

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JULY 17, 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 2:04 p.m.
The meeting was adjourned by Mayor Golding at 4:16 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
 - (1) Council Member Mathis-present
 - (2) Council Member Harvey-present
 - (3) Council Member Kehoe-present
 - (4) Council Member Stevens-present
 - (5) Council Member Warden-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-not present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Brian Nakamura of the San Diego Japanese Christian Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Vargas.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Bob Scheidt regarding liberty and justice for the poor and regarding Barbara Ellen Steele who was charged with the murder of her son.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A040-063.)

ITEM-PC-2:

Comments by James Reed, Terri Heath, and Wayne Dunlap regarding the construction violation at 12818 Via Grimaldi.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A064-130.)

ITEM-PC-3:

Comment by Don Stillwell regarding the document "Vultures in Eagles Clothing", Federal Reserve notes, and the WACO hearing to be held on July 19, 1995.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A134-163.)

ITEM-PC-4:

Comment by Jesse Albritten requesting the investigation of the George Stevens' Youth Foundation Project.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A165-204.)

ITEM-PC-5:

Comment by Bob Lewis regarding Council Policy 600-24 which pertains to the Neighborhood Review process.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A209-221.)

ITEM-PC-6:

Comment by Dr. Shirley Weber regarding the George Stevens' Youth Foundation and the proposed Enterprise Zone allocation of \$100,000 that was reported in the San Diego Union Tribune. She also asked Council to request that Mr. Stevens fully disclose the identity, as well as the amount contributed by each donor to this Foundation, and to also include the financial status of the Foundation's expenditures in the past two years.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A222-251.)

ITEM-PC-7:

Comment by Mel Shapiro regarding the Housing Commission awarding hundreds of thousands of dollars in contracts without reporting them to the Board or to the public.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A252-267.)

ITEM-PC-8:

Comment by Al Strohlein regarding redistricting the City.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A269-285.)

ITEM-PC-9: REFERRED TO CITY ATTORNEY

Comment by Bruce Henderson, Chief Executive Officer of the Association of Concerned Taxpayers, regarding the perversion of affirmative action in the State of California. The Association of Concerned Taxpayers are ready, willing, and able to assist Mr. Strohlein in bringing action against the City of San Diego, if necessary, to compel redistricting and to hold the necessary hearings to redistrict the City.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A286-307.)

ITEM-PC-10:

Comment by Valerie Stancil, a member of the Homies and Lovers and Friends Organization, which consists of a group of young African American men and women striving to be role models for the younger generation of African American

children. A shootout took place at Mariner's Point this past weekend during the Organization's second annual reunion. She requested that an investigation of the Police Department be conducted regarding this incident.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A310-329.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Mayor Golding regarding the news conference that was held at the Salvation Army last week when the Federal Government presented the City of San Diego with a check for \$7.8 million. These funds will ultimately be used for 15 different Homeless Center Providers in the City of San Diego to help homeless individuals and families become self-sufficient again. At the same news conference, Mayor Golding was given a letter from Assistant Secretary Andrew Cuomo certifying the \$1 million Economic Development Initiative Grant that is going to be awarded to the City. These funds will be used for projects that have already been endorsed by the City Council, and also for the non-profit associations that the City contracts with to provide service to the homeless.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A332-376.)

ITEM-CC-2:

Comment by Council Member Harvey thanking the People for Trees group and the San Diego Historical Society for planting two palm trees at Presidio Park. He also commented on the tragedy that took place at Mariner's Point this past weekend.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A377-400.)

ITEM-CC-3:

Comment by Council Member Stevens regarding the monies received for the veterans at San Diego High School last week to prepare them for housing and employment. He also commented on the article in the San Diego Union Tribune regarding certain City memos that the Mayor and Council were not aware of prior to adopting the budget. He urged Council to discuss this issue in open session as soon as possible.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A402-422.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

6/12/95

6/13/95

6/19/95 Adjourned

6/20/95 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A424-430.)

MOTION BY McCARTY TO APPROVE. 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-31:

SUBJECT: San Diego Surf Cup Days.

COUNCILMEMBER MATHIS' RECOMMENDATION:

Adopt the following resolution:

(R-95-1909) ADOPTED AS RESOLUTION R-286052

Proclaiming July 28 through 30 and August 4 through 6,
1995 to be "San Diego Surf Cup Days" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A431-B049.)

MOTION BY STALLINGS 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: Robert Heider Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1871) ADOPTED AS RESOLUTION R-286053

Recognizing the outstanding contributions that Robert
Heider has made to improving the lives of all San
Diegans;

Proclaiming July 3, 1995 to be "Robert Heider Day" in
San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A431-B049.)

MOTION BY STALLINGS 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: Parks and Recreation Month.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1930) ADOPTED AS RESOLUTION R-286054

Proclaiming the month of July 1995 to be "Parks and Recreation Month" in San Diego;

Urging all citizens of this great city to join in this nationwide celebration bringing recognition to all the benefits derived from quality public and private recreation and park resources at the local level.

CITY MANAGER SUPPORTING INFORMATION:

Each year the month of July is recognized nationally as Parks and Recreation Month. This action will designate July 1995 as Parks and Recreation Month within the City of San Diego. Special events focused around the "Celebrate the Family" theme will be held at most recreation centers Citywide. In addition, this action recognizes the importance of all volunteers including individuals as well as groups like the Friends of Park and Recreation Foundation and the 45 recreation councils in making our park system and programs so valued.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B050-112.)

MOTION BY McCARTY 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.

* ITEM-50:

SUBJECT: Repealing the Transportation Demand Management (TDM) Ordinance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 6/26/95.

(Council voted 9-0):

(O-95-119) ADOPTED AS ORDINANCE O-18189 (New Series)

Repealing Chapter VII, Article 1, Division 1, Sections 71.0101, 71.0102, 71.0103, 71.0104, 71.0105, 71.0106, 71.0107, 71.0108, 71.0109, 71.0120, 71.0121, 71.0122, 71.0123, 71.0130, 71.0131, 71.0150 and 71.0160; and amending Chapter X, Article 1, Division 19, Section 103.1935 of the San Diego Municipal Code, relating to the Transportation Demand Management Program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. 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.

ADDITIONAL BUSINESS: (R-96-95) ADOPTED AS RESOLUTION R-286128

During consideration of the above item, the following resolution was adopted to reflect the following motion: CONSENT MOTION BY McCARTY TO ACCEPT COUNCIL MEMBER WARDEN'S REQUEST TO: 1) DIRECT THE CITY MANAGER TO SUSPEND DISTRIBUTION AND COLLECTION OF THE SURVEYS AFTER JUNE 30, 1995; AND 2) DIRECT THE CITY MANAGER TO RETURN ALL FILING FEES OR FINES PAID UNDER THE TDM ORDINANCE FOR SURVEYS DUE AFTER JUNE 30, 1995. 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.

FILE LOCATION: MEET

* ITEM-51:

SUBJECT: Amendment to the College Community Master Project Plan (MPP).

(District-7.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 6/27/95.

(Council voted 9-0):

(O-95-91) ADOPTED AS ORDINANCE O-18190 (New Series)

Amending Chapter X, Article 1, Division 9, of the San Diego Municipal Code by amending Section 101.0940, relating to the Master Project Plan and Phased Project Redevelopment Permits for the College Community Redevelopment Project Area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

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

SUBJECT: Chollas Heights Navy Family Housing Project.

(Mid-City Community Area, Eastern Area Planning Committee/Oak Park Neighborhood. District-4.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 6/27/95.

(Council voted 9-0):

(O-95-117) ADOPTED AS ORDINANCE O-18191 (New Series)

Setting aside and dedicating an approximately 0.87-acre portion of Parcel "00" of Lot 19, Rancho Mission of San Diego, for public park purposes.

FILE LOCATION: DEED F-6528 DEEDFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. 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-53:

SUBJECT: Renovation and 25-Year Lease - Dana Landing.

(Mission Bay Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 6/26/95.

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

(O-95-115) ADOPTED AS ORDINANCE O-18192 (New Series)

Authorizing the City Manager to execute a 25-year lease agreement with Wesco Sales Corporation to lease Dana Landing in Mission Bay Park, consisting of approximately 3.1 acres of land and 4.3 acres of water area, with a minimum rent of \$100,000 per year against various percentage rents.

FILE LOCATION: LEAS - Wesco Sales Corporation LEASFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. 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-54:

SUBJECT: Increase of Retiree Death Benefit from \$400 to \$2,000.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-95-120) INTRODUCED, TO BE ADOPTED JULY 31, 1995

Introduction of an Ordinance amending Chapter II, Article 4, Division 7A, of the San Diego Municipal Code by amending Section 24.0714.2, relating to Retiree Death Benefit.

CITY MANAGER SUPPORTING INFORMATION:

The death benefit in the amount of \$400 was established on December 8, 1976, by Ordinance O-11964, which amended Article 4, Division 7A, Section 24.0714.2 of the San Diego Municipal Code. The benefit is paid to the beneficiary on the death of the retiree. A delegation from the Coalition of Retired Members met with the City Manager on April 26, 1995 to request an increase in the retiree death benefit from \$400 to \$2,000. The City Manager supports this increased benefit.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY TO INTRODUCE. 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: Three actions related to El Cajon Boulevard (Seminole Drive to Montezuma Road) Underground Utility District.

(College and Rolando Community Areas. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1891) ADOPTED AS RESOLUTION R-286055

Designating July 28, 1995 as the date upon which all property in the El Cajon Boulevard (Seminole Drive to Montezuma Road) Underground Utility District must be ready to receive underground service, and August 15, 1995 as the date for the removal of all overhead utility facilities.

Subitem-B: (R-95-1892) ADOPTED AS RESOLUTION R-286056

1. Authorizing the City Auditor and Comptroller to open Fund No. 78073 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the El Cajon Boulevard (Seminole Drive to Montezuma Road) Underground Utility District;
2. Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;
3. Authorizing payment to all property owners in the El Cajon Boulevard (Seminole Drive to Montezuma Road) Underground Utility District as reimbursement for electrical service underground conversion work done on private property whenever the required length of trenching exceeds 1 foot, from Case 8209 funds held by the City Treasurer;
4. Authorizing the City Auditor and Comptroller to return to San Diego Gas & Electric Company any undisbursed funds upon written notice from San Diego Gas & Electric Company to the City that all electric service conversions within a particular district have been completed.

Subitem-C: (R-95-1893) ADOPTED AS RESOLUTION R-286057

Authorizing the expenditure of not to exceed \$26,818 from CIP-37-028, TransNet Fund 30300, as payment to SDG&E for the purchase and installation of street lights.

CITY MANAGER SUPPORTING INFORMATION:

The El Cajon Boulevard (Seminole Dr. to Montezuma Road) Underground Utility District was created by the City Council on November 17, 1992. The resolution creating the district left the matter of the actual dates for converting services and removing

overhead facilities to be established later. This action will set July 28, 1995 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish August 15, 1995 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum \$1,800 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box. This cost typically ranges from \$300 - \$1,500.

Aud. Cert. 9501233.

FILE LOCATION: STRT K-212

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-101:

SUBJECT: Street Dedication - Kurtz Street - Between Rosecrans
Street and Gaines Street.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1899) ADOPTED AS RESOLUTION R-286058

Approving the acceptance by the City Manager of a grant deed of Charles J. Sher and David A. Dufour, granting to the City an easement for public street purposes in a portion of Lot 6 of Wehrman's Resubdivision of Block 272 of Old Town, Map-1465; dedicating and naming the same Kurtz Street.

FILE LOCATION: DEED F-6529 DEEDFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-102:

SUBJECT: Building Restricted Easement Abandonment - Carmel Valley Village Unit No. 1.

(Located southeasterly of Carmel Valley Road and Carmel Country Road. Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1904) ADOPTED AS RESOLUTION R-286059

Vacating the City's interest in an unneeded building restricted easement affecting Lot "A" of Carmel Valley Village Unit No. 1, Map-11610, pursuant to Section 8300 et seq. of the Streets and Highways Code.

FILE LOCATION: DEED F-6530 DEEDFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-103:

SUBJECT: Quitclaim Deed for an Unneeded Sewer Easement in a portion of Lot 48 in Block 420 of Duncan's Addition, Map-403.

(Located north of Beta Street, south of National Avenue, east of 39th Street and west of 40th Street. Southcrest Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1951) ADOPTED AS RESOLUTION R-286060

Determining a sewer easement in a portion of Lot 48 in Block 420 of Duncan's Addition, Map-403 to be surplus and authorizing it to be quitclaimed to San Diego Unified School District;

Authorizing the execution of a quitclaim deed, quitclaiming to San Diego Unified School District all the City's right, title and interest in the sewer easement;

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

CITY MANAGER SUPPORTING INFORMATION:

The Redevelopment Agency of the City of San Diego is in the process of selling vacant land in the Southcrest Redevelopment Project area to the San Diego Unified School District. The site will serve as the location for the new Cesar Chavez Elementary School. Southeastern Development Corporation (SEDC) and the San Diego Unified School District has requested the City of San Diego to quitclaim its interest in a sewer easement encumbering the site. The easement, which was acquired in 1993 for the Encanto Trunk Sewer, from SEDC at no cost to the City, is no longer needed as the sewer line will be located in the realigned Alpha Street. The easement has been reviewed by all affected City Departments and, in accordance with Council Policy 600-15, there

is no prospective use for the easement, either for the use for which it was initially acquired, or for any other public use of a like nature that can be anticipated.

FILE LOCATION: DEED F-6531 DEEDFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-104:

SUBJECT: Vista de Alcalá Final Map.

(A 6-lot subdivision located on the west side of 35th Street, north of Mountain View Drive. Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-9) ADOPTED AS RESOLUTION R-286061

Approving the final map of Vista de Alcalá.

CITY MANAGER SUPPORTING INFORMATION:

On January 11, 1990, the Planning Commission of the City of San Diego approved Planning Commission Resolution No. 0669-PC. Condition No. 9 requires the subdivider to construct curb and sidewalk adjacent to Parcels 5 and 6 on 35th Street and a standard driveway for Parcel 5, in a manner satisfactory to the City Engineer. Condition No. 10 requires that access to the proposed parcels be by means of a non-dedicated, unnamed, private driveway. A Notice of Requirement for Offsite and Onsite Improvements has been signed by the subdivider and will be recorded against the property by the County Recorder. This will assure that the above conditions are satisfied.

FILE LOCATION: SUBD - Vista de Alcalá

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-105:

SUBJECT: Excusing Councilmember Christine Kehoe from the Council
meetings of 6/12/95 and 6/13/95.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1920) ADOPTED AS RESOLUTION R-286062

Excusing Councilmember Christine Kehoe from attending
the Council meetings of June 12 and 13, 1995.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-106:

SUBJECT: Rev. Annie C. Watson Day.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-95-1949) ADOPTED AS RESOLUTION R-286063

Proclaiming July 16, 1995 to be "Rev. Annie C. Watson
Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-107:

SUBJECT: The MAAC Project Day.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-95-1950) ADOPTED AS RESOLUTION R-286064

Commending the Metropolitan Area Advisory Committee
(MAAC Project) and proclaiming July 8, 1995 to be "The
MAAC Project Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-108:

SUBJECT: Authorizing Suggestion Awards to City Employees.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1903) ADOPTED AS RESOLUTION R-286065

Authorizing Suggestion Awards to the following employees:

William A. Jones - Engineering & Development
Department - \$500.

Robert K. Tobias - Metropolitan Wastewater
Department - \$160.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-109:

SUBJECT: Authorizing an Additional \$100,000 for Outside Counsel
Fees and Costs for Legal Representation.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1882) ADOPTED AS RESOLUTION R-286066

A Resolution approved by the City Council in Closed
Session on Tuesday, June 13, 1995 by the following
vote: Mathis-yea; Harvey-yea; Kehoe-not present;
Stevens-yea; Warden-yea; Stallings-yea; McCarty-yea;
Vargas-not present; Mayor-yea.

Authorizing an additional sum of \$100,000 for outside
counsel fees and costs for legal representation in the
case Solar Turbines, Inc. v. Navistar International
Transportation Corp., et al. v. City of San Diego, et
al., U.S. District Court Case No. 92-1612GT (BTM), over
and above the sum previously authorized on January 17,
1995, January 31, 1995 and May 10, 1995;

Authorizing the City Manager to pay for attorney's fees

and costs to the law firm of Higgs, Fletcher and Mack, as counsel representing The City of San Diego, up to and including the amount of \$100,000, in addition to the previously authorized \$395,000;

Authorizing the City Auditor and Comptroller to set aside and expend an amount not to exceed \$100,000, for the purpose of paying legal fees and costs incurred by counsel representing the City of San Diego.

Aud. Cert. 9501260.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-110:

SUBJECT: Accepting Gift of Legal Services regarding the Lawsuit American Medical Services v. Juan Vargas et al.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1898) ADOPTED AS RESOLUTION R-286067

Accepting the generous offer of Dan Lawton and Greg Roper to provide pro bono legal services to assist the City Attorney in the defense of the lawsuit American Medical Services v. Juan Vargas et al., (San Diego Superior Court Case No. 688867);

Declaring that the services are accepted with the understanding that Messrs. Lawton and Roper will work under the direction and control of the City Attorney in defending this lawsuit;

Declaring that although the exact monetary value of the legal services to be provided by Messrs. Lawton and

Roper cannot be determined at this time, it is anticipated that the value of their services to the City may equal or exceed \$10,000.

SUPPORTING INFORMATION:

On June 30, 1994, American Medical Services (AMS), filed a complaint for declaratory relief against the City of San Diego (City) seeking the court's interpretation of a contract between AMS and City pertaining to paramedic services. On June 1, 1995, AMS filed another complaint for damages and injunction naming Councilmember Vargas as an individual defendant. Under California Government Code Section 995, the City, acting through its City Attorney, has a duty to defend Councilmember Vargas for injuries to others arising out of the course and scope of his employment. Under California Government Code Section 825, the City also has a duty to pay any judgment or settlement resulting from acts or omissions that arose during the course and scope of the Councilmember's City employment. Dan Lawton and Greg Roper of the law firm of Luce, Forward, Hamilton and Scripps have offered to assist the City Attorney in the defense of this lawsuit and to provide their services pro bono. Under the proposed arrangement, Messrs. Lawton and Roger will work under the direction and control of the City Attorney. Accepting this offer of pro bono legal services will greatly relieve the financial burden of the City by reducing the workload on the City Attorney, so that he can devote attention to his other litigation and advisory duties. It is not possible at this time to determine the exact value of Messrs. Lawton and Roper's legal services to be provided in this lawsuit, however, it is anticipated that the value may equal or exceed \$10,000. The City Attorney finds that Messrs. Lawton and Roper are highly qualified to render the services necessary to assist in the defense of this lawsuit and recommends that the offer be accepted.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-ineligible, Mayor Golding-yea.

* ITEM-111:

SUBJECT: Environmental Enhancement and Mitigation (EEM) Program Grant.

(Mid-City, Normal Heights and Kensington Community Areas. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1883) ADOPTED AS RESOLUTION R-286068

Accepting Environmental Enhancement and Mitigation Grant monies from the State of California for the purpose of planting canopy street trees.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego was awarded an Environmental Enhancement and Mitigation Program Grant by the California Transportation Commission on February 23, 1995. The amount of \$420,000 is to be utilized for the planting of canopy street trees on Adams Avenue from Mansfield to Vista Street, El Cajon Blvd. from 37th to 39th Street, and University Avenue from 37th to Marlborough and I-805 to Wilson in the Mid-City Communities. The purpose is to mitigate the negative environmental effects of the I-15 freeway corridor and to augment the commercial revitalization of these important streets. Utilizing both grant monies and matching funds, over 300 trees and several hundred shrubs will be planted along with automatic irrigation systems. With this action, Council is accepting the EEM Grant of \$420,000 and increasing three CIP projects associated with the revitalization of El Cajon Blvd., Adams Avenue and University Avenue.

Aud. Cert. 9501281.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-112:

SUBJECT: Hazardous Materials Equipment Grant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1929) ADOPTED AS RESOLUTION R-286069

Authorizing the City Manager to accept and expend grant funds from the State of California Department of Toxic Substances Control for the acquisition of material and supplies to be used by the Fire Department Hazardous Materials Response Team.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Fire Department has applied for and been awarded grant funding from the State of California Department of Toxic Substances Control for the purchase of materials and supplies to be used in the training of the Hazardous Materials Response Team and in the mitigation of incidents involving hazardous materials. The materials include: training suits, SCBA/APT facepiece masks, combustible gas monitor, photoionization detector, radiation meters, decontamination equipment, tools and miscellaneous supplies. These items become the property of the San Diego Fire Department and will be used by the Hazardous Materials Response Team.

Aud. Cert. 9501276.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-113:

SUBJECT: Amendment to the Agreement with Unified San Diego County Emergency Services Organization for Hazardous

Materials Emergency Response.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1943) ADOPTED AS RESOLUTION R-286070

Authorizing an amendment to the agreement with Unified San Diego County Emergency Services Organization, to continue San Diego Fire Department participation in the Hazardous Materials Incident Response Team program, from July 1, 1995 through June 30, 1997.

CITY MANAGER SUPPORTING INFORMATION:

The Hazardous Materials Incident Response Team (HIRT) was established by the Unified San Diego County Emergency Services Organization. The San Diego Fire Department participates in this program by providing member agencies with the services of its Hazardous Materials Unit during incidents involving hazardous materials. In June 1993, an agreement between the City and the Unified San Diego County Emergency Services Organization provided for the participation of the San Diego Fire Department through June, 1995, with an option to extend the contract (R-282221). The proposed amendment extends the existing contract from July 1, 1995 through June 30, 1997.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-114:

SUBJECT: Dairy Mart Road Bridge Replacement and Rehabilitation (HBRR) Program (CIP-45-923.0.)

(Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1831) ADOPTED AS RESOLUTION R-286071

Declaring the Dairy Mart Road Bridge to be the highest priority project of any of the most deficient special bridge replacement candidates in the jurisdiction;

Declaring that reconstruction is absolutely necessary to the plans of both the City and the Federal government to construct urgently needed wastewater treatment facilities that are crucial to the protection of the environment;

Declaring that reconstruction of the Dairy Mart Road Bridge is further necessary to ensure reliable and adequate access to homes, farms, and ranches in the Tia Juana River Valley;

Directing the City Manager to make application for a HBRR Special Bridge grant for the replacement of the Dairy Mart Road Bridge.

CITY MANAGER SUPPORTING INFORMATION:

The Federal Highway Bridge Replacement and Rehabilitation (HBRR) Program provides funding assistance for municipal bridge projects. The Dairy Mart Road Bridge over the Tijuana River meets the criteria for HBRR funding under its "Special Bridge" Program. The assistance provides for 80 percent matching funds for construction costs of the project. A Council resolution is needed, at this time, designating that the Dairy Mart Road Bridge is the highest priority rehabilitation/replacement bridge project in the City, as defined by HBRR guidelines for the Special Bridge Program in order to qualify for funding. The Metropolitan Wastewater and Engineering Departments are in agreement that this bridge is in need of replacement and should be designated as the highest priority, since the Dairy Mart Road bridge will replace a small bridge structure that is susceptible to closure during flooding of the Tijuana River. The flooding of the bridge severely impacts access to an area with a number of homes, farms, and ranches. With the construction of the federal government's new International Sewage Treatment Plant and the City of San Diego's South Bay Water Reclamation Plant, a larger bridge providing greater capacity and reliable access is critical. City Council's resolution will enable the Metropolitan Wastewater

Department to proceed with the application process for funding consideration under the HBRR program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-115:

SUBJECT: Transfer of Funds for Reconstruction of San Jacinto Drain.

(Valencia Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1900) ADOPTED AS RESOLUTION R-286072

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$22,000 from CIP-11-285.0, Lindo Paseo Storm Drain, Fund 30300 to CIP-11-298.0, Storm Drain; an amount not to exceed \$8,000 from CIP-11-284.0, Construction of San Diego Avenue Improvements, Fund 30300 to CIP-11-298.0, Storm Drain; an amount to not exceed \$4,500 from CIP-11-251.0, Chaparral Way Drain - North of Baja Drive, Fund 30300 to CIP-11-298.0, Storm Drain; an amount not to exceed \$6,000 from CIP-12-068.0, Highland Valley Road Storm Drain, Fund 30300 to CIP-11-298.0, Storm Drain; and an amount not to exceed \$12,500 from CIP-11-266.0, 44th Street Offsite Drain, Fund 30300, to CIP-11-298.0, Storm Drain;

Authorizing the expenditure of an amount not to exceed \$53,000 from CIP-11-298.0, Storm Drain, for providing funds for the Reconstruction of San Jacinto Drain.

CITY MANAGER SUPPORTING INFORMATION:

The existing corrugated metal storm drain located in the vicinity of 441 San Jacinto Drive is deteriorated to the point that street failure could be eminent. This project will replace the drain with a reinforced concrete pipe.

Aud. Cert. 9501242.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-116:

SUBJECT: Financial Assurance Mechanism for Closure and Postclosure Maintenance of Miramar Landfill.

(Miramar Naval Air Station Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1906) ADOPTED AS RESOLUTION R-286073

Authorizing the City Auditor and Comptroller to establish and maintain an Enterprise Fund for the Miramar Landfill and deposit in this Fund all revenues derived from Landfill operations;

Establishing a Miramar Landfill Closure and Postclosure Maintenance Fund;

Authorizing the City Auditor and Comptroller to transfer funds from the Enterprise Fund to the Miramar Landfill Closure and Postclosure Maintenance Fund on a periodic basis, sufficient to meet the requirements of Section 18282 and Section 18285 of the California Code of Regulations.

CITY MANAGER SUPPORTING INFORMATION:

This action is proposed at the request of the California Integrated Waste Management Board to comply with the requirements of Title 14 of the California Code of Regulations (CCR), Division 7, Chapter 5, Article 3.5. The Board needs a record of the City Council approved establishment of the Miramar Closure and Postclosure Maintenance Fund as a financial mechanism to ensure that sufficient funds are available at a future time when the Miramar Landfill is scheduled to be closed. The intent of this action is to meet this need and to ratify the City's current practice pursuant to Title 14 of CCR. In fact, the Miramar Landfill Closure and Postclosure Maintenance Fund has been established within the Environmental Services Enterprise Fund for the purposes provided by the regulations, and annual deposits have been made from the Enterprise Fund for several years. At the present time the Miramar Landfill Closure and Postclosure Maintenance Fund has approximately \$11.3 million, and the rate of deposit is \$1.8 million annually. At this rate of deposit and at the current rate of landfill usage, it is estimated that the fund will be sufficient when the landfill is closed in approximately 2005.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-117:

SUBJECT: Two actions related to Street Dedication of Lopez Ridge Way and Sorrento Valley Boulevard.

(Located west of the intersection of Sorrento Valley Boulevard and Camino Santa Fe. Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1539) ADOPTED AS RESOLUTION R-286074

Accepting portions of the eastern boundary of Lot 40 of Lopez Ridge, Map-12029, for public street purposes;

Dedicating and naming Lopez Ridge Way and Sorrento Valley Boulevard.

Subitem-B: (R-95-1540) ADOPTED AS RESOLUTION R-286075

Stating for the record that the information contained in Environmental Impact Report EIR-80-10-27, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the Declaration reflects the independent judgment of the City as Lead Agency, and that the Declaration has been reviewed and considered by the Council.

FILE LOCATION: DEED F-6532 DEEDFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-118:

SUBJECT: Transient Occupancy Tax Council Policy 100-03.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-35) ADOPTED AS RESOLUTION R-286076

Amending Council Policy 100-03, "Transient Occupancy Tax," to amend the reimbursement procedures of the Transient Occupancy Tax Funds for the Arts and Culture Program.

CITY MANAGER SUPPORTING INFORMATION:

This action requests that the City Council approve the recommendations to change Council Policy 100-03 to amend the reimbursement procedures of the Transient Occupancy Tax funds for Arts and Culture Programs. To better meet the needs of the funded organizations and maintain the current staffing and workload for the Arts and Culture Program, it is recommended that the City Council amend Section 4i of Council Policy 100-03 to read:

"Fiscal Year 1996 reflects an allocation of \$5,660,417, an increase from Fiscal Year 1995 funding of \$5,033,614; and incremental increase to achieve a funding level equivalent to one cent Transient Occupancy Tax revenue beginning in Fiscal Year 1996. The Allocation includes funding for Arts and Culture Administration. Funds allocated to each organization within this category will be reimbursed throughout the fiscal year in accordance with reimbursement procedures established by the Commission for Arts and Culture. The last payment disbursed to organizations, with the exception of those organizations receiving an allocation less than \$5,000, will be one-thirteenth of the total amount of funding allocated to each respective organization. This payment will be made only if actual revenues, net of additional revenue generated by the CONVIS Supplemental Marketing Program and the expanded Convention Center, meet budget projections."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-119:

SUBJECT: Two actions related to Basic Tier Cable Television
Services Provided by Cox Communications and
Southwestern Cable Television.

(See City Manager Report CMR-95-159.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-39) ADOPTED AS RESOLUTION R-286077

- 1) Approving the rates for equipment and installation for Cox Communications contained in the March 1995 Rate Filing (Form 1205 Filing);
- 2) Disapproving certain existing equipment and installation charges which exceed maximum permitted rates allowed under FCC Rules and Regulations, and directing Cox to reduce these charges to comply with the maximum permitted rates.

Subitem-B: (R-95-1854 Cor.Copy) ADOPTED AS RESOLUTION R-286078

- 1) Approving the Basic Service Tier Rate implemented by Southwestern on February 15, 1995;
- 2) Approving equipment and installation rates as calculated by Southwestern on FCC Forms 1205;
- 3) Disapproving the current remote control rental rate charged by Southwestern, and directing Southwestern to reduce this charge to comply with the maximum permitted rate.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-120:

SUBJECT: Second Amendment to the Agreement with the Beach Area Family Health Center for Renovation of their Facilities.

(Mission Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1918) ADOPTED AS RESOLUTION R-286079

Authorizing a second amendment to the agreement with the Beach Area Family Health Center for the renovation of their facilities;

Authorizing the expenditure of an amount not to exceed \$278,000 from CDBG Fund 18529, Dept. 4042, Org. 4201.

CITY MANAGER SUPPORTING INFORMATION:

In October 1990 the Beach Area Family Health Center received a C.D.B.G. Grant in the amount of \$115,000 to commence partial renovation and demolition of the existing clinic at 3705 Mission Boulevard. Because the building was in such poor condition, additional funds were required to improve it up to acceptable architectural and structural compliance. The first amendment of September 1992 to the agreement with the Agency provided additional funding of \$318,000. This was enough for additional renovation and demolition in the primary health care facility building (4,116 sq.ft.).

This second amendment to the agreement with the Agency will provide an additional funding of \$278,000 to demolish and rebuild an 1,800 sq.ft. bungalow cottage on the adjacent property of the Health Center. The total 5,916 sq.ft. of building will enable the Agency to continue its health services program in the City's beach areas.

Aud. Cert. 9400632.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-121:

SUBJECT: Two actions related to Utility Agreements Nos. 29363 and 29298 between the City of San Diego and the State of California.

(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1829) ADOPTED AS RESOLUTION R-286080

Authorizing Utility Agreements with the State of California, Department of Transportation, for financing in connection with the I-15/40th Street Highway Improvement Project - Phase II;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$3,319.76 from Water Revenue Fund No. 41500, CIP-73-024.0, Annual Allocation for Freeway Relocations, to CIP-73-293.0, 40th Street/Interstate 15 Utilities Relocation, Sublet CIP-73-025.6, 40th Street/Interstate 15 Utilities Relocation; and an amount not to exceed \$24,000 from Sewer Revenue Fund No. 41506, CIP-43-004.0, Annual Allocation for Freeway Relocations, to CIP-46-153.0, 40th Street/Interstate 15 Utilities Relocation;

Authorizing the expenditure of an amount not to exceed \$27,319.76, consisting of \$3,319.76 from Water Revenue Fund No. 41500, CIP-73-025.6, 40th Street/Interstate 15 Utilities Relocation, and \$24,000 from Sewer Revenue Fund 41506, CIP-46-153.0, 40th Street/Interstate 15 Utilities Relocation;

Authorizing the use of City Forces to do all the work in the Utility Agreements; declaring that the cost of the work shall not exceed \$27,319.76.

Subitem-B: (R-95-1830) ADOPTED AS RESOLUTION R-286081

Stating for the record that the City as Lead Agency has reviewed and considered final Supplemental Environmental Impact Statement, Report FHWA-CA-EIS-71-22-F(S), prepared by the U.S. Department of

Transportation, Federal Highway Administration, and the State of California, Department of Transportation;

Adopting Findings, and Statement of Overriding Considerations with respect to the project.

CITY MANAGER SUPPORTING INFORMATION:

The Department of Transportation of the State of California has determined that portions of existing water and sewer mains are in conflict with the I-15/40th Street Highway Improvement Project (Phase II) in Mid City. The two subject agreements will provide financing for the investigation of the field conditions of the existing water and sewer mains affected by the I-15 Project. This investigation is being done to assist in the design of the proposed sewer and water main relocations. Three more agreements addressing the construction portion of the I-15 Project will be processed through a different 1472 at a later date. Agreement No. 29298 will provide financing for the investigation of the field conditions of the existing sewer mains. All work will be done by City Forces. Agreement No. 29363 will provide financing for the investigation of the field conditions of the existing water mains. All work will be done by City Forces.

Aud. Cert. 9501194.

WU-U-95-148.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-122:

SUBJECT: Second Amendment to the Agreement with Dudek and Associates, Inc. for East Mission Gorge Trunk Sewer Rehabilitation.

(Navajo, Mission Trails Regional Park, East Elliot, and Tierrasanta Community Areas. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1932) ADOPTED AS RESOLUTION R-286082

Authorizing a second amendment to the agreement of March 29, 1993 with Dudek & Associates, Inc., for the design of the East Mission Gorge Trunk Sewer Rehabilitation;

Authorizing the Auditor and Comptroller to transfer not to exceed \$229,317 within Sewer Revenue Fund 41506, from CIP-44-001.0, Annual Allocation for Sewer Main Replacement, to CIP-40-920.4, East Mission Gorge Trunk Sewer Rehabilitation;

Authorizing the expenditure of not to exceed \$229,317 from Sewer Revenue Fund 41506, CIP-40-920.4, East Mission Gorge Trunk Sewer Rehabilitation.

CITY MANAGER SUPPORTING INFORMATION:

The East Mission Gorge Trunk Sewer transports wastewater flows from users in Santee, El Cajon, Alpine, Lakeside, and Wintergardens Sanitation Districts to the San Diego Metro System. The alignment follows the San Diego River from Fairmount Avenue to the Santee City limits. Due to the age and condition of the pipeline, the City desires to rehabilitate the existing main using trenchless technology. The agreement with Dudek and Associates, Inc. (RR-281697, 3-29-93, \$832,097) provided for surveys, evaluation of rehabilitation methods, access plans, an Environmental Impact Report, and final plans. Amendment No. 1 with Dudek (RR-283066, 11-29-93, \$199,337) covers engineering services associated with utilities relocation work necessitated by a separate CalTrans State Route 52 project. Water Utilities staff is coordinating with the community and with rangers from the Mission Trails Regional Park to minimize any potential impacts to the area, the Navy regarding the sections of the existing pipeline within the Admiral Baker Golf Course, the City of El Cajon to ensure their participation in accordance with existing agreements, and various resource agencies during permitting and environmental review. Accordingly, additional funds are required for City staff to administer and coordinate a project of this complexity. Due to the preferred project approach, the City desires Dudek to provide design services not

previously identified in the original scope of work. Most of this additional work involves implementing the project in two parts to provide flexibility and economy. The consultant's scope of work has increased to include additional plans, specifications, and cost estimates. Subconsultants for this Amendment are: Gallegos & Associates (MBE), Cultural Resources - \$11,920 (10 percent); Jason Consultants, trenchless technology - \$11,000 (9.2 percent); Cordax (MBE), CADD Conversion - \$750 (0.6 percent). The revised not to exceed limit for the Dudek Agreement is \$1,150,751.

Aud. Cert. 9501277.

WU-U-95-165.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-123:

SUBJECT: Two actions related to Encroachment Removal Agreement regarding an Underground Water Tank for the Hall of Justice.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1772) ADOPTED AS RESOLUTION R-286083

Authorizing an encroachment removal agreement with the County of San Diego, in connection with the construction of an underground water tank in the public right-of-way to service fire suppression services to the Hall of Justice.

Subitem-B: (R-95-1773) ADOPTED AS RESOLUTION R-286084

Stating for the record that the information contained in the Environmental Impact Report dated 1/11/93, prepared by the County of San Diego, including any comments received during the public review process, has been reviewed and considered by the Council in connection with the installation of an underground water tank for the Hall of Justice.

CITY MANAGER SUPPORTING INFORMATION:

An agreement for removal of encroachments at the San Diego County Hall of Justice - Underground Water Tank is being entered into between the City of San Diego (City) and the County of San Diego (County). The County desires to construct an underground water tank that will encroach in the public right-of-way on Broadway just west of Union Street. If authorized by City Council, this underground tank 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 in the public right-of-way. It is recommended that the Agreement for Removal of Encroachments be approved.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-124:

SUBJECT: Renewal of Agreement with County of San Diego Probation Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1928) ADOPTED AS RESOLUTION R-286085

Authorizing the City Manager to extend the existing

agreement (RR-284322) with the County of San Diego Probation Department, for the purpose of providing personnel to clean City-owned property for Fiscal Year 1995-96;

Authorizing the expenditure of not to exceed \$330,000 from the Environmental Services Department/ Environmental Programs Division, Fund 41200, Dept. 751, Job Order 7732.

CITY MANAGER SUPPORTING INFORMATION:

Since July 1984, the City has entered into agreements with the County of San Diego Probation Department to utilize Probation Department crews to clean City-owned property. This is a request to continue the agreement and authorize expenditures for an additional year. (Agreement Document No. RR-278955). Under this agreement, the County will supply crews of 12 or more persons with a supervisor to assist the Environmental Services Department with cleaning trash and weeds from along roadways, open space areas and the Miramar Landfill. The City will supply a lead person to designate the worksite and monitor the work. The cost to the City will be \$332 per crew per day.

Aud. Cert. 9600019.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-125:

SUBJECT: Agreement with Metropolitan Transit Development Board (MTDB) for Operation of Public Transit Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1908 Cor.Copy) ADOPTED AS AMENDED AS RESOLUTION R-

286086

Authorizing a Third Agreement with the San Diego Metropolitan Transit Development Board (MTDB), for the operation of public transit services for five years effective July 1, 1995.

CITY MANAGER SUPPORTING INFORMATION:

For the past ten years, the City of San Diego and MTDB have entered into agreements for the operation of public transit service in the city. The current five-year agreement expires July 1, 1995, and the City and MTDB wish to renew the agreement for another five years. The agreement provides for MTDB to determine routes, fares, frequency of service, and hours of operation of public mass transit service in the City of San Diego; to provide such service through contract with San Diego Transit Corporation or by contract to public providers; and to provide all necessary planning services. In return, the City agrees to provide the City's apportionment of Transportation Development Act (TDA) funds to MTDB as necessary for the provision of such services.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: C211-D120.)

MOTION BY KEHOE TO ADOPT AS AMENDED TO ACCEPT THE AGREEMENT WITH THE STIPULATION THAT WE ANNUALLY LOOK AT THE PROGRESS WE ARE MAKING TOWARDS THE ADA COMPLIANCE AND ANNUALLY LOOK AT THE QUESTION OF WHO IS LOSING SERVICE AND WHO IS GAINING SERVICE. ACCEPT MAYOR GOLDING'S RECOMMENDATION TO REQUEST THAT THE MTDB BOARD ACTIVELY PARTICIPATE WITH US IN LEGISLATIVE ACTIVITY AT THE FEDERAL LEVEL AND TO CARRY OUT THE MESSAGE THAT THEY ARE TAKING FROM PETER TO PAY PAUL AND CUTTING OUT SERVICE FOR SOME TO GIVE IT TO ANOTHER. Second by Stallings. 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-126:

SUBJECT: Two actions related to Amendment to Agreement with Montgomery Watson for the North Metro Interceptor.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1910) ADOPTED AS RESOLUTION R-286087

Authorizing Amendment No. 3 to Agreement with
Montgomery Watson, to provide additional design
services for the North Metro Interceptor;

Authorizing the expenditure of an amount not to exceed
\$415,240 from the Sewer Revenue Fund 41508, CIP-46-
104.0, North Metro Interceptor.

Subitem-B: (R-95-1911) ADOPTED AS RESOLUTION R-286088

Stating for the record that the City of San Diego as
Lead Agency has reviewed and considered Environmental
Impact Report DEP-89-1105, dated June 20, 1994 and an
addendum DEP-94-0557, dated October 14, 1994, and
Mitigation, Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

On May 26, 1992, the City Council adopted Resolution R-280011
authorizing the City Manager to enter into an agreement with
Montgomery Watson for engineering design services for the North
Metro Interceptor Sewer (NMIS).

The construction contract for Phase I of the North Metro
Interceptor project was approved for award by City Council on
December 13, 1994. Amendment No. 3 to the Agreement provides for
the additional design work that was not part of the original
scope of work. These additional tasks are as follows:
Additional design work with regard to alignment changes to
incorporate local communities comments, major modification to
traffic control plans due to alignment change, additional shop
drawings review of tunneling in Phase II, additional geotechnical
investigation due to revision in the alignment, and additional
construction support.

The MBE/WBE voluntary goals for this agreement are 15 percent
Minimum Participation Level. MBE/WBE participation for Amendment
No. 3 is 6.1 percent MBE. The total agreement participation is

20.4 percent MBE. The total estimated cost of this amendment is \$415,240.

Aud. Cert. 9600016.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-127:

SUBJECT: Agreement with James H. Primes for a Parking and Storage Lot on Murphy Canyon Road.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1940) ADOPTED AS RESOLUTION R-286089

Authorizing a five-year permit agreement with James H. Primes, for a parking and storage lot on 0.14-acre of City-owned undeveloped Murphy Canyon Road right-of-way, being a portion of Segment 2 of State Highway Map-239.

CITY MANAGER SUPPORTING INFORMATION:

For the past three years, James H. Primes has had a permit to use 0.14 acre of City-owned property for parking and storage. Mr. Primes owns the light industrial building at 9630 Chesapeake Drive in Kearny Mesa, and the adjacent City property supplements his parking and storage area. The City's property is an undeveloped, excess portion of Murphy Canyon Road, and Mr. Primes has added paving and fencing. He currently pays the City \$210 per month and requests a 5-year permit, as the original 3-year permit is expiring. The monthly permit fee will increase to \$283 under the new permit, as determined by City staff appraisal and subject to annual increases in the Consumer Price Index.

FILE LOCATION: LEAS - James H. Primes LEASFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-128:

SUBJECT: Sixth Amendment to the Agreement with the San Diego
Urban Corps.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1919) ADOPTED AS RESOLUTION R-286090

Authorizing the City Manager to execute an agreement
with the Port of San Diego and to accept receipt of
\$50,000 and to deposit the funds into the Human Care
Services Special Fund 196681;

Authorizing a sixth amendment to the agreement with the
San Diego Urban Corps, for the purpose of performing
work for the Port of San Diego;

Authorizing the expenditure of not to exceed \$50,000 to
provide funds for the above project;

Authorizing the City Manager to execute additional
amendments to the agreement with the San Diego Urban
Corps, within the City Manager's signature authority,
when deemed by the City Manager to be necessary and
proper.

CITY MANAGER SUPPORTING INFORMATION:

The City entered into a Master Agreement in December of 1989 with
the San Diego Urban Corps for services to be provided for various
City departments. This amendment will allow the San Diego Urban
Corps to provide needed maintenance work for the Port of San

Diego. All costs associated with the maintenance will be covered by a contribution made to the City of San Diego for this purpose. The San Diego Urban Corps will provide program participants the training and supervision to carry out the desired tasks.

Aud. Cert. 9600017.

FILE LOCATION: MEET CONFY96-2

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-129:

SUBJECT: Amendment No. 3 to Agreement with Western Consortium for Public Health.

(San Pasqual Valley Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1915) ADOPTED AS RESOLUTION R-286091

Authorizing a third amendment to the agreement of July 15, 1995 with the Western Consortium for Public Health, for preparation of a final report in connection with the Total Resources Recovery Program;

Authorizing the transfer of an amount not to exceed \$192,822 from Water Fund 41500 Unallocated Reserve, Program Element 70679, to CIP-73-290.0, San Pasqual Water Reclamation Facility; and an amount not to exceed \$200,000 from Sewer Fund 41506 - Unallocated Reserve, Program Element 70697, to CIP-46-151.0, San Pasqual Water Reclamation Facility;

Authorizing the expenditure of an amount not to exceed \$392,822, consisting of \$192,822 from Water Fund 41500, CIP-73-290.0, and an amount not to exceed \$200,000 from

Sewer Fund 41506, CIP-46-151.0.

CITY MANAGER SUPPORTING INFORMATION:

On July 15, 1985 the City entered into an Agreement, Resolution R-263677, with Western Consortium for Public Health to evaluate the potential health risks associated with the San Diego Aquaculture Program in Mission Valley (Aqua II). On February 25, 1991, the City entered into Amendment No. 1 to that agreement, Resolution R-277413, to evaluate the potential health risks associated with the Aquaculture facility in the San Pasqual Valley (Aqua III).

On December 5, 1994, the City entered into Amendment No. 2 to the agreement, Resolution R-285071, to perform additional State Department of Health Services and Regional Water Quality Control Board mandates pursuant to the aforementioned health effect studies. This Amendment No. 3 to agreement covers the last Federal and State grant related requirement related to this project. Western Consortium has been involved in the project from the beginning and is the only entity that the City, State and Federal agencies believe can prepare a complete report by the December 15, 1995 deadline.

Aud. Cert. 9501262.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-130:

SUBJECT: Two actions related to the Landscape Improvement and Maintenance Agreement for Pump Stations 81 and 85 in Westwood Valley Unit No. 7 Subdivision.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1912) ADOPTED AS RESOLUTION R-286092

Authorizing a Landscape and Maintenance Agreement with the Westwood Valley Legends Homeowners Association, for the improvement and maintenance of the landscaping at Sewer Pump Stations 81 and 85 in Rancho Bernardo.

Subitem-B: (R-95-1913) ADOPTED AS RESOLUTION R-286093

Stating for the record that the City as Lead Agency has reviewed and considered DEP-85-0453, including any comments received during the public review process.

CITY MANAGER SUPPORTING INFORMATION:

As a condition of Tentative Map TM-85-0909, the pump stations are landscaped in accordance with the plans and specifications as shown on City Drawing No. 22872-D, a copy of which was filed in the Office of the City Clerk on November 2, 1987, as Document No. 769639. The Westwood Valley Legends Homeowners Association intends to provide additional landscaping at both pump stations to improve the overall appearance of the vicinity of the pump stations and for the benefit of homeowners adjacent to the pump station sites. This agreement will allow the Homeowners Association to landscape and maintain the subject City property satisfactorily to both the City and the Association.

WU-U-95-174.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-131:

SUBJECT: School Safety Patrol Summer Camp.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1905) ADOPTED AS RESOLUTION R-286094

Authorizing the City Manager to enter into a letter of agreement with the San Diego Unified School District for transporting students to and from School Safety Patrol Summer Camp;

Authorizing the expenditure of approximately \$100,000 from Police Department budgeted funds (Fund 100, Department 110, Organization 222, Job Order 111242, Operational Account 4455) for the purpose of providing funds for the School Safety Patrol Camp.

CITY MANAGER SUPPORTING INFORMATION:

For over 35 years, the City of San Diego has conducted, through the Police Department, a School Safety Patrol Summer Camp. Attendees are fifth and Sixth grade students who have served a minimum of one year as school patrol crossing guards. This camp is held in recognition of the contributions made by these children, and provides an educational and recreational experience for them. This summer, approximately 900 students and 100 student counselors are expected to participate. The cost per participant is \$102 per week, which is no change from last year. This action provides for entering into an agreement with the San Diego Unified School District for the transporting of the students to and from camp. In the past, the school district has provided the buses, drivers, and insurance. The City of San Diego is responsible for the conduct of the students while on the buses, and agrees to share equally in liability in excess of the school district's insurance policy. This action further provides for paying expenses associated with conducting the School Safety Patrol Summer Camp, such as payment to San Diego County Schools, Department of Outdoor Education, for the use of the facilities at Palomar Mountain School Camp.

Aud. Cert. 9501187.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-132:

SUBJECT: Appointments to the Old Town Planned District Design Review Board.

(See memorandums from Mayor Golding dated 5/12/95 and 5/24/95 with resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1792) ADOPTED AS RESOLUTION R-286095

Council confirmation of the following appointments by the Mayor to serve as members of the Old Town Planned District Design Review Board:

Term to expire March 1, 1998:

Edward M. Tracy (Property Owner, Old San Diego) (To replace Kenneth O'Neal, whose term has expired)

Terms to expire March 1, 1999:

Jack Borgos (Community Planning Committee) (To replace Olive A. Chivers, whose term has expired)

Connie Puente Miller (Property Owner, Business Licensee) (To replace Richard Warner, whose term has expired)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-133:

SUBJECT: Conversion of Vine Street between Pacific Highway and California Street to a One-Way Street.

(See City Manager Report CMR-95-89; letter from Robert C. Rice dated 5/10/95, and letter from R. O. Conley. Midway/Pacific Highway Corridor Community Areas. District-2.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-95-1471) ADOPTED AS RESOLUTION R-286096

Declaring Vine Street between Pacific Highway and California Street to be a One-Way Street;

Authorizing the installation of the necessary signs and markings; declaring that the above regulations shall become effective upon the installation of the signs.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 5/17/95, LU&H voted 5-0 to support the City Manager's recommendation and direct the Intergovernmental Relations Department to coordinate and organize support for the City to keep this street one-way eastbound. The Committee also directed the City Manager to work with the Metropolitan Transit Development Board to obtain their support for a joint application to the Public Utilities Commission. (Councilmembers Mathis, Harvey, Stevens, Warden and McCarty voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY TO ADOPT. ACCEPT COUNCIL MEMBER HARVEY'S REQUEST TO DIRECT THE CITY MANAGER TO PROVIDE A REPORT TO THE LU&H COMMITTEE ON THE STATUS OF THE ISSUE TO KEEP VINE STREET OPEN. DIRECT THE CITY REPRESENTATIVES FOR MTDB TO OBTAIN MTDB'S SUPPORT OF THE CITY'S REQUEST TO THE PUBLIC UTILITIES COMMISSION TO KEEP VINE STREET OPEN TO THE EAST FOR THE BENEFIT OF BUSINESSES AND THE COMMUNITY. 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-134:

SUBJECT: Occupancy - Building No. 8 - Inspiration Point - Balboa
Park.

(See City Manager Report CMR-95-47. Balboa Park
Community Area. District-3.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-95-1186) ADOPTED AS RESOLUTION R-286097

Approving the Human Resources Center, Inc., as the sole
tenant for Building No. 8 - Inspiration Point - Balboa
Park;

Authorizing the City Manager to negotiate a 10-year
lease agreement with the Indian Human Resource Center,
Inc., for tenancy of Building No. 8.

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

On 3/22/95, NRC&A voted 5-0 to approve the City Manager's
recommendation.
(Councilmembers Mathis, Harvey, Warden, Stallings and McCarty
voted yea.)

FILE LOCATION: LEAS - Indian Human Resource Center, Inc.
LEASFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-135:

SUBJECT: Tree Advisory Committee for the City of San Diego.

(See City Manager Report CMR-95-28.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-95-1427) ADOPTED AS RESOLUTION R-286098

Authorizing the formation of the Tree Advisory Committee for the City of San Diego, in accordance with City Charter Section 43(b).

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

On 2/8/95, NRC&A voted 5-0 to accept the City Manager's Report and request the City Manager to make the following changes prior to the item going to Council (Councilmembers Mathis, Harvey, Warden, Stallings and McCarty voted yea):

- A. Change the name of the Tree Advisory Board to Tree Advisory Committee.
- B. Change the formation of the Tree Advisory Committee to be in conformance with City Charter Section 43(b).
- C. Specify that one member of the Committee be appointed by the Mayor as an "at-large" member, that each Council District appoint one community representative from their District, and the remaining members specified in the City Manger's report be recommended by staff and approved by the City Council.
- D. Provide information to the City Council regarding the effect creation of the Committee will have on tree removal and replacement and sidewalk repair, the Committee's potential fiscal impacts, and the relationship of actions of the Committee on the development and the building of affordable housing.
- E. That the primary functions of the Committee be changed as follows:

Remove the word "oversee" from the third and sixth function and replace with "review and comment on."

CITY MANAGER SUPPORTING INFORMATION:

At the Natural Resources, Culture and the Arts Committee meeting of February 8, 1995, the Committee voted unanimously to accept City Manager Report CMR-95-28 with the revisions listed above. At this time it is not known what impact the Tree Advisory Committee will have on tree removal and sidewalk repair, the Committee's potential fiscal impacts or the relationship of the Committee on the development and building of affordable housing. The directions given to the Committee by the City Council will determine the Committee's activities and impact in relation to these issues.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-136:

SUBJECT: Approval of Five Year Tennis Permits with Eleven Tennis Clubs Operating on City-Owned Property.

(See City Manager Report CMR-95-111. Districts-1,2,3,5,6 & 7.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-95-1298) ADOPTED AS RESOLUTION R-286099

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

La Jolla Tennis Club
Lake Murray Tennis Club

Mission Bay Tennis Club
Mountain View Tennis Club
North Park Tennis Club
Pacific Beach Tennis Club
Peninsula Tennis Club
Point Loma Tennis Club
Rancho Bernardo Tennis Club
Rancho Penasquitos Tennis Club
Tierrasanta Tennis Club

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:

On 5/17/95, PS&NS voted 5-0 to approve the City Manager's recommendation and direct staff to work with the Tennis Clubs to increase outreach to non-members. The Committee also directed that the Tennis Clubs participate on their local recreation council. (Councilmembers Kehoe, Stevens, Stallings, McCarty and Deputy Mayor Vargas voted yea.)

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 Council in 1990. The current clubs requesting permit renewals are listed above. 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 budget.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-150:

SUBJECT: Emergency Use of the I-15 High Occupancy Vehicle (HOV) Lanes by Single-Occupant Vehicles During Rainy Weather.

(See City Manager Report CMR-95-113. Rancho Penasquitos, Carmel Mountain Ranch, Sabre Springs, Mira Mesa, Miramar Ranch North, Scripps Miramar Ranch Community Areas. Districts-1 and 5.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-95-1816 Rev.1) ADOPTED AS AMENDED AS RESOLUTION R-286100

Directing the City Manager to request CalTrans to modify its policy regarding emergency use of the Interstate 15 high occupancy vehicle (HOV) lanes to include inclement weather; Requesting the Director of the Intergovernmental Relations Department to send a letter to Assemblyman Jan Goldsmith seeking his assistance either administratively or through legislation to change the CalTrans policy.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 5/17/95, LU&H voted 3-2 to: 1) direct the City Manager to request the California Department of Transportation (CalTrans) to modify its current policy; and 2) request the Director of Intergovernmental Relations to send a letter to Assemblyman Jan Goldsmith to obtain his assistance administratively or through legislation to open the HOV lane to all vehicles during rainy weather conditions. (Councilmembers Harvey, Warden and McCarty voted yea. Councilmembers Mathis and Stevens voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B555-C208.)

MOTION BY WARDEN TO ADOPT THE RESOLUTION AS AMENDED TO DIRECT THE CITY MANAGER TO WORK WITH CALTRANS, THE FEDERAL HIGHWAY ADMINISTRATION, AND THE CALIFORNIA HIGHWAY PATROL, ON THE POSSIBLE PARAMETERS THAT WE WOULD NEED TO OPEN THE HOV LANES DURING HEAVY RAIN WITHOUT A CHANGE IN FEDERAL LEGISLATION. THE CITY MANAGER IS ALSO DIRECTED TO REPORT BACK TO COUNCIL WITH THE RESULTS OF THAT MEETING. 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-151: CONTINUED TO AUGUST 14, 1995

SUBJECT: Solid Waste Management Issues.

(See City Manager Report CMR-95-91; Councilmember
Harvey's 4/22/95 memorandum; Richard L. Hays' 4/25/95
memorandum.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-95-1677)

1. Approving the City Manager's recommendation to continue the disposal fee for the Miramar Landfill at the current rate of \$33 per ton for Fiscal Year 1996;
2. Approving the City Manager's recommended approach (Plan 2000) to achieve the State's 50 percent solid waste diversion mandate and create a multi-disciplinary partnership for strategic planning;
3. Formally terminating negotiations with Daneco, Inc. for a Materials Recovery Facility of the size and type originally envisioned.

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

This item was reviewed by the Natural Resources, Culture, and the Arts Committee on 4/26/95. The three issues in City Manager's Report CMR-95-91 were approved in three separate votes. The Committee voted 4-1 to approve Issue 1 (Councilmembers Mathis, Harvey, Stallings, and McCarty voted yea; Councilmember Warden voted nay). The Committee voted 5-0 on Issues 2 and 3. The Committee also requested that the Director of Environmental Services submit a draft letter from the Committee to the appropriate legislators in Sacramento and Washington, D.C. protesting the unfunded mandates in the Resource Conservation and Recovery Act, Subtitle D and requesting a cost-benefit study for the proposed landfill liner. The Committee also requested that

the City Manager respond back on the issues outlined in Councilmember Harvey's memorandum of April 22, 1995.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY TO CONTINUE TO AUGUST 14, 1995, AS REQUESTED BY THE CITY MANAGER, TO ANSWER QUESTIONS ASKED IN COMMITTEE THAT HAD NOT BEEN ADDRESSED IN HIS REPORT. 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-200:

SUBJECT: Fiscal Year 1996 Proposed San Diego Convention Center Corporation (SDCCC) Budget.

(See City Manager Report CMR-95-140. Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1863) ADOPTED AS RESOLUTION R-286101

Approving the Fiscal Year 1996 proposed San Diego Convention Center Corporation (SDCCC) Budget, which totals \$18,053,829 and includes San Diego Concourse (CPAC) operations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-201:

SUBJECT: Request for Proposals (RFP) for Regional
Telecommunications Network.

(See City Manager Report CMR-95-142.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1876 Cor.Copy) ADOPTED AS RESOLUTION R-286102

Requesting the San Diego Data Processing Corporation
(SDDPC) to issue a Request for Proposal (RFP) on behalf
of the City of San Diego to members of the
telecommunication industry for:

- 1) An expansion of the existing virtual private
network known as SanNet; and
- 2) The creation of a partnership between the City of
San Diego and SDDPC to create a new regional
telecommunications network.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY TO ADOPT. ACCEPT COUNCIL MEMBER
HARVEY'S REQUEST FOR STAFF TO RETURN TO COUNCIL WITH THE
CRITERIA AND SELECTION PROCESS FOR THE RFP, FOR COUNCIL'S
REVIEW, PRIOR TO THE RFP BEING ISSUED. 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-202:

SUBJECT: Two actions related to Amending the Phase Funding
Schedule for the Construction Contract with Nielsen-
Dillingham Builders.

(District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1832) ADOPTED AS RESOLUTION R-286103

Authorizing the City Manager to revise the phase funding schedule for the construction contract with Nielsen-Dillingham Builders, Joint Venture, in connection with the Fiesta Island/Northern Sludge Processing Facility - Yard Piping and Power Distribution, scheduling date changes due to project delays and reduction of contingencies;

Authorizing the phase-funded expenditure of not to exceed \$21,437,686 from Metropolitan Wastewater Department Sewer Fund 41509, CIP-42-911.4, Northern Sludge Processing Facility, Phase II, to fund this contract, contingencies, and related costs, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

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

Authorizing the City Manager to revise contract funding phases with Nielsen-Dillingham based on the actual low bid submitted in the following manner, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure under this contract are, or will be, on deposit in the City Treasury:

| | |
|---------------------|-------------|
| Phase 2 - Subtotal: | \$5,137,733 |
| Construction: | \$4,845,460 |
| Contingency: | \$ 242,273 |
| Related Costs: | \$ 50,000 |
| Phase 3 - Subtotal: | \$1,757,355 |
| Construction: | \$1,673,643 |
| Contingency: | \$ 83,682 |
| Related Costs: | \$ 0 |
| Phase 4 - Subtotal: | \$5,693,173 |
| Construction: | \$5,412,546 |
| Contingency: | \$ 270,627 |
| Related Costs: | \$ 10,000 |

| | |
|---------------------|-------------|
| Phase 5 - Subtotal: | \$1,328,250 |
| Construction: | \$1,265,000 |
| Contingency: | \$ 63,250 |
| Related Costs: | \$ 0 |

All Phases are from Fiscal Year 1996 appropriations.

Subitem-B: (R-95-1833) ADOPTED AS RESOLUTION R-286104

Stating for the record that the information contained in Environmental Impact Report and Mitigation Monitoring and Reporting Program DEP-91-0653, 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 construction of the Fiesta Island Replacement Project/Northern Sludge Processing Facility - Yard Piping and Power Distribution.

CITY MANAGER SUPPORTING INFORMATION:

Council Resolution No. R-285168 authorized the City Manager to execute a contract with the lowest responsible bidder for the Yard Piping and Power Distribution (FIRP/NSPF) construction package. The Phase Funding which was approved by the Resolution was as follows:

| | | | |
|----------|------|--------------|-----------------------|
| Phase 1: | FY95 | \$7,521,175* | (Previously approved) |
| Phase 2: | FY95 | \$5,316,644 | |
| Phase 3: | FY96 | \$1,836,393 | |
| Phase 4: | FY96 | \$5,938,876 | |
| Phase 5: | FY96 | \$1,388,012 | |
| Total: | | \$22,001,100 | |

It is requested that the City Council approve a revised Phase Funding Schedule for this contract which has been established based on the actual bid and cost loaded schedule negotiated with Nielsen-Dillingham as follows:

| | | | |
|----------|------|--------------|-----------------------|
| Phase 1: | FY95 | \$7,521,175* | (Previously approved) |
| Phase 2: | FY96 | \$5,137,733 | |
| Phase 3: | FY96 | \$1,757,355 | |
| Phase 4: | FY96 | \$5,693,173 | |
| Phase 5: | FY96 | \$1,328,250 | |
| Total: | | \$21,437,686 | |

This request is for the issuance of an Auditor's Certificate for

the purpose of funding the Second Phase of the contract and other related costs.

Aud. Cert. 9600013.

FILE LOCATION: CONT - Nielsen-Dillingham Builders CONFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-203:

SUBJECT: Default of Contract for the Expansion and Modification
of Traffic Signal Master Control Systems.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1361) ADOPTED AS RESOLUTION R-286105

Declaring KVE Systems, Inc. to be in default of a
contract for Expansion and Modification of Traffic
Signal Master Control Systems, as authorized by
Resolution R-283221, adopted on January 10, 1994;
terminating the contract. (BID-B4023/94)

CITY MANAGER SUPPORTING INFORMATION:

On January 10, 1994, Resolution R-283221, authorized a contract with KVE Systems, Inc. to furnish expansion and modification of traffic signal master control systems for a cost of \$386,852 plus applicable sales tax. KVE Systems, Inc. has repeatedly failed to furnish information and documentation required to implement this project. The purchase order was issued to KVE Systems on May 27, 1994. On July 18, 1994, City personnel met with Jack Herndon of KVE Systems, at which time Mr. Herndon promised to supply a schedule in 10 working days. A faxed copy of that schedule was not received until September 9, 1994. The schedule stated that all required submittals would be furnished to the City by September 30, 1994. Since that time, KVE Systems has continually

failed to meet promised schedules and deadlines. On April 10, 1995, Purchasing notified KVE Systems by letter that they had 10 calendar days to bring the contract into compliance with the specifications, or the City would proceed with termination of the contract. Again KVE failed to meet these requirements. On May 3, 1995, a response to the termination letter was received by the City, however, the information was still incomplete. It is therefore recommended that this contract be terminated. Traffic Engineering will pursue other avenues for obtaining the system.

FILE LOCATION: CONT - KVE Systems, Inc.

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-204:

SUBJECT: Inviting Bids for the Construction of Northern Sludge
Processing Facility - Energy Building and Wastewater
Pump Station.

(NAS Miramar Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1489) ADOPTED AS RESOLUTION R-286106

Inviting bids for the Construction of Northern Sludge
Processing Facility - Energy Building and Wastewater
Pump Station on Work Order No. 198867;

Establishing contract funding phases with the lowest
responsible bidder based on the actual low bid
submitted;

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

deposit in the City Treasury;

Authorizing the expenditure of \$8,818,650 from Fund No. 41509, CIP-42-911.4, Northern Sludge Processing Facility, Phase II for the purpose of providing funds for project construction, contingency and related costs, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

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

Stating for the record that the City of San Diego as Lead Agency has reviewed and considered Environmental Negative Declaration DEP-91-0653. (BID-K94111)

CITY MANAGER SUPPORTING INFORMATION:

The Fiesta Island Replacement Project/Northern Sludge Processing Facility (FIRP/NSPF) project to be located at NAS Miramar will replace the sludge drying facilities currently located at Fiesta Island. The Energy Building and Wastewater Pump Station (EB/PS) Facilities is the eighth of nine construction contracts for FIRP/NSPF. This contact features the Energy Building which supplies steam and chilled water for the project, the Wastewater Pump Station which sends the centrate to the North City Water Reclamation Plant, and the Pump Station's Odor Control Facility. Mitigation measures related to this action have been incorporated into each package. At this time, approval is requested to advertise for bid and award this contract package. The EIR was certified by City Council on December 5, 1994.

FILE LOCATION: W.O. 198867 CONT - Nielsen-Dillingham
Builders Joint Venture CONFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-205:

SUBJECT: Two actions related to South Bay Ocean Outfall -
Contract No. 3, Marine Work.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1487) ADOPTED AS RESOLUTION R-286107

Inviting bids for South Bay Ocean Outfall - Contract
No. 3, Marine Work on Work Order No. 191982;

Authorizing the City Manager to establish contract
funding phases with the lowest responsible bidder,
based on the actual low bid submitted;

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

Authorizing the expenditure of \$51,720,000 from Sewer
Fund No. 41509, CIP-40-910.1, South Bay Ocean Outfall
Extension, for the purpose of providing funds for this
project construction, contingency and related costs,
provided that the City Auditor first furnishes a
certificate demonstrating that the funds necessary for
expenditure under established contract funding phases
are, or will be, on deposit in the City Treasury;

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

Stating for the record that the City of San Diego as
Lead Agency has reviewed and considered Environmental
Impact Report DEP-94-0615. (BID-K95121)

Subitem-B: (R-95-1488) ADOPTED AS RESOLUTION R-286108

Authorizing the use of City Forces to make connections and perform operational checks; declaring that the cost of the work shall not exceed \$20,000.

CITY MANAGER SUPPORTING INFORMATION:

The South Bay Outfall Extension (South Bay Ocean Outfall) is a joint project between the City and the Federal government. The outfall will convey treated effluent from the International Treatment Plant and future City of San Diego plants to the ocean for final disposal. The project is broken into three separate construction packages. At this time approval is requested to advertise and award the contract for Package 3 - Marine Works to the lowest responsible bidder. An Environmental Impact Statement for this project was prepared by the Environmental Protection Agency. A Record of Decision on this EIS was signed on May 6, 1994. The City has prepared an Environmental Impact Report (EIR) for this project, which was certified by the City Council on May 22, 1995, by Resolution R-285823.

FILE LOCATION: W.O. 191982 CONT - Fletcher General, Inc.
CONFY96-1

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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-206:

SUBJECT: Transfer of \$3.7 Million Redevelopment Agency's Low and Moderate Income Funds to the Housing Trust Fund.

(See memorandum from Centre City Development Corporation dated 6/6/95.)

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1844) ADOPTED AS RESOLUTION R-286109

Authorizing the transfer of \$3,700,000 from the Centre

City Redevelopment Project's Low and Moderate Income Housing Funds to be transferred to the Housing Trust Fund with conditions and findings of benefit to the Centre City Redevelopment Project.

CITY ATTORNEY SUPPORTING INFORMATION:

On June 21, 1994, the Redevelopment Agency (Agency) Board voted to transfer \$3.7 million from the Centre City Development Corporation's (CCDC) Low and Moderate Income Housing Fund to the Housing Trust Fund. At that time, the Agency directed the City Attorney to draft findings, as required by the California Community Redevelopment Law allowing the funds to be used outside the Redevelopment Project areas from which they were generated. This resolution makes such findings to help institute CCDC's Social Issues Strategy, and sets up a process for spending the balance of funds. Staff from CCDC, the Agency and the Housing Commission have agreed to this process.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. 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-207:

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-95-1933) ADOPTED AS RESOLUTION R-286110

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.
A Notice to Proceed was issued to Western Summit on June 12, 1995.
- 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: Completed 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

The bid opening for the Tunnel package was held on June 15, 1995. The apparent low bidder is Traylor Brothers/Obayashi, joint venture.

The bid was \$88,300,000.

C. Package 3 - Marine Works.

Bid Solicitation: June 15, 1995 - August 15, 1995
Construction: November 1995 - October 1997

The bid for the Marine package was advertised on June 15, 1995, the pre-bid conference is scheduled for July 11, 1995 and the bid opening is scheduled for August 15, 1995.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B117-554.)

CONSENT MOTION BY McCARTY 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.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:16 p.m. in honor of the memory of:

James Morgan, as requested by Council Member Stevens;

Ray Wilson, John Snite, and Dr. George Glenner, as requested by Mayor Golding; and

Gary Cheatham, as requested by Council Member Kehoe.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D121-176.)