

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JUNE 12, 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 adjourned by Mayor Golding at 5:05 p.m. into Closed Session on Tuesday, June 13, 1995, in the 12th floor conference room to discuss existing litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
 - (1) Council Member Mathis-present
 - (2) Council Member Harvey-present
 - (3) Council Member Kehoe-excused by R-286062
(no reason given)
 - (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 (pr)

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-not 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 Reverend Dan Mayer-Abbott of Point Loma United Methodist Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mathis.

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell requesting City Council to investigate a new tax system whereby employees feel more of a profit from their wages.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A037-062.)

ITEM-PC-2:

Comment by Sue Brothers requesting City Council to investigate the "Dial A Ride" program in regards to it being in compliance with the American Disability Act.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A062-082.)

ITEM-PC-3:

Comment by Joseph Alldredge requesting City Council to provide a lifeguard at the top of Torrey Pines Glider Port.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A083-100.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Vargas thanking the young people that helped in the "Binational Paint Out" painting out Graffiti in the San Ysidro area. Council Member Vargas also thanked police officers involved.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A103-100.)

ITEM-CC-2:

Comment by Council Member Stevens thanking Nestle Chocolate who sponsored a clean-up last Saturday, June 3, 1995.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A011-116.)

ITEM-30:

SUBJECT: The Children's Initiative/Kids First.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1824) ADOPTED AS RESOLUTION R-285925

Endorsing the vision, the mission, the ten goals, and

the seven systems reform strategies of the Children's Initiative;

Encouraging all citizens to actively share in its efforts.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A280-319.)

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

ITEM-31:

SUBJECT: Proclaiming Philippine Independence Week.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1803) ADOPTED AS RESOLUTION R-285924

Proclaiming the week of June 11 through 17, 1995 as "Philippine Independence Week" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A322-360.)

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

ITEM-32:

SUBJECT: Milton P. Sessions' Day in San Diego.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1799) ADOPTED AS RESOLUTION R-285926

Recognizing and commending Milton P. Sessions for his many decades of dedication to the citizens of San Diego to make the city a more attractive and liveable city;

Proclaiming June 12, 1995 to be "Milton P. Sessions' Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A280-319.)

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

ITEM-33: ACCEPTED

Accepting a gift from Sony Electronics to the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A021-280.)

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

ITEM-60:

SUBJECT: Two actions related to Municipal Elections.

CITY CLERK'S RECOMMENDATION:

Introduce and adopt the following ordinance and adopt the resolution:

Subitem-A: (O-95-110 Rev.1) INTRODUCED AND ADOPTED AS
AMENDED AS ORDINANCE O-18183
(New Series)

Introduction and adoption of an Ordinance calling a
Municipal Primary Election in the City of San Diego on
Tuesday, September 19, 1995, for the purpose of
nominating and electing candidates for Councilmembers
for Districts 2, 4, 6 and 8.

Subitem-B: (R-95-1743 Cor. Copy) ADOPTED AS RESOLUTION R-
285928

Requesting the services of the County Registrar of
Voters in connection with the Municipal Primary
Election to be held on September 19, 1995, and the
General Municipal Election to be held on November 7,
1995.

CITY CLERK'S SUPPORTING INFORMATION:

This is a request that the City Council adopt an ordinance
calling the Municipal Primary Election to be held on
September 19, 1995, and that the City Council adopt a resolution
requesting the services of the County Registrar of Voters in
connection with the Municipal Primary Election to be held on
September 19, 1995, and the General Municipal Election to be held
on November 7, 1995. September 19, 1995 is the date for the
regularly scheduled municipal elections in Districts 2,4,6 and 8.
Due to a recent amendment to the City Charter, which moved future
Council elections for these districts to even-numbered years
beginning in 1998, Councilmembers in Districts 2,4,6 and 8
elected in 1995 will serve three year terms. The cost of the
regular Municipal Primary Election is estimated at \$550,000. The
cost of the regular General Municipal Election is estimated at
\$550,000.

Aud. Cert. 9600006.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D051-145.)

MOTION BY MCCARTY TO INTRODUCE AND DISPENSE WITH THE READING
AND ADOPT THE ORDINANCE AS AMENDED TO REFLECT THE CHARTER
WITH RESPECT TO CANDIDATES RECEIVING 50 PLUS ONE VOTE IN THE
PRIMARY ELECTION AND TO ADOPT THE RESOLUTION. Second by

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

* ITEM-100:

SUBJECT: Two actions related to Business Improvement District Budgets for FY 1996.

(Mid-City, Hillcrest, Mission, Downtown, Ocean Beach and La Jolla Community Areas. Districts-1, 2, and 3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1735) ADOPTED AS RESOLUTION R-285929

Accepting the Budget Report for each business Improvement District for July 1, 1995 through June 30, 1996 (FY 1996) as follows: Adams Avenue, City Heights, Downtown, El Cajon Boulevard Central, El Cajon Boulevard Gateway, Gaslamp, Hillcrest, La Jolla, Mission Hills, North Park and Ocean Beach.

Subitem-B: (R-95-1736 Cor.Copy) ADOPTED AS RESOLUTION R-285930

Resolution of Intention to levy an Annual Assessment within previously established Business Improvement Districts for July 1, 1995 through June 30, 1996 (FY 1996) as follows: Adams Avenue, City Heights, Downtown, El Cajon Boulevard Central, El Cajon Boulevard Gateway, Gaslamp, Hillcrest, La Jolla, Mission Hills, North Park and Ocean Beach.

CITY MANAGER SUPPORTING INFORMATION:

Business Improvement Districts (BIDs) are authorized by State Law to assess benefitted businesses for the cost of certain improvement activities. These activities are generally promotional in nature. Once a BID is established, the City collects the assessments and disburses them to an appropriate entity representing the district pursuant to an annual operating agreement. There are currently 11 active districts in the City

of San Diego: Adams Avenue, City Heights, Downtown, El Cajon Boulevard Central, El Cajon Boulevard Gateway, Gaslamp, Hillcrest, La Jolla, Mission Hills, North Park and Ocean Beach. State Law requires that the City Council annually adopt a budget for each BID and hold a public hearing to levy appropriate assessments. The actions being taken today accept the budget reports and set Tuesday, June 27, 1995 for the public hearing to levy the proposed assessment for each BID for FY 1996.

FILE LOCATION: STRT - L-1, L-2, L-3, L-4, L-5, L-6, L-7, L-8, L-9, L-11, L-12

COUNCIL ACTION: (Tape location: A373-B064.)

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

* ITEM-101:

SUBJECT: Northern Sludge Processing Facility Mitigation.
(District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1750) ADOPTED AS RESOLUTION R-285931

Authorizing the execution of a Conservation Easement with the State Department of Fish and Game, in connection with City-owned property located east of Interstate 15 and north of Highland Valley Road;

Authorizing the transfer of not to exceed \$72,150 from Sewer Fund 41509, CIP-42-911.4, Northern Sludge Processing Facility, to Water Fund 30246, for the payment and transfer of four acres of property from Water Utilities Management to Metropolitan Wastewater Department Management.

CITY MANAGER SUPPORTING INFORMATION:

On December 5, 1994, City Council approved Ordinance O-18130 and

Resolution R-285060 which provided the location and funding for the Fiesta Island Replacement Project. As part of this project the City Council had reviewed and considered the EIR, DEP-91-0653. One of the mitigation requirements of the project was the creation of Southern Willow Scrub Habitat, which will be provided by the subject property and protected by the Conservation Easement. The Easement confines the use of the identified property to the preservation and enhancement of native species and their habitat in a manner consistent with the habitat conservation purpose. The transfer of \$72,150 from the Metropolitan Wastewater Department will reimburse Water Utilities Department for the four acres needed to meet the project's mitigation requirements.

Aud. Cert. 9501193.

FILE LOCATION: DEED F-6508 DEED FY 95-1

COUNCIL ACTION: (Tape location: A373-B064.)

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

* ITEM-102:

SUBJECT: National Baptist Convention, USA, Inc. Congress on Christian Education Week.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-95-1802) ADOPTED AS RESOLUTION R-285932

Commending the National Baptist Convention, USA, Inc. Congress on Christian Education;

Proclaiming the week of June 18, 1995 through June 24, 1995 to be "National Baptist Convention, USA, Inc. Congress on Christian Education Week" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A373-B064.)

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

* ITEM-103:

SUBJECT: Spousal Abuser Prosecution Program Grant - Additional
Funding.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1805) ADOPTED AS RESOLUTION R-285933

Authorizing the City Attorney to accept \$27,319 of
additional funding for the Spousal Abuser Prosecution
Program Grant from the State of California Department
of Justice.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A373-B064.)

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

* ITEM-104:

SUBJECT: State-Local Transportation Partnership Program (SB-300)
Formerly SB-140 Application to CalTrans.

(Clairemont Mesa, College Area, La Jolla, San Ysidro,
Serra Mesa, Skyline, South Encanto, Tierrasanta, and
University Community Areas. Districts-1, 4, 5, 6, 7,
and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1764) ADOPTED AS RESOLUTION R-285934

Authorizing the City Manager to submit applications and claims to CalTrans for the State-Local Partnership Program SB-140.

CITY MANAGER SUPPORTING INFORMATION:

Senate Bill 300 (formerly SB-140) provides up to \$300,000,000 annually to fund a State-Local Transportation Partnership Program, which provides State funding for a portion of the construction costs for eligible locally funded projects. Typically, the State funding is 10-30 percent of construction costs and depends on the number of projects submitted statewide. Cycle Seven of the program includes projects which are anticipated to award construction contracts between July 1, 1995 and June 30, 1997.

This action authorizes the City Manager to submit applications for Cycle Seven of this program and accept funds from the State for the traffic signals at the following intersections:

1. Berino Court at Regents Road
2. Clairemont Mesa Blvd. at DePortola Middle School Driveway
3. Skyline Drive at Tuther Way
4. Omeara Street at Skyline Drive
5. Ruffin Road at Village Glen Drive
6. Gilman Drive at La Jolla Village Drive Eastbound Off-On Ramps
7. 73rd Street at El Cajon Boulevard
8. Calle Primera at I-5 ramp and Via de San Ysidro
9. Skyline Drive at Sychar Road
10. Chateau Drive at Genesee Avenue

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A373-B064.)

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

* ITEM-105:

SUBJECT: Transfer of Funds for the Reconstruction of Parkside Avenue Drain.

(Paradise Hills Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1757) ADOPTED AS RESOLUTION R-285935

Amending the FY 95 CIP Budget by adding CIP-12-094.0, Reconstruction of Parkside Avenue Drain;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$36,300 from CIP-11-262.0, Taylor Street Storm Drain, Fund 30300, to CIP-12-984.0, Reconstruction of Parkside Avenue Drain; an amount not to exceed \$7,400 from CIP-12-075.0, Construction of the Margerum Avenue Storm Drain, Fund 30300 to CIP-12-094.0, Reconstruction of Parkside Avenue Drain; an amount not to exceed \$3,700 from CIP-23-823.2, Ocean Boulevard Phase III, Fund 30300 to CIP-12-094.0, Ocean Boulevard Phase III, Fund 30300 to CIP-12-094.0, Reconstruction of Parkside Avenue Drain, and an amount not to exceed \$85,600 from CIP-11-266.0, 44th Street Offsite Drain, Fund 30300 to CIP-12-094.0, Reconstruction of Parkside Avenue Drain;

Authorizing the expenditure of \$133,000 from CIP-12-094.0, for providing funds for the Reconstruction of Parkside Avenue Drain.

CITY MANAGER SUPPORTING INFORMATION:

The existing storm drain located in the vicinity of 6685 Parkside Avenue collapsed due to deterioration of an old corrugated metal pipe (CMP) drain. This project will replace the drain system on Parkside Avenue.

Aud. Cert. 9501153.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A373-B064.)

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

* ITEM-106:

SUBJECT: Traffic Signal System on Hollister Street at Leon
Avenue.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1776) ADOPTED AS RESOLUTION R-285936

Authorizing the expenditure of not to exceed \$105,000
from CIP-68-010.0, AA - Construct Top 10-15 Prioritized
Signals, TransNet Fund 30300, for construction of a
traffic signal and street lighting system on Hollister
Street at Leon Avenue;

Authorizing the Auditor and Comptroller to retain
excess monies, if any, in CIP-68-010.0.

CITY MANAGER SUPPORTING INFORMATION:

The subject Capital Improvement Program project to install a
traffic signal system at the intersection of Hollister Street at
Leon Avenue, provides for the safe passage of emergency
equipment, pedestrians and vehicles through the intersection.
Traffic signal features include emergency vehicle preemption
equipment on all approaches to the intersection.

Aud. Cert. 9501170.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A373-B064.)

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

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

* ITEM-107:

SUBJECT: Additional Funds for Payment of Litigation Costs
Incurred by the Defendants in City V. U.S. Gypsum, et
al.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1777 Cor.Copy) ADOPTED AS RESOLUTION R-285937

A Resolution approved by the City Council in Closed Session on Tuesday, May 30, 1995 by the following vote: Mathis-yea; Harvey-not present; Kehoe-not present; Stevens-yea; Warden-yea; Stallings-yea; McCarty-yea; Vargas-not present; Mayor-not present.

Authorizing the Auditor and Comptroller to expend \$70,000 from Public Liability Fund 081140 for litigation costs incurred by the Defendants in City v. U.S. Gypsum, et al., Santa Barbara Superior Court Case No. 185188.

Aud. Cert. 9501182.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A373-B064.)

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

ITEM-108:

SUBJECT: City of San Diego Excess Public Liability/Property Insurance Membership Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1804) ADOPTED AS RESOLUTION R-285938

Authorizing the City Manager to continue participation in the County Supervisors Association of Counties (CSAC) - Excess Insurance Authority for a one-year period with four optional one-year periods based upon the Manager's annual review of the property and liability insurance premiums;

Authorizing the City Auditor and Comptroller to issue two checks payable to County Supervisors Association of Counties, one in the amount not to exceed \$937,000 from Fund 81140 for the Fiscal Year 1996 renewal of the excess public liability insurance and the second in an amount not to exceed \$905,000 from Funds 10220 and 10330, for renewal of the City's "All Risk" property insurance.

CITY MANAGER SUPPORTING INFORMATION:

The City has over the years reviewed its property and liability insurance programs and determined that the joint purchase of the City's insurance policies was more economical when purchased with other public agencies due to the economy of volume purchasing. Historically, the City has realized savings through the purchase of insurance with the County of San Diego, San Diego Transit Authority and the San Diego Housing Authority. Previously Council had authorized the City Manager to join the County Supervisors Association of Counties (CSAC), Excess Insurance Authority (EIA) in the purchase of its property insurance in Fiscal Year 1994. More recently, Council approved the City's purchase of its liability coverage through (CSAC-EIA) in Fiscal Year 1995. The joint purchase of the City's insurance coverages with the 51 counties in the program have resulted in the following program savings:

EXCESS PUBLIC LIABILITY INSURANCE

The annual \$1,835,000 premium has been reduced by an estimated \$900,000. Future renewals, with good loss experience, will result in additional savings of up to 15 percent annually.

"ALL RISK" PROPERTY INSURANCE

The estimated \$905,000 property insurance premium represents

approximately a 5 percent to 6 percent increase when insurance rates for most public entities are rising from 25 percent to 40 percent because of the substantial property losses caused by the recent California earthquakes and floods. Premium savings are estimated to be over \$150,000 because of this smaller premium increase.

Aud. Cert. 9600007.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D139-146.)

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

ITEM-109:

SUBJECT: Fiscal Year 1996 Social Service Allocations.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1751) ADOPTED AS RESOLUTION R-285939

Accepting the generous contributions from the County of San Diego in the amount of \$25,000 and from the San Diego Housing Commission in the amount of \$126,700 for the Neil Good Day Center for the Homeless;

Authorizing social service agreements for the following 41 community programs:

- 1) Access, Inc. for the Out of School Youth Program;
- 2) AIDS Foundation of San Diego, Inc., for the BEST Program;
- 3) Alpha Project for the Homeless, for the Neil Good Day Center;
- 4) Barrio Station, Inc., for the Barrio Youth Program;
- 5) Barrio Station, Inc., for the Street Alternatives and Resources (STAR) Project;
- 6) Bayside Settlement Home, Inc., for the Linda Vista Community Services Project and the Bayside Counseling

Project;

- 7) Catholic Charities, for Rachel's Women's Shelter;
- 8) The Center for Social Services, Inc., for the AIDS Related Counseling Project;
- 9) The Center for Women's Studies and Services, Inc., for the Women's Center;
- 10) Centro de Salud de la Comunidad de San Ysidro, Inc., for the San Ysidro Health Center;
- 11) San Diego Parenting Project;
- 12) Clairemont Friendship Center, Inc., for the Senior Emergency Alert System;
- 13) Community Preparatory School, for the Sport of Learning;
- 14) The County of San Diego, for the Senior Counseling Program;
- 15) The County of San Diego, for the Senior Nutrition Program;
- 16) Episcopal Community Services, Inc., for the Crime Victim Services Program;
- 17) ElderHelp of San Diego, Inc., for the Senior Shopping Assistance Program;
- 18) George G. Glenner Alzheimer's Center, for Student Funding;
- 19) Greater San Diego Citizen Patrol, Inc., for the Citizens Patrol Program;
- 20) Greater San Diego Citizen Patrol, Inc., for Safe Streets Now!;
- 21) Harmonium, Inc., for the Harmonium Project - Mira Mesa/North City Project;
- 22) Homey's Youth Foundation, for the Home Instruction Program for Preschool Youngsters (HIPPY);
- 23) The Legal Aid Society;
- 24) Mama's Kitchen, for the AIDS Home Delivered Meal Program;
- 25) The Neighborhood House Association, Inc., for the Food Bank;
- 26) The Neighborhood House Association, Inc., for the Out of School Youth Program;
- 27) The Neighborhood House Association, Inc., for the Youth Service Center;
- 28) The Ocean Beach Child Care Project, Inc., for the Ocean Beach Child Development Center;
- 29) San Diego County SER/Jobs for Progress, Inc., for SER/San Diego Employment Center;
- 30) San Diego Future Leaders, for Project Empower;
- 31) San Diego Mediation Center, for Community Mediation of San Diego;

32) San Diego Service Center for the Blind, Inc., for the Center for the Blind;

33) San Diego State University Foundation, for the KPBS Radio Reading Service;

34) San Diego Urban League, Inc., for Single Parent Services;

35) San Diego Youth Involvement Project, Inc., for the SIP-Residential and Drop-In Counseling Service;

36) San Ysidro School District, for the San Ysidro School District Project;

37) Social Advocates for Youth, Inc., for Linda Vista/Serra Mesa/Elliott-Navajo Neighborhood Youth Center and the Southeast Asian Youth Diversion Program;

38) Strongly Oriented for Action (SOFA), for Tutorial & Summer Program;

39) Trabajadores de la Raza, Inc., for Casa Familiar, Casa Familiar/Amanecer and the Recreational Facility Program;

40) The United Way of San Diego County, Inc., for the Info Line;

41) Youth for Progress, Inc., for Logan Youth and Family Services;

Authorizing the Auditor and Comptroller to transfer not to exceed \$1,909,658 from Fund 100 to the Human Care Services Special Fund 19668;

Authorizing the Auditor and Comptroller to transfer an additional \$25,300 from Fund 18531 and to deposit \$25,000 from County of San Diego contributions and \$126,700 from the San Diego Housing Commission contributions into Fund 19623 for operation of the Neil Good Day Center for the Homeless;

Authorizing the expenditure of not to exceed \$1,909,658 from the Human Care Services Special Fund 19668 for the purpose of providing funds to operate 31 social service programs;

Authorizing the expenditure of not to exceed \$1,673,198 from the 21st Year CDBG Entitlement (18531) for the purpose of providing funds to operate 8 social service programs;

Authorizing the expenditure of not to exceed \$177,000 for the purpose of providing funds for the operation of the Neil Good Day Center for the Homeless.

CITY MANAGER SUPPORTING INFORMATION:

On May 1, 1995, the City Council awarded social service funds to 41 community programs. This action authorizes the City Manager

to execute social service agreements at the funding levels approved by the City Council.
Aud. Cert. 9600004.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D147-175.)

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

* ITEM-110:

SUBJECT: Design Agreement with Berryman & Henigar for the South Bay Water Reclamation Sewers.

(Tijuana River Valley, Otay Mesa/Nestor & San Ysidro Community Areas. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1795) ADOPTED AS RESOLUTION R-285940

Authorizing a phase funded contract with Berryman & Henigar (BSI Consultants, Inc. and Henigar & Ray, Inc.), for design services in connection with the South Bay Water Reclamation Sewers;

Authorizing the expenditure of not to exceed \$1,661,937 from Fund No. 41509, CIP-40-911.3, South Bay Water Reclamation Sewers, to provide funds for this project design and related costs, provided that the City Auditor first furnishes one or more certificates demonstrating that funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury, to be expended as follows:

Phase 1 - \$617,296 to begin in Fiscal Year 1996
Phase 2 - \$732,968 to begin in Fiscal Year 1996
Phase 3 - \$311,673 to begin in Fiscal Year 1997

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 South Bay Water Reclamation Sewers will initially divert 7 million gallons per day (mgd) "reclaimable" quality wastewater from the existing San Ysidro Trunk Sewer and convey it to the South Bay Water Reclamation Plant (SBWRP) to meet the reclaimed water needs in the area. The system will be designed to handle up to 18 mgd (ultimate flow during the wet weather conditions). The project includes a diversion structure, a pump station and associated support facilities, force main (approximately 20,000 feet and 30 inches in diameter) to the SBWRP, and an interim sludge pipeline (approximately 22,000 feet and 8 inches in diameter), extending from the SBWRP and connecting to the South Metro Interceptor. This project will also provide capacity relief to the South Metro Interceptor. Interviews for design and services during construction were held on December 9, 1994. Five firms were interviewed; BSI Consultants, Inc. was selected by the panel as the most qualified consultant for this project. Since the interview, BSI Consultants, Inc. has merged with Henigar and Ray, Inc. and they are now known as Berryman and Henigar. The agreement with Berryman & Henigar provides for design services and services during construction. The MBE participation is approximately 74 percent.

Aud. Cert. 9600008.

FILE LOCATION: MEET Tb CCONFY95-1

COUNCIL ACTION: (Tape location: A373-B064.)

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

* ITEM-111:

SUBJECT: Two actions related to Amendment to the Agreement with San Diego County Water Authority for construction of San Diego 7 Flow Control Facility.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1568) ADOPTED AS RESOLUTION R-285941

Authorizing a first amendment to the agreement of June 24, 1969, with the San Diego County Water Authority for construction of the San Diego 7 Flow Control Facility;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$325,000 within Water Fund 41500, from CIP-73-083.0, Annual Allocation - Water Main Replacement, to CIP-73-315.0, Otay Filtration Plant Raw Water Aqueduct Connection;

Authorizing the expenditure of an amount not to exceed \$325,000 from Water Fund 41500, CIP-73-315.0, Otay Filtration Plant Raw Water Aqueduct Connection.

Subitem-B: (R-95-1569) ADOPTED AS RESOLUTION R-285942

Stating for the record that the City of San Diego as Responsible Agency under CEQA has reviewed and considered Environmental Impact Report SCH-90011116 prepared by the San Diego County Water Authority; adopting Findings and Statement of Overriding Considerations; adopting the Mitigation, Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego has a filtered water connection, known as San Diego 7 Flow Control Facility, to the San Diego County Water Authority's (CWA) Pipeline 3 which was constructed by an agreement between the parties in 1969. CWA has constructed a new filtered water Pipeline 4, and will soon be converting Pipeline 3 to raw water. The City has other reliable filtered water feeds to service South San Diego, and does not need a backup filtered water connection from CWA at the Otay Filtration Plant. However, the plant is planned to be built to its anticipated capacity by 2005. It would be practical to size the raw water service connection and install the flow control equipment to meet those anticipated demands as part of CWA's service relocation work now.

Total estimated construction cost is \$440,000. The City's share of the cost including design, inspection, administration, and contingencies is \$302,250. Related City expenses are estimated at \$22,750. Total City cost is \$325,000.

Aud. Cert. 9501098.

WU-U-95-132.

FILE LOCATION: WATER - SAN DIEGO COUNTY WATER AUTHORITY -
SAN DIEGO 7 FLOW CONTROL FACILITY CONFY95-
1

COUNCIL ACTION: (Tape location: A373-B064.)

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

* ITEM-112:

SUBJECT: Agreement with Pacific Bell to Relocate Existing
Facilities in Fashion Valley for the North Mission
Valley Interceptor Sewer-Phase II Project.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1770) ADOPTED AS RESOLUTION R-285943

Authorizing an agreement with Pacific Bell to Relocate
Existing Facilities in Fashion Valley, for the North
Mission Valley Interceptor Sewer-Phase II Project;

Authorizing the City Auditor and Comptroller to
transfer an amount not to exceed \$300,000 from the
Annual Allocation for Sewer Mains, CIP-44-001.0 to CIP-
46-140.0, North Mission Valley Interceptor Sewer-Phase
II;

Authorizing the expenditure of not to exceed \$300,000

from CIP-46-140.0, North Mission Valley Interceptor
Sewer-Phase II.

CITY MANAGER SUPPORTING INFORMATION:

The City Council approved a cooperation agreement with the Metropolitan Transit Development Board (MTDB) on May 31, 1994, R-283994, to construct the North Mission Valley Interceptor Sewer-Phase II as part of the West Mission Valley Trolley project. The project was awarded on April 13, 1995 to FCI Constructors for \$5,480,455. There is a conflict between existing facilities of Pacific Bell and the City's proposed North Mission Valley Interceptor Sewer-Phase II pipeline. The conflict is located in the southeast corner of the Fashion Valley parking lot. Pacific Bell will eliminate the conflict and accommodate the sewer pipeline by raising its facilities. The cost to perform this work is estimated at \$300,000. The facilities relocation will commence prior to the pipeline construction.
Aud. Cert. 9501164.

WU-U-95-093.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: A373-B064.)

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

* ITEM-113:

SUBJECT: First Amendment to the Agreement with the San Diego
Unified School District for Scripps Ranch High School.

(Scripps Miramar Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1769) ADOPTED AS RESOLUTION R-285944

Authorizing a first amendment to the agreement with the

San Diego Unified School District of San Diego County, for the construction, operation and lease of turf field and recreation facilities at Scripps Ranch High School;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$30,000 from CIP-20-001.0, Annual Allocation - Minor Park Improvements to CIP-29-801.0, Fund 302453, Scripps High School Joint Use Athletic Lighting;

Authorizing the expenditure of not to exceed \$30,000 from CIP-29-801.0, Scripps High School Joint Use Athletic Lighting.

CITY MANAGER SUPPORTING INFORMATION:

On July 5, 1994 the City Council approved a joint use agreement with the San Diego Unified School District for turf and lighted fields at Scripps Ranch High School. City staff has been working with community organizations, school administrators and School District staff regarding concerns expressed by the community relative to the soccer field. The proposed design and construction of the improvements will be accomplished by the District during the summer recess.

Aud. Cert. 9501135.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: A373-B064.)

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

ITEM-114:

SUBJECT: Amendment No. 5 to the Agreement with Sverdrup Civil, Inc., for Construction Management Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1794) ADOPTED AS RESOLUTION R-285945

Authorizing Amendment No. 5 to the agreement of December 10, 1991, with Sverdrup Civil, Inc., for construction management services for modifications and enlargement of the Metropolitan Sewage System;

Authorizing the City Auditor and Comptroller to transfer funds in the amount of \$2,952,717 per the Expenditure Allocation Adjustment;

Authorizing the expenditure of budgeted funds not to exceed \$36,556,188 (consisting of \$3,795,457 from Fund 41500;

\$2,788,608 from Fund 41506; \$10,611,707 from Fund 41508; and \$19,360,416 from Fund 41509), for this amendment bringing the total contract to \$78,832,143, to be expended as follows:

\$28,371,316 from prior approved phases
\$ 2,952,717 from Fiscal Year 1995 appropriations
\$16,470,129 from Fiscal Year 1996 appropriations, contingent on the Council's approval of the FY96 CIP budget \$22,594,930 from Fiscal Year 1997 appropriations, contingent on the Council's approval of the FY97 CIP budget \$ 8,443,051 from Fiscal Year 1998 appropriations, contingent on the Council's approval of the FY98 CIP budget
Declaring that each succeeding authorization of funds shall supplement the previous authorization for the purpose of executing the contract;

Revising Phase 3, Fiscal Year 1995, of the agreement in accordance with the Expenditure Allocation Adjustment; and approving the past expenditure for CIP-46-119.0, Point Loma - Annual Allocation;

Authorizing the Metropolitan Wastewater Department to revise the allocation of expenditures based on actual expenditure experience.

CITY MANAGER SUPPORTING INFORMATION:

In December 1991, City Council approved the agreement with Sverdrup Civil, Inc., for construction management services for the Clean Water Program's North City Subsystem. In May 1992, City Council directed the implementation of the Consumers' Alternative which included the North City Subsystem and the

repair and upgrade of the existing Metro and Muni Wastewater System. With the implementation of the Consumers' Alternative, a review of the North City Projects and the Metro Projects revealed that a number of the projects were interrelated. In January 1994, City Council approved Amendment No. 4 that authorized Sverdrup Civil, Inc., to provide construction management services for the interrelated projects. The following additional projects have been identified: eight Metropolitan Sewer System projects; two IBWC projects; nine Reclaimed Water projects; and five Clean Water Program projects. Because of the interrelationship, close coordination of the construction and start-up of the projects is required. Therefore, construction management of the additional projects should be accomplished in conjunction with the North City, IBWC, Reclaimed Water and Metro Projects.

The revised phases reflect the addition of the aforementioned projects and the latest construction schedules. It is requested that City Council approve Amendment No. 5 with a not-to-exceed amount of \$36,556,188 which brings the total not-to-exceed amount of the agreement to \$78,832,143. The City's MBE and WBE goals for this agreement are 12 percent and 3 percent, respectively. Sverdrup Civil, Inc., has committed to the following goals: Amendment No. 5 MBE - 19.6 percent, WBE - 9.4 percent, total agreement MBE - 21.6 percent, and WBE - 8.8 percent. Amendment No. 5 will create approximately 80 new jobs.

Aud. Cert. 9501191.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: D177-D425.)

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

* ITEM-115:

SUBJECT: Seventh Amendment to the Agreement with U.S. Cost, Inc., for Value Engineering Services.

(South Bay Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1473) ADOPTED AS RESOLUTION R-285946

Authorizing a seventh amendment to the agreement of December 10, 1990, with U.S. Cost, Inc., for value engineering services required in connection with facility design projects in the City's South Subsystem;

Authorizing the expenditure of not to exceed \$573,203 from Fund 41509, consisting of \$184,883 from CIP-42-910.6, South Bay Water Reclamation & Secondary Plants; \$78,029 from CIP-40-911.3, South Bay Reclamation Sewers; \$84,000 from CIP-45-923.0, Dairy Mart Road & Bridge Improvements; and \$226,291 from CIP-45-910.3, Program Planning and Studies, to fund the amendment and other as-needed value engineering services.

CITY MANAGER SUPPORTING INFORMATION:

The Metropolitan Wastewater Department (MWW) has retained three qualified consultants to perform value engineering (VE) services on facility design projects. To date, projects studied have included pipelines, water reclamation plants, secondary wastewater treatment plants, and sludge processing facilities. The purpose of Value Engineering is to evaluate the design and related cost estimates submitted to the City by design consultants, to ensure that the performance, reliability, quality and safety are provided at the lowest possible life cycle cost. Since January 1991, the MWW has conducted 15 VE studies at a total cost of \$1.23 million resulting in savings of over \$146 million, or an overall savings-to-fees ratio of 118.7. On December 10, 1990, the City entered into an agreement with U.S. Cost, Inc. for VE Services for predesign and detailed design packages. Subsequently, five VE workshops had been conducted under the original agreement and six amendments. The total cost for these five VE workshops was \$423,020. This proposed Amendment No. 7 includes four value engineering workshops for three South Bay projects as indicated in Section 11. The total cost of these four workshops is \$346,912. An additional authorization of \$226,291 (65 percent of the base amount of \$346,912) is requested for as-needed value engineering workshops which may be requested by IBWC or four MWW projects which have not yet been identified. This request is based on past experience, such as the VE workshops for IBWC Treatment Facilities which have amounted to \$229,726 to date. In the past, IBWC has requested VE Services to be performed by the City's consultant on a rush basis. The City has been reimbursed by IBWC

for previous workshops.

Aud. Cert. 9501173.

FILE LOCATION: MEET CCONTFY95-1

COUNCIL ACTION: (Tape location: A373-B064.)

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

* ITEM-116:

SUBJECT: Reappointment to the Small Business Advisory Board.

(See memorandum from Mayor Golding dated 5/24/95.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1784) ADOPTED AS RESOLUTION R-285947

Council confirmation of the reappointment by the Mayor
of Carolyn J. Witt, to serve as a member of the Small
Business Advisory Board, for a term ending July 1,
1996, representing the Member at Large category.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A373-B064.)

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

ITEM-117:

SUBJECT: Opposing Legislation which would Establish Border
Crossing Fees.

(See Legislative Specialist Analysis RULES-95-1.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-95-1823) ADOPTED AS RESOLUTION R-285948

1. Directing the Intergovernmental Relations Department to oppose any legislation which would establish border crossing fees.
2. Directing the City's lobbyist in Washington, D.C. to convey to all authors of border crossing fee legislation, as well as to our local delegation, that the City of San Diego opposes any such fees.

RULES COMMITTEE'S RECOMMENDATION:

On 5/22/95, RULES voted 5-0 to forward to City Council with a recommendation to oppose Border Crossing Fees. Councilmembers Kehoe, Warden, Stalling, Vargas and Mayor Golding voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D428-E022.)

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

ITEM-200:

SUBJECT: Two actions related to Year End Budget Adjustments.

(See City Manager Report CMR-95-126.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution and hold the first public hearing of the ordinance:

Subitem-A: (R-95-1765) CONTINUED TO JUNE 26, 1995

Authorizing Year-End Budget Adjustments.

Subitem-B: (O-95-114) CONTINUED TO JUNE 26, 1995

First public hearing of an Ordinance amending Ordinance No. O-18089 (New Series), entitled "An Ordinance Amending the Adopted Annual Budget for the Fiscal Year 1994-95 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year."

NOTE: See Item 349 on the docket of Tuesday, June 13, 1995, for the introduction and adoption of the Ordinance.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A373-B064.)

MOTION BY STALLINGS TO CONTINUE TO JUNE 26, 1995, AT THE CITY MANAGER'S REQUEST. Second by Stevens. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Fiscal Year 1996 Tax Appropriations Limit.

(See City Manager Report CMR-95-130.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1793) ADOPTED AS RESOLUTION R-285949

Establishing the following tax appropriations limit for the City of San Diego, pursuant to California Government Code, Division 9, Title 1 (Sections 7900 et seq.):

Established for Fiscal Year 1994	\$659,301,246
Established for Fiscal Year 1995	\$673,410,293
Established for Fiscal Year 1996	\$448,603,272

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A373-064.)

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

ITEM-202:

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

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

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1791) ADOPTED AS RESOLUTION R-285950

Declaring a continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

CITY MANAGER SUPPORTING INFORMATION:

For over 60 years, raw sewage from the Republic of Mexico has flowed unabated into the United States plaguing the residents of San Diego. This flow is a serious threat to the region, creating health hazards, forcing the closure of beaches and impacting local businesses. For this reason, the City Council has continued to declare a State of Emergency in the Tijuana River Valley. The solution to this long-standing problem is the construction of the International Treatment Facilities. The facilities consist of a 25 million gallon per day (mgd) secondary treatment plant in the United States, canyon collectors in Goat Canyon and Smuggler's Gulch to collect renegade sewage, and the South Bay Ocean Outfall. The status of these projects is as follows:

SOUTH BAY INTERNATIONAL WASTEWATER TREATMENT PLANT

A. Construction Contract 1 (CC-1) - Site Preparation.

- Construction: Completed.
- B. Construction Contract 2 (CC-2) - Advanced Primary Facilities. Construction: June 1995 - February 1997. There was a delay in the award of the contract due to extended responsive and responsibility reviews, and a protest from the second low bidder. The delay in issuing the award has extended the construction schedule completion from December 1996 to February 1997. However, through Partnering with the construction contractor the International Boundary and Water Commission (IBWC) hopes to be able to make up the time.
- C. Construction Contract 3 (CC-3) - Secondary Treatment Facilities.
Design: December 1993 - December 1995
Construction: On-hold
Due to many concerns raised during the environmental review process, regarding the best methodology for secondary treatment, construction of this portion of the project is on hold pending the completion, by the federal government, of a Supplemental Environmental Impact Statement and a decision on the best alternative method for secondary treatment.
- D. Construction Contract 4 (CC-4) - Collection System.
Design: December 1993 - February 1996
Construction: On-hold
Construction is on hold pending the resolution of funding issues.

SOUTH BAY OCEAN OUTFALL

- A. Package 1 - Special Structures.
Design: December 1991 - May 12, 1995
Bid Solicitation: January 25, 1996 - March 26, 1996
Construction: July 1996 - July 1997
- B. Package 2 - Tunnel.
Bid Solicitation: April 6, 1995 - June 15, 1995
Construction: August 1995 - May 1998
- C. Package 3 - Marine Works.
Design: December 1991 - May 12, 1995
Bid Solicitation: June 22, 1995 - August 22, 1995
Construction: November 1995 - October 1997

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A373-B064-B067-100.)

Mayor Golding announced the EPA made an announcement on June 12, 1995, that there has been a preliminary determination San Diego will receive its Waiver for Secondary Treatment

Sewage. Mayor Golding advised the final determination for the issuance of the Waiver should be made August, 1995.

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

ITEM-203:

SUBJECT: Two actions related to the North Metro Interceptor Construction Contract Phase 2.

(Midway and Old Town Community Areas. Districts-2 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1796) ADOPTED AS RESOLUTION R-285951

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$3,296,675, consisting of \$1,300,000 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacements; \$1,296,675 from Sewer Fund 41509, Program Element 77317 - Bond Debt Service, Object Account 4872; \$500,000 from Sewer Fund 41508, CIP-46-134.0, South Effluent Outfall Channel; and \$200,000 from Sewer Fund 41508, CIP-45-911.0, South Metro Rehabilitation; all to be transferred to Sewer Fund 41508, CIP-46-104.0, North Metro Interceptor;

Authorizing the expenditure of not to exceed \$4,492,396 from Sewer Fund 41508, CIP-46-104.0, North Metro Interceptor, for the purpose of funding phase two of the PCL Civil Constructors, Inc., construction contract, contingency and related costs to supplement those authorized by the City Council in R-285136, adopted on December 13, 1994, providing that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure under this contract phase are, or will be, on deposit in the City Treasury;

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

Subitem-B: (R-95-1800) ADOPTED AS RESOLUTION R-285952

Stating for the record that the information contained in Mitigation, Monitoring, and Reporting Program DEP-89-1105 and Addendum DEP-94-0557, have been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

On December 13, 1994, Resolution R-285136 authorized the award of a Construction Contract for the North Metro Interceptor Sewer - Phase I (INMIS) to the lowest responsible bidder (PCL Civil Constructors, Inc.). A Notice to Proceed was issued to the contractor on January 6, 1995. The Contractor proposed a very aggressive schedule to complete construction seven months earlier than the time frame allowed by the contract documents and therefore at a lower cost than anticipated. Since the original construction budget was distributed over a two-year expected construction period (3 Fiscal Years) and PCL's schedule requires funds in excess of appropriations for the current fiscal year, funds need to be transferred to NMI to accommodate PCL's schedule. The phases of this contract, approved by the City Manager on December 23, 1994 and anticipated related costs are as follows:

FY 1995:	Phase 1 - Construction	\$2,876,536;	Contingency and related costs	\$755,654
	Phase 2 - Construction	\$3,917,996;	Contingency and related costs	\$574,400
FY 1996:	Phase 3 - Construction	\$7,396,645;	Contingency and related costs	\$961,564
	Phase 4 - Construction	\$4,577,324;	Contingency and related costs	\$595,052
	Phase 5 - Construction	\$4,200,598;	Contingency and related costs	\$546,078

This action is a request to transfer funds from the following sources to North Metro Interceptor to provide sufficient money to fund Phase 2 of the construction contract:

- \$1,300,000 is available from the bond debt service account due to the sewer rate case assumption of a January, 1995 bond

issuance. A January bond issuance would have required a June, 1995 bond debt service payment; therefore, the Fiscal Year 1995 budget included funding for the payment. The budgeted debt service payment funds are now available to transfer to this project because the bond issuance did not occur.

- \$1,296,675 is available from Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacements. Schedule changes have eliminated the requirement for this amount of Fiscal Year 1995 funding.

- \$500,000 is available from Fund 41508, CIP-46-134.0, South Effluent Outfall Channel because the budgeted contingency is not needed for the project.

- \$200,000 is available from Fund 41508, CIP-46-134.0, South Metro Rehabilitation due to construction savings.

Aud. Cert. 9501179.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A373-B064-B202-218.)
CONSENT MOTION BY HARVEY TO ADOPT. Second by Warden.
Passed by the following vote: Mathis-yea, Harvey-yea,
Kehoe-not present, Stevens-nay, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204:

SUBJECT: Two actions related to Approving Contract Change Order
for North Metro Interceptor - Phase I.

(Midway and Old Town Community Areas. Districts-2
and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1797) CONTINUED TO JUNE 26, 1995

Authorizing the City Manager to enter into negotiations with PCL Civil Constructors, Inc., for a change order not to exceed \$3,000,000, and authorizing the City Manager to execute the change order, if required;

Authorizing the expenditure of an amount not to exceed

\$3,000,000 from Sewer Fund 41506, CIP-46-104.0, North Metro Interceptor - Fiscal Year 1996 appropriations, contingent upon appropriation of funds for this purpose in the Fiscal Year 1996 CIP budget, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury.

Subitem-B: (R-95-1798) CONTINUED TO JUNE 26, 1995

Stating for the record that the information contained in Environmental Impact Report and Mitigation, Monitoring, and Reporting Program DEP-89-1105 and Addendum DEP-94-0557, have been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

The construction contract for Phase I of the North Metro Interceptor project was approved for award by City Council on December 13, 1994. This project entails installing a new pipeline from Friars Road to Barnett Avenue near Gearing Drive and includes tunneling under Interstate 8 (I-8) and Interstate 5 (I-5). The construction drawings provided alternative tunneling methods to bidders: one-pass tunneling and two-pass tunneling. The one-pass tunneling simply includes a tunnel boring machine and the proposed Reinforced Concrete Pipe (RCP) is jacked immediately behind it. The two-pass method uses a large diameter tunnel boring machine to install steel plates as lining for the tunnel, then the RCP (carrier pipe) is placed inside the tunnel. All contractors bid on the one-pass tunneling method since it was less expensive. The CalTrans permit request for tunneling under its right-of-way at I-8 and I-5 was being processed at the same time as bidding for this construction project due to a very accelerated schedule to meet the Federal Court Interim Order deadline. CalTrans has since granted a permit which requires a two-pass tunneling method under their right-of-way. CalTrans requires this method to provide additional structural safety against failure due to settlement during an earthquake. Since completion of the I-5 tunnel on time is crucial due to overlap with MTDB's project, staff separated the two permit process and appealed the I-5 tunnel permit to CalTrans to obtain approval for a single-pass tunnel and succeeded. Currently staff are in the process of appealing the I-8 tunnel to allow for single pass tunneling as well; however, the geology and geometry of the I-8 tunnel is substantially different than I-5. This action

authorizes the City Manager to enter into negotiations with PCL Constructors, Inc., and execute a change order if CalTrans denies the appeal to allow one-pass tunneling. The \$3,000,000 estimate for this change order is based on availability of the Tunnel Boring Machine and it may vary.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A373-B064.)

MOTION BY STALLINGS TO CONTINUE TO JUNE 26, 1995, AT THE CITY MANAGER'S REQUEST. Second by Stevens. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205:

SUBJECT: Citywide Restructuring Project.

(See City Manager Report CMR-95-127.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1801) CONTINUED TO JUNE 26, 1995

Approving the Citywide Restructuring Plan in concept and authorizing the City Manager to proceed with implementation;

Directing the City Manager and City Attorney to return to Council with the required amendments to the Municipal Code reflecting the restructuring changes.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A373-B064.)

MOTION BY STALLINGS TO CONTINUE TO JUNE 26, 1995, AT THE CITY MANAGER'S REQUEST. Second by Stevens. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206:

SUBJECT: Homelessness.

(See City Manager Report CMR-95-134.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1807) ADOPTED AS AMENDED AS RESOLUTION R-285953

- 1) Adopting a Comprehensive Homeless Policy that identifies a continuum of care approach to the provision of shelter and services for homeless persons in the City and will serve as the single source document for homeless response planning;
- 2) Authorizing the City Manager to implement the Inclement Weather Shelter Program for Fiscal Year 1996;
- 3) Rescinding Council Policy 000-50, Emergency Response Plan for the Homeless;
- 4) Directing the City Manager to prepare an item for the Rules Committee's consideration about the necessary changes to State law required to implement Portland's Public Inebriate Program, and to meet with County staff and Volunteers of America to determine the funding mechanisms required to change from a social model detox to a medical model similar to Portland's model.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B220-D047.)

MOTION BY WARDEN TO ADOPT THE POLICY AS AMENDED TO REFLECT THE "CONTINUUM OF CARE" CAN ONLY OCCUR IF ALL JURISDICTIONS DO THEIR PART AND 1.) TO REFLECT THE COUNTY OF SAN DIEGO (NOT THE CITY) IS THE MANDATE JURISDICTION FOR HOMELESS SERVICES, AND THEY RECEIVE FUNDS FROM THE STATE OF CALIFORNIA AND THE FEDERAL GOVERNMENT FOR THAT PURPOSE. 2.) ADD TERMINOLOGY TO THE "CONTINUUM OF CARE" TO REFLECT THE HOMELESS PERSON'S RESPONSIBILITY TO REHABILITATE HIMSELF/HERSELF, AND THEIR RESPONSIBILITY TO THE COMMUNITY. DEVELOP A PROCESS TO INVOLVE COMMUNITY MEMBERS AND CITIZENS TO PARTICIPATE AND HAVE A VOICE IN THE CITY'S HOMELESS

POLICIES. IN ADDITION, THE CITY MANAGER IS TO 1.) REVIEW THE INCLEMENT WEATHER SHELTER PROGRAM TO CONSIDER SHELTER BEING PROVIDED ON A SEASONAL BASIS. 2.) LOOK INTO INDOOR PROVISION OF MEALS AS OPPOSED TO THE OUTDOOR FEEDING SITES CURRENTLY ESTABLISHED THROUGHOUT THE CITY WITH RESPECT TO THE CLOSING OF THE BROADWAY AND 13TH STREET FACILITY. LOOK FOR AN ALTERNATE LOCATION WITHIN A 60 DAY TIME FRAME AND 3.) REVIEW "COMPREHENSIVE HOMELESS POLICY" IN ITS ENTIRETY WITHIN ONE TO TWO YEARS. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-not present, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 5:05 p.m. in honor of the memories of Margaret E. Kinney and Ricardo Chantengco as requested by Mayor Golding.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E023-033).