

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, DECEMBER 4, 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 2:09 p.m. Mayor Golding adjourned the meeting at 6:36 p.m. to meet on Tuesday, December 5, 1995, at 9:00 a.m., in Closed Session in the 12th floor Conference Room to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
 - (1) Council Member Mathis-present
 - (2) Council Member Wear-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 (ew)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-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

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Father Sanders of St. Patrick's Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Wear.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding the Council taking the Oath of Office this morning at 10:00 a.m. and his 9th Birthday as a Christian.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A042-073.)

ITEM-PC-2:

Comments by Karen Manley regarding last Monday's vote by the California Transportation Commission to fund \$73 million for the I-15 Freeway Project through Mid-City and thanking Mayor Golding, the Council, the City Manager, and especially Council Member Kehoe for their support.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A074-093.)

ITEM-PC-3:

Comment by Scott Wright regarding his case of not being able to get enough working hours or a promotion.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A097-137.)

COUNCIL COMMENT:

ITEM-CC-1:

Comments by Mayor Golding, Council Members Kehoe and McCarty thanking Karen Manley for her service in the community.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A094-096.)

ITEM-CC-2:

Comments by Council Member Warden thanking General Angelo from the Marine Corps for his time in meeting with her and Council Members McCarty and Mathis; and thanking the San Diego Firefighters for their efforts in the Safe Moves Bike Rodeo in Linda Vista this past Saturday.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A138-155.)

ITEM-CC-3:

Comment by Council Member Kehoe thanking the Cherokee Point Committee and the City Staff for their efforts in cleaning up Cherokee Point.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A156-163.)

ITEM-CC-4:

Comment by Council Member Mathis regarding the La Jolla Christmas Parade this past Sunday.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A164-170.)

ITEM-30:

SUBJECT: Leo L. Leonard Day.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-96-673) ADOPTED AS RESOLUTION R-286670

Thanking and recognizing Leo L. Leonard for his leadership and outstanding achievements and dedication to the improvement of the quality of life in San Diego;

Proclaiming December 4, 1995 to be "Leo L. Leonard Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A171-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-
yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-50:

SUBJECT: Gold Coast Project Rezone.

(Case-95-0373. Mira Mesa Community Area. District-5.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on
11/21/95. (Council voted 8-0. District 5 not present):

(O-96-76) ADOPTED AS ORDINANCE O-18232 (New Series)

Rezoning 9.1 acres located on the south side of Gold
Coast Drive, between Camino Ruiz and Saluda Avenue,
into the R-1500 Zone.

FILE LOCATION: ZONE - ORD NO.

COUNCIL ACTION: (Tape location: A209-618.)
CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND
ADOPT THE ORDINANCE. Second by Mathis. Passed by the
following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-
yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea,
Mayor Golding-yea.

* ITEM-51:

SUBJECT: Spring Canyon Rezoning.

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

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on
11/21/95. (Council voted 8-0. District 5 not present):

(O-96-74) ADOPTED AS ORDINANCE O-18233 (New Series)

Rezoning 86.1 acres located on the east side of Pomerado Road, north of Semillon Boulevard at the end of Edenoaks Street and the west end of Fig Street, into the R-1-20,000 and HR Overlay Zones.

FILE LOCATION: ZONE - ORD NO.

COUNCIL ACTION: (Tape location: A209-618.)

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

* ITEM-52: CONTINUED TO DECEMBER 11, 1995

SUBJECT: San Diego Jack Murphy Stadium Expansion Financing.

(District-6.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/20/95. (Council voted 7-1. District 6 voted nay. District 5 not present.)

(O-96-81 Cor. Copy)

Authorizing the execution of a Facility Lease of a portion of San Diego Jack Murphy Stadium;

Authorizing the issuance and sale of taxable lease revenue bonds by the Public Facilities Financing Authority of the City of San Diego, and making certain findings concerning the proposed financing; approving the forms of the Stadium Facility Lease, Ground Lease, Indenture, Continuing Disclosure Agreement and related financing documents.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO CONTINUE TO DECEMBER 11, 1995 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-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 COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/20/95. (Council voted 9-0):

(O-96-83) ADOPTED AS ORDINANCE O-18234 (New Series)

Authorizing the City Manager to execute a five-year lease agreement, with three five-year options to extend, with GTE Mobilnet of San Diego, Inc., for approximately 1,200 square feet of space at Redwood Village Standpipe.

FILE LOCATION: LEAS - G.T.E. Mobilnet of San Diego, Inc.
LEASFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

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

* ITEM-54:

SUBJECT: Authorizing Agreements for a Miramar Landfill Gas Collection and Cogeneration Project.

(District-5.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/20/95. (Council voted 9-0):

(O-96-73) ADOPTED AS ORDINANCE O-18235 (New Series)

Authorizing Privatization Agreements for a Miramar Landfill Gas Collection and Cogeneration Project.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

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

* ITEM-55:

SUBJECT: Simplification of Tentative Subdivision Map Time Extensions.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-80) INTRODUCED, TO BE ADOPTED ON JANUARY 8, 1996

Introduction of an Ordinance amending Chapter XI, Article 1, Division 10, of the San Diego Municipal Code by amending Section 111.1010, and amending Chapter XI, Article 1, Division 11, by amending Section 111.1122, relating to Tentative Subdivision Map and Related Development Permit Time Extensions.

CITY MANAGER SUPPORTING INFORMATION:

This issue was first discussed at the Housing and Land Use Committee meeting of July 19, 1995 (see City Manager's Reports

CMR-93-237 and CMR-95-168.) The Committee found that the current process to extend tentative subdivision maps and their associated development permits was time consuming and created uncertainty for the developers. The Committee directed the City Manager and the City Attorney to study the problem and bring back suggested solutions. The issue was further discussed with City staff, members of the development community, and the Planning Commission (see Report to the Planning Commission P-95-128). After consideration of the input from all sources, the Manager recommended that the City Council amend the Municipal Code dealing with the extension of tentative subdivision maps (and related development permits) to strictly limit any modifications to conditions to changes in State Law or matters affecting public health and safety (see City Manager's Report CMR-95-208.) The item was heard by Council on September 13, 1995. Council directed the City Manager to prepare an Ordinance to limit the review of tentative subdivision maps and related development permit extensions.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO INTRODUCE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-56: CONTINUED TO JANUARY 8, 1996

SUBJECT: Joint Powers Agreement between the City of San Diego and the County of San Diego for Tijuana River Valley and Mission Trails Regional Parks.

(Mission Trails and Tijuana River Valley Community Areas. Districts-7 & 8.)

TODAY'S ACTION IS:

Introduction of the following ordinance: (O-96-60)

Introduction of an Ordinance authorizing a Joint Powers Agreement with the County of San Diego regarding the operation and maintenance of Tijuana River Valley Park and Mission Trails Regional Park.

RULES COMMITTEE'S RECOMMENDATION:

On 11/20/95, RULES voted 5-0 to authorize the City Manager or his representative to execute a Joint Powers Agreement between the City and the County of San Diego related to the operation and maintenance of Tijuana River Valley and Mission Trails Regional Parks. (Councilmembers Kehoe, Warden, Stallings, Vargas and Mayor Golding voted yea.)

CITY MANAGER SUPPORTING INFORMATION:

The City Council adopted City Manager's Report CMR-94-74 on March 22, 1994. In that report, the Manager provided the status of consolidating certain City and County services. As it related to park and recreation functions, the report stated that City and County staff studied the feasibility of consolidation of like services in both departments. An analysis was conducted of operating efficiency, capacity, possible economies of scale, administrative and legal requirements, levels of management, supervision and staff, and relative operating efficiency. Staff determined that there could be increased integration and coordination in a number of areas. These include park reservation services, equipment back up, joint staff meetings, small capital improvement projects, joint facilities marketing, staff training and the volunteer program. In addition, it was concluded that there should be coordinated operation of Mission Trails and Tijuana River Valley regional parks through a Joint Powers Agreement. The Agreement would provide that the City should maintain and operate Mission Trails Regional Park and that the County should maintain and operate Tijuana River Regional Park. It was later agreed that separate agreements would be more practical. There was discussion between the two agencies about potential land use conflicts; the Tijuana River Valley Park area encompasses some Water Utilities land which had to be excluded from the agreement, as well as the leasehold revenue related to that acreage. Also, some property was acquired with Coastal Conservancy funds, which requires any revenue generated on those lands must go to the Conservancy. With regard to Mission Trails, the agreement requires that all revenues obtained on Mission Trails Regional Park, including antenna and use fees are to be used solely for development, operation and maintenance of Mission Trails. A similar cause is included in the Tijuana River Valley Park agreement exclusive of the Water Utilities leasehold revenues which cannot be used for the park. Once signed by the City Manager, the agreements will go to the County Board of Supervisors for approval. The agreements would be in effect for

25 years and could be extended for 25 years with joint approval. Execution of the agreements will not impact the service levels provided at either park.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO CONTINUE TO JANUARY 8, 1996 AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Two actions related to Construction of West Miramar Landfill Phase II - Module A Liner.

(Miramar Naval Air Station. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-513) ADOPTED AS RESOLUTION R-286671

Awarding a contract to C.A. Rasmussen, Inc. for construction of West Miramar Landfill - Phase II - Module A, for a total estimated cost of \$2,666,838;

Authorizing the expenditure of not to exceed \$2,666,838 from the Environmental Services Enterprise Fund 41201, CIP-37-056.0, West Miramar Refuse Disposal Facility - Phase II, Sublet No. 37-056.3, West Miramar Landfill Liner Module A;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K96030C).

Subitem-B: (R-96-514) ADOPTED AS RESOLUTION R-286672

Certifying that the information contained in Negative

Declaration DEP-95-0570, dated November 1, 1995, in connection with Construction of West Miramar Landfill - Phase II - Module A, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Declaration has been reviewed and considered by Council.

CITY MANAGER SUPPORTING INFORMATION:

The 807-acre West Miramar Landfill Refuse Disposal Facility is located east of I-805, south of the U.S. Navy's Naval Air Station and north of State Route 52. The Environmental Services Department operates the Miramar Landfill under a long-term lease from the United States of America which is administered by the U.S. Navy. Landfilling operations began in 1982 in the Phase I area and are scheduled to continue in the Phase II area through 2010 or later. In 1991, Congress passed the Resource Conservation and Recovery Act (RCRA). A portion of the act (Part 257-258, 40 CFR) referred to as "Subtitle D" affects all landfills accepting municipal solid waste after October 9, 1993. The purpose of this work is to construct the improvements necessary in the Module A area to meet the regulatory requirements mandated under "Subtitle D." The improvements to be constructed include a composite liner system, leachate collection network and monitoring facilities. This is the second of six modules to be constructed with a composite liner system. A waiver from the Regional Water Quality Control Board was granted in May 1995 which allows the use of non bentonite amended on-site soils and a slightly thicker plastic liner (80-mil vs. 60-mil) to satisfy the "Subtitle D" requirements. This alternative design will speed up the construction of this and future modules, and save the Environmental Services Enterprise Fund approximately \$5,000,000 over the life of the landfill. Bids for this construction were received on November 2, 1995. Three bids were received (ranging from \$2,412,337.50 to \$2,983,122.75) with C.A. Rasmussen, Inc. being the lowest bidder. Their bid is \$557,652 below the Engineer's estimate. This action will certify the Negative Declaration (DEP-95-0570) prepared for this alternative design, authorize the expenditure of funds, and accept the low bid of C.A. Rasmussen, Inc. for this construction.
Aud. Cert. 9600538.

FILE LOCATION: CONT - C.A. Rasmussen, Inc. CONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.

Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-101:

SUBJECT: Awarding a Contract for Construction of Force Main No. 1 and No. 2 Sluice Gates (East Portal Force Main Isolation Structure.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-552) ADOPTED AS RESOLUTION R-286673

Awarding a contract to Nielsen-Dillingham Builders, Joint Venture (San Diego), for the construction of Force Main No. 1 and No. 2 Sluice Gates (East Portal Force Main Isolation Structure) in the amount of \$1,349,000;

Authorizing the additional expenditure of not to exceed \$287,763 from Sewer Fund 41508, CIP-46-181.0, Force Main No. 1 and No. 2 Sluice Gates for providing additional funds for this project, 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;

Declaring that the total amount authorized for this project is \$1,666,450, of which \$1,378,687 was previously authorized by R-286171.

Stating for the record that the project is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301.

(BID-K95124)

CITY MANAGER SUPPORTING INFORMATION:

The purpose for this project is to restore the ability to isolate

Force Main No. 1 and Force Main No. 2 at the East Portal Structure in order to perform necessary inspection and maintenance on one force main while flow through the other force main continues uninterrupted. The East Portal is located on the U. S. Naval Reservation Fuel Farm at Point Loma. It consists of a concrete structure approximately 27 feet long by 23 feet wide, extending approximately 50 feet below grade. The East Portal is the junction structure where the flows from these two large diameter force mains, which emanate from Pump Station No. 2, are combined and diverted into a single 108-inch gravity flow pipeline which extends from the East Portal to the MWWWD Point Loma Waste Water Treatment Plant. The existing Force Main No. 1 and Force Main No. 2 stop gate frames at the East Portal have corroded beyond use. It is no longer possible to isolate the Force Mains and perform routine inspections or divert flows in the event that one of the force mains should break. It is desired to restore this capability, allowing flow to continue uninterrupted through the portal with one force main shut down. The advertisement and award of this construction contract was adopted by City Council on July 31, 1995 under Resolution R-286171. This construction contract was advertised for bids on August 10, 1995. The bids were opened on September 26, 1995. The lowest responsive and responsible bidder is Nielsen-Dillingham, J.V of La Mesa, CA with a bid amount of \$1,349,000. This action is being processed to increase the funding originally requested because the lowest responsive bid was higher than the amount originally requested.
Aud. Cert. 9600589.

FILE LOCATION: CONT - Nielsen-Dillingham Builders, Joint
 Venture (San Diego) & W.O. 192731
 CONTFY96-1

COUNCIL ACTION: (Tape location: E653-F042.)

MOTION BY STALLINGS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-102:

SUBJECT: Inviting Bids for Construction of the Mira Mesa Senior Center Expansion.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-515) ADOPTED AS RESOLUTION R-286674

Inviting bids for the Construction of the Mira Mesa Senior Center Addition on Work Order No. 112479;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of \$1,000 from Fund 18529, Dept. No. 4043, Org. No. 4306, \$200,000 from CIP-29-816.0, Mira Mesa Senior Center Expansion, Fund No. 18530, Dept. No. 4063, Org. No. 6303, and \$25,000 from Fund No. 60216; Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K96044C)

CITY MANAGER SUPPORTING INFORMATION:

The Mira Mesa Senior Center is an existing 4,210 square foot building located at 8460 Mira Mesa Boulevard, between New Salem Street and Camino Ruiz on the Mira Mesa Community Park site. This proposed expansion will add 980 square feet to the building, to provide storage and office space for the Senior Nutrition Program, which is now using a rented trailer parked behind the Senior Center. The budget for this CDBG project is being supplemented by a \$25,000 donation from the Mira Mesa Senior Center's Trust Fund. Any excess funds will be returned to the trust fund when the project has been completed.
Aud. Cert. 9600315.

FILE LOCATION: W.O. 112479 CONT - Art Nouveau Builders
CONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Three actions related to Genesee Avenue and North
Torrey Pines Road Landscape Maintenance District.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-617) ADOPTED AS RESOLUTION R-286675

Initiating proceedings for the formation of the Genesee
Avenue and North Torrey Pines Road Landscape
Maintenance District.

Subitem-B: (R-96-618) ADOPTED AS RESOLUTION R-286676

Resolution of Intention to levy and collect
assessments.

Subitem-C: (R-96-619) ADOPTED AS RESOLUTION R-286677

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION:

The proposed landscape maintenance district consists of landscaped medians and parkway in Genesee Avenue and North Torrey Pines Road. If the district is formed, construction of the landscaping improvements will be financed by the City as part of a street improvement project for the Genesee Avenue and North Torrey Pines Road intersection (CIP-52-471.0). Property owners within the proposed district would pay for the annual maintenance of the landscaping on the basis of benefit. A letter and postcard survey was sent to all property owners asking whether or not they favored the proposed landscape maintenance district. In response, 27 of the 102 property owners, representing 16.97 percent of the assessable property, have indicated their support for the district. Property owners representing 1.74 percent of the assessable property have indicated their opposition. The

remaining property owners have not responded to the community council's request for input. The Genesee Avenue and North Torrey Pines Road Street Improvement Project will begin upon the approval of the maintenance district. After construction in December 1996, the landscaping improvements will be maintained by the contractor for approximately one year. No assessments will be levied for FY'97. The FY 1998 annual maintenance cost for the proposed landscaping improvements is estimated at approximately \$67,555. The estimated annual assessment is approximately \$17.70 per 1,000 square feet of building area. UCSD is included within the district boundary but will not be assessed because they have agreed to maintain the landscaping in the public right-of-way adjacent to their property (south side of Genesee Avenue and east side of North Torrey Pines Road, south of the intersection).

FILE LOCATION: STRT - M-376

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Sewer Easement Exchange.

(Located east of I-15 and North of Bernardo Center Drive. Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-547) ADOPTED AS RESOLUTION R-286678

Approving the acceptance by the City Manager of the deed of Max A. Stewart, Roger K. Swift and John M. Tworoger conveying to the City a sewer easement in Parcel 4 of Parcel Map PM-7154;

Authorizing the execution of a quitclaim deed, quitclaiming to Max A. Stewart, Roger K. Swift and John M. Tworoger, all the City's right, title and interest

in a sewer easement in Parcel 4 of Parcel Map PM-7154.

FILE LOCATION: DEED F-6617 DEEDFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-
yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-105:

SUBJECT: Three actions related to Mission Trails Regional Park
Canyon Bridge and Access Easements.

(Mission Trails Regional Park Community Area.
District-7.)

CITY MANAGER'S RECOMMENDATION:

Introduce the ordinance in Subitem A and adopt the
resolutions in Subitems B and C:

Subitem-A: (O-96-96) INTRODUCED, TO BE ADOPTED ON
JANUARY 8, 1996

Introduction of an Ordinance authorizing the execution of an
agreement with the San Diego County Water Authority for the
exchange of the Canyon Bridge in Mission Trails Regional
Park for three access easements within Mission Trails
Regional Park.

NOTE: 6 votes required for Subitem A.

Subitem-B: (R-96-642 Cor. Copy) ADOPTED AS RESOLUTION R-
286679

Authorizing the execution of three easement deeds,
conveying to the San Diego County Water Authority three
access easements in portions of Lots 70 and 73 of
Rancho Mission of San Diego.

Subitem-C: (R-96-643) ADOPTED AS RESOLUTION R-286680

Certifying that Mitigated Negative Declaration DEP-95-0638 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 declaration, together with any comments received during the public review process, has been reviewed and considered by Council in connection with approval of the exchange of Mission Trails Regional Park Canyon Bridge for access easements; finding that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and approving the Mitigated Negative Declaration; adopting the Mitigation Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

The Canyon Bridge is located within Mission Trails Regional Park at the east end of Clairemont Mesa Boulevard. It was installed in late 1994 to provide temporary construction access to the San Diego County Water Authority's (SDCWA) construction site. It is a pre-fabricated steel bridge, 14 feet wide and 315 feet in length, with concrete abutments. The City permitted the temporary bridge to be installed. The City now desires to acquire this canyon bridge and in addition retain two graded staging areas for park use. In exchange, the SDCWA requested three access easements. The easements are 20 feet wide and extend as follows:

1. Seda Drive - from the existing chain gate at Seda Drive eastward along an existing dirt road to the SDCWA's Flow Regulatory Structure. Access to this easement requires entry through private property. Access will be pursued by the SDCWA. (Drawing No. 18382-B).
2. Clairemont Mesa Boulevard - east end of Clairemont Mesa Boulevard across the bridge along an existing dirt road to SDCWA's second San Diego Aqueduct right-of-way. (Drawing No. 18383-B).
3. Calle De Villa - from the entrance gate at Calle De Vida and Colina Dorado, eastward along an existing dirt road to SDCWA's second San Diego Aqueduct right-of-way. Access through this easement requires entry through San Diego City Schools property. Access will be pursued by the SDCWA. (Drawing No. 18384-B).

The staging area at the west end of the bridge will also be used for Park purposes. Future improvements at this area include up to 40 parking spaces, picnic tables, landscaping, an informational kiosk, park signage, guardrail, fencing and bollards to prevent unauthorized vehicles from using the bridge. The staging area on the north side of Mission Gorge Road at the intersection of Jackson Drive and Mission Gorge Road will provide needed overflow parking for the Visitor and Interpretive Center. The SDCWA will regrade both staging areas to City requirements prior to transferring the areas.

FILE LOCATION: DEED F-6618 DEEDFY96-3

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106:

SUBJECT: Two actions related to Property Donation for Jamacha Road/Lisbon Street Widening.

(Lomita Village Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-627) ADOPTED AS RESOLUTION R-286681

Accepting the grant deed of Jesus and Mercy C. Wilson, granting to the City portions of Lots 1 and 2 of Beacon Hill Re-Subdivision No. 1, Map-4125, and a portion of Lot 13, Beacon Hill Subdivision, Map-1302.

Subitem-B: (R-96-628) ADOPTED AS RESOLUTION R-286682

Certifying that Negative Declaration DEP-95-0207 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, together with any comments received during the public review process, has been reviewed and considered by Council in connection with the approval of Jamacha Road/Lisbon Street widening.

CITY MANAGER SUPPORTING INFORMATION:

The property owners, Jesus and Mercy Wilson, have offered the donation of approximately 810 square feet of their property frontage to accommodate the construction of sidewalk, curb, and gutter, as part of the Jamacha Road/Lisbon Street widening and improvement project. This donation is offered in exchange for the benefit to accrue to their property in improved drainage, parking, and pedestrian walk way. Acceptance of the donation will allow the City to complete the necessary improvements.

FILE LOCATION: DEED F-6619 DEEDFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-107:

SUBJECT: Proposed Facade Easement for Old City Hall, 664 Fifth Avenue.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-638) ADOPTED AS RESOLUTION R-286683

Authorizing the City Manager to execute an Architectural Facade Easement for 664 Fifth Avenue (Old City Hall), described as a portion of Lot L in Block 88 of Horton's Addition, granted by San Diego Historic Properties VII, Ltd to the City.

CITY MANAGER SUPPORTING INFORMATION:

In February 1992, the City Council adopted the Inventory, Education and Incentives Elements of the Comprehensive Historic Preservation Plan (CHPP). Contained in the Incentives Element is Facade Easements, a federal tax incentive available to owners of any property listed on the National Register of Historic Places. The facade easement allows the owner to receive a federal charitable contribution deduction in exchange for ensuring the preservation of the historical, aesthetic, scenic, and cultural characteristics and conditions of the facade in perpetuity. The facade is then monitored by the grantee of the facade easement, in this case the City of San Diego, on a cost-reimbursable annual basis to assure that the conditions of the easement are met. San Diego Historic Properties VII, Ltd., a California Limited Partnership, owner of the Old City Hall at 664 Fifth Avenue, a federally Certified Historic Structure in the Gaslamp Quarter National Register Historic District, is requesting that the City accept its Grant of an Architectural Facade Easement. Accepting this grant of easement will remove the value of the facade, estimated between \$700,000 and \$800,000 from the property tax rolls, but it will also provide a financial incentive for the redevelopment and rehabilitation of the property and ensure its maintenance in its rehabilitated form in perpetuity. The City Manager recommends approval of this item as consistent with the Incentives Element of the Comprehensive Historic Preservation Plan adopted by City Council.

FILE LOCATION: DEED F-6620 DEEDFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108:

SUBJECT: Easement Deed for Electrical Service to Marc Lindshield, a City Lessee in San Pasqual Valley.

(Located at Cloverdale Road, north of San Pasqual Valley Road. San Pasqual Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-630) ADOPTED AS RESOLUTION R-286684

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company an easement for electrical service to Marc Lindshield, a City lessee in San Pasqual Valley.

CITY MANAGER SUPPORTING INFORMATION:

In order to facilitate electrical service to a City lessee, Marc Lindshield in San Pasqual Valley, the City permitted SDG&E to construct its lines from the franchise right-of-way at Cloverdale Road along the Lindshield leasehold. The easement area is approximately 6 feet wide and 437 feet in length. At this time SDG&E is requesting a permanent easement for its facilities. The Water Utilities Department has no objection to this easement.

FILE LOCATION: DEED F-6621 DEEDFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-109:

SUBJECT: Exclusive Sale of City Owned Land - Portions of City Heights and Park de la Cruz.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-629 Corr. 12/19/95) ADOPTED AS RESOLUTION R-286685

Authorizing the sale by negotiation of portions of City Heights and Park de la Cruz for the sum of \$103,500 to

the State of California;

Authorizing the execution of a grant deed, granting to the State of California said property;

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

Authorizing a Right-of-Way contract with the State of California, in connection with the above described property.

CITY MANAGER SUPPORTING INFORMATION:

The subject property is required by Caltrans for State Route 15 (40th Street), and consists of portions of four parcels located at 38th, 40th and Dwight Streets in East San Diego. Three parcels consisting of 45,401 square feet from larger parcels totalling 332,324 square feet will be used for highway and drainage purposes. The fourth parcel will be used for access rights only and totals 685 linear feet. The topography ranges from flat to steeply sloping. The property was acquired by the City for park purposes. The Park and Recreation Department has reviewed the proposed sale and has no opposition. The parcels were appraised at \$103,500 by a Caltrans appraiser and reviewed by City of San Diego Valuation Staff.

FILE LOCATION: DEED F-6622 DEEDFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-110:

SUBJECT: Tijuana River Valley Flood Control.

(See City Manager Report CMR-95-283. Tia Juana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-661) ADOPTED AS RESOLUTION R-286686

Directing the City Manager to implement the recommended alternative, establish timelines for the different components of the recommended alternative and actively pursue any applicable Federal or State funding regarding the Tijuana River Valley Flood Control.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-B057.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111:

SUBJECT: Transfer of Funds for Montgomery Field Runway Extension Project.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-650) ADOPTED AS RESOLUTION R-286687

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$95,000 from the Annual Allocations CIP-31-001.0, to CIP-31-141.0, Montgomery Field - Runway Extension 28R;

Authorizing the expenditure of an amount not to exceed \$95,000 from CIP-31-141.0 for additional construction requirements in the Montgomery Field Runway Extension project;

Authorizing the City Auditor and Comptroller to transfer any excess budgeted funds to the appropriate reserve upon the advice from the administering

department.

CITY MANAGER SUPPORTING INFORMATION:

The Notice of Completion for the Montgomery Runway 28R and Taxiway Extension project will soon be issued. The project has fulfilled the objects of providing a safer, quieter runway while leaving the environment protected and undiminished. While the extended main runway and taxiway meet the highest standards of safety, some other airport components require immediate attention to maintain these high safety standards. A section of the secondary runway and the cargo ramp should be repaired immediately to prevent compromises in overall airport safety, especially for the commercial flight operations. A cost effective repair of these areas can be accomplished by including them in the existing runway project. By using the contractor already on-site to repair some areas adjacent to the worksite, the City can take advantage of a price which would reflect economy of scale and avoid mobilization costs. A transfer of \$95,000 from the Annual Allocations CIP-31-001.0, to CIP-31-141.0 will accomplish this goal.

Aud. Cert. 9600584.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargay-yea, Mayor Golding-yea.

* ITEM-112:

SUBJECT: Friars Road, Midway Drive, and Navajo Road Traffic Signal Interconnect Systems.

(Midway/Pacific Highway Corridor, Linda Vista/Mission Valley, and Navajo Community Areas. Districts-2, 6 & 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-598) ADOPTED AS RESOLUTION R-286688

Authorizing the Auditor and Comptroller to transfer not to exceed \$24,377 from CIP-62-291.0, Traffic Signal Subsystem - DIF Funded Fund No. 79505 to CIP-63-018.0, Navajo Road/Jackson Drive/Friars Road/Midway Drive Traffic Signal Subsystems;

Authorizing the expenditure of not to exceed \$24,377 from CIP-63-018.0, Fund 79505, to supplement the \$478,000 federal grant previously authorized, for a total of \$502,377, for the Construction of Traffic Signal Interconnect for Friars Road, Midway Drive, and Navajo Road;

Authorizing the Auditor to retain excess monies, if any, in CIP-62-291.0.

CITY MANAGER SUPPORTING INFORMATION:

This project will upgrade obsolete controllers for signalized intersections and will construct traffic signal interconnect cable between four intersections along Friars Road, seven intersections along Midway Drive, and will construct microwave traffic signal interconnect systems between eleven intersections on Navajo Road, Jackson Drive, and Lake Murray Boulevard.
Aud. Cert. 9600540.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113:

SUBJECT: Two actions related to Community Based Toilet Replacement Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-622) ADOPTED AS RESOLUTION R-286689

Authorizing the City Manager to continue the Community Based Toilet Replacement Program.

Subitem-B: (R-96-623) ADOPTED AS RESOLUTION R-286690

Authorizing an agreement with the San Diego County Water Authority to implement and administer the Community Based Toilet Replacement Program;

Authorizing the expenditure of not to exceed \$150,000 from the Water Utilities Department Operation Fund 41500, Water Conservation Program 70622, for the purpose of continuing the Community Based Toilet Replacement Program.

CITY MANAGER SUPPORTING INFORMATION:

This action requests the continued funding of the Community Based Toilet Replacement Program (Toilet Replacement Program) for the current Fiscal Year by entering into an agreement with the San Diego County Water Authority (CWA) to provide matching funds from the CWA and the Metropolitan Water District of Southern California (MWD) for 5,000 ultra-low flush toilets (ulfts). The program's funding percentages remain at 25 percent each for the City and the CWA, and 50 percent for the MWD. In June of 1993, the City Council first approved the City's participation in the Toilet Replacement Program that distributed more than 5,000 ulfts citywide to single-family owner occupied households meeting the low-income criteria established by the U.S. Department of Housing and Urban Development. In June of 1994 and February of 1995, Council approved a second and third phase of this successful water conservation program. More than 6,465 additional ulfts were distributed through these program phases. The CWA has contracted with Triple Crown and the Center for Employment Training (CET) to operate field offices in the City. Triple Crown and CET will hire local residents to work in the offices determining program eligibility, processing applications, canvassing neighborhoods to tell residents about the program, and collecting and recycling the old, higher volume toilets. The estimated water savings for the 5,000 ulfts is 220,000 gallons per day or 246 acre-feet per year. The City's cost to implement this program is \$61 per acre foot saved, compared to the \$424 per acre-foot the City currently pays for imported water. Aud. Cert. 9600577.

FILE LOCATION: WATER - San Diego County Water Authority
Toilet Replacement Program CONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-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 Kim
Construction Company.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-675) ADOPTED AS RESOLUTION R-286691

A Resolution approved by the City Council in Closed Session
on Tuesday, November 21, 1995 by the following vote:
Mathis-not present; Harvey-yea; Kehoe-yea; Stevens-yea;
Warden-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-
yea.

Authorizing the City Manager to pay the total sum of
\$225,000 in the settlement of each and every claim
against the City, its agents and employees, resulting
from the claim of Kim Construction Company (Superior
Court Case No. 665731, Kim Construction Company v. City
of San Diego, et al.);

Authorizing the City Auditor and Comptroller to issue
one check in the amount of up to \$225,000 made payable
to Kim Construction Company, in full settlement of the
lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the
Property Damage Claim of Kim Construction Company against the
City of San Diego, its agents and employees, as a result of an

incident which occurred on January 13, 1992.
Aud. Cert. 9600555.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-
yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-115:

SUBJECT: Lights on For Life Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-96-670) ADOPTED AS RESOLUTION R-286692

Proclaiming Friday, December 15, 1995 to be "Lights on
For Life Day" in San Diego, as a memorial to the
victims of impaired driving and as a reminder of the
dangers of drunk and drugged driving.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-
yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-116:

SUBJECT: Jack Mones Day.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-96-603 Cor. Copy) ADOPTED AS RESOLUTION R-286693

Recognizing the accomplishments of Jack Mones;

Proclaiming Wednesday, November 15, 1995 to be "Jack Mones Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117:

SUBJECT: Musical Merit Foundation of Greater San Diego Day.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-96-671) ADOPTED AS RESOLUTION R-286694

Proclaiming December 4, 1995 to be "Musical Merit Foundation of Greater San Diego Day" in San Diego in honor of its 50th Anniversary.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-118:

SUBJECT: Homeless Services Programs.

(See City Manager Report CMR-95-287.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-668) ADOPTED AS RESOLUTION R-286695

Authorizing agreements with St. Vincent de Paul, Episcopal Community Services, Neighborhood House Association, San Diego Housing Commission, Catholic Charities, San Diego Youth and Community Services, County of San Diego, Love's Gift, United Way of San Diego County, Episcopal Community Services (Emergency Assistance Program) Volunteers of America, Episcopal Community Services (Downtown Work Program), Love's Gift (County funding) to provide services to the homeless population of San Diego;

Authorizing the City Auditor and Comptroller to accept \$13,092 from the County of San Diego to operate Love's Gift Perishable Food Program;

Authorizing the expenditure of an amount not to exceed \$751,653 in Emergency Shelter Grant Funds; \$10,000 in CDBG funds and \$13,092 in funds received from the County of San Diego.
Aud. Cert. 9600601.

FILE LOCATION: MEET CONFY96-12

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-119:

SUBJECT: Agreement with the California State Coastal Conservancy for the South Bay Ocean Outfall Project.

(District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-664) ADOPTED AS RESOLUTION R-286696

Authorizing an agreement with the California State Coastal Conservancy for permanent and temporary use of property in the Tijuana River Valley, originally acquired using Conservancy grant funds, required for the South Bay Ocean Outfall Project;

Authorizing the expenditure of not to exceed \$24,200 from Sewer Fund 41509, CIP-40-910.1, for permanent property rights related to the above property.

CITY MANAGER SUPPORTING INFORMATION:

By Resolution No. R-285822 dated May 22, 1995 the City Council approved the construction of the South Bay Ocean Outfall Tunnel Project. This project is to be built in the Tijuana River Valley and extend several miles out in the ocean. The project is to temporarily use, for a staging area, 12.22 acres of an 84 acre larger parcel of property acquired by the City of San Diego using state grant funds provided by the California State Coastal Conservancy. The nature of the grant was to acquire property for the purpose of wetland/upland wildlife conservation, open space and agricultural preservation for inclusion in the Tijuana River National Estuarine Sanctuary. Of the 12.22 acre staging area, 0.42 acres will be required for a permanent structure in support for the Outfall Project. Since the 0.42 acre easement will no longer be utilized for the Sanctuary, as agreed upon in the original grant language, the Coastal Conservancy has required that the City reimburse to them the fair market value of the easement area, which is \$24,200.

Aud. Cert. 9600603.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargasa-yea, Mayor Golding-yea.

ITEM-120:

SUBJECT: Amendment No. 3 to the Agreement with McCutchen, Doyle, Brown and Enersen for Legal Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-580) ADOPTED AS RESOLUTION R-286697

Authorizing Amendment No. 3 to the Agreement with McCutchen, Doyle, Brown and Enersen for legal services in connection with specialized environmental litigation and related issues;

Authorizing the expenditure of not to exceed \$800,000 from Clean Water Program Fund No. 41509, CIP-45-910.2, Program Predesign and Engineering Support.

CITY MANAGER SUPPORTING INFORMATION:

On February 24, 1992 City Council authorized the retention of the law firm of McCutchen, Doyle, Brown and Enersen to: 1) act as co-counsel in the second phase of the Metropolitan Wastewater monitoring as provided in the Consent Decree entered in U.S.A. v. City of San Diego, U.S. District Court No. 88-1101-B, and; 2) continue the effort in Federal Court to facilitate matters relating to the establishment of the Multiple Species Conservation Program. Amendment No. 1 for \$100,000 for legal support during the appeal of the Consumers Alternative to the Ninth Circuit Council Court of Appeals was approved by Council on January 3, 1994, Resolution No. R-283202. Amendment No. 2 for \$800,000 was for continued legal support and was approved by Council on April 25, 1994, Resolution No. R-283754. This third amendment is to ensure continued advocacy of City interests in the following matters: 1) Interim Order - final settlement agreement with EPA, State and Sierra Club; 2) State Spills Litigation - settlement with RWQCB; 3) Fiesta Island Enforcement Action - final settlement with the Coastal Commission; 4) Surfrider Foundation - litigation with regards to environmental documentation for the South Bay Ocean Outfall (SBOO); 5) Multiple Species Conservation Program (MSCP) - development of Model Implementing Agreement and agreements with federal and state wildlife agencies; 6) 301(h) Waiver - settlement with EPA on the

City's NPDES Permit; 7) Thermal Mountain - settlement with EPA and other agencies associated with the remediation of the sludge issues; and 8) Participating Agencies Arbitration - settlement with Participating Agencies concerning protested costs for the conveyance, treatment and disposal of sewage. The City's potential liability associated with these issues could be as much as \$80 million.

FINANCING:

It is contemplated that this action will be ultimately financed with tax-exempt securities and the funds sought would be reimbursed with proceeds from the sale of such securities. Aud. Cert. 9600530.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: F043-105.)

MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-121:

SUBJECT: Additional Construction Contingency for Pump Station 65 Relocation Project.

(Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-636) ADOPTED AS RESOLUTION R-286698

Authorizing the City Manager to enter into negotiations with Mingus Constructors, Inc. for a change order in an amount not to exceed \$460,000 for the removal of abandoned bridge pilings at Los Penasquitos Creek;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$659,437 consisting of \$500,000 from Fund No. 41506, CIP-46-106.0, Annual

ITEM-122:

SUBJECT: Change Order No. 3 for the Alvarado Treatment Plant Upgrade and Expansion Regulating Reservoirs Contract.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-631) ADOPTED AS RESOLUTION R-286699

Approving Change Order No. 3, issued in connection with the contract with C.E. Wylie Construction Company, increasing the contract price by \$521,296;

Authorizing the expenditure of not to exceed \$521,296 from Water Revenue Fund No. 41502, CIP-73-261.0, Alvarado Filtration Plant Upgrade and Expansion Regulating Reservoirs Contract.

CITY MANAGER SUPPORTING INFORMATION:

The Alvarado Treatment Plant receives water from the City's local reservoirs and the County Water Authority to provide high-quality drinking water to over 400,000 San Diegans. The Alvarado Treatment Plant serves the central part of the City including the communities of San Carlos, College area, North Park, Kensington/Talmadge, Hillcrest, Downtown, Point Loma, City Heights, and Encanto. The plant began operating more than 45 years ago and is an important component in our water supply system. On September 12, 1994, the City Council awarded a contract (R-284588) to C.E. Wylie Construction Company in the amount of \$25,217,413 for the reconstruction of the aging Alvarado storage reservoir. The contract included the demolition of the old deteriorated twenty million gallon Alvarado Reservoir and the construction of two, twenty-one million gallon concrete circular reservoir tanks and associated piping. The old Alvarado Reservoir did not meet current seismic codes and portions of the roof were removed several years ago due to deterioration. Also the increase in storage volume will allow for future expansion of the plant to meet the projected water delivery demands of the service area. Prior to demolition, a filtered water by-pass piping system was constructed around the Alvarado Reservoir to

convey water into the distribution system. With the reservoir demolition now complete, a second by-pass pipeline was constructed under the new reservoirs to maximize the supply of water into the Alvarado service area. This second pipeline, Change Order No. 3, will function as an important back-up pipeline to the new by-pass pipeline, and it will ensure the Alvarado service area will receive its full available storage volume during construction of the Alvarado upgrade and expansion. The new reservoirs and piping will provide an appropriate interface with the San Diego County Water Authority's plans for treated water service. This change order will provide for 300 lineal feet of 68-inch pipeline and associated valving and fittings to provide a second source of water from the existing storage to the distribution piping.

Aud. Cert. 9600565.

WWF-96-196.

FILE LOCATION: CONT - C.E. Wylie Construction Company
 CONFY96-1

COUNCIL ACTION: (Tape location: F139-170.)

MOTION BY STEVENS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-123:

SUBJECT: Group Agreement with American Family Life Assurance Company.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-604) ADOPTED AS RESOLUTION R-286700

Authorizing an eighth amendment to the agreement with American Family Life Assurance Company for a group cancer and hospital intensive care insurance plan, for a one-year period beginning August 1, 1995 through July 31, 1996, with no change in benefits or rates from last year;

Authorizing the expenditure of not to exceed \$252,739 from Fund 60076, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

The cancer expense and hospital intensive care protection insurance plans have been offered as an option in the City's benefits plan since FY 1988. A bid marketing was conducted by the City's broker of record, Towers Perrin, in February 1995 to evaluate the cost competitiveness and plan design of the current plan. American Family Life Assurance (AFLAC) was one of four vendors submitting proposals. Upon review it was decided to remain with the current coverage offered by AFLAC based on plan design, benefits accumulation, and cost. There is no change in benefits or rates from last year.
Aud. Cert. 9600550.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-124:

SUBJECT: Group Health Agreement with Blue Cross of California.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-610) ADOPTED AS RESOLUTION R-286701

Authorizing an amended agreement with Blue Cross of California to provide group health insurance for a one-year period beginning August 1, 1995 through July 31, 1996 for the premium rates as follows:

	Employee	One Dependent	Two+ Dependents	Change
California Care	\$1,584	\$1,758	\$3,225	2.3 percent
Blue Cross Plus	\$2,427	\$2,650	\$4,765	19.7 percent
Prudent Buyer				
\$1,000 Deductible	\$1,478	\$1,713	\$3,425	0 percent

Working Spouse \$ 267 N/A N/A -49.0
percent

Authorizing the expenditure of not to exceed \$4,986,355
from Fund 60020, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

The City provides varied types of health insurance coverage to active and retired employees and their dependents through the self-insured CityMed plans offered and administered by Blue Cross of California. The changes to active employees coverage was minimal for FY 1996 which resulted from the plans being brought into Department of Corporation compliance. This compliance allowed the premiums to stay steady or increase slightly rather than realize the initially proposed increase of 15 percent. The major change to the plans impacted the retirees. The Blue Cross Plus and Out-of-Area plans for retirees were eliminated in FY 1996 due to administrative problems, excessive out-of-network utilization, and proposed premium increases. For these reasons it was determined the better alternative for retirees is to offer fully-insured Medicare supplement/indemnity plan in place of the separate point-of-service and indemnity plans. All changes were agreed to through the Meet and Confer process. The cost of the employee coverage is paid through the Flexible Benefits Plan (FBP). Employees may cover their dependents through payroll deduction and/or remainder FBP monies.
Aud. Cert. 9600549.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-125:

SUBJECT: Kaiser Foundation Health Plan - Group Health Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-600) ADOPTED AS RESOLUTION R-286702

Authorizing an amended Group Health Insurance Agreement with Kaiser Foundation Health Plan, Inc., to extend the agreement for a one-year period beginning August 1, 1995 through July 31, 1996, and to authorize a premium rate decreased by 4 percent as follows:

MONTHLY PREMIUMS	FROM	TO
Employee Only (City Paid)	\$141.92	\$136.28
One Dependent (Employee Paid)	\$141.94	\$136.28
Two or More Dependents (Employee Paid)	\$282.16	\$270.88

Authorizing the expenditure of not to exceed \$7,210,261 from Fund 60022, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

The Kaiser Health Plan has been amended to include coverage for parents and/or siblings of employees that reside with and are financially dependent upon a City employee called "sponsored dependents." This is a pilot program agreed to by Kaiser and negotiated through the recent Meet and Confer process. The premium for the contract year, August 1, 1995 through July 31, 1996 have decreased by 4 percent from FY 1995. The monthly rates are as follows:

	FROM	TO	% DECREASE
Employee Only	\$141.92	\$136.28	4.0
One Dependent	\$141.94	\$136.28	4.0
Two or More Dependents	\$282.16	\$270.88	4.0

The cost of the employee coverage is paid through the Flexible Benefits Plan (FBP). Employees may cover their dependents through payroll deduction and/or remainder FBP monies.
Aud. Cert. 9600545.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-126:

SUBJECT: Agreement with Northwestern National Life Insurance Company.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-609) ADOPTED AS RESOLUTION R-286703

Authorizing an agreement with Northwestern National Life Insurance Company to provide group life insurance for a three-year period beginning July 1, 1995 through June 30, 1998;

Authorizing the expenditure of not to exceed \$746,692 from Fund 60026, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

The City's life insurance agreement with Cigna expired on June 30, 1995. In anticipation of the agreement terminating, Towers Perrin, the City's broker of record, conducted a bid marketing in January 1995 to select a company to provide varied life insurance alternatives to meet City employees' needs. Risk Management desired to offer employees enhanced benefits, portability, and coverage for dependents. Based on these requirements, twenty-five carriers were solicited to submit proposals. Of these, only six quoted due to the City's adverse experience over the past several years. Of the six, three were eliminated due to rates and benefit deficiencies. The three finalists were evaluated on the basis of their rates, financial arrangement, company rating and plan design flexibility. Northwestern National Life Insurance Company was determined to offer the most advantageous agreement with respect to cost and plan offerings and therefore was awarded a three year agreement commencing July 1, 1995. The Basic term insurance is enhanced to include accelerated benefits for terminally ill employees and the Accidental Death and Dismemberment coverage provides benefits for losses other than life or limb, as well as education and/or training. In addition to the Basic coverage offered through the Flexible Benefits Plan, Portable term insurance and Universal life insurance are available through payroll deduction. The agreement also provides term coverage for select upper management known as Executive life insurance. The rates for the group term insurance increased slightly from eleven cents per thousand dollars of coverage to

thirteen cents. The cost for Accidental Death and Dismemberment coverage is unchanged at three cents per thousand dollars of coverage.

Aud. Cert. 9600551.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-127:

SUBJECT: Group Indemnity Dental Agreement with United of Omaha Life Insurance Company.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-605) ADOPTED AS RESOLUTION R-286704

Authorizing an agreement with United of Omaha Life Insurance Company to provide indemnity dental coverage through the Flexible Benefits Plan, for a two-year period beginning August 1, 1995 through July 31, 1997 for the premium rates as follows:

Annual Premiums	
Employee Only	\$287
Employee & One Dependent	\$495
Employee & Two or More Dependents	\$750

Authorizing the expenditure of not to exceed \$242,790 from Fund 60085, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

Indemnity dental insurance coverage has been offered through the Flexible Benefits Plan since 1987. The City's consultant and broker of record, Towers Perrin, conducted a bid marketing in February 1995 to determine the viability of the current plan design, vendor offering and costs. Sixteen vendors were invited

to bid on one or both of the types of dental coverage (prepaid and indemnity) offered by the City. Of the eleven proposals received, six were included for in depth analysis based on their network size and accessibility, plan design and cost. Analysis of the proposals revealed it is to the City's advantage to contract for indemnity and prepaid dental coverage separately rather than consolidate with one company or offer a point of service plan. Four companies were considered for the indemnity plan agreement. United of Omaha Life Insurance Company, a Mutual of Omaha Company, was determined to be the best plan for the City. This was based on claims processing capabilities, plan design, cost, network and administration. The benefits were enhanced over the current design to include one hundred percent coverage for preventive care received in-network; plan maximum increased from \$1,000 to \$1,500 and orthodontia benefits increased from \$1,000 to \$2,000 with coverage also being extended to adults. Even with the enhancements, the costs decreased slightly from the current year.
Aud. Cert. 9600547.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-128:

SUBJECT: Safeguard Health Plans, Inc. - Prepaid Dental Insurance Group Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-599) ADOPTED AS RESOLUTION R-286705

Authorizing an amended Dental Insurance Agreement with Safeguard Health Plans, Inc., to extend the agreement for a two-year period beginning August 1, 1995 through July 31, 1997, and to authorize a premium rate as

follows with no change of benefits or cost from the current agreement:

ANNUAL PREMIUMS

Employee Only	\$133
Employee & One Dependent	\$225
Employee & Two or more Dependents	\$290

Authorizing the expenditure of not to exceed \$382,689 from Fund 60042, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

Dental insurance coverage has been a benefit option since the inception of the Flexible Benefits Plan. Risk Management in conjunction with Towers Perrin, the City's consultant and broker of record, conducted a bid marketing in February 1995 to determine the viability of the current plan design, vendor offering and costs. Sixteen vendors were requested to submit proposals of which five declined to quote. Of the eleven proposals, five were eliminated based on network size and accessibility, copayment levels, and non-competitive rates. Upon review of the remaining proposals it was decided it was to the City's advantage to remain with two separate vendors offering two different types of dental coverage (prepaid and indemnity). Safeguard Health Plans, Inc., the incumbent prepaid dental insurance provider, was awarded a two year agreement for the period of August 1, 1995 through July 31, 1997 based on financial stability, number and location of providers, plan design, continuity of care and cost. There is no change of benefits or cost from the current agreement. The annual premiums are as follows:

Employee Only	\$133
Employee & One Dependent	\$225
Employee & Two or more Dependents	\$290

Aud. Cert. 9600552.

FILE LOCATION: MEET CONTFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-129:

SUBJECT: Safeguard Health Plans, Inc. - Vision Insurance Group Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-597) ADOPTED AS RESOLUTION R-286706

Authorizing an amended Vision Insurance Agreement with Safeguard Health Plans, Inc., to extend the agreement for a two-year period beginning August 1, 1995 through July 31, 1997, and to authorize a premium rate as follows:

ANNUAL PREMIUMS	
Employee Only	\$ 54
Employee & One Dependent	\$102
Employee & Two or more Dependents	\$156

Authorizing the expenditure of not to exceed \$87,312 from Fund 60043, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

Vision coverage has been a benefit option since the inception of the Flexible Benefits Plan. Safeguard Health Plans, Inc. has retained the vision insurance agreement since their original award in 1984. A bid solicitation was conducted by the City's broker of record, Towers Perrin, in February 1995 to evaluate the current point of service coverage for competitiveness of plan design and cost. Eleven carriers were invited to submit proposals, of which five quoted and six declined. Most of the carriers declined because they could not offer a better financial package to the City. Upon review of the proposals, Safeguard was awarded a two year agreement for the period of August 1, 1995 through July 31, 1997. The decision was based on the following factors: financial stability, number and location of providers, plan design, continuity of care and cost. There is no change of benefits or cost from the current agreement. The annual premiums are as follows:

Employee Only	\$ 54
Employee & One Dependent	\$102
Employee & Two or more Dependents	\$156

Aud. Cert. 9600553.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-130:

SUBJECT: United States Behavioral Health - Group Managed Behavioral Health Program Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-608) ADOPTED AS RESOLUTION R-286707

Authorizing an agreement with United States Behavioral Health, for a one-year period beginning August 1, 1995 through July 31, 1996, to provide managed behavioral health coverage to members of the applicable Blue Cross health plans;

Authorizing the expenditure of not to exceed \$29,054 from Fund 60020, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

Based on a study conducted in 1992 by the City's benefits consultant, mental health and chemical dependency treatment benefits are carved out of the Blue Cross health plans to provide better control of treatment and cost effectiveness. A bid marketing was conducted in February 1995 by Towers Perrin, the City's broker of record, to determine the competitiveness of the

incumbent's rates; network size and accessibility; and ability to interact with the City's Employee Assistance Program. Sixteen vendors were asked to bid of which six declined. Initial review reduced the vendors to five for serious consideration. Interviews were conducted with the top three companies. The interview results determined United States Behavioral Health would provide the best service to the City's Blue Cross members based on network size and access; plan design; provider contracts; EAP coordination; administrative services and cost. The rates decreased slightly from the current rate of \$13.95 to \$13.64 per member per month.
Aud. Cert. 9600548.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-131:

SUBJECT: Two actions related to Application to the State of California Real Estate Owned Program.

(See San Diego Housing Commission Report dated 12/5/95.)

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-665) ADOPTED AS RESOLUTION R-286708

Authorizing the submittal of an application to the California State Department of Housing and Community Development for REO Funding under the Home Investment Partnerships Program, the execution of a Standard Agreement if selected for such funding and any amendments, and any related documents necessary to participate in the Home Investment Partnerships Program (Home) Real Estate Owned (REO) Program.

Subitem-B: (R-96-667) ADOPTED AS RESOLUTION R-286709

Approving the Delegation of Administration to the San Diego Housing Commission.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-132:

SUBJECT: Proposed Sister City Affiliation with Warsaw Province, Poland.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-681) ADOPTED AS RESOLUTION R-286710

Expressing the City of San Diego's desire to be a Sister City to Warsaw Province, Poland and accepting the invitation of the Governor of Warsaw Province, the Honorable Bohdan Jastrzebski, to seek Sister City affiliation together.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-133:

SUBJECT: Appointment to the Citizen's Equal Opportunity Commission.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-680) ADOPTED AS RESOLUTION R-286711

Council confirmation of the appointment by the Mayor of Peter Mirche to serve as a member of the Citizen's Equal Opportunity Commission, for a term beginning January 1, 1996 and ending January 1, 1998, replacing Christopher J. Crotty, who resigned prior to the expiration of his term.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-134:

SUBJECT: ISTEА Transportation Enhancement Activities (TEA) Grants - Third Cycle.

(See City Manager Report CMR-95-282.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-625 Rev.1) ADOPTED AS RESOLUTION R-286712

Authorizing the City Manager to submit applications for the ISTEА Transportation Enhancement Activities (TEA) Program - Third Cycle, to accept funds for any submitted project, which funds may be awarded under the TEА program, and to expend those funds;

Declaring that the City will finance its matching fund obligations and effect the timely execution of projects which may be selected under the TEА program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-
yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-135:

SUBJECT: Appointing Deputy Mayor for 1996.

(See memorandum from Mayor Golding dated 11/16/95.)

RULES COMMITTEE'S RECOMMENDATION:

On 11/20/95, RULES voted 5-0 to recommend adoption of the
following resolution. (Councilmembers Kehoe, Warden,
Stallings, Vargas and Mayor Golding voted yea.)

(R-96-639) ADOPTED AS RESOLUTION R-286713

Selecting Councilmember Valerie Stallings as Deputy Mayor
for the City of San Diego for the period commencing December
5, 1995 and ending December 2, 1996.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-
yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

ITEM-136:

SUBJECT: Appointing Chairpersons for Standing Committees.

(See memorandum from Mayor Golding dated 11/16/95.)

RULES COMMITTEE'S RECOMMENDATION:

On 11/20/95, RULES voted 5-0 to recommend adoption of the following resolution. (Councilmembers Kehoe, Warden, Stallings, Vargas and Mayor Golding voted yea):

(R-96-640) ADOPTED AS RESOLUTION R-286714

Appointing the following Councilmembers to serve as chairpersons of the three Standing Council Committees for terms commencing December 5, 1995 and ending December 2, 1996:

COMMITTEE:	CHAIRPERSON:
Committee on Public Safety & Neighborhood Services	Christine Kehoe
Committee on Natural Resources Culture & the Arts	Barbara Warden
Committee on Land Use and Housing	Harry Mathis

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F171-196.)

MOTION BY McCARTY TO ADOPT. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-nay, Mayor Golding-yea.

ITEM-137:

SUBJECT: Appointing Committee Members for Standing Committees.

(See memorandum from Mayor Golding dated 11/16/95.)

RULES COMMITTEE'S RECOMMENDATION:

On 11/20/95, RULES voted 5-0 to recommend adoption of the following resolution (Councilmembers Kehoe, Warden, Stallings, Vargas and Mayor Golding voted yea):

(R-96-641) ADOPTED AS AMENDED AS RESOLUTION R-286715

Accepting the Appointment Order of the Rules Committee as it relates to the appointment of members to Standing Committees of the Council, for terms commencing

December 5, 1995 and ending December 2, 1996:
Committee on Public Safety and Neighborhood Services
Christine Kehoe - Chairperson
Judy McCarty
George Stevens
Juan Vargas
Byron Wear
Committee on Natural Resources, Culture and the Arts
Barbara Warden - Chairperson
Harry Mathis
Valerie Stallings
Christine Kehoe
Judy McCarty
Committee on Land Use and Housing
Harry Mathis - Chairperson
George Stevens
Byron Wear
Barbara Warden
Judy McCarty

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F197-413.)

MOTION BY STALLINGS TO ADOPT THE RESOLUTION APPROVING THE RECOMMENDATIONS FOR THE THREE STANDING COMMITTEES. APPROVE COUNCIL MEMBER STEVENS' REQUEST TO REMOVE HIS NAME FROM THE PS&NS COMMITTEE AND THE LU&H COMMITTEE, AND REFER TO THE CITY ATTORNEY THE QUESTION OF WHETHER COUNCIL MEMBER STEVENS DOES OR DOES NOT HAVE TO SERVE ON ANY OF THE COMMITTEES. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-138:

SUBJECT: Council Appointments to Outside Organizations.

(See memorandum from Mayor Golding and the Resolution for the list of appointments.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-672 Cor. Copy)

ADOPTED AS AMENDED AS RESOLUTION R-286716

Appointing Council representatives and Council liaison and their alternates to various organizations commencing December 5, 1995 and ending December 2, 1996.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F551-624.)

MOTION BY MATHIS TO ADOPT THE RESOLUTION TO INCLUDE THE FOLLOWING:

1. MAYOR GOLDING'S STATEMENT SAYING THAT SHE WOULD WRITE A LETTER EXPRESSING BYRON WEAR'S INTEREST IN THE MAYOR'S SELECT COMMITTEE; AND
2. DIRECTION TO THE CITY MANAGER TO ADD BYRON WEAR AS THE ALTERNATE TO THE COUNCIL LIAISON POSITION FOR THE PORT DISTRICT IN THE LIST OF OUTSIDE ORGANIZATIONS; SHOW BYRON WEAR AS THE ALTERNATE FOR THE PRIVATE INDUSTRY COUNCIL; AND HAVE THE COUNCIL LIAISONS FOR THE PORT DISTRICT AND THE STADIUM AUTHORITY REPORT BACK TO COUNCIL TWICE A YEAR. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-139:

SUBJECT: Legislative Calendar for the Month of January, 1996.

RULES COMMITTEE'S RECOMMENDATION:

On 11/20/95, RULES voted 5-0 to recommend adoption of following resolution. (Councilmembers Kehoe, Warden, Stallings, Vargas and Mayor Golding voted yea):

(R-96-652) ADOPTED AS RESOLUTION R-286717

Adopting the schedule of meetings for the City Council and Standing Committees of the City Council for the month of January 1996.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-140:

SUBJECT: Two actions related to the College and Diamond Areas Business Improvement District (BID) Formation.

(See memorandum from Marcus R.T. Thompson, Office of Small Business. Southeast San Diego, Mid-City and College Community Areas. Districts-4 and 7.)

TODAY'S ACTIONS ARE:

Adoption of the following resolutions:

Subitem-A: (R-96-645 Corr.Copy 12/15/95) ADOPTED AS
RESOLUTION R-286718

Resolution of Intention to establish the College Area Business Improvement District (BID), pursuant to the Parking and Business Improvement Law of 1989.

Subitem-B: (R-96-644) ADOPTED AS RESOLUTION R-286719

Resolution of Intention to establish the Diamond Business Improvement District (BID), pursuant to the Parking and Business Improvement Law of 1989.

RULES COMMITTEE'S RECOMMENDATION:

On 11/6/95, RULES voted 5-0 to waive the mail ballot election requirement and move directly to public meetings. (Councilmembers Kehoe, Warden, Stallings, Vargas and Mayor Golding voted yea.)

FILE LOCATION: STRT - Subitem-A: L-14; Subitem-B: L-15

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-
yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

ITEM-141:

SUBJECT: Itemization of Water and Sewer Bills.

(See memorandum from Mayor Golding dated 11/16/95.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-96-685) ADOPTED AS RESOLUTION R-286720

Directing the City Manager to implement the new billing
format for itemization of water and sewer bills.

RULES COMMITTEE'S RECOMMENDATION:

On 11/20/95, RULES voted 5-0 to accept the new billing
format as described in Mayor Golding's memorandum dated
11/16/95, and to forward the item to full Council for
approval. (Councilmembers Kehoe, Warden, Stallings, Vargas
and Mayor Golding voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F414-550.)

MOTION BY STEVENS TO ADOPT. Second by McCarty. Passed by
the following vote: Mathis-yea, Wear-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-
yea, Mayor Golding-yea.

ITEM-142:

SUBJECT: Charter Amendment - Line of Credit/Commercial Paper.

(See Report from the City Attorney dated 11/15/95.)

TODAY'S ACTION IS:

Introduction and adoption of the following ordinance:

(O-96-92 Corr.Copy) INTRODUCED AND ADOPTED AS
ORDINANCE O-18236 (New Series)

Introduction and adoption of an Ordinance submitting to the qualified voters of the City of San Diego at the Special Municipal Election to be held on March 26, 1996, one proposition amending the City Charter by adding Section 92.1 which will allow the City to utilize short term borrowing procedures for its Enterprise Funds.

RULES COMMITTEE'S RECOMMENDATION:

On 11/20/95, RULES voted 5-0 to accept the City Attorney's Report and forward the item to full Council for approval and placement on the March 1996 Ballot. (Councilmembers Kehoe, Warden, Stallings, Vargas and Mayor Golding voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F625-G069.)

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

* ITEM-143:

SUBJECT: Marc Sorenson Day.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-96-684) ADOPTED AS RESOLUTION R-286721

Recognizing and commending Marc Sorenson for his services as the Scripps Ranch Citizen of the year for 1995;

Proclaiming Tuesday, December 12, 1995 to be "Marc Sorenson Day" in San Diego, in appreciation for Marc's dedication and devotion to making Scripps Ranch and San Diego wonderful places to live.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-150:

SUBJECT: 1996 Legislative Program.

(See Revised Intergovernmental Relations Department Report IRD-95-12).

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-96-676 Rev.1) ADOPTED AS AMENDED AS RESOLUTION R-286722

Approving the proposed 1996 Legislative Program contained in Intergovernmental Relations Department Revised Report IRD-95-12, dated November 20, 1995.

RULES COMMITTEE'S RECOMMENDATION:

On 11/20/95, RULES voted 5-0 to forward the item to Council for approval of the 1996 Legislative Program with recommended changes. (Councilmembers Kehoe, Warden, Stallings, Vargas and Mayor Golding voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT THE RESOLUTION WITH DIRECTION TO THE CITY MANAGER TO INCLUDE THE LAW THAT WILL REINSTATE THE CITY TO RECEIVE 94% OF THE TRAFFIC CITATIONS IN THE PROGRAM THAT WILL BE GOING TO THE STATE LEGISLATURE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:
SUBJECT: New Main Library.

(See City Manager Report CMR-95-285. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-666) ADOPTED AS AMENDED AS RESOLUTION R-286723

Approving the project team, implementation plan, schedule, and related actions pertaining to the proposed new Main Library located in the Centre City Area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B058-C205.)

MOTION BY WEAR TO ADOPT THE RESOLUTION TO APPROVE THE MANAGER'S REPORT TO INCLUDE DIRECTION TO THE CITY MANAGER TO DO THE FOLLOWING:

1. HAVE A REGULAR PROCESS FOR CHECKING IN WITH COUNCIL REGARDING THIS PROJECT;
2. HAVE THOSE ALTERNATES AND MEMBERS SUBMITTED BY COUNCIL MEMBER KEHOE ATTEND REGULARLY THE CITIZENS' DESIGN ADVISORY COMMITTEE MEETINGS FOR THIS PROJECT;
3. HAVE THE CITIZENS' DESIGN ADVISORY COMMITTEE MEET AT THE CITY HALL;
4. HAVE TJ MURRAY MEET WITH THE MAIN LIBRARY TECHNICAL COMMITTEE REGARDING COUNCIL MEMBER MCCARTY'S CONCERN OF HAVING THE SYSTEMS OF ALL BRANCH LIBRARIES CONNECTED TO THE NEW MAIN LIBRARY'S SYSTEM; AND

5. HAVE ANY ACTION PLAN REGARDING THE BRANCH LIBRARY ISSUE COME THROUGH THE PS&NS COMMITTEE, AND THEN TO COUNCIL. Second by McCarty. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Consideration of nominees for appointment to the San Diego Convention Center Corporation, Inc.

(See memorandum from Mayor Golding dated 10/28/95 and memorandum from Councilmembers Warden, Harvey, McCarty and Mathis dated 11/2/95 with resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Consider the following list of nominees and select two to fill vacancies on the San Diego Convention Center Corporation Board of Directors:

NOMINEE	NOMINATED BY
Su-Mei Yu	Mayor Golding
Patrick Shea	Mayor Golding
William A. Roper, Jr.	Councilmembers Mathis, Harvey, Warden & McCarty

TODAY'S ACTION IS:

(R-96-679) ADOPTED AS RESOLUTION R-286724

Adoption of a Resolution making two appointments for three-year terms to expire December 1, 1998, to replace Joe Francis and Su-Mei Yu, whose terms have expired; waiving the residency requirements in Council Policy 000-13 for William A. Roper, Jr.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C206-407.)

The first ballot was taken, and Clerk Abdelnour announced the tally for Round 1: Yu-8; Shea-5; Roper-5. The second ballot was taken, and Clerk Abdelnour announced the tally for Round 2: Shea-4; Roper-5. Mr. Roper clarified to the

Council that he does, in fact, live within the City of San Diego, even though his address says Del Mar. MOTION BY McCARTY TO ADOPT THE RESOLUTION APPOINTING SU-MEI YU AND WILLIAM A. ROPER, JR. TO THE SAN DIEGO CONVENTION CENTER CORPORATION BOARD OF DIRECTORS FOR A TERM ENDING DECEMBER 1, 1998. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Two actions related to Municipal Primary Election - March 26, 1996.

CITY CLERK'S RECOMMENDATION:

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

Subitem-A: (O-96-87) INTRODUCED AND ADOPTED AS ORDINANCE O-18237 (New Series)

Introduction and adoption of an Ordinance calling a Municipal Primary Election in the City of San Diego, on Tuesday, March 26, 1996, for the purpose of conducting elections for Mayor, City Attorney, and Councilmembers in Districts 1, 3, 5 and 7.

Subitem-B: (R-96-615) ADOPTED AS RESOLUTION R-286725

Requesting the consolidation of a Municipal Primary Election to be held in the City of San Diego on March 26, 1996, with the Statewide Primary Election to be held on the same date.

CITY CLERK'S SUPPORTING INFORMATION:

This is to request that the City Council adopt an ordinance calling the Municipal Primary Election and a resolution requesting the consolidation of this election with the Statewide primary to be held March 26, 1996. The Municipal Primary Election will be held for the purpose of conducting elections for Mayor, City Attorney, and Councilmembers for Districts 1, 3, 5 and 7, as well as any and all propositions the Council approves for placement on the ballot. The resolution requesting

consolidation includes a request for the services of the Registrar of Voters. The estimated cost of this election, including the ballot proposals being considered by Council, is \$750,000.

Aud. Cert. 9600564.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C408-486.)

MOTION BY WEAR TO INTRODUCE AND TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE AND RESOLUTION. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Three actions related to the Special Municipal Primary Election - March 26, 1996 and Ballot Initiative for a Charter Amendment Creating a Permanent Ethics and Elections Commission.

(See memorandum from Mayor Golding dated 11/20/95.)

TODAY'S ACTIONS ARE:

Introduction and adoption of the ordinances in Subitems A & C and adoption of the resolution in Subitem B:

Subitem-A: (O-96-88) INTRODUCED AND ADOPTED AS ORDINANCE O-18238 (New Series)

Introduction and adoption of an Ordinance calling a Special Municipal Election in the City of San Diego on March 26, 1996, for the purpose of submitting to the qualified voters of the City one or more ballot propositions and consolidating the Special Municipal Election with the Statewide Primary Election to be held on the same date.

Subitem-B: (R-96-649 Rev.1) ADOPTED AS RESOLUTION R-286726

Requesting the consolidation of a Special Municipal Election to be held in the City of San Diego on March

26, 1996, with the Statewide Primary Election to be held on the same date.

Subitem-C: (O-96-89) DEFEATED

Introduction and adoption of an Ordinance submitting to the qualified voters of the City of San Diego at the Special Municipal Election to be held on March 26, 1996, one proposition amending the City Charter by adding Section 41.2 creating an Ethics Commission. Aud. Cert. 9600564.

RECOMMENDATIONS:

The City Clerk recommends Introduction and Adoption of the Ordinance in Subitem A and adoption of the resolution in Subitem B. Mayor Golding recommends Introduction and Adoption of the Ordinance in Subitem C.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C487-E310.)

MOTION BY McCARTY TO INTRODUCE AND TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE FOR SUBITEM A AND ADOPT THE RESOLUTION FOR SUBITEM B. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY STALLINGS TO PUT THE ORDINANCE FOR SUBITEM-C ON THE BALLOT FOR A CHARTER AMENDMENT CREATING A PERMANENT ETHICS AND ELECTION COMMISSION. Second by Wear. Failed by the following vote: Mathis-nay, Wear-yea, Kehoe-nay, Stevens-nay, Warden-nay, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-204:

SUBJECT: Two actions related to Convention Center Expansion - Phase III of Interim Agreement with Golden Turner.

(See City Manager Report CMR-95-279. Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Hold the first public hearing of the ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-96-95 Cor. Copy) HEARING HELD

First public hearing of an Ordinance amending Ordinance No. O-18193 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1995-96 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year," by amending Document No. OO-18193, as amended and adopted, by transferring and appropriating the sum of \$1,000,000 from CIP-21-834.0, Balboa Park/Mission Bay Park Requirements, Fund 102242 to CIP-37-010.0, Convention Center Expansion Fund, Fund 102212;

Authorizing the transfer and appropriation of \$1,500,000 from the Industrial Development Fund, Fund 30248, for purposes of Interim Project Funding for the Convention Center Expansion - Phase III of Interim Agreement with Golden Turner.

NOTE: See Item 337 on the docket of Tuesday, December 5, 1995 for the introduction and adoption of the ordinance.

Subitem-B: (R-96-606 Cor. Copy) ADOPTED AS RESOLUTION R-286727

Authorizing a Phase III Agreement with the Design/Build Team of Centex Golden Turner for the Convention Center Expansion;

Authorizing the expenditure of not to exceed \$4,200,000 from fund 102212, CIP-37-010.0, Convention Center Expansion, contingent on work being phased and upon appropriate Auditor Certification financing availability for each phase to fund Design/Build expenditures for the Convention Center Expansion Project through February 1996.
Aud. Certs. 9600624 and 9600625.

FILE LOCATION: SUBITEM A: NONE; SUBITEM B: MEET
CONFY96-1

COUNCIL ACTION: (Tape location: E311-421.)

MOTION BY VARGAS TO ADOPT THE MANAGER'S RECOMMENDATION.
Second by McCarty. Passed by the following vote: Mathis-
yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205:

SUBJECT: Implementation of the City's Enterprise Community
Program/CDBG Float.

(Districts-3, 4, 7 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-669) ADOPTED AS RESOLUTION R-286728

Authorizing the City Manager and City Auditor to
utilize Community Development Block Grant Funds as a
Float Loan to the Enterprise Community Programs so that
they can commence operations in a timely manner.

CITY MANAGER SUPPORTING INFORMATION:

In December of 1994, the City received designation as an
Enterprise Community. The designation provides a one time grant
of \$2.95 million, tax exempt fund financing and priority for some
federal and state funds for programs that serve the City
Enterprise Community area. The Enterprise Community funds have
been appropriated by the federal government (Department of Health
and Human Services) and are being passed to the City through the
State of California. Due to the State's restrictions on advances
of funds and the processing time required, it is necessary to
identify an alternative source of funds that can be used to
provide the Enterprise Community Agencies with working capital
advances with which they can initiate their projects and
services. CDBG funds which have been budgeted but are not yet
needed are an appropriate source of such operating advances.
These funds are "borrowed" from the designated CDBG projects and
will be paid back from the Enterprise Community grant as the
advances are expended from the Enterprise Community grant. There
is no impact on the CDBG projects as the funds will be returned
before they are needed. The amendments do not require pre-

approval from HUD as they are within the 10 percent limit within which local governments can amend their budgets.
Aud. Cert. 9600605.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206:

SUBJECT: Transfer of Funds for Excavation of the Miramar Landfill.

(Miramar Naval Air Station. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-648) ADOPTED AS RESOLUTION R-286729

Authorizing the City Auditor to transfer an amount not to exceed \$3,500,000 within Refuse Disposal Enterprise Fund 41201 of \$1,200,000 from CIP-32-013.0, South Chollas Landfill Closure, \$700,000 from CIP-32-011.0, Arizona Landfill Closure, \$500,000 from CIP-37-255.0, Materials Recovery Facility, and \$1,100,000 from CIP-37-254.0, New Landfill Site Phase I, to CIP-37-056.0, West Miramar Refuse Disposal Facility-Phase II.

CITY MANAGER SUPPORTING INFORMATION:

The 807-acre West Miramar Landfill Refuse Disposal Facility is located east of I-805, south of the U.S. Navy's Naval Air Station and north of State Route 52. The Environmental Services Department operates the Miramar Landfill under a grant of easement from the United States of America which is administered by the U.S. Navy. Landfilling operations began in 1982 in the Phase I area and are scheduled to continue in the Phase II area through 2010 or later. The Fiscal Year 1996 budget anticipated a

\$2,000,000 excavation contract for the continuing development of the next landfill area. That estimate will fall short of the actual need. Several changes have occurred including a reconfiguration of the areas to be developed and a longer hauling distance to the disposal site of the excess dirt being excavated. These changes result in a need for an additional \$3,500,000 to fund the landfill development operations. Funding for this purpose will be transferred from CIP-37-013.0, South Chollas Landfill Closure, CIP-32-011.0, Arizona Landfill Closure, CIP-37-255.0, Materials Recovery Facility and CIP-37-254.0, New Landfill Site Phase I. As a result of changed priorities and closure requirements all of these projects have been scaled back in scope and have excess funding available in the current Fiscal Year which can be used for this project. The excavation project is essential to keep the active landfill operational without interruption.
Aud. Cert. 9600590.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E422-652.)

MOTION BY McCARTY TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-207:

SUBJECT: Amendment No. 1 to the Agreement with Metcalf and Eddy, Inc., regarding San Pasqual Groundwater Basin Management Plan and Flood Control Study.

(See City Manager Report CMR-95-223. San Pasqual Valley Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-621) ADOPTED AS RESOLUTION R-286730

Accepting City Manager's Report CMR-95-223 and adopting its recommendations in connection with the San Pasqual

Basin Management Plan and Flood Control Study;

Authorizing an amendment to the agreement of December 5, 1994, with Metcalf and Eddy, Inc., for engineering services related to the San Pasqual Groundwater Basin Management Plan and Flood Control Study;

Authorizing the transfer of an amount of not to exceed \$180,000 from the Water Fund Unallocated Reserve, Program Element 70679, to CIP-73-316.0, San Pasqual Aquatic Treatment Facility - Phase II, and an amount not to exceed \$183,350 from the Sewer Fund Unallocated Reserve, Program Element 70697, to CIP-46-178.0, San Pasqual Aquatic Treatment Facility - Phase II;

Authorizing the expenditure of an amount not to exceed \$363,350, consisting of \$180,000 from CIP-73-316.0, San Pasqual Aquatic Treatment Facility - Phase II, and \$183,350 from CIP-46-178.0, San Pasqual Aquatic Treatment Facility - Phase II;

Directing the City Manager to request proposals for a consultant to prepare environmental compliance documents for the Basin Management Plan;

Directing the City Manager to enter into negotiations with other agencies, including, but not limited to, the City of Escondido, San Diego County Water Authority, and City of Poway, regarding the development of the Basin Management Plan;

Authorizing the City Manager to pursue, apply for, accept and expend grant monies as available from the Federal Bureau of Reclamation in accordance with Public Law 102575, and any and all monies available to fund this project.

Aud. Cert. 9600541.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-208:

SUBJECT: Assistance Program for San Diego High Technology
Manufacturing Company.

(See City Manager Report CMR-95-284. Rancho Bernardo
Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-663) ADOPTED AS RESOLUTION R-286731

Authorizing an assistance program to retain and allow
the expansion of SGS-Thomson Microelectronics, a
computer chip fabrication facility located in the
Rancho Bernardo industrial area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-
yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

ITEM-209: RETURNED TO THE CITY MANAGER

SUBJECT: Revisions to Procurement Policies.

(See Housing Commission Report HCR-95-25.)

HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-96-75)

Modifying the limitation of Municipal Code Section
98.0301(d)(8)(iii) to increase the authority of the
Housing Commission to approve contracts for acquisition

of goods and services to \$250,000 or less.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO RETURN TO THE CITY MANAGER AT HIS REQUEST. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-210:

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-96-634) ADOPTED AS RESOLUTION R-286732

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. Rebar placement, electrical conduit installation, and formwork are ongoing for all major structures; concrete foundations and lower walls have been poured for many of the structures. The foundation and a portion of the lower walls have been poured at the headworks sump area. At the primary influent gallery, the foundation and 70 percent of the lower south wall have been poured. At the primary sedimentation tanks, 12 of the 20 slab on grade panels have been poured. The foundation, walls, and deck for the nonpotable water pump station have been poured. At the primary skimmings pump station, lime silos, grit chamber, and sludge fee pump station, the foundations have been poured. The foundation and column footings have been poured at the sludge dewatering building. The 48" HDPE foul air line has been installed for the sludge dewatering building. The 20' drain line from the Canyon del Sol interceptor is being installed in Monument Road. The foundation for approximately 300' of the perimeter fence has been poured along the northwest perimeter of the site.

- C. Construction Contract 3 (CC-3) - Secondary Treatment Facilities.

Design: December 1993 - December 1995

Construction: On-hold

This project is on hold pending the completion of a Supplemental Environmental Impact Statement (SEIS) and a decision on the best alternative method for secondary treatment. A draft SEIS is expected to be released for public review in Spring 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. 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
Construction: April 1996 - July 1997

This project was advertised for bid on November 2, 1995. A pre-bid conference was held on November 21, 1995.

B. Package 2 - Tunnel.

Construction Contractor: Traylor Brothers/Obayashi
Bid: \$88,285,000
Construction: September 1995 - May 1998
Startup: June 1998

A groundbreaking ceremony was held on October 26, 1995. Construction mobilization is currently underway; supplies, materials, trailers and storage containers are being delivered to the staging area. The contractor has performed some additional geotechnical investigations in order to gather more data for the ground freezing operation for the drop shaft. Storm water pollution prevention measures and security measures are being implemented.

C. Package 3 - Marine Works.

Construction Contractor: Fletcher General, Inc.
Bid: \$36,442,000
Construction: November 1995 - October 1997.

A notice of intent to award is scheduled to be issued at the end of November 1995 and a notice to proceed in December 1995.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-S400:

SUBJECT: Two actions related to Amendment to the Agreement with Children's Hospital and Health Center, Sharp Health Care and San Diego Medical Center.

(See Planning Commission Report P-95-172. Serra Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-579) ADOPTED AS RESOLUTION R-286733

Certifying that the information contained in Environmental Impact Report EIR-89-1416 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, that the report reflects the independent judgment of the City 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 Council;

Adopting the findings made with respect to the project; adopting the Statement of Overriding Considerations; adopting the Mitigation Monitoring and Reporting Program.

Subitem-B: (R-96-578) ADOPTED AS RESOLUTION R-286734

Authorizing an agreement with Children's Hospital and Health Center, San Diego Hospital Association, and San Diego Medical Center Associates, incorporating a long range plan for potential expansion and improvement, which agreement deals basically with provision of future transportation infrastructure improvements in connection with future expansion in the area;

Declaring that by approving this agreement, the City Council is not approving any particular expansion plan or program.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-S401:

SUBJECT: First Amendment to the Agreement with KEA Environmental Inc. for the SR-56 Environmental Process.

(North City Future Urbanizing Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-688) ADOPTED AS RESOLUTION R-286735

Authorizing the City Manager to accept \$1,000,000 from the County of San Diego for the completion of the SR-56 Environmental Process and the transfer of \$1,000,000 into SR-56 Right-of-Way Acquisition, CIP-52-463.0;

Authorizing a first amendment to the agreement with KEA Environmental Inc., in the amount of \$802,936 upon receipt of the money from the County;

Authorizing the Auditor and Comptroller to transfer not to exceed \$99,197 from the Flintkote Project, CIP-37-005 to SR-56 Right-of-Way Acquisition, CIP-52-463.0;

Authorizing the expenditure of not to exceed \$99,197 from CIP-52-463.0, SR-56 Right-of-Way.

CITY MANAGER SUPPORTING INFORMATION:

The City currently has a consultant agreement with KEA Environmental, Inc. for the necessary Environmental Constraints Studies, an Environmental Impact Report (EIR), and Traffic Analysis for the future six-lane facility connecting the communities of Carmel Valley and Rancho Penasquitos. In order to complete the environmental process, the City has requested \$1,000,000 from the County of San Diego. This action would allow the City Manager to accept the money and transfer it into the SR-56 CIP, in addition to amending the existing consultant agreement. The additional work required, which is detailed in the amended consultant agreement, includes detailed analysis for a 4-lane facility, cultural resources investigation, subsurface testing and technical reports, additional traffic and visual analysis, GIS mapping and impact calculations, coordination with resource agencies regarding permit requirements and preparation of a nationwide 404 Army Corps permit.
Aud. Cert. 9600615.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A209-618.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.
Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-
yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 6:36 p.m. in honor of the memories of Chuck Kenney and Jeffrey Kenney as requested by Council Member Warden; and Ann Wilson and Walter H. Hahn, Jr. as requested by Mayor Golding.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G069-081).