

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, MARCH 27, 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 2:05 p.m. The meeting was adjourned by Mayor Golding at 5:45 p.m. into Closed Session on Tuesday, March 28, 1995, at 9:00 a.m. in the twelfth floor conference room too discuss existing and anticipated litigation matters.

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-present
 - (6) Council Member Stallings-present
 - (7) Council Member McCarty-present
 - (8) Council Member Vargas-present
- Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

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

ITEM-10: INVOCATION

Invocation was given by Pastor Ron Crain of the Clairemont Church of the Nazarene.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member McCarty.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding the United Nations and the arrest of the Militia of Montana.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A052-088.)

ITEM-PC-2: REFERRED TO CITY MANAGER

Comment by Al Strohlein regarding his \$42 parking ticket that he received when he parked on 8th Street at 7:00 p.m.

to attend a symphony. He appealed the citation based on the technology that automatic transmissions were designed after the wheel cramping law was written for cars whose gears could slip on hills. His second appeal was filed after the fine was paid under the duress of having it double to \$94.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A089-137.)

ITEM-PC-3: REFERRED TO CITY MANAGER

Comment by Sidney Hall regarding a mess that was left on his property at the Acacia Mobile Home Park, due to either repair work that was done by the Housing Commission while rehabilitating the property or by a private contractor. He received an eviction notice stating that he had to either clean it up or leave.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A150-212.)

ITEM-PC-4:

Comment by Ben Linker regarding the poor condition of Acacia Mobile Home Park.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A213-225.)

ITEM-PC-5:

Comment by David Bruce Thompson regarding the need for a Substance Abuse Program for teenagers.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A230-266.)

ITEM-PC-6: REFERRED TO CITY MANAGER

Comment by Dennis St. Onge requesting that Council consider adopting an Amnesty Program for people who have received parking tickets and would like to clear their name. He has tickets from 1989 that he can't research. The DMV has said that they have no record of ever having received parking tickets on his vehicle, but he received a letter from a Mr. Hoffman saying that those tickets have been referred to collections.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A267-328.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Stevens complimenting Mayor Golding for always cautioning people who speak during public testimony about character assassination of any individual Council Member. Council Member Stevens also commented that Council should consider local preference in terms of businesses doing business in San Diego; to protect them in some way since so much promotion is done to encourage businesses to come to San Diego.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A332-377.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
3/6/95
3/7/95
3/13/95 Adjourned
3/14/95 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A385-387.)

MOTION BY McCARTY TO APPROVE. Second by Stallings. Passed

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

ITEM-31:

SUBJECT: Child Abuse Prevention Month.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1354) ADOPTED AS RESOLUTION R-285511

Recognizing the effort of organizations such as the San Diego Center for Children during April 1995 and calling upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our efforts to prevent child abuse, thereby strengthening the communities in which we live;

Proclaiming the month of April 1995 to be "Child Abuse Prevention Month" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A388-B012.)

MOTION BY HARVEY TO ADOPT ITEMS 31 AND 32. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32:

SUBJECT: Jazz Artists Guild Music in the Schools Week.

COUNCILMEMBER HARVEY'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1247) ADOPTED AS RESOLUTION R-285512

Declaring the week of March 27, 1995 to be "Jazz

Artists Guild Music in the Schools Week" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A516-B012.)

MOTION BY HARVEY TO ADOPT ITEMS 31 AND 32. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-33:

SUBJECT: San Diego Border Voices Week.

DEPUTY MAYOR VARGAS' RECOMMENDATION:

Adopt the following resolution:

(R-95-1305) ADOPTED AS RESOLUTION R-285513

Proclaiming the week of March 19 through 25, 1995 to be "San Diego Border Voices Week" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B013-187.)

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

* ITEM-100:

SUBJECT: Records Disposition Schedule for the Neighborhood Code Compliance Department.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1349) ADOPTED AS RESOLUTION R-285514

Adopting the Records Disposition Schedule for records maintained by the Neighborhood Code Compliance Department.

CITY CLERK SUPPORTING INFORMATION:

This is a request that the City Council approve a resolution creating the Records Disposition Schedule for the Neighborhood Code Compliance Department (N.C.C.). This Records Disposition Schedule was developed by the Records Management Section of the City Clerk's office and the staff of N.C.C. The development of this Schedule will (1) ensure that N.C.C.'s important records are retained in accordance with the City's legal, administrative, fiscal, and historical needs, and (2) provide authority for the transfer of inactive records to storage and/or destruction, thus freeing up valuable office space. Other benefits to be realized by the creation of this Schedule include a reduction in the quantity of duplicate records which are maintained by the N.C.C. Department; descriptions which give the department an historical and comprehensive view of the records it generates; and aid in the improvement of filing systems, allowing greater control over the current record keeping system. Records Management staff is continuing work on the development of departmental Schedules as a key to providing a systematic control of paperwork and records creation, maintenance, usage and disposition. The approval of this Records Disposition Schedule will be the thirty-fourth completed to date.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-101:

SUBJECT: Environmental Enhancement and Mitigation Program
Project Application to the Resources Agency of
California.
(College and Mid-City Community Areas. Districts-3 & 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1251) ADOPTED AS RESOLUTION R-285515

Authorizing the City Manager to submit a grant application to the Resources Agency of California and accept Environmental Enhancement and Mitigation Program funds for the design and construction of a Class 1 bicycle path, parallel to the east side of Fairmount Avenue, and a grade-separated bicycle crossing at its intersection with the planned westbound Montezuma Road on-ramp to northbound Fairmount Avenue.

CITY MANAGER SUPPORTING INFORMATION:

A grant application for Environmental Enhancement and Mitigation Program (EEMP) funds has been prepared for submission to the Resources Agency of California, which administers Roadside Recreational funding. Legislation allocates \$10 million annually for a period of 10 years for grants to local, state and federal agencies, and nonprofit entities for projects to enhance and mitigate the environmental impacts of modified or new public transportation facilities. This project must compete for funding with other projects on a state wide basis. The resolution authorizes the City Manager to submit a grant application and accept funds for the Fairmount Avenue Bikeway Mitigation Project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-102:

SUBJECT: Additional Funding for Balboa Park Golf Course Greens Reconstruction.
(Balboa Park Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1334) ADOPTED AS RESOLUTION R-285516

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$121,704 from Golf Course Enterprise Fund No. 41400, to CIP-23-014.0, Balboa Park Golf Course - Greens Reconstruction; Authorizing the expenditure of an amount not to exceed \$121,704 from CIP-23-014.0, Balboa Park Golf Course - Greens Reconstruction, to supplement funding previously authorized by Council in Resolutions R-280497 and R-283670.

CITY MANAGER SUPPORTING INFORMATION:

The Balboa Park Golf Course Greens Reconstruction project is located east of Pershing Drive between 26th Street and 28th Street. The improvements include the reconstruction of twelve holes on the 18-hole course, replacement of all nine greens on the 9-hole course, realignment and repair to sections of the existing cart paths, and upgrading the existing irrigation system. Construction is 92 percent complete. The contract specifications call for the construction of the greens and tees using Pennlinks Bentgrass hydroseed. This grass does not germinate in cold weather. In order to ensure turf establishment and completion of the project on schedule, a change order is proposed to have the greens and tees constructed using sod in lieu of seed. Previous change orders have depleted the project contingency reserve and an additional \$55,000 is needed to cover the proposed change order. Additionally, the contractor's difficulty in providing the specified root zone soil mix for the greens, and the project's long duration of 25 months has caused engineering and administration costs to exceed the allocated funds. As a revenue producing facility, it is our goal to reopen the golf course as soon as possible. An additional \$66,704 is needed to complete the project by April, 1995.
Aud. Cert. 9500887.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-103:

SUBJECT: Two actions related to TransNet Bonding for Commercial Revitalization Projects.
(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1336) ADOPTED AS RESOLUTION R-285517

Transferring the remaining \$90,000 to the El Cajon Boulevard Commercial Revitalization Project - I-805 to 54th Street (CIP-39-209.0), to initiate the I-805 to 37th Street phase of streetscape improvements.

Subitem-B: (R-95-1337) ADOPTED AS RESOLUTION R-285518

Requesting SANDAG to provide advance funding through debt financing for Economic Development Services Streetscape Improvements.

CITY MANAGER SUPPORTING INFORMATION:

TransNet bonding is required for four commercial revitalization projects which have been budgeted through the Capital Improvement Program within the programming of Economic Development Services. The total amount to be bonded is \$1,286,193. The project break out is as follows:

CIP-37-224.0	Golden Hill Commercial Revitalization	\$386,000
CIP-39-207.0	North Park/University Ave. Streetscape	\$300,000
CIP-39-208.0	University Heights Commercial Revitalization	\$210,000
CIP-39-209.0	El Cajon Blvd. - I-805 - 54th St. Revitalization	\$390,193

The University Heights project was originally budgeted for \$300,000, however, only \$210,000 is needed for that project. A transfer of \$90,000 from the University Heights Project to the El Cajon Blvd. project is requested in order to initiate the I-805 to 37th Street phase. The remaining \$300,193 is budgeted for the El Cajon Blvd. - 37th to 39th Street phase. All of these projects are taking place in blighted commercial areas where the streetscape improvements are expected to create more pedestrian-

friendly shopping districts and increased commercial activity. Improvements will include street trees and shrubs, automatic irrigation systems, paving enhancements, and sidewalk repairs. The Council actions authorize the processing necessary to execute the TransNet bonding.

Aud. Cert. 9500944.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-104:

SUBJECT: Linda Vista Community Park Comfort Station.
(Linda Vista Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1335) ADOPTED AS RESOLUTION R-285519

Authorizing the Auditor and Comptroller to transfer not to exceed \$9,032 from PSD Fund No. 11400 to CIP-29-788.0, Linda Vista Community Park Comfort Station; Authorizing the expenditure of not to exceed \$9,032 from CIP-29-788.0, Linda Vista Community Park Comfort Station, to supplement funding previously authorized by Council in Resolution No. R-282567.

CITY MANAGER SUPPORTING INFORMATION:

Linda Vista Community Park is a 16-acre multi-purpose facility located at 7064 Levant Street. The park contains multi-use athletic fields, tennis courts, a gymnasium, a recreation center, multi-purpose courts and parking lots. Council action on September 13, 1993 authorized the expenditure of \$245,000 for the construction of Linda Vista Community Park Comfort Station. Construction of the comfort station was completed on November 28, 1994. Additional funding is requested to cover construction

engineering costs.
Aud. Cert. 9500901.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

ITEM-105: TRAILED TO TUESDAY, MARCH 28, 1995

SUBJECT: Judicial Foreclosure Related Costs and Fees.
(Mission Valley and Otay Mesa Community Areas.
Districts-6 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1304)

Approving a temporary advance of not to exceed \$73,500
from the Industrial Development Fund 30248 to cover
cash shortfalls in the Special Assessment District
Delinquency Fund 79900;
Authorizing the expenditure of not to exceed \$73,500
from the Special Assessment District Delinquency Fund
79900, for providing funds for foreclosure related
costs and fees.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego currently has nine Superior Court Judicial
Foreclosure cases in process on seventy-one lots in the De La
Fuente Business Park - Phases I and II in Otay Mesa and the First
San Diego River Improvement Project in Mission Valley. As these
cases advance through the foreclosure process, costs, fees, and
deposits are incurred for:

- 1) Litigation Guarantees
- 2) San Diego County Property Tax Roll Removal Fees
- 3) Judgement copying and serving expenses
- 4) San Diego County Marshall deposits for levy and sale

5) San Diego County Marshall deposits for advertising
Aud. Cert. 9500943.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B188-269; F169-179;
F201-208.)

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

MOTION BY McCARTY TO RECONSIDER THIS ITEM AND TRAIL IT TO
TUESDAY, MARCH 28, 1995, AT THE CITY MANAGER'S REQUEST, TO
ALLOW COUNCIL AN OPPORTUNITY TO DISCUSS, IN CLOSED SESSION,
AN OFFER RECEIVED TODAY ON A PENDING FORECLOSURE. Second by
Mathis. Passed by the following vote: Mathis-yea, Harvey-
yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-not present.

Motion by Mathis to add the offer received on the pending
foreclosure to the Closed Session Docket of Tuesday, March
28, 1995. Second by Stevens. Passed. Yeas-
1,2,3,4,5,6,7,8. Nays-none. Not present-M.

* ITEM-106:

SUBJECT: Settlement of Personal Injury Claim of Brian Barlow.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1329 Cor. Copy) ADOPTED AS RESOLUTION R-285520

A Resolution approved by the City Council in Closed Session
on Tuesday, March 7, 1995 by the following vote: Mathis-
yea; Harvey-yea; Kehoe-yea; Stevens-yea; Warden-yea;
Stallings-yea; McCarty-not present; Vargas-yea; Mayor -yea.

Authorizing the City Manager to pay the total sum of \$50,000
in the settlement of each and every claim against the City,
its agents and employees, resulting from the personal injury

to Brian Barlow (U.S. District Court Case No. 88-01841-K(CM), Brian Barlow v. Officer George Ground, et al.);

Authorizing the City Auditor and Comptroller to issue one check in the amount of \$50,000 made payable to Robert Barlow, representative of Brian Barlow, and George Weingarten, his attorney of record, in full settlement of all claims.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the Personal Injury Claim of Brian Barlow against the City of San Diego, its agents and employees, as a result of an incident which occurred on June 7, 1986.

Aud. Cert. 9500936.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-107:

SUBJECT: Settlement of the Property Damage Claim of Scripps Building Ltd.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1301) ADOPTED AS RESOLUTION R-285521

A Resolution approved by the City Council in Closed Session on Tuesday, March 7, 1995 by the following vote: Mathis-yea; Harvey-yea; Kehoe-yea; Stevens-yea; Warden-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$27,500 in the settlement of each and every claim against the City, its agents and employees, resulting from the water damage to

the property of Scripps Building Ltd. (Superior Court Case No. 669445, Scripps Building, Ltd. v. City of San Diego, et al.);

Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$27,500 made payable to Republic Western Insurance Company and Scripps Building, Ltd., in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the property damage claim of Scripps Building Ltd. against the City of San Diego, its agents and employees, as a result of an incident which occurred on December 28, 1992.

Aud. Cert. 9500934.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-108:

SUBJECT: Excusing Councilmember Harry Mathis from the Council Meetings of 2/27-2/28/95.

COUNCILMEMBER MATHIS' RECOMMENDATION:

Adopt the following resolution:

(R-95-1248) ADOPTED AS RESOLUTION R-285522

Excusing Councilmember Harry Mathis from attending the regularly scheduled Council meetings of February 27 and 28, 1995, to represent the City and its Clean Water Program in Washington, D.C. on MSCP funding.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

ITEM-109: TRAILED TO TUESDAY, MARCH 28, 1995

SUBJECT: Industrial Hygiene Services Contract.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1343)

Authorizing an agreement with the County of San Diego,
to provide industrial hygiene services from November 1,
1994 through October 31, 1995;
Authorizing the expenditure of an amount not to exceed
\$35,000 (\$23,000 from Fund 50061, \$6,000 from Fund
41500, and \$6,000 from Fund 40012).

CITY MANAGER SUPPORTING INFORMATION:

In order to ensure safe and healthful working environments for City employees and the public utilizing City-owned facilities, as well as to maintain compliance with Cal-OSHA Regulations, the City needs to contract for the provision of industrial hygiene services. These services include provision of a vast number of technically based monitoring procedures not currently available within the City. Through the cooperative efforts of the Risk Management, Metropolitan Wastewater (MWW) and Water Utilities Departments, requests for proposals were issued for industrial hygiene services. These bidding documents were advertised in the San Diego Daily Transcript, San Diego Voice and Viewpoint, La Prensa San Diego and the San Diego Asian Journal. A Consultant Selection Panel consisting of members from the Risk Management, MWW and Water Utilities Departments evaluated the proposals and qualifications received based upon criteria which is consistent with Administrative Regulation 25.70. The County of San Diego was selected to provide these industrial hygiene services based primarily on cost effectiveness, response time and its local presence.

Aud. Cert. 9500537.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: D340-400.)

* ITEM-110:

SUBJECT: Personal Services Agreement with Copeland, Hatfield,
Lowery & Jacquez.

INTERGOVERNMENTAL RELATIONS DEPARTMENT'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1358) ADOPTED AS RESOLUTION R-285523

Authorizing a Personal Services Agreement with
Copeland, Hatfield, Lowery & Jacquez for legislative
advocacy services.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-111:

SUBJECT: Personal Services Agreement with The Flannery Group.

INTERGOVERNMENTAL RELATIONS DEPARTMENT'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1359) ADOPTED AS RESOLUTION R-285524

Authorizing a Personal Services Agreement with The
Flannery Group for legislative advocacy services.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-112:

SUBJECT: First Amendment to Agreement with David Reed Landscape
Architects for Sidewalk Improvements for the Broadway
Tile Replacements Project.
(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1290) ADOPTED AS RESOLUTION R-285525

Authorizing a first amendment to the agreement with
David Reed Landscape Architects (San Diego), for
sidewalk improvements for the Broadway Tile
Replacements Project;
Authorizing the Auditor and Comptroller to transfer not
to exceed \$15,000 from CIP-52-327.0, Safety All Weather
Walks, Fund No. 30300 to CIP-52-325.0, Broadway Tile
Replacements;
Authorizing an increase to the FY 1995 budget by
\$64,730, Private and Others Contribution Fund No.
63022, from CCDC per Resolution No. R-2436, for CIP-52-
325.0, Broadway Tile Replacements Project;
Authorizing an increase to the FY 1995 budget by
\$6,071, Private and Others Contribution Fund 63022 from
United Enterprises, Ltd., for placement of a concrete
cap over deteriorated basement at 5th and Broadway;
Authorizing the expenditure of not to exceed \$85,801
(\$15,000 from TransNet, \$64,730 from CCDC and \$6,071
from United Enterprise, Ltd.) from CIP-52-325.0.

CITY MANAGER SUPPORTING INFORMATION:

The Broadway Tile Replacements Project was initiated to correct
the failed tile pavers on Broadway between Fourth and Ninth
Avenues on the north side and between Seventh and Ninth Avenues

on the south side. However, due to unavailability of funds at the time of construction the one block between Seventh and Eighth Avenues on the north side and the south side was deducted from the scope of the project. On November 1, 1994, the Redevelopment Agency determined that the sidewalk improvements on Broadway between Seventh and Eighth Avenues are a benefit to the core district of the Centre City Redevelopment Project area. Therefore, the Redevelopment Agency approved funding in the amount of \$64,730 for the subject sidewalk improvements per Resolution No. R-2436. With this amendment we are requesting the authorization for acceptance and expenditure of the \$64,730. In December, 1990, the City Council authorized an agreement with the firm of David Reed Landscape Architects to provide professional services for the sidewalk improvements. This first amendment will provide for an increase of \$7,660 in the consultant's compensation to cover additional services required. These services include site observations and reports, interfacing with private property owners, and other agencies.

Aud. Cert. 9500902.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-113:

SUBJECT: Agreement with Farwest Corrosion Control Company for
As-Needed Corrosion Engineering Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1276) ADOPTED AS RESOLUTION R-285526

Authorizing an agreement with Farwest Corrosion Control
Company (Los Angeles), for as-needed corrosion
engineering services;
Authorizing the expenditure of not to exceed \$100,000

from Water Revenue Fund No. 41500, Water Operations Engineering Program (70830);
Authorizing the City Manager to finance or refinance this agreement with tax exempt securities if circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION:

A request for two as-needed consultants for Corrosion Engineering Services was advertised on September 9, 1994 in the San Diego Daily Transcript.

The City's Consultant Nominating Committee reviewed seven letters of interest from qualified consultants and selected six firms to be interviewed. In conformance with Council Policy 300-7, the firms were interviewed on December 8, 1994 and Farwest Corrosion Control Company was selected as one of two firms best qualified to provide the as-needed consultant services. An agreement is forthcoming for the other consultant selection. The agreement provides for As-Needed Corrosion Engineering Services on an hourly basis not to exceed \$25,000 per task. These services would include corrosion investigation, designs, installations, evaluations for major pipelines, pumping stations, water treatment and wastewater facilities and other miscellaneous projects. The total contract shall not exceed \$100,000 for a period of one year from the date of execution by the City Manager.

Aud. Cert. 9500882.

WU-U-95-107.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B188-269.)
CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-114: REFERRED TO THE PS&NS COMMITTEE

SUBJECT: Five Year Tennis Permits with Eleven Tennis Clubs.
(Districts-1,2,3,5,6, & 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1298)

Authorizing the City Manager to execute renewals of five-year Non-Exclusive Use and Operating Permits with the following non-profit organizations:

- 1) La Jolla Tennis Club
- 2) Lake Murray Tennis Club
- 3) Mission Bay Tennis Club
- 4) Mountain View Tennis Club
- 5) North Park Tennis Club
- 6) Pacific Beach Tennis Club
- 7) Peninsula Tennis Club
- 8) Point Loma Tennis Club
- 9) Rancho Bernardo Tennis Club
- 10) Rancho Penasquitos Tennis Club
- 11) Tierrasanta Tennis Club

CITY MANAGER SUPPORTING INFORMATION:

The City non-profit tennis club operation was established in 1981 to promote tennis and to cut direct costs to the City for such things as court resurfacing, electrical fees, tennis net replacement and general custodial maintenance. The first five year Non-Exclusive Use and Occupancy Permits were authorized by the City Council in 1990. Authorization of the five year permits will allow the eleven clubs to continue to operate the City tennis courts in the best interests of tennis players without direct costs to the Park and Recreation Department's budget.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D401-577.)

MOTION BY McCARTY TO REFER THIS ITEM TO THE PS&NS COMMITTEE TO REVIEW THE POLICIES OF ALL THE CLUBS TO SEE WHETHER THERE IS A CONSISTENCY AND FAIRNESS BETWEEN THE COMMUNITIES. STAFF IS REQUESTED TO PROVIDE COUNCIL WITH THE FOLLOWING INFORMATION:

1. HOURS OF OPERATION.
2. NON-MEMBER PLAYING POLICY.
3. NUMBER OF MEMBERS AND NON-MEMBERS.
4. HOW MANY MEMBERS AND NON-MEMBERS PLAY PER MONTH.
5. ARE THE CLUBS PROMOTED TO THE COMMUNITY. DO THE CLUBS

HAVE SIGNS POSTED SO THAT THE COMMUNITY KNOWS HOW TO ENTER THE PARK.

6. DO THEY HAVE A YOUTH PROGRAM AND SUMMER CAMP.
7. HOW MANY TOURNAMENTS DO THEY HAVE, BECAUSE THEY MAY HAVE TOURNAMENTS WHERE NO ONE HAS ACCESS TO THE CLUBS.

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

* ITEM-115:

SUBJECT: Agreement with PSG Corrosion Engineering, Inc., for As-Needed Corrosion Engineering Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1279) ADOPTED AS RESOLUTION R-285527

Authorizing an agreement with PSG Corrosion Engineering, Inc., for as-needed corrosion engineering services;

Authorizing the expenditure of not to exceed \$100,000 consisting of \$75,000 from Water Revenue Fund No. 41500, Water Operations Engineering Program No. 70830, and \$25,000 from Sewer Revenue Fund No. 41506, Sewer Operations Engineering Program No. 70820;

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

CITY MANAGER SUPPORTING INFORMATION:

A request for two as-needed Consultants for Corrosion Engineering Services was advertised on September 9, 1994 in the San Diego Daily Transcript. The City's Consultant Nominating Committee reviewed seven letters of interest from qualified consultants and selected six firms to be interviewed. In conformance with Council Policy 300-7, the firms were interviewed on December 8, 1994 and PSG Corrosion Engineering, Inc. was selected as one of two firms best qualified to provide the as-needed Consultant Services. An agreement is forthcoming for the other consultant selection. The agreement provides for As-needed Corrosion Engineering Services on an hourly basis not to exceed \$25,000 per

task. These services would include corrosion investigation, designs, installations and evaluations for major pipelines, pumping stations, water treatment and wastewater facilities, and other miscellaneous projects. The total contract shall not exceed \$100,000 for a period of one year from the date of execution by the City Manager.

Aud. Cert. 9500881.

WU-U-95-106.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-116:

SUBJECT: Two actions related to Agreement with MBC Applied Environmental Sciences, for Professional Services in Connection with the Mission Bay Shoreline Protection Project.
(Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1291) ADOPTED AS RESOLUTION R-285528

Authorizing an agreement with MBC Applied Environmental Sciences, for professional services in connection with the Mission Bay Shoreline Protection project as previously approved by Council and as required by the U.S. Army Corps of Engineers and the California Coastal Commission;

Authorizing the expenditure of not to exceed \$625,000 from Transient Occupancy Tax Fund 102242, CIP-21-834.0, Balboa Park/Mission Bay Requirements, Sublet Project No. 21-841.7, Mission Bay Park Eelgrass Mitigation.

Subitem-B: (R-95-1292) ADOPTED AS RESOLUTION R-285529

Stating for the record that the City of San Diego as Lead Agency has reviewed and considered Environmental Impact Report and Mitigation Monitoring and Reporting Program, DEP-89-0225.

CITY MANAGER SUPPORTING INFORMATION:

On October 17, 1994, City Council approved, per Resolution R-284773, the Mission Bay Park Shoreline Stabilization and Restoration, Phase I, Construction Contract. This shoreline restoration project will provide hardscape protection improvements of rock revetment and concrete bulkhead walls to a number of shoreline sites within Mission Bay Park. The shoreline restoration project will also provide for dredging of two sites within Mission Bay that are considered to be navigational hazards. Special conditions of the permits issued by the U.S. Army Corps of Engineers and the California Coastal Commission, for the purpose of implementing the shoreline restoration project, require the mitigation of all eelgrass impacts associated with the dredge sites and other locations. This action will authorize the City Manager to execute an agreement with MBC Applied Environmental Sciences for services to mitigate eelgrass impacts and other requirements of the environmental resource agencies.

Aud. Cert. 9500924.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-117:

SUBJECT: Commercial, Industrial and Institutional Water Conservation Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1306) ADOPTED AS RESOLUTION R-285530

Authorizing the City Manager to implement the Commercial, Industrial and Institutional Water Conservation Program;

Authorizing an agreement with the San Diego County Water Authority to implement and administer the Commercial, Industrial and Institutional Water Conservation Program;

Authorizing the expenditure of an amount not to exceed \$250,000 from the Water Utilities Department Operating Fund (41500), Water Conservation Program (70622).

CITY MANAGER SUPPORTING INFORMATION:

This action requests funding for the implementation of the Commercial, Industrial, and Institutional Water Conservation Program for the current fiscal year by entering into an agreement with the San Diego County Water Authority (CWA) to provide matching funds from the CWA and the Metropolitan Water District of Southern California (MWD). The program's funding percentages will be at 25 percent each for the City and the CWA, and 50 percent for the MWD. Upon exhausting all available CWA funds, the City and the MWD will split the program costs on a 50-50 basis. On September 23, 1991, the City Council adopted a resolution to become an original signatory to the Memorandum of Understanding (MOU) Regarding Urban Water Conservation in California. The MOU contains sixteen Best Management Practices (BMP's) that are proven long-term water conservation measures which have become statewide standards. The Commercial, Industrial, and Institutional Water Conservation Program is a BMP that will assist the City's commercial, industrial, and institutional water customers in identifying water conserving measures by surveying their facilities. These customers account for 30 percent of the total water used in the City. The on-site survey will be performed by either City staff or a representative from Black & Veatch, MWD's technical consultant for the program. It is estimated that by participating in the program and implementing the measures identified by the survey, the average commercial, industrial, or institutional facility can reduce its water consumption by 15 to 20 percent without affecting their operating methods or end products. Because of the varying nature of water use from one commercial, industrial, or institutional facility to another, it is difficult to estimate the total program water savings.

Aud. Cert. 9500899.

WU-S-95-131.

FILE LOCATION: WATER - San Diego County Water Authority
CONFY95-1

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-118:

SUBJECT: Agreement with the County of San Diego for Removal of
Encroachments for San Diego County Hall of Justice.
(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1348) ADOPTED AS RESOLUTION R-285531

Authorizing an agreement with the County of San Diego
for removal of encroachments for the San Diego County
Hall of Justice.

CITY MANAGER SUPPORTING INFORMATION:

An agreement for removal of encroachments at the San Diego County
Hall of Justice is being entered into between the City of San
Diego (City) and the County of San Diego (County). The County
desires to build a pedestrian bridge over the public right-of-
way, crossing Union Street from the Hall of Justice and
connecting to the third level of the Downtown Courthouse. If
authorized by City Council, this bridge will be constructed by
the County in accordance with the County building plans. San
Diego Municipal Code, Chapter VI, Article 2, Division 3, Section
62.0303 requires City Council authorization for structures built
over the public right-of-way. It is recommended that the
agreement for removal of encroachments be approved.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-119:

SUBJECT: First Amendment to the Agreement with San Ysidro Health
Center for Roof Replacement and Floor Retrofit.
(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1253) ADOPTED AS RESOLUTION R-285532

Authorizing a first amendment to the agreement with San
Ysidro Health Center for design and construction of a
roof replacement and floor retrofit for their facility
located at 4004 Beyer Blvd., San Ysidro;
Authorizing the expenditure of not to exceed \$100,000
from CDBG Fund 18530, Dept. 4062, Org. 6219.

CITY MANAGER SUPPORTING INFORMATION:

San Ysidro Health Center is a non-profit organization located at
4004 Beyer Boulevard. The Center serves approximately 30,000
patients annually, the majority being publicly insured Medi-Cal
beneficiaries or uninsured low income clients. With the demand
for services increasing at a rapid rate, it is vital that the
Center be renovated to operate more efficiently, and to extend
the useful life of the existing facility. As part of the master
renovation plan, this amendment will provide necessary funding
for the design and construction of a roof replacement, and a
floor retrofit under the medical records storage area. On May 9,
1994 City Council adopted Resolution No. R-283845 granting the
additional CDBG funding for this project.
Aud. Cert. 9500874.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: B188-269.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Mathis.

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

* ITEM-120:

SUBJECT: Two actions related to Approving Change Order No. 7 for the Construction of the Rose Canyon Trunk Sewer. (University and Clairemont Mesa Community Areas. Districts-1 & 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1330) ADOPTED AS RESOLUTION R-285533

Approving Change Order No. 7, with PCL Civil Constructors, Inc., increasing the contract price by \$208,365;
Authorizing the expenditure of not to exceed \$208,365 from Sewer Revenue Fund 41506, Contingency Account 4905, CIP-46-110.0, Rose Canyon Trunk Sewer.

Subitem-B: (R-95-1331) ADOPTED AS RESOLUTION R-285534

Stating for the record that the information contained in the final Environmental Impact Report and Mitigation, Monitoring and Reporting Program DEP-89-0876, including any comments received during the public review process, has been reviewed and considered by Council for the City as Lead Agency in connection with the construction of the Rose Canyon Trunk Sewer.

CITY MANAGER SUPPORTING INFORMATION:

On January 10, 1994, by Resolution Nos. R-283247 and R-283248, the City Council approved the plans and specifications, and authorized the 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. The Contract Documents require the contractor to coordinate with SDG&E for the bracing of their existing poles (total 8) during construction of the planned 60-inch trunk sewer, from Station 102+75 to Station 113+00. Prior to construction, it was determined by SDG&E that bracing the poles during construction

was not sufficient enough to stabilize them. This is due to the 60-inch trunk sewer's required sloped trench. Due to the proximity of the poles to the trench, the poles foundation would be undermined. Thus, pole bracing was an impractical solution. Secondly, the clearance between SDG&E overhead electric lines and the ground surface was not adequate for construction equipment to safely install the 60-inch diameter sewer pipe. Therefore, the electric poles adjacent to the City's 60-inch sewer trench required relocation to approximately 15 feet westerly. The poles are located in SDG&E's easement; therefore, the City has to pay SDG&E for the relocation costs. This Change Order is reimbursement of direct payment to SDG&E by PCL. No contractor mark-up or profit has been allowed.

Aud. Cert. 9500932.

WU-U-95-108.

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

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-121:

SUBJECT: Appointments to the Citizens Advisory Board on
Police/Community Relations.
(See memorandum from Mayor Golding dated 3/8/95 with
resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1374) ADOPTED AS RESOLUTION R-285535

Council confirmation of the following appointments by
the Mayor to the Citizens Advisory Board on
Police/Community Relations, as follows:

Term Ending January 1, 1996
P.J. Skill (Member of the Public) (To replace
Yvonne Esperanza Campos, who has resigned.)
Term Ending January 1, 1997
Michael C. Smiley (Council District 7)
(To replace Peter Burgert, whose term has expired.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-122:

SUBJECT: Appointments to the Citizens Equal Opportunity
Commission.
(See memorandum from Mayor Golding dated 3/8/95 with
resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1375) ADOPTED AS RESOLUTION R-285536

Council confirmation of the following appointments by
the Mayor to the Citizens Equal Opportunity Commission,
representing the City at Large, for terms ending as
indicated:

Term ending January 1, 1996
Sylvia C. Rios
(To replace Rebecca Michael, who has resigned.)
Term ending January 1, 1997
Cheryl Sueing-Jones
(To replace Deborah E. Brady-Davis, whose term has

expired.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-123:

SUBJECT: Appointments to the Civic Events and Promotional
Programs Allocation Board.
(See memorandum from Mayor Golding dated 3/15/95 with
resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1380) ADOPTED AS RESOLUTION R-285537

Council confirmation of the following appointments by
the Mayor to the Civic Events and Promotional Programs
Allocation Board, for terms ending as indicated:

Term ending September 30, 1995
Aida Mancillas
Terms ending September 30, 1996
Peggy Dodson
Jonathan "Jack" A. Jacobs
Duke F. Sobek
Terms ending September 30, 1997
Dorothy Leonard
Larry Baza
John Dadian

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-124:

SUBJECT: Appointment to the Historical Site Board.
(See memorandum from Mayor Golding dated 3/14/95 with
resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1377) ADOPTED AS RESOLUTION R-285538

Council confirmation of the appointment by the Mayor of
Dr. Lynne Christenson to serve as a member of the
Historical Site Board, for a term ending March 1, 1997,
replacing Susan M. Hector, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-125:

SUBJECT: Appointments and Reappointment to the Housing Advisory
and Appeals Board.
(See memorandum from Mayor Golding dated 3/8/95 with
resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1378) ADOPTED AS RESOLUTION R-285539

Council confirmation of the following appointments and
reappointment by the Mayor to the Housing Advisory and
Appeals Board, for terms ending as indicated:

Term ending March 1, 1996

David Gomez

(To replace James Harrison Watts, whose term has
expired.)

Term ending March 1, 1997
M. Patricia Fleming
(To replace Priscilla Young, whose term has
expired.)
Reverend Robert C. Ard (Reappointment.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-126:

SUBJECT: Appointment to the Housing Trust Fund Board of
Trustees.
(See memorandum from Mayor Golding dated 3/8/95 with
resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1373) ADOPTED AS RESOLUTION R-285540

Council confirmation of the appointment by the Mayor of
Jim Sherr, Jr. to the Housing Trust Fund Board of
Trustees, representing the Labor category, for a term
ending August 5, 1996, replacing Arthur S. Lujan, whose
term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-127:

SUBJECT: Appointment to the Old Town San Diego Planned District Design Review Board.
(See memorandum from Mayor Golding dated 3/8/95 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1372) ADOPTED AS RESOLUTION R-285541

Council confirmation of the appointment by the Mayor of Kathleen A. Garcia to the Old Town San Diego Planned District Design Review Board, representing the Landscape/Architect category, for a term ending March 1, 1999, to replace Doug Livingston, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

* ITEM-128:

SUBJECT: Appointments to the Small Business Advisory Board.
(See memorandum from Mayor Golding dated 3/8/95 with resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1371) ADOPTED AS RESOLUTION R-285542

Council confirmation of the following appointments by the Mayor to the Small Business Advisory Board, for terms ending July 1, 1996, representing the Member at

Large category:

Norma N. McNerney

(To replace Janet N. Smith, whose term has expired.)

John W. Johnson

(To replace Reginald W. Sibley, whose term has expired.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

ITEM-129:

SUBJECT: Appointment to the Board of Zoning Appeals.
(See memorandum from Mayor Golding dated 3/8/95 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1379) ADOPTED AS RESOLUTION R-285543

Confirming the appointment by the Mayor of James M. Magot to the Board of Zoning Appeals, for a term ending March 1, 1996, to replace Glenn P. Goltz, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D162-294.)

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

* ITEM-130:

SUBJECT: Appointment and Reappointments to the Board for Abatement and Control of Noise.
(See memorandum from Mayor Golding dated 3/8/95 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1376) ADOPTED AS RESOLUTION R-285544

Council confirmation of the following appointment and reappointments by the Mayor to the Board for Abatement and Control of Noise, as indicated:

Terms Ending January 1, 1996

Barbara S. Massey (Member of Public)
(To replace Dr. Robert Novak, whose term has expired.)

Jeff Fuller (Acoustician) (Reappointment.)

Albert Ickstadt (Electrical Engineer)
(Reappointment.)

Term ending January 1, 1997

Dr. Walter Odening (Member of Public)
(Reappointment.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

ITEM-150:

SUBJECT: Federal Funding of Arts and Cultural Activities in San Diego.
(See Legislative Specialist Analysis NRC&A-95-1.)

NATURAL RESOURCES, CULTURE AND THE ARTS COMMITTEE'S
RECOMMENDATION:

On 3/8/95, NRC&A Committee voted 4-1 to recommend adoption of the following resolution (Councilmembers Mathis, Harvey, Warden, Stallings voted yea; Councilmember McCarty voted nay):

(R-95-1327) ADOPTED AS RESOLUTION R-285545

Respectfully requesting the President and Congress to reauthorize the National Endowment for the Arts (NEA), National Endowment for the Humanities (NEH), and Institute for Museum Services (IMS) for five years and to continue appropriations at or above their current levels.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B270-C346.)

MOTION BY STALLINGS TO ADOPT THE RESOLUTION APPROVING THE CONTINUANCE OF FEDERAL FUNDING FOR THE NEA, NEH, AND THE IMS. DIRECT THE CITY LOBBYIST FOR WASHINGTON D.C. TO VIGOROUSLY PURSUE THE CONTINUATION OF THIS FUNDING AT OR ABOVE CURRENT LEVELS. Second by Stevens. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, 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-95-1333) ADOPTED AS RESOLUTION R-285546

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: B188-269.)

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

ITEM-201:

SUBJECT: Fiscal Year 1995 Budgetary Adjustments.
(See City Manager Report CMR-95-57.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1323) ADOPTED AS RESOLUTION R-285547

Accepting City Manager Report CMR-95-57 and directing the City Auditor to make the necessary appropriation transfers discussed in the report to balance expenditures/appropriations for Fiscal Year 1995.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D578-F167.)

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

ITEM-202:

SUBJECT: Authorizing the Transfer and Expenditure of Funds for the Waste Management Facility Project.
(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1299) ADOPTED AS RESOLUTION R-285548

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$1,920,000 to CIP-37-356.0, Waste Management Facility, from other CIP projects within the Environmental Services Fund 41201, for the Waste Management Facility Project;
Authorizing the expenditure of the following funds: \$382,759 from CIP-37-250.0, Landfill Closure and Environmental Projects; \$687,241 from CIP-37-055.4, West Miramar Solid Waste Disposal Facility-Phase 1; and \$850,000 from CIP-37-257.0, Materials Recovery Facility-Debt Service.

CITY MANAGER SUPPORTING INFORMATION:

In August 1994, the City purchased a 70,000 square foot building at 9601 Ridgehaven Court as the administrative offices for the Environmental Services Department and Development Services Department Field Division (CIP-37-356.0, Waste Management Facility, \$5,150,000.) Funding for this project was originally programmed to be proceeds from the sale of bonds. The bonds have not been sold and alternative funding has been identified. The funding in CIP-37-250.0, Landfill Closure and Environmental Projects, CIP-37-055.4, West Miramar Solid Waste Disposal Facility-Phase 1, and CIP-37-257.0, Materials Recovery Facility-Debt Service, has been determined to be in excess of project needs and available for transfer to CIP-37-356.0, Waste Management Facility. The transfer of funds at this time will allow the purchase of \$115,000 in long-lead-time high-efficiency water-source heat pumps that will be City-supplied equipment in the contract for tenant and energy efficiency improvements to prepare the building for occupancy by September 1995. The award of the contract for the tenant improvements will be presented to Council for consideration by May 1995.
Aud. Cert. 9500918.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B188-269.)

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

ITEM-203:

SUBJECT: Awarding a Contract to Alfa Laval Separation, Inc. for
Furnishing Eight Dewatering and Five Thickening
Centrifuges.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-998) ADOPTED AS RESOLUTION R-285549

Awarding a contract to Alfa Laval Separation, Inc.
(Warminster, PA) for furnishing eight dewatering and

five thickening centrifuges, extended service contracts for four years for this equipment and additional warehousing for the equipment for a total estimated cost \$9,109,310, and an additive alternative high performance package at a cost of \$500,000;

Authorizing the expenditure of \$9,109,310, from Sewer Fund No. 41509, CIP-42-911.4, Northern Sludge Processing Facility, Phase II, for providing funds for the contract, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for such expenditure are, or will be, on deposit;

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

Authorizing the City Manager to establish contract funding phases with Alfa Laval Separation, Inc., based on actual low bid submitted in the following manner, 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;

Phase 1: \$1,672,722 from FY95 appropriations;

Phase 2: \$4,706,146 contingent upon Council appropriating funds for this purpose in FY96;

Phase 3: \$1,265,221 contingent upon Council appropriating funds for this purpose in FY97;

Phase 4: \$1,465,221 contingent upon Council appropriating funds for this purpose in FY98.

(BID-4523/95)

CITY MANAGER SUPPORTING INFORMATION:

This bid was not advertised but was handled as a limited competition procurement. Metropolitan Wastewater Department staff researched the best equipment of this type available on the market, and competition was limited to two bidders, Humboldt Decanter, Inc. and Alfa Laval Separation, Inc. (Sharples). Those two vendors were selected due to space and schedule constraints. This equipment is requested by Metropolitan Wastewater Department for installation at the Fiesta Island Replacement Project/Northern Sludge Processing Facility. The centrifuges will be used to dewater and thicken sludge to prepare it for reuse or disposal. The total bid prices of each bidder (lump sum prices) allow a discount from the sum of the individual unit pricing for each item. Alfa Laval bid an additive alternate high performance package which will produce a cake two percentage units drier than the specified cake, which will reduce operating

costs for the City. This package also includes an advanced abrasion package, a longevity package, and an energy reduction package. Humboldt bid no additive high performance package. MWWWD has evaluated the alternative proposal made by Alfa Laval. Based on the evaluation, the City would realize a pay back for this additional capital cost within approximately one year and four months. This savings is based on reduced costs for hauling a drier cake. The 5 percent contingency set aside is to cover the potential costs of adapting the instrumentation and control features of the centrifuge equipment with the COMNET contractor's equipment, which is still to be determined.

Aud. Cert. 9500917.

FILE LOCATION: CONT - Purchase - Alfa Laval Separation, Inc.
(Warminster, PA) CONTFY95-1

COUNCIL ACTION: (Tape location: B188-269.)

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

ITEM-204:

SUBJECT: Agreement with Holmes & Narver for Design Contract
Services for the Point Loma Power Generation and
Distribution Upgrade.
(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1339) ADOPTED AS RESOLUTION R-285550

Authorizing an agreement with Holmes & Narver (San Diego) for design contract services in connection with the Point Loma Power Generation and Distribution Upgrade;
Authorizing the expenditure of the following amounts from Sewer Fund No. 41508, CIP-46-179.0, Point Loma - Power Generation & Distribution Upgrade, provided that the City Auditor and Comptroller first furnishes

certificate(s) demonstrating that the funds necessary for expenditure under established contract funding phases, are, or will be, on deposit in the City Treasury:

Phase 1 - an amount not to exceed \$434,520 in Fiscal Year 1995

Phase 2 - an amount not to exceed \$1,782,183 in Fiscal Year 1996, contingent on Council appropriation of funds for this purpose in the Fiscal Year 1996 CIP budget

Phase 3 - an amount not to exceed \$341,958 in Fiscal Year 1997, contingent on Council appropriation of funds for this purpose in the Fiscal Year 1997 CIP budget; 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:

The Power Generation and Distribution Upgrade Project at the Point Loma Wastewater Treatment Plant will provide for an analysis of the plant's power requirements and capacities and design the recommended improvements. Holmes and Narver was selected to perform design services for this project in conformance with Council Policy 300-07. Approval of an engineering agreement with Holmes and Narver is requested. The scheduled expansion of the Point Loma Wastewater Treatment Plant will result in power demands which exceed the capacity of the existing electrical generation systems. The existing gas utilization facility consists of two engines which burn primarily digester gas to drive generators for the plant's electrical needs. Expansion of the plant will increase power requirements to warrant a third generator. Additional power generation can also be obtained through repair and commissioning of the hydroelectric power plant. In addition, upgrades to the electrical distribution system will ensure reliable power in order to adhere to EPA requirements for normal and standby power. This contract is for design services only. Appropriate environmental documentation will be prepared and certified prior to the release of construction funds for this project.

Aud. Cert. 9500946.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B188-269.)

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

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

ITEM-205: TRAILED TO TUESDAY, MARCH 28, 1995

SUBJECT: Amendment to the City's TransNet Expenditure Plan.
(See City Manager Report CMR-95-68.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1381)

Adopting the City's amended 1994-2001 TransNet Expenditure Plan in accordance with City Manager Report CMR-95-68.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C359-D153; D333-339.)

Trailed to Tuesday, March 28, 1995, to allow the City Manager to return, at that time, with the revised pages of the report for the funding of the 43rd Street and Robinson Realignment. Staff was directed to:

1. Provide Council Member Stallings with a list of the people to be noticed for the Napa Street Project.
2. Have discussions with MTDB, CALTRANS and Clean Water regarding the Napa Street Project in order to coordinate with other projects so that the streets are not torn up again after a project is completed.
3. Implement a policy to have discussions with MTDB, CALTRANS and Clean Water to coordinate different projects throughout the City to avoid working on the same street two or three times.

ITEM-S400:

SUBJECT: Two actions related to the First Amendment to the Reimbursement Agreement for Hage Neighborhood Park.

(Mira Mesa Community Area. District-5.)
(Continued from the meeting of March 20, 1995, taken on
March 21, 1995, Item 119, at Councilmember Warden's
request, to allow time for written information from
Park and Recreation regarding the cost for Hage Park.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1274) ADOPTED AS RESOLUTION R-285552

Authorizing an amendment to the reimbursement agreement
of April 23, 1990, with Pardee Construction Company,
for the design and construction of Hage Neighborhood
Park;
Authorizing the reimbursement of an amount not to
exceed \$1,000,000 from FBA Fund 79006, CIP-29-292.0.

Subitem-B: (R-95-1275) ADOPTED AS RESOLUTION R-285553

Stating for the record that the information contained
in Environmental Negative Declaration DEP-87-0456, has
been reviewed and considered by the Council for the
City as Lead Agency in connection with Hage
Neighborhood Park.

CITY MANAGER SUPPORTING INFORMATION:

The City Council, on April 23, 1990, approved a Reimbursement
Agreement with Pardee Construction Company (Pardee) for design
and construction of five acres of nine acre Hage Neighborhood
Park (Project). The estimated cost was \$500,000, payable in FBA
credits or cash. Pardee has completed the project and the actual
total project cost is \$1,000,000 due to revisions which
significantly increased the scope of work. The approved General
Development Plan (GDP) for the entire nine acre site was
redesigned three times at different phases of the project based
on input from public hearings. The changes that were requested
by planning agencies and public groups required revisions to the
plans and specifications needed for construction of the project.
The project construction plans were completely redrawn to provide
a joint use parking lot with Hage Elementary School, requiring a
reconfiguration of the park layout, and increasing the project
area and work to be done. The project construction cost of
\$650,000 alone exceeded the original total project estimate of
\$500,000. The balance of \$350,000 was expended for professional
services and project administration costs.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: D295-332.)

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

NON-DOCKET ITEMS:

ITEM-ND-1: REFERRED TO CLOSED SESSION ON TUESDAY, MARCH 28, 1995

Consider granting authority to the City Manager and City Attorney regarding the conduct of real property negotiations pursuant to Government Code Section 54956.8; negotiations involve the Arena Group 2000 and the changes in the terms of the existing lease with the San Diego Sports Arena and the San Diego Gulls.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: F180-200.)

MOTION BY STEVENS TO ACCEPT THE NON-DOCKET ITEM AND TO REFER THE ITEM TO CLOSED SESSION ON TUESDAY, MARCH 28, 1995. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-not present.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 5:45 p.m. in honor of the memory of Simon Casady, as requested by Mayor Golding.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F205-229.)