

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, FEBRUARY 13, 1995
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 2:12 p.m. The meeting was recessed by Mayor Golding at 5:49 p.m. The meeting was reconvened by Deputy Mayor Vargas at 5:55 p.m. with Mayor Golding and Council Member Warden not present. Mayor Golding adjourned the meeting at 6:28 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
 - (1) Council Member Mathis-present
 - (2) Council Member Harvey-present
 - (3) Council Member Kehoe-present
 - (4) Council Member Stevens-present
 - (5) Council Member Warden-excused by R-285330
(no reason stated)
 - (6) Council Member Stallings-present
 - (7) Council Member McCarty-present
 - (8) Council Member Vargas-present
- Clerk-Fishkin (mp)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Harvey-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-not 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 Fr. Peter McGuine of the Immaculata Catholic Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stevens.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell on how to lawfully stop paying the individual income tax.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A036-061.)

ITEM-PC-2:

Comments by Ed Lehman on Channel 10's use of actors to

portray City employees as slackers.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A062-189.)

ITEM-PC-3:

Comments by Mary Ann Bernath and Nancy Marincovich extending gratitude to Council Member Mathis for his support in obtaining safe streets in Del Mar Terrace.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A190-231.)

ITEM-PC-4:

Comments by Bethany Porter asking for appointment of Nico Clavita to the Labor position on the Housing Trust Fund Board of Trustees.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A232-250.)

COUNCIL COMMENT:

None.

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
1/23/95
1/24/95
1/24/95 Special Joint Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A255-259.)

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

* ITEM-50:

SUBJECT: Two actions related to Conflict of Interest Codes for City Advisory Boards.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 1/31/95. (Council voted 7-0. Districts 2 & 8 not present):

Subitem-A: (O-95-16) ADOPTED AS ORDINANCE O-18161 (New Series)

Amending Chapter I, Article 1, Division 2 of the San Diego Municipal Code by amending Section 11.0210 relating to Construction, Interpretation and Definitions, to allow the City Clerk to take enforcement actions.

Subitem-B: (O-94-130 REV.1) ADOPTED AS ORDINANCE O-18162 (New Series)

Amending Chapter II, Article 6, of the San Diego Municipal Code by adding Division 1, entitled "General" adding Sections 26.0101, 26.0103, 26.0104, 26.0105, 26.0106, 26.0107 and 26.0108; by renumbering Section 26.03, by adding Division 2 entitled "Board of Library Commissioners"; and by renumbering Section 26.01, all relating to Boards and Commissions, to establish filing requirements for City advisory boards not covered by State law, that address land use issues.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

CONSENT MOTION KEHOE TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCES. Second by Harvey. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea,

Mayor Golding-yea.

* ITEM-51:

SUBJECT: State Legislation Addressing Graffiti.

(See City Manager Report CMR-94-352.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 1/31/95.

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

(O-95-76) ADOPTED AS ORDINANCE O-18163 (New Series)

Amending Chapter V, Article 4, of the San Diego Municipal Code by amending Sections 54.0411 and 54.0412, relating to Graffiti Abatement.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

CONSENT MOTION KEHOE TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Harvey. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-52:

SUBJECT: Amendment to the S.D. Muni. Code relating to Parking Meters - Operation.

(Downtown, Hillcrest, University Heights Community Areas. Districts-2, 3, 7 and 8.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-95-82) CONTINUED TO FEBRUARY 27, 1995

Introduction of an Ordinance amending Chapter VIII, Article II, of the San Diego Municipal Code by amending Section 82.06, relating to Parking Meters - Operation.

CITY MANAGER SUPPORTING INFORMATION:

Section 82.06 of the San Diego Municipal Code specifically states: "Each parking meter shall be set to display, upon the deposit of five-cent coins therein, a sign indicating legal parking for that period of time conforming to the limit of parking time which has been or may be established for that area or zone of the street upon which said parking meter is installed, and shall continue to operate from the time of the deposit of the time fixed as the parking limit for the part of the street upon which said meter is placed." Since last amended on June 4, 1959, this section has been overlooked during the upgrade of parking meters throughout the years. At the current meter rate, the mechanical meters can only accept quarters due to their inability to calculate time properly for increments of less than twenty-five cents. In addition, future meter technology may allow the use of credit cards, debit cards, or other devices. The above mentioned section should be amended by deleting the specific language "five-cent coins" and inserting "U.S. coins and currency or other approved credit/debit device" in its place to allow for current practice and cover any anticipated changes.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A450-480.)

MOTION BY HARVEY TO CONTINUE THE ITEM FOR TWO WEEKS AT HIS REQUEST FOR TIME TO MEET WITH THE CITY MANAGER AND WITH MEMBERS OF THE PUBLIC. Second by McCarty. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Inviting Bids for Metropolitan Operations Center
Parking Area Resurfacing.

(Serra Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1031) ADOPTED AS RESOLUTION R-285322

Inviting bids for Metropolitan Operations Center
Parking Area Resurfacing on Work Order No. 195179;

Authorizing a contract with the lowest responsible
bidder;

Authorizing the Auditor and Comptroller to transfer
\$144,000 from Metro Sewer Utilities Fund 41508, CIP-46-
119.0, Annual Allocation - Pt. Loma Treatment Plant, to
CIP-45-920.1, Metro Systems Operations Center;

Authorizing the expenditure of \$144,000 from Metro
Sewer Utilities Fund 41508, CIP-45-920.1, Metro Systems
Operations Center, for the purpose of providing funds
for the project construction, contingency, and related
costs;

Authorizing the Auditor and Comptroller, upon advice
from the administering department, to transfer excess
budgeted funds, if any, to the appropriate reserves.
(BID-K95111)

CITY MANAGER SUPPORTING INFORMATION:

This project is located at the Metropolitan Wastewater
Department's Operations Center (MOC) and involves resurfacing the
existing asphalt parking area. The proposed construction
consists of removing and replacing damaged pavement areas,
asphalt overlaying, slurry sealing, minor curb repair, and
restriping. This project is not federally funded and, therefore,
has no EPA "Fair Share" DBE requirements.

Aud. Cert. 9500781.

FILE LOCATION: W.O. 195179 CONT - Sim J. Harris Company
CONFY95-1

COUNCIL ACTION: (Tape location: A450-B087.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Harvey. Passed

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

* ITEM-101:

SUBJECT: Inviting Bids for Construction of Harvey Road Drain.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1056) ADOPTED AS RESOLUTION R-285323

Inviting bids for the Construction of Harvey Road Drain on Work Order No. 112137;

Authorizing a contract with the lowest responsible bidder;

Authorizing the Auditor and Comptroller to transfer \$18,000 from CIP-18-001.0, Annual Allocation - Cooperative Storm Drain Projects, TransNet Fund 30300, to CIP-12-067.0, Harvey Road Drain;

Authorizing the expenditure of \$190,000: \$48,000 from TransNet Fund 30300, \$25,000 from State and Local Partnership Program, \$117,000 from DIF Fund 79512 from CIP-12-067.0, Harvey Road Drain;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K95069)

CITY MANAGER SUPPORTING INFORMATION:

The existing storm drain located in the vicinity of 4680 Harvey Road is old and deteriorated, creating excessive maintenance efforts to keep the system functioning. This project will replace and upgrade the drain systems on Harvey Road and Golden Gate Drive.

Aud. Cert. 9500778.

FILE LOCATION: W.O. 112137 CONT - Salzano Engineering, Inc.
CONFY95-1

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-102:

SUBJECT: Inviting Bids for the North Ski Beach Picnic Shelter and North Crown Point Stairway.
(Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1055) ADOPTED AS RESOLUTION R-285324

Inviting bids for the Construction of Ski Beach Picnic Shelter and Crown Point Stairway on Work Order No. 112521;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of \$93,815 from CIP-22-923.0, North Ski Beach Picnic Shelter, Sludge Mitigation Fund No. 10507 and \$10,000 from CIP-22-920.0, North Crown Point Access Landscape Improvements, Sludge Mitigation Fund No. 10507;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K95068)

CITY MANAGER SUPPORTING INFORMATION:

Ski Beach is on the east side of Vacation Isle in Mission Bay

Park. This project will provide a 44 foot diameter prefabricated picnic shelter at the north end of the beach. The North Crown Point Stairway is located east of Crown Point Drive at Sequoia Street. The stairway will provide a safe pedestrian access across a landscaped slope. The California Coastal Commission approved an administrative permit for both the shelter and stairway on November 15, 1994.

Aud. Cert. 9500775.

FILE LOCATION: W.O. 112521/112320 CONT - Artek
CONFY95-1

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-103:

SUBJECT: Inviting Bids for the San Ysidro Revitalization Project.

(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1057) ADOPTED AS RESOLUTION R-285325

Inviting bids for the Construction of the San Ysidro Revitalization Project on Work Order No. 112471;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of \$45,000 from DIF 79518 and \$55,000 in CAPOTH 302453, for a total of \$100,000 from CIP-36-060.0, for renovation of the San Ysidro Revitalization facility, as previously authorized by Resolution No. R-281230. (BID-K95067)

CITY MANAGER SUPPORTING INFORMATION:

This project would provide for the renovation of the old Southern Area Police Station at 663 San Ysidro Boulevard as a Community Center and Office to be used for various services emphasizing economic development, redevelopment, and revitalization in the San Ysidro Community. The facility will accommodate a police store front, office space for the City of San Diego Redevelopment Program, the San Ysidro Chamber of Commerce, the Coalition for Equality, the San Ysidro/Otay Mesa Enterprise Zone, and an Economic Development Department Outreach Station. In addition, portions of the parking lot will be used for storage of Park and Recreation Department vehicles. Necessary repairs include modifications to some of the interior walls, additional cabinetry and doors, new carpeting, asbestos abatement, and accessibility improvements for disabled persons which will include restroom remodels and adding disabled parking stalls.

Aud. Cert. 9500692.

FILE LOCATION: W.O. 112471 CONT - Fordyce Construction
CONFY95-1

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-104:

SUBJECT: Amended Map of Penasquitos Park View Estates Unit No. 11 & 12.

(Located north of Park Village Road, west of Camino Ruiz. Penasquitos East Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1106) ADOPTED AS RESOLUTION R-285326

Approving the Map of Amended Map of Penasquitos Park View Estates Unit No. 11 & 12.

FILE LOCATION: SUBD - Lots 165, 168-172, 175, 176, 188-193,
199-204 Penasquitos Park View Estates Units
No. 11 & 12

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-105:

SUBJECT: Street Dedication of Rotherham Avenue.
(Located northwesterly of Carmel Mountain Road and
Black Mountain Road. Penasquitos East Community Area.
District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1118) ADOPTED AS RESOLUTION R-285327

Accepting those portions of Lots 162 and 163 of Black
Mountain Vistas North, Unit No. 1, Map-11817, shown on
Map-11817 as "reserved for future street"; dedicating
these portions as and for a public street; and
dedicating and naming the same Rotherham Avenue.

FILE LOCATION: DEED F-6430 DEEDFY95-1

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-106:

SUBJECT: Two actions related to Sewer Easement Abandonment - La

Jolla Country Club Estates.

(Located on the north side of Brodiaea Way, west of Encelia Drive. La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1114) ADOPTED AS RESOLUTION R-285328

Authorizing the execution of a quitclaim deed, quitclaiming to Kousay Abdullah Al-Kourainy, all the City's right, title and interest in the sewer easement in Lot 11, Block D, La Jolla Country Club Estates, Map-1975, in exchange for newly constructed sewer improvements within Lot 11, Block D, La Jolla Country Club Estates, Map-1975.

Subitem-B: (R-95-1115) ADOPTED AS RESOLUTION R-285329

Stating for the record that Negative Declaration DEP-93-0134 has been completed in compliance with the California Environmental Quality Act of 1970, as amended and State guidelines; that the declaration reflects the independent judgement of the City as Lead Agency; that the information contained in the report has been reviewed and considered by Council in connection with the approval of Coastal Development Permit and Hillside Review Permit No. 93-1034 - Kourainy residence.

FILE LOCATION: DEED F-6431 DEEDFY95-1

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-107:

SUBJECT: Excusing Councilmember Barbara Warden from the Council Meetings of 2/13/95 and 2/14/95 and the LU&H Committee

Meeting of 2/15/95.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1139) ADOPTED AS RESOLUTION R-285330

Excusing Councilmember Barbara Warden from attending the Council meetings of February 13 and 14, 1995, and the Land Use and Housing Committee meeting of February 15, 1995.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-108:

SUBJECT: Grant Funds from the United States Environmental Protection Agency.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1133) ADOPTED AS RESOLUTION R-285331

Authorizing the City Manager or his designee to apply for, accept, and expend grant funds from the United States Environmental Protection Agency under Public Law 103-327 to help fund the planning, design, and construction of the City of San Diego's water reclamation program.

CITY MANAGER SUPPORTING INFORMATION:

In the 1995 Federal Fiscal Year Appropriations Act, Congress provided funds for the City of San Diego in the amount of \$45.5 million for construction of wastewater reclamation facilities,

under Public Law 103-327. These funds are being administered as a grant by the U.S. Environmental Protection Agency (EPA). The Metropolitan Wastewater and Water Utilities Departments are currently working with the EPA to identify projects and initiate the grant application process to enable the City to receive these funds. As part of the process, a Council resolution is needed authorizing the City Manager to apply for and receive grant funds available from this appropriation. Reclamation projects the Metropolitan Wastewater and Water Utilities Departments have identified as qualifying for these funds, preliminarily, include the North City Water Reclamation Facility, Northern Sludge Processing Facility, South Bay Water Reclamation Plant and the Water Repurification Program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-109:

SUBJECT: Monitor Street Improvement and Drainage Needs for City Owned Land.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1117) ADOPTED AS RESOLUTION R-285332

Authorizing the expenditure of not to exceed \$100,000 from New Developments, Annual Allocation 580010, (TransNet), for the purpose of providing funds to be used for the purchase of computer hardware and development of an automated system to monitor street improvement and drainage needs for new development and City owned land.

CITY MANAGER SUPPORTING INFORMATION:

The requested funds will be used to purchase computer hardware

and develop an automated system to enable project managers to review and monitor public street and drainage needs adjacent to City owned land and new developments. The computers will be connected to the Regional Urban Information System (RUIS) data base which will allow the project manager to access the City's automated records system and study the impact of the new development on existing conditions. As private development plans are submitted, project managers, with the use of the proposed automated system, will determine if there are public infrastructure needs adjacent to City owned land which should be improved in coordination with construction of the development. Currently, because of the lack of monitoring tools and difficult access to the infrastructure record system, many City infrastructure needs go undetected and opportunities to have cooperative projects as substantial savings to the City are not realized. The hardware and software that is purchased will also connect to the Process 2000 network as it comes on line and enable project managers to analyze and track projects more effectively and efficiently.

Aud. Cert. 9500801.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-110:

SUBJECT: Transfer of CDBG Funds to the Sherman Heights Community Plan Update.

(Sherman Heights Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1102) ADOPTED AS RESOLUTION R-285333

Authorizing the transfer of \$35,000 from Fire Station

#11 (4062/6224), and \$1,875 from District Eight Contingencies (4071/7104) to Sherman Heights Plan Update (4070/7027);

Authorizing the expenditure of not to exceed \$36,875 from Fund 18530, Dept. 4070, Organization 7027 for the Sherman Heights Community Plan Update.

CITY MANAGER SUPPORTING INFORMATION:

This action reflects Council District Eight's desire to reallocate CDBG funds from a District Eight Fire Station Project to a Community Plan Update for Sherman Heights. Upon City Council adoption of the Sherman Heights Historic District in 1987, the City Council approved the development of a Revitalization Plan. In winter 1987, the Department initiated work on this program. However, the program was cut during a succession of Planning Department budget reductions in the early 1990's. At present, the Planning Department has in its files a draft plan that is yet to be updated and completed. The update of the Revitalization Plan could be completed by July, 1995, if the project starts in January. The Planning Department proposes the establishment of a Sherman Heights mini-revitalization TEAM under the lead of the Planning Department. Core TEAM members will include staff from the Police Department, Neighborhood Pride and Protection, Economic Development, SEDC, and the Sherman Heights Community Representative. Staff will initiate field work immediately to update the existing conditions base information. Staff will work with the Sherman Heights Community Center and other active community groups to sponsor a community workshop to seek community input as to ideas, issues, solutions, a vision for the future and prioritization, and to aid in the updating and completion of the Revitalization Plan document.
Aud. Cert. 9500702.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-111:

SUBJECT: Two actions related to the Encanto Neighborhood Park Improvements.

(Skyline/Paradise Hills Community Area (South Encanto Neighborhood). District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1141) ADOPTED AS RESOLUTION R-285334

Authorizing the Auditor and Comptroller to transfer an amount not to exceed \$35,000 from CIP-20-001.0, Annual Allocation - Minor Park Requirements, Capital Outlay - Other Fund No. 302453, to CIP-29-443.0, Encanto Neighborhood Park Improvements;

Authorizing the expenditure of not to exceed \$35,000 from CIP-29-443.0, Encanto Neighborhood Park Improvements, to supplement funding previously authorized by Resolution R-283299, adopted January 18, 1994.

Subitem-B: (R-95-1142) ADOPTED AS RESOLUTION R-285335

Stating for the record that Negative Declaration DEP-88-1054, has been reviewed and considered by the Council in connection with Encanto Neighborhood Park Improvements.

CITY MANAGER SUPPORTING INFORMATION:

Encanto Neighborhood Park is a 7.2 acre site located at 6715 Imperial Avenue between Woodman Street and 68th Street. The current project provides an open turf area, a tot lot, pedestrian access, drainage channel improvements, landscaping and irrigation improvements and removes an old comfort station. Council action on January 18, 1994 authorized the expenditure of \$411,170 for the improvements to Encanto Neighborhood Park. Construction began in April 1994 and is expected to be completed in January 1995. Additional funding is required to cover construction engineering costs.

Aud. Cert. 9500790.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-112:

SUBJECT: Agreement with The Black Economic Development Task Force.

(District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1088) ADOPTED AS RESOLUTION R-285336

Authorizing an agreement with The Black Economic Development Task Force, for specified special economic development activities;

Authorizing the expenditure of not to exceed \$96,480 from Fund 18530, Dept. 4070, Org. 7009.

CITY MANAGER SUPPORTING INFORMATION:

The City Council, in the 1994-95 Community Development Block Grant (CDBG) appropriation cycle, approved \$100,000 for the Black Economic Development Task Force (BEDTF) organization. Major activities are intended to enhance the knowledge of community economic development, actual community information, community financial institution needs, and community economic development opportunities in the Southeastern San Diego area.

Aud. Cert. 9500766.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-113:

SUBJECT: Third Amendment to the Industrial Medical Services Contract.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1148) ADOPTED AS RESOLUTION R-285337

Authorizing a third amendment to the agreement with Sharp Rees-Stealy Medical Group, Inc., to extend the terms and conditions of the contract for a thirty day period;

Authorizing the expenditure of not to exceed \$90,000 from Fund 60029, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

The third amendment to the agreement with Sharp Rees-Stealy Medical Group (SRSMG) would extend the terms and conditions of the agreement for thirty days. The City of San Diego entered into a contractual agreement, pursuant to Resolution R-280645 on September 15, 1992 for a two year period with SRSMG to provide medical treatment to the City's industrial injured and ill employees. This contractual agreement was extended for a sixty day period pursuant to Resolution R-284577 and for an additional three month period pursuant to Resolution R-284878. The City Manager is presently involved in negotiations with the top two medical proposers recommended by the Industrial Medicine Selection Committee. The top two proposers are Sharp Rees-Stealy Medical Group and the Industrial Medical Centers. The thirty day extension is required due to the need for additional time to conclude negotiations with the proposers and process the City Manager's recommendation to the City Council.

Aud. Cert. 9500803.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-114:

SUBJECT: Two actions related to Approving Change Order No. 5 for the Construction of the Rose Canyon Trunk Sewer.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1134) ADOPTED AS RESOLUTION R-285338

Approving Change Order No. 5, dated November 7, 1994, issued in connection with the contract with PCL Civil Constructors, Inc., amounting to a net increase in the contract price of \$126,407.11;

Authorizing the expenditure of not to exceed \$126,407.11 from the Sewer Revenue Fund 41506, Rose Canyon Trunk Sewer, CIP-46-111.0, Unallocated Reserve.

Subitem-B: (R-95-1135) ADOPTED AS RESOLUTION R-285339

Stating for the record that the information contained in Environmental Impact Report and Mitigation, Monitoring and Reporting Program, DEP-89-0876, has been reviewed and considered by the Council in connection with the construction of the Rose Canyon Trunk Sewer Project.

CITY MANAGER SUPPORTING INFORMATION:

On January 10, 1994, by Resolutions R-283247 and R-283248, the City Council approved the plans and specifications, and authorized execution of a contract for the construction of the Rose Canyon Trunk Sewer. The construction contract was awarded to PCL Civil Constructors, Inc., on March 10, 1994. During the installation of the 60-inch diameter trunk sewer along Santa Fe Street from Sta. 6+00 to Sta. 8+25 and Sta. 19+75 to 26+23, it was discovered that the existing ground cover over the trunk sewer was less than adequate to protect the pipe and to provide a quality pavement section. Due to this lack of cover, a slurry trench cap was required in order to protect the pipe and to provide an adequate base for the pavement section. Costs associated with this additional work include excavation/export trenching of all temporary asphalt concrete and clay fill over the pipe, placement of the slurry and petromat liner, along with an additional 18 days of traffic control. To reduce the impact on the businesses along the street the paving operation was performed at night.

Aud. Cert. 9500784.

WU-U-95-083.

FILE LOCATION: CONT - PCL Civil Constructors, Inc.
 CONFY95-1

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-115:

SUBJECT: Approval of Acquisition Plan and Appraisal Costs for Southwest Neighborhood Park.

(See City Manager Report CMR-95-20; see Otay Mesa/Nestor Community Council letter dated 1/31/95. Otay Mesa/Nestor Community Area. District-8.)

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:

On 2/1/95, PS&NS voted 4-0 to recommend adoption of the following resolution (Councilmembers Kehoe, Stevens, Stallings, and McCarty voted yea; Councilmember Vargas not present):

(R-95-1010) ADOPTED AS RESOLUTION R-285340

Approving the acquisition plan for Southwest Neighborhood Park as described in City Manager Report CMR-95-20;

Authorizing the expenditure of not to exceed \$5,000 from Open Space Acquisition Fund No. 30252, to have one 0.33 acre parcel appraised for the purpose of an additional acquisition for Southwest Neighborhood Park.

Aud. Cert. 9500665.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-116:

SUBJECT: Appointments and Reappointment to the City Public Utilities Advisory Commission.

(See memorandum from Mayor Golding dated 2/1/95 with resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1155) ADOPTED AS RESOLUTION R-285341

Council confirmation of the following appointments and reappointment by the Mayor to the City Public Utilities Advisory Commission, for terms ending as indicated:

APPOINTMENT ENDING OCTOBER 1, 1995:

Josephine A. Bennett
(To replace Gene Yee, who has resigned.)

APPOINTMENTS ENDING OCTOBER 1, 1998:

Michael B. Furby
(To replace Connie Johnson, whose term has
expired.)
Frank Panarisi
(Reappointment)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-117:

SUBJECT: Reappointments to the Citizens Advisory Board on
Police/Community Relations.

(See memorandum from Mayor Golding dated 2/1/95 with
resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1156) ADOPTED AS RESOLUTION R-285342

Council confirmation of the following reappointments by
the Mayor to serve as members of the Citizens Advisory
Board on Police/Community Relations, representing
Council Districts and groups as shown, for two-year
terms ending January 1, 1997:

James Ryan (Council District 1)
Sharon Wilson (Council District 3)
Charles W. Johnson (Council District 5)
Harry O. Eastus (Police Employee Group)

David P. Weiss (Social Services, Corrections)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-118:

SUBJECT: Appointment to the Senior Citizen Advisory Board.

(See memorandum from Mayor Golding dated 2/1/95 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1157) ADOPTED AS RESOLUTION R-285343

Council confirmation of the appointment by the Mayor of Jacquelin Ander to serve as a member of the Senior Citizen Advisory Board, representing Council District 6, for a term ending July 1, 1996, replacing Merle Osterhaus, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-119:

SUBJECT: Reappointment to the San Diego Housing Commission.

(See memorandum from Mayor Golding dated 2/1/95 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1158) ADOPTED AS RESOLUTION R-285344

Council confirmation of the reappointment by the Mayor of Denise A. Macias, to serve as a member of the San Diego Housing Commission in the Tenant Category, for a four-year term ending January 2, 1998.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-120:

SUBJECT: Reappointments to the Citizens Equal Opportunity Commission.

(See memorandum from Mayor Golding dated 2/1/95 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1159) ADOPTED AS RESOLUTION R-285345

Council confirmation of the following reappointments by the Mayor to serve as members of the Citizens Equal Opportunity Commission for two-year terms ending January 1, 1997, in categories as specified:

NAME	CATEGORY
Dennis Magee	American-Indian

Philip Tuan Nguyen Asian
Juanita C. Santos Filipino
Maria A. Sardinas Mexican-American
Clarence E. McCoy African-American

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-121:

SUBJECT: Reappointment to the San Diego Transit Board.
 (See memorandum from Mayor Golding dated 2/1/95.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1160) ADOPTED AS RESOLUTION R-285346

Council confirmation of the nomination by the Mayor of
Doug Rose for reappointment by the Metropolitan Transit
Development Board (MTDB), to serve as a City member of
the San Diego Transit Board, for a term to expire June
30, 1997.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

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

* ITEM-122:

SUBJECT: Appointment and Reappointments to the Housing Trust

Fund Board of Trustees.

(See memorandum from Mayor Golding dated 2/1/95 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1161) ADOPTED AS RESOLUTION R-285347

Council confirmation of the following appointment and reappointments by the Mayor to the Housing Trust Fund Board of Trustees, representing categories as shows, for terms ending August 5, 1995:

APPOINTMENT:

Clinton E. Pearson (Nonprofit/Community Organization)
(To replace Nico Calavita, whose term has expired.)

REAPPOINTMENTS:

Jean E. Porter (Nonprofit/Community Organization)
Robert J. Bell (Business & Industry)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

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

ITEM-200:

SUBJECT: Declaring a Continued State of Emergency regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(San Ysidro and Tijuana River Valley Community Areas.
District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1116) ADOPTED AS RESOLUTION R-285348

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 to be 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: A450-B087.)

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

ITEM-201:

SUBJECT: San Diego Naval Training Center-Navy Housing.

(See City Manager Report. Peninsula/Future Urbanizing
Community Area. District-2.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-95-1147 REV.) ADOPTED AS RESOLUTION R-285349

Acting upon a request by the United States Navy for
support of Navy Family Housing at the Naval Training
Center.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A272-386;B090-E650.)

Motion by Harvey to add the diamond-shaped barracks to
Option C Footprint. Second by Mathis. Failed by the
following vote: Yeas-2. Nays-1,3,4,6,7,8,M. Not Present-
5.

MOTION BY MATHIS TO APPROVE THE FOOTPRINT RECOMMENDED BY THE
CITY MANAGER (OPTION C). Second by Vargas.

Amendment by Harvey to limit to 400 dwelling units. No
second.

Motion to approve the footprint recommended by the City
Manager passed by the following vote: Mathis-yea, Harvey-
nay, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-
yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY HARVEY TO APPROVE OPTION C,3. ASSURANCE OF
REVERSION RIGHTS TO LAND RETAINED BY NAVY, AND OPTION C,4.
ASSURANCE OF PARK DEVELOPMENT AND RETURN TO CITY OWNERSHIP.
Passed by the following vote: Mathis-yea, Harvey-yea,
Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY HARVEY TO APPROVE OPTION C, 1., 2., AND 5. Second

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

MOTION BY HARVEY TO SEEK SPECIAL LEGISLATION TO MITIGATE LOCAL IMPACTS AND TO INCLUDE IN THE LEGISLATION THAT MITIGATION FOR LOCAL IMPACTS, OR ANY OTHER MEANS, MUST BE PROVIDED FOR ALL CASES WHERE MILITARY BASES ARE REUSED FOR MILITARY DEPENDENT HOUSING. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Equal Employment Opportunity Program Ordinance - Policies and Procedures.

(See City Manager Report CMR-95-33.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1138) CONTINUED TO MARCH 20, 1995

Approving the Policies and Procedures for the Equal Employment Opportunity Program.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A390-449;F034-457.)

MOTION BY HARVEY TO CONTINUE THE ITEM TO MARCH 20, 1995, AT THE CITY MANAGER'S REQUEST FOR TIME TO HOLD MORE WORKSHOPS AS REQUESTED BY THE CITY COUNCIL. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-nay, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Reduction of the Health Insurance Waiver Fee in the

FY95 Flexible Benefits Plan.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1149) ADOPTED AS RESOLUTION R-285350

Authorizing the City Manager to amend the annual cost of the waiver fee for Fiscal Year 1995 from \$281 to \$6; Directing that the difference in the fee cost be returned to the affected employees.

CITY MANAGER SUPPORTING INFORMATION:

During the FY95 Meet and Confer, one of the several employee benefit changes allowed employees to waive City health coverage if they had other health coverage and use the savings to purchase the other benefits. The labor organizations were notified of the waiver option and that a "minimal fee" would be charged for selecting the waiver option. The City's benefits consultants actuarially determined an amount; however, the City set the fee much lower at \$281 to be more consistent with other health options in the benefit plan. Prior to Meet and Confer, the City and labor organizations agreed to "exchange" insurance plan rates for FY95 on May 2, so that neither party would have the advantage of knowing the other's rate prior to setting their own. When negotiations were complete and the City announced the rate for the waiver option, MEA protested. MEA presented a class action complaint that they were going to file on behalf of all 767 employees who took the waiver option. As a form of good will with the labor organizations, it is recommended that the Council authorize settlement of this matter with MEA to avoid litigation by amending the annual cost of the waiver for FY95 from \$281 to \$6. As part of the settlement, it is the City's intent to be very clear that the City acted reasonably in setting a waiver fee which is considerably less than the jurisdictions charge and that a waiver fee will be established for FY96. MEA has agreed to waive attorney fees and costs.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Harvey. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea,

Vargas-yea, Mayor Golding-yea.

ITEM-204:

SUBJECT: Carry Over Funds from the FY94 TOT Contract with the San Diego Civic Light Opera Association.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1113) ADOPTED AS RESOLUTION R-285351

Approving the carryover of FY94 TOT Funds in the amount of \$35,395.32 allocated to the San Diego Civic Light Opera Association to augment the Association's FY95 contract.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego and the San Diego Civic Light Opera Association (Association) renegotiated their TOT agreement for Fiscal Year 1994, because the Association was unable to meet all of its contractual obligations. By renegotiating the 1994 agreement, the City was able to unencumber \$35,395.32 originally committed to the Association under the agreement. By Ordinance O-18089, adopted on July 26, 1994, the Association was allocated \$35,000 in TOT monies to conduct its theater programs for Fiscal Year 1994-95. The City Manager proposes that the \$35,395.32 unencumbered from last year's TOT agreement with the Association be reallocated to the Association to augment the 1995 TOT agreement with them. If the City Manager's proposal is approved, the Association proposes to use the \$35,395.32 to support three new theater works to be offered free to the public and 40 in-school programs during FY95.

Aud. Cert. 9500792.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Harvey. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea,

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

ITEM-205:

SUBJECT: Financial Advisory Services - San Diego Chargers Negotiations.

(Continued from the meeting of January 9, 1995, Item 117, at the City Manager's request, for further review.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-938 Rev. 1) RETURNED TO CITY MANAGER

Authorizing an amendment to the agreement with Public Financial Management (PFM) to provide the following services:

Public Financial Management will provide the City with more detailed analysis and assist with potential negotiations with the San Diego Chargers Football Club concerning use and occupancy of the Stadium;

Public Financial Management (PFM) will continue to prepare cash flow projects based on the current lease and the proposed lease(s) to quantify the impact to all parties (specifically the City, Chargers and Padres) for lease changes. PFM will also continue to research the NFL industries to obtain information on practices and standards for business relationships among NFL franchises and stadium operators;

Public Financial Management's (PFM) term of service will include a review of all information pertaining to the Chargers negotiations and documented analysis of the negotiations under various conditions, as requested by the City;

Authorizing the expenditure of an additional \$25,000 from the Stadium Operations Fund, extending the current contract from \$25,000 to \$50,000.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego requires financial advisory services with respect to negotiations with the San Diego Chargers Football Club. Public Financial Management (PFM) was hired by the City Manager in August to provide these services; however, further funding is required for this project. Approval of the additional funding will enable the City to amend PFM's contract so that PFM can provide the City with more detailed analysis and to assist with potential negotiations with the San Diego Chargers Football Club concerning use and occupancy of the Stadium. This additional work was approved by the City Council in closed session; formal approval would extend PFM's current contract of \$25,000 to \$50,000. PFM will continue to prepare cash flow projections based on the current lease and the proposed lease(s) to quantify the impact to all parties (specifically the City, Chargers and Padres) for lease changes. PFM will also continue to research the NFL industries to obtain information on practices and standards for business relationships among NFL franchises and stadium operators. The Financial Advisor will report to the City's internal negotiating team which consists of the City Manager, Financial Management Director, City Attorney and relevant department staff. The Financial Advisor's term of service will include a review of all information pertaining to the Chargers negotiations and documented analysis of the negotiations under various conditions, as requested by the City.

Aud. Cert. 9500636.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A450-B087.)

CONSENT MOTION BY KEHOE TO RETURN THE ITEM TO THE CITY MANAGER AT HIS REQUEST FOR FURTHER REVIEW. Second by Harvey. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206:

SUBJECT: Third Amendment to the Agreement with Hirsch & Company in connection with the North Mission Valley Interceptor - Phase II.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1145) ADOPTED AS RESOLUTION R-285352

Authorizing a third amendment to the agreement of November 9, 1992, with Hirsch & Company, to perform engineering consultant services in connection with the North Mission Valley Interceptor - Phase II;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$77,300 within Sewer Revenue Fund 41506, from CIP-44-001.0, Annual Allocation for Sewer Mains, to CIP-46-140.0, North Mission Valley Interceptor - Phase II;

Authorizing the expenditure of not to exceed \$77,300 from Sewer Revenue Fund 41506, CIP-46-140.0, North Mission Valley Interceptor - Phase II.

CITY MANAGER SUPPORTING INFORMATION:

The City Council authorized an agreement with Hirsch & Company (HCO) on November 9, 1992, (R-281017), to provide predesign engineering services for the North Mission Valley Interceptor (NMVI) - Phase II. On October 25, 1993 (R-282873), the City Council approved Amendment No. 1 to provide engineering design consulting services for the project. On May 10, 1993, (C-05526), the City Manager approved Amendment No. 2 to revise the Indemnification and Hold Harmless section of our agreement for design engineering consulting services for the NMVI - Phase II. During the final design phase of the project, it was determined that the requested money is needed for additional unforeseen work to realign the pipeline through the YMCA parking lot adjacent to Friars Road. The revision was required by the Army Corp of Engineers in order to secure their permit to construct the project. This work involves revisions to the Right-of-Way drawings, additional coordination with property owners and Real Estate Department, and additional survey work.

Aud. Cert. 9500796.

WU-U-95-082.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: A450-B087.)

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

ITEM-207:

SUBJECT: Three actions related to Inviting Bids for Deerfield Water Pump Plant.

(Mission Trails Regional Park Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1052) ADOPTED AS RESOLUTION R-285353

Inviting bids for the Construction of Deerfield Water Pump Plant on Work Order No. 180581;

Authorizing a contract with the lowest responsible bidder, 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;

Authorizing the expenditure of not to exceed \$5,324,276 from CIP-73-268.0, 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, on 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.
(BID-K95066)

Subitem-B: (R-95-1053) ADOPTED AS RESOLUTION R-285354

Authorizing the use of City Forces to make connections and perform operational checks involving Construction of Deerfield Water Pump Plant; declaring that the cost of the work shall not exceed \$95,000.

Subitem-C: (R-95-1054) ADOPTED AS RESOLUTION R-285355

Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program DEP-91-0901, dated July 22, 1994, in connection with Construction of Deerfield Water Pump Plant, 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:

The Deerfield Water Pump Plant serves the San Carlos Community and will replace the existing Hillandale Water Pump Plant at 7903 Hillandale Drive. The Hillandale Pump Plant is located in a confined area with inadequate ventilation which causes the motors to overheat. Also the pumps have deteriorated. Originally the Deerfield Pump Plant was planned to be located west of the Navajo Road - Waring Road intersection. After numerous meetings with the community a citizens advisory committee was created to find a different site. Thirteen sites were proposed and evaluated. The committee selected the Deerfield site and the City approved the selection. The Pump Plant Building is designed to blend into the surrounding Mission Trails Regional Park. The building will have a natural looking stone exterior. The site will be landscaped with native plants, and an artistic wall is included to beautify the new cul-de-sac which is to be used as the entrance for both the new pump plant and a new parking lot in the Mission Trails Regional Park. The total cost of the project is \$6,089,461. This cost includes construction of the new pump plant facility and 13,080 feet of 24-inch water main.

WU-P-95-075.

FILE LOCATION: Subitem-A,B,C: W.O. 180581 CONFY95-1

COUNCIL ACTION: (Tape location: A450-B087.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Harvey. Passed

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

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 6:28 p.m. in honor of the memory of:

Manfred H. Schrupp as requested by Mayor Golding;
Wadham Gasley as requested by Mayor Golding;
Joel W. West as requested by City Attorney Witt.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F463-482).