

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, DECEMBER 2, 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 2:10 p.m.

Mayor Golding joined with Council Member Vargas in welcoming Vice Principal Toni Addison and the student council from Logan Elementary School here to see how the City operates.

Mayor Golding adjourned the meeting at 4:39 p.m. into Closed Session on Tuesday, December 3, 1996, at 9:00 a.m. in the twelfth floor conference room to discuss existing, anticipated, and potential litigation matters.

ATTENDANCE DURING THE MEETING:

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

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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

ITEM-10: INVOCATION

Invocation was given by Father Rybarczyk of the Holy Angels Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member McCarty.

PUBLIC COMMENT:

ITEM-PC-1:

Don Stillwell commented on good and evil. He asked if Council had watched the video tape called "Is There An Eternity," which contains the entire Clinton Chronicles. This tape was narrated by a former Supreme Court Justice. Mr. Stillwell asked Council to help educate their constituents about the alleged criminal activities of Bill Clinton, and to take a stand and have a resolution introduced in the Federal Government.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A039-071.)

ITEM-PC-2: REFERRED TO CITY ATTORNEY

James Lambert commented on the City's "blinder" ordinance. He said for the past 7 years Municipal Code 5807 has been in effect which states that blinders are to be placed in front of pornographic material in retail outlet stores. He has seen stores in violation of this law and asked the City Council to address this matter. In addition, Mr. Lambert said there are two churches within a hundred yards of new racks which do not have blinders.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A075-101.)

ITEM-PC-3: REFERRED TO CITY ATTORNEY

Michael Kumeta also commented on the "blinder" ordinance. He is concerned about pornographic material in gas stations and convenience stores without blinders. He stated that these materials must be place at a certain height, out of the reach of children. Mr. Kumeta also addressed public access television and how it is being used. He said this is a new threat to the City's children and should be addressed by the City Council.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A102-120.)

COUNCIL COMMENT:

ITEM-CC-1: REFERRED TO CITY MANAGER

Council Member Kehoe wanted to remind Council of the 9 year old North Park resident who was killed in a house fire over the weekend; and the next day an elderly woman from La Jolla

also died in a fire. She said the North Park fire could have been prevented with a safety screen across the fireplace. Council Member Kehoe asked the City Manager to provide a detailed report on what the Fire Department does in the way of prevention. She also asked for a report regarding whether the City should take a stand, either at the State or Federal level, on banning materials used in home furnishings and other uses in the home. She said the City Council needs to do more on safety year-round.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A125-150.)

ITEM-30:

SUBJECT: American Indian Heritage Month.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-97-587) ADOPTED AS RESOLUTION R-288107

Proclaiming the month of November, 1996 to be "American Indian Heritage Month" in San Diego, and urging all San Diegans to observe the month with appropriate programs, ceremonies, and activities.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A159-228 / A229-290.)

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

ITEM-50:

SUBJECT: Amending the S.D. Muni. Code Relating to the Annual Supplemental Benefit (13th Check).

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/18/96 (Council voted 9-0):

(O-97-60) ADOPTED AS ORDINANCE O-18364 (New Series)

Amending Chapter II, Article 4, Division 4 of the San Diego Municipal Code by amending Section 24.0404 relating to the Annual Supplemental Benefit (13th Check).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D190-278.)

MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE WITH DIRECTION TO THE CITY ATTORNEY FOR AN OPINION ON THE VESTED BENEFIT ISSUE; AND WITH COUNCIL'S UNDERSTANDING THAT THIS WAS PRESENTED AS A PACKAGE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-100:

SUBJECT: Two actions related to the Final Subdivision Map of Compound Cluster.

(A 12-lot subdivision. Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-97-471) ADOPTED AS RESOLUTION R-288108

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

Subitem-B: (R-97-470) ADOPTED AS RESOLUTION R-288109

Approving the final map.

FILE LOCATION: Subitems A,B: SUBD - Compound Cluster  
CONFY97-1

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-101:

SUBJECT: Water Easement Exchange.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-503) ADOPTED AS RESOLUTION R-288110

Approving the acceptance by the City Manager of an  
easement deed of Fuji Trucolor, Inc., formerly known as  
Dean's Photo Service, Inc. conveying to the City a  
water easement in a portion of Parcel 1 of Parcel Map  
PM-2727;

Authorizing the execution of a quitclaim deed,  
quitclaiming to Terrence R. Caster, all the City's  
right, title and interest in a water easement in a  
portion of Lot 2, Stadium Park East, Unit 3, Map-10190;

Authorizing the execution of a quitclaim deed,  
quitclaiming to Fuji Trucolor, Inc., formerly known as  
Dean's Photo Service, Inc., all the City's right, title  
and interest in a water easement in a portion of Parcel  
1 of Parcel Map PM-2727.

CITY MANAGER SUPPORTING INFORMATION:

In 1991 the Water Utilities Department relocated the 36-inch  
water main for Alvarado Pipeline No. 1, which had been originally  
constructed in 1942. A review of the pipeline alignment

identified an area for which an easement had not been acquired for the realignment, Parcel 1. As a result of this review a request has been received by the owners of Parcel 1 and adjacent Parcel 2 to abandon that portion of the 1942 alignment across their property, in exchange for the required easement. The easements are located north of I-8, east of Mission Gorge Road and southwest of Mission Gorge Place in the Grantville area. Abandonment by Resolution is recommended.

FILE LOCATION: DEED F-6877 DEEDFY97-3

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-102:

SUBJECT: Revestment of Abutter's Rights of Access to Black Mountain Road, Parcel 2 of Parcel Map PM-14725.

(Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-563) ADOPTED AS RESOLUTION R-288111

Authorizing the execution of a quitclaim deed, quitclaiming to A.G. Land Associates, as successor by Merger to A.G. Land Associates, which acquired title as American Newland Associates, effecting the revestment of abutter's rights of access to Black Mountain Road of Parcel 2 of Parcel Map PM-14725.

CITY MANAGER SUPPORTING INFORMATION:

The proposed revestment of abutter's rights of access has been requested by the property owner to accommodate the future installation of an entrance only driveway to Parcel 2 of Parcel Map PM-14725. The revestment of access was reviewed by staff

during the review process of Tentative Map TM-95-0568. The Tentative Map proposes subdivision of Parcel 2 into 3 parcels for future development and was approved by the Planning Commission on July 11, 1996.

As a condition to that Tentative Map, a deceleration lane must be dedicated and constructed to accommodate an entrance only driveway to the project site from Black Mountain Road. Staff recommends approval of the reversion abutter's rights of access and conveyance of those rights to the property owner with a quitclaim deed.

FILE LOCATION: DEED F-6878 DEEDFY97-1

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-103:

SUBJECT: Uptown Publications Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-97-586) ADOPTED AS RESOLUTION R-288112

Recognizing the accomplishments and involvement of the staff of Uptown Publications;

Proclaiming December 5, 1996, to be "Uptown Publications Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A229-290.)

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



\* ITEM-104:

SUBJECT: Excusing Councilmember Kehoe from the NR&C Committee Meeting of 11/13/96.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-97-576) ADOPTED AS RESOLUTION R-288113

Excusing Councilmember Christine Kehoe from attending the Natural Resources and Culture Committee meeting of November 13, 1996.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-105:

SUBJECT: Establishing a Parking Time Limit of Two Hours on Convoy Street.

(Kearny Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-485) ADOPTED AS RESOLUTION R-288114

Establishing a parking time limit of two hours, effective between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the east side of Convoy Street, between Ronson Road and Vickers

Street;

Authorizing the installation of the necessary signs and markings; declaring that the regulations imposed shall become effective upon the installation of the signs.

CITY MANAGER SUPPORTING INFORMATION:

The property owner at 4797 Convoy Street has submitted a petition (representing 100 percent of the affected fronting property owners) requesting that a two-hour unmetered time-limit zone be established on the east side of Convoy Street (in front of the property), between Ronson Road and Vickers Street. The subject location is part of the Kearny Mesa business district and will benefit from a two-hour parking limit by increasing the availability of customer parking. The proposed zone will be effective between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted. A two-hour unmetered time-limit zone is recommended at this location.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-106:

SUBJECT: Annual Election of College Community Project Area Committee (PAC).

(See City Manager Report CMR-96-248. College Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-515) ADOPTED AS RESOLUTION R-288115

Approving a Representative Project Area Committee for the College Community Redevelopment Project Area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-107:

SUBJECT: Environmental Enhancement Mitigation Program (EEMP)  
Grant Applications.

(Carmel Valley, Mid-City and Clairemont Community  
Areas. Districts-1, 3, and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-529) ADOPTED AS RESOLUTION R-288116

Approving the application for Grant Funds for the  
Environmental Enhancement and Mitigation Program under  
Section 164.56 of the Streets and Highways Code for the  
following projects: Normal Heights Park Acquisition,  
Morena Boulevard Enhancement and Carmel Valley  
Acquisition.

CITY MANAGER SUPPORTING INFORMATION:

The Environmental Enhancement and Mitigation Program (EEMP) was established by the enactment of the Transportation Blueprint Legislation of 1989. The legislation states that the intent is to allocate \$10,000,000 annually to this program for a 10 year period to Fiscal Years 2000 and 2001, which funds projects that will specifically further mitigate the environmental impacts of a related transportation project. The funds are split 60 percent (\$6,000,000) for Southern California and 40 percent (\$4,000,000) for Northern California.

This highly competitive grant program will generally award up to \$350,000 per project. Grant applications will be reviewed by the

State Resources Agency who will recommend projects for funding to the California Transportation Commission. Notification of funding will occur in July 1997. After a review of the criteria for the Fiscal Year 1998 EEMP, three projects will be submitted by City staff. 1) Normal Heights Park Acquisition Project will purchase five parcels, totalling .48 acres directly adjacent to the existing land identified for the Normal Heights Park. Several of the parcels identified for purchase are currently being used by CalTrans as a construction staging area for State Route I-15; the total grant application is for \$350,000. 2) The Morena Boulevard Enhancement Project will provide for the planting of trees along the corridor between Tecolote Road and Clairemont Drive in the road and railroad rights-of-way. The grant application is \$350,000. 3) The Carmel Mountain Acquisition Project will purchase five parcels within a critical area of the City's Proposed Multiple Species Conservation Program (MSCP). The parcels are located on the northern mesa of Carmel Mountain. The grant application is \$800,000.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-108:

SUBJECT: Traffic Signal at Engineer Road and Mercury Street.

(Kearny Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-500) ADOPTED AS RESOLUTION R-288117

Amending the FY 97 Capital Improvement Budget by adding to CIP-62-292.0, Traffic Signals DIF Funded, the project at Engineer Road and Mercury Street, Kearny Mesa DIF Account 79530;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$100,000 from Kearny Mesa DIF Fund 79530 to CIP-62-292.0, for the project at Engineer Road and Mercury Street.

CITY MANAGER SUPPORTING INFORMATION:

The subject project to install a traffic signal and street lighting system on Engineer Road at Mercury Street, will provide for the safe passage of emergency equipment, pedestrians and vehicles through the intersection. This traffic signal project has been requested by the Kearny Mesa Community, and needs to be added to the 1997 Capital Improvement Program, CIP-62-292.0, Traffic Signals - DIF Funded.

Aud. Cert. 9700447.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-109:

SUBJECT: First Amendment to the Agreement with the Alzheimer's Association of San Diego.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-542) ADOPTED AS RESOLUTION R-288118

Authorizing a first amendment to the agreement with the Alzheimer's Association of San Diego for construction of its office building at 8514 Commerce Avenue, San Diego;

Authorizing the expenditure of not to exceed \$12,000

from CDBG Fund 18532, Dept. 4112, Org. 1202, J.O.  
112592.

CITY MANAGER SUPPORTING INFORMATION:

The Alzheimer's Association of San Diego, a non-profit organization located at 8514 Commerce Avenue, and the Alzheimer's Association (National) were both founded in 1980. The San Diego Chapter operated on a volunteer basis until 1989. The Alzheimer's Association of San Diego provides services to families affected by Alzheimer's Disease. The services include a Helpline that averages over 200 calls a month, 28 support groups serving San Diego County, a special program for "early stage" Alzheimer's victims, annual educational conferences and seminars, a mobile library, and an in-office library for information to professionals and the community.

The Alzheimer's Association is proposing to design and renovate its existing office building to improve their services and office functions. On February 5, 1996, City Council adopted Resolution No. R-286885 authorizing the expenditure of \$16,500 of FY 1996 CDBG Funds for this project. On April 23, 1996, City Council adopted Resolution No. R-287238 granting an additional \$12,000 of Fiscal Year 1997 CDBG Funds for this project. This action will allow the \$12,000 to be used for this project.

Aud. Cert. 9700473.

FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-110:

SUBJECT: First Amendment to the Agreement with Helix  
Environmental Planning, Inc. for Otay Mesa Road  
Widening.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-564) ADOPTED AS RESOLUTION R-288119

Authorizing a first amendment to the agreement with Helix Environmental Planning, Inc., for an additional \$23,909 for the Otay Mesa Road Widening, CIP-52-619.0;

Authorizing the expenditure of not to exceed \$23,909 from CIP-52-619.0, Trans Bond Fund No. 30302, for providing funds for additional studies for Otay Mesa Road.

CITY MANAGER SUPPORTING INFORMATION:

The Otay Mesa Road Widening Project provides for the design and construction of a six-lane conventional highway street with right and left turn pockets at identified intersections, from the easterly terminus of State Route 905 to Harvest Road. The project includes the use of concrete median barriers and stamped concrete medians along selected portions of the road. The project length is approximately 5.2 miles.

Helix Environmental Planning, Inc., has been previously retained for the preparation of an Environmental Impact Report for the widening of Otay Mesa Road. This action was approved on February 13, 1996 by the City Manager and is on file in the City Clerk's Office as Document No. C-06889. This amendment will provide for additional technical studies and revision to the Final EIR to include the planned expansion of La Media and Heritage Roads required as a result of the intersection improvements.

Aud. Cert. 9700493.

FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-111:

SUBJECT: First Amendment to the Agreement with San Diego Center  
for Children.

(Linda Vista Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-496) ADOPTED AS RESOLUTION R-288120

Authorizing a first amendment to the agreement with San  
Diego Center for Children, for design and construction  
of its center at 3002 Armstrong Street;

Authorizing the expenditure of an amount not to exceed  
\$44,324 from CDBG Fund 18532, Dept. 4112, Org. 1226,  
Job Order 112414.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Center for Children is a non-profit agency that  
provides residential and non-residential services for severely  
and emotionally disturbed and abused children. On May 13, 1996,  
the City Council adopted Resolution R-287291, authorizing the  
expenditure of \$350,000 for design and construction of site  
improvements to its building which is currently under  
construction and remodel and site improvements of a moved on  
building currently being installed. The site improvements  
include construction of a parking lot, landscaping and playground  
equipments, site concrete sidewalks, and fencing.

Remodel of the moved on building includes construction of four  
classrooms on the first floor, addition of an elevator to comply  
with Americans with Disability Act (ADA), upgrade of electrical  
transformer and sewer connection. On April 23, 1996, the City  
Council adopted Resolution R-287238 granting an additional  
\$44,324 of CDBG Funding for this project. This action will allow  
the additional \$44,324 to be used for this purpose.

Aud. Cert. 9700441.

FILE LOCATION: MEET CONFY97-1



COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-112:

SUBJECT: Surge Tank for Reclaimed Water Distribution System.

(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-570) ADOPTED AS RESOLUTION R-288121

Authorizing the City Manager to enter into negotiations with C.E. Wylie Construction Company for Change Order No. 3 in connection with the surge tank for the Northern Reclaimed Water Distribution System, in an amount not to exceed \$685,000, and when negotiated, to further authorize the execution of Change Order No. 3;

Authorizing the expenditure of not to exceed \$685,000 from Sewer Fund No. 41509, CIP-42-910.1, North City Water Reclamation Plant, 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.

CITY MANAGER SUPPORTING INFORMATION:

An extensive hydraulic analysis was performed during the design development of the Northern Reclaimed Water Distribution System. This hydraulic analysis was recently updated based on the addition of several thousand feet of off-backbone pipelines to distribute reclaimed water to more customers. The results of

this analysis indicated the need for the construction of a surge tank at the NCWRP.

The surge tank will entirely eliminate the formation of vapor cavities and high transient pressures that could severely damage the pump station and the distribution system. The tank and the ancillary equipment will be installed below grade in a concrete vault west of the effluent pump station. The tank is cylindrical in shape, 8 feet in diameter and 31 feet long with a volume of 1,720 cubic feet. The design for the surge tank has been completed and a construction permit has been obtained. The total estimated cost of this change order will not exceed \$685,000.

Aud. Cert. 9700500.

FILE LOCATION: CONT - C.E. Wylie Construction Company  
CONFY97-1

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-113:

SUBJECT: Metro Biosolids Center - Centrifuge Dewatered Biosolids Storage Facility.

(NAS Miramar. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-571) ADOPTED AS RESOLUTION R-288122

Approving Change Order No. 9, with Nielsen-Dillingham Builders, dated 8/12/96, for additional construction for Metro Biosolids Center - Centrifuge Dewatered Biosolids Storage Facility, increasing the contract price by \$203,205;

Authorizing the expenditure of not to exceed \$203,205

from Fund No. 41509, CIP-42-911.4, Metro Biosolids Center, 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:

City Council Resolution R-285584 authorized the City Manager to execute a contract with the lowest responsible bidder for the Centrifuge/Dewatering Biosolids Storage (CDBS) facility construction package at the Metro Biosolids Center at NAS Miramar. Change Order No. 9 includes changes to the electrical work necessary to support a more automated standardized instrumentation and control system and provides a 1-inch natural gas service to the laboratory in the CDBS facility.

Aud. Cert. 9700501.

FILE LOCATION:           CONT - Nielsen-Dillingham Builders  
                              CONFY97-1

COUNCIL ACTION:         (Tape location:   A229-290.)

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

\* ITEM-114:

SUBJECT: Conflict of Interest Code for the Office of the City Attorney.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-97-318)    ADOPTED AS RESOLUTION R-288123

Adopting the revised Conflict of Interest Code for the Office of the City Attorney.

FILE LOCATION:           MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-115:

SUBJECT: Conflict of Interest Code for the City Auditor and  
Comptroller.

CITY AUDITOR'S RECOMMENDATION:

Adopt the following resolution:

(R-97-367 Cor. Copy) ADOPTED AS RESOLUTION R-288124

Adopting the revised Conflict of Interest Code for the  
Office of the City Auditor and Comptroller.

SUPPORTING INFORMATION:

The original Conflict of Interest Code for the City Auditor and  
Comptroller was adopted by Council Resolution No. R-280602, on  
September 14, 1992, as required by the Political Reform Act  
(Government Code 81000 et seq.). The City Auditor and  
Comptroller's Conflict of Interest Code has been revised to  
reflect changes in the law and regulations and to update the  
designated positions required to disclose economic interests.  
This revision is also intended to conform to:

- a) Government Code 87306.5 requiring biennial review and update  
of local conflict of interest codes, as reflected in City  
Council Resolution No.  
R-287479, adopted on June 10, 1996; and
- b) The Fair Political Practices Commission newly adopted  
regulation, 2 Cal. Code of Reg. Section 18730, which  
contains the terms of a standard conflict of interest code.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-116:

SUBJECT: Amendment to the Conflict of Interest Code for the  
Centre City Development Corporation.

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-97-554 Rev.) ADOPTED AS RESOLUTION R-288125

Adopting the revised Conflict of Interest Code for the  
Centre City Development Corporation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-117:

SUBJECT: Revised Conflict of Interest Code for the San Diego  
Convention Center Corporation.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-97-566) ADOPTED AS RESOLUTION R-288126

Adopting the Revised Conflict of Interest Code for the  
San Diego Convention Center Corporation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-118:

SUBJECT: Conflict of Interest Code for the City Council  
Departments and Council Administration.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following resolution:

(R-97-365) ADOPTED AS RESOLUTION R-288127

Adopting the revised Conflict of Interest Code for the  
City Council Departments and Council Administration.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-119:

SUBJECT: Conflict of Interest Code for San Diego Data Processing  
Corporation.

SAN DIEGO DATA PROCESSING CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-97-580) ADOPTED AS RESOLUTION R-288128

Adopting the revised Conflict of Interest Code for San Diego Data Processing Corporation.

SUPPORTING INFORMATION:

The Conflict of Interest Code for San Diego Data Processing Corporation was previously adopted by Council as required by the Political Reform Act (Government Code 81000 et seq.). San Diego Data Processing's Conflict of Interest Code has been revised to reflect changes in the law and regulations, and to update the designated positions required to disclose economic interests. This code was previously revised and reflected in Council Resolution R-285034 on December 5, 1994. The Conflict of Interest Code has been reviewed and approved by the San Diego Data Processing Corporation Board of Directors and other affected employees, and is hereby submitted for approval to the sole member of the Corporation, the City of San Diego, acting by and through the City Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-120:

SUBJECT: Revised Conflict of Interest Code for the Emerging Technologies Seed Capital Fund (EMTEK).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-553) ADOPTED AS RESOLUTION R-288129

Adopting the Revised Conflict of Interest Code for the Emerging Technologies Seed Capital Fund (EMTEK).

CITY MANAGER SUPPORTING INFORMATION:

The original Conflict of Interest Code for the EmTek Seed Capital Fund was adopted by Council Resolution R-284768, on October 17, 1994, as required by the Political Reform Act (Gov't Code 81000 et seq.). The EmTek Capital Seed Fund's Conflict of Interest Code has been revised to reflect changes in the law and regulations and to update the designated positions required to disclose economic interest. This revision is also intended to conform to Government Code 87306.5 requiring biennial review and update of local conflict of interest codes, as reflected in City Council Resolution No. R-287479 adopted on June 10, 1996.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-121:

SUBJECT: Conflict of Interest Code for the Office of the Mayor.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-97-371 Cor. Copy) ADOPTED AS RESOLUTION R-288130

Adopting the revised Conflict of Interest Code for the Office of the Mayor.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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



\* ITEM-122:

SUBJECT: Comprehensive Conflict of Interest Code for the City's  
Land Use Boards and Commissions.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-97-568) ADOPTED AS RESOLUTION R-288131

Adopting a Comprehensive Conflict of Interest Code for  
the City's Land Use Boards and Commissions.

SUPPORTING INFORMATION:

On February 13, 1995, the San Diego City Council adopted O-18162, which in part amended SDMC Sec. 26.0106, "Members of Land Use Boards and Commissions," to require land-use boards and commissions to adopt conflict of interest codes with a narrowly defined scope of disclosure as delineated in SDMC Sec. 26.0106. On March 20, 1995, Council adopted R-285467, adopting new or revised conflict of interest codes for each of the below-named boards and commissions, incorporating the requirements of SDMC 26.0106:

Agricultural Board  
Crest Canyon Park Reserve Advisory Committee  
Grading Advisory Board  
Historical Site Board  
La Jolla Shores Planned District Advisory Board  
La Jolla Underwater Park Advisory Committee  
Los Penasquitos Canyon Preserve Task Force  
Mission Trails Regional Park Task Force  
Old Town San Diego Planned District Design Review Board  
Relocation Appeals Board  
Tecolote Canyon Citizen Advisory Board  
Tecolote Canyon Natural Park Task Force  
Wetlands Advisory Board

Because the filing requirements are mandated by SDMC Section 26.0106, they are the same for each land-use board and commission. The present individual codes are unnecessarily duplicative. This action will replace the individual codes with one comprehensive code.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-123:

SUBJECT: Conflict of Interest Code for the Community and  
Neighborhood Services Business Center.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-97-544) ADOPTED AS RESOLUTION R-288132

Adopting a Conflict of Interest Code for the Community  
and Neighborhood Services Business Center.

SUPPORTING INFORMATION:

The newly created Community and Neighborhood Services Business Center is comprised of the Park and Recreation Department, the Library Department, and the Community and Economic Development Department, the latter of which is now comprised of the former Planning Department, Neighborhood Code Compliance, Redevelopment Agency, Economic Development Program, Community Services Program, Human Relations Commission, Arts and Culture Program and the Transportation Planning Division of the former Engineering Department.

The conflict of interest code for the Park and Recreation Department was last revised through R-284818, adopted October 31, 1994.

The conflict of interest code for the Library Department was last revised through R-285027, adopted December 5, 1994.

The conflict of interest codes for the various entities now comprising the Community and Economic Development Department were

last revised through resolutions as follows:

Manager - R-285017, adopted December 5, 1994;

Planning - R-284903, adopted November 14, 1994;

Neighborhood Code Compliance - R-285029 adopted December 5, 1994;

Engineering - R-285021, adopted December 5, 1994.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wear.

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

\* ITEM-124:

SUBJECT: Conflict of Interest Code for the Public Works Business Center.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-97-567) ADOPTED AS RESOLUTION R-288133

Adopting a Conflict of Interest Code for the Public Works Business Center.

CITY CLERK SUPPORTING INFORMATION:

The newly created Public Works Business Center is comprised of the following departments: Engineering & Capital Projects; Environmental Services; Metropolitan Wastewater; Real Estate Assets; Transportation; and Water Utilities. The Conflict of Interest Code for Engineering & Capital Projects was last revised through Resolution No. R-285021, adopted December 5, 1994. The Conflict of Interest Code for Environmental Services was last revised through Resolution No. R-285022, adopted December 5, 1994. The Conflict of Interest Code for Metropolitan Wastewater was last revised through Resolution No. R-284777, adopted October 17, 1994. The Conflict of Interest Code for Real Estates Assets was last revised through Resolution No. R-285032, adopted December 5, 1994. The Conflict of Interest Code for

Transportation (General Services) was last revised through Resolution No. R-284873, adopted November 7, 1994. The Conflict of Interest Code for Water Utilities was last revised through Resolution No. R-286489, adopted October 31, 1995.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-125:

SUBJECT: Conflict of Interest Code for the San Diego City Employees' Retirement System.

SAN DIEGO CITY EMPLOYEES' RETIREMENT SYSTEM'S RECOMMENDATION:

Adopt the following resolution:

(R-97-364) ADOPTED AS RESOLUTION R-288134

Adopting the revised Conflict of Interest Code for the San Diego City Employees' Retirement System.

SUPPORTING INFORMATION:

The Political Reform Act of 1974 (Government Code Section 87300, et. seq.) requires all agencies to prepare and submit for approval a Conflict of Interest Code to the City Council. On July 20, 1977, Council approved the Conflict of Interest Code for the Retirement Department. The Conflict of Interest Code has been amended to reflect organization changes. This amendment updates Exhibit A of the Code. This exhibit lists the duties and categories of those designated positions, the incumbents of which are required to submit Conflict of Interest Statements.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-126:

SUBJECT: Two actions related to Appointing Chairpersons for  
Standing Committees and Deputy Mayor.

(See Committee Consultant Report RULES-96-4 and  
memorandum from Mayor Golding dated 11/15/96.)

TODAY'S ACTION IS:

Adoption of the following resolutions:

Subitem-A: (R-97-559) ADOPTED AS RESOLUTION R-288135

Selecting Councilmember Barbara Warden as Deputy Mayor  
for the City Council for the period commencing December  
2, 1996 and ending November 30, 1997, pursuant to  
Section 25 of the City Charter.

Subitem-B: (R-97-556) ADOPTED AS RESOLUTION R-288136

Appointing the following Councilmembers to serve as  
chairpersons of the four standing Council committees  
for terms commencing December 2, 1996 and ending  
November 30, 1997, pursuant to the Municipal Code  
Section 22.0101, as amended, as follows:

COMMITTEE	CHAIRPERSON
Committee on Rules, Finance and Intergovernmental Relations	Mayor Susan Golding
Committee on Public Safety and Neighborhood Services	George Stevens
Committee on Natural Resources and Culture	Harry Mathis
Committee on Land Use and Housing	Byron Wear

RULES COMMITTEE'S RECOMMENDATION:

On 11/18/96, RULES voted 5-0 to accept Mayor Golding's recommendation for Deputy Mayor and Standing Committee Chairpersons and forward to Council for approval. (Councilmembers Mathis, Kehoe, Warden, Stallings and Mayor Golding voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-127:

SUBJECT: Appointing Committee Members for Standing Committees.

(See Committee Consultant Report RULES-96-5.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-97-557) ADOPTED AS RESOLUTION R-288137

Accepting the Appointment Order of the Rules Committee, appointing the following Councilmembers to Standing Committees, for terms commencing December 2, 1996 and ending November 30, 1997:

Committee on Rules, Finance & Intergovernmental Relations:

Barbara Warden - Vice Chairperson  
Harry Mathis  
George Stevens  
Byron Wear

Committee on Natural Resources and Culture:

Christine Kehoe - Vice Chairperson  
Judy McCarty  
Juan Vargas  
Valerie Stallings

Committee on Land Use and Housing:

Harry Mathis - Vice Chairperson  
Christine Kehoe  
Juan Vargas  
George Stevens

Committee on Public Safety and Neighborhood  
Services:

Byron Wear - Vice Chairperson  
Valerie Stallings  
Judy McCarty  
Barbara Warden

RULES COMMITTEE'S RECOMMENDATION:

On 11/18/96, RULES voted 5-0 to approve Mayor Golding's recommendations for Council membership to the four Standing Committees and forward to full Council for approval. (Councilmembers Mathis, Kehoe, Warden, Stallings and Mayor Golding voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-128:

SUBJECT: Appointing Council Representatives to Outside Organizations.

(See memorandum from Mayor Golding dated 11/15/96.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-97-558 Cor.Copy) ADOPTED AS RESOLUTION R-288138

Appointing the following persons to serve as Council Representatives and Council Liaisons and their Alternates to organizations listed below for the period commencing December 2, 1996 and ending November 30, 1997:

1. ADAPT BOARD OF DIRECTORS  
Byron Wear - Representative
2. ARJIS BOARD OF DIRECTORS  
Christine Kehoe - Representative  
Valerie Stallings - Alternate
3. CITIES ADVISORY COMMITTEE TO LAFCO  
Judy McCarty - Representative
4. CRIMINAL JUSTICE COUNCIL  
Juan Vargas - Representative  
Byron Wear - Alternate
5. ECONOMIC DEVELOPMENT CORPORATION  
Mayor Susan Golding - Representative  
Barbara Warden - Alternate  
Christine Kehoe - Alternate
6. LEAGUE OF CITIES, SAN DIEGO COUNTY DIVISION  
Christine Kehoe - Representative
7. LOCAL AGENCY FORMATION COMMISSION  
Harry Mathis - Representative  
Juan Vargas - Alternate
8. LOS PENASQUITOS CANYON PRESERVE TASK FORCE  
Harry Mathis - Representative  
Barbara Warden - Representative
9. METROPOLITAN TRANSIT DEVELOPMENT BOARD  
Juan Vargas - Representative  
Judy McCarty - Alternate  
Valerie Stallings - Representative & Executive  
Board  
Barbara Warden - Alternate



- George Stevens - Representative
- Byron Wear - Alternate
- Harry Mathis - Representative
- Christine Kehoe - Alternate
  
- 10. MISSION TRAILS REGIONAL PARK TASK FORCE
  - Judy McCarty - Representative
  - Barbara Warden - Representative
  
- 11. OTAY RIVER VALLEY TRANSPORTATION STUDY
  - Juan Vargas - Representative
  - Byron Wear - Alternate
  
- 12. PARK AND RECREATION BOARD
  - Judy McCarty - Representative
  
- 13. PORT COMMISSION
  - Barbara Warden - Representative
  - Juan Vargas - Alternate
  
- 14. REINVESTMENT TASK FORCE
  - George Stevens - Representative
  
- 15. SANDAG AVIATION POLICY ADVISORY COMMITTEE
  - Harry Mathis - Representative
  - Valerie Stallings - Representative
  - Byron Wear - Alternate
  
- 16. SANDAG BAY SHORE BIKEWAY POLICY COMMITTEE
  - Byron Wear - Representative
  
- 17. SANDAG BOARD
  - Christine Kehoe - Representative
  - Barbara Warden - Alternate
  - Juan Vargas - Alternate
  
- 18. SANDAG SHORELINE EROSION COMMITTEE
  - Harry Mathis - Representative
  
- 19. SAN DIEGO CONSORTIUM AND PRIVATE INDUSTRY COUNCIL
  - Mayor Susan Golding - Representative
  - George Stevens - Alternate
  - Harry Mathis - Representative
  - Barbara Warden - Alternate
  
- 20. SAN DIEGO DATA PROCESSING CORPORATION

Judy McCarty - Representative

21. SAN DIEGO TROLLEY ADVISORY BOARD  
Byron Wear - Representative  
George Stevens - Representative  
Barbara Warden - Representative  
Harry Mathis - Representative
22. SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE  
PARK JOINT POWERS AUTHORITY  
Barbara Warden - Representative  
Christine Kehoe - Alternate  
Harry Mathis - Representative  
Valerie Stallings - Alternate
23. SENIOR CITIZENS ADVISORY BOARD  
Byron Wear - Representative  
Christine Kehoe - Alternate
24. SERVICE AUTHORITY FOR FREEWAY EMERGENCIES (SAFE)  
Juan Vargas - Representative  
Harry Mathis - Representative
25. SMALL BUSINESS ADVISORY BOARD  
Christine Kehoe - Representative
26. SOUTHEAST ECONOMIC DEVELOPMENT CORPORATION  
George Stevens - Representative
27. STADIUM AUTHORITY  
Valerie Stallings - Representative  
Christine Kehoe - Alternate
28. TRANSNET SUBCOMMITTEE  
Barbara Warden - Representative

RULES COMMITTEE'S RECOMMENDATION:

On 11/18/96, RULES voted 5-0 to approve Mayor Golding's recommendations for Council appointment to Outside Organizations and forward to Council for approval. (Councilmembers Mathis, Kehoe, Warden, Stallings and Mayor Golding voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

\* ITEM-129:

SUBJECT: 1997 Legislative Calendar for January and February.

INTERGOVERNMENTAL RELATIONS DEPARTMENT'S RECOMMENDATION:

Adopt the following resolution:

(R-17-612 Rev.) ADOPTED AS AMENDED AS RESOLUTION  
R-288139

Adopting the Legislative Calendar of meetings of the  
City Council and Standing Committees of the City  
Council for the months of January and February 1997.

NOTE: This item was reviewed at the Rules Committee  
Meeting of November 25, 1996, and forwarded to Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

CONSENT MOTION BY STALLINGS TO ADOPT THE RESOLUTION AND  
ACCEPT MAYOR GOLDING'S RECOMMENDATION TO CANCEL THE MEETINGS  
OF JANUARY 6, 1997, AND JANUARY 7, 1997, AND ACCEPT COUNCIL  
MEMBER KEHOE'S RECOMMENDATION TO KEEP THE NATURAL RESOURCES,  
CULTURE & THE ARTS COMMITTEE MEETING ON JANUARY 8, 1997.  
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-150:

SUBJECT: Draft Request for Proposals for the Joint Procurement  
of the City's Emergency Medical and Medical  
Transportation Services.

(See City Manager Report CMR-96-239.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-97-590 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-288140  
(Cor.Copy 01/06/97)

Approving the Draft Request for Proposals for the Joint Procurement of the City's Emergency Medical and Medical Transportation Services, with the following additions:

1. Reduce the extended response time penalty to 18 minutes.
2. Ensure that the Council has an accounting for all EMS System related revenues, including fines that the City receives.
3. Increase the reimbursement for disposable medical supplies that the contractor pays the City for each first responder patient contact from \$2.75 to \$3.50 with the provision to adjust for inflation utilizing the CPI.
4. Include language in the RFP that Incumbent paramedics may be offered the opportunity to work as EMTs until such time as a paramedic position becomes available.
5. Amend Sect. 1XF-Scoring Criteria to eliminate subitem C. Key Personnel (30 points) and add 10 points to Subitem A. Treatment of the Incumbent Paramedic Workforce, 10 points to Subitem B. Compensation & Benefits and add 10 points to subitem D. Diversity Training and Involvement Plan.
6. The provider may, as part of their proposal, provide reimbursement to the City to help offset the costs of the First Responder Program.

Directing the EMS System Oversight Board to conduct a response time analysis as well as a full system evaluation 6 months into the contract for months 3 to 6.

Authorizing the City Manager to proceed with the procurement process and make further modifications to the RFP as a result of the Pre-proposal Conference process as long as the modifications are not deemed substantive to the intent of the RFP;

Approving the recommended FY 1997 EMS System transition plan contained in the City Manager Report CMR-96-239, dated November 13, 1996;

Authorizing the transfer of \$655,000 from the General Fund Unallocated Reserve to the Allocated Reserve to be expended from the Allocated Reserve, as follows:

Amount	Fund	Dept.	Org.	Object Act.
\$544,000	100	120	2200	1400
\$ 18,000	100	120	2201	3222
\$ 36,000	100	120	2054	4222
\$ 22,000	100	120	2054	1100
\$ 15,000	100	120	2054	4141
\$ 20,000	100	120	2054	4222

Declaring that any revenues derived from financial penalties will be set aside in a special fund to cover systems needs or upgrades recommended by the EMS System Oversight Board and approved by the City Council;

Approving the proposed procurement time line with the provision that the final contract goes directly to the full Council for approval.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S  
RECOMMENDATION:

On 11/20/96, PS&NS voted 5-0 to adopt the Draft Request for Proposals for Emergency Medical Services and Medical Transportation Services with the additions listed above. (Councilmembers Wear, Kehoe, Stevens, McCarty and Vargas voted yea.)

Aud. Cert. 9700514.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A296-C444 / C483-533.)

MOTION BY KEHOE TO ADOPT THE RESOLUTION APPROVING THE MANAGER'S REPORT WHICH INCORPORATES THE RECOMMENDATIONS MADE IN COMMITTEE AS FOLLOWS: APPROVE THE RFP FOR JOINT PROCUREMENT OF THE CITY'S EMS SYSTEM WITH THE FOLLOWING ADDITIONS:

1. REDUCE THE EXTENDED RESPONSE TIME PENALTY TO 18 MINUTES;
2. ENSURE THAT THE COUNCIL HAS AN ACCOUNTING OF ALL EMS SYSTEM REVENUES, INCLUDING FINES;
3. INCREASE THE REIMBURSEMENT FOR DISPOSABLE MEDICAL SUPPLIES FROM \$2.75 TO \$3.50 WITH THE ADJUSTMENT FOR INFLATION USING THE CPI;
4. INCLUDE LANGUAGE IN THE RFP THAT INCUMBENT PARAMEDICS BE OFFERED THE OPPORTUNITY TO WORK AS EMT'S UNTIL SUCH TIME AS PARAMEDIC POSITIONS BECOME AVAILABLE;
5. PROVIDE GREATER DETAIL ON THE SCORING CRITERIA THAT IS IN THE RECORD;
6. THE PROVIDER MAY, AS PART OF THEIR PROPOSAL, PROVIDE REIMBURSEMENT TO THE CITY TO HELP OFFSET COSTS OF THE FIRST RESPONDER PROGRAM;
7. DIRECT THE SYSTEM OVERSIGHT BOARD TO CONDUCT A RESPONSE TIME ANALYSIS AND A FULL SYSTEM ANALYSIS SIX (6) MONTHS INTO THE NEW CONTRACT WITH PARTICULAR EMPHASIS ON MONTHS THREE (3) THROUGH SIX (6).
8. AUTHORIZE AND DIRECT THE MANAGER TO PROCEED WITH THE PROCUREMENT PROCESS AND MAKE FURTHER MODIFICATIONS TO THE RFP AS A RESULT OF THE PRE-PROPOSAL CONFERENCE AS LONG AS THE MODIFICATIONS ARE NOT DEEMED SUBSTANTIVE TO THE INTENT OF THE RFP COUNCIL ADOPTS HERE;
9. THE 1997 EMS SYSTEM TRANSITION PLAN WAS APPROVED, WITH THE MANAGER TO MAKE THE FIRE DEPARTMENT WHOLE IN THE FOURTH QUARTER INASMUCH AS THE \$655,000 CANNOT COME FROM THE GENERAL FUND;
10. ANY REVENUES DERIVED FROM FINANCIAL PENALTIES BE SET ASIDE IN A SPECIAL FUND TO COVER SYSTEM NEEDS OR UPGRADES AS RECOMMENDED BY THE SYSTEM OVERSIGHT BOARD AND APPROVED BY THE CITY COUNCIL;

11. APPROVE THE PROPOSED PROCUREMENT TIMELINE WITH THE PROVISION THAT THE FINAL CONTRACT GO DIRECTLY TO THE FULL CITY COUNCIL FOR APPROVAL.
12. AMEND THE RFP TO REFLECT THE CHANGE IN TERM FROM SIX (6) YEARS TO FIVE (5) YEARS.

ACCEPT COUNCIL MEMBER McCARTY'S RECOMMENDATION FOR THE CITY TO INITIATE AN INVESTIGATION INTO REZONES TO IMPROVE RESPONSE TIMES IN TIERRASANTA AND PARADISE HILLS.

ACCEPT MAYOR GOLDING'S RECOMMENDATION TO SEPARATE THE VOTE INTO TWO COMPONENTS. Second by Wear.

1. KEEP THE MONEY IN THE SYSTEM, NOT IN THE GENERAL FUND. Passed by the following vote: Mathis-nay; Wear-yea; Kehoe-yea; Stevens-nay; Warden;-nay; Stallings-yea; McCarty-yea; Vargas-yea; Mayor Golding-nay.
2. MAIN MOTION: Passed by the following vote: Mathis-yea; Wear-yea; Kehoe-yea; Stevens-yea; Warden;-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor Golding-yea.

MOTION BY VARGAS TO RECONSIDER THE FIRST COMPONENT. Second by Stallings. Passed by the following vote: Mathis-yea; Wear-yea; Kehoe-yea; Stevens-yea; Warden;-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor Golding-yea.

Motion to keep the money in the system, not in the general fund. Failed. Yeas-2378; Nays-1456M; not present-none.

MOTION BY McCARTY TO DEPOSIT THE MONEY IN THE GENERAL FUND, WITH DIRECTION TO THE MANAGER TO IDENTIFY IN THE BUDGET THE AMOUNT OF MONEY RECEIVED FROM FINES SO COUNCIL IS AWARE OF HOW MUCH WILL BE AVAILABLE SHOULD THEY CHOOSE TO PUT IT INTO THE SYSTEM. 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-200:

SUBJECT: Appointments to the San Diego Convention Center

Corporation Board of Directors.

(See memorandums from Mayor Golding dated 11/20/96 and 11/22/96 with resumes attached; memorandum from Councilmembers Vargas, Kehoe, and Stallings, dated 11/13/96; and memorandum from Councilmember McCarty dated 11/19/96.)

MAYOR GOLDING'S RECOMMENDATION:

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

NOMINEE	NOMINATED BY
Brian Seltzer	Mayor Susan Golding
Patrick Shea	Mayor Susan Golding
Gail Stoorza-Gill	Mayor Susan Golding
Maria Nieto Senour	Councilmembers Kehoe, Stallings & Vargas
Karima Zaki-Pope	Councilmember McCarty

TODAY'S ACTION IS:

(R-97-591) ADOPTED AS RESOLUTION R-288141

Adoption of a Resolution making four appointments:

Three appointments for three-year terms to expire on December 1, 1999; one appointment for a term expiring on December 1, 1998, replacing Su-Mei Yu, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C448-482/C534-D189.)

The first ballot was taken, and Clerk Fishkin announced the tally for Round 1: Seltzer-9; Senour-6; Shea-7; Stoorza-Gill-9; Zaki-Pope-5.

MOTION BY COMMON CONSENT TO CONFIRM THE APPOINTMENTS OF BRIAN SELTZER, PATRICK SHEA, GAIL STOORZA-GILL FOR THREE-YEAR TERMS ENDING ON DECEMBER 1, 1999. MARIA NIETO SENOUR WAS APPOINTED FOR A TERM ENDING DECEMBER 1, 1998. 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: COMNET Transfer of Funds.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-600) ADOPTED AS RESOLUTION R-288142

Authorizing the Auditor and Comptroller to amend the FY 97 CIP Program to increase CIP-42-912.4, Metro Biosolids Center, by the amount of \$5,300,000, through a transfer of excess grant fund eligibility from CIP-46-154.0, South Bay Land Outfall, pursuant to the Fiscal Year 1997 Appropriation Ordinance;

Authorizing the Auditor and Comptroller to transfer not to exceed \$5,300,000 within Fund No. 41509, from CIP-42-911.4, Metro Biosolids Center (MBC), to CIP-42-910.1, North City Water Reclamation Plant.

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, R-286787, R-287199, R-287200, R-287694, and R-287841 authorized the City Manager to amend Westinghouse's contract and phase funding in Amendments 2,3,4,5,6,7, and 8 respectively. In prior years, some COMNET costs related to specific facilities, for example the North City Water Reclamation Plant, were funded out of the central system-wide COMNET CIP Project. During preparation of the FY 1997 CIP Budget and on the advice of the City Auditor and Comptroller's Office, the decision was made to, wherever possible, budget all COMNET related expenditures in each specific benefitting facility CIP Budget. Exceptions were made for system-wide components. This action will transfer \$5.3 million in excess funds (made available through receipt of EPA grant

funds for this project) in the Metro Biosolids Center CIP to the North City Water Reclamation Plant (NCWRP) CIP so that COMNET expenditures related to the NCWRP and previously charged against the central COMNET CIP can be more appropriately billed against the NCWRP project. The transfer will also provide budget to the complete COMNET improvements at the NCWRP. In August 1996, \$5.3 million in surplus grant funds from the South Bay Land Outfall were awarded to the City by the EPA and State Water Resources Control Board to fund the Metro Biosolids Center Centrifuge Dewatered Biosolids Storage Facility. This award created an excess of funds in the Metro Biosolids budget that can now be used to cover expenses associated with COMNET expenditures related to the North City Water Reclamation Plant. This action will authorize the transfer of the excess funds and will also provide funding to complete the COMNET improvements at North City Water Reclamation Plant.

Aud. Cert. 9700488.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A229-290.)

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

ITEM-202:

SUBJECT: First Amendment to the Joint Participation Agreement for the Development and Utilization of Reclaimed Water.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-530) ADOPTED AS RESOLUTION R-288143

Authorizing an amendment to the Joint Participation Agreement of October 4, 1993, with the Metropolitan Water District of Southern California and the San Diego County Water Authority for the development and utilization of reclaimed water.

CITY MANAGER SUPPORTING INFORMATION:

At its August, 1995 meeting, the Metropolitan Water District of Southern California Board of Directors authorized amendment of existing financial assistance agreements under the Local Projects Program (LPP) to terms proposed for a new Local Resource Program (LRP). The terms of the amendment would be retroactive, effective September 1, 1995, and would remain in effect until the last day of the month in which the Board takes action authorizing the final form of the long-term LRP. Upon expiration of the amendment, agencies who do not wish to participate in the long-term LRP under the final terms adopted by the Board may opt to return to the terms of the LPP. Amendment is voluntary. Member agencies had until February 29, 1996 to notify Metropolitan of their intent to amend their existing LPP agreements to include temporary LRP terms. A letter dated February 15, 1996 from the Water Utilities Director was sent to the San Diego County Water Authority expressing our interest in participating in the conversion agreement. The deadline for amending the agreement is December 31, 1996. If the amendment is not executed, we then return to the original agreement. Please be aware that the Board may adopt and approve a long-term program in 1997. We expect that the long-term program will supersede this temporary program and will also allow conversion to the permanent Local Resources Program.

FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: C445-447.)

MOTION BY STEVENS 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 4:39 p.m. in honor of the memory of:

Diane Ward and Robert G. Mahon by Council Member Warden;

Victor Beltran by Council Member Vargas; and

Anthony Pecoraro and Dorothy Scott Mayo by Council Member McCarty.

FILE LOCATION:                   AGENDA

COUNCIL ACTION:               (Tape location: D279-D327).