

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, AUGUST 7, 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 2:03 p.m. City Manager Jack McGrory announced that it was Alex Bragado's last meeting as the Council Liaison for the City Manager. He commended Alex for a job well done and announced that Alex will be returning to the Financial Management Department as the Budget Manager in charge of revenue forecasting. Mr. McGrory also introduced and welcomed Alex's replacement, Ana Maria Jaramillo, from the Economic Development Department. Ana Maria is a graduate of Central Michigan University and in 1992 was selected from among 26 Latinos in the United States to receive a Fellowship to the National Hispana Leadership Institute. Ana Maria also participated in studies at Harvard and at Washington D.C. The meeting was adjourned by Mayor Golding at 2:44 p.m. into Closed Session on Tuesday, August 8, 1995, at 10:00 a.m., in the twelfth floor conference room to discuss existing litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Harvey-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Harvey-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-not present
- (5) Council Member Warden-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 Richard Tate of the East  
Clairemont Southern Baptist Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Warden.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding the choices that elected officials make for the City, County, State, and Federal Government that affect the people who elected them into office.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A054-079.)

ITEM-PC-2:

Comment by James Reed urging the City Council to take action with regard to the violations occurring at the project located at 12818 Via Grimaldi.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A083-113.)

ITEM-PC-3:

Comment by Reverend David Thompson regarding the advertisement of tobacco and beer which he believes are both drugs. He informed Council that Congress had passed a law prohibiting the television industry from advertising alcohol and yet they still advertise beer which he considers alcohol.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A116-136.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Mayor Golding stating that the City's Campaign Contribution Law states that elected officials cannot take contributions from either Corporations or Political Action Committees. She also stated that this law distinguishes the City from other levels of Government.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A140-145.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

07/17/95

07/18/95

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO APPROVE. 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-31:

SUBJECT: Marcie L. Lampkin Day.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-96-105) ADOPTED AS RESOLUTION R-286200

Commending Marcie L. Lampkin for his 36 years of  
commitment and devotion to the City of San Diego;

Proclaiming July 28, 1995 to be "Marcie L. Lampkin Day"  
in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A150-189.)

MOTION BY STEVENS TO ADOPT. 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-50:

SUBJECT: Amendment to the Municipal Code regarding the  
Department of Intergovernmental Relations.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
7/24/95.

(Council voted 8-0. Mayor Golding not present):

(O-96-8) ADOPTED AS ORDINANCE O-18198 (New Series)

Amending Chapter II, Article 2, of the San Diego  
Municipal Code by amending Section 22.0101, relating to  
Permanent Rules of the Council, Section 22.1901,  
relating to Department of Intergovernmental Relations,  
and Section 22.2101, relating to Council Administration  
Division.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A481-567.)  
MOTION BY MATHIS TO DISPENSE WITH THE READING AND ADOPT THE  
ORDINANCE. Second by Harvey. Passed by the following vote:  
Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-51:

SUBJECT: Business License Taxes.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
7/24/95.

(Council voted 6-2. Districts 5 and 8 voted nay. Mayor Golding  
not present):

(O-96-9) ADOPTED AS ORDINANCE O-18199 (New Series)

Amending Chapter III, Article 1, Division 3 of the San Diego Municipal Code by amending Section 31.0301, relating to Business License Taxes, establishing a business license tax of \$34 for businesses with 12 or fewer employees.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-nay, Stallings-yea, McCarty-yea, Vargas-nay, Mayor Golding-nay.

\* ITEM-52:

SUBJECT: Operating Agreement - Carmel Mountain Ranch Swimming Pool.

(District-5.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 7/24/95.

(Council voted 8-0. Mayor Golding not present):

(O-96-4) ADOPTED AS ORDINANCE O-18200 (New Series)

Authorizing the execution of a Seven-Year Operating Agreement with Southern California Fitness, Inc., dba Fitness Advantage, with one seven-year option to renew the agreement, for the operation of the Carmel Mountain Ranch Swimming Pool.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND

ADOPT THE ORDINANCE. 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-53:

SUBJECT: Amending the San Diego Municipal Code to Add Parking Prohibition Subsection.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-11) INTRODUCED, TO BE ADOPTED SEPTEMBER 11, 1995

Introduction of an Ordinance amending Chapter VIII, Article 6, of the San Diego Municipal Code by amending Section 86.09, relating to Parking Prohibitions.

CITY MANAGER SUPPORTING INFORMATION:

This action will clarify parking regulations by modifying San Diego Municipal Code (SDMC) Section 86.09(e), and creating Section 86.09(f), a separate subsection for parking prohibitions. Currently, citations for parking prohibitions and other violations of parking regulations are issued under SDMC Section 86.09(e) which states, "No person shall park or stand a vehicle in violation of any sign or curb marking established pursuant to the provisions of the San Diego Municipal Code." All citations issued under this subsection have the same fee, currently \$35, except for citations for parking prohibitions indicated by red curb, which are \$60. The higher fee for a violation of a parking prohibition reflects the safety issues involved. The current situation causes confusion by assigning two different citation fees to one subsection of the SDMC. The proposed amendment separates parking limitations and regulations from parking prohibitions, allowing the different citation fees to be referenced to different subsections. Parking prohibitions indicated by either sign or red curb will both be covered by the proposed 86.09(f).

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO INTRODUCE. 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-54:

SUBJECT: Convert One-Hour Metered Zone to Two-Hour Metered Zone.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-14) INTRODUCED, TO BE ADOPTED SEPTEMBER 11, 1995

Introduction of an Ordinance converting the one-hour  
metered zone to a two-hour metered zone on both sides  
of Seventh Avenue between "A" Street and Ash Street,  
and on the north side of "A" Street between Seventh  
Avenue and Eighth Avenue.

CITY MANAGER SUPPORTING INFORMATION:

Due to the needs of the surrounding businesses of the subject  
area, the property owners representing 100 percent of the  
abutting property have signed a petition requesting a change from  
the existing one-hour parking metered zone to a two-hour parking  
metered zone, on both sides of Seventh Avenue between "A" Street  
and Ash Street, and on the north side of "A" Street between  
Seventh Avenue and Eighth Avenue. The business owners feel  
strongly that this change will improve the ability of their  
customers to conduct business. The requested two-hour parking  
metered zone meets the criteria in Council Policy 200-4.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO INTRODUCE. 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-100:

SUBJECT: Two actions related to Miramar Ranch North Community Facilities District No. 1 (Mello-Roos).

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-100) ADOPTED AS RESOLUTION R-286201

Accepting a cash advance of \$47,600 from McMillin Development, Inc. for consultant services and City administrative costs in connection with Miramar Ranch North Community Facilities District No. 1.

Subitem-B: (R-96-101) ADOPTED AS RESOLUTION R-286202

Authorizing a fourth amendment to the agreement with Willdan Associates, for special tax consulting services in connection with Miramar Ranch North Community Facilities District No. 1;

Authorizing the expenditure of not to exceed \$40,100 from Fund No. 79490, Account 4118, Job Order 079490, in connection with the above consulting services.

CITY MANAGER SUPPORTING INFORMATION:

On September 7, 1990, the City entered into an agreement with Willdan Associates for consultant services involving the preparation of an initial feasibility study to evaluate the proposed Miramar Ranch North Community Facilities District No. 1. A subsequent Council action authorized execution of a first amendment to the agreement for special tax engineering services to form the district, to confirm construction of facilities financed by the district bonds, and to verify costs associated with completed improvements.

Pursuant to the terms and conditions of the Council-adopted acquisition and funding agreement for the district, this single-step process was revised to provide for monthly progress payments

to the developer. As a result, the City Council authorized a second and third amendment to the agreement with Willdan Associates for special tax engineering services in calendar year 1993 and 1994 respectively. These amendments to the agreement provided for the consultant's submittal of public improvement cost billings and the compilation of facility cost documentation. The developer is continuing to construct district-funded public improvements.

Therefore, a fourth amendment to the agreement for calendar year 1995 is required with Willdan Associates to provide for continued submittal of public improvement cost billings and compilation of facility cost documentation for facilities scheduled to be completed in the current calendar year. Willdan Associates will be presenting the project cost documentation files for each completed facility to the City for final cost auditing.

Aud. Cert. 9600078.

FILE LOCATION: STRT CF-1 CONFY96-1

COUNCIL ACTION: (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO ADOPT. 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-101:

SUBJECT: Two actions related to the Mira Mesa Boulevard  
Assessment District No. 3879 -- Lopez Canyon Assessment  
District No. 3990 -- Assessment Reapportionment.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-81) ADOPTED AS RESOLUTION R-286203

Ordering certain changes and modifications to the  
Engineer's Report in Assessment District No. 3879 -  
Mira Mesa Boulevard.

Subitem-B: (R-96-82) ADOPTED AS RESOLUTION R-286204

Ordering certain changes and modifications to the Engineer's Report in Assessment District No. 3990 - Lopez Canyon.

CITY MANAGER SUPPORTING INFORMATION:

Lusk Mira Mesa Business Park East II, Unit No. 2 (Subdivision Map No. 12685), was filed on August 15, 1990. The land on which the subdivision is located was included within two assessment districts established by the City of San Diego in the Mira Mesa area:

1. Assessment District No. 3879 (Mira Mesa Boulevard).
2. Assessment District No. 3990 (Lopez Canyon).

Each of the 38 developable lots that were created by Map-12685 are included in the two assessment districts, and each lot has received an assessment from both Assessment District No. 3879 and Assessment District No. 3990. Parcel Map PM-17508 was recently filed over 14 of the 38 developable lots that had been created by Subdivision Map No. 12685.

The new parcel map changes the location of existing lot lines, and the total number of lots has been reduced from 14 to 9. When the filing of a parcel map results in this type of boundary change to previously assessed parcels, the Streets and Highways Code requires that the necessary reapportionment of assessments be approved by the City Council. A proposed Modification to the Final Engineer's Report has been prepared for both Assessment District No. 3879 and Assessment District No. 3990 by the Superintendent of Streets. By adoption of a Resolution Ordering Changes and Modifications for each of the assessment districts, the City Council will formally order the reapportionment of assessments described in the reports, and the new assessments will immediately go into effect.

FILE LOCATION: STRT D-2183

COUNCIL ACTION: (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO ADOPT. 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-102:

SUBJECT: Sewer Easement Exchange in Parcel 2 of Parcel Map PM-12562 - California Street at Witherby Street.

(Uptown Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-80) ADOPTED AS RESOLUTION R-286205

Approving the acceptance by the City Manager of the deed of Lynn L. Ray and Hiroko S. Ray, conveying to the City a sewer easement in Parcel 2 of Parcel Map PM-12562;

Authorizing the execution of a quitclaim deed, quitclaiming to Lynn L. Ray and Hiroko S. Ray, all the City's right, title and interest in a sewer easement in Parcel 2 of Parcel Map PM-12562.

FILE LOCATION: DEED F-6546 DEEDFY96-2

COUNCIL ACTION: (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO ADOPT. 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-103:

SUBJECT: Two actions related to Street Dedication - Clairemont Drive - Northeasterly of Burgener Boulevard.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-83) ADOPTED AS RESOLUTION R-286206

Approving the acceptance by the City Manager of a grant deed of Pacific Clairemont Holdings 1, L.P., granting to the City an easement for public street purposes in a portion of Parcel 3 of Parcel Map PM-11146; dedicating said land as and for a public street and naming the same Clairemont Drive.

Subitem-B: (R-96-84) ADOPTED AS RESOLUTION R-286207

Certifying that the information contained in Negative Declaration DEP-90-0830, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines; that the declaration reflects the independent judgement of the City as Lead Agency; that the information contained in the report, has been reviewed and considered by the Council in connection with the approval of the dedication of a portion of Clairemont Drive.

FILE LOCATION: DEED F-6547 DEEDFY96-1

COUNCIL ACTION: (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO ADOPT. 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-104:

SUBJECT: Request to Carry Forward \$200,000 to Fund a Feasibility Study for the Renovation of the San Diego Civic Theatre.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-111) ADOPTED AS RESOLUTION R-286208

Directing the Auditor and Comptroller to appropriate \$200,000 from the New Convention Facility Fund 10225 to fund a feasibility study for the renovation of the San Diego Civic Theatre.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Convention Center Corporation requests that \$200,000 from the Fiscal Year New Convention Facility Fund budget be carried forward to Fiscal Year 1996 in order to fund a feasibility study for the renovation of the San Diego Civic Theatre. One of the Corporation's goals is to make the San Diego Civic Theatre one of San Diego's premier performing arts venues. The feasibility study will determine what is required in order to make this goal a reality. The feasibility study will include an evaluation of the physical condition of the Theatre and equipment, recommendations regarding renovations and identify associated costs necessary to make the Theatre a premier venue from a production and audience perspective, a market demand study, and an analysis of the financial feasibility of upgrading the Theatre.

Aud. Cert. 9600086.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO ADOPT. 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-105:

SUBJECT: Converting Bancroft Street to One-Way Southbound.

(Golden Hill Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-96) ADOPTED AS RESOLUTION R-286209

Declaring Bancroft Street southbound between Grape Street and Elm Street to be a one-way street;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of such signs.

CITY MANAGER SUPPORTING INFORMATION:

This action would designate Bancroft Street between Grape Street and Elm Street to one-way southbound operation. A petition supporting this action was received from residents representing over 75 percent of the affected fronting property. The Greater Golden Hill Planning Committee has also supported the action. The establishment of a one-way southbound operation on Bancroft Street between Grape Street and Elm Street is recommended because it would remove conflicts from oncoming traffic due to the narrow roadway width of 27 feet.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO ADOPT. 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-106:

SUBJECT: Amendment No. 1 to the Agreement with Daniel Boyle Engineering, Inc. for Engineering Services for the Point Loma Reservoir Rehabilitation.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-78) ADOPTED AS RESOLUTION R-286210

Authorizing Amendment No. 1 to the agreement of February 7, 1994 with Daniel Boyle Engineering, Inc., for consulting services in connection with

rehabilitation of the Point Loma Reservoir;

Authorizing the expenditure of not to exceed \$96,000 from Water Revenue Fund 41506, CIP-73-277.0, Annual Allocation - Standpipe and Reservoir Restoration.

CITY MANAGER SUPPORTING INFORMATION:

The existing 10.9 million gallon Point Loma Reservoir, located in the Peninsula Community at Catalina Boulevard and Hill Street, has served this area for 50 years. The Point Loma Reservoir Rehabilitation project was initiated to address existing deterioration in the wood roof and cracking in the concrete sides and bottom. The complex nature of the work required the experience and expertise of a consulting engineer.

In February 1994, the City entered into an agreement with Daniel Boyle Engineering, Inc. to provide engineering services for the rehabilitation of the reservoir. At the end of the predesign investigation, the consultant found the damage to the roof more extensive than anticipated.

As a result, complete roof replacement was recommended. This necessitates initiating a new contract with Daniel Boyle Engineering, Inc. to address the increased scope of work from repair to replacement. This also necessitates adding construction support services to the scope of work.

Subconsultants for Daniel Boyle Engineering, Inc. are: Simon Wong Engineering, 28.07 percent (MBE); Dahl Taylor & Associates, 6.59 percent (MBE); Moraes/Pham & Associates, 3.87 percent (MBE); Marum & Associates, 4.08 percent (WBE); DEC Consultants, 4.90 percent (MBE).

Aud. Cert. 9600051.

WU-U-95-169.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO ADOPT. 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-107:

SUBJECT: Agreement for As-Needed Storm Water Sampling and Testing.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-70) ADOPTED AS RESOLUTION R-286211

Authorizing the City Auditor and Comptroller to accept funds of up to \$405,000 from the agencies participating in the agreement for wet weather sampling and testing of storm water and to deposit the funds in Storm Drain Fee Fund 10508;

Authorizing an agreement with Woodward-Clyde Consultants, to provide professional services for as-needed storm water sampling and testing;

Authorizing the expenditure of an amount not to exceed \$600,000 from Storm Drain Fee Fund 10508.

CITY MANAGER SUPPORTING INFORMATION:

This is the third year of a cooperative agreement for wet weather sampling and testing of storm-water between 18 incorporated cities, the Unified Port District, and San Diego County. This program will satisfy the monitoring requirements of the county-wide Federal Storm Water Discharge permit. The City of San Diego has agreed to hire the testing consultant and administer the contract. All co-permittees share in the cost according to population. In accordance with Council Policy 300-7 and Administrative Regulation 25.60, the Consultant Coordinator advertised a Request for Proposals for a five year wet weather monitoring contract with six firms responding. The Consultant Coordinator advertised a Request for Proposals for a five year wet weather monitoring contract with six firms responding. The Consultant Nominating Committee accepted all six firms for consideration. Interviews were conducted on May 11, 1995, with Woodward-Clyde Consultants being recommended for professional services.

Negotiations were consummated on May 31, 1995, resulting in

mutually acceptable terms and conditions including a time and material as-needed service fee not to exceed \$600,000. The agreement with Woodward-Clyde is for five years with a maximum expenditure limit of \$600,000 per year. The funding for this agreement will be approved annually.

Aud. Cert. 9600050.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO ADOPT. 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-108:

SUBJECT: Amendment to the San Diego Port Policy (CP-700-20).

(See memorandum from Mayor Golding dated 6/8/95.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-115) ADOPTED AS RESOLUTION R-286212

Amending Council Policy 700-20 regarding the San Diego Port Policy, to include quarterly appearances at the Rules Committee meeting by City appointees to the Port Commission.

RULES COMMITTEE'S RECOMMENDATION:

On 6/12/95, RULES voted 4-0 to amend San Diego Port Policy (CP 700-20) to include quarterly appearances at the Rules Committee meetings by City appointees to the Port Commission.  
(Councilmembers Warden, Stallings, Vargas and Mayor Golding voted yea. Councilmember Kehoe not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO ADOPT. 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-200:

SUBJECT: Awarding Contracts for Removal and Disposal of Sludge  
from Fiesta Island.

(Continued from the meeting of July 24, 1995, Item 201,  
at the request of the City Manager and Rebecca Michael,  
to work with the Metropolitan Wastewater Department to  
resolve the Department's outstanding issues.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1362) ADOPTED AS RESOLUTION R-286213

Awarding contracts for furnishing removal and disposal  
of an estimated 140,000 to 220,000 tons of digested  
sludge, an estimated 2,500 wet tons of screenings and  
an estimated 3,000 wet tons of grit, as may be required  
for a period of one year beginning August 10, 1995  
through August 9, 1996 as follows:

1. ECDC Environmental, L.C. - (Salt Lake City,  
Utah) Category II - an estimated 90,000 wet tons  
of Belt Press Cake to Sanitary Landfill Disposal  
at a cost of \$32.75 per ton for a total estimated  
cost of \$2,947,500 (with a range from 45,000 to  
135,000 tons and a price range from \$1,473,750 to  
\$4,421,250);

Category IV - an estimated 60,000 wet tons of Non-  
Class B Sand Bed Cake to Sanitary Landfill  
Disposal at a cost of \$32.75 per ton for a total  
estimated cost of \$1,965,000 (with a range from  
30,000 to 90,000 tons and a price range from  
\$982,500 to \$2,947,500), with options to renew for  
three additional one year periods subject to the  
escalation terms specified in the bid documents;

2. Pima Gro Systems, Inc. - (Redlands, CA)  
Category V - an estimated 60,000 wet tons of Class B Sand Bed Cake to Beneficial Use at a cost of \$28.85 per ton for a total estimated cost of \$1,731,000 (with a range from 30,000 to 90,000 tons and a price range from \$865,500 to \$2,596,500), with options to renew for three additional one year periods subject to the escalation terms specified in the bid documents;

3. Falcon Disposal, Inc., A Greenfield Environmental Company - (San Diego, CA) Category VI - an estimated 5,000 wet tons of Screenings to Sanitary Landfill Disposal at a cost of \$34.85 per ton for a total estimated cost of \$174,250 (with a range from 2,500 to 7,500 tons and a price range from \$87,125 to \$261,375);

Category VII - an estimated 6,000 wet tons of Grit to Sanitary Landfill Disposal at a cost of \$34.85 per ton for a total estimated cost of \$209,100 (with a range from 2,500 to 7,500 tons and a price range from \$104,550 to \$313,650, with options to renew for three additional one year periods subject to the escalation terms specified in the bid documents;

Authorizing the City Manager to amend the contract with ECDC Environmental, L.C., to allow for beneficial use of bio-solids to be disposed at the same price per ton as the original award of Categories II and IV, contingent upon ECDC assuming all responsibility and accepting all liability for the development of a detailed procedures, instructions and Quality Assurance/Quality Control Program to ensure proper disposal in accordance with all applicable laws and regulations;

In the event a Contractor is unable to perform in accordance with specifications, the Purchasing Agent is authorized to terminate the contract and award to the next low responsible and responsive bidder, and to subsequent bidders, if necessary, until a bidder is found who can comply with specifications, or to obtain this service on the open market until it can be rebid.

(BID-B4615/95)

Aud. Cert. 9600031.

FILE LOCATION:                   CONT - Purchase - ECDC Environmental,  
L.C. - (Salt Lake City, Utah); Pima Gro  
Systems, Inc. - (Redlands, CA); Falcon  
Disposal, Inc., A Greenfield  
Environmental Company - (San Diego, CA)  
CONFY96-3

COUNCIL ACTION:                   (Tape location: A208-480.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Kehoe.  
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-201:

SUBJECT: Amendment to the Metropolitan Water Supply Agreement.

(See City Manager Report CMR-95-181.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-97)     ADOPTED AS RESOLUTION R-286214

Authorizing an amendment to the Metropolitan Water  
Supply Agreement (under the Seven-Party Water Agreement  
to prioritize Colorado River Water) by extending the  
termination date from the year 2033 until 2053 and  
eliminating the year 2000 deadline for regulatory  
approval for the first unit at San Diego Gas &  
Electric's Blythe Power Plant Project.

FILE LOCATION:                   WATER - Colorado River Water  
CONFY96-1

COUNCIL ACTION:                   (Tape location: A208-480.)

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

ineligible, 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 2:44 p.m. in honor of the memory of:

E. Eugene Roach, as requested by Council Member Warden; and Brian Johnson, as requested by Mayor Golding and Council Member Harvey.

FILE LOCATION:                   AGENDA

COUNCIL ACTION:               (Tape location: A569-613.)