

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, APRIL 15, 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 2:09 p.m. Mayor Golding adjourned the meeting at 4:00 p.m. into Closed Session on Tuesday, April 16, 1996, at 9:00 a.m. in the twelfth floor conference room to discuss existing and anticipated litigation and meet and confer 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-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

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

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mathis.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Nancy Hughes Beckett, representing People for Trees, presented Council Member Stallings with the second Annual Tree Hero Award. She also acknowledged Paul McNeil, Project Manager of the Centre City Development Corporation, for the "Our Roots Downtown Program" and Michelle Fergoda at MCDC for their commitment to the "Urban Forestry Program."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A039-076.)

ITEM-PC-2:

Comment by Don Stillwell regarding the subject "Sovereign or Slave."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A077-103.)

ITEM-PC-3:

Comment by Bob Doyle regarding Phillip Morris and the activity of the tobacco industry.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A104-128.)

ITEM-PC-4:

Arlene Van de Wetering, representing the residential component of the Oversight Committee for the Washington Street Landscape Maintenance District, asked Council for their assistance to carry out their mission to create a flyer to distribute to the business and residential communities to urge them to participate in the Design Workshop on May 1, 1996 for Phase II of the Washington Street Beautification Project.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A130-150.)

ITEM-PC-5:

Comment by Ken Bourke regarding the proposal that he sent to Mayor Golding that outlined his suggestions for building an airport near the border that would include a deep-water port harbor and a terminal where tourist can cruise to Mexico.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A151-183.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Vargas thanking everyone for the well-wishes he received for their newborn daughter, Rosa, who weighed seven pounds, six ounces when she was born.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A417-427.)

ITEM-CC-2:

Comment by Council Member Stallings announcing that she had the honor of representing the City to receive the San Diego County Taxpayers Association's first Golden Watch Dog Award. The award was given to the City of San Diego and the U.S. Congress for the sewage outfall waiver that is expected to save the ratepayers of this City at least \$3.2 billion in capital expenses.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A429-448.)

ITEM-CC-3:

Comment by Council Member Warden announcing that the San Diego County Taxpayers Association also nominated the City of San Diego for: 1) The Citizens of Mira Mesa - LMD Assessment Denial group that was formed to protest the Landscape Maintenance Development District which would have increased the fees by 1300%; 2) The Competition Program which saved the City Government over \$5.3 million by re-engineering service to the public; and 3) The Municipal Employees Association for their recommendation to the City Manager to award the Parking Ticket Computer System to the City of Inglewood. The delinquent parking ticket collection will save the City \$2 million.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A449-469.)

ITEM-CC-4:

Comments by Council Members Mathis and Stevens announcing that "Christmas in April" will be coming to San Diego on Saturday, April 20, 1996.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A474-503.)

ITEM-CC-5:

Comment by Mayor Golding regarding her experience while serving on Jury Duty last week, and how it renewed her faith in the system.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A504-519.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

3/18/96  
3/19/96  
3/25/96 Adjourned  
3/26/96 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B041-043.)

MOTION BY KEHOE TO APPROVE ITEM 30 AND ADOPT ITEMS 31, 32, AND 33. 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-31:

SUBJECT: Creating Critical Viewers Week.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1198) ADOPTED AS RESOLUTION R-287158

Proclaiming the week of April 22 through 28, 1996 to be "Creating Critical Viewers Week" in San Diego, and calling upon citizens to observe this day by helping to teach young people to view television critically.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A184-256; B041-043.)

MOTION BY KEHOE TO APPROVE ITEM 30 AND ADOPT ITEMS 31, 32, AND 33. 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-32:

SUBJECT: Celebrating Earth Day and Earth Week 1996.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1197) ADOPTED AS RESOLUTION R-287159

Proclaiming April 22, 1996 to be "Earth Day" and April 21 through 28, 1996 to be "Earth Week" in San Diego, and urging all San Diegans to participate in Earth Day activities and work to preserve our natural resources.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A257-329; B041-043.)

MOTION BY KEHOE TO APPROVE ITEM 30 AND ADOPT ITEMS 31, 32, AND 33. 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-33:

SUBJECT: Earth Day 1996 Poster Contest Winners.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1195) ADOPTED AS RESOLUTION R-287160

Recognizing the winners of the City of San Diego  
Environmental Poster Contest.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A330-409; B041-043.)

MOTION BY KEHOE TO APPROVE ITEM 30 AND ADOPT ITEMS 31, 32,  
AND 33. 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: Proposed Ordinance Barring Contracts With Persons Who  
Have Violated Campaign Money Laundering Laws.  
(Continued from the meeting of April 1, 1996, Item 50,  
at the City Attorney's request, to be on docket with  
Item 51 which was re-introduced on April 1, 1996.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as  
amended on 3/18/96. (Council voted 9-0):

(O-96-33 Rev. 1) ADOPTED AS ORDINANCE O-18283 (New  
Series)

Amending Chapter II, Article 2, Division 8 of the San  
Diego Municipal Code by repealing title, reentitling  
Division 8, renumbering Section 22.0801, adding new  
Sections 22.0801, 22.0802, 22.0803, 22.0804, 22.0805,  
22.0806, 22.0807, 22.0808 and 22.0809; by amending

Chapter II, Article 2, Division 5, by renumbering  
Section 22.0514, relating to Debarment.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND  
ADOPT 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: Proposed Ordinance Barring Issuance of Land Use Permits  
to Persons who have Violated Campaign Money Laundering  
Laws.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was re-introduced on  
4/1/96.

(Council voted 7-0. District 5 and Mayor Golding not  
present):

(O-96-34 Rev. 1) ADOPTED AS ORDINANCE O-18284 (New  
Series)

Amending Chapter XI, Article 1, Division 1, of the San  
Diego Municipal Code by amending Section 111.0107, by  
adding Sections 111.0110, 111.0111, 111.0112, 111.0113,  
and 111.0114 all relating to Denial of Land Use Permits  
for Violation of Campaign Laws.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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:

SUBJECT: Two actions related to Balboa Park and Mission Bay Park Capital Improvements Program Certificates of Participation Issuance - Phase IC.  
(Mission Bay and Balboa Park Community Areas. Districts-2 and 3.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 4/1/96. (Council voted 6-1. District 7 voted nay. District 5 and Mayor Golding not present):

Subitem-A: (O-96-142) ADOPTED AS ORDINANCE O-18285 (New Series)

Authorizing and approving the execution and delivery of Certificates of Participation (Balboa Park and Mission Bay Park Capital Improvements Program) Series 1996A in an aggregate principal amount not to exceed \$35,000,000, to provide funds to finance the acquisition, construction and installation of various capital improvements in the Balboa Park and Mission Bay Park Capital Improvements Program, including a Site Lease, and a Site and Facilities Lease with the San Diego Facilities and Equipment Leasing Corporation, and a Trust Agreement for a term not to exceed 15 years as required for the issuance of the Certificates of Participation.

Subitem-B: (O-96-143) ADOPTED AS ORDINANCE O-18289 (New Series)

Authorizing and approving the execution and delivery of Refunding Certificates of Participation (Balboa Park and Mission Bay Park Capital Improvements Program, Series 1991) Series 1996B, in an aggregate principal amount not to exceed \$13,500,000, to provide funds to refinance the acquisition, construction and installation of various capital improvements in the Balboa Park and Mission Bay Park Capital Improvements Program, including a Site Lease, and a Site and Facilities Lease with the San Diego Facilities and

Equipment Leasing Corporation, and a Trust Agreement for a term not to exceed 25 years as required for the issuance of the Refunding Certificates of Participation.

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

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCES. 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: Removing the Two-Hour Meter Parking Zone on the North Side of G Street.  
(Centre City Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 4/1/96. (Council voted 7-0. District 5 and Mayor Golding not present):

(O-96-130) ADOPTED AS ORDINANCE O-18286 (New Series)

Removing the two-hour meter parking on the north side of G Street between 12th Avenue and 13th Street.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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: Sale of City-Owned Property in Del Dios.  
(Del Dios Community Area.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
4/2/96. (Council voted 7-0. District 5 and Mayor Golding  
not present):

(O-96-134) ADOPTED AS ORDINANCE O-18287 (New Series)

Waiving the requirements of Municipal Code Section  
22.0902, relating to Sales of Real Property, and  
authorizing the City Manager to sell certain City-owned  
lots or portions of lots in the Del Dios area near Lake  
Hodges to various owners of adjacent parcels without  
the need for individual resolutions authorizing the  
specific sales transactions.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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: TRAILED TO TUESDAY, APRIL 16, 1996, TO BE HEARD  
AFTER ITEM 335

SUBJECT: Two actions related to City Heights Urban Village  
Library/Park and Recreation Project.  
(District-3.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 4/2/96.  
(Council voted 7-0. District 5 and Mayor Golding not present):

Subitem-A: (O-96-135)

Authorizing the execution of a Ground Lease with the  
San Diego Community Foundation relating to the City  
Heights Community Center.

Subitem-B: (O-96-136)

Authorizing the execution of a Sublease and Maintenance  
Agreement with the San Diego Community Foundation  
relating to the City Heights Community Center.

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

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B044-050.)

\* ITEM-56:

SUBJECT: Master Lease Program.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
4/1/96. (Council voted 7-0. District 5 and Mayor Golding  
not present):

(O-96-145 Cor.Copy) ADOPTED AS ORDINANCE O-18288 (New  
Series)

Authorizing a 3 and 4-year lease terms master lease  
agreement with Associates Commercial Corporation, for  
the purpose of financing the acquisition of equipment  
through lease-purchase;  
Authorizing a 5-year lease term master lease agreement  
with Koch Financial Corporation for the purpose of  
financing the acquisition of equipment through  
lease-purchase as a back-up to GE Capital Public

Finance for the 7-year lease term agreement;  
Authorizing a 7-year lease term master lease agreement  
with GE Capital Public Finance and as a back-up to  
Associates Commercial Corporation for the 4-year lease  
term agreement and to Koch Financial Corporation for  
the 5-year lease term agreement;  
Ratifying and approving an extension to the 1995 master  
lease agreement with GE Capital Public Finance to  
increase the limit from the aggregate leasing of  
\$10,000,000 of equipment to the aggregate leasing of  
\$13,000,000 of equipment for the purpose of acquiring  
additional equipment in an amount not to exceed  
\$3,000,000.

NOTE: 6 votes required. Pursuant to Section 99 of the City  
Charter, a notice regarding the adoption of this ordinance was  
published in the Daily Transcript on 4/5/96.

FILE LOCATION: CONT - Purch - Associates Commerical  
Corporation; Koch Financial Corporation; GE  
Capital Public Finance CONTFY96-3

COUNCIL ACTION: (Tape location: B044-123.)

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-57:

SUBJECT: 15-Year Lease Agreement for Property at Montgomery  
Field Airport.  
(See City Manager Report CMR-96-72. Kearny Mesa  
Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-140) INTRODUCED, TO BE ADOPTED MAY 6, 1996

Introduction of an Ordinance authorizing the City Manager to execute a 15-year lease agreement with Coast Aircraft Sales & Salvage, Inc., for property at Montgomery Field Airport, at an initial annual rent of \$28,500.

NOTE: 6 votes required. Pursuant to Section 99 of the City Charter, this ordinance was noticed in the Daily Transcript on 4/1/96.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B044-123.)

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-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-100:

SUBJECT: Approving Parcel Map W.O. No. 960079.  
(Located south of Scripps Poway Parkway. Miramar Ranch North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1150) ADOPTED AS RESOLUTION R-287161

Approving Parcel Map W.O. No. 960079.

FILE LOCATION: SUBD - Lot Consolidation of Lot 98 of Scripps Ranch North Unit No. 3

COUNCIL ACTION: (Tape location: B044-123.)

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: Fiesta Island Replacement Project - Vernal Pool  
Mitigation Land.  
(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1188) ADOPTED AS RESOLUTION R-287162

Accepting the grant deed of Otay 19 Associates,  
conveying to the City Assessor Parcel No. 667-040-03,  
consisting of approximately 18.89 acres of land in the  
Otay Mesa area, which land will provide biological  
mitigation for vernal pool impacts associated with  
construction of the FIRP/NSPS project;  
Authorizing the expenditure of not to exceed \$275,000  
from CIP-42-911.4, FIRP/NSPS for acquisition of the  
above described property rights and related costs.

CITY MANAGER SUPPORTING INFORMATION:

The U.S. Fish and Wildlife Service and the U.S. Army Corps of  
Engineers are requiring the purchase of vernal pool basin habitat  
to mitigate the impact to vernal pools associated with the  
construction of the Fiesta Island Replacement Project/Northern  
Sludge Processing Facility. Authorization and funding to acquire  
Assessor Parcel No. 667-040-03, consisting of 18.89 acres of land  
owned by Otay 19 Associates will provide a portion of the vernal  
pool basin habitat required for mitigation purposes.  
Aud. Cert. 9601064.

FILE LOCATION: DEED F-6637 DEEDFY96-1

COUNCIL ACTION: (Tape location: B044-123.)

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-102: CONTINUED TO MAY 6, 1996

SUBJECT: Sale to Fairbanks Country Club, Inc.  
(See City Manager Report CMR-96-79. Fairbanks Ranch  
Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1192 Cor. Copy)

Authorizing the sale by negotiation of approximately  
196 acres of land presently zoned A-1-1, described as  
portion of Lot 2, Fairbanks Country Club Unit No. 1,  
Map-10730, and presently leased to Fairbanks Ranch  
Country Club, Inc., for use as a golf course;  
Authorizing the execution of a grant deed, granting to  
Fairbanks Ranch Country Club Inc., said property, in  
consideration for \$4 million, which shall be deposited  
into the City Capital Outlay Fund;  
Determining that no broker's commission shall be paid  
by the City on the negotiated sale.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A520-B041.)

MOTION BY MATHIS TO CONTINUE THIS ITEM TO MAY 6, 1996 AT THE  
REQUEST OF FRIENDS OF THE SAN DIEGUITO RIVER VALLEY AND THE  
CITIZENS ADVISORY COMMITTEE FOR THE SAN DIEGUITO RIVER  
VALLEY TO ALLOW THE COMMUNITY GROUPS, THE CITIZENS ADVISORY  
COMMITTEE, AND THE JOINT POWERS AUTHORITY TO REVIEW THIS  
ITEM AND RESPOND TO IT. 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-103:

SUBJECT: Carmel Creek Road Street Dedication.  
(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1151) ADOPTED AS RESOLUTION R-287163

Accepting a grant deed of Solana Beach School District,  
granting to the City an easement for public street  
purposes in a portion of Lot 70 of Carmel Valley  
Neighborhood 1 Units 3 and 4 Resubdivision;  
Dedicating and naming the same Carmel Creek Road.

FILE LOCATION: DEED F-6640 DEEDFY96-1

COUNCIL ACTION: (Tape location: B044-123.)

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: Two actions related to Grant of Public Highway  
Easements to County of San Diego.  
(Lakeside Community Area.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-1167) ADOPTED AS RESOLUTION R-287164

Authorizing the execution of two easement deeds and two  
related real property contracts conveying to the County  
of San Diego easements for public highways over  
City-owned portions of Tract B of Rancho El Cajon and  
Lot 129 of Lakeside Farms.

Subitem-B: (R-96-1168) ADOPTED AS RESOLUTION R-287165

Certifying that the information contained in  
Environmental Impact Report, and under NEPA,  
Environmental Assessment, File No.  
GPA-90-04/SP-90-003, prepared by the County of San  
Diego, has been completed in compliance with the  
California Environmental Quality Act of 1970, as  
amended, and State guidelines, and that the

information contained in the Report, together with any comments received during the public review process, has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

The County of San Diego plans to extend Mast Boulevard in the Lakeside area and requires highway easements over a small portion of City-owned acreage along Riverford Road. The City's land consists of 107 acres of excess Water Utilities property, formerly leased for sand mining. All of the acreage, less these highway easements, is proposed for sale to the adjacent owner, Caster Group LP/Lakeside Land Company, and the sale is being processed separately for Council action. The highway easements will encumber about 0.5 acres, and the County's appraisal determined the fair market value of the easements to be \$25,750. This amount has been reviewed and approved by City staff.

FILE LOCATION: DEED F-6641 DEEDFY96-2

COUNCIL ACTION: (Tape location: B044-123.)

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: Exclusive Sale of City Owned Land at Lakeside Farms.  
(See City Manager Report CMR-96-77. Located on Highway 67 at Riverford Road. Lakeside Community Area.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1152) ADOPTED AS RESOLUTION R-287166

Authorizing the sale by negotiation of Lots 124, 125 and portions of Lots 126, 127, 128, 129, and 130, Lakeside Farms, being approximately 107 acres at Highway 67 and Riverford Road in Lakeside for the sum of \$1,075,000 to Caster Group LP and Lakeside Land Company;

Authorizing the execution of a grant deed, granting to  
Caster Group LP and Lakeside Land Company said  
property;  
Determining that no broker's commission shall be paid  
by the City on the negotiated sale.

FILE LOCATION: DEED F-6642 DEEDFY96-1

COUNCIL ACTION: (Tape location: B044-123.)

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: Sewer Easement Set Aside - Lot 1 of Section 30, T14S,  
R3W, S.B.B.M.  
(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1102) ADOPTED AS RESOLUTION R-287167

Setting aside and dedicating a portion of City-owned  
land, being a portion of Lot 1 of Section 30, Township  
14 South, Range 3 West, San Bernardino Base and  
Meridian, for sewer line purposes.

FILE LOCATION: DEED F-6738 DEEDFY96-1

COUNCIL ACTION: (Tape location: B044-123.)

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: REFERRED TO CLOSED SESSION ON APRIL 16, 1996

SUBJECT: Conference with Real Property Negotiator.

In the matter of authorizing the City Manager and Rick Sparks of CB Commercial, representing the City's interest, to negotiate with Kye-Hyung Paik concerning the sale of property located at Eastgate Technology Park, portion of Lot 4B.

As a requirement of the Brown Act (California Government Code Section 54956.8) this issue must be listed on the docket for public testimony prior to Council discussion in Closed Session.

TODAY'S ACTION IS:

- 1) Open the Public Hearing and accept testimony from any members of the public who wish to address the Council on this subject;
- 2) Conclude and close the public hearing; and
- 3) Refer the matter to Closed Session on April 16, 1996.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B044-123.)

CONSENT MOTION BY McCARTY TO REFER THIS ITEM TO CLOSED SESSION ON TUESDAY, APRIL 16, 1996. 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: Balboa Park Activity Center Relocation.  
(See City Manager Report CMR-96-63. Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1017) ADOPTED AS RESOLUTION R-287168

Rescinding Part 1 of Resolution R-283846 regarding the commitment to construction of the Balboa Park Activity Center on Inspiration Point, the site of the former Navy Hospital Maintenance Yard;  
Committing to relocation and construction of the Balboa Park Activity Center from the previously approved site on the former Navy Hospital Maintenance Yard to a new location just south of Park Boulevard and east of the former Navy Hospital entrance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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: Community Connection Resource Center Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1035) ADOPTED AS RESOLUTION R-287169

Recognizing the outstanding contributions that the Community Connection Resource Center has made to improving the lives of people trying to make a new start after incarceration;  
Proclaiming April 17, 1996 to be "Community Connection Resource Center Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B044-123.)

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: Volunteers of America Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-870) ADOPTED AS RESOLUTION R-287170

Commending the Volunteers of America Southwest  
California Corporation on its 100th Anniversary;  
Proclaiming April 20, 1996 to be "Volunteers of America  
Southwest California Corporation Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B044-123.)

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: The Fair Housing Council Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1182) ADOPTED AS RESOLUTION R-287171

Commending the accomplishments of the Fair Housing  
Council of San Diego;  
Proclaiming April 24, 1996 to be "The Fair Housing  
Council Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B044-123.)

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-112:

SUBJECT: Celebrating the Clairemont Friendship Senior Center's  
20th Anniversary.  
(Clairemont Community Area. District-6.)

DEPUTY MAYOR STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1143) ADOPTED AS RESOLUTION R-287172

Commending the Clairemont Friendship Senior Center on  
its 20th Anniversary for its efforts to enhance the  
dignity of seniors.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B044-123.)

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: Excusing Councilmember Judy McCarty from attending the  
LU&H and PS&NS Committee meetings of 3/20/96.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1180) ADOPTED AS RESOLUTION R-287173

Excusing Councilmember Judy McCarty from attending the

Land Use and Housing Committee meeting and Public Safety and Neighborhood Services Committee meeting of March 20, 1996, due to illness.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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: Signature Authorization for Federal/State Disaster Claims Processing.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1136) ADOPTED AS RESOLUTION R-287174

Authorizing Jack McGrory, City Manager, Ken Leininger, Deputy Fire Chief, and Chris Bach, Coordinator, to file applications and documents in the Office of Emergency Services for the purpose of obtaining certain Federal financial assistance under Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, or State financial assistance under the Natural Disaster Assistance Act; Rescinding Resolution R-284821, adopted October 31, 1994.

CITY MANAGER SUPPORTING INFORMATION:

Following citywide restructuring, the State has requested that the City of San Diego Disaster Preparedness update its authorized emergency signatures. These signature are required for the completion of applications, documents and claims related to disaster assistance. Disaster Preparedness has been placed in the Fire Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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: Reimbursement of COP Funded Tenant Improvements to the  
Starlight Bowl.  
(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1140) ADOPTED AS RESOLUTION R-287175

Amending Resolution No. R-283838 adopted on May 9, 1994  
to provide for an advance reimbursement of costs  
incurred for design and construction of improvements to  
the Starlight Bowl;  
Authorizing the City Manager to advance funds  
previously budgeted in CIP-21-834.0, Balboa  
Park/Mission Bay Park Requirements, COP 1C Allocation,  
in an amount not to exceed \$56,788.04 from available  
COP 1B Proceeds Fund No. 91101.

CITY MANAGER SUPPORTING INFORMATION:

City Council action on May 9, 1994 authorized the City Manager to  
enter into an agreement to reimburse the San Diego Civic Light  
Opera Association for a substantial portion of the design and  
construction costs to upgrade the Starlight Bowl. Under the  
terms and conditions set forth in the agreement, an expenditure  
amount not to exceed \$1,273,360 in Balboa Park/Mission Bay Park  
Certificates of Participation (COP) was identified to fund the  
City's share of the costs to upgrade the facility. The agreement  
was structured to reflect a \$250,000 allocation from the COP 1B  
issuance and a \$1,023,360 allocation from the COP 1C issuance.  
The City issued COP 1B in November 1993 and anticipates issuing  
COP 1C in late summer of calendar year 1996. The Association's  
design consultant prepared improvement plans intended to provide  
for phased construction which conforms with the funding

allocations stipulated in the reimbursement agreement. The first phase of construction has been completed and the remaining improvements to the Starlight Bowl will be constructed once COP 1C proceeds become available. To date, the Association has incurred reimbursable design and construction costs totaling \$56,788.04 in excess of their COP 1B allocation amount. A request for advance reimbursement of the additional amount from the Association's COP 1C allocation has been submitted to the City. This request for reimbursement can be accommodated by amending the original resolution prepared for the reimbursement agreement. This City Council action will amend the original reimbursement agreement resolution to provide for an advance in the COP 1C allocation from project savings currently available in the Balboa Park/Mission Bay Park Capital Improvement Program. Aud. Cert. 9601028.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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: Settlement of the Claim of Danny M. Marschall.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1054) ADOPTED AS RESOLUTION R-287176

A Resolution approved by the City Council in Closed Session on Tuesday, March 5, 1996 by the following vote:  
Mathis-yea; Wear-yea; Kehoe-yea; Stevens-yea; Warden-yea;  
Stallings-not present; McCarty-yea; Vargas-yea; Mayor-yea.  
Authorizing the City Manager to pay the sum of \$6,000 as a one-time lease payment immediately, and \$170,000 to purchase applicable property by April 6, 1997, in the settlement of each and every claim against the City, its agents and employees, Superior Court Case No. 685611, Danny M.

Marschall v. City of San Diego, et al., resulting from an incident occurring on or about January, 1993; Authorizing the City Auditor and Comptroller to issue one check in the amount of \$6,000 immediately, and one check in the amount of \$170,000, by April 6, 1997, made payable to Danny M. Marschall and his attorney of record, Louis Goebel, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the claim by Danny M. Marschall against the City of San Diego, its agents and employees, as a result of a diminution of property value. Aud. Cert. 9601025.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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: Library Services and Construction Act Grant Funding.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1157) ADOPTED AS RESOLUTION R-287177

Authorizing the City Manager or his representative to apply for, accept, and administer grant funding under the Library Services and Construction Act for its Exploring African American Culture Materials Grant Program;

Authorizing the City Manager or his representative to apply for, accept, and administer available Library Services and Construction Act grant funds in successive years.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Public Library has been invited to apply for Library Services and Construction Act (LSCA) grant funds administered by the California State Library and the U.S. Department of Education. LSCA provides funding to improve public library and information services to under served and disadvantaged client groups; for public library construction, expansion and remodeling, and automation; for resource sharing between libraries; for foreign language materials acquisition, and for library literacy programs. One of the many programs funded by LSCA is the Exploring African American Culture Material Grant Program. This program will fund up to \$20,000 for a multi-branch jurisdiction. Funds will be used for the purchase of materials (both print and audiovisual qualify) about the African American culture, or materials that would help promote a better understanding of the culture.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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: Families for Literacy Grant Program.  
(East San Diego Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1156) ADOPTED AS RESOLUTION R-287178

Authorizing the City Manager or his representative to apply for, accept, and administer grant funds from the California State Library to continue the Families for Literacy Program;  
Authorizing the City Manager or his representative to apply for, accept, and administer available California State Library grant funds for the Families for Literacy Program in successive years.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Public Library has been invited to apply for California Library Services Act grant funds to continue the model Families for Literacy Program. This program, now in its third successful year, involves adults who are enrolled in the Library's READ/San Diego Literacy Program and have preschool children. The program activities and materials will continue to encourage positive family interactions, utilization of community resources, beginning with the library, and introduction of entire families to the value and enjoyment of literature. Grant funds will be used to purchase materials, sponsor programs, and extend outreach services. It is expected that the Library in coordination with READ/San Diego, will be eligible for, and will apply for, CLS Families for Literacy grants to supplement local funding in future years.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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: Application for Grant Funds for the State of California  
Hazard Mitigation Grant Program - Otay Valley.  
(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1166) ADOPTED AS RESOLUTION R-287179

Approving the application for grant funds for the State of California Hazard Mitigation Grant Program (Section 404) for the Winter/Late Winter Storms of 1995 (FEMA-DR-1044-CA and FEMA-DR-1046-CA) for the purpose of obtaining federal financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, P.L. 93-288, as amended for the

following project:

Acquisition and initial restoration of floodplain properties located within the focused planning area of the proposed Otay Valley Regional Park.

CITY MANAGER SUPPORTING INFORMATION:

The Federal Emergency Management Agency (FEMA) allocates funds for disaster relief associated with the Winter storms of 1995. These funds may be used for repairs necessitated by flood damage, and to mitigate potential future flood damage by preventive measures including flood control improvements and acquisition of floodplain lands for the purpose of insuring that these lands would not be developed. The State of California's Governor's Office of Emergency Services administers this program under the California Hazard Mitigation Grant Program for the Winter/Late Winter Storms of 1995 (FEMA-DR-1044-CA and FEMA-DR-1046-CA). The City is currently cooperating with the City of Chula Vista and the County in the joint planning and acquisition effort for the Otay Valley Regional Park (OVRP). Recently, the OVRP planning effort has been receiving assistance from the Trust for Public Land (TPL). TPL is a non-profit, national land conservation organization that assists local agencies and community organizations in the process of acquiring private land for public ownership as open space and parks. TPL is assisting the City with this grant application. In reviewing the program criteria, the Community and Economic Development/Comprehensive Planning staff, working with the TPL, has identified two contiguous parcels totaling 15.94 acres as candidates for acquisition through this grant program. The site is located within the floodplain of the Otay Valley, is currently vacant, and contains a large permanent pond. The site, when acquired, would become part of the Otay Valley Regional Park. Its intended use is as a preserved natural area with minimal passive recreation improvements including an OVRP trail system link. Flood control would be achieved by maintaining the existing land forms and preventing urbanization of the site.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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-120:

SUBJECT: Transfer of Funds to the Centre City Redevelopment  
Project to Construct Street Lights.  
(Centre City Community Area. Districts-2 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1154) ADOPTED AS RESOLUTION R-287180

Authorizing the Auditor and Comptroller to transfer not to exceed \$30,000 from CIP-68-012.0, AA - City Owned Street Lights in High Crime Areas Fund 30300, to Centre City Redevelopment Project Fund 98805, for reimbursement of costs for installation of the street lights in the Centre City East Street Lights Phase I project.

CITY MANAGER SUPPORTING INFORMATION:

The Centre City East subarea of the Centre City Redevelopment Project has a history of social and police problems. As a result of several meetings held with property owners and residents in the area and subsequently with the elected representatives of the Public Advisory Committee (PAC) for the Project, it was recommended that CCDC on behalf of the City's Redevelopment Agency bring the area up to an acceptable street lighting level. The CCDC staff and consultants are concentrating on Phase I of five construction phases. The first phase encompasses twenty blocks from Sixth Avenue to Twelfth Avenue and from Imperial Avenue to "J" Street. The first phase project will install approximately 200 street lights of 70 watt, 150 watt, and 250 watt high pressure sodium type, locating about 14 street lights around each block. The project cost for Phase I is \$1,024,507 including a City contribution of \$30,000 from CIP-68-012.0, Annual Allocation - City-Owned Street Lights in High Crime Areas that would be used to install cobra-head street lights at selected intersections, in accordance with the City's street light practice. Phase I of the project will be advertised for bidding by April 1996, with construction expected to be completed by August 1996.

Aud. Cert. 9600975.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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-121:

SUBJECT: Replacement and Upgrade of Centre City Traffic Signal  
System (Phase 3).  
(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1068) ADOPTED AS RESOLUTION R-287181

Authorizing the City Auditor and Comptroller to  
transfer an amount not to exceed \$33,000 from  
Development Impact Fee Fund No. 79513 to CIP-68-103.7,  
"Replacement and Upgrade of Centre City Traffic Signal  
System";

Authorizing the transfer of an additional \$89,500 from  
CIP-62-001.0, "High Accident Location," TransNet (Fund  
30300), to CIP-68-103.7, "Replacement and Upgrade of  
Centre City Traffic Signal System";

Authorizing the expenditure of not to exceed \$701,121  
from CIP-68-103.7, "Replacement and Upgrade of Centre  
City Traffic Signal System (Phase III) Fund 30300,  
provided the City Auditor first furnishes a certificate  
demonstrating that the funds necessary for the  
expenditure are or will be on deposit in the City  
Treasury;

Authorizing the City Auditor to retain excess monies,  
if any, in CIP-68-103.7.

CITY MANAGER SUPPORTING INFORMATION:

The subject Capital Improvement Project is to replace and upgrade  
the Centre City Traffic Signal System (Phase III). The  
improvement includes the installation of traffic signal poles  
with mast arm, programmed visibility signal heads, the  
replacement of 8" signal heads with 12" signal heads, Emergency

Vehicle Preemption Equipment (EVPE) for fire trucks and emergency vehicles. This Capital Improvement Project includes some high accident locations in the downtown area. Also, it includes the improvement of all intersections along the Trolley Line on "C" Street and 12th Avenue. MTDB has committed \$100,000 upon completion of the project. The traffic signal system will provide a safe passage of pedestrians, vehicles, emergency vehicles, and trolley through the intersections.  
Aud. Cert. 9600963.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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-122:

SUBJECT: Miramar Road Railroad Bridge Widening - Additional  
State Funding.  
(Mira Mesa and North University City Community Areas.  
Districts-1 and 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1146) ADOPTED AS RESOLUTION R-287182

Authorizing the City Manager to file with CalTrans an application for supplemental funding for the grade separation project, widening of the bridge on Miramar Road over the Atchison, Topeka and Santa Fe Railroad.

CITY MANAGER SUPPORTING INFORMATION:

On September 29, 1986, under Resolution R-266679, the City entered into an agreement with CalTrans for widening of the Miramar Road Railroad Bridge over the AT&SF Railroad. Under the agreement CalTrans would provide 80 percent of the funds for construction. The cost estimate for the project was \$600,000. CalTrans provided \$480,000. The project has been completed. A

Notice of Completion was recorded on the project on July 11, 1989. The actual total cost to construct was \$1,009,769.38. Under Title 21 Department of Transportation Subchapter 13, the City may file for supplemental funding. This request proposes a request for \$327,815.50 which together with funds previously received would be 80 percent of the actual cost of constructing the improvements. On November 23, 1992, under Resolution R-281111, the City filed an application for supplemental funding to receive 80 percent CalTrans reimbursement. CalTrans has informed the City that the AT&SF construction costs (\$58,033.38) are 80 percent reimbursable. The new total project cost would then be \$1,009,769.38. This action will provide the resolution for revising the application to CalTrans for supplemental funding.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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-123:

SUBJECT: Normal Heights Park.  
(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1169) ADOPTED AS RESOLUTION R-287183

Authorizing the expenditure of not to exceed \$5,000  
from CIP-29-705.0, Normal Heights Community  
Park-Acquisition, for the acquisition of property and  
related costs in connection with Normal  
Heights/Kensington Community Park.

CITY MANAGER SUPPORTING INFORMATION:

The development of Normal Heights/Kensington Community Park has  
been ongoing for several years. The State has offered to fill

this area with excess material from the construction of the I-15 corridor and grade to City specifications to assist in creating unusable park space. Ten property owners were affected by the open space park project. Nine of the owners accepted the City's offers and escrows have closed. This final parcel will add an additional .044 acres to the Normal Heights/Kensington Park which has currently 4.82 acres. The General Plan Standard is 20 acres for a community park when not located next to a school. There is strong community support to expand the community park acreage whenever possible to meet that standard. The acquisition of this site allows the City to avoid the need for construction of retaining walls.

Aud. Cert. 9600985.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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: Additional Contingency for Carmel Valley - Trunk Sewer  
Replacement Project.  
(Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1177) ADOPTED AS RESOLUTION R-287184

Authorizing the City Auditor and Comptroller to  
transfer an amount not to exceed \$350,000 within Fund  
No. 41506, from Program Element 70697, Sewer Revenue  
Funds - Unallocated Reserve, to CIP-46-122.0, Carmel  
Valley - Trunk Sewer Replacement Project;  
Authorizing the expenditure of an amount not to exceed  
\$350,000 from Fund No. 41506, CIP-46-122.0, Carmel  
Valley - Trunk Sewer Replacement Project, for

additional contingency 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.

CITY MANAGER SUPPORTING INFORMATION:

Council Resolutions R-283212 and R-283213 authorized the City Manager to execute a contract with the lowest responsible bidder of the Carmel Valley-Trunk Sewer Replacement Project. Additional contingency in the amount of \$350,000 for Carmel Valley - Trunk Sewer Replacement Project is necessary for changes in the project, including: The temporary repairs to the existing 33-inch sewer line along Carmel Valley Road, additional maintenance of temporary paving during the 33-inch sewer line repairs, the final connection at the 42-inch sewer line, and the temporary support of a large fiberoptic conduit during installation of the 36-inch Water Main.  
Aud. Cert. 9601033.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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: Two actions related to Contract Funding for the Multiple Species Conservation Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-1120) ADOPTED AS RESOLUTION R-287185

Authorizing the execution of Amendment No. 4 to the Agreement with Ogden Environmental and Energy Services Company, Inc., for consulting services for the Multiple Species Conservation Program;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$128,477 from Sewer Fund No. 41509, CIP-45-910.2, Predesign and Engineering, to Sewer Fund No. 41509, CIP-45-910.3, Program Planning and Studies;  
Authorizing the expenditure of not to exceed \$128,477 from Sewer Fund 41509, CIP-45-910.3.

Subitem-B: (R-96-1126) ADOPTED AS RESOLUTION R-287186

Authorizing the execution of Amendment No. 3 to the Agreement with Dudek & Associates, Inc., for as needed environmental consultant services for the Multiple Species Conservation Program;  
Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$77,523 from Sewer Fund No. 41509, CIP-45-910.2, Predesign and Engineering, to Sewer Fund No. 41509, CIP-45-910.3, Program Planning and Studies;  
Authorizing the expenditure of not to exceed \$77,523 from Sewer Fund No. 41509, CIP-45-910.3.

CITY MANAGER SUPPORTING INFORMATION:

The cost of the two proposed contract amendments for the MSCP is expected to be covered by Federal FY 1996 appropriations as described under "Financing" above. The contract amendments are needed to incorporate Subarea Plans prepared by jurisdictions. The MSCP planning process addresses both regional and local issues. The Draft MSCP Plan focused on a regional perspective of habitat conservation. One Subarea Plan (from the City of San Diego) was included in the Draft MSCP Plan, which was released for public review on March 1, 1995. Since preparation of the Draft MSCP Plan, the wildlife agencies have stated that Subarea Plans will be required in order to obtain federal and state permits. As a result, additional Subarea Plans will be included in the Final MSCP Plan. To date, seven of the eleven cities in the MSCP study area are completing Subarea Plans and the County of San Diego is completing two subarea plans. As part of Amendment No. 4, Ogden will incorporate into the regional database the Subarea Plan preserve boundaries from the cities of Coronado, Chula Vista, Del Mar, La Mesa, Poway, San Diego, and Santee and from the County of San Diego. Ogden will prepare new cost estimates for the MSCP based on the submitted Subarea Plans and other assumptions or criteria prepared by the jurisdictions. In addition, Ogden will assist the City of San Diego in the completion of its Subarea Plan. Ogden will also pursue

alternative estimates of land acquisition costs in potential preserve areas by obtaining and evaluating comparable sales and asking prices for habitat lands. Amendment No. 3 to the agreement between the City of San Diego and Dudek and Associates (Dudek) will allow environmental analysis of the Subarea Plans and incorporation of the results into the MSCP Environmental Impact Statement (EIR/EIS). When certified by the local lead agency (City of San Diego) and approved by the federal lead agency (US Fish and Wildlife Service), the MSCP EIR/EIS will provide the CEQA/NEPA clearance necessary for the City of San Diego to receive permits from the wildlife agencies (US Fish and Wildlife Service and California Department of Fish and Game). With these permits in hand, the City of San Diego will be able to authorize development of public and private projects affecting habitats of Covered Species in accordance with the City's Subarea Plan.

Aud. Certs. 9600989 and 9600990.

FILE LOCATION: MEET CCONFY96-2

COUNCIL ACTION: (Tape location: B044-123.)

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: Clairemont Friendship Senior Center - Parking Lot.  
(Clairemont Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1144) ADOPTED AS RESOLUTION R-287187

Authorizing an agreement with the Clairemont Friendship Center, Inc., a non-profit California Corporation, that would provide \$85,500 in CDBG Funds for the design and construction of an additional parking lot with connection to the original parking lot;

Authorizing the expenditure of not to exceed \$95,000  
from CDBG Fund 18531, Clairemont Friendship Center,  
Inc.

CITY MANAGER SUPPORTING INFORMATION:

The Clairemont Friendship Center, Inc. is a non-profit agency running the existing multi-service senior center which is located on City land in the North Clairemont Park. The construction of this parking lot for a minimum of 25 cars east of the Center will augment the existing 80 space lot and surface street parking. Aud. Cert. 9600994.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: B044-123.)

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: Agreement with Dudek & Associates for As-Needed Annual  
Environmental Consultant Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1145) ADOPTED AS RESOLUTION R-287188

Authorizing an agreement with Dudek & Associates (San Diego, CA) for As-Needed Annual Environmental Consultant Services for the Engineering & Capital Projects Department for water and sewer projects; Authorizing the expenditure of not to exceed \$100,000 from CIP-73-312.0, Annual Allocation, As-Needed Consultant Services/Water and \$100,000 from CIP-46-174.0, Annual Allocation, As-Needed Consultant Services/Sewer.

CITY MANAGER SUPPORTING INFORMATION:

A list of As-Needed Environmental Engineering Consultants was

requested from the Consultant Selection Coordinator. The Consultant Nominating Committee selected five firms to participate in the final selection process. In conformance with Council Policy 300-7 firms were interviewed and the firm of Dudek & Associates was selected as the best qualified firm to provide the As-Needed Annual Environmental Consultant Services.

Subconsultants on the project are: Gallegos & Associates (MBE) - Cultural Resources; and RMW Paleo Associates (WBE) - Paleontological Resources.

The agreement provides for environmental services by task orders on an hourly basis not to exceed \$20,000 per task. These services would include environmental evaluation reports and preliminary hazardous waste material analysis for water and sewer projects. These reports and analysis will help to avoid construction delays by anticipating mitigative measures and selecting appropriate sites and pipeline alignments. The total contract shall not exceed \$200,000 for a period of two years from the date of execution by the City.

Aud. Cert. 9600997.

WWF-96-230.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: B044-123.)

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: Agreement with KCM, Inc., for As-Needed Value  
Engineering Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1002) ADOPTED AS RESOLUTION R-287189

Authorizing an agreement with KCM, Inc., for as-needed  
value engineering services;  
Authorizing the expenditure of not to exceed \$500,000

from Fund No. 40012;  
Authorizing the City Auditor and Comptroller, on advice  
of the administering department, to reallocate  
appropriation and cost to those CIP projects where  
costs are incurred.

CITY MANAGER SUPPORTING INFORMATION:

The City MWWD has currently retained three qualified consultants to perform Value Engineering (VE) services on facility design projects. To date, projects studied have included pipelines, water reclamation plants, secondary wastewater treatment plants, and sludge processing facilities. The purpose of VE is to evaluate the design and related cost estimates submitted to the City by design consultants, to ensure that the performance, reliability, quality and safety are provided at the lowest possible life cycle cost. Since January 1991, the MWWD has conducted 21 VE studies at a total cost of \$1.56 million resulting in savings of over \$159 million, or an overall saving-to-fee ratio of 102. This agreement with KCM, Inc. is for As-Needed Value Engineering Services for MWWD projects from 1996 through 1999. Since the number of design projects requiring VE study is significantly less than before, to retain three separate agreements with three consultants is not practical or desirable. This agreement will replace the existing three contracts after the tasks under each agreement are completed. The agreement is for a not-to-exceed amount of \$500,000. Work to be performed under this contract will be by task orders issued for conducting VE Workshops and associated reports for the MWWD projects. The need for consultant services was advertised on August 31, and September 1, 1995, in the San Diego Daily Transcript with 10 consultants responding. Four consultants were interviewed in accordance with Council Policy 300-7, and KCM, Inc., was selected.

Aud. Cert. 9600910.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: B044-123.)

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: Hire-A-Youth Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-985) ADOPTED AS RESOLUTION R-287190

Recognizing the value of the Hire-A-Youth Program jointly sponsored by the San Diego Consortium and Private Industry Council, and the State Employment Development Department (EDD);  
Declaring that the Council calls upon the business community to join them in providing job opportunities to San Diego's young people during the summer of 1996;  
Authorizing the City Manager to accept private contributions that are received from the business community and others to hire youths to be assigned in the various City Departments;  
Authorizing the City Auditor and Comptroller to expend those contributions in accordance with an approved agreement with the San Diego Consortium and Private Industry Council;  
Authorizing an agreement with the San Diego Consortium and Private Industry Council, for the hiring of youths to be placed in various City departments during the summer of 1996.

CITY MANAGER SUPPORTING INFORMATION:

Since 1982, the San Diego Consortium & Private Industry Council, in partnership with the Employment Development Department (EDD), has sponsored the Hire-A-Youth summer jobs program for youths in San Diego County. During this 13 year period, over 87,000 youths (an average of 6,700 each summer) were placed in summer jobs. This effort not only provided productive summer activities, but also provided an opportunity for youths to develop work place skills. During the summer of 1995, a total of 243 youths were placed in various City departments to learn skills and to provide valuable service to the community. The funding for these placements came from Federal grants. Congress has not authorized any funding for the 1996 Hire-A-Youth Program; therefore, the San Diego County region is faced with the challenge of continuing a youth employment effort with local resources. The San Diego Consortium Policy Board has been working with the Private

Industry Council to develop strategies for obtaining financial support and/or job commitments for next year's program. A tentative goal of 4,000 internships has been established. The cost to recruit, train, and employ each youth for a six week summer internship program where they work an average of 30 hours per week, is \$1,270. The Resolution before Council acknowledges the crisis at hand, the value of the program, and the desire for the City to take a strong role in promoting the program. The Council action will authorize the City Manager to negotiate and execute an agreement with the Consortium, and to use carryover funds anticipated in 1996, and budgeted resources in FY 97 to help support the continuation of the program. The exact financial commitment will depend on individual departmental budget circumstances. The Resolution further encourages private businesses to become involved also.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B044-123.)

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: Second Amendment to the Agreement with San Ysidro  
Health Center.  
(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1176) ADOPTED AS RESOLUTION R-287191

Authorizing a second amendment to the agreement with  
San Ysidro Health Center for the design, renovation and  
construction of their building at 4004 Beyer Boulevard;  
Authorizing the expenditure of not to exceed \$75,000  
from CDBG Fund 18531, Dept. 4082, Org. 8205, JO 112415.

CITY MANAGER SUPPORTING INFORMATION:

San Ysidro Health Center is a non-profit organization located at 4004 Beyer Boulevard. The Center serves approximately 30,000 patients annually. The majority of patients are publicly insured Medi-Cal beneficiaries or uninsured low income clients. With the demand for services increasing at a rapid rate, it is vital that the Center be renovated to operate more efficiently, and to extend the life of its existing facilities. On January 10, 1994, City Council adopted Resolution No. R-283235 authorizing the expenditure of \$91,000 of CDBG funding for this project, and on March 27, 1995, City Council adopted Resolution No. R-285532 authorizing the expenditure of an additional \$100,000. On May 1, 1995, Council adopted Resolution No. R-285685 granting an additional \$75,000 of Fiscal Year 1996 CDBG funds for this project. This action will authorize the expenditure of the additional \$75,000 for additional construction costs and parking lot design.

Aud. Cert. 9601031.

FILE LOCATION: MEET CCONFY96-1

COUNCIL ACTION: (Tape location: B044-123.)

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: Appointment to the City Employees' Retirement System  
Board of Administration.  
(See memorandum from Mayor Golding dated 2/16/96 with  
resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-988) ADOPTED AS RESOLUTION R-287192

Considering the following nominee for appointment to  
the City Employees' Retirement System Board of  
Administration, to fill one vacancy:

|   |                      |
|---|----------------------|
| NOMINEE                                   | NOMINATED BY         |
| Ann Parode                                | Mayor Golding and    |
| (replacing Ann Burr,<br>who has resigned) | Councilmember Warden |

After discussion and deliberation, appointing Ann Parode for a term ending December 7, 1997.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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: Continuation of the Facilities Benefit Assessment/Development Impact Fee Deferral Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1172) ADOPTED AS RESOLUTION R-287193

Authorizing the City Manager to defer the collection of the fees in those areas of the City where the Facilities Benefit Assessment or Development Impact Fees are levied until the time of either a request for final inspection or water meter connections based upon applications of all of the following standards:

1. For planned urbanizing communities, the area, district or program for which the fees are collected is currently well-funded and deferral will result in no shortage of public improvements;
2. An agreement to pay the fees is signed and recorded;
3. The City Manager has received payment of processing fees and adequate security, surety bonding or certificate of deposit to assure that the funds will be paid when due;

Authorizing the City Manager to defer fees for:

1. Affordable housing (as defined in San Diego Municipal Code Section 98.0502) City-wide;
2. For all urbanized communities;

Declaring that this deferral program will exist for an indefinite period of time.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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: City Manager's Bi-Annual Status Report of the Interim Equal Opportunity Contracting Program.  
(See City Manager Report CMR-96-56.)

Adoption of the following resolution:

(R-96-1057) ADOPTED AS RESOLUTION R-287194

Accepting the City Manager's Bi-Annual Status Report of the Interim Equal Opportunity Contracting Program, as set forth in City Manager Report CMR-96-56.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S RECOMMENDATION:

On 3/20/96, PS&NS voted 3-0 to accept the report and direct staff to return to Committee in 45 days with recommendations on other alternatives to improve compliance and work with the City Attorney's Office to insure adherence to Federal court precedents placing restrictions on these kinds of programs. (Councilmembers Wear, Kehoe, and Stevens voted yea. Councilmembers McCarty and Vargas not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B547-C273.)

MOTION BY McCARTY 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-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: 20 Year Lease Agreement with Air 88, Inc. for Property  
at Montgomery Field Airport.  
(See City Manager Report CMR-96-73. Kearny Mesa  
Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-96-139) INTRODUCED, TO BE ADOPTED MAY 6, 1996

Introduction of an Ordinance authorizing the City  
Manager to execute a 20-year lease agreement, with one  
ten-year option to extend, with Air 88, Inc. (San  
Diego, CA), for property at Montgomery Field Airport,  
at an initial annual rent of \$110,800.

NOTE: 6 votes required. Pursuant to Section 99 of the City  
Charter, this ordinance was noticed in the Daily Transcript on  
4/1/96.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B044-123.)

Hearing began at 2:56 p.m. and halted at 3:04 p.m.

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-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Aviation Flat-Rate Rents at Montgomery Field.  
(See City Manager Report CMR-96-71. Kearny Mesa

Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1028) ADOPTED AS RESOLUTION R-287195

Authorizing the City Manager to implement the proposed flat-rate rents for aviation leases at Montgomery Field.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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-202:

SUBJECT: Consideration of nominees for appointment to the Centre City Development Corporation Board of Directors. (See memorandum from Mayor Golding dated 4/4/96 with resume attached and memorandum from Councilmembers Mathis, Wear and McCarty dated 2/2/96 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Consider the following list of nominees and select one to fill a vacancy on the Centre City Development Corporation Board of Directors:

|                         |  |
|-------------------------|--|
| NOMINEE                 | NOMINATED BY                               |
| Douglas H. Austin, FAIA | Mayor Golding                              |
| George W. Lattimer      | Councilmembers Mathis,<br>Wear and McCarty |

TODAY'S ACTION IS:

(R-96-1203) ADOPTED AS RESOLUTION R-287196

Adoption of a Resolution making one appointment to the Centre City Development Corporation Board of Directors, to replace Gordon Carrier, who has resigned, for a term ending May 1, 1998.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

Mayor Golding withdrew her nomination of Douglas H. Austin, FAIA, due to a conflict that would prevent him from serving at this time.

CONSENT MOTION BY McCARTY TO APPOINT GEORGE. W. LATTIMER. 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-203:

SUBJECT: Inviting Bids for the Reclaimed Water Distribution System - Scripps Ranch Boulevard I-15 Subsystem (Package "C").  
(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-810) ADOPTED AS RESOLUTION R-287197

Inviting bids for the Reclaimed Water Distribution System - Scripps Ranch Boulevard I-15 Subsystem (Package "C") on Work Order No. 197731;  
Authorizing the City Manager to establish contract funding phases with the lowest responsible bidder, 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 funds necessary for expenditure under the contract are, or will be, on deposit in the City Treasury;  
Authorizing the expenditure of \$3,311,059 from Water Fund No. 41500, CIP-70-918.0, for Scripps Ranch

Boulevard I-15 Subsystem, for the purpose of providing funds for this project construction, contingency and related costs, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure under the 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; Amending the FY 1996 Budget Ordinance to increase the total appropriations in Water Operating Fund 41500 by \$1,060,000 and authorizing the transfer of \$1,060,000 to CIP-70-918.0, from the unappropriated fund balance in Water Fund 41500. (BID-K96120)

CITY MANAGER SUPPORTING INFORMATION:

The Northern Reclaimed Water Distribution System will convey reclaimed water produced at the North City Water Reclamation Plant (NCWRP) to approximately 300 customers. This distribution system has been divided into nine construction packages in order to maximize the participation of the local contractors. The Scripps Ranch Boulevard I-15 Subsystem is one of the nine packages. This package consists of approximately 25,000 feet of 24-inch diameter reclaimed water pipeline and approximately 12,000 linear feet of smaller distribution pipelines. The alignment of these pipelines begins at the connection to the Miramar Storage Tank on Meanly Drive. The main distribution line then proceeds west to Scripps Ranch Boulevard where it turns north. The pipeline proceeds north on Scripps Ranch Boulevard until it turns west on Erma Road. The pipeline follows Erma Road until it reaches the bicycle path that parallels I-15. The pipeline follows this bicycle path until it connects to the Scripps Poway Parkway Subsystem at Scripps Poway Parkway. Smaller distribution pipelines are located on Mira Mesa Boulevard, Scripps Westview Way, Affinity Circle and Mercy Road. This project is included in the Interim Order issued by the Federal Court dated August 28, 1994. The Environmental Impact Report and the adoption of the Mitigation Monitoring and Reporting Program was approved by City Council Resolution No. R-286603. At this time only approval of the plans and specifications, authorization for advertisement and award for construction of Package "C" (Scripps Ranch Boulevard I-15 Subsystem) are being requested.

Aud. Cert. 9600871.

FILE LOCATION: W.O. 197731 CONT - Schlumberger Industries  
CONTFY96-1

COUNCIL ACTION: (Tape location: B044-123.)

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-204:

SUBJECT: Metro Biosolids Center, CDBS Facility, Phase 4 Funding.  
(Nas Miramar Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1139) ADOPTED AS RESOLUTION R-287198

Authorizing and directing the City Auditor and  
Comptroller to amend the CIP budget to increase  
CIP-42-911.4, FIRP/NSPF Phase II (Metro Biosolids  
Center), by the amount of \$12,137,182;  
Approving the revision to the Phase Funding Schedule  
for the Metro Biosolids Center, CDBS Facility contract  
of Nielsen-Dillingham Builders, to match the current  
construction schedule;  
Authorizing the City Manager to revise funding phases  
with Nielsen-Dillingham Builders, based on the  
following table, provided the City Auditor and  
Comptroller first furnishes a certificate demonstrating  
that the funds necessary for the expenditure are, or  
will be on deposit in the City Treasury:

|              | Construction | Related<br>Contingency | Costs     | Subtotal     |
|--------------|--------------|------------------------|-----------|--------------|
| FY96 Phase 1 | \$14,611,960 | \$730,598              | \$300,000 | \$15,642,588 |
| FY96 Phase 2 | 4,353,520    | 217,676                | 10,000    | 4,581,196    |
| FY96 Phase 3 | 3,368,128    | 168,406                | 10,000    | 3,546,534    |
| FY96 Phase 4 | 14,223,077   | 711,154                | 10,000    | 14,944,231   |
| FY97 Phase 5 | 5,834,717    | 0                      | 100,000   | 5,934,717    |
| FY97 Phase 6 | 4,419,847    | 0                      | 10,000    | 4,429,847    |
| FY97 Phase 7 | 2,612,751    | 0                      | 0         | 2,612,751    |

Totals      \$49,424,000    \$1,827,834      \$440,000      \$51,691,834

Authorizing the expenditure of not to exceed \$14,944,231 from und 41509, CIP-42-911.4, FIRP/NSPF Phase II (Metro Biosolids Center), for the purpose of funding Phase 4 of the contract with Nielsen-Dillingham Builders for the CDBS Facility at the Metro Biosolids Center;  
Authorizing contingency from future phases commencing in Fiscal Year 1997 to be funded from the new Annual Allocation for Pooled Contingency, in an amount not to exceed 5 percent of the construction amount in each phase, with the appropriate amount to be reflected on the PA-700 initiating subsequent funding phases.

CITY MANAGER SUPPORTING INFORMATION:

The Metro Biosolids Center (MBC), formally known as the Fiesta Island Replacement Project/Northern Sludge Processing Facility (FIRP/NSPF) project, located at NAS Miramar replaces the sludge drying facilities located on Fiesta Island. Nielsen-Dillingham was awarded the Centrifuge Dewatered Biosolids Storage (CDBS) Facility by Resolution R-285584 and Manager's Action C-06327. The previously approved funding schedule was as follows:

|              |              |                       |
|--------------|--------------|-----------------------|
| Phase 1 FY96 | \$15,642,558 | (Previously Approved) |
| Phase 2 FY96 | 4,581,196    | (Previously Approved) |
| Phase 3 FY96 | 3,546,534    | (Previously Approved) |
| Phase 4 FY96 | 2,807,049    |                       |
| Phase 5 FY97 | 21,174,528   |                       |
| Phase 6 FY97 | 2,867,640    |                       |
| Phase 7 FY97 | 1,715,695    |                       |
|              | \$52,335,200 |                       |

It is requested that City Council approve a revised Phase Funding Schedule for this contract based on the current construction schedule, and an increase in the FY96 budget for the purpose of funding phase 4 of this contract.

Aud. Cert. 9601032.

FILE LOCATION:                      MEET

COUNCIL ACTION:                    (Tape location: B044-123.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Mathis.  
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-205:

SUBJECT: Amendment No. 4 to the Agreement with Westinghouse Electric Corporation for the Metro Biosolids Center. (See City Manager Report CMR-96-78. NAS Miramar. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1055) ADOPTED AS RESOLUTION R-287199

Authorizing Amendment No. 4 to the agreement with Westinghouse Electric Corporation, in connection with the Metro Biosolids Center;

Authorizing the Auditor and Comptroller to transfer not to exceed \$2,738,827 from CIP-45-920.0, Wastewater Operations Management Network (COMNET), to CIP-42-911.4, Northern Sludge Processing Facility, Phase II (FIRP/NSPF);

Authorizing the expenditure of not to exceed \$24,730,485 from Clean Water Sewer Fund 41509, CIP-42-911.4, FIRP/NSPF, for related costs pertaining to instrumentation and controls for the Metro Biosolids Center;

Amending the Fiscal Year 1996 CIP budget increasing CIP-42-911.4, FIRP/NSPF by \$11,430,536;

Authorizing the City Manager to revise contract funding phases with Westinghouse Electric Corporation, based on the actual low base bid and negotiated amendments, and submitted in the following manner, 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:

| Current Contract<br>Phase Funding of<br>COMNET through<br>Amendment No. 2<br>(CIP-45-920.0) | Current Phase<br>Funding of<br>Amendment No. 3<br>of FIRP P.S.<br>(CIP-46-055.0) | Proposed Phase<br>Funding of<br>Amendment No. 4<br>of FIRP/NSPF<br>(CIP-42-911.4) | Total Phase<br>Funding of<br>Contract<br>through<br>Amendment<br>No. 4 |
|---|--|---|--|
| Phase 1: FY95<br>\$1,756,410  | Phase 1: FY95<br>\$0   | Phase 1: FY95<br>\$0  | Phase 1: FY95<br>\$1,756,410   |

|                              |                            |                               |                               |
|------------------------------|----------------------------|-------------------------------|-------------------------------|
| Phase 2: FY95<br>\$1,761,510 | Phase 2: FY95<br>\$0       | Phase 2: FY95<br>\$0          | Phase 2: FY95<br>\$1,761,510  |
| Phase 3: FY96<br>\$3,267,787 | Phase 3: FY96<br>\$0       | Phase 3: FY96<br>\$0          | Phase 3: FY96<br>\$3,267,787  |
| Phase 4: FY96<br>\$3,422,658 | Phase 4: FY96<br>\$349,610 | Phase 4: FY96<br>\$0          | Phase 4: FY96<br>\$3,772,268  |
| Phase 5: FY96<br>\$2,836,418 | Phase 5: FY96<br>\$874,030 | Phase 5: FY96<br>\$12,680,536 | Phase 5: FY96<br>\$16,390,984 |
| Phase 6: FY97<br>\$1,140,560 | Phase 6: FY97<br>\$524,417 | Phase 6: FY97<br>\$ 7,377,734 | Phase 6: FY97<br>\$ 9,042,711 |
| Phase 7: FY97<br>\$ 838,750  | Phase 7: FY97<br>\$0       | Phase 7: FY97<br>\$ 4,088,187 | Phase 7: FY97<br>\$ 4,926,937 |
| Phase 8: FY98<br>\$0         | Phase 8: FY98<br>\$0       | Phase 8: FY98<br>\$ 584,028   | Phase 8: FY98<br>\$ 584,028   |
| Totals:<br>\$15,024,093      | \$1,748,057                | \$24,730,485                  | \$41,502,635                  |

Aud. Cert. 9601018.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B044-123.)

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: Amendment No. 5 to the Agreement with Westinghouse  
Electric Corporation for the Maintenance Management  
System for the Wastewater Operations Management Network  
(COMNET).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1142) ADOPTED AS RESOLUTION R-287200

Authorizing Amendment No. 5 to the agreement with  
Westinghouse Electric Corporation, for the Maintenance  
Management System for the Wastewater Operations

Management Network (COMNET);

Authorizing the Auditor and Comptroller to adjust appropriations to decrease total appropriations in the Metropolitan Sewer Fund No. 41508 by the amount of \$1,992,409 and to increase total appropriations in the Clean Water Program Fund No. 41509 by the amount of \$1,992,409;

Authorizing the Auditor and Comptroller to transfer not to exceed \$1,992,409 from the Metropolitan Sewer Fund No. 41508, Program Element 77715, to Clean Water Program Fund No. 41509, CIP-45-920.0, Wastewater Operations Management Network (COMNET);

Authorizing the expenditure of not to exceed \$1,992,409 from Clean Water Program Fund No. 41509, CIP-45-920.0, Wastewater Operations Management Network (COMNET) to provide funding for Amendment No. 5 in the amount of \$1,783,950 and additional services and related costs in the amount of \$208,459;

Authorizing the City Manager to revise contract funding phases with Westinghouse Electric Corporation, based on the actual low base bid and negotiated amendments, and submitted in the following manner, 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:

| Current Contract Phase Funding of COMNET | Current Phase Funding of Amendment No.3 of FIRP P.S. (CIP-46-055.0) | Proposed Phase Funding of Amendment No.4 of FIRP/NSPF (CIP-42-911.4) | Proposed Phase Funding of Amendment No.5 of COMNET (CIP-45-920.0) |
|--|---|--|---|
| Phase 1: FY95<br>\$1,756,410             | Phase 1: FY95<br>\$0  | Phase 1: FY95<br>\$0   | Phase 1: FY95<br>\$0  |
| Phase 2: FY95<br>\$1,761,510             | Phase 2: FY95<br>\$0  | Phase 2: FY95<br>\$0   | Phase 2: FY95<br>\$0  |
| Phase 3: FY96<br>\$3,267,787             | Phase 3: FY96<br>\$0  | Phase 3: FY96<br>\$0   | Phase 3: FY96<br>\$0  |
| Phase 4: FY96<br>\$3,422,658             | Phase 4: FY96<br>\$349,610  | Phase 4: FY96<br>\$0   | Phase 4: FY96<br>\$0  |
| Phase 5: FY96<br>\$2,836,418             | Phase 5: FY96<br>\$874,030  | Phase 5: FY96<br>\$12,680,536  | Phase 5: FY96<br>\$ 1,827,799                                     |
| Phase 6: FY97<br>\$1,140,560             | Phase 6: FY97<br>\$524,417  | Phase 6: FY97<br>\$ 7,377,734  | Phase 6: FY97<br>\$ 143,440                                       |
| Phase 7: FY97<br>\$ 838,750              | Phase 7: FY97<br>\$0  | Phase 7: FY97<br>\$ 4,088,187  | Phase 7: FY97<br>\$ 21,170  |

|               |               |               |               |
|---------------|---------------|---------------|---------------|
| Phase 8: FY98 | Phase 8: FY98 | Phase 8: FY98 | Phase 8: FY98 |
| \$0           | \$0           | \$ 584,028    | \$0           |
| Totals:       |               |               |               |
| \$15,024,093  | \$1,748,057   | \$24,730,485  | \$ 1,992,409  |

Total Phase Funding of Amendment No. 5:

|               |              |
|---------------|--------------|
| Phase 1: FY95 | \$ 1,756,410 |
| Phase 2: FY95 | \$ 1,761,510 |
| Phase 3: FY96 | \$ 3,267,787 |
| Phase 4: FY96 | \$ 3,772,268 |
| Phase 5: FY96 | \$18,218,783 |
| Phase 6: FY97 | \$ 9,186,151 |
| Phase 7: FY97 | \$ 4,948,107 |
| Phase 8: FY98 | \$ 584,028   |
| Total:        | \$43,495,044 |

CITY MANAGER SUPPORTING INFORMATION:

Council Resolution No. R-284490, adopted on August 8, 1994, authorized the City Manager to execute a contract with Westinghouse Electric Corporation, the lowest responsible bidder, for implementation of the Wastewater Operations Management Network (COMNET) CIP-45-920.0. Council Resolutions R-286786 and R-286787 authorized the City Manager to amend Westinghouse's contract and phase funding in Amendment Nos. 2 and 3. In order to meet the rapidly expanding needs of the Department and help satisfy regulatory requirements, the MWWD's Operations and Maintenance Division requires a new Maintenance Management System (MMS). This new MMS will be fully compatible with the COMNET project, and will also be provided through Westinghouse. The MMS is divided into four phases. The primary objective of Phase I of the MMS was to place in operation at the Point Loma Wastewater Facility a MMS which will allow MWWD to reduce maintenance costs through increased planned maintenance, improved scheduling of maintenance personnel, and better control of maintenance inventory. This system will be integrated into COMNET when the Point Loma Wastewater Treatment Plant system is upgraded. Phase I includes extensive training of maintenance personnel. Orientation courses, application and system training, and training in database building are provided to ensure the success of the project. The implementation of Phase II will provide the first opportunity to interface the MMS with the COMNET systems being installed at the North City Water Reclamation Plant and the Metropolitan Operations Center (MOC). This system and interface needs to be fully implemented prior to start up of NCWRP, scheduled for completion in December 1996. Phase III will implement MMS at the Metro Biosolids Center (MBC) and selected

Pump Stations. It is intended that City maintenance personnel will be the primary support for the implementation of the data during this phase. The negotiated contract amount to complete Phase I (Point Loma Treatment Plant) is \$139,708; to complete Phase II (the North City Water Reclamation Plant) is \$1,089,027; and for Phase III (Metro Biosolids Center) is \$555,215 for a total of \$1,783,950. An additional \$208,459 is requested for additional services and related costs, for a total of \$1,992,409. In a separate request at a later date, Council will be requested to authorize implementation of the MMS at MWWWD Pump Stations in Phase IV of the MMS.

Aud. Cert. 9601019.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B044-123.)

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-207:

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-96-1101) ADOPTED AS RESOLUTION R-287201

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 - March 1997.  
Construction completion is on target for the December 1996 goal, with startup testing projected for January 1997. Overall, rebar placement, electrical conduit installation, and concrete placement are ongoing for all major structures. Most of the below ground structures are near completion and backfilling of foundations is ongoing. Foundations have been constructed for the unstabilized sludge storage tanks, unstabilized sludge mixing station, unstabilized sludge odor reduction station, sludge feed pump station, grit chamber, and main switchgear building. Lower and mid-walls have been constructed for the solids processing building, headworks, and primary sedimentation gallery and tanks. The center columns have been constructed in the truck loading facility. The roof and vertical steel supports for the personnel building have been installed. The majority of the 96-inch influent line from Mexico has been installed from near Stewart's Drain to the headworks.
- C. Construction Contract 3 (CC-3) - Secondary Treatment Facilities.  
Design: December 1993 - April 1996  
Construction: On-hold  
The design is scheduled to be completed in Mid April 1996. Construction 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 August/September 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 was completed on March 27, 1996.

- E. Funding for the International Treatment Facilities. Overall, Congress has appropriated \$239 million for the construction of the International Treatment Facilities. Based upon current construction estimates, the federal government has enough funds to complete the construction of the advanced primary plant, their share of the ocean outfall and the canyon collectors. There is a \$39 million deficit in funding for the completion of the secondary portion of the treatment plant, which is estimated at \$69 million. The State Department has reprogrammed construction funds in FFY 1996 to allow the International Boundary and Water Commission (IBWC) to award a small O&M contract by July 1996, that will bring aboard the private contractor who will begin planning to operate the plant. Funds in the amount of \$14 million have been requested in FFY 1997 for full operation of the plant. The IBWC has also reprogrammed funds to cover payments to the City for treatment of Tijuana sewage at Point Loma through September 30, 1996. Funding for FFY 1997 has been requested through the budget process.

SOUTH BAY OCEAN OUTFALL

- A. Package 1 - Special Structures.  
Construction Contractor: Colich and Sons  
Bid: \$9,950,000  
Construction: April 1996 - July 1997  
A notice of intent to award was issued to Colich and Sons on March 22, 1996. A notice to proceed is expected to be issued in mid April.
- B. Package 2 - Tunnel.  
Construction Contractor: Traylor Brothers/Obayashi  
Bid: \$88,285,000  
Construction: September 1995 - May 1998  
Startup: June 1998  
The ground freezing operation for the drop shaft began on March 8, 1996. The ground freezing operation will take approximately four to six weeks. The drop shaft is scheduled to be completed by June 1996. The tunnel boring machine is scheduled to be delivered by May 1996.
- C. Package 3 - Marine Works.  
Construction Contractor: Fletcher General, Inc.  
Bid: \$36,442,000  
Construction: November 1995 - October 1997  
The mobilization schedule is currently under review. The

contractor is scheduled to be on-site by May 1996 and the marine work is scheduled to begin in June.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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-208:

\SUBJECT: Genoa Drive Slope Repair.  
(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1179) ADOPTED AS RESOLUTION R-287202

Authorizing the Auditor and Comptroller to transfer not to exceed \$700,000 from CIP-52-432.0, Mission Gorge Road - Old Cliffs Road to Princess View Drive (TransNet Bond Proceeds, Fund 30302), to CIP-12-097.0, Genoa Drive Slope Repair;

Authorizing the Auditor and Comptroller to transfer not to exceed \$700,000 from the Public Liability TransNet Fund (Dept./Fund 81144), for the Property Damage Claim of 5680 and 5690 Genoa Drive, 5673 Mill Peak Road and 6082 Adobe Falls Road to CIP-12-097.0, Genoa Drive Slope Repair;

Authorizing the expenditure of not to exceed \$1,400,000 from CIP-12-097.0, Genoa Drive Slope Repair;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds to CIP-52-432.0, Mission Gorge Road - Old Cliffs Road to Princess View Drive, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Manager to request advance funding

from SANDAG through Debt Financing in an amount not to exceed \$700,000;

Authorizing the City Manager to execute any necessary documents relating to the receipt of the funds from SANDAG;

Authorizing the City of San Diego to be responsible for paying its proportional share of the issuance costs and overall annual debt service requirements of the SANDAG Debt Financing Program and that such costs shall be the first priority use of the City of San Diego Annual Allocation of TransNet Revenue.

CITY MANAGER SUPPORTING INFORMATION:

The existing slope and storm drain behind 5680 and 5690 Genoa Drive, 5673 Mill Peak Road and 6082 Adobe Falls Road failed as a result of the 1995 winter storms. Because of the damage caused by the landslide, the City Council authorized the purchase of these four homes directly involved. On July 24, 1995, the Council authorized the City Manager to enter into negotiations with Group Delta Consultants, Inc., to provide contract documents to repair the slope. This action will provide the necessary funds required for construction.

Aud. Cert. 9601035.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B044-123.)

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:

SUBJECT: Amendment to the Acquisition and Financing Agreement to Reimburse McMillin for Prior Year Special Tax Payments. (Miramar Ranch North Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1170) ADOPTED AS RESOLUTION R-287203

Authorizing an Amendment to the Acquisition and Financing Agreement that will explicitly enable the City to reimburse McMillin for prior year special tax payments.

FILE LOCATION: MEET CONFY96-1

COUNCIL ACTION: (Tape location: B124-221.)

MOTION BY WARDEN 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-210:

SUBJECT: New Main Library - CDBG Funding.  
(See memorandum from Mayor Golding dated April 8, 1996.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1216) ADOPTED AS RESOLUTION R-287204

Approving the proposal by Mayor Susan Golding in her memorandum dated April 8, 1996, to the City Councilmembers for CDBG funding of the new Main Library.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B222-546.)

MOTION BY McCARTY TO ADOPT. 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.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:00 p.m. in honor of the memory of:

Harry D. Schrader, as requested by Council Member Wear;  
Clayton Gjerde and James Saxon, as requested by City  
Attorney John Witt.

FILE LOCATION:                   AGENDA

COUNCIL ACTION:               (Tape location: C274-302.)