

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JANUARY 29, 1996
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 2:06 p.m. Council Member Kehoe welcomed and acknowledged students from San Diego Community College. Mayor Golding adjourned the meeting at 5:30 p.m. Closed Session will be held on Tuesday, January 30, 1996 at 9:00 a.m. in the twelfth floor conference room to discuss existing litigation matters.

ATTENDANCE DURING THE MEETING:

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

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin 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-not present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Rabbi Moishe Leider of Chabad of La Jolla.

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:

Comment by Don Stillwell regarding his request for Council to docket, for discussion, the topic "Concentration Camps in America."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A051-076.)

ITEM-PC-2:

Comment by Doug Rose regarding the application he submitted for Community Development Grant funds to assist Gateway Sheltered Industries in the training of mentally disabled people to make them independent rather than dependent on the system.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A079-104.)

ITEM-PC-3:

Comment by Mary Otero regarding her opposition of the CDBG funding process because she believes that an appeal process for CDBG funding does not exist.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A106-128.)

ITEM-PC-4

Comment by Jill Van Cleve regarding the possibility of a federal investigation into possible "violations of federal law" by Mr. John B. Walsh in applying for \$4.4 million of public funds for low-income housing construction; and of the San Diego Housing Commission for failing to act upon receipt of information regarding public requests for investigation of this matter.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A129-161.)

ITEM-PC-5

Comment by Bob Doyle regarding the Tobacco Industry.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A162-194.)

ITEM-PC-6

Comment by Art Salzberg regarding the involuntary homeless population.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A196-224.)

ITEM-PC-7

Comment by David Bruce Thompson regarding kids on drugs.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A225-260.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Mayor Golding regarding her visit to Washington. She reported on the progress of obtaining assistance for State Route 905, access to the Dairy Mart Road bridge which is important for access to the International Sewage Treatment Plant, assistance for the beach sand replacement project and for the new Central Library. She reported that Senator Faircloth has a bill on Residential Care and he has agreed to take our language for Residential Care Facilities into his bill. Senator Hatch, who heads the Judiciary Committee has agreed to take this matter into the Judiciary Committee. Senator Feinstein offered to author the change in the Legislation. She also met with Speaker Gingrich and he has offered to take this as a matter for corrections day, which means they can bypass some of the time required to get this matter to the top. She also met with the Commander of the Marine Corp. regarding the Miramar helicopter noise situation and was told that at least half of the helicopters will be replaced with a new type of helicopter which would be quieter.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A264-357.)

ITEM-CC-2:

Comment by Council Member Stallings regarding the graduation she attended for 26 retired seniors who will be joining the other volunteers in the community who do volunteer policing.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A360-371.)

ITEM-CC-3:

Comment by Council Member Warden regarding the RSVP Program; she announced that eleven of the graduates are in District 5. She also commented on the "Looking for a Way to Help Your City" brochure that was distributed by the City of San Diego.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A372-400.)

ITEM-CC-4:

Comment by Council Member Stevens announcing that St. Vincent de Paul will not be feeding the homeless on Wednesdays, Thursdays, and Fridays, due to a \$1 million short fall. He asked Council for their support to assist in this matter.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A401-502.)

ITEM-CC-5:

Comment by Council Member McCarty regarding the fact that more than half of the communities in her district are active volunteers through RSVP, Mission Trails Regional Park Visitors Center, and the Volunteer Code Enforcement Program.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A504-525.)

ITEM-CC-6:

Comment by Council Member Kehoe regarding the "Balboa Park RSVP Kickoff."

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A526-538.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

01/01/96 Adjourned

01/02/96 Adjourned

01/08/96

01/09/96

01/10/96 Special Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A542-548.)

MOTION BY KEHOE TO APPROVE. Second by Stevens. 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: Proposal to Renew Airtouch Cellular Lease at Encanto Reservoir.

(Skyline Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-100) INTRODUCED, TO BE ADOPTED FEBRUARY 12, 1996

Introduction of an Ordinance authorizing the execution of a five-year lease agreement with three five-year

options to renew, with Airtouch Cellular, for approximately 1,200 square feet of space at the Encanto standpipe.

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

CITY MANAGER SUPPORTING INFORMATION:

Airtouch Cellular has been a City lessee at the Encanto Reservoir since 1985, operating a cellular phone communication facility. The proposed new lease has an initial term of 5 years commencing on the first day of the month following execution by the City, with three 5 year options. The rent has been increased to the market level of \$1,000 per month initially (up from the old rate of \$551 per month.) The agreement provides for rent adjustments reflecting changes to the Consumer Price Index at the end of the fifth year, with market adjustments at the end of the tenth and fifteenth year. Airtouch proposes to renovate their existing equipment shelter at the site, and upgrade the landscaping.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO INTRODUCE. 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-51:

SUBJECT: Lease with the U.S. Department of Justice for the Installation of Light Poles.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-102) INTRODUCED, TO BE ADOPTED FEBRUARY 12, 1996

Introduction of an Ordinance authorizing a 10-year lease agreement, with options for an additional 10

years, with the U. S. Department of Justice for the use of a portion of City-owned land along the U.S. Border with Mexico for installation of light poles for the Border Patrol's "Gatekeeper" project.

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

CITY MANAGER SUPPORTING INFORMATION:

The U.S. Department of Justice, Immigration and Naturalization Service, U.S. Border Patrol, has been conducting operation "Gatekeeper" along the U.S. Mexican border. The Border Patrol has requested that the City lease a portion of the City's vacant general City property along the Border for the installation of additional light poles to facilitate the Border Patrol in the "Gatekeeper" Project. The light poles will be installed along a 15 x 8,250 ft. strip of land between Enrico Fermi Dr. and La Media Road on Otay Mesa. A large concrete drainage ditch and the international border fence are located along the same strip of land. The proposed lease is for a 10-year period with options to extend for an additional 10-years at the option of the Border Patrol. The lease can be canceled with 90 days notice by the City. Once the project is completed, the Border Patrol will return the property to its original condition less normal wear and tear.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO INTRODUCE. 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-52:

SUBJECT: Sanctions for Non-Compliance with Public Pay Telephone Regulations.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 1/16/96.

(Council voted 9-0):

(O-96-6 Rev.1 Cor.Copy) ADOPTED AS ORDINANCE O-18254 (New Series)

Amending Chapter V, Article 4, Division 5, of the San Diego Municipal Code by repealing existing Section 54.0501 and adding New Section 54.0501; repealing existing Section 54.0502 and adding New Section 54.0502; repealing existing Section 54.0503 and adding New Section 54.0503; repealing existing Section 54.0504 and adding New Section 54.0504; repealing existing Section 54.0505 and adding New Section 54.0505; repealing existing Section 54.0506 and adding New Section 54.0506; repealing existing Section 54.0507 and adding New Section 54.0507 and adding Sections 55.0508 and 55.0509, relating to Public Pay Telephone Regulations, Sanctions for Non-Compliance and Enforcement Procedures.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

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

SUBJECT: Amending the San Diego Municipal Code Relating to Conditional Use Permits.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 1/8/96. (Council voted 9-0):

(O-96-46 Cor. 02/29/96) ADOPTED AS ORDINANCE O-18255 (New Series)

Amending Chapter X, Article 1, Division 5, of the San

Diego Municipal Code by amending Section 101.0510, relating to Conditional Use Permits, by allowing CUPs on Educational Institutions to be appealed to the Planning Commission rather than the Board of Zoning Appeals.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

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

SUBJECT: Rezoning 190 acres (Montana Mirador Subdivision).

(RZ-87-0925. Rancho Peqasquitos Community Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 1/16/96. (Council voted 9-0):

(O-95-21) ADOPTED AS ORDINANCE O-18256 (New Series)

Rezoning 190 acres (Montana Mirador Subdivision) located on the west side of Interstate 15, between Carmel Mountain Road and Peqasquitos Drive, into A-1-10 and R1-5000 (portions in the HRO Zone) Zones.

FILE LOCATION: ZONE - Ord. No. 18256

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. 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-100:

SUBJECT: Grant of Electrical Easement to San Diego Gas and Electric Company.

(Escondido Community Area.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-773) ADOPTED AS RESOLUTION R-286822

Authorizing the execution of a deed conveying to San Diego Gas and Electric Company an easement for underground electrical and gas facilities and appurtenances affecting a portion of City-owned Parcels 1, 3 and 4 of Parcel Map PM-17620.

CITY MANAGER SUPPORTING INFORMATION:

The City entered into a 55-year ground lease in 1993 with Plaza del Lago, LLC, to develop a neighborhood commercial center on 3.75 acres of vacant Water Utilities land at Via Rancho Parkway and Interstate 15 in Escondido.

The lessee has obtained all development approvals from the City of Escondido and is starting construction. The proposed easement to SDG&E is for underground gas and electric service to the shopping center. The lessee is paying all installation costs and has approved the location of the easement. The size of the proposed easement is about 8,000 square feet.

FILE LOCATION: DEED F-6657 DEEDFY96-1

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-101:

SUBJECT: Mitigation Fund Agreement (MSCP).

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-796) ADOPTED AS RESOLUTION R-286823

Authorizing the City Manager to accept a grant deed from Anderprises, Inc., conveying to the City 150 acres of mitigation land in a portion of Section 32, Township 18 South, Range 1 West, San Bernardino Meridian, with an appraised value of \$1,532,250;

Authorizing the expenditure of an amount not to exceed \$1,585,000; \$1,509,892 from Mitigation Fund No. 10517, and \$75,108 from Vernal Pool Preservation Program Fund No. 10570 for the acquisition of property rights and related costs, and the management and maintenance of the land being acquired;

Authorizing the City Manager to execute and record in the Office of the County Recorder, a document entitled "Restriction on Use of Real Property" which will restrict the use of the property to natural open space and prohibit construction of improvements on the property in order that the property may be permanently used and maintained as a sensitive biological resource.

CITY MANAGER SUPPORTING INFORMATION:

On September 12, 1994 by Resolution R-284578, the Council approved a Mitigation Fund Agreement with the U.S. Fish and Wildlife Service, providing funds for the acquisition, protection and enhancement of mitigation lands to mitigate impacts on sensitive biological resources by eight capital improvement projects. The acquisition of the 150 acres meets the requirement necessary to mitigate the effect on biological resources of these capital projects and satisfies the terms and conditions of the Mitigation Fund Agreement.

Aud. Cert. 9600746.

FILE LOCATION: DEED F-6656 DEEDFY96-1

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-102:

SUBJECT: Support for Enterprise Zone Bond Financing for San
Diego Mercado Associates.
(Barrio Logan Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-780) ADOPTED AS RESOLUTION R-286824

Approving the issuance of not to exceed \$3,000,000
aggregate principal amount of tax-exempt Enterprise
Zone Revenue Bonds and not to exceed \$6,000,000
aggregate principal amount of taxable Enterprise Zone
Revenue Bonds (San Diego Mercado Associates Project).

CITY MANAGER SUPPORTING INFORMATION:

The City Council is requested to hold a public hearing supporting issuance of Enterprise Zone Private Activity Conduit Revenue Bonds by the California Statewide Communities Development Authority Joint Powers Agency (JPA) of up to \$9 million for San Diego Mercado Associates. San Diego Mercado Associates will use bond proceeds to finance a 96,000-square foot retail/commercial facility to be located on a 6.6-acre site at National Avenue and Crosby Street in the Southeast/Barrio Logan Enterprise Zone owned by the San Diego Redevelopment Agency (Agency). The JPA, which will be the issuer, has previously issued bonds for various City-approved projects, including financing for: Delimex, Johanson Dielectrics, Carvin Corp., Howard Leight Industries, the Salk Institute, the San Diego State University Foundation, Figi Graphics, Inc., and the Institute for Defense Analyses. It is endorsed by the League of California Cities and the County Supervisors' Association of California. The City has been a member since 1991. The JPA issues only investment grade bonds. As with previous JPA issues, the City's name will not appear on

the bonds and there will be no further City involvement in the bond financing. In partnership with the Agency, San Diego Mercado Associates will be bringing needed goods and services to the Barrio Logan community, including its first full-service supermarket. It also expects the project to create approximately 300 jobs, mostly for Barrio Logan community residents, over the next two years. This financing, which is made possible by virtue of the City's designation as an Enterprise Community, will consist of a \$3 million tax-exempt series and the balance in a taxable series. It is believed to be the first Enterprise Zone Bond issue completed in the nation under the new Federal Treasury regulations. By authorizing this bond issue by the JPA, the Council will thus be assisting an innovative public/private partnership project in obtaining the most cost-effective financing.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Warden.
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-103:

SUBJECT: Payment of Water Capacity Charges for the Northern Sludge Processing Facilities.

(NAS Miramar. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-791) ADOPTED AS RESOLUTION R-286825

Authorizing the expenditure of not to exceed \$1,783,682 from Metropolitan Wastewater Sewer Fund 41509, CIP-42-911.4, Northern Sludge Processing Facilities, Phase II as payment for water capacity fees, meter charges, and plan review fees.

CITY MANAGER SUPPORTING INFORMATION:

Municipal Code Section 67.72 Capacity Charge requires that the payment of a water capacity charge be made at the time building permit fees or connection fees are paid. This point has arrived in the construction schedule for the Northern Sludge Processing Facilities.

Aud. Cert. 9600749.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-104:

SUBJECT: Brown Field Taxiway "A" Extension, Phase II.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-787) ADOPTED AS RESOLUTION R-286826

Authorizing the City Manager to apply for a State of California Department of Aeronautics Grant of \$51,000 and if awarded, accept the funds and deposit them into the Brown Field Taxiway "A" Extension, Phase II, CIP-31-166.0;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$51,000, in City grant matching funds and any excess budgeted funds to fund balance 41100 or to the appropriate reserve upon the advice of the administering department, if the grant is awarded;

Authorizing the expenditure of an amount not to exceed \$51,000 from CIP-31-166.0, Brown Field Taxiway "A" Ext.

Phase II.

CITY MANAGER SUPPORTING INFORMATION:

The concept of using FAA and State grants to extend Taxiway "A" has been endorsed by two prior Council actions. The first was the Brown Field Immediate Action Plan (R-279999) passed on May 26, 1992. The second endorsement was the Brown Field Master Plan Update (R-283691) which was passed on April 11, 1994. On September 18, 1995, Council authorized the acceptance of an FAA grant of \$1,270,000 and an expenditure of \$141,000 in City funds. This request, if approved, would reduce the City's participation from \$141,000 to \$90,000. The safety and efficiency of Brown Field would be enhanced by this project. The Phase II extension of Taxiway "A" will allow aircraft to bypass an old taxiway built in the 1950's. Bypassing this taxiway provides a more direct route for takeoff on the primary runway (Runway 26R) and allows other aircraft to land simultaneously on the secondary runway (Runway 26L). Such concurrent use of facilities is recommended by the FAA and is a world recognized standard for all modern airports. This new, replacement taxiway will provide state-of-the-art signs and lighting and a smoother operating surface for all aircraft, especially the exotic biz-jets clearing U.S. Customs or visiting our maquiladoras in Otay and Tijuana. The design and construction of this project is estimated to be eleven months. Fifteen percent or more of this contract will be performed by Disadvantaged Business Enterprises (DBE) in compliance with the Airports Division's Federally approved DBE program. The award of this grant is contingent upon State approval of the grant request and Council approval.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-105:

SUBJECT: Design of Traffic Signal on Nautilus Street at
Muirlands Middle School.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-811) ADOPTED AS RESOLUTION R-286827

Authorizing the Auditor and Comptroller to transfer \$42,463 from CIP-52-442.0, I-5/Ardath Road Interchange Fund 30300, to CIP-68-010.0, Annual Allocation - Construct Top 10-15 Priority Signals, for the design of a traffic signal on Nautilus Street and Muirlands Middle School (Avenida Mirola).

CITY MANAGER SUPPORTING INFORMATION:

A school traffic signal is warranted on Nautilus Street at Muirlands Middle School. The design of the traffic signal can begin this fiscal year by transferring \$42,463 from I-5/Ardath Road Interchange (CIP-52-442.0) to Annual Allocation - Construct Top 10-15 Priority Signals (CIP-68-010.0). It is anticipated that the design of the traffic signal will be completed by June 1996. The construction of the traffic signal will be funded from the Annual Allocation - Construct Top 10-15 Priority Signals when the Fiscal Year 1997 CIP is adopted. Nautilus Street at Muirlands Middle School did not meet school signal warrants in the past.

Aud. Cert. 9600760.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-106:

SUBJECT: Additional Funding for Pacific Beach Recreation Center Remodel.

(Pacific Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-760) ADOPTED AS RESOLUTION R-286828

Authorizing the transfer of an amount not to exceed \$18,518 from Park Service District Fund No. 11520, and an amount not to exceed \$20,000 from Development Impact Fee Fund No. 79507, both to CIP-29-765.0, Pacific Beach Community Park Requirements - Phase I, to supplement funding previously approved for the project.

CITY MANAGER SUPPORTING INFORMATION:

The Pacific Beach Recreation Center is located at 1405 Diamond Street at Gresham Street in the Pacific Beach Community Planning Area. CIP-29-765.0, Pacific Beach Community Park - Requirements, Phase I provides \$354,000 for improvements to the recreation center building. Plans and specifications have been prepared. Additional funding is required, if cost reducing deductive bid alternates are to be avoided. The estimated total project cost exceeds the programmed funding because the original CIP estimate did not include the cost of complying with current Americans with Disabilities Act (ADA) access requirements. When the project was designed, it met the ADA requirements in effect at that time. The project was inactive for about a year waiting for construction funding to become available. Meanwhile, ADA requirements have changed, and additional funding is necessary for the project to comply with current access requirements. The proposed transfer of funds provides that funding.

Aud. Cert. 9600649.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D461-474.)

MOTION BY STALLINGS TO ADOPT. Second by Wear. 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: Stadium Facility Lease.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-96-762 Cor.Copy) ADOPTED AS RESOLUTION R-286829

Allocating \$50,000 from the Unallocated Reserve of the General Fund of the City Treasury (Fund 100, Department 605, Account 4947) to be immediately set aside for the payment of Base Rental under the Stadium Facility Lease, to be deposited with the Trustee under the Indenture, and deposited in the Bond Fund, as defined in the Indenture under which the Bonds are being issued, concurrently with issuance of the Bonds;

Authorizing and directing the Auditor and Comptroller to immediately provide Council and the City Manager with the certification called for in Section 39 of the San Diego City Charter that the monies appropriated as provided from the General Fund of the City Treasury will be available to pay the Base Rental Payments from the Stadium Facility Lease.

SUPPORTING INFORMATION:

The City of San Diego by Ordinance No. O-18253, adopted on January 9, 1996, requested the Public Facilities Financing Authority of the City of San Diego to authorize and approve the issuance and sale of the Public Facilities Financing Authority of the City of San Diego Taxable Lease Revenue Bonds, Series 1996A (San Diego Jack Murphy Stadium). The proceeds of the Bonds will be used to finance expansion of and improvements to the San Diego Jack Murphy Stadium and the design and construction of a football practice facility, as well as to provide funds for any debt service reserve, insurance, and the cost of issuance for financing the Project. The anticipated sources of revenue for payment of the Bonds are the base rental payments and additional rental called for under the Stadium Facility Lease by and between the City and the Authority, payable from the General Fund of the City. The City has been put on notice by certain persons that they intend to legally challenge the validity of the Bonds and specifically the validity of this proposed lease revenue

financing by the City and the Authority. A successful marketing and sale of the Bonds depends upon, among other things, an assurance from the City Auditor and Comptroller that monies appropriated from the General Fund of the City Treasury would be available to pay the obligations arising from the Stadium Facility Lease, including, but not limited to base rental payments and additional rental payments.

FILE LOCATION: LEAS - San Diego Jack Murphy Stadium
61 (Stadium)

COUNCIL ACTION: (Tape location: D477-498.)

MOTION BY WARDEN TO ADOPT. 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-108:

SUBJECT: Grossmont Bank's Community Reinvestment Plan.
(See San Diego Housing Commission Report HCR-95-227.)

HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-96-752) ADOPTED AS RESOLUTION R-286830

Accepting the Grossmont Bank Reinvestment Plan for San Diego County, pursuant to the City's Community Reinvestment Master Plan (Council Policy 900-9).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-109:

SUBJECT: Mrs. Bonnie Jean Ward Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-765) ADOPTED AS RESOLUTION R-286831

Recognizing and commending Mrs. Bonnie Jean Ward for her many years of commitment and devotion, not only to the Council district but to the community as a whole;

Proclaiming December 21, 1995 to be "Mrs. Bonnie Jean Ward Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-110:

SUBJECT: Malcolm X Library and Performing Arts Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-746) ADOPTED AS RESOLUTION R-286832

Dedicating the San Diego City Library Valencia Park Branch as the Malcolm X Library and Performing Arts Center;

Proclaiming January 6, 1996 to be "Malcolm X Library and Performing Arts Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-111:

SUBJECT: Mrs. Laura E. Williams Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-764) ADOPTED AS RESOLUTION R-286833

Commending Laura E. Williams for her many years of
commitment and devotion, not only to the Council
district but to the community as a whole;

Proclaiming January 8, 1996 to be "Mrs. Laura E.
Williams Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-112:

SUBJECT: Four actions related to Suggestion Awards.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions authorizing Suggestion
Awards to City Employees:

Subitem-A: (R-96-723) ADOPTED AS RESOLUTION R-286834

Monica Davis - Water Utilities - \$85.48.

Patricia C. Parent - Police Department - \$320.

Subitem-B: (R-96-724) ADOPTED AS RESOLUTION R-286835

Rebecca L. Green - Water Utilities - \$225.

Randall Weaver - MWWWD - \$320.

Subitem-C: (R-96-725) ADOPTED AS RESOLUTION R-286836

Paul Alesi - Water Utilities - \$2,594.66.

Subitem-D: (R-96-726) ADOPTED AS RESOLUTION R-286837

Janet Faiai - Water Utilities - \$160.

Thomas Craig - Park & Recreation - \$200.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-113:

SUBJECT: Establishing a Two-Hour Unmetered Time-Limit Parking Zone on Thomas Avenue.

(Pacific Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-747) ADOPTED AS RESOLUTION R-286838

Establishing an unmetered parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the south

side of Thomas Avenue from the alley west of Bayard Street to a point 114 feet west of the alley;

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

CITY MANAGER SUPPORTING INFORMATION:

The proposed two-hour unmetered time limit parking zone on the south side of Thomas Avenue from the alley west of Bayard Street to a point 114 feet west of the alley was requested by the property owner representing 100 percent of the affected fronting property. A parking study was conducted and revealed an average occupancy of 100 percent, an average duration of five hours and an average turnover of two parkers per space. The result of this study meets the City Council Policy 200-04 requirements for the installation of time limit parking, therefore, this parking restriction is recommended for implementation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-114: RETURNED TO CITY MANAGER

SUBJECT: Establishing a Two-Hour Unmetered Time-Limit Parking Zone on Herschel Avenue.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-757)

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the west side of Herschel

Avenue between Pearl Street and a point approximately 80 feet to the south;

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

CITY MANAGER SUPPORTING INFORMATION:

Property owners of 1030 Pearl Street have submitted a favorable petition (representing 100 percent of the affected property) requesting that a two-hour unmetered time-limit zone be established on the west side of Herschel Avenue north of Pearl Street adjacent to their property. This is a medical building and the rest of the block is residential frontage. The zone would be effective between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted. Recent studies indicate the average parking occupancy to be 87 percent and the average parking duration to be 4.4 hours. This proposed area is adjacent to the downtown La Jolla business district and receives a high level of enforcement. This meets the requirements of Council Policy 200-04, therefore, this parking restriction is recommended for implementation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO RETURN THIS ITEM TO THE CITY MANAGER AT HIS REQUEST. 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-115: REFERRED TO NR&C COMMITTEE

SUBJECT: Advertising Services with Aquarius Enterprises.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-763)

Authorizing the expenditure of not to exceed \$29,900

from Sewer Fund No. 41506, per the October 10, 1995 letter proposal with Aquarius Enterprises, to advertise the City of San Diego's Storm Water Pollution complaint phone number at area supermarkets for forty-four weeks;

Waiving Council Policy 300-7 and Administrative Regulation 25.70 because Aquarius Enterprises is the only company that provides this service to local supermarkets.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego is required by Regional Water Quality Control Board (RWQCB) order to publicly advertise the City's Storm Water Pollution complaint phone number. Various advertising methods were discussed with the RWQCB and local environmental groups. One of the methods was to place the complaint phone number on the back of supermarket cash register receipts.

Aquarius Enterprises provide all the cash register receipt advertising for all the Safeway, Vons, Ralphs, Lucky, Savemart, and Hughes Family Markets located within the City of San Diego. The Storm Water Pollution complaint phone number advertisement would run for forty-four weeks. Approval of this action will require the waiver of Council Policy 300-7 and Administrative Regulation 25.70 because Aquarius Enterprises is the only company that provides this service to local supermarkets.

Aud. Cert. 9600712.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO REFER THIS ITEM TO THE NR&C COMMITTEE TO DETERMINE A LESS EXPENSIVE AND MORE EFFECTIVE WAY OF ADVERTISING THE CITY'S STORM WATER POLLUTION COMPLAINT PHONE NUMBER. WHEN THIS ITEM IS DOCKETED BEFORE THE NR&C COMMITTEE, COUNCIL HAS REQUESTED THAT THE PUBLIC EDUCATION PORTION OF THE STORM WATER POLLUTION PROGRAM BE DOCKETED WITH IT. STAFF IS REQUESTED TO ENSURE THAT COUNCIL MEMBER WARDEN HAS ALL FACETS OF THE EDUCATION PROGRAM AND ANY EDUCATIONAL ALTERNATIVES THEY HAVE REVIEWED. 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-116:

SUBJECT: Two actions related to an Agreement with the Elementary
Institute of Science.

(Emerald Hills Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-788) ADOPTED AS RESOLUTION R-286839

Authorizing an agreement with the Elementary Institute
of Science, which makes available to the Institute
\$85,000 in Community Development Block Grant Funds for
the purchase of property at 51st and Market Streets to
expand facilities for after school and summer science
enhancement programs;

Authorizing the expenditure of not to exceed \$91,000
(CDBG Fund No. 18530, Dept. 4062, Org. 6232 - \$70,000;
and CDBG Fund No. 18531, Dept. 4082, Org. 8208 -
\$21,000) for the purchase of property and City costs
associated with the acquisition.

Subitem-B: (R-96-789) ADOPTED AS RESOLUTION R-286840

Certifying that the information contained in Negative
Declaration END-95-0021BG, has been completed in
compliance with the California Environmental Quality
Act of 1970, as amended, and State guidelines, and the
National Environmental Policy Act (NEPA), the
Declaration reflects the independent judgment of the
City as Lead Agency, and that Declaration has been
reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

On May 9, 1994 City Council adopted the FY 1994 CDBG Program.
One Item approved for District 4 was the Elementary Institute of
Science (Agency) for funds for property acquisition and related

costs in the amount of \$70,000.

On May 1, 1995 City Council adopted the FY 1996 CDBG Program which identified additional funding for the Elementary Institute of Science (Agency) additional funds for construction, property acquisition and related costs in the amount of \$161,000. The Elementary Institute of Science opened escrow on August 17, 1995 to purchase property located at 51st Street and Market Street from Danielson Trust Company for \$85,000. The Elementary Institute of Science by this Council action has entered into an Agreement with the City to apply \$91,000 to the purchase of the property, appraisal and environmental study fees and other related costs.

Aud. Cert. 9600736.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-117:

SUBJECT: Second Amendment to Agreement with Bryan A. Stirrat and Associates regarding the Remediation/Construction of the North Chollas Burn Site.

(Mid-City Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-784) ADOPTED AS RESOLUTION R-286841

Authorizing a second amendment to agreement with Bryan A. Stirrat and Associates for professional services required for the Remediation/Construction of the North Chollas Burn Site;

Authorizing the expenditure of not to exceed \$44,777

from the Refuse Disposal Enterprise Fund, Fund No.
41201, CIP-37-219.0, North Chollas Site Mitigation.

CITY MANAGER SUPPORTING INFORMATION:

Between approximately 1946 and 1951 municipal solid waste was burned at the North Chollas Site. Ash residue from the burning operation remaining on site has been identified as containing elevated levels of metals. On August 14, 1995, as part of Resolution R-286247, Council approved the expenditure of \$4,904,854 for the Remediation Construction of the North Chollas Site.

Due to changes in the scope of this project there is need to modify the scope of work for the consultant, Bryan A. Stirrat and Associates. The additional services required include assistance with the Environmental Impact Report, an expanded level of effort involving community outreach, additional discussions with regulatory agencies, and design changes resulting from those discussions. This amendment will provide the professional consulting services that will take the remediation project through completion. The Environmental Services Department originally retained the services of Bryan A. Stirrat and Associates in accordance with Administrative Regulation 25.60 and Council Policy 300-7.

Manager Action (C-05028) authorized the original agreement and associated expenditures of \$220,000 from CIP-37-251.7. Manager Action (C-06248) authorized expenditures from CIP-37-219.0 for the first amendment and its expenditures of \$171,960. Sub-Consultants will not be used for services defined in this amendment.

Aud. Cert. 9600742.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-118:

SUBJECT: Maintenance Agreement for the East Orange Avenue
Infiltration Basin.

(City of Chula Vista.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-701) ADOPTED AS RESOLUTION R-286842

Authorizing a maintenance agreement with the City of
Chula Vista, the United States Olympic Committee, and
the Eastlake Development Company, for maintenance of
the East Orange Avenue Infiltration Basin.

CITY MANAGER SUPPORTING INFORMATION:

The Eastlake Development Company intends to construct East Orange
Avenue Between Hunte Parkway and Wueste Road in the City of Chula
Vista. The planned extension of East Orange Avenue requires the
construction of an infiltration basin in the general vicinity of
East Orange Avenue and Wueste Road. The infiltration basin
ultimately discharges to the Lower Otay Reservoir which is a
large domestic water supply reservoir maintained by the City of
San Diego's Water Utilities Department. The infiltration basin,
which will collect runoff from approximately 4.5 acres of land
adjacent to Orange Avenue, is required to prevent the potential
degradation of the lake's water quality as a result of urban
runoff.

WWF-96-209.

FILE LOCATION: MEET CONFY96-3

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-119:

SUBJECT: Two actions related to Change Order No. 6 with Western Summit Constructors for the North City Water Reclamation Plant Influent and Effluent Pump Station Completion.

(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-793) ADOPTED AS RESOLUTION R-286843

Approving Change Order No. 6, with Western Summit Constructors, increasing the contract price by \$325,636;

Authorizing the expenditure of not to exceed \$325,636 from CIP-42-910.1, North City Water Reclamation Plant Influent and Effluent Pump Station Completion, Job Order No. 194574.

Subitem-B: (R-96-794) ADOPTED AS RESOLUTION R-286844

Certifying that the information contained in Addendum DEP-95-0675 to Environmental Impact Report DEP-91-0516, in connection with the North City Water Reclamation Plant - Influent and Effluent Pump Station Completion, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, that the Addendum reflects the independent judgement of the City as Lead Agency, and that the final Environmental Impact Report, together with any comments received during the public review process, has been reviewed and considered by Council.

CITY MANAGER SUPPORTING INFORMATION:

On June 26, 1995, the City Council authorized construction of a pipeline to convey centrate from the treatment of biosolids at the FIRP/NSPF to the North City Water Reclamation Plant (NCWRP) site. The centrate pipeline was re-routed north to the existing Third Rose Canyon Sewer through NCWRP crossing under I-805 through the North City Tunnel Connector. It was determined that the centrate would pass through the Influent Pump Station (IPS) at the NCWRP. The addition of the flow stream requires changes within the IPS. This Change Order No. 6 includes the

construction of the centrate piping in the chiller room of the IPS, a stainless steel overflow structure within the blended sludge drop structure, and a pressure sustaining station in the chiller room. The pressure sustaining station is required to maintain a positive pressure on the piping system between the FIRP/NSPF site and the NCWRP site. The changes are listed below:

	Increase
Furnish and install 16" centrate piping in the IPS Chiller Room and a stainless steel overflow structure	\$ 80,783
Furnish and install the centrate pressure sustaining station inside the Chiller Room of the IPS	\$244,853
Total:	\$325,636

Aud. Cert. 9600755.

FILE LOCATION: CONT - Western Summit Constructors
CONFY96-1

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-120:

SUBJECT: Appointment to the Civil Service Commission.
(See memorandum from Mayor Golding dated 1/17/96 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-821) ADOPTED AS RESOLUTION R-286845

Council confirmation of the appointment by the Mayor of Richard J. Kerman to serve as a member of the Civil Service Commission, for a five-year term ending January 9, 2001, to replace Harry A. Best, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. Second by Warden.
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-121:

SUBJECT: Appointments to the San Diego Housing Commission.
(See memorandum from Mayor Golding dated 1/17/96 with resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-822 Cor.Copy) ADOPTED AS RESOLUTION R-286846

Council confirmation of the following appointments by the Mayor to the San Diego Housing Commission, for categories and terms ending as indicated:

NAME	TERM ENDING
Alice Tumminia (Tenant-over-62) (To replace Lita Ybarra, whose term has expired.)	January 2, 1999
Steven W. Oxberry (Representative) (To replace C. Shuford Swift, whose term has expired.)	December 2, 1998

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-122:

SUBJECT: Appointment and Reappointment to the Planning Commission.

(See memorandum from Mayor Golding dated 1/17/96 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-820) ADOPTED AS RESOLUTION R-286847

Council confirmation of the following appointment and reappointment by the Mayor to the Planning Commission, for four-year terms ending January 28, 2000:

Frisco White (Reappointment.)

David E. Watson

(To replace Scott Bernet, whose term has expired.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-150: RETURNED TO CITY MANAGER

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.)

(Continued from the meetings of December 4, 1995, Item 56, and January 8, 1996, Item 150; continued at Mayor

Golding's request because of potential future problems with the language in the agreement.)

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.)

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: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO RETURN THIS ITEM TO THE CITY MANAGER AT THIS REQUEST. 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-200:

SUBJECT: Adoption of an Amendment to Section 101.0510 of the San Diego Municipal Code relating to a right to apply for a conditional use permit for a non-profit lodge in Subarea 1A of the North City Future Urbanizing Area Framework Plan. This matter was introduced on January 8, 1996.

(District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on 1/8/96.

(Council voted 8-1. District 6 voted nay.)

(O-96-97 Cor. 01/30/96) ADOPTED AS ORDINANCE O-18257 (New Series)

Amending Chapter X, Article 1, Division 5 of the S.D. Muni. Code by amending Section 101.0510 relating to Conditional Use Permits for non-profit lodges in the North City Future Urbanizing Area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

Hearing began at 2:55 p.m. and halted at 3:24 p.m.

CONSENT MOTION BY STEVENS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Warden. 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-201:

SUBJECT: Management of the Airports.

(See City Manager Report CMR-96-13. Kearny Mesa and Otay Mesa Community Areas. Districts-6 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-816) ADOPTED AS RESOLUTION R-286848

Accepting the Competitive Assessment Report for the Airports Division;

Authorizing the City Manager to issue a Request for Letter of Interest requesting private firms to respond with proposals to market and/or develop Brown Field, in accordance with the City Manager's proposal.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B293-C162.)

MOTION BY WARDEN 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-nay, Mayor Golding-yea.

ITEM-202:

SUBJECT: Contract Sizing Pilot Program.

(See City Manager Report CMR-96-05.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-759 REV.1) ADOPTED AS AMENDED AS RESOLUTION R-286849

Approving the implementation of the Contract Sizing Task Force recommendations;

Directing the Contract Sizing Task Force to monitor the three projects selected by the Task Force, and report to Council on the results of the program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C163-D170.)

Motion by Vargas to adopt the resolution approving the implementation of the contract sizing pilot program. Second by Stevens. Vote not taken.

SUBSTITUTE MOTION BY MATHIS TO ADOPT THE RESOLUTION APPROVING IN CONCEPT TO GO FORWARD WITH THE PILOT PROGRAM AND TO BRING THE DETAILS OF THE PILOT PROGRAM BACK TO THE APPROPRIATE COMMITTEE TO WORK OUT THE GUIDELINES AND ANY CONCERNS COUNCIL MAY HAVE BEFORE BRINGING IT BACK TO FULL COUNCIL. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-nay, Mayor Golding-nay.

ITEM-203: RETURNED TO CITY MANAGER

SUBJECT: Transportation Enhancement Activity (TEA) Grant for State Route 75.

(Otay Mesa-Nestor Community Area. Districts-2 and 8.)
(Continued from the meeting of January 8, 1996, Item 103, at the request of Councilmembers Wear and Vargas, for questions regarding funding.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-689)

Declaring that the City Council withdraws its application for a Federal Transportation Enhancement Activity grant for improvements to Palm Avenue/State Route 75 and declines any funds for the project from SANDAG.

CITY MANAGER SUPPORTING INFORMATION:

In October 1993, Council approved an application for a Federal Transportation Enhancement Activity (TEA) grant for improvements to Palm Avenue/State Route 75. This application was made jointly with the cities of Coronado and Imperial Beach, and was approved by SANDAG and the California Transportation Commission (CTC). Under the terms of the grant the City of San Diego would have received \$100,000 for the removal of two billboards and for median enhancements along Palm Avenue from Interstate 5 to 13th Street (the Imperial Beach city limit). The City committed a 20 percent match amount of \$20,000 from CIP-52-521.0 (Annual Allocation) to the project.

Preliminary cost estimates for the project now indicate that the total grant amount of \$120,000 will be insufficient to fund the intended improvements, which are estimated to cost \$550,000 to \$650,000. Rather than commit \$450,000 to \$550,000 in additional funds, it is recommended that the City of San Diego withdraw from the project and decline the grant moneys from SANDAG.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D171-266.)

MOTION BY WEAR TO RETURN THIS ITEM TO THE CITY MANAGER WITH DIRECTION TO DETERMINE IF WE CAN REPROGRAM AND TRANSFER THE

\$120,000 IN FUNDS TO THE MEDIUM ENHANCEMENT WITHOUT AUTHORIZATION FROM SANDAG AND THE CALIFORNIA TRANSPORTATION COMMISSION (CTC), SINCE THE MEDIUM WAS ORIGINALLY PART OF THE ENHANCEMENT PROJECT TO BEGIN WITH AND PART OF THE SCOPE OF WORK. IF NOT, DIRECT STAFF TO RETURN TO SANDAG AND CTC FOR THEIR APPROVAL TO TRANSFER THE FUNDS FROM THE BILLBOARD REMOVAL INTO THE MEDIUM ENHANCEMENT, AS EXPEDITIOUSLY AS WE CAN, AND ENSURE THAT ALL THE EFFECTED COMMUNITY GROUPS ARE INFORMED AND ARE AWARE OF OUR PLANS. Second by Vargas. 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-204:

SUBJECT: Inviting Bids for the Fiesta Island Replacement Project Phase II - Digested Sludge Pipeline - Construction Package "A".

(See City Manager Report CMR-96-16. Mission Bay Park, Mission Valley, Linda Vista and Clairemont Mesa Community Areas. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-517) ADOPTED AS RESOLUTION R-286850

Inviting bids for the Fiesta Island Replacement Project Phase II - Digested Sludge Pipeline - Construction Package "A" on Work Order No. 195583;

Authorizing the City Manager to establish contract funding phases with the lowest responsible bidder for the Fiesta Island Replacement Project Phase II - Digested Sludge Pipeline - Construction Package "A", based on the actual low bid submitted;

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

Authorizing the expenditure of \$4,850,000 from Fund 41509, CIP-40-921.0, FIRP Phase II Digested Sludge & Centrate Pipelines, Construction Package "A" for the purpose of providing funds for the project construction, contingency and related costs, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K96111)

FILE LOCATION: W.O. 195583; CONT-Mladen Buntich Construction Co. Inc. CONFY96-1

COUNCIL ACTION: (Tape location: A554-B284.)

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

ITEM-205:

SUBJECT: Inviting Bids for Fiesta Island Replacement Project Phase II - Digested Sludge Pipeline - Construction Package B.
(See City Manager Report CMR-96-12. Mission Bay Park, Mission Valley, Linda Vista and Clairemont Mesa Community Areas. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-801) ADOPTED AS RESOLUTION R-286851

Inviting bids for Fiesta Island Replacement Project Phase II - Digested Sludge Pipeline - Construction Package B on Work Order No. 195584;

Authorizing the City Manager to establish contract

funding phases with the lowest responsible bidder, based on the actual low bid submitted, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure under the contract are, or will be, on deposit in the City Treasury;

Authorizing the expenditure of not to exceed \$6,530,000 from Fund No. 41509, CIP-40-921.0, FIRP Phase II Digested Sludge & Centrate Pipelines, Construction Package B, provided that the City Auditor first furnishes one or more certificates demonstrating that funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K96112)

FILE LOCATION: W.O. 195584; CONT - T.C. Construction Co.
Inc. CONTFY96-1

COUNCIL ACTION (Tape location: A554-B284.)

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

ITEM-206:

SUBJECT: Amendment No. 1 to the Agreement with Montgomery Watson Americas, Inc. in connection with the City's Water Repurification Project.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-792) ADOPTED AS RESOLUTION R-286852

Authorizing an Amendment No. 1 to the Agreement of December 5, 1994 with Montgomery Watson Americas, Inc.

(RR-282070) for engineering services in connection in the City's Water Repurification Project;

Authorizing the expenditure of not to exceed \$3,450,000 from Water Fund 41500, CIP-70-936.0, Water Repurification Program.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego, in conjunction with the San Diego County Water Authority (CWA), has been pursuing the Water Repurification program since August 1993. Water Repurification is the use of highly treated reclaimed water as a supplement to a surface water reservoir used as a potable water source. Montgomery Watson was retained by the CWA to perform the Phase I Feasibility work. As a result of the Phase 1 work the State Department of Health Services (DHS) conceptually approved the project. On December 5, 1994, the City Council executed an agreement with Montgomery Watson, Resolution R-282070-1, to perform the Phase 2 Feasibility Study Work. This work has defined the project from an economic, process, health effects and siting standpoint. The Phase 2 work has allowed the City to advertise for design consultants. In order to provide a transition between the planning stage of the project and the design/construction stage of the project, additional work is required.

The work scope for the Phase 2 extension shall cover approximately two years. The work scope includes preparation of a project report to be used as the scope of work for the design agreements, a membrane pre-qualification program to document DHS compliance, reservoir analysis to document DHS compliance, regulatory permit negotiations and preparation, public outreach, and system operations strategy development. The Bureau of Reclamation, pursuant to PL-102575, shall provide 25 percent of the total cost of this effort.

Aud. Cert. 9600752.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: E421-464.)

MOTION BY STALLINGS 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: Contract Change Orders No. 13 and No. 14 for
Construction of Mission Beach Drainage Phase I Pump
Station Santa Clara Cove.

(Mission Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-767) ADOPTED AS RESOLUTION R-286853

Approving Change Order No. 13, issued in connection
with the contract with Hunter Corporation, increasing
the contract price by \$23,742;

Approving Change Order No. 14, issued in connection
with the contract with Hunter Corporation, increasing
the contract price by \$165,800.

CITY MANAGER SUPPORTING INFORMATION:

Contract Change Order No. 13 will reimburse the Project
Contractor, Hunter Corporation, for a 24-hour site security guard
and will pay for cofferdam rental along the shoreline necessary
for eelgrass protection. Contract Change Order No. 14 will
compensate the Contractor for rental/removal of the silt fence
along the beach northerly of the site, and provide settlement of
delay costs due to a changed subsurface condition.

FILE LOCATION: CONT - Hunter Corporation CONFY96-2

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-208:

SUBJECT: Declaring a Continued State of Emergency regarding the Discharge of Raw Sewage from Tijuana, Mexico.

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

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-768) ADOPTED AS RESOLUTION R-286854

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 placed and backfilled for many of the below-ground structures. The foundation and majority of walls have been placed for the primary sedimentation tanks. The foundation for the personnel building has been placed.

The foundation for the perimeter fence has been placed around the entire perimeter. Approximately 2/3 of the columns have been placed along the north perimeter of the site. Excavation for the 96" influent line has been completed from the headworks to Junction Structure #2. The 20' drain line from Canyon del Sol interceptor has been installed along Monument Road.

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

Design: December 1993 - January 1996

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 23, 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

The bids for this project were opened on January 9, 1996. The apparent low bidder is Colich and Sons with a bid of \$9,950,000. This bid is 37 percent higher than the engineers' estimate of \$7,273,000. The City and federal government are looking at options to reduce the cost, including the possible redesign of this portion of the project and a rebid or a value engineering change order after award.

- B. Package 2 - Tunnel.
Construction Contractor: Traylor Brothers/Obayashi
Bid: \$88,285,000
Construction: September 1995 - May 1998
Startup: June 1998
The contractor is drilling freeze holes 24 hours per day, seven days per week for the ground freezing operation for the installation of the drop shaft. The contractor erected the tunnel shop. The installation of the dewatering line diffuser was completed. The construction is currently 20 days behind schedule due to difficulties in drilling the freeze holes.
- C. Package 3 - Marine Works.
Construction Contractor: Fletcher General, Inc.
Bid: \$36,442,000
Construction: November 1995 - October 1997
A Notice to Proceed was issued on January 5, 1996.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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-209:

SUBJECT: Bonding Program.

(See City Manager Report CMR-96-04.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-758) ADOPTED AS RESOLUTION R-286855

Authorizing the City Manager to implement the recommendations of the Implementation Task Force regarding bonding and to begin the process necessary to effect the appropriate Charter amendments as set forth in City Manager Report CMR-96-04;

Authorizing the expenditure of not to exceed \$74,929 from CIP-58-007.0, Fund 30245, Account No. 4279, for providing funds for the Surety Support Assistance Program and technical assistance efforts.

Aud. Cert. 9600779.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D267-460; D499-E420.)

MOTION BY STEVENS TO ADOPT THE RESOLUTION IMPLEMENTING ITEMS 2 (SURETY SUPPORT ASSISTANCE PROGRAM), 3 (TECHNICAL ASSISTANCE), AND 4 (SBA BOND GUARANTEE PROGRAM) OF THE IMPLEMENTATION TASK FORCE'S BONDING PROGRAM RECOMMENDATIONS DISTRIBUTED BY STAFF DURING THE MEETING, AND TO REFER ITEMS 1 (BOND REIMBURSEMENT) AND 5 (QUESTION OF RAISING THE BONDING THRESHOLD) TO THE RULES COMMITTEE FOR DRAFTING OF THE BALLOT LANGUAGE. Second by Vargas. 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: Request for City Attorney's Analysis of Proposition B (March 1996 Ballot Measure).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-848) ADOPTED AS RESOLUTION R-286856

Directing the City Clerk to transmit a copy of Proposition B (Short-Term Borrowing Measure) to the City Attorney for preparation of an impartial analysis of the measure to be included on the March 26, 1996 Special Election Ballot.

CITY MANAGER SUPPORTING INFORMATION:

On December 4, 1995, the City Council adopted an ordinance to place Proposition B on the March 26, 1996 Ballot. Proposition B

requests the amendment of the City Charter by adding Section 92.1 which will allow the City to utilize short term borrowing procedures for its enterprise funds.

The City Council is now requesting the City Attorney to prepare an impartial legal analysis of Proposition B. This analysis will be included with the ballot measure. The City Attorney's analysis must be forwarded to the County Registrar of Voters by January 31, 1996. This action has an estimated fiscal impact of \$10,000 for printing in the sample ballot.

Adequate funds have been allocated in the City-wide Elections Budget for this cost.

McGrory/Frazier/LWD

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A554-B284.)

CONSENT MOTION BY STEVENS TO ADOPT. 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.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 5:30 p.m. in honor of the memory of:

Marie Dunphy, as requested by City Attorney Witt;

Richard Heinrich, as requested by Council Member Kehoe;

Thomas E. Raines, as requested by Council Member Warden;

Douglas L. Mahnke, as requested by Council Member Warden;

Dr. John R. Kiser, as requested by Council Member Wear; and

John V. Mazalewski, as requested by Council Member Vargas.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E467-479.)