

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JUNE 10, 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 2:14 p.m. The meeting was recessed by Mayor Golding at 4:30 p.m. Mayor Golding reconvened the meeting at 4:37 p.m. with all Council Members present. The meeting was adjourned by Mayor Golding at 5:47 p.m. into Closed Session on Tuesday, June 11, 1996, at 9:00 a.m. in the twelfth floor conference room to discuss existing litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
 - (1) Council Member Mathis-present
 - (2) Council Member Wear-present
 - (3) Council Member Kehoe-present
 - (4) Council Member Stevens-present
 - (5) Council Member Warden-present
 - (6) Council Member Stallings-present
 - (7) Council Member McCarty-present
 - (8) Council Member Vargas-present
- Clerk-Abdelnour/Fishkin (ms)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend William Bengtson of Our Savior Lutheran Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Vargas.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding anti-Christian judicial decisions.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A034-054.)

ITEM-PC-2: REFERRED TO CITY MANAGER

Comment by J. Norman Powell regarding San Diego sidewalk hearts. He suggested putting hearts with names on them on the sidewalks in Balboa Park.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A055-078.)

ITEM-PC-3:

Comment by Dr. Art Salzberg regarding protest sites for the Republican National Convention.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A079-107.)

ITEM-PC-4:

Comment by Pat Michelette regarding Miramar and noise complaints.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A112-150.)

ITEM-PC-5:

Comment by William Wakefield regarding the City of San Diego doing something to celebrate the 3000th anniversary of the City of Jerusalem.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A151-173.)

ITEM-PC-6:

Comment by Joyce Tavrow thanking the Mayor for her letter to President Clinton asking that the helicopters be located

elsewhere.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A176-185.)

ITEM-PC-7:

Comment by Keith Greer regarding principles of our democratic government; representation and fairness.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A186-211.)

ITEM-PC-8:

Comment by Mark Means regarding the helicopters in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A213-226.)

COUNCIL COMMENT:

ITEM-CC-1:

Mayor Golding commented on her letter to President Clinton regarding the helicopters in San Diego. She also said that San Diego has been honored again by being ranked in the top four cities in the nation for Hispanics to do business.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A227-335.)

ITEM-CC-2:

Council Member Kehoe said President Clinton honored us with a visit to the Hillcrest Storefront today.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A341-354.)

ITEM-CC-3: REFERRED TO CITY MANAGER

Council Member Stevens said he has written to the City Manager regarding the fires in his district. The apartment that had the fire this last weekend had another fire less than six months ago. Both of these fires, and a lot of other fires in his district, are because of the brush that is not being cleaned out. He requested that an emergency situation be declared and a prohibition of weeds be enforced.

He also requested that units with shake roofs be given priority for this.

Council Member Stevens commented on how well all the law enforcement agencies work together in San Diego which is one of the reasons the crime rate has dropped here.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A355-415.)

ITEM-CC-4:

Council Member Wear spoke regarding the Point Loma Lighthouse and the plans for a restroom and interpretive office to be built within 20 feet of the lighthouse. Tomorrow is the last day to take issue with the plans.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A440-481.)

ITEM-CC-5:

Council Member Vargas thanked the men and women of the 32nd Street Naval Station for their work for weed abatement.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A481-493.)

ITEM-30:

SUBJECT: Philippine Cultural Week.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1555) ADOPTED AS RESOLUTION R-287477

Proclaiming the week of June 9 through June 15, 1996 to
be "Philippine Cultural Week" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A493-568, A652-661.)

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

ITEM-31:

SUBJECT: Spreckels Organ Society Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1290) ADOPTED AS RESOLUTION R-287478

Commending the Spreckels Organ Society volunteers and
community supporters for their dedication to the
citizens of San Diego;

Proclaiming June 17, 1996 to be "Spreckels Organ
Society Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A568-661.)

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

* ITEM-50:

SUBJECT: Speed Limit on Torrey Pines Road.

(La Jolla Community Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 5/28/96. (Council voted 8-0. Mayor Golding not present):

(O-96-160) ADOPTED AS ORDINANCE O-18311 (New Series)

Repealing Ordinance No. O-11327 and O-11417, which changed the speed limit on the uphill and downhill stretch of Torrey Pines Road between La Jolla Shores Drive and Prospect Street.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A661-B069.)

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

* ITEM-51:

SUBJECT: Trailer Parking Ordinance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 5/28/96. (Council voted 8-0. Mayor Golding not present):

(O-96-151) ADOPTED AS ORDINANCE O-18312 (New Series)

Amending Chapter VIII, Article 6, Division 2, of the San Diego Municipal Code by amending Section 86.23, relating to Trailer Parking, by exempting camp trailers, utility trailers, and auxiliary dollies used in conjunction with a camp or utility trailer.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A661-B069.)

CONSENT MOTION BY STALLINGS 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-100:

SUBJECT: Biennial Review - Conflict of Interest Codes.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1543) ADOPTED AS RESOLUTION R-287479

Directing each City Department, Agency, Board and Commission with a Conflict of Interest Code to review its code and provide to the City Council via the City Clerk, either a written statement that no amendment is required, or an amended Code for the Council's approval.

SUPPORTING INFORMATION:

Government Code Section 87306.5 states that, no later than July

1, of each even numbered year, "code reviewing bodies" are required to direct each local agency, under their jurisdiction, which has previously adopted a conflict of interest code ("Code") to review that agency's Code. Under this law, the term "code reviewing body" includes the San Diego City Council and the term "local agencies" includes not only City departments, but also City-owned corporations, certain City boards and commissions, and certain other local agencies (for example, the Housing Commission), for whom the City Council serves as code reviewing body.

Government Code Section 87306.5 also requires local agencies to submit a biennial report identifying changes in their Code, or a statement that their Code is not in need of an amendment. The biennial reports are submitted to the applicable code reviewing body. Following receipt of either the biennial report identifying Code changes, or a statement that no amendment is needed, from each local agency, the Clerk and the City Attorney will prepare a joint report summarizing the submittals. Revised conflict of interest codes will then be submitted to the City Council for approval.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A661-B069.)

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

* ITEM-101: RETURNED TO CITY MANAGER

SUBJECT: Fee Waiver Request for San Diego Community College
District. (Allied Gardens and San Carlos Community
Areas. District-7.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-96-1545)

Authorizing the City Manager to waive the fee

assessment for use of the Allied Gardens Recreation Center and San Carlos Recreation Center by the San Diego Community College District for senior citizens exercise classes.

CITY MANAGER'S RECOMMENDATION:

Do not adopt the fee waiver.

CITY MANAGER SUPPORTING INFORMATION:

The Senior Citizens Exercise classes, conducted by the San Diego Community College District, have requested that the fees they are assessed for non-hours of operation use of Allied Gardens and San Carlos Recreation Centers, be waived. Senior exercise classes are requesting to meet at 7:00 a.m. and 7:30 a.m. prior to normal center hours of operation which will require extra staff to be assigned to open and supervise the centers.

Cost to the City to provide this service is \$12 per hour or approximately \$7,800. This cost will be recovered if the fee is not waived. The classes meet as follows:

Allied Gardens:	Tuesday	7:30 a.m. - 9:00 a.m.
	Friday	8:00 a.m. - 9:30 a.m.
San Carlos:	Monday	7:00 a.m. - 9:00 a.m.
	Wednesday	7:00 a.m. - 9:00 a.m.

Revenue derived from the classes based on 47 weeks use is \$2,209 at Allied Gardens and \$5,522.50 at San Carlos for a total of \$7,731.50. The current fee of \$11.75 per hour which was calculated is scheduled to increase to \$12 per hour on July 1, 1996. The same use would generate \$7,896.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A661-B069.)

CONSENT MOTION BY STALLINGS TO RETURN THIS ITEM TO THE CITY MANAGER AS HE REQUESTED. 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:

SUBJECT: Settlement of the Claim for Attorney Fees in the
Litigation Matter of Kevin Hoffmaster.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1551) ADOPTED AS RESOLUTION R-287480

A Resolution approved by the City Council in Closed Session on Tuesday, December 5, 1995 by the following vote: Mathis-yea; Wear-yea; Kehoe-yea; Stevens-yea; Warden-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$50,000 in the settlement of attorney fees and costs arising from litigation in the matter of Kevin Hoffmaster;

Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$50,000 made payable to the San Diego Volunteer Lawyer Program in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the petitioner/plaintiff's claim for attorney fees and costs.

Aud. Cert. 9700003.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A661-B069.)

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

* ITEM-103:

SUBJECT: Setting Aside a Sewer Easement and Two Pigging Station Easements for the Fiesta Island Replacement Project - Phase II.

(Mission Bay Park and Linda Vista Community Areas.
District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1517) ADOPTED AS RESOLUTION R-287481

Setting aside a sewer easement and two pigging station easements in City-owned portions of Mission Bay Park and Tecolote Canyon Natural Park, to provide a pipeline to carry digested sludge from the Point Loma Treatment Plant to the sludge processing facility at NAS Miramar, as part of the Fiesta Island Replacement Project - Phase II;

Authorizing the City Auditor to pay not to exceed \$5,050 from CIP-40-921.0, Fund No. 41509, into Capital Outlay Fund No. 302453, for the acquisition of the easements.

CITY MANAGER SUPPORTING INFORMATION:

The California Coastal Commission (CCC) determined in 1981 that the sludge processing facilities on Fiesta Island were incompatible with the recreation-oriented uses of Mission Bay Park. In October 1991, the City Council directed the City Manager to begin preparation of a combined Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the relocation of the Fiesta Island facilities to a site at NAS Miramar. The current Coastal Commission deadline for completing the facilities is July 15, 1997. With the direction to relocate the sludge processing facilities to NAS Miramar, the next step was to provide a pipeline to carry the sludge from Point Loma to the new facility.

Phase I of the pipeline, which connects the Point Loma plant to Sunset Cliffs Boulevard Bridge runs through Ocean Beach and Point Loma, connecting with an existing pipeline at Fiesta Island, and has operated successfully since July 1993. In April 1993, the City Council authorized a contract with Enartec, Inc. to design the remainder of the alignment from the south side of the Sunset

Cliffs Boulevard Bridge to NAS Miramar. The preferred alignment takes the pipeline through residential, commercial, and industrial developed areas using City Rights-of-Way (ROW). All property rights needed for the project have been acquired with the exception of the two referenced set aside easements over City-owned land. The proceeds in the amount of \$5,050 for these easements are recommended for payment into the Capital Outlay Fund No. 302453. The Tecolote Canyon Citizens Advisory Committee has reviewed and approved the location of Pump Station No. 2.

Aud. Cert. 9601205.

FILE LOCATION: DEED F-6780 DEED FY96-1

COUNCIL ACTION: (Tape location: A661-B069.)

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

* ITEM-104:

SUBJECT: Excusing Councilmember Byron Wear from the Land Use and Housing Committee Meeting of May 15, 1996.

COUNCILMEMBER WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1538) ADOPTED AS RESOLUTION R-287482

Excusing Councilmember Byron Wear from attending the Land Use and Housing Committee meeting of May 15, 1996, due to his attendance at the NTC meeting on reuse.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A661-B069.)

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

* ITEM-105:

SUBJECT: Excusing Councilmember Byron Wear from the LU&H
Committee Meeting and the PS&NS Committee Meeting of
6/12/96.

COUNCILMEMBER WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1536) ADOPTED AS RESOLUTION R-287483

Excusing Councilmember Byron Wear from attending the
Land Use and Housing Committee and the Public Safety
and Neighborhood Services Committee Meetings of June
12, 1996, due to his attendance at the California
Coastal Commission meetings in San Rafael.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A661-B069.)

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

* ITEM-106:

SUBJECT: Excusing Councilmember George Stevens from the Land Use
and Housing and the Public Safety and Neighborhood
Services Committee Meetings of May 15 and May 22, 1996.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1537) ADOPTED AS RESOLUTION R-287484

Excusing Councilmember George Stevens from attending
the Land Use and Housing Committee and the Public
Safety and Neighborhood Services Committee meetings of

May 15 and May 22, 1996.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A661-B069.)

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

* ITEM-107:

SUBJECT: O'Farrell Neighborhood Council Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1447) ADOPTED AS RESOLUTION R-287485

Recognizing the accomplishments of the O'Farrell
Neighborhood Council and commending them for their hard
work and commitment toward the betterment of their
neighborhood;

Proclaiming June 15, 1996 to be "O'Farrell Neighborhood
Council Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A661-B069, B070-241.)

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

* ITEM-108:

SUBJECT: Mrs. Gerri Warren Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1518) ADOPTED AS RESOLUTION R-287486

Proclaiming Friday, June 14, 1996 to be "Mrs. Gerri Warren Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A661-B069.)

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

ITEM-150:

SUBJECT: Two actions related to the Proposed Graffiti Ordinance.

(See memorandum from Mayor Golding dated 3/13/96.)

TODAY'S ACTIONS ARE:

Introduction of the following ordinance and adoption of the following resolution:

Subitem-A: (O-96-166) INTRODUCED, TO BE ADOPTED JUNE 24, 1996

Introduction of an Ordinance amending Chapter V, Article 4, Division 4, of the San Diego Municipal Code by amending Sections 54.0403, 54.0404, and 54.0410; and by adding Section 54.0413, all relating to Graffiti Abatement;

Authorizing reward of up to \$500 from the City for information leading to conviction of graffiti vandals;

Authorizing the City Attorney to recover damages from juveniles and parents, including any reward paid.

Subitem-B: (R-96-1549) ADOPTED AS RESOLUTION R-287487

Adoption of a Resolution supporting Assembly Bill 2331 (Goldsmith) mandating suspension of a driver's license for one year upon conviction of graffiti vandalism and authorizing the charging of graffiti vandalism over \$400 as a felony.

RULES COMMITTEE'S RECOMMENDATION:

On 3/18/96, RULES voted 5-0 to approve the draft ordinance and forward to Council with the additional recommendation to approve AB 2331 (Goldsmith) which will contain state changes necessary for full implementation. (Councilmembers Mathis, Kehoe, Warden, Stallings and Mayor Golding voted yea.)

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

COUNCIL ACTION: (Tape location: A661-B069.)

CONSENT MOTION BY STALLINGS TO INTRODUCE THE ORDINANCE AND ADOPT THE RESOLUTION. 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-151:

SUBJECT: Two actions related to Parking Meter Operations.

(See City Manager Report CMR-96-81.)

TODAY'S ACTIONS ARE:

Introduce the following ordinance and adopt the resolution:

Subitem-A: (O-96-149) INTRODUCED AS AMENDED, TO BE
ADOPTED JUNE 24, 1996

Introduction of an Ordinance amending Chapter VIII, Article 2 of the San Diego Municipal Code by amending Section 82.06 relating to Parking Meters.

Subitem-B: (R-96-1256 Rev.) ADOPTED AS AMENDED AS
RESOLUTION R-287488

Directing the City Manager to replace within two years all parking meters in the City with electronic parking meters which accept multiple denominations of coins and prepaid electronic cards or devices.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S
RECOMMENDATION:

On 4/10/96, PS&NS voted 3-0 to approve the City Manager's recommendation with the following provisions: a) the conversion will be phased over a 2-year period; b) eliminate the in-vehicle punch card alternative.

(Councilmembers Wear, Kehoe, and Stevens voted yea.
Councilmembers McCarty and Vargas not present.)

SUPPORTING INFORMATION:

At the April 10, 1996 Public Safety and Neighborhood Services Committee Meeting, the Committee directed that an ordinance be prepared to amend Municipal Code Section 82.06, Parking Meters - Operation (Ref. City Manager Report CMR-96-81) and to convert all meters over a two year period. Subitem A - This amendment to Municipal Code Section 82.06 will allow for the installation of electronic parking meters which are capable of accepting multiple denominations of coins and prepaid electronic cards or devices, authorize the use of alternative methods of payment to allow parking in a parking meter zone, and authorize the use of multi-space parking meters.

The amendment will allow the City to consider using current as well as future technology to regulate parking. Subitem B - This item will direct the City Manager to convert all parking meters within two years to electronic parking meters which accept multiple denominations of coins and prepaid electronic cards or devices.

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

COUNCIL ACTION: (Tape location: B242-D054.)

MOTION BY WEAR TO INTRODUCE THE ORDINANCE AND ADOPT THE
RESOLUTION AS AMENDED AS FOLLOWS:

1. PROCEED WITH THE CONVERSION OF THE METERS USING THE FIVE-YEAR LEASE-PURCHASE OPTION PLAN WITH AN ANNUAL COST OF \$245,000 FOR FIVE YEARS. ELIMINATE THE IN-VEHICLE PUNCH

CARD AND COMPLETE THE CONVERSION WITHIN ONE YEAR.

CITY MANAGER IS TO REPORT TO COUNCIL DURING BUDGET DELIBERATIONS THE WEEK OF JUNE 24, 1996, REGARDING THE \$245,000 ANNUAL ALLOCATION.

2a. DIRECT THE CITY MANAGER TO DRAFT A COUNCIL POLICY FOR THE ESTABLISHMENT OF PARKING METER DISTRICTS AND FOR THE ALLOCATION OF REVENUES GENERATED. ALLOCATIONS COULD BE MADE TO THE GENERAL FUND, THE URBAN SUPER FUND (SHOULD ONE BE CREATED IN THE FUTURE), AND TO THE PARKING METER DISTRICTS FOR THE POSSIBLE FUNDING OF PROJECTS SUCH AS STREET IMPROVEMENTS, LANDSCAPING, STREET BEAUTIFICATION, LIGHTING AND STREET LIGHT CONVERSION, SECURITY, OR EXTRAORDINARY MAINTENANCE. ALLOCATIONS FOR BOTH THE SUPER FUND AND THE PARKING METER DISTRICTS WOULD BE PHASED OVER A THREE-YEAR PERIOD, WITH FUNDING FOR THE METER CONVERSION COMING FROM THE PARKING METER DISTRICT ALLOCATION. DURING THE PROCESS OF DRAFTING THIS POLICY, WORK WITH THE APPROPRIATE AGENCIES, SUCH AS THE BUSINESS IMPROVEMENT DISTRICTS AND THE REDEVELOPMENT AGENCY, AS SOON AS POSSIBLE TAKE THIS MATTER TO THE PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE FOR DISCUSSION AND RETURN TO COUNCIL WITH SPECIFICS.

2b. IN ADDITION, RETURN TO COUNCIL IN TWO YEARS WITH A PROGRESS REPORT. AT THAT TIME, COUNCIL WILL DISCUSS THE POSSIBILITY THAT OTHER BUSINESS DISTRICTS MAY WANT TO HAVE PARKING METERS AS A RESULT OF THE POTENTIAL REVENUE ALLOCATIONS.

Second by Kehoe. Motion to introduce the ordinance and adopt the resolution as amended in 1. above passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea; Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

Direction to the City Manager as stated in 2a. and 2b. above passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Two actions related to Vacating Union Street North of

Date Street, and Conversion of Date Street to One-Way Eastbound.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-1505) ADOPTED AS RESOLUTION R-287489

Vacating Union Street, north of Date Street, under the procedure for the summary vacation of streets;

Reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature;

Declaring that the easements reserved herein are in, under, over, upon, along and across Union Street, north of Date Street;

Declaring that this resolution shall not become effective unless and until the consolidation parcel map is filed within one year, or this resolution shall become void and of no further force or effect;

Directing the City Engineer to advise the City Clerk of the completion of the conditions stated within this resolution.

Subitem-B: (R-96-1506) ADOPTED AS RESOLUTION R-287490

Establishing a one-way street eastbound on Date Street between Union Street and Front Street.

CITY MANAGER SUPPORTING INFORMATION:

The proposed vacation of Union Street and conversion of Date Street to one-way eastbound has been cooperatively requested, as part of the Washington Elementary School Expansion, by Centre City Development Corporation and the San Diego School District. The expansion will utilize the area-of-vacation along with the fronting lots to provide a new local park and to enlarge an existing school playground. The conversion of Date Street to one-way operation will increase the number of on street parking

spaces for this segment of road as well as eliminate congestion problems arising from traffic on the Interstate 5/Front Street off-ramp making right-turn movements (westbound) onto Date Street. On December 6, 1994, the Redevelopment Agency adopted Resolution No. R-2457 approving the Improvement Plan for the Expansion of Washington Elementary School which includes this vacation of Union Street and Conversion of Date Street to operate one-way eastbound. Staff review of the vacation indicates that the required four findings of vacation can be made and recommends that the right-of-way be summarily vacated conditioned upon the closing of the northerly opening to Union Street with standard curb-gutter-sidewalk and the installation of a standard driveway for the remnant pavement to be utilized for limited access. Staff has also reviewed the conversion of Date Street to operate one-way eastbound and recommends its implementation for increased parking and improved traffic circulation. This project is conditioned upon the installation of new striping to enhance the merging of the new one-way eastbound Date Street traffic onto Front Street.

FILE LOCATION: DEED F-6781, STRT - J-2845 DEED
FY96-1

COUNCIL ACTION: (Tape location: A661-B069.)

Hearing began at 2:58 p.m. and halted at 3:04 p.m.

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

ITEM-201:

SUBJECT: The Council of the City of San Diego will be conducting two hearings on the Naval Training Center Reuse Concept Plan.

(District-2.)

CITY MANAGER'S RECOMMENDATION:

Accept the Reuse Concepts for the Education, Historic Core

and Waterfront/Recreation Subareas for use as the preferred alternative for the environmental review process.

(R-96-1541 Rev.) ADOPTED AS AMENDED AS RESOLUTION
R-287491

Adoption of a Resolution directing environmental analysis of the Education, Historic Core, and Waterfront/Recreation Subareas of the Naval Training Center Reuse Concept Plan.

OTHER RECOMMENDATIONS:

Planning Commission voted 7-0 to accept the Naval Training Center (NTC) Reuse Committee's recommendation.

Ayes: Neils, Anderson, Butler, Quinn, Skorepa, Watson, White
Nays: None

The Peninsula Community Planning Board has been notified of this item and will make their recommendation at City Council.

SUPPORTING INFORMATION:

The first hearing will focus on the Educational, Historic Core and Waterfront/Recreation primary use area concepts. The second hearing will consider the Residential and Camp Nimitz primary use area concepts and the Homeless Assistance Plan. The approved Concept Plan will be used as the preferred alternative for the environmental analysis.

FILE LOCATION: MEET (NTC #67)

COUNCIL ACTION: (Tape location: D064-E364.)

Hearing began at 4:37 p.m. and halted at 5:43 p.m.

Council Members Stallings and McCarty left at 5:20 p.m.

Testimony in opposition by Jesse Knighton and Dr. Art Salzberg.

Testimony in favor by Wayne Rafflesberger, Melanie Nickel, John Seymour,

Mike Stevens, Jim Peugh, James Albright, Lynne Christenson,

Pat Rickon, and Marcia Boruta

MOTION BY WEAR TO ADOPT THE RESOLUTION SUPPORTING THE CONCEPT PLAN AS PRESENTED BY THE REUSE COMMITTEE IN THE DOCUMENT POLICIES AND PRIORITIES FOR BASE REUSE DATED MAY 22, 1996, REVISED, ATTACHMENT 3 TO THE CITY MANAGERS REPORT, FOR THE OVERALL THEMES AND THE THEMES FOR THE EDUCATION SUBAREA #1, HISTORIC CORE SUBAREA #2, AND THE WATERFRONT/RECREATION SUBAREA #3. ALSO MAKE THE CHANGE REQUESTED BY MR. JIM PEUGH OF THE SAN DIEGO AUDUBON SOCIETY IN RELATION TO USING THE WORDS "VIABLE WATER AND SHORELINE HABITAT" IN PLACE OF "VIABLE WATER HABITAT" ON PAGE 4 OF THE POLICIES AND PRIORITIES FOR BASE REUSE DOCUMENT, AND ON PAGE 5 OF CITY MANAGER'S REPORT P-96-149. Second by Stevens. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Two actions related to Year-End Budget Adjustments.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution and hold the first public hearing of the ordinance:

Subitem-A: (R-96-1532) ADOPTED AS RESOLUTION R-287492

Authorizing Year-End Budget Adjustments.

Subitem-B: (O-96-165) HEARING HELD

First public hearing in the matter of an Ordinance amending Ordinance No. O-18193 (New Series), entitled "An Ordinance Amending the Adopted Annual Budget for the Fiscal Year 1995-96 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year."

NOTE: See Item 340 on the docket of Tuesday, June 11, 1996, for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E365-374.)

MOTION BY WARDEN TO ADOPT THE RESOLUTION AND TO APPROVE THE HEARING. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-not present, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Authorize SANDAG to complete Phase II of the Market Demand and Opportunities Study for Air Service in the San Diego Region.

(See memorandum from Mayor Golding dated 5/28/96.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-96-1515) ADOPTED AS RESOLUTION R-287493

Approving the contribution of \$60,000 to the San Diego Association of Governments (SANDAG) for the purpose of funding Phase II of the Market Demand and Opportunities Study for Air Service in the San Diego Region.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B202-241.)

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

ITEM-204:

SUBJECT: Two actions related to South Effluent Outfall Channel and Rehabilitation of the On-Shore Outfall.

(Point Loma Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-96-1533) ADOPTED AS RESOLUTION R-287494

Amending the 1996 Appropriation Ordinance by adding CIP-46-503.0, Rehabilitation of the Point Loma On-Shore Outfall;

Authorizing the Auditor and Comptroller to transfer \$150,000 from Fund No. 41508 to CIP-46-503.0;

Authorizing the Auditor and Comptroller to increase CIP-46-134.0, South Effluent Outfall Channel by \$1,389,172, in accordance with the 1996 Appropriation Ordinance;

Authorizing a ninth amendment to the agreement with Black & Veatch Engineers, for additional design and construction management services in connection with the South Effluent Outfall Channel and Rehabilitation of the Point Loma On-Shore Outfall in an amount not to exceed \$757,951;

Authorizing the expenditure of not to exceed \$451,172 from Fund No. 41508, CIP-46-134.0, South Effluent Outfall Channel, and not to exceed \$306,779 from Fund No. 41508, CIP-46-503.0, Rehabilitation of Point Loma On-Shore Outfall, to provide additional design and construction management services, 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;

Approving Change Order No. 27, dated April 29, 1996, for additional construction work in an amount not to exceed \$718,589, issued in connection with the contract between the City of San Diego and Nielsen Dillingham Builders, amount to a net increase in the contract price of \$718,589;

Authorizing the expenditure of not to exceed \$1,400,000 from Fund 41508, CIP-46-134.0, South Effluent Outfall Channel, to fund Change Order No. 27 and to provide funds for additional project construction,

contingencies, and related costs, provided that the City Auditor first furnishes a certificate demonstrating that funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Authorizing the City Manager to establish contract funding phases with Nielsen Dillingham Builders, 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.

Subitem-B: (R-96-1534) ADOPTED AS RESOLUTION R-287495

Stating for the record that Mitigated Negative Declaration DEP-91-0889 and Mitigation, Monitoring, and Reporting Program, previously certified by Resolution R-286006, on May 26, 1992, have been reviewed and considered by Council in connection with the South Effluent Outfall Channel and the Rehabilitation of the On-Shore Outfall.

CITY MANAGER SUPPORTING INFORMATION:

The South Effluent Outfall Channel (SEOC) project will provide a new primary on-shore effluent conveyance system and a renovated back-up conveyance system. The south leg of the SEOC is the new primary conveyance system which was completed and put into operation. A comprehensive repair of the north leg is under way to ensure a reliable and redundant on-shore effluent outfall conveyance. Five years ago, during design, pipe inspections had to be performed inside a pipe full of plant effluent with zero visibility. Only during construction of the SEOC has the City been able to better assess the condition of the existing piping in a dry condition. The piping was found to be substantially more deteriorated than was revealed in the earlier inspection reports. These changed conditions have caused additional work for the construction contractor, designer and construction management team. Some of this construction work must be performed under the existing contract and some of this work will be performed through a new construction project, Rehabilitation of the On-Shore Outfall (ROO). The ROO project is proposed as an amendment to the Fiscal Year 1996 Capital Improvement Program as

part of this action. Approval of a change order to the construction contract and an amendment to the design and construction management contract for this additional work are requested as part of this Council action. Amendment No. 9 is needed to perform additional design and construction management services for SEOC and provide for design of ROO. Extra construction contingency funding is also needed for additional work yet to be exposed and assessed.

Aud. Certs. 9601222/9601223.

FILE LOCATION: MEET CONT FY96-1

COUNCIL ACTION: (Tape location: A661-B069.)

CONSENT MOTION BY STALLINGS 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: 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-96-1512) ADOPTED AS RESOLUTION R-287496

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.

- A. Construction Contract 2 (CC-2) - Advanced Primary Facilities.
Construction: June 1995 - March 1997.

Construction completion is on target for December 1996, with startup testing projected for January 1997. As of March 31, 1996, the percent completion was 51 percent. 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.

Vertical walls are complete or almost complete for the headworks, primary sedimentation tanks and gallery, truck loading building, solids processing building, primary skimmings pump station, non-potable water pump station, and un-stabilized sludge storage tank. Upper decks are complete or almost complete for the sludge dewatering building, primary sedimentation tank gallery, and solids processing building. Placement of the concrete for the primary sedimentation tank walkways and grouting of tank bottoms is ongoing. Foundations and walls for the influent metering vault are complete. Rebar installation and formwork is in process for the grit chamber bypass walls. Preparation and concrete placement for slab on grades for the odor reduction stations, polymer addition area, and chlorination facility has begun. Installation of the walls and roof for the personnel building and main switchgear building is complete; exterior finish of these buildings are complete and installation of HVAC, plumbing, lighting, insulation, sheetrock, etc. is ongoing. Placement of the perimeter

fence columns is ongoing and should be complete by mid-May. Work at the border to connect the primary influent pipeline to the existing junction structure in Mexico and construction of Junction Structure No. 1 in the U.S. has begun. San Diego Gas & Electric has commenced work to provide permanent electrical services to the treatment plant site.

- B. Construction Contract 3 (CC-3) - Secondary Treatment Facilities.
Design: December 1993 - April 1996
Construction: On-hold

The design of the activated sludge secondary system was completed on May 1, 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.

- C. Construction Contract 4 (CC-4) - Collection System.
Design: December 1993 - March 1996
Bid Solicitation: April 1996 - July 1996
Construction: July 1996 - September 1997

Design was completed on March 27, 1996. Construction is scheduled to begin on July 18, 1996 and be completed by September 1997.

- E. Operations and Maintenance.

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 is in the process of reviewing Statements of Qualifications from potential contractors.

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 to proceed was issued on April 17, 1996. The contractor is expected to begin work onsite in August 1996.

- 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 was completed and the contractor is currently excavating the drop shaft. The drop shaft is scheduled to be completed by July 1996. The tunnel boring machine is scheduled to be on-site by mid-June 1996.

- C. Package 3 - Marine Works.
Construction Contractor: Fletcher General, Inc.
Bid: \$36,442,000
Construction: November 1995 - October 1997

The construction planning is in progress. The contractor has moved into his Imperial Beach field office. The marine work is scheduled to begin the week of May 27, 1996.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A661-B069.)

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

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 5:47 p.m.
in honor of the memory of:

Arthur Anderson as requested by Council Member Wear;
Laura Williams as requested by Council Member Stevens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E375-399).