from the Reserve Fund to Fund No. 10503 for CIP-33-0840, Underground Storage Tank Management Program;

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:

These funds will provide for the replacement of the Underground Fuel Storage Tanks and auxiliary equipment at Rose Canyon Operations Yard during Fiscal Year '95: one 20,000 gallon, four 10,000 gallon and three 550 gallon Underground Storage Tanks will be removed and replaced with two 20,000 gallon, two 500 gallon, and one emergency generator per current regulations. Current County, State and Federal regulations require the replacement of all single-walled underground storage tanks with double-walled tanks and leak detection monitoring equipment. Rose Canyon Operations Center is part of the City-wide Underground Storage Tank Management Program. This funding will also provide for additional site assessment and mitigation at Chollas Operations

Yard.

Aud. Cert. 9500451.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-136:

SUBJECT: Agreement for the Point Loma Water Tank and Pipeline
Project.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-811) ADOPTED AS RESOLUTION R-284981

Authorizing an agreement with the Corrao Group, for
design services in connection with the Point Loma Water
Tank and Pipeline Project;

Authorizing the City Auditor and Comptroller to
transfer an amount not to exceed \$498,385 within Fund
41508, from CIP-45-910.1, Trucked Liquid Waste Disposal
Site, to CIP-46-176.0, Point Loma - Water Tank and
Pipeline;

Authorizing the expenditure of not to exceed \$630,596
from Fund 41508, CIP-46-176.0, Point Loma - Water Tank
and Pipeline Project.

CITY MANAGER SUPPORTING INFORMATION:

The existing 45,000 gallon water tank facility has been the
source of water for the Point Loma Wastewater Treatment Plant
(PLWTP) since the plant started operating in September of 1963.
The reservoir site is located inconspicuously at the southern end

of the Fort Rosecrans National Cemetery on U.S. Navy Property. The 31 year old circular steel tank is roughly 26 feet in diameter and 14 feet in height; and it is approximately 630 feet due east of the treatment plant's primary digester N1, and about 240 feet in elevation above the treatment plant main level. The water tank maintains a low-profile since it is fifty feet away from the west side of Cabrillo Memorial Drive, with the roof of the structure at street level because the tank is situated downgrade from the road. The current water tank and distribution system are unsatisfactory, especially for fire flow demand, and needs to be expanded. The Water Tank and Pipeline Project will provide an additional 750,000 gallon water storage reservoir along with new water supply pipelines from the reservoir site to the treatment plant. The new reservoir will provide more reliable storage for fire flow demands and industrial process water, while the existing tank will be rehabilitated and converted to potable water usage. Approximately 8 full time equivalent local jobs would be provided with this agreement.

Aud. Cert. 9500541.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-137:

SUBJECT: Consultant Agreement for State Route 905 and Otay Mesa
Road Environmental Documents.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-642) ADOPTED AS RESOLUTION R-284982

Authorizing a consultant agreement with Helix
Environmental Planning, Inc. (San Diego), in an amount

not to exceed \$999,050, for SR-905 Environmental Documents, CIP-52-396.0.

CITY MANAGER SUPPORTING INFORMATION:

Over the past several years, traffic volumes on Otay Mesa Road have increased at an average rate of 32 percent per year. Volumes are expected to increase at a significant rate in the coming years as the impacts of NAFTA are realized. This Council action will allow for the completion of the necessary environmental documents for the approval of SR-905 and Otay Mesa Road. The consultant will be responsible for all of the technical studies, document preparation, and evaluation of alternatives for the construction of a major freeway approximately six miles long and the widening of Otay Mesa Road from four through lanes to six through lanes.

Aud. Cert. 9500396.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-138:

SUBJECT: Amendment No. 3 to the Agreement with Ogden Environmental and Energy Services Company on the Multiple Species Conservation Program.

(See City Manager Report CMR-94-368.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-814) ADOPTED AS RESOLUTION R-284983

Authorizing the execution of Amendment No. 3 to the agreement with Ogden Environmental and Energy Services Company on the Multiple Species Conservation Program;

Amending the FY 1995 CIP Budget by transferring \$500,000 from Metropolitan Wastewater Fund 41509, CIP-42-911.4, Northern Sludge Processing Facility Phase II, to CIP-45-910.3, Programming Planning Studies;

Authorizing the expenditure of not to exceed \$500,000 from Metropolitan Wastewater Department Fund 41509, CIP-45-910.3.

Aud. Cert. 9500546.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

* ITEM-139:

SUBJECT: Reimbursement Agreement with American General Land Development, Inc. for Design and Construction of Green Valley Water Line.

(District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-768) ADOPTED AS RESOLUTION R-284984

Authorizing a reimbursement agreement with American General Land Development, Inc. (San Diego), for the design and construction of Reaches 5,6,7 and 8 of the Green Valley Water Line;

Increasing the Fiscal Year 1995 Budget by the addition of \$1,298,400 from Fund 79002, Carmel Valley FBA for the Green Valley Water Line;

Authorizing the expenditure of not to exceed \$2,568,400 from Fund 79002.

CITY MANAGER SUPPORTING INFORMATION:

The community of Carmel Valley has a Council-mandated water phasing threshold. This threshold requires phased construction of the Green Valley Water Line to guarantee the community has the required water pressure levels as development increases to insure public safety. The construction level in the community is rapidly approaching the 9,000 Equivalent Dwelling Unit (EDU) threshold which will require the completion of the Green Valley Water Line prior to allowing any development beyond that threshold.

The remaining portions of the Green Valley Water Line which must be completed are Reaches 5,6,7 and a portion of 8. The American General Land Development Company is currently in the process of designing and constructing the roadways which encompass Reaches 5,6, & 7 of the water line. American General is in a position to construct the water line during construction of the roads at a savings to the Carmel Valley Facilities Benefit Assessment (FBA) fund, and has agreed to do so upon Council approval of a reimbursement agreement to fund the water line with FBA funds. The current budget in the Carmel Valley FBA for completion of these reaches is \$3,530,000. American General has estimated the cost at \$2,950,000 and is willing to commence construction immediately. This \$580,000 savings is realized as the requirement to tear up existing roadway and resurface is eliminated. It is also in the best interest of the community to eliminate additional construction detours, save money and insure the continued development in the community.

Aud. Cert. 9500530.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

ITEM-140: CONTINUED TO FEBRUARY 27, 1995

SUBJECT: Amendment and Restatement of the Supplemental Pension Savings Plan, Supplemental Pension Savings Plan - Medicare, Supplemental Pension Savings Plan - Hourly and 401(K) Plan.

(See City Manager Report CMR-94-365.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1967 Cor. Copy)

Amending the SPSP, SPSP-M, SPSP-H AND 401(K) Plans subject to a vote of approval by the Plan Participants and effective upon that date to:

- a) Allow the Trustee to contract for third party administration and investment services so that each participant will be allowed to choose the type and mix of their investments;
- b) Establish Co-Trustees to manage the Trust Fund to include the City Treasurer, the City Manager and the Retirement Administrator or their designees;

Amending the SPSP, SPSP-M, SPSP-H and 401(K) Plans to bring the Plans into conformance with existing laws to:

- a) Add provisions which would allow employees to rollover eligible distribution amounts as required by the Unemployment Compensation Act of 1992;
- b) Bring the Plans into conformance with existing California community property laws.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A251-542.)

MOTION BY WARDEN TO CONTINUE TO FEBRUARY 27, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-141:

SUBJECT: Agreement with the State of California for Improvements

to the SR-8 Westbound Off-Ramp and Sports Arena Boulevard Intersection.

(Midway/Pacific Highway Corridor Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-750) ADOPTED AS RESOLUTION R-284985

Authorizing a Cooperative Agreement with the State of California for improvements to the SR-8 westbound off-ramp and Sports Arena Boulevard intersection;

Authorizing the expenditure of not to exceed \$50,000 from TransNet Fund 30300, CIP-68-001.0, Annual Allocation-Cooperative Signal Projects, to be deposited with the State of California as the lump sum payment for costs associated with this project.

CITY MANAGER SUPPORTING INFORMATION:

As part of the seismic retrofit work for the SR-8/Sports Arena Boulevard overcrossing, the State needs to widen the intersection of Sports Arena Boulevard and State Route 8 westbound off-ramp. This will require some median work on Sports Arena Boulevard to accommodate the new footings for the support columns, and modifying the existing traffic signal. The City had already planned to perform traffic control, safety lighting and road work improvements at this intersection to provide a protected left turn movement to southbound Sports Area Boulevard.

The State and the City have agreed to combine these projects for more efficient construction, thereby saving money for both and minimizing traffic disruption for the public. The agreement specifies the terms and conditions under which the project is to be engineered, constructed, financed, and maintained. It obligates the City to deposit with the State, within 25 days of receipt of billing, the amount of \$50,000 (from CIP-68-001.0), which figure represents the City's lump sum payment of project costs, and to reimburse the State for the City's share of the cost of maintenance and electrical energy for the signals and safety lighting. Such share is equal to 67 percent of the total maintenance costs.

Aud. Cert. 9500486.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

ITEM-150: RETURNED TO THE CITY MANAGER

SUBJECT: Use of the SANDER Site as a City Operations Station.

(See City Manager Report CMR-94-270. Kearny Mesa,
Scripps Ranch and Balboa Park Community Areas.
Districts-3 and 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1146)

Authorizing the use of City owned parcels 35601107 and
35603113, known as the SANDER Site (located at the
southeast corner of Route 52 and east of Convoy Street
and west of Magnatron Boulevard in Kearny Mesa), as a
City Operations Station;

Authorizing the City Manager to utilize all or part of
the SANDER Site for Waste Management and Water
Utilities Department activity upon payment of
appropriate fees to the General Fund.

OTHER RECOMMENDATIONS:

Public Facilities and Recreation Committee's Recommendation:
On 10/12/94, PF&R voted 4-1 to accept the City Manager's
recommendation with a delay of 30 days at Councilmember Warden's
request to allow her to continue to work with the Manager to
identify an alternate site. The recommendation is to be
forwarded to Council at the end of this period if a suitable
alternate site is not identified. (Councilmembers Mathis, Kehoe,
Stallings and McCarty voted yea. Councilmember Warden voted
nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B183-C290.)

MOTION BY STALLINGS TO RETURN TO THE CITY MANAGER AT HER REQUEST WITH DIRECTION TO PREPARE AND BRING BACK TO COUNCIL IN 60 DAYS A DETAILED ANALYSIS RELATING TO THE CITY OPERATIONS STATION PROJECT TO INCLUDE: 1) A FINANCIAL PLAN OF THE PROJECT; 2) OTHER ALTERNATIVE SITES FOR THE PROJECT; AND 3) RESPONSES TO THE FOLLOWING QUESTIONS: IS THE SANDER PROPERTY A MARKETABLE SITE; HOW THE PHASING OF THE PROJECT MIGHT BE DONE; HOW THE PROPERTY CAN BE DIVIDED TO ACCOMMODATE COMMERCIAL DEVELOPMENT; SINCE THERE IS OLD LANDFILL ON THIS SITE, WHAT CAN AND CAN'T BE DEVELOPED ON THAT SITE. Second by McCarty. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Consideration of nominees for appointment to the San Diego Unified Port District Board of Commissioners.

(See memorandum from Mayor Golding dated 11/9/94 with resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Consider the following list of nominees and select one to fill a vacancy on the San Diego Unified Port District Board of Commissioners, to fill the unexpired term of Clifford W. Graves, who has resigned:

NOMINEE	NOMINATED BY
Patricia McQuater	Mayor Golding
Jesus Garcia	Councilmembers Mathis, McCarty & Vargas
Al Kercheval	Deputy Mayor Stevens

(R-95-794) ADOPTED AS RESOLUTION R-284986

Adoption of a Resolution making one appointment for a term ending January 2, 1997.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C291-D501.)

The first ballot was taken, and Clerk Fishkin announced the tally for Round 1: Garcia-3; Kercheval-2; McQuater-4.

The second ballot was taken, and Clerk Fishkin announced the tally for Round 2: Garcia-3; Kercheval-0; McQuater-6.

MOTION BY STEVENS TO ADOPT THE RESOLUTION APPOINTING PATRICIA McQUATER TO THE SAN DIEGO UNIFIED PORT DISTRICT BOARD OF COMMISSIONERS FOR A TERM ENDING JANUARY 2, 1997. 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-201: CONTINUED TO DECEMBER 12, 1994

SUBJECT: Two actions related to the North Metro Interceptor Sewer-Phase I.

(Midway and Pacific Highway Community Areas. Districts-2 and 6.)

(Continued from the meeting of November 7, 1994, Item 200, at the City Manager's request, for further review.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-694)

Establishing contract funding phases to construct the North Metro Interceptor - Phase I;

Authorizing a contract with the lowest responsible bidder, provided that the City Auditor and Comptroller 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 City Auditor and Comptroller to

transfer an amount not to exceed \$3,990,947 within Fund No. 41508, consisting of \$160,088 from CIP-46-182.0, Chemical Feed Systems Upgrade; \$2,798,913 from CIP-46-181.0, Force Main 1 & 2 Corrosion Study; \$531,946 from CIP-45-910.1, Trucked Liquid Waste Disposal; and \$500,000 from CIP-46-110.0, Point Loma - Scum Removal System, all to CIP-46-104.0, North Metro Interceptor Sewer;

Authorizing the expenditure of not to exceed \$47,150,000 from Fund No. 41508, CIP-46-104.0, North Metro Interceptor Sewer - Phase I, to provide funds for the above project and related costs, provided that the City Auditor and Comptroller furnishes one or more certificates demonstrating that the funds necessary for expenditure under established contracting funding phases are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department;

Authorizing the use of City Forces to do all the work for additional minor construction services as required in connection with the North Metro Interceptor Sewer - Phase I; declaring that the cost of the work shall not exceed \$50,000.

Subitem-B: (R-95-695)

Certifying that the information contained in DEP-94-0557, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that the Declaration reflects the independent judgement of the City of San Diego as Lead Agency;

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

CITY MANAGER SUPPORTING INFORMATION:

On August 1, 1994, Resolution R-284371 authorized the Purchasing Agent to advertise for bids and Resolution R-284372 certified the

EIR for North Metro Interceptor Sewer-Phase 1 Project (NMIS). The existing NMIS is a 96-inch diameter pipe which was built in 1961. This pipe has experienced some corrosion and is quickly reaching its design capacity. The NMIS is located between the Interstate 5 and 8 interchange and Pump Station No. 2 which is located on North Harbor Drive. It is a major link in the sewer collection system which carries flows from the northern and northeastern portions of the City and County. The proposed NMIS is a 108-inch diameter relief sewer pipe which originates at the intersection of Friars Road and Napa Street, traverses south under the San Diego River, Taylor Street and Pacific Highway, and terminates at Gearing Drive and Barnett Avenue.

Phase II through Navy and Marine property will be brought to Council for authorization to bid and construct in about one year. The proposed NMIS is designed to carry the projected flow through year 2050. With this construction, approximately 90 local jobs would be provided.

Aud. Cert. 9500455.
WU-MWWD-95-047.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A262-494.)

MOTION BY ROBERTS TO CONTINUE TO DECEMBER 12, 1994 AT HIS REQUEST SO THAT STAFF CAN MAKE THEIR PRESENTATION TO THE MIDWAY AND PENINSULA PLANNING GROUPS ON DECEMBER 6, 1994. 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: Two actions related to Inviting Bids for the House of Hospitality Reconstruction.

(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-771) ADOPTED AS RESOLUTION R-284987

Inviting bids for the House of Hospitality
Reconstruction on Work Order No. 119573;

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

Authorizing the expenditure of not to exceed \$14,648,683 from CIP-21-834.0, Balboa Park/Mission Bay Park Requirements, provided that the City Auditor first furnishes a certificate demonstrating that the necessary funds for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Manager to approve the encumbrance of funds as required to phase construction of the project up to an amount not to exceed \$14,468,683.
(BID-K95049)

Subitem-B: (R-95-772) ADOPTED AS RESOLUTION R-284988

Certifying that the information contained in DEP-94-0093, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said report has been reviewed and considered by the Council;

Adopting Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program;

Authorizing the Director of the Planning Department, or designee, to carry out the provisions of the program, and work with other City departments as necessary in implementing the program's elements and work plan.

CITY MANAGER SUPPORTING INFORMATION:

The Balboa Park Central Mesa Precise Plan of the Council-adopted Balboa Park Master Plan identifies a project to demolish and reconstruct the House of Hospitality. The new building will occupy the same footprint and the exterior will faithfully replicate the size, shape, and ornamentation of the existing building. The interior of the new building will contain one basement level and two levels above ground. The contractor will

provide full construction services for complete demolition and reconstruction of the House of Hospitality, including site improvements, the Persian fountain, and historical landscaping. The City funded project will provide the building shell, including tenant improvements for all areas excluding the Casa Del Rey Moro restaurant. The restaurant tenant is responsible for the restaurant tenant improvements.

FILE LOCATION: W.O. 119573 CONT - Soltek of San Diego
CONFY95-1

COUNCIL ACTION: (Tape location: A543-B113.)

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

ITEM-203:

SUBJECT: Two actions related to North City Tunnel Connector
Construction Contract.

(University City Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-815 Cor. Copy) ADOPTED AS RESOLUTION

