

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, NOVEMBER 20, 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 2:13 p.m. The meeting was adjourned by Mayor Golding at 5:29 p.m. into Closed Session at 9:00 a.m. on Tuesday, November 21, 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-present
 - (8) Council Member Vargas-present
- Clerk-Abdelnour (pr)

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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

ITEM-10: INVOCATION

Invocation was given by Elder Clayton Kearl of the Mormon Battalion Memorial Visitors Center.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Warden.

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO CITY ATTORNEY

Comment by Don Stillwell regarding proper representation, the Constitution and the Law.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A039-073.)

ITEM-PC-2: REFERRED TO CITY MANAGER

Comment by Bill Schwenker regarding Arroyo Sorrento Road and his concern over the time frame to pave the road and additional processing required. In 1988 a group of citizens formed to see about paving the road. In 1989 it was agreed upon, and in 1991 they raised and spent \$200,000 for engineering fees.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A075-105.)

ITEM-PC-3: REFERRED TO CITY MANAGER

Comment by Bill Driscoll regarding flood damage of Kathleen Mazur's four unit property of February 14, 1995.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A110-136.)

ITEM-PC-4:

Comment by Dr. Art Salzberg regarding the Federal Government shutting down and the homeless.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A145-173.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Stevens honoring Harold Miller and his 44 years of service with the City of San Diego.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A202-249.)

ITEM-30:

SUBJECT: California School Counseling Day.

COUNCILMEMBER HARVEY'S RECOMMENDATION:

Adopt the following resolution:

(R-96-525) ADOPTED AS RESOLUTION R-286550

Recognizing School Counselors' ongoing dedication to education and development of youth;

Proclaiming February 24, 1996 to be "California School Counseling Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-31: RETURNED TO CITY MANAGER

SUBJECT: Presentation of Plaques to 1994 Outstanding Drivers.

TODAY'S ACTION IS:

Commending and presenting plaques to seven Outstanding City Drivers.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE TO RETURN TO THE CITY MANAGER FOR FURTHER REVIEW. 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: Amending the San Diego Municipal Code relating to Alcoholic Beverage Outlets.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as

amended on 10/31/95. (Council voted 5-4. Districts 4, 6, 8 and Mayor voted nay.)

(O-96-18 Rev.) ADOPTED AS ORDINANCE O-18229 (New Series)

Amending Chapter X, Article 1, Division 5, of the San Diego Municipal Code by repealing and reenacting Section 101.0515, relating to Alcoholic Beverage Outlets.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

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

Mayor Golding and Council Members Stevens, Stallings and Vargas voted nay on the amendment to delete the 300 foot distance.

* ITEM-51:

SUBJECT: Black Mountain Ranch Development Agreement.

(District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as amended on 10/31/95. (Council voted 8-0. District 2 not present):

(O-96-66 Rev.) ADOPTED AS ORDINANCE O-18230 (New Series)

Approving the First Amended and Restated Development Agreement between the City of San Diego and Black Mountain Ranch Sports Properties, Inc., and PGA Tour, Inc.

FILE LOCATION: DEVL - Black Mountain Ranch

COUNCIL ACTION: (Tape location: A179-B026.)

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

SUBJECT: Lease Renewal with Organic Recycling West, Inc.

(Otay Mesa Community Area. District-8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/06/95. (Council voted 9-0):

(O-96-72) ADOPTED AS ORDINANCE O-18231 (New Series)

Authorizing the City Manager to execute a 10-year lease agreement, with one five-year option to renew, with Organic Recycling West, Inc., for a green waste recycling center at Brown Field Airport, at a minimum initial rent of \$60,000 per year.

NOTE: 6 votes required. Pursuant to Section 99 of the City Charter a notice regarding the adoption of the ordinance was published in the Daily Transcript.

FILE LOCATION: LEAS-Organic Recycling West, Inc. LEASFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

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

SUBJECT: Proposal - Lease Space at Redwood Village Standpipe to GTE Mobilnet.

(College Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-83) INTRODUCED, TO BE ADOPTED ON DECEMBER 4, 1995

Introduction of an Ordinance authorizing the City Manager to execute a five-year lease agreement, with three five-year options to extend, with G.T.E. Mobilnet of San Diego, Inc., for approximately 1,200 square feet of space at Redwood Village Standpipe.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

CITY MANAGER SUPPORTING INFORMATION:

G.T.E. Mobilnet recently assumed the assets of U.S. West Cellular in the southern California market and has become a major player in the communications industry. A lease agreement for space to install a communications facility at the Redwood Village water tank located at University and College Avenues has been negotiated. G.T.E. proposes to invest approximately \$40,000 to construct an equipment shelter and install an antenna tower. The proposed lease would generate \$12,000 per year for the Water Utilities Fund. Commencing on the first of the month following execution by the City, the initial term is for 5 years with three 5-year options. It provides for yearly rental adjustments based on advances in the Consumer Price Index, with market adjustments to the rent at the tenth and fifteenth anniversary.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE TO INTRODUCE THE ORDINANCE. 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-100:

SUBJECT: Inviting Bids for Construction of Fire Station No. 11.

(Greater Golden Hill Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-511) ADOPTED AS RESOLUTION R-286551

Inviting bids for Reconstruction of Fire Station No. 11
- Golden Hill on Work Order No. 330820;

Authorizing a contract with the lowest responsible
bidder, based on actual low bid received, for an amount
not to exceed \$1,300,000;

Authorizing the expenditure of not to exceed \$1,659,226
from the following sources:

a. Fund No. 18512, Housing and Urban Development
Section 108 Loan, CIP-33-082.0, Fire Station No.
11, Reconstruction, \$944,935;

b. Fund No. 302453, Capital Outlay Fund Other,
CIP-33-082.0, \$100,000;

c. Fund No. 63022, Private and Other
Contributions, CIP-33-082.0, \$35,000;

d. Fund No. 79501, DIF - Greater Golden Hill,
CIP-33-082.0, \$7,000;

e. State Grant from the State Earthquake Safety
and Public Buildings Rehabilitation Act of 1990,
Grant Fund No. 30340, Capital Outlay, Fire Station
No. 11 - Reconstruction Grant Fund, contingent
upon final execution of Grant, \$571,809;

f. Fund No. 79502 North Park DIF Fund, CIP-33-
082.0, \$482;

Stating for the record that the final Finding of No
Significant Impact/Negative Declaration (FONSI/ND) has

been reviewed and considered prior to approving this project as Resolution No. D-160, adopted on September 20, 1995. (BID-K96039C)

CITY MANAGER SUPPORTING INFORMATION:

This project provides for the demolition of the existing unreinforced masonry fire station and construction of a new 6,600 square foot facility. It will house ten firefighters and three fire apparatus. The project location is 945 25th Street.

Aud. Cert. 9600376.

FILE LOCATION: W.O. 330820 CONT - C&S Doctor, Inc.
CONFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-101:

SUBJECT: Inviting Bids for the Replacement of Filter Valves at the Alvarado Water Filtration Plant.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-240) ADOPTED AS RESOLUTION R-286552

Inviting bids for the Construction of Alvarado Water Filtration Plant Expansion - Contract 1A - Filter Improvements on Work Order No. 183391;

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

Authorizing the Auditor and Comptroller to transfer \$805,337 within the Water Revenue Fund 41500 from Annual Allocation for Water Main Replacement, CIP-73-083.0 to Alvarado Filtration Plant, CIP-73-261;

Authorizing the expenditure of not to exceed \$2,348,142 from Water Revenue Fund 41500, CIP-73-261, Alvarado Filtration Plant, to be expended in the following manner: \$805,337 from FY 96 appropriations; \$1,542,805 from FY 97 appropriations contingent upon Council appropriating funds for this purpose in FY 97 CIP, provided that the City Auditor first furnishes a certificate demonstrating that 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;

Authorizing the execution of a Fourth Amendment to the Agreement with Engineering-Sciences, Inc. for additional construction management services for the Alvarado Filtration Plant for an amount not to exceed \$769,479. (BID-K96037C)

CITY MANAGER SUPPORTING INFORMATION:

Alvarado Water Filtration Plant (AWFP) processes 120 million gallons of potable water per day to approximately 400,000 residents living in the central part of San Diego. Treated water from the AWFP is delivered to San Diegans in San Carlos, Del Cerro, College Area, Normal Heights, North Park, Hillcrest, Point Loma, Downtown and Southeast San Diego. The AWFP began operation in 1950 with the capacity to treat 66 million gallons of water per day that was captured from the El Capitan and San Vicente Reservoirs. The AWFP was expanded in 1970 to its present capacity with no other major improvements made to the existing facilities or its associated equipments for processing water. This request is for the replacement of the valves which transfer water through the filter process. The existing filter valves have not been upgraded or replaced since 1950. The Alvarado Water Filtration Plant Filter Valve Replacement consists of replacing old valves to the following filter system: filter influent, filter effluent, filter backwash, surface water wash, and filter drain valves. The existing hydraulic-operated filter

valves will be replaced with new hydraulic-operated butterfly valves. The existing manual-operated drain valve will be replaced with a new manual-operated drain valve. The existing hydraulic-operated rate-of-flow controller (flow meter and valve) will be replaced with a new electric operated rate-of-flow controller. The valves on all eight filters will be replaced. The improvements also include modifications and additions to the existing valve support systems (mechanical/piping and electrical) required to complete the new valve installation. The improvements are planned to be implemented in a phased construction approach to avoid plant shutdowns, minimize plant impacts, and complete the work as expeditiously as possible. The filter valve improvements are planned to be completed with an estimated cost of \$1.5 million over two winter shutdowns. It is recommended that the filter valves be replaced to ensure continued reliable operation of the Alvarado Water Filtration Plant. Included in this request is Amendment No. 4 to the Agreement with Engineering-Science, Inc. to provide construction management services during the filter valve improvements and to provide additional inspection for the on-going construction of the Alvarado Reservoirs. Council authorized a master agreement with Engineering-Science, Inc. on November 6, 1989, to perform construction management services in connection with the Alvarado Water Filtration Plant Improvements Projects.

Aud. Certs. 9600514/9600517.

WWF-P-96-197.

FILE LOCATION: W.O. 183391 CONTFY96-1 CCONTFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-102:

SUBJECT: Two actions related to the Final Subdivision Map of
Monarch Estates Unit No. 1.

(A 57-lot subdivision located on the north side of
Sorrento Valley Boulevard, east of I-805. Mira Mesa

Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-353) ADOPTED AS RESOLUTION R-286553

Authorizing a Subdivision Improvement Agreement with Pardee Construction Company, for the installation and completion of public improvements.

Subitem-B: (R-96-352) ADOPTED AS RESOLUTION R-286554

Approving the final map.

FILE LOCATION: SUBD-Monarch Estates Unit No. 1. CONFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-103:

SUBJECT: Resolution of Intention to Vacate Cactus Way.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-508) ADOPTED AS RESOLUTION R-286555

Resolution of Intention to vacate Cactus Way,
southeasterly of Palomino Circle; fixing a time and
place for a public hearing.

CITY MANAGER SUPPORTING INFORMATION:

The vacation of Cactus Way south of Palomino Circle was requested by the two abutting property owners who do not have any plans to

improve the area of vacation at this time. This project is in the La Jolla community plan area and abuts two single family residential units, both zoned as R1-10,000. The street vacation, if authorized by City Council, would increase the size of the adjacent properties and provide additional area for the calculation of floor area ratios. However, any future development or redevelopment of the sites, would be subject to the R-1-10,000 Zone Regulations. The proposed vacation has been reviewed by the La Jolla Community Planning Association which recommended approval and on July 6, 1995, the Planning Commission recommended approval of this action by a vote of 5-0. The right-of-way proposed for vacation is a fully improved stub-street that terminates 100 feet southeast of Palomino Circle. This street currently is not considered as a link to the circulation element of this community, but does offer the potential for a secondary access to the Mount La Jolla development located at the terminus of Cactus Way. In order to accommodate the Mount La Jolla development, the applicants are proposing to reserve an emergency access easement within the area of the proposed vacation. The right-of-way also contains public utilities and franchise facilities for which easements would be reserved. Additional conditions to the vacation include construction of curb, gutter and sidewalk across the area of vacation with a shared driveway for the emergency access and abutting properties and installation of storm drain facilities through the area of vacation. Staff review of the vacation indicates that the four required findings of vacation can be made. Staff recommends approval of this project subject to the conditions of vacation as previously stated.

FILE LOCATION: STRT J-2832; DEED F-6609 DEEDFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-104:

SUBJECT: Easement Grant for a Truck Wash Facility.

(Greater Golden Hill Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-546) ADOPTED AS RESOLUTION R-286556

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company an easement for providing electricity service to a City of San Diego truck wash facility at 20th and B Streets.

CITY MANAGER SUPPORTING INFORMATION:

The City's General Services Department has requested SDG&E to provide electricity to their new truck wash facility at 20th and B Streets. The easement consists of 1 pole and above ground line, and is 100 feet long and 30 feet wide.

FILE LOCATION: DEED F-6610 DEEDFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-105:

SUBJECT: Interest Conveyance of City-Owned Land Located at Lot
120, La Mesa Colony.

(See City Manager Report CMR-95-268. City of La Mesa.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-548) ADOPTED AS RESOLUTION R-286557

Authorizing the sale by negotiation of a portion of Lot
120, La Mesa Colony for the sum of \$475,000 to Valley
Independent Bank;

Authorizing the execution of a quitclaim deed, granting

the property to Valley Independent Bank;

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

FILE LOCATION: DEED F-6611 DEEDFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-106:

SUBJECT: Expansion of the North County Recycling Market
Development Zone.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-474) ADOPTED AS RESOLUTION R-286558

Supporting the expansion of the North San Diego County
Recycling Market Development Zone to include the City
of Encinitas.

CITY MANAGER SUPPORTING INFORMATION:

On November 15, 1993, the City Council approved the submission of an application for the designation of a Recycling Market Development Zone (RMDZ) to the California Integrated Waste Management Board (CIWMB). The application was submitted jointly with the cities of Carlsbad, Del Mar, Escondido, Oceanside, Poway, San Diego, San Marcos, Solana Beach and Vista. The CIWMB approved the formation of a North San Diego County RMDZ. The City of Encinitas declined to participate initially, but has now requested to be included within the North RMDZ. As part of the application procedure for the City of Encinitas, the CIWMB requires that all current member jurisdictions of the RMDZ adopt resolutions approving the submittal of the application.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-107:

SUBJECT: COPS MORE Crime Act Technology Grant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-488) ADOPTED AS RESOLUTION R-286559

Authorizing the City Manager to apply for, and if
selected, to accept and expend funding for the COPS
MORE Community Oriented Policing Services: Making
Officer Redeployment Effective Program;

Authorizing the City Manager to execute all aspects of
program operation including any amendments, extensions,
renewals, or future funding for this program for a
period of up to five years, provided funding is made
available by the United States Department of Justice;

Authorizing the City Manager to provide the required
matching resources.

CITY MANAGER SUPPORTING INFORMATION:

Under the Crime Act of 1994, the Office of Community Oriented
Policing Services (COPS) of the U.S. Department of Justice has
released a grant program called COPS MORE (Making Officer
Redeployment Effective). This competitive program provides funds
for resources which will free sworn officer time to be redeployed
into Community Policing activities. (COPS MORE does not provide
funding for sworn officers). The City of San Diego proposed to
implement a comprehensive Automated Field Reporting System (AFR)
which will include:

* Approximately 337 Mobile Computer Terminals (MCTs),

available on a check out basis to each patrol unit in the field at any time, for officers to electronically write, proof, store and access reports in the field;

* A central Records Management System (RMS) for storage, transfer, duplication and retrieval of approximately 286,000 crime, arrest, juvenile contact, field interview and collision reports yearly;

* Implementation and upgrade of Local Area Networks (LANs) throughout the Department to permit officers to upload, store and retrieve reports. Officers will prepare reports in the field on MCTs. At the end of the shift, they will upload reports into RMS. At that point, all reports will be available to authorized personnel via LANs throughout the Department. This will permit instant review by supervisors; availability to investigators; elimination of hand entry; electronic distribution and duplication; more efficient and thorough recordkeeping; paperwork reduction; effective data analysis; and enhanced follow-up, case development, investigation and prosecution activities. Ultimately, the system will form the foundation of a system-wide seamless, paperless criminal justice process. AFR has been a focus of the technological vision of the San Diego Police Department for several years. The Department has implemented pilot projects using MCTs, and has allocated funding for initial upgrades. This grant will permit full implementation many years ahead of what would be possible through City funding alone. There is as yet no specific grant period specified by the COPS Office, however, the project is anticipated to require 18 to 24 months for completion.

Aud. Cert. 9600441.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-108:

SUBJECT: Acceptance of Grant Funds from California EPA and the

U.S. EPA Region IX.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-545) ADOPTED AS RESOLUTION R-286560

Authorizing the City Manager or his representative to accept and administer \$80,000 in grant funds from the California Environmental Protection Agency and \$60,000 in grant funds from the United States Environmental Protection Agency Region IX which will support collaboration on binational environmental issues between the cities of San Diego and Tijuana, specifically in the area of market development for recycled commodities;

Authorizing the expenditure of not to exceed \$62,599 (\$59,599 and \$3,000 respectively from the Environmental Services' Enterprise Fund 41200 in-kind services matching funds) for grant activities;

Authorizing the City Manager to designate the Director of Environmental Services to execute all documents, contracts and reports for the administration of this grant.

CITY MANAGER SUPPORTING INFORMATION:

These grants are recommended in accordance with the Letter of Agreement dated April 14, 1993, between the City of San Diego and the City of Tijuana regarding binational planning and cooperation and to undertake collaborative projects in the areas of waste disposal and recycling, among other areas. The first grant of \$80,000, originating from the United States Environmental Protection Agency (U.S. EPA) and passing through the State of California Environmental Protection Agency (CAL/EPA), will be used in conjunction with a grant made to a private company (Science Applications International Corporation) to provide total funding for a project to encourage solid waste recycling and waste prevention in the San Diego/Tijuana border region. The grant funds will go toward two studies that will provide data on the industrial waste streams of Tijuana and San Diego's Otay Mesa area. A training class will be completed for officials and

students from Tijuana on the principles of waste management and recycling. A computer link will be developed on the Internet with the combined information of several databases which will promote recycling and economic development as a whole within the San Diego/Tijuana region. The second grant of \$60,000 from the United States Environmental Protection Agency Region IX (U.S. EPA) will be used toward the creation of the first Binational Recycling Market Development Zone (RMDZ) in conjunction with Tijuana, Baja California. The State of California RMDZ program offers incentives to businesses that collect or use recycled materials in their manufacturing. The Binational Zone will operate in conjunction with the existing RMDZ now serving the South San Diego/Otay Mesa area to facilitate the movement of high value, reusable materials going to and coming from Tijuana. This will open new areas for businesses to market materials that they are currently paying for the landfill disposal of these materials. The combined populations of San Diego and Tijuana, our large industrial bases, and our close proximity make this region a perfect candidate for collaborating on binational market development for recyclable materials. These projects will show business how to save money on disposal costs and how to take advantage of available materials on both sides of the border. The City will benefit by being able to quantify the amount of materials available which can be used as feedstock by entrepreneurial recycling companies seeking to locate in our RMDZ. This action will also designate the Director of Environmental Services as having the authority to execute all documents, contracts, and reports as necessary to administer the grants.

Aud. Cert. 9600518.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-109:

SUBJECT: CA Oil Recycling Enhancement Act Grants and Related
Agreements for FY 97, 98 and 99.

(See City Manager Report CMR-95-266.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-564) ADOPTED AS RESOLUTION R-286561

Authorizing the City Manager to apply for and accept any award or alternate or augmented award from the California Integrated Waste Management Board (CIWMB) for all available grants under the California Oil Recycling Enhancement Act for Fiscal Years 1997, 1998 and 1999;

Authorizing the Deputy Environmental Services Director, Programs Division, to sign grant related documents on behalf of the City;

Contingent upon Council approval of budgets for Fiscal Years 1997, 1998, 1999, respectively, upon the award of grant funding for the corresponding fiscal years, and upon the mutual agreement of the City and the contractors, authorizing expenditure of reimbursable grant funds to: a) continue CIWMB approved staffing and administer grant activities; and b) implement CIWMB approved activities and agreements.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-110:

SUBJECT: Addition to FY 96 CIP - Rancho Bernardo Community Park Children's Play Area.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-494) ADOPTED AS RESOLUTION R-286562

Modifying the Fiscal Year 1996 Capital Improvements Program by adding CIP-29-829.0, Rancho Bernardo Community Park Play Area;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$100,000 from Rancho Bernardo Special Park Fee, Fund No. 39086, to CIP-29-829.0, Rancho Bernardo Community Park Play Area.

CITY MANAGER SUPPORTING INFORMATION:

Rancho Bernardo Community Park is located on the west side of West Bernardo Drive, north of Bernardo Center Drive. The park was developed in 1981. A 14,000 square foot recreation building will be completed late this year.

The proposed new CIP project will provide a play area requested by the community.

Aud. Cert. 9600483.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-111:

SUBJECT: Hourglass Field Park Lighting Control.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-493) ADOPTED AS RESOLUTION R-286563

Modifying the Fiscal Year 1996 Capital Improvements Program by adding CIP-29-830.0, Hourglass Field Park - Lighting Control;

Authorizing the Auditor and Comptroller to transfer not to exceed \$23,000 from PSD Fund No. 11220, not to exceed \$15,000 from PSD Fund No. 13000, and not to exceed \$17,000 from Special Park Fee Fund No. 39082, all to CIP-29-830.0, Hourglass Field Park - Lighting Control.

CITY MANAGER SUPPORTING INFORMATION:

Hourglass Field Park is a 30-acre portion of the Junior College site located at Black Mountain Road and Gold Coast Drive. There are 128 - 1,000 watt lights that provide athletic field lighting for four baseball fields or for soccer. The lights are controlled by seven manual switches which are energized by a clock switch. There are no Park and Recreation Department staff on site so someone must come from the Mira Mesa community, unlock the switch boxes and turn the appropriate switches on. The lights go on when the clock switch energizes the circuits and they go off when the clock switch opens the circuits. This method of operation can cause more lights than needed for ascheduled activity to be on and electrical energy to be wasted. The proposed addition to the FY 96 CIP will provide the addition of equipment to permit control of the lighting by telephone by staff. The system is as simple to operate as voice mail.

Aud. Cert. 9600486.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-112:

SUBJECT: Views West Park Lighting Controls.

(Rancho Pegasus Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-495) ADOPTED AS RESOLUTION R-286564

Modifying the Fiscal Year 1996 Capital Improvements Program by adding CIP-29-832.0, Views West Park - Lighting Controls;

Authorizing the Auditor and Comptroller to transfer not to exceed \$55,000 from Special Park Fee Fund No. 39085 to CIP-29-832.0, Views West Park - Lighting Controls.

CITY MANAGER SUPPORTING INFORMATION:

Views West Park is located on the La Tortola between Pine Manor Court and Calle de las Rosas. The park has a lighted multi-sports field. The lights are controlled by a manual switch which is energized by a clock switch. Staff must come from Canyonside community to switch the lights on. The clock turns them off. The proposed addition to the FY 96 CIP will add equipment to the switch gear which will permit the lights to be controlled by telephone. The irrigation system controls and the walkway and parking lot lights may be controlled with the same equipment. The system is as simple to operate as voice mail.

Aud. Cert. 9600484.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-113:

SUBJECT: Erma Road Storm Drain Reconstruction and Date Street

and Granada Avenue Drain Reconstruction.
(Greater Golden Hill and Scripps Ranch Community Areas.
Districts-3 & 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-528) ADOPTED AS RESOLUTION R-286565

Amending the FY 1996 Budget to include CIP-12-089.0,
Erma Road Drain Reconstruction;

Authorizing the Auditor and Comptroller to transfer not
to exceed \$250,000 from CIP-17-002.0, Annual Allocation
- Storm Drains, Fund 30300 to CIP-12-089.0, Erma Road
Storm Drain Reconstruction, Fund 30300, and not to
exceed \$50,000 from CIP-17-001.0, Annual Allocation -
Minor Drain Improvements, Fund 30300 to CIP-12-066.0,
Date Street and Granada Avenue Drain Reconstruction,
Fund 30300;

Authorizing the expenditure of not to exceed \$250,000
from CIP-12-089.0, Erma Road Storm Drain
Reconstruction, and not to exceed \$50,000 from CIP-12-
066.0, Date Street and Granada Avenue Drain
Reconstruction.

CITY MANAGER SUPPORTING INFORMATION:

The Erma Road Storm Drain Project, CIP-12-089.0, will replace an
existing failed 36-inch PVC storm drain in Erma Road with a 36-
inch reinforced concrete pipe (RCP). This storm drain failed in
the unusually heavy storms of January 1995. The \$250,000 from
the Annual Allocation CIP-17-002.0 will design and construct the
new storm drain. The Date Street and Granada Avenue Drain
Reconstruction, CIP-12-066.0, will replace an existing failed
corrugated metal pipe behind private properties with an RCP and
relocate the pipe in the existing street right-of-way. The
\$50,000 from the Annual Allocation CIP-17-001.0 will supplement
the \$146,776 previously allocated for CIP-12-066.0. Funds from
Federal Emergency Management Agency (FEMA) have been requested
for the Erma Road Storm Drain. The request is presently under
consideration by FEMA.

Aud. Cert. 9600485.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-114:

SUBJECT: Settlement of the Property Damage Claim of American
Medical Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-523) ADOPTED AS RESOLUTION R-286566

A Resolution approved by the City Council in Closed
Session on Tuesday, October 3, 1995 by the following
vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea,
Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea,
Mayor-not present.

Approving the settlement of American Medical Services
of San Diego v. City of San Diego, San Diego Superior
Court Case No. 678315 by, among other things, agreeing
to pay American the sum of \$138,000 for certain medical
supplies used by the City;

Authorizing the City Manager to pay the total sum of
\$69,000 now and an additional \$69,000 on July 1, 1996
in settlement of each and every claim against the City
of San Diego, its agents and employees, arising out of
the case, American Medical Services v. City of San
Diego;

Authorizing the City Auditor and Comptroller to issue
one check in the amount of \$69,000 now and one check in
the amount of \$69,000 payable on July 1, 1996, to
American Medical Services in full settlement of the
lawsuit and of all claims.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the Property Damage Claim of American Medical Services against the City of San Diego, its agents and employees, as a result of an incident which occurred on April 8, 1993.

Aud. Cert. 9600515.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-115: RETURNED TO RETIREMENT BOARD

SUBJECT: Purchase of Service Credit - 1/2 and 3/4 Time
Employees.

RETIREMENT BOARD'S RECOMMENDATION:

Adopt the following resolution:

(R-96-341)

Directing the Retirement Administrator, City Manager and City Attorney to take those steps necessary to establish a new benefit involving the purchase of service credit in the Retirement System, subject to approval by members of the City Employees' Retirement System pursuant to Charter Section 143.1.

CITY MANAGER SUPPORTING INFORMATION:

Several salaried one-half and three-quarter time employees have made requests to the San Diego City Employees' Retirement System (SDCERS) to purchase the remainder of their part-time service to receive a full year of service credit for each year of part-time service worked. The SDCERS Board of Administration has discussed this issue and recommends to the City Council that a salaried part-time member of the System be eligible, after ten years of

service with the City, and upon payment of the employee and employer contributions that would have been made including interest as determined by the Board, to purchase service credit for that portion of the member's part-time service for which contributions were not initially made.

Purchase of service credit requests are currently permitted in the following categories: approved leaves (leave of absence without pay, long term disability, and military leave); 1981 waiting period; probationary period; optional service (unclassified or 1/2 or 3/4 time service); break in service; and hourly employment. In addition, SDCERS allows redeposit of withdrawn contributions. The sole authority to create this benefit rests with the City Council, subject to approval by members of SDCERS pursuant to Charter Section 143.1.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE TO RETURN TO THE RETIREMENT BOARD FOR FURTHER REVIEW. 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-116:

SUBJECT: Recognizing the Commission on Teacher Credentialing.

COUNCILMEMBER HARVEY'S RECOMMENDATION:

Adopt the following resolution:

(R-96-506) ADOPTED AS RESOLUTION R-286567

Recognizing the Commission on Teacher Credentialing for their contributions to the improvement of public education in California;

Expressing the warmest welcome and best wishes as the Commission meets in our City on November 1-3, 1995.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-117:

SUBJECT: John Lomac Day.

COUNCILMEMBER HARVEY'S RECOMMENDATION:

Adopt the following resolution:

(R-96-524) ADOPTED AS RESOLUTION R-286568

Recognizing John Lomac for his long and devoted service
to the citizens of San Diego;

Proclaiming Saturday, November 18, 1995 to be "John
Lomac Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-118:

SUBJECT: Bethel African Methodist Episcopal Church 108th
Anniversary Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-542) ADOPTED AS RESOLUTION R-286569

Commending Bethel African Methodist Episcopal Church for the 108 years of dedicated and unequalled service to not only the community but the entire City;

Proclaiming November 10, 1995 to be "Bethel African Methodist Episcopal Church 108th Anniversary Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-119:

SUBJECT: Excusing Mayor Golding from the Council Meetings of 10/2/95 and 10/3/95.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-574) ADOPTED AS RESOLUTION R-286570

Excusing Mayor Golding from attending the regularly scheduled Council meetings of October 2 and 3, 1995, due to out of town City business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-120:

SUBJECT: Excusing Councilmember Scott Harvey from attending the NRC&A meeting of 9/13/95.

COUNCILMEMBER HARVEY'S RECOMMENDATION:

Adopt the following resolution:

(R-96-397) ADOPTED AS RESOLUTION R-286571

Excusing Councilmember Scott Harvey from attending the regularly scheduled NRC&A meeting of Wednesday, September 13, 1995, to attend the NTC meeting.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-121:

SUBJECT: Ten actions related to Authorizing Suggestion Awards to City Employees.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-496) ADOPTED AS RESOLUTION R-286572

Anthony A. Atkins - Police - \$80.

Subitem-B: (R-96-497) ADOPTED AS RESOLUTION R-286573

Brian Blagg - Police/Central - \$2,500.

Subitem-C: (R-96-498) ADOPTED AS RESOLUTION R-286574

Barbara Salvini - Metropolitan Wastewater - \$90.

Subitem-D: (R-96-499) ADOPTED AS RESOLUTION R-286575

Kevin Ester - Fire Department - \$160.

Subitem-E: (R-96-500) ADOPTED AS RESOLUTION R-286576

Cindi Brown - City Attorney/Criminal Div. - \$160.

Subitem-F: (R-96-501) ADOPTED AS RESOLUTION R-286577

Laura Duncan - Treasurer/Parking Management - \$200.

Subitem-G: (R-96-502) ADOPTED AS RESOLUTION R-286578

Sharon J. Beach - Manager/Economic Dev. Serv. -
\$66.52.

Subitem-H: (R-96-503) ADOPTED AS RESOLUTION R-286579

Robert T. Davis - Police - \$2,500.

Subitem-I: (R-96-504) ADOPTED AS RESOLUTION R-286580

Jill Murray - Fire/Training - \$82.50.

Subitem-J: (R-96-505) ADOPTED AS RESOLUTION R-286581

Maria Romero - Auditor's/CIP - \$318.77.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-122:

SUBJECT: Amendment to Bylaws of the Centre City Development
Corporation.

(See Centre City Development Corporation Memorandum
dated 9/21/95. Districts-2, 3 & 8.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-96-364) ADOPTED AS RESOLUTION R-286582

Approving and adopting the proposed Amended and Restated Bylaws of the Centre City Development Corporation, Inc. which have been unanimously recommended by the Board of Directors of the Centre City Development Corporation, Inc.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-123:

SUBJECT: Amendment of Bylaws of the San Diego Data Processing Corporation.

SAN DIEGO DATA PROCESSING CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-96-375 CORR.COPY) ADOPTED AS RESOLUTION R-286583

Approving and adopting the proposed Amendments to Bylaws of the San Diego Data Processing Corporation, Inc.

SUPPORTING INFORMATION:

The Bylaws of SDDPC were first adopted on April 4, 1979. They have not been amended since that time (over 15 years). In February 1995, the SDDPC Board of Directors established an ad hoc committee of the Board to work in conjunction with General Counsel to conduct a comprehensive review of the Bylaws. The objective of the review was to identify areas of the bylaws which needed updating, and to submit proposed revisions to the entire Board for discussion and ratification. The Board reviewed and

discussed potential amendments on two occasions in March 1995, and approved the Restated Bylaws as submitted herein at the May 1995 Board meeting. Briefly, the Restated Bylaws accomplish the following:

- Delete sections which have never been utilized (e.g. removes power of the Board to fill vacancies of the Board)
- Rationalize Committee structure (eliminates distinction between "Board Committee" and other committees; spells out new Brown Act distinction between standing and ad hoc committees)
- Set December for election of officers for terms commencing in January Add Section 15, Standard of Care, for the guidance of Board members Create distinction between Board Officers (Chair and Vice-Chairs only) and Corporate Officers (Managerial employees serving as President, Vice-President, Secretary and Treasurer, each performing specific functions)
- Add indemnification and liability insurance sections as permitted by state law. The Restated Bylaws are submitted for approval to the sole member of the corporation, the City of San Diego, acting by and through the City Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-124:

SUBJECT: Centre City East Litter Removal Project.

(Centre City Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-476) ADOPTED AS RESOLUTION R-286584

Authorizing a fourth extension to the agreement of August 10, 1992, with Alpha Project for the Homeless, to provide litter removal services in Centre City East;

Authorizing the expenditure of not to exceed \$25,000 from the Downtown Maintenance Assessment District Fund No. 70212.

CITY MANAGER SUPPORTING INFORMATION:

The purpose of a fourth year extension is to continue the City's effort to involve homeless individuals in providing a public service. By contracting with the Alpha Project for the Homeless to remove litter from the Centre City East area of downtown, two issues can be addressed productively: maintenance of the public right-of-way and employment of the homeless. The Alpha Project for the Homeless is currently under a City contract to operate the Neil Good Homeless Day Center. The Downtown Maintenance Assessment District, administered by the Park and Recreation Department, is currently providing core litter removal service in Centre City East. For FY 96, it is proposed that the District continue its contract with the Alpha Project for the Homeless for the 3 days/week litter removal service. The area is approximately 50 blocks: Market Street south to Commercial, and Sixth Avenue east to I-5. The contract extension period will be from July 1, 1995 to June 30, 1996. The original agreement was filed with the City Clerk on August 10, 1992 - Document No. RR-280523.

Aud. Cert. 9600406.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-125:

SUBJECT: Amendment No. 1 to the Agreement with BSI Consultants, Inc. for As-Needed Engineering Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-561) ADOPTED AS RESOLUTION R-286585

Authorizing Amendment No. 1 to the Agreement of September 19, 1994 with BSI Consultants, Inc., for as-needed engineering services for an additional amount not to exceed \$500,000;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to reallocate appropriation and costs to those CIP projects where costs are incurred.

CITY MANAGER SUPPORTING INFORMATION:

The original agreement between the City and BSI Consultants, Inc. for As-Needed Engineering Services 1994-1997 was adopted on September 19, 1994, via Resolution No. R-284644. The agreement was issued for an amount not to exceed \$500,000 for a 36-month duration. The City has expended \$452,581, or 90 percent of the base funds in the first 12 months of the agreement due to MWWD Program support requirements. Amendment No. 1 is requested to increase the not to exceed agreement value by \$500,000 to \$1,000,000 due to immediate and near-term engineering services needs required by MWWD such as the following:

- Point Loma Wastewater Treatment Plant Access Road Repair
- Fiesta Island Access Road Repair
- Underwater Survey/Inspection for Sewer Force Main No. 2
- South Metro Interceptor Phase IIIA Repair - 108" Main, Traffic Plan
- South Metro Interceptor Manhole Rehabilitation Project
- North Metro Interceptor Project - Road Repair/Resurfacing

MBE/WBE UTILIZATION:

In keeping with the City's policy to voluntarily provide subcontracting opportunities to all interested and qualified firms, including minorities and women, BSI Consultants, Inc. has retained the following subconsultants as members of their engineering consultant team in connection with this project:

Certified Subconsultants
MBE- Beyaz & Patel

MBE - CWP Geosciences
MBE - HYA Consulting Engineers
WBE - LSW Engineers and Inland Aerial Survey, Inc.

Other Subconsultants:
Ogden Environmental & Energy Services Company
Sillman-Wyman, Inc.

Due to the nature of the As-Needed Project, the percentage utilization of MBE/WBE subconsultants is dependent upon the tasks authorized by the City and the type of work required by those tasks.

Aud. Cert. 9600505.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-126:

SUBJECT: Agreement between the City and County of San Diego to
Share Cal-ID System and Costs.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-482) ADOPTED AS RESOLUTION R-286586

Authorizing an agreement with the County of San Diego to participate in the Cal-ID/RAN system for a term of five years from July 1, 1995 through June 30, 2000, and to provide all appropriate costs for the system, subject to annual appropriation of funds by the San Diego City Council.

Aud. Cert. 9600451.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-127:

SUBJECT: Agreement with Malcolm Pirnie, Inc. for the
Pretreatment Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-535) ADOPTED AS RESOLUTION R-286587

Authorizing an agreement with Malcolm Pirnie, Inc. for
work related to the Pretreatment Program;

Authorizing the expenditure of not to exceed \$200,000
from the FY 1996 Clean Water Program Fund 41509.

CITY MANAGER SUPPORTING INFORMATION:

The Industrial Pretreatment Program for the City of San Diego
requires consultant services to review and adjust local
limits required by the E.P.A. for the North City Reclamation Plant
in order to meet discharge standards.

In addition, a condition of the waiver submittal requires the
implementation of an urban area pretreatment program by August 9,
1996, which also requires a review and possible adjusting of
local limits. This service requires the assistance of an
engineering firm with demonstrated expertise in this area. The
firm of Malcolm Pirnie, Inc. has recently completed work of this
nature for the City of Phoenix, Arizona and regulatory officials
have been very laudatory about this work and recommended that we
follow their example.

Aud. Cert. 9600489.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-128:

SUBJECT: Request to Allow the San Diego Maritime Museum to Use
Funding Allocated to them for Fiscal Year 1996 in
Fiscal Year 1997.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-566) ADOPTED AS RESOLUTION R-286588

Authorizing the San Diego Maritime Museum to use the
\$26,000 of Transient Occupancy Tax funds allocated to
conduct the Sailing the Star of India '95 Program in
August 1995 to conduct the same program in August 1996.

CITY MANAGER SUPPORTING INFORMATION:

Prior to the Fiscal Year 1996 Budget Hearings, the Civic Events and Promotional Programs Allocation Board forwarded their Fiscal Year 1996 funding recommendations to the City Council. The Civic Events and Promotional Programs Allocation Board recommended that the San Diego Maritime Museum receive funding of \$1,000 for their Sailing the Star of India '95 Program. Based upon this recommendation, Maritime Museum staff determined that they would be unable to fund this program in Fiscal Year 1996. During the Fiscal Year 1996 Budget Hearings, City Council approved the allocation of \$26,000 in Transient Occupancy Tax funds to the San Diego Maritime Museum's Sailing the Star of India '95 Program. The Maritime Museum staff plan to conduct this same program in Fiscal Year 1997. They have requested that they be allowed to utilize Transient Occupancy Tax funds allocated to them for the Sailing the Star of India '95 Program to assist in funding the Sailing the Star of India '96 Program.

This program would occur at the beginning of Fiscal Year 1997, in

August of 1996. Maritime Museum staff has stated that the majority of costs associated with this program would be incurred in Fiscal Year 1996. In addition, the Maritime Museum has stated that they would not apply for Fiscal Year 1997 Transient Occupancy Tax funding for this program. According to the City Attorney, there are no legal prohibitions to granting the San Diego Maritime Museum's request. The City Manager recommends that the City Council approve this request.
DE9600157.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-129:

SUBJECT: Agreement with the San Diego County YMCA for the Rancho Penasquitos Community Swimming Pool.

(See City Manager Report CMR-95-262. Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-462) ADOPTED AS RESOLUTION R-286589

Authorizing an agreement with the San Diego County YMCA to jointly design and construct the Pegasquitos Community Pool;

Authorizing the Auditor and Comptroller to use Penasquitos FBA funds from Project No. 29-33 (CIP-29-733.0) to fund the City's share of the costs in the above project, and authorizing the disbursement of FBA funds at the request of the Planning Department/Facilities Financing Section;

Authorizing the expenditure of not to exceed \$2,182,600

from CIP-29-733.0, Fund 79004.

Aud. Cert. 9600445.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-130:

SUBJECT: Extension to the Agreement with YMCA to Provide After
School Day Camp Programs.

(City Heights, Golden Hill, Linda Vista, Logan Heights,
Otay Mesa/Nestor, San Ysidro and Skyline/Valencia
Community Areas. Districts-3,4,5, & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-477) ADOPTED AS RESOLUTION R-286590

Authorizing an extension to the agreement with the YMCA
of San Diego County, Inc., to provide youth after-
school day camp programs in connection with the
Neighborhood Pride and Protection Program;

Authorizing the expenditure of not to exceed from Fund
No. 18531, Department No. 4092, Organization No. 9215,
to provide funds for the program in Fiscal Year 1996.

CITY MANAGER SUPPORTING INFORMATION:

The Park and Recreation Department is proposing to extend the
contract with the YMCA to operate youth after school day camp
programs in seven high crime communities within the City as
part of the Neighborhood Pride and Protection Program. The YMCA's
PRYDE Program format was used in the implementation of this
program in FY 92. The PRYDE Program is designed to reach "at

risk" youth between the ages of 8 and 15 and features anti-drug/gang education as well as wholesome recreation activities. The PRYDE Program is conducted out of four YMCA centers and outreach into the seven communities: City Heights, Golden Hill, Logan Heights, Linda Vista, Otay Mesa/Nestor, San Ysidro and Skyline/Valencia. Approximately 50 percent of the program is conducted on park or school grounds and the remainder at YMCA sites.

The program includes a camping component and follow-up with families. The program has been in effect since FY 92 during which time it has proven to be effective and successful with positive evaluation. Per Resolution No. R-284840, the Park and Recreation Department proposes to extend the program into FY 96. The program will serve 320 to 560 children and their families during the twelve month program in FY 96, beginning July 1, 1995.

Aud. Cert. 9600442.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-131:

SUBJECT: First Amendment to Lease Agreement with United States Olympic Committee.

(City of Chula Vista.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-563) ADOPTED AS RESOLUTION R-286591

Authorizing a first amendment to the lease agreement with the United States Olympic Committee, which adds an appropriate access way to and from the water line to the balance of the leasehold property, and allows for the

return of a portion of the current leasehold back to the City.

CITY MANAGER SUPPORTING INFORMATION:

In 1992, the City entered into an agreement with San Diego National Sports Training Foundation for the construction and operation of a boathouse and related facilities in connection with training and competition events for rowers and kayakers at Lower Otay Reservoir. As contemplated by all parties, the lease was assigned to the United States Olympic Committee this year. The current lease area includes the boathouse site and a small sand pathway leading from the site to the water's edge. After construction of this project, the lessee discovered that when Lower Otay reservoir's water level receded, the current pathway location created a steep slope which made the path inaccessible to rowers carrying long boats into the water. In order to rectify this situation the lessee has applied for and received Federal and State permits to move the sand pathway and place it at an angle to the boathouse.

This new path will soften the slope and allow maneuverability for shells and kayaks. As required by U.S. Fish and Wildlife and the California Department of Fish and Game, the current boathouse pathway will be revegetated with natural wetland plant materials, and will be monitored and maintained, all by the lessee, and will remain as part of the leased premises for a minimum of three years. At the end of such monitoring period, and when the property has been given final approval and clearance from any and all required authorities, the current boathouse pathway area will revert back to the City of San Diego.

FILE LOCATION: LEAS-United States Olympic Committee
LEASFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-132:

SUBJECT: Reappointments to the Civic Events and Promotional

Programs Allocation Board.

(See memorandum from Mayor Golding dated 10/17/95.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-571) ADOPTED AS RESOLUTION R-286592

Council confirmation of the reappointments by the Mayor of Aida Mancillas, Susan H. Baumann and John K. Hughues, to serve as members of the Civic Events and Promotional Programs Allocation Board, for terms ending September 30, 1998.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-133:

SUBJECT: Appointment and Reappointments to the Commission for Arts and Culture.

(See memorandum from Mayor Golding dated 10/11/95 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-572) ADOPTED AS RESOLUTION R-286593

Council confirmation of the following appointment and reappointments by the Mayor to the Commission for Arts and Culture, for terms ending August, 31, 1998:

REAPPOINTMENTS:

S. Regina Smith
Ann Halpenny Kantor
Juan Manuel Oncina
Ester J. Burnham

APPOINTMENT:

Calvin Manson (To replace Richard S. Bundy, whose term has expired.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-134:

SUBJECT: Reappointment to the Small Business Advisory Board.

(See memorandum from Mayor Golding dated 10/11/95.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-570) ADOPTED AS RESOLUTION R-286594

Confirming the reappointment of Jacqueline C. Wise to
the Small Business Advisory Board, representing the
Member at Large category, for a term ending July 1,
1997.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-135:

SUBJECT: Appointment to the Commission on the Status of Women.

(See memorandum from Mayor Golding dated 10/11/95 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-568) ADOPTED AS RESOLUTION R-286595

Council confirmation of the appointment by the Mayor of Mary B. Maschal, to serve as a member of the Commission on the Status of Women, for a term ending March 1, 1996, to replace Katherine Anne Holladay, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-136:

SUBJECT: Strides Across the Border Day.

COUNCILMEMBER VARGAS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-549) ADOPTED AS RESOLUTION R-286596

Proclaiming January 14, 1996 to be "Strides Across the Border Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-200: CONTINUED TO DECEMBER 5, 1995

SUBJECT: Consider a mapping error and amendments to the City of
San Diego's Progress Guide and General Plan to change
the phased development designation of four areas in the
City of San Diego.

(District-2.)

(Continued from the meeting of November 6, 1995, Item
332, at Mayor Golding's request, to allow time for
Council to listen to tapes of previous meetings
regarding Proposition A and see old newspaper
articles.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-442)

Adoption of a Resolution amending the Progress Guide
and General Plan.

SUPPORTING INFORMATION:

Amending the Progress Guide and General Plan to change the
designation of the Naval Training Center, Harbor Island,
Lindbergh Field, Centre City Tidelands, Fort Rosecrans
Military Reservation and the Marine Corps Recruit Depot from
Future Urbanizing area to Urbanized area.

This project involves clarification of a mapping error that
identifies the lands identified above as "Future Urbanizing"
on the Phased Development Map contained in the City of San
Diego's Progress Guide and General Plan.

FILE LOCATION: LAND-Progress Guide and General Plan

COUNCIL ACTION: (Tape location: B080-D140.)

Hearing began at 3:02 p.m. and halted at 4:34 p.m.

Testimony in opposition by Jay Powell, David Kreitzer, Craig Adams, Opal Trueblood and Wayne Rafflesberger.

MOTION BY KEHOE TO CONTINUE TO DECEMBER 5, 1995, WITH DIRECTIONS TO THE CITY ATTORNEY TO COME BACK TO COUNCIL WITH SEVERAL POSSIBILITIES OF BALLOT LANGUAGE FOR THE COUNCIL TO CHOOSE FROM THAT WILL POSSIBLY BE PLACED ON THE BALLOT TO ALLOW VOTERS TO MAKE THE DETERMINATION WHETHER THE NAVAL TRAINING CENTER, HARBOR ISLAND, LINDBERGH FIELD, AND THE MARINE CORPS RECRUIT DEPOT IS FUTURE URBANIZING OR URBANIZED. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-nay, Kehoe-yea, Stevens-nay, Warden-nay, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201: RETURNED TO CITY MANAGER

SUBJECT: Revise San Diego Municipal Code to Reflect Changes to Retiree Health Insurance Benefit.

(Continued from the meeting of October 30, 1995, Item 52, at the City Manager's request, for further information.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-58)

Introduction of an Ordinance amending Chapter II, Article 4, Division 12, of the San Diego Municipal Code by amending Section 24.1201; amending and renumbering Section 24.1204 to Section 24.1202; amending and renumbering Section 24.1202 to Section 24.1203; amending and renumbering Section 24.1203 to Section 24.1204, relating to the City-Sponsored Group Health Insurance for Eligible Retirees.

CITY MANAGER SUPPORTING INFORMATION:

As a result of the Meet and Confer process last year (FY95 with the Police Officers Association (POA), and with Local 145, Association of Fire Fighters, limitations were established on the amount the City would pay toward or reimbursed for retiree's health insurance for newly hired employees. Specifically, for employees hired on or after July 1, 1994, the amount the City would pay or reimburse for would be capped at the lowest premium being charged for standard health insurance coverage available to a retiree in the CERS system up to a maximum of \$2,000 per year. Further, employees would earn a 5 percent vested share of this benefit for each year of creditable service.

As a result of the recently completed Meet and Confer, effective July 1, 1995, all safety employees who were not covered by the caps described above, and general members who were not previously covered by a similar \$2,000 per year cap for retiree health, will be subject to a cap on the amount the City will pay or reimburse for health insurance premiums of \$4,500 per year. It is recommended that this same \$4,500 cap be applied to all current retirees who have been eligible for the retiree health insurance benefit (excludes Pre-1980 retirees) and have not previously been capped. It is recommended that Municipal Code Sections 24.1201 through 24.1204 be amended to reflect these changes.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE TO RETURN TO THE CITY MANAGER FOR FURTHER REVIEW. 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-202: TRAILED TO NOVEMBER 21, 1995

SUBJECT: Two actions related to San Diego Jack Murphy Stadium Expansion Financing.

(See City Manager Report CMR-95-267. District-6.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance and adopt the resolution:

Subitem-A: (O-96-81)

Introduction of an Ordinance authorizing the issuance and sale of taxable lease revenue bonds by the Public Facilities Financing Authority of the City of San Diego and approval of certain documents and actions.

Subitem-B: (R-96-507)

Requesting the Public Facilities Authority to authorize and approve the sale and issuance of Taxable Lease Revenue Bonds, Series 1996A, to fund the expansion of and improvements to San Diego Jack Murphy Stadium and the construction of an off-site Practice Field and Training Facility, and to approve the forms of the Stadium Facility Lease, Ground Lease, Indenture, Continuing Disclosure Agreement and related financing documents;

Referring the matter of a future advisory board or commission to advise the City Manager and City Council with respect to Stadium operations as well as sports enterprises in San Diego in general to the Stadium Authority for review and consideration, requesting the Stadium Authority to conduct such proceedings, consider the matter and report back to Council on or before December 31, 1996 with its recommendations;

Authorizing the City Manager to execute a Lease Termination Agreement between the City and the San Diego Stadium Authority.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE TO TRAIL TO NOVEMBER 21, 1995.
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-203:

SUBJECT: Two actions related to Authorizing Privatization

Agreements for a Miramar Landfill Gas Collection and Cogeneration Project.

(See City Manager Report CMR-95-265. District-5.)

CITY MANAGER'S RECOMMENDATION:

Introduce the ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-96-73) INTRODUCED, TO BE ADOPTED ON
DECEMBER 4, 1995

Introduction of an Ordinance authorizing Privatization Agreements for a Miramar Landfill Gas Collection and Cogeneration Project.

Subitem-B: (R-96-485) ADOPTED AS RESOLUTION R-286598

Certifying that the information contained in Mitigated Negative Declaration DEP-95-0399 (North Miramar Landfill Gas Collection System) and the Negative Declaration, DEP-95-0248 (West Phase I Gas Collection System), have been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the reports reflect the independent judgment of the City as Lead Agency, and that the reports have been reviewed and considered by the Council;

Adopting the Mitigation Monitoring and Reporting Program for DEP-95-0399, or alterations to implement changes to the project as required by the Council, in order to mitigate or avoid significant effects on the environment.

FILE LOCATION: SUBITEM A: NONE; SUBITEM B: MEET

COUNCIL ACTION: (Tape location: D147-309.)

MOTION BY WARDEN TO INTRODUCE THE ORDINANCE IN SUBITEM A TO SUPPORT THE AUTHORIZATION OF A PHASE I AGREEMENT, AND TO ADOPT THE RESOLUTION IN SUBITEM B. 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: Transfer of Funds to Point Loma - Power Generation & Distribution Upgrade.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-562) ADOPTED AS RESOLUTION R-286599

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$2,489,085 within Sewer Fund 41508, to CIP-46-179.0,

Point Loma - Power Generation & Distribution Upgrade, to be transferred as follows:

\$1,200,000 from CIP-46-175.0, Point Loma - Headworks, Odor Control & Grit Processing Facilities;

\$67,000 from CIP-46-177.0, Point Loma - Sedimentation Basins 11 and 12;

\$300,000 from CIP-46-134.0, South Effluent Outfall Channel;

\$96,585 from CIP-46-176.0, Point Loma - Water Tank & Pipeline;

\$825,500 from CIP-46-110.0, Point Loma - Scum Removal System.

CITY MANAGER SUPPORTING INFORMATION:

The Power Generation and Distribution Upgrade project at the Point Loma Wastewater Treatment Plant is an approved project in the Capital Improvement Program. Resolution R-285550, adopted on March 27, 1995, authorized the City Manager to execute an agreement with Holmes & Narver to provide design services for this project. In order to provide sufficient financial support for Phase II of Holmes and Narver's design contract, funds will need to be transferred from five other Point Loma projects.

Aud. Cert. 9600524.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-205:

SUBJECT: Two actions related to Inviting bids for the
Construction of Point Loma Wastewater Treatment Plant -
Digesters 7/8 and Gas System Upgrades.

(Point Loma Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-25) ADOPTED AS RESOLUTION R-286600

Certifying that the information contained in
Environmental Negative Declaration DEP-95-0159, 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 Declaration has been reviewed and considered by
the Council;

Adopting findings, pursuant to California Public
Resources Code Section 21081 and California Code of
Regulations Section 15091;

Adopting the Statement of Overriding Considerations;
and adopting the Mitigation Monitoring and Reporting
Program.

Subitem-B: (R-96-24) ADOPTED AS RESOLUTION R-286601

Inviting bids for the Construction of Point Loma

Wastewater Treatment Plant - Digesters 7/8 and Gas System Upgrades on Work Order No. 192680;

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

Authorizing the execution of a contract 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 \$25,686,972 from Sewer Fund No. 41508, CIP-46-170.0, Point Loma - Digester Facility Upgrade and Expansion, 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.
(BID-K96109)

CITY MANAGER SUPPORTING INFORMATION:

The Metropolitan Wastewater Department is requesting authorization to advertise for bids and award the contract for Digesters 7 and 8, and Gas System Upgrades at the Point Loma Wastewater Treatment Plant. The upgrade will add two new digesters, an upgraded waste gas burner system and a large berm to screen the Plant from the viewshed of Cabrillo National Monument.

The digester addition will give the Plant needed additional digestion capacity and bring the Plant into compliance with the Federal sludge digestion guidelines. The new waste gas burner system will provide the best available technology to be in compliance with the Air Pollution Control District. The berm will provide visual screening of the Point Loma Wastewater Treatment Plant. It also will provide an on-site location for disposal of the excavated material.

FILE LOCATION: W.O. 192680; CONT - Kiewit Pacific Company
CONFY96-1

COUNCIL ACTION: (Tape location: D314-E047.)

MOTION BY HARVEY TO APPROVE THE PROJECT AND THE ENVIRONMENTAL IMPACT REPORT WITH OTAY MESA MITIGATION, AS DOCKETED, AND DIRECT THE MANAGER TO CONTINUE WORKING WITH THE COMMUNITY TO DETERMINE THE FEASIBILITY AND COST OF SUBSTITUTING MITIGATION AT SUNSET CLIFFS NATURAL PARK IN LIEU OF MITIGATION AT OTAY MESA; AND, IF THE METROPOLITAN WASTEWATER DEPARTMENT DETERMINES THAT SUCH ALTERNATIVE MITIGATION WILL BE ADEQUATE AND FEASIBLE AT REASONABLY COMPARABLE COST, SEEK CONCURRENCE FOR THE SUBSTITUTION FROM REGULATORY RESOURCE AGENCIES AND THE ENVIRONMENTAL ANALYSIS SECTION OF THE DEVELOPMENT SERVICES DEPARTMENT. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-nay, Mayor Golding-yea.

ITEM-206:

SUBJECT: Inviting Bids for the South Bay Ocean Outfall -
Upstream Structures.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-26) ADOPTED AS RESOLUTION R-286602

Inviting bids for the South Bay Ocean Outfall -
Contract No. 1, Effluent Distribution and Energy
Dissipation Structures on Work Order No. 191983;

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

Authorizing the execution of 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 Auditor and Comptroller to transfer

\$521,580 from Sewer Fund 41509, CIP-42-910.6, South Bay Water Reclamation Plant, and \$419,682 from Sewer Fund 41508, CIP-45-911.0, South Metro Interceptor, to Sewer Fund 41509, CIP-40-910.1, South Bay Ocean Outfall;

Authorizing the expenditure of \$8,120,000 from Sewer Fund 41509, CIP-40-910.1, South Bay Ocean Outfall, for the purpose of providing funds for this project for construction, contingency, and related costs, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure under 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;

Stating for the record that the City of San Diego as Lead Agency has reviewed and considered final Environmental Impact Report DEP-94-0615 and Mitigation, Monitoring and Reporting Program.

(BID-K96107)

CITY MANAGER SUPPORTING INFORMATION:

The 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 1 - Upstream Structures 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 on May 22, 1995, R-285823.

Aud. Cert. 9600468.

FILE LOCATION: W.O. 191983 CONT - Colich & Sons
CONFY96-1

COUNCIL ACTION: (Tape location: E173-178.)

MOTION BY STEVENS 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-207:

SUBJECT: Two actions related to Miramar Road Subsystem/Miramar Road Subsystem Extension - Part 1.

(Districts-1,2,3,5,6,7,8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-30) ADOPTED AS RESOLUTION R-286603

Certifying that the information contained in DEP-92-0780 has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said report 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;

Adopting findings, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program.

Subitem-B: (R-96-29) ADOPTED AS RESOLUTION R-286604

Inviting bids for Miramar Road Subsystem/Miramar Road Subsystem Extension - Part 1 on Work Order No. 197531/197931;

Authorizing the City Manager to establish contract funding phases with the lowest responsible bidder, based on 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 are, or will be, on deposit in the City Treasury;

Increasing the total appropriations in the Water Operating Fund 41500 by \$3,590,000;

Authorizing the transfer of \$2,215,000 to CIP-70-912.0 and \$1,375,000 to CIP-70-916.0;

Authorizing the expenditure of \$7,835,133 from Water Fund 41500, CIP-70-912.0, Miramar Road Subsystem, and \$4,687,565 from Water Fund 41500, CIP-70-916.0, Miramar Road Subsystem Extension, for the purpose of providing funds for the 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 Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K96106)

CITY MANAGER SUPPORTING INFORMATION:

The Environmental Review of the Reclaimed Water Distribution Master Plan Northern and Central areas is divided into two parts: Programmatic Review of the entire distribution system and Project Specific review of the Optimized System. In addition to fulfilling the requirements of the California Environmental Quality Act (CEQA), the EIR has been prepared to serve as an Environmental Assessment (EA) pursuant to the National Environmental Policy Act (NEPA), in order that partial project funding for a portion of the Reclaimed Water Distribution Optimized System may be obtained from the United States Bureau of Reclamation (BOR). It is anticipated that BOR will prepare a Finding for No Significant Impact on this EA. The draft EIR was sent out for public review on July 26, 1995. The public review period ended on September 12, 1995.

In addition, a noticed Public Meeting was held on August 30, 1995, to give the public an opportunity to comment and ask questions, about the project.

The Optimized Reclaimed Water Distribution System will convey

reclaimed water produced at North City Water Reclamation Plan (NCWRP) to over 300 customers. The proposed system consists of over 45 miles of Pipelines, one Pump Station, a Storage Tank, and appurtenances that are needed for distribution of the reclaimed water. The limit of the Optimized System service area extends from NCWRP south to State Highway 52, west to Torrey Pines Golf Courses and east to the City of Poway. The optimized system will be capable of delivering up to 8,600 AFY of reclaimed water to the customers. The optimized system has been divided into nine packages in order to maximize the participation of the local contractors. The optimized system is included in the Interim Order issued by the Federal Court. At this time only approval of the plans and specifications, authorization for advertisement and award for construction of Package "A" (Miramar Road Subsystem/Miramar Road Subsystem Extension), and certification of the EIR and supporting documents are being requested. Other requests for Council action such as approval to award other optimized system construction contracts, will be submitted at later dates.

Aud. Cert. 9600533.

FILE LOCATION: W.O. 197531/197931 CONT - Vadnais Corporation CONFY96-1

COUNCIL ACTION: (Tape location: A179-B026.)

CONSENT MOTION BY KEHOE 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-208:

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-96-510) ADOPTED AS RESOLUTION R-286605

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

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.
The construction is proceeding on schedule. The contractor has completed a majority of the excavation and grading of the below ground structures, including the headworks, primary sedimentation tanks, grit chamber, nonpotable water and primary skimming pump stations, lime stabilization silos, and sludge truck scales. Slabs on grade have been poured for the nonpotable water pump station. Potable and fire water lines have been installed around the perimeter of the 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.

A draft SEIS is expected to be released for public review in March 1996.

- D. Construction Contract 4 (CC-4) - Collection System.
 - Design: December 1993 - March 1996
 - Bid Solicitation: April 1996 - July 1996
 - Construction: August 1996 - August 1997
 - Design is proceeding.

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. Our Attorneys filed briefs on November 1, 1995 requesting a dismissal of the lawsuit. The judge denied the City's request and a trial is set for January 11, 1996.

- A. Package 1 - Special Structures.
 - Design: Completed May 12, 1995
 - Revised Design: Completed October 17, 1995
 - Bid Solicitation: November 2, 1995 - December 7, 1995

