

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JULY 31, 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 2:08 p.m. Mayor Golding introduced and welcomed Carl Rustin, Director of Special Events for St. Vincent de Paul Village and Neal Arthur, Assistant Rodeo Producer for "Cowboy for Kids." Mayor Golding announced that the first annual "Cowboy for Kids" Rodeo would be held August 4th, 5th, and 6th at the Lakeside Rodeo Arena to benefit children from the programs of Volunteers in Probation, and St. Vincent de Paul's Teen Center and Children's Services Department. Mayor Golding expressed she wanted to highlight the wonderful event, and asked everyone in San Diego to participate. Mayor Golding adjourned the meeting at 4:14 p.m. into Closed Session at 9:00 a.m. on Tuesday, August 1, 1995, in the twelfth floor conference room to discuss existing and anticipated litigation.

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-excused by R-286290  
(out-of-town travel)

(8) Council Member Vargas-present

Clerk-Abdelnour (pr)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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

ITEM-10: INVOCATION

Invocation was given by Pastor Arthur Maricle of the Lighthouse Independent Baptist Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stallings.

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO CITY ATTORNEY

Comment by Don Stillwell referencing his article "Obey The Law" regarding elected officials following municipal codes. Also, Mr. Stillwell's public access program was bumped on July 25, 1995 and preempted by C-Span Senate Hearings on both Cox and Southwestern Cable. Mr. Stillwell further

commented Public Access Programming should have precedence over any other types of programming including programs originated by the Grantee.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape Location: A050-079.)

ITEM-PC-2:

Comment by Donald Peter Ray regarding Tibet being illegally occupied since 1949 by the Chinese Government.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape Location: A082-102.)

ITEM-PC-3:

Comment by David Bruce Thompson on the problems of drugs and crime amongst teenagers.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape Location: A103-122.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Stallings congratulating the San Diego Fire Department for their quick response during the fire in Tecolote Canyon on July 27, 1995.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A126-131.)

ITEM-CC-2:

Comment by Council Member Harvey regarding the new George E. Barnes tennis facilities available without charge at Nimitz. Council Member Harvey informed Council Phase I was completed with 16 courts available for use.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A132-139.)

ITEM-CC-3:

Comment by Mayor Golding regarding her recent trip to Washington speaking with several Senators and the Speaker of the House who assured her they were supportive of the legislation regarding San Diego's water resources. Mayor Golding asked all Council Members and San Diego citizens to urge Senator Feinstein and Senator Boxer to support legislation for the exemption of the Point Loma Treatment Plant. Mayor Golding also informed Council there will be a EPA Hearing on the waiver in August, and hopefully there will be action taken in September.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A140-188.)

ITEM-CC-4:

Comment by Council Member Stevens reiterating Mayor Golding's request asking Council Members to encourage our Senators to be supportive of the exemption for the Point Loma Treatment Plant. He also requested the City Manager to contact other local municipalities as to docketing this item as well.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A200-211.)

ITEM-30:

SUBJECT: Two actions related to Betty G. Sherman and James R. Dawe Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-90) ADOPTED AS RESOLUTION R-286167

Thanking Betty G. Sherman for her dedicated service as a member of the Board of Library Commissioners and for her continuing dedication to San Diego libraries;

Proclaiming July 31, 1995 to be "Betty G. Sherman Day" in San Diego.

Subitem-B: (R-96-91) ADOPTED AS RESOLUTION R-286168

Thanking James R. Dawe for his dedicated service as a member and Chair of the Board of Library Commissioners and for his continuing efforts toward the betterment of our community;

Proclaiming July 31, 1995 to be "James R. Dawe Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A216-338.)

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

ITEM-31:

SUBJECT: Neighborhood Watch Month.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-61) ADOPTED AS RESOLUTION R-286169

Proclaiming the month of August 1995 to be "Neighborhood Watch Month" in San Diego, and

encouraging all citizens to join in this effective means of fighting crime in their neighborhoods and to unite with their neighbors and law enforcement to keep their neighborhoods safe.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A340-393.)

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

ITEM-32:

SUBJECT: National Night Out 1995.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-93) ADOPTED AS RESOLUTION R-286170

Proclaiming Tuesday, August 1, 1995 to be "National Night Out in San Diego," and calling upon all citizens of San Diego to join San Diegans United For Safe Neighborhoods and the National Association of Town Watch in supporting the 12th Annual National Night Out.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A394-447.)

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

ITEM-33: PRESENTED

Special Presentation to Mayor Susan Golding from St. Vincent de Paul Village and Volunteers in Probation,

Inc.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A214-274.)

\* ITEM-50:

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

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 7/17/95. (Council voted 9-0):

(O-95-120) ADOPTED AS ORDINANCE O-18194 (New Series)

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

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A508-B146.)

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

\* ITEM-51:

SUBJECT: Remington Hills Rezone.

(RZ-93-0140. Otay Mesa Community Area. District-8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 7/18/95. (Council voted 8-0. District 6 not present):

(O-96-1) ADOPTED AS ORDINANCE O-18195 (New Series)

Rezoning 76.5 acres located east of I-805, between SR 905 and Otay Mesa Road, into the R-1-5000 and HR Overlay Zones.

FILE LOCATION:           ZONE - Ord. O-18195 N.S.

COUNCIL ACTION:           (Tape location: A508-B146.)

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

ITEM-52:

SUBJECT: Calling a General Municipal Election on November 7, 1995.

CITY CLERK'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-96-10)           INTRODUCED AND ADOPTED AS ORDINANCE O-18196  
(New Series)

Introduction and adoption of an Ordinance calling a General Municipal Election in the City of San Diego on Tuesday, November 7, 1995, for the purpose of any run-off elections required in Council Districts 2, 4, 6, and 8.

CITY CLERK'S SUPPORTING INFORMATION:

This is a request that the City Council adopt an ordinance calling the General Municipal Election to be held on November 7, 1995. November 7, 1995 is the date for the regularly scheduled general municipal election for any run-off elections required in Council Districts 2, 4, 6, and 8.

FILE LOCATION:           MEET

COUNCIL ACTION:           (Tape location: C458-528.)



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

\* ITEM-53:

SUBJECT: U.S.O. Relocation Lease Agreement.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-7) INTRODUCED, TO BE ADOPTED ON AUGUST 14, 1995

Introduction of an Ordinance authorizing the City Manager to execute a 50-year lease agreement with the U.S.O. Council of San Diego, Inc., for property located at 303 "A" Street, San Diego.

CITY MANAGER SUPPORTING INFORMATION:

In order for the City to proceed with the Convention Center Expansion, it is necessary to relocate the U.S.O. from its existing facility, located at 433 East Harbor Drive, to a City-owned facility, located at 303 "A" Street, in the downtown area. The City purchased this facility, primarily for this purpose, on January 25, 1995. Since that date, the U.S.O. and City have cooperated in the necessary up-grades to the building in connection with the completion of tenant improvements for the occupancy of the U.S.O. in mid August of this year. The City proposes to enter into a 50-year lease agreement, at an annual rental rate of one dollar per year, with the U.S.O. for the first and second floor of the building located at 303 "A" Street. The U.S.O. will also pay its pro-rata share of the building's operating and common area expenses. The U.S.O. has deposited into an escrow with the City a Quitclaim Deed to terminate its existing Sublease Agreement with the City upon payment of its pro-rata share of prepaid rent refunded by the San Diego Unified Port District in the amount of \$113,935. As part of this Council action, the City will execute a Quitclaim Deed to the San Diego Unified Port District to terminate its Lease Agreement with the

Port District on the property located at 433 Harbor Drive.  
Aud. Cert. 9600067.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A508-B146.)

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

\* ITEM-100:

SUBJECT: Inviting Bids for Forcemain 1 & 2 - East Portal  
Forcemain Isolation Structure.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-21) ADOPTED AS RESOLUTION R-286171

Inviting bids for the East Portal Forcemain Isolation Structure on Work Order No. 192731;

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

Authorizing the expenditure of \$1,378,687 from Fund No. 41508, CIP-46-181.0, Force Main #1 & #2 Sluice Gates, for the purpose of providing funds for construction, contingency and related costs, provided that the City Auditor first furnishes one or more certificates demonstrating that funds necessary for expenditure under the established contract 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 Amendment No. 2 of the Agreement between the City and the Navy for the reimbursement to the Navy of an amount not to exceed \$100,000, for the relocation of a communication fiber optic cable which is presently located within the Force Main #1 & #2 Sluice Gates construction work area. (BID-K95124)

CITY MANAGER SUPPORTING INFORMATION:

The purpose for the project is to restore the ability to isolate Force Mains #1 (FM #1) and #2 (FM #2) at the East Portal Structure in order to perform necessary inspection and maintenance on one force main while flow through the other force main continues uninterrupted. The East Portal is located on the U.S. Naval Reservation fuel farm at Point Loma. It consists of a concrete structure approximately 27 feet long by 23 feet wide, extending more than 40 feet below grade. The East Portal is the discharge location for these two large-diameter force mains emanating from the City of San Diego's MWWP Pump Station No. 2. Wastewater discharged from the force mains flows through an 108-inch gravity line which extends from the Portal to the MWWP Point Loma Wastewater Treatment Plant (PLWTP). The existing FM #1 and FM #2 stop gate frames at the East Portal have corroded beyond use; therefore, the ability to isolate and perform routine inspections and maintenance is no longer possible. It is desired to restore this capability, allowing flow to continue uninterrupted through the portal with one force main shut down. Also, a sensitive naval communication fiber optic cable located within the construction work area of the Force Main #1 & #2 Sluice Gates will be relocated by the Navy outside this work area at a cost not to exceed \$100,000. The Navy will perform the design and construction work of the cable relocation.

Aud. Cert. 9600023.

FILE LOCATION: W.O. 192731 CONT - Nielsen-Dillingham  
Builders CONT FY96-1

COUNCIL ACTION: (Tape location: A508-B146.)

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

\* ITEM-101:

SUBJECT: Approving Parcel Map W.O. No. 950129.

(Located southeasterly of I-15 and Pomerado Road.  
Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-76) ADOPTED AS RESOLUTION R-286172

Approving Parcel Map W.O. No. 950129, being a lot line  
adjustment of Parcels 1 and 2 of Parcel Map PM-17503.

FILE LOCATION: SUBD PM-950129

COUNCIL ACTION: (Tape location: A508-B146.)

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

\* ITEM-102:

SUBJECT: Sewer Pump Station No. 80 - Land Donation.

(Located south of Rancho Bernardo Road and West of  
Interstate 15. Rancho Bernardo Community Area.  
District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-60) ADOPTED AS RESOLUTION R-286173

Accepting a grant deed of Rancho Bernardo Corporate  
Center, Ltd., granting to the City Parcel A of Bernardo  
Industrial Park, Unit No. 17, Map-10480.

CITY MANAGER SUPPORTING INFORMATION:

A Notice of Completion and Acceptance of Subdivision Improvements for the Bernardo Industrial Park Unit No. 17 was recorded November 14, 1985. At that time, Parcel A of the subdivision, on which the City's Sewer Pump Station No. 80 was constructed, was never deeded to the City. Since that time, the City has maintained and operated the pump station. The property owner, Rancho Bernardo Corporate Center Limited, has expressed a willingness to donate Parcel A. Acceptance of the donation will ensure clear title to the property, and continued operation of the pump station.

FILE LOCATION: DEED F-6543 DEED FY96-1

COUNCIL ACTION: (Tape location: A508-B146.)

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

\* ITEM-103:

SUBJECT: Donation from Mrs. Mary Elizabeth North for the Plaza de Panama Fountain.

(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-43) ADOPTED AS RESOLUTION R-286174

Accepting the very generous donation of Mrs. Mary Elizabeth North in the amount of \$170,500 for the construction of a fountain in the Plaza de Panama, Balboa Park, and thanking Mrs. North for her act of civic generosity;

Authorizing a charitable donation agreement with the Mary Elizabeth North/Mary Gaylord North Family Trust, for the construction of the Plaza de Panama Fountain, Balboa Park;

Authorizing the Auditor and Comptroller to increase the appropriation of CIP-21-834.0, Balboa Park/Mission Bay Park Requirements, Sublet CIP-21-835.4, by the amount of \$170,500, utilizing the donation previously deposited into Fund No. 63022 for this purpose.

CITY MANAGER SUPPORTING INFORMATION:

A fountain to be constructed in the Plaza de Panama, Balboa Park, is identified in the Balboa Park Central Mesa Precise Plan, adopted by Council on October 20, 1992. The fountain is identified as a part of the restoration of the entire Plaza de Panama, which would return the Plaza back from its current vehicular parking use to its historic role as a pedestrian oriented, paved and landscaped central park area. Full restoration of the Plaza, at this time, is not feasible for many reasons, including parking and funding limitations. However, by way of a very generous private donation, construction of the fountain has been advanced. Mrs. Mary Elizabeth North, in November 1994, made an offer to donate funds to cover the costs of constructing the fountain. The City gratefully accepted this offer and the Park and Recreation Department, Special Projects Office, was assigned the task of managing design and construction of the fountain and ensuring it was successfully implemented and incorporated into the park. The Plaza de Panama Fountain is now complete and the City wishes to thank Mrs. Mary Elizabeth North for this wonderful gift.

Aud. Cert. 9501294.

FILE LOCATION: MEET CONT FY96-1

COUNCIL ACTION: (Tape location: A508-B146.)

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

\* ITEM-104:

SUBJECT: Viburnum Foundation Grant.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-58) ADOPTED AS RESOLUTION R-286175

Authorizing the City Manager or his representative to partner with New Beginnings, a consortium of health care and family service providers, to apply for, accept, administer, and expend grant funds from the Viburnum Foundation which will support the teaching of literacy skills both at home and in a library setting.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Public Library is requesting authorization to partner with New Beginnings, a consortium of health care, education and family services providers in East San Diego, and to apply for and accept grant funds from the Viburnum Foundation, a small private foundation that has been supporting libraries since 1989. The proposed program would allow the East San Diego Library to collaborate with New Beginnings to provide combined services to the 120 families currently in case management with New Beginnings, and the 75 infants enrolled in their Parents As Teachers (PAT) Program. Through the PAT Program, New Beginnings will teach literacy skills to children and their parents at monthly home visits and then reinforce these skills by providing a bridge to library services through monthly support groups to be held at the library. The Library will work to instill a lifelong love of reading in parents and children.

The proposed program is an innovative approach that takes the teaching of literacy skills out of the traditional library setting and moves them into the child's first learning environment - the home.

Aud. Cert. 9600044.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A508-B146.)

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

\* ITEM-105:

SUBJECT: National Council of Negro Women, Inc. Day.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-96-68) ADOPTED AS RESOLUTION R-286176

Commending the National Council of Negro Women on their  
commitment and devotion;

Proclaiming July 22, 1995 to be "National Council of  
Negro Women, Inc. Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A508-B146.)

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

\* ITEM-106:

SUBJECT: Excusing Councilmember Harry Mathis from the Natural  
Resources, Culture and the Arts Committee Meeting of  
7/12/95.

COUNCILMEMBER MATHIS' RECOMMENDATION:

Adopt the following resolution:

(R-96-88) ADOPTED AS RESOLUTION R-286177

Excusing Councilmember Harry Mathis from attending the  
Natural

Resources, Culture and the Arts Committee meeting of  
July 12, 1995.



FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A508-B146.)

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

\* ITEM-107:

SUBJECT: First Amendment to the Lease Agreement with Plaza del Lago, Ltd.

(Escondido.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-65) ADOPTED AS RESOLUTION R-286178

Authorizing the execution of a first amendment to the Lease Agreement with Plaza del Lago, Ltd., which provides for a reduction in the base rent escalator from 21.7 percent to 15 percent, and an increase in the assignment fee from one percent of gross sales price to a sliding scale of two to four percent.

CITY MANAGER SUPPORTING INFORMATION:

The City entered into a 55-year Ground Lease in 1993 with Plaza del Lago, Ltd., to develop a neighborhood commercial center on 3.75 acres of vacant Water Utilities land near North County Fair shopping center in Escondido.

Plaza del Lago was the only developer responding to a Request for Proposals. During the past two years, Plaza del Lago has obtained all development approvals from the City of Escondido and is ready to begin construction. However, the lessee has been unable to obtain financing or sign up anchor tenants due to the inclusion in the lease of a 21.7 percent rent escalator every five years. The lessee has provided documentation from lenders and major tenants attesting that 15 percent is the maximum acceptable rental increase every five years. The City's

appraisal staff agrees that 15 percent is now the market rate. Proposed is a lease amendment lowering the rent escalator from 21.7 percent to 15 percent. As a concession to the City, the amendment also increases the fee paid to the City in the event the lease is assigned from the current 1 percent of gross sales price to a sliding scale of 2 percent to 4 percent. The reduced rental escalation is needed to ensure that this project will be built and start generating income to the City.

FILE LOCATION: LEAS-PLAZA DEL LAGO, LTD LEAS FY96-1

COUNCIL ACTION: (Tape location: A508-B146.)

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

\* ITEM-108:

SUBJECT: Agreement with Regional Environmental Consultants for the Serra Mesa Emergency Revegetation Project.

(Serra Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-44) ADOPTED AS RESOLUTION R-286179

Authorizing an agreement with Regional Environmental Consultants, for the Serra Mesa Emergency Revegetation Project;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$37,620 within Sewer Revenue Fund 41506, from Program Element 70697, Unallocated Reserve, to Program Element 70820;

Authorizing the expenditure of not to exceed \$37,620 from Sewer Revenue Fund 41506, Program Element 70820.

CITY MANAGER SUPPORTING INFORMATION:

This agreement will provide for revegetation and biological monitoring for a period of 3 years to ensure the growth of the native vegetation in all impacted areas due to an emergency manhole repair in 1994. Five firms were selected from the "As-Needed" list of environmental services by the Consultant Selection Coordinator on November 21, 1994. Three firms declined to be interviewed. The two remaining firms were interviewed on December 20, 1994, in accordance with City Council Policy 300-7. Regional Environmental Consultants was selected for this project. The environmental firm of Enviro Systems Landscape Construction Company (DBE/MBE) will perform 17 percent of the work. Aud. Cert. 9600032. WU-U-95-168.

FILE LOCATION: MEET CCONT FY96-1

COUNCIL ACTION: (Tape location: A508-B146.)

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

\* ITEM-109:

SUBJECT: Two actions related to Contract Change Order No. 12 for the Construction of the Rose Canyon Trunk Sewer.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-1956) ADOPTED AS RESOLUTION R-286180

Approving Change Order No. 12, dated May 5, 1995, with PCL Civil Constructors, Inc., increasing the contract price by \$154,732.61;

Authorizing the Auditor and Comptroller to transfer \$154,732.61 within the Metropolitan Wastewater Department Fund 41509, from CIP-42-910.8, North City Tunnel Connector, to CIP-46-111.0, Rose Canyon Trunk

Sewer.

Subitem-B: (R-95-1957) ADOPTED AS RESOLUTION R-286181

Stating for the record that the information contained in Environmental Impact Report and Mitigation, Monitoring and Reporting Program DEP-89-0876, together with any comments received during the public review process, has been reviewed and considered by Council in connection with the Rose Canyon Trunk Sewer Project - Change Order No. 12.

CITY MANAGER SUPPORTING INFORMATION:

On January 10, 1994, by Resolution Nos. R-283247 and R-283248, the City Council approved the plans and specifications, and authorized execution of a contract for the construction of the Rose Canyon Trunk Sewer. The construction contract was awarded to PCL Civil Constructors, Inc. on March 10, 1994. The Metropolitan Wastewater Department's North City Water Reclamation Plant (NCWRP) effluent system was originally designed to discharge further downstream into the Rose Canyon Trunk Sewer and into an ocean outfall via an independent pipeline system. However, changes to the operation of NCWRP resulted in the elimination of the ocean outfall and associated pipelines. A new discharge system is required for the NCWRP to operate effectively; therefore, a connecting structure is needed to discharge excess effluent into the Rose Canyon Trunk Sewer. At this time it is most cost effective to add this structure during the installation of the trunk sewer north of La Jolla Village Drive as a change to the existing contract.

Aud. Cert. 9501275.

WU-U-95-163.

FILE LOCATION: CONT-PCL CIVIL CONSTRUCTORS, INC. CONT FY96-  
1

COUNCIL ACTION: (Tape location: A508-B146.)

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

\* ITEM-110:

SUBJECT: Appointment to the Commission for Arts and Culture.

(See memorandum from Mayor Golding dated 7/12/95 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-94) ADOPTED AS RESOLUTION R-286182

Council confirmation of the appointment by the Mayor of Adleane Hunter to the Commission for Arts and Culture, for a term ending August 31, 1996, to replace Quincy Troupe, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A508-B146.)

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

\* ITEM-111:

SUBJECT: Appointments to the Board of Library Commissioners.

(See memorandum from Mayor Golding dated 7/12/95 with resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-89) ADOPTED AS RESOLUTION R-286183

Council confirmation of the following appointments by the Mayor to the Board of Library Commissioners, for terms expiring March 1, 1996:

Elizabeth Franco Bradley  
(To replace Betty S. Sherman, who has resigned.)

Michael Madigan  
(To replace James R. Dawe, who has resigned.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A508-B146.)

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

ITEM-150:

SUBJECT: Street Name Change from 100 Block of North 45th Street to YMCA Way.

(District-4.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-95-1810) ADOPTED AS RESOLUTION R-286184

Changing the name of North 45th Street, beginning at Imperial Avenue north to the end of the cul-de-sac (100 block of South 45th Street), to "YMCA Way," as a tribute to the many accomplishments of the YMCA;

Waiving the requirements regarding petitions, circulation and sign-off by affected property owners contained in Council Policy 600-12;

Directing the City Manager to take the necessary actions to accomplish the name change and install new street name signs within the confines of the City budget.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 7/19/95, LU&H voted 4-0 to approve the name change.

(Councilmembers Mathis, Harvey, Stevens and McCarty voted yea.  
Councilmember Warden not present.)

FILE LOCATION: DEED F-6548 DEEDFY96-1

COUNCIL ACTION: (Tape location: B149-203.)

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

ITEM-151:

SUBJECT: Two actions related to the Mira Mesa FY 1996 Public  
Facilities Financing Plan and Facilities Benefit  
Assessment.

(See City Manager Report CMR-95-166. District-5.)

TODAY'S ACTIONS ARE:

Adoption of the following resolutions:

Subitem-A: (R-96-54) ADOPTED AS RESOLUTION R-286185

Approving the document entitled "Mira Mesa Public  
Facilities Financing Plan and Facilities Benefit  
Assessment, June, 1995."

Subitem-B: (R-96-55) ADOPTED AS RESOLUTION R-286186;  
HEARING TO BE HELD ON SEPTEMBER 12,  
1995 AT 10:00 A.M.

Resolution of Intention to designate an area of benefit  
in Mira Mesa and setting the time and place for holding  
a public hearing.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 7/19/95, LU&H voted 4-0 to approve the City Manager's  
recommendation to accept the Financing Plan and adopt the  
Resolution of Intention.

(Councilmembers Mathis, Harvey, Stevens and Warden voted yea.  
Councilmember McCarty not present.)

FILE LOCATION: STRT FB-12

COUNCIL ACTION: (Tape location: C537-D044.)

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

ITEM-152:

SUBJECT: Two actions related to Rancho Penasquitos FY 1996 Public Facilities Financing Plan and Facilities Benefit Assessment.

(See City Manager Report CMR-95-161. Rancho Penasquitos Community Area. District-1.)

TODAY'S ACTIONS ARE:

Adoption of the following resolutions:

Subitem-A: (R-95-1945) ADOPTED AS RESOLUTION R-286187

Approving the document entitled "Rancho Penasquitos Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 1996, June, 1995."

Subitem-B: (R-95-1946) ADOPTED AS RESOLUTION R-286188;  
HEARING TO BE HELD ON SEPTEMBER 12,  
1995 AT 10:00 A.M.

Resolution of Intention to designate an area of benefit in Rancho Penasquitos and setting the time and place for holding a public hearing.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 7/19/95, LU&H voted 4-0 to approve the City Manager's recommendation to accept the Financing Plan and adopt the Resolution of Intention.

(Councilmembers Mathis, Harvey, Stevens, and Warden voted yea. Councilmember McCarty not present.)



FILE LOCATION: STRT FB-13

COUNCIL ACTION: (Tape location: A508-B146.)

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

ITEM-153:

SUBJECT: Approval of the City of San Diego Household Hazardous Waste Element.

(See memorandum from Councilmember Harvey dated 7/11/95; City Manager Report CMR-95-158; and Household Hazardous Waste Element Final Draft, July 1995.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-95-1934) ADOPTED AS RESOLUTION R-286189

Certifying that Draft Negative Declaration DEP-95-0160, dated March 15, 1995, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the declaration reflects the independent judgement of the City of San Diego as Lead Agency, and that the information contained in the Report together with any comments received during the public review process, has been reviewed and considered by the Council;

Declaring that the Council finds, based upon the Initial Study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment;

Approving the final draft of the Household Hazardous Waste Element for the City of San Diego.

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

On 7/12/95, NRC&A voted 3-0 to send to City Council without a recommendation. The Committee also directed the City Manager to answer Councilmember Harvey's questions outlined in his July 11, 1995 memorandum.

(Councilmembers Harvey, Stallings and McCarty voted yea. Councilmembers Mathis and Warden not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A508-B146.)

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

ITEM-154:

SUBJECT: Ban on Consumption of Alcoholic Beverages.

(See Memorandum from Mayor Golding dated 7/17/95.)

TODAY'S ACTION IS:

Introduction of the following ordinance:

(O-96-20) INTRODUCED AS AMENDED, TO BE ADOPTED ON  
AUGUST 14, 1995

Introduction of an Ordinance amending San Diego  
Municipal Code Section 56.54 relating to Alcoholic  
Beverage Consumption Prohibited in Certain Areas.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S  
RECOMMENDATION:

On 7/19/95, PS&NS voted 5-0 to direct the City Manager and City Attorney to revise Municipal Code Section 56.54 to ban consumption of alcohol on all public streets, sidewalks, and right of ways within the City, with exceptions being made for those with properly issued City permits and leases. Further revise the ordinance to bring all curfews, with the exception of the existing 24-hour bans in specified community parks and public

beaches, into conformity and permit consumption of alcohol only between the hours of 9:00 a.m. and 9:00 p.m. In community parks where no curfew exists, the issue should be referred to the individual communities and recreation councils. (Councilmembers Kehoe, Stevens, Stallings, McCarty and Vargas voted yea.)

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B209-590.)

MOTION BY STALLINGS TO INTRODUCE THE ORDINANCE AND APPROVE THE MANAGER'S RECOMMENDATION IMPLEMENTING THE 8 A.M. TO 8 P.M. ALCOHOL BAN. Second by Harvey. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Two actions related to Anti-Cruising Ordinances for the Mission Beach Community.

(See City Manager Report CMR-95-183. Mission Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the Emergency Ordinance in Subitem A;  
Introduce the due-course Ordinance in Subitem B.

Subitem-A: (O-96-17) INTRODUCED AND ADOPTED AS ORDINANCE  
O-18197 (New Series)

Introduction and adoption of an Emergency Ordinance amending the San Diego Municipal Code by adding Division 50, Sections 52.5001, 52.5002, 52.5003, 52.5004, 52.5005 and 52.5006, all relating to Cruising Activity.

NOTE: 6 votes required for Subitem A.

Subitem-B: (O-96-19) INTRODUCED, TO BE ADOPTED ON AUGUST  
14, 1995

Introduction of an Ordinance amending the San Diego

Municipal Code by adding Division 50, Sections 52.5001, 52.5002, 52.5003, 52.5004, 52.5005 and 52.5006, all relating to Cruising Activity.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B595-C453.)

MOTION BY HARVEY TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE FOR SUBITEM A; AND TO INTRODUCE THE DUE-COURSE ORDINANCE FOR SUBITEM B. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-201: CONTINUED TO AUGUST 14, 1995

SUBJECT: Use of City Vehicles by City Employees.

(See Report from the City Attorney dated 6/21/95.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1873)

Establishing Council Policy 200-19 regarding Use of City Vehicles by City Employees.

CITY MANAGER SUPPORTING INFORMATION:

The City Manager has identified a need for a Council Policy that sets out conditions for the use of City vehicles used by City personnel on a 24-hour basis and the applicable insurance coverage available to passengers in the event of an accident involving injuries. There are presently approximately 370 City vehicles used by City personnel on a 24-hour basis. This Council Policy will also provide guidelines and responsibilities for all City department personnel in their use of City vehicles.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A508-B146.)

CONSENT MOTION BY KEHOE TO CONTINUE TO AUGUST 14, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-202: TRAILED TO CLOSED SESSION ON TUESDAY AUGUST 1, 1995

SUBJECT: Suspension of Disability Income Offset Requirements  
Prior to March 31, 1995.

(See City Employees' Retirement System Administrator's Report dated 6/16/95.)

BOARD OF ADMINISTRATION'S RECOMMENDATION:

Adopt the following resolution:

(R-96-46)

Authorizing the Board of Administration of the City Employees' Retirement System to retroactively suspend the compensation reporting requirements, and the resulting income offset that might result from such reporting requirements for those members who were subject to the requirements of the disability income offset program from October 1, 1987, through and including March 31, 1995.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A478-500; A508-B146.)

CONSENT MOTION BY KEHOE TO TRAIL TO CLOSED SESSION ON AUGUST 1, 1995 AS REQUESTED BY THE CITY MANAGER FOR FURTHER CONSIDERATION. Second by Mathis. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Two actions related to Metropolitan Wastewater Purchase

of Water Utilities Land - Mission Valley (Aqua II Site).

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-41) ADOPTED AS RESOLUTION R-286190

Authorizing and approving Fiscal Year 1996 transfers, totalling \$7,000,000 to Sewer Fund No. 41509, CIP-46-159.1, Mission Valley Water Reclamation Plant, Phase II, as follows:

\$3,020,551 - from Sewer Fund No. 41508, CIP-46-179.0,

Point Loma - Power Generation and Distribution Upgrade

\$ 88,928 - from Sewer Fund No. 41508, CIP-46-181.0, Force Main 1 and 2 Corrosion Study

\$ 712,889 - from Sewer Fund No. 41506, CIP-46-120.0, Penasquitos Trunk Sewer Relief

\$ 307,094 - from Sewer Fund No. 41508, CIP-46-129.0, Point Loma Digesters N1 and N2 Roofs and Heating Systems

\$ 18,056 - from Sewer Fund No. 41508, CIP-46-175.0, Point Loma - Headworks, Odor Control and Grit Processing Facility

\$ 3,224 - from Sewer Fund No. 41508, CIP-46-180.0, Point Loma - North Operations Building

\$ 210,700 - from Sewer Fund No. 41508, CIP-46-132.0, Point Loma - Plant Access Road

\$ 61,707 - from Sewer Fund No. 41508, CIP-46-110.0, Point Loma - Scum Removal System

\$ 189,793 - from Sewer Fund No. 41508, CIP-46-177.0, Point Loma - Sedimentation Basins 11 and 12

\$ 16,330 - from Sewer Fund No. 41508, CIP-46-176.0,

Point Loma - Water Tank and Pipeline

\$2,278,516 - from Sewer Fund No. 41506, CIP-46-117.0,  
Pump Station 65 Expansion and Force Main

\$ 92,212 - from Sewer Fund No. 41509, CIP-40-920.1,  
San Diego River Outfall;

Authorizing and approving the Fiscal Year 1996  
expenditure of \$6,657,000 from Sewer Fund No. 41509,  
CIP-46-159.1, Mission Valley Water Reclamation Plant,  
Phase II, for the purchase of land, and \$343,000 for  
all related costs.

Subitem-B: (R-96-42) ADOPTED AS RESOLUTION R-286191

Stating for the record that Environmental Impact Report  
DEP-89-1317, SCH-90010455, dated January 9, 1991, has  
been completed in compliance with the California  
Environmental Quality Act of 1970, as amended, and  
State guidelines; that the report reflects the  
independent judgement of the City as Lead Agency; that  
the information contained in the report, together with  
any comments received during the public review process,  
has been reviewed and considered by Council in  
connection with the approval of the transfer of  
property in connection with the future Mission Valley  
Water Reclamation Plant, Phase II.

CITY MANAGER SUPPORTING INFORMATION:

The action being proposed is the transfer of 15 acres of Water  
Utilities Department land in Mission Valley to the Metropolitan  
Wastewater Department (MWWD) for the future Mission Valley Water  
Reclamation Plant. The Water Utilities Department will receive  
\$6,657,000 from the MWWD for purchase of the site. The site is  
located at Camino del Rio North and Mission City Parkway. The  
Water Utilities Department vacated it in August of 1993 upon  
completion of the permanent Aquaculture facility in the San  
Pasqual Valley thereby making it surplus to its needs. A staff  
appraisal valued the land as vacant at \$6,657,000. The cost for  
demolition of existing improvements is not known at this time.  
Existing improvements were constructed with federal grant  
assistance. Demolition will occur after an independent appraisal  
of their value has been completed. MWWD will be reimbursed by  
Water Utilities for demolition costs.

Aud. Cert. 9600039.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A508-B146.)

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

ITEM-204:

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-96-63) ADOPTED AS RESOLUTION R-286192

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

CITY MANAGER SUPPORTING INFORMATION:

For more than 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 February 23, 1995 at a cost of \$4,873,615.

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.

The contractor is mobilizing equipment and support facilities, establishing temporary utility services, installing security fencing, and removing surcharged soil from the SBIWTP site.

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 - January 1996

Bid Solicitation: February 1996 - April 1996

Construction: May 1996 - May 1997

Design work has been delayed due to right-of-way acquisition problems at Smuggler's Gulch and decisions regarding siting of the Goat Canyon pump station and the dechlorination facility. Funding may still be an issue.

SOUTH BAY OCEAN OUTFALL

On June 29, 1995, the Surfriders Foundation initiated a lawsuit against the City of San Diego requesting that the City Council's May 22, 1995 approval of the Environmental Impact Report for the South Bay Ocean Outfall be set aside. The law firm of McCutcheon Doyle is handling this lawsuit for the City.

A. Package 1 - Special Structures.

Design: Completed May 12, 1995

Bid Solicitation: January 25, 1996 - March 26, 1996

Construction: July 1996 - July 1997

Staff is reviewing the possible acceleration of the start of construction of this package in order to coordinate work under this project with work being done in connection with the International Treatment Plant.

B Package 2 - Tunnel.

Bid Solicitation: April 6, 1995 - June 15, 1995

Construction: September 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. A Notice of Intent to award is expected in early August. On July 11, 1995, the second low bidder, Kajima/Dillingham/ICA, a Joint Venture filed a protest to the award of the construction contract to Traylor Brothers. The City Attorney is reviewing this protest.

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: A508-B146.)

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

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:14 p.m. in honor of the memory of Joseph Raymond Rawlings, as requested by Council Member Vargas.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D044-059).