

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JANUARY 27, 1997  
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 2:08 p.m.

City Manager McGrory introduced and welcomed the new Council Liaison, Les Carter. Mr. McGrory announced Les Carter served for four years in the United States Marine Corp. in 1974 to 1978 and returned to school completing his B.S. in Land Surveying and his B.A. in Business Administration. Mr. Carter started his employment with the City August of 1982 as a Survey Aide and has moved through each survey classification being promoted to his current position of Senior Land Surveyor in December of 1994. Mr. McGrory expressed Les has worked diligently to build an efficient Survey Team, and enthusiastically endorses a vision for the section which embraces the City Competition Program's challenge that "City employees be efficient, accountable, and professional."

Mayor Golding adjourned the meeting at 4:23 p.m. into Closed Session at 9:00 a.m. on Tuesday, January 28, 1997, in the twelfth floor conference room to discuss existing and anticipated 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 (pr)

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 Pastor David Kieffer of the  
Ascension Lutheran Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Kehoe.

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Congressman Bob Filner regarding San Diego's Air Quality, a lawsuit to be filed by the Citizens Group called M.A.R.C.H., a letter from the EPA movement of the helicopters that the Marines have planned for 1998 to the Miramar Marine Air Station. Mr. Filner expressed he felt the movement of the helicopters to Miramar would reclassify San Diego's air quality standards from serious to severe.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A034-075.)

ITEM-PC-2:

Comment by Richard Hertzberg regarding the helicopters, the Navy and the impact it could have on the air quality of San Diego. Mr. Hertzberg expressed the Navy claims they will be reducing carbon monoxide in San Diego by 500 tons as a result of the Miramar realignment. Mr. Hertzberg further expressed according to documentation the carbon monoxide level will be increased.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A076-099.)

ITEM-PC-3:

Vincent Godfrey commented on serving on the San Diego City Council 50 years ago and all the changes that have come

about since then such as the population of 357,000 in 1947 to 1.2 million today. Mr. Godfrey thanked all the Council Members and Mayor Golding for the great job they are doing.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A104-142.)

ITEM-PC-4:

Don Stillwell commented on Constitutional Law and elected officials who do not obey it.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A151-186.)

ITEM-PC-5:

Gardie Shine commented on false imprisonment and Civil Rights violations that have occurred within the San Diego Judicial System.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A189-221.)

ITEM-PC-6:

Art Salsberg commented on the Wonderbread shelter saying he felt it is a hovel unfit for human occupation.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A223-256.)

ITEM-PC-7:

Janessa Schaniel and Dan Martin representing the Student Council at Los Penasquitos Elementary School expressed because of invaluable service to the community of Rancho Penasquitos for 25 years, they are requesting a proclamation be given to Los Penasquitos Elementary School from the City.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A261-271.)

ITEM-PC-8:

William S. Wakefield expressed his concern over the numerous potholes in the City. Mayor Golding informed Mr. Wakefield that the City has doubled their budget this year for the repair of potholes and that a Special Hearing will be held in Rules Committee to address this issue.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A285-306.)

ITEM-PC-9:

Bob Ottilie commented on "Budget Impounds" and asked if any portion of the general fund or a specific account would be frozen.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A332-349.)

ITEM-PC-10:

Michael Aguirre requested respect for the Municipal Code and referred to section 27.2604 designed to preserve the rights of the people of San Diego to make an informed decision, and to the Corporate Welfare Program designed and voted for, as relating to the San Diego Chargers.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A349-381.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Wear informing Council and the public that he had a 72 hour hot-line in his office for reporting potholes.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A387-398.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

12/30/96 Adjourned  
12/31/96 Adjourned  
01/06/97 Adjourned  
01/07/97 Adjourned

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A308-324.)

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

ITEM-31:

SUBJECT: Jack Krasovich Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-97-737) ADOPTED AS RESOLUTION R-288266

Recognizing the outstanding contributions that Jack Krasovich has made during his 36 years of dedicated service to improving the lives of citizens of the City of San Diego;

Proclaiming Monday, January 27, 1997 to be "Jack Krasovich Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A328-465.)

MOTION BY MATHIS 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.

ITEM-32:

SUBJECT: Celebrating Lunar New Year.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-97-767) ADOPTED AS RESOLUTION R-288267

Joining the Vietnamese community in welcoming the Year of the Ox and recognizing the historical and traditional significance of celebrating the Lunar New Year.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A478-555.)

MOTION BY MATHIS 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.

\* ITEM-50:

SUBJECT: Ordinance Amendment Related to the Keeping of Fancy Pigeons.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 1/13/97.

(Council voted 9-0):

(O-97-48) ADOPTED AS ORDINANCE O-18378 (New Series)

Amending the San Diego Municipal Code by amending Chapter IV, Article 1, Section 41.01.16, and Chapter IV, Article 2, Sections 42.0708 and 42.0709, relating to Fancy Pigeons, to place fancy pigeons in the same category as racing and homing pigeons.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-51:

SUBJECT: Amending Municipal Code Section 86.26 - Parking on Parkways Prohibited.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as amended on 1/13/97. (Council voted 9-0):

(O-97-56) ADOPTED AS ORDINANCE O-18379 (New Series)

Amending Chapter VIII, Article 6, of the San Diego Municipal Code by amending Section 86.26, relating to Parking on Parkways, to permit parking of vehicles on parkways under certain conditions.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-52:

SUBJECT: Vietnamese Federation Community Center.

(Linda Vista Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-97-70) INTRODUCED, TO BE ADOPTED ON FEBRUARY 10, 1997

Introduction of an Ordinance authorizing the City Manager to execute a 50-Year Property Use Agreement with the Vietnamese Federation of San Diego;

Authorizing the expenditure of an amount not to exceed \$\$75,000 from CDBG Fund No. 18532;

Authorizing an agreement with Carol K. Stark and the Vietnamese Foundation of San Diego to extend for two years the due and payable date on the Private Note secured by the First Deed of Trust and waive the Due on Sale provision.

NOTE: 6 votes required pursuant to Section 99 of the City Charter. The public hearing is to remain open to allow for noticing prior to adoption of the ordinance.

CITY MANAGER SUPPORTING INFORMATION:

On July 25, 1994, City Council adopted Resolution R-284329, making available to the Vietnamese Federation of San Diego an amount not to exceed \$200,000 in CDBG Funds to assist the Federation in the purchase of a \$316,250 site. The property is located at 7833 Linda Vista Road and is used for a refugee/community center.

\$196,250 of the funds were used as the cash payment to the seller for acquisition of the site. Because these funds were CDBG monies, which cannot be gifted to the applicant/user, the City retained a corresponding interest in the property by way of a note in the amount of \$196,250, secured by a Deed of Trust. The balance of the purchase price \$120,000 was covered by two private purchase money Notes and Deeds of Trust which were assumed by the Federation. At the request of the Federation, the City Council has identified additional CDBG funds from FY 1997 to be used to assist in paying off the existing Purchase Money Notes in the following manner:

\$75,000 from FY 1997 would pay off the second purchase money Note and Deed of Trust and give the City a 25 percent interest in the property.

The Federation would then enter into a 50-Year Property Use Agreement with the City. An additional \$40,000 from FY 1998 would be required to pay off the first purchase money Note and Deed of Trust, and would give the City an additional 15 percent interest in the property. Council has tentatively agreed to this request and it is contingent on distribution of FY 1998 CDBG funds. By Council's approval of this action the City will acquire the aforementioned 25 percent equity interest in this property, reduce the remaining debt and further secure the City's position on its Note and Deed of Trust.

Aud. Cert. 9700629.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B004-164.)

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

ITEM-100: CONTINUED TO MONDAY, FEBRUARY 24, 1997

SUBJECT: First San Diego River Improvement Project (FSDRIP)  
Natural Resource Management Plan.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-725)

Adopting the First San Diego River Improvement Project (FSDRIP) Natural Resource Management Plan, dated November 1996.

CITY MANAGER SUPPORTING INFORMATION:

The First San Diego River Improvement Project (FSDRIP) is a 45-acre mitigation project located within San Diego's Mission Valley area along a 7,000-foot section of the San Diego River. FSDRIP is the mitigation required for a 100-year flood control project proposed by local land owners. Specifically, 26.8 acres of riparian woodland, 9.7 acres of freshwater marsh, and 8.7 acres of open water were required by the U.S. Army Corps of Engineers (Corps) and California Department of Fish and Game

(CDFG) to be planted and maintained in perpetuity within the project limits. Although, initially intended to be implemented under a partnership of owners who would benefit from the flood control, the City of San Diego took on final responsibilities for building and maintaining the project. A special tax assessment district was established to pay for project construction, monitoring, and maintenance activities. The flood control project was completed in 1988. The vegetation planted to meet mitigation requirements progressed well, and in 1995, the CORP Sand CDFG signed the project off as meeting success criteria. The Natural Resource Management Plan is the last requirement of the CORPS for final permit approval. The Natural Resource Management Plan outlines guidelines for perpetual project maintenance and management and for the monitoring of continued project success in meeting permit requirements.

FILE LOCATION: LAND - First San Diego River Improvement  
Project (FSDRIP)

COUNCIL ACTION: (Tape location: B004-164.)

CONSENT MOTION BY KEHOE TO CONTINUE THIS ITEM TO MONDAY,  
FEBRUARY 24, 1997 AT THE CITY MANAGER'S REQUEST FOR FURTHER  
REVIEW. Second by Warden. Passed by the following vote:  
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea,  
Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-101:

SUBJECT: Application for Local Law Enforcement Block Grant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-721) ADOPTED AS RESOLUTION R-288268

Authorizing the City Manager to apply for, accept and expend Local Law Enforcement Block Grant funds from the U. S. Department of Justice, Office of Community Oriented Policing Services, made available through the Crime Control and Law Enforcement Act of 1994, to be used for equipment to complete the Police Department's Automated Field Reporting and central Records Management system, and for five civilian staff positions to implement the system.

Authorizing the City Manager to execute all aspects of program operation including any amendment, extensions, or renewals for a period of up to five years, provided funding is made available by the United States Department of Justice, Office of Community Oriented Policing Services (COPS).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-102:

SUBJECT: COPS Universal Hiring Grant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-722) ADOPTED AS RESOLUTION R-288269

Authorizing the City Manager to apply for, accept and expend grant funds from the United States Department of

Justice, Office of Community Oriented Policing Services, under the Violent Crime Control and Law Enforcement Act of 1994, for the purpose of hiring 21 additional sworn police officers;

Crime Act hiring grants provide a total of \$75,000 per new officer over a three year period, and the City shall be responsible for the balance of costs associated with these officers, currently approximately \$80,000 over the three year period.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-103:

SUBJECT: Clean Water Act Section (319) Watershed Management Grant Application.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-686) ADOPTED AS RESOLUTION R-288270

Approving the filing of an application to the State of California's Water Resources Control Board for Federal Clean Water Act Section 319 funding under the Nonpoint Source Implementation Grant Program for the Famosa Slough Treatment Wetlands;

Authorizing the City Manager or his designated representative to take all necessary actions to secure grant funding, conduct all negotiations and submit all documents including, but not limited to: applications, amendments, payment requests, and environmental documents, which may be necessary for the completion of this project;

Authorizing the City Manager to accept and expend the funds if the grant is secured;

Authorizing the City Auditor and Comptroller to establish a separate interest bearing account for this project.

CITY MANAGER SUPPORTING INFORMATION:

On August 17, 1995, the Friends of Famosa Slough submitted a grant application to the State Water Resources Board for development of a treatment system for wetlands within the City's 37-acre wetland preserve.

In April 1996, staff of the Regional Water Resources Board notified the City that if the City took responsibility for being the lead on the project, the agency would provide \$126,000 in grant funding for the project. This action will allow the City to apply and secure grant funding.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-104:

SUBJECT: Transfer/Expenditure - North Torrey Pines Road -  
Genesee Avenue Subsystem.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-750) ADOPTED AS RESOLUTION R-288271

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$149,248.07 within Fund No. 41500, from CIP-70-922.0, Linda Vista Road Subsystem, to CIP-70-911.0, Genesee Avenue Subsystem;

Authorizing the expenditure of an amount not to exceed \$149,248.07 from Fund No. 41500, CIP-70-911.0, Genesee Avenue Subsystem for the purpose of funding additional work by West Coast General for the reclaimed water line on North Torrey Pines Road.

CITY MANAGER SUPPORTING INFORMATION:

Per Council Resolution R-285867, dated May 30, 1995, a portion of the Genesee Avenue Subsystem (CIP-70-911.0) was to be constructed along the North Torrey Pines Road/Genesee Avenue Reconstruction Project (CIP-52-471.0). Within that portion, additional work is necessary to provide reclaimed water to identified users. The construction of the reclaimed water service will be accomplished via change order, at a cost of \$149,248.07, to the North Torrey Pines Road/Genesee Avenue Reconstruction Project, which requires

the transfer of additional funds into the Genesee Avenue Subsystem CIP (the funding source). This project is included in the Interim Order issued by Federal Court dated August 28, 1994.

Aud. Cert. 9700671.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-105:

SUBJECT: Library Assistant Exchange with Edinburgh, Scotland.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-730 Cor.) ADOPTED AS RESOLUTION R-288272

Authorizing the City Manager to permit Maria R. Biondo-Longton, Library Assistant with the San Diego Public Library, to participate in a six month Library Assistant Exchange Program in Edinburgh, Scotland and to receive regular City wages and fringe benefits during that time.

CITY MANAGER SUPPORTING INFORMATION:

In February 1996, the Twinning Officer from Edinburgh, Scotland (a San Diego Sister City) contacted the Mayor's office regarding the possibility of a work exchange between a staff member from

the Edinburgh City Library and someone with a similar post in San Diego. The request was referred to San Diego Public Library. As a result, Amanda Kerr, Senior Library Assistant, Gilmoreton Library, has agreed to exchange with Maria R. Biondo-Longton, Library Assistant, Rancho Penasquitos Branch Library, for a period of six months beginning May 1, 1997. Each participant will remain an employee of their respective cities and their salaries will continue to be paid by their employer. San Diego will provide California workers' compensation coverage to the exchange employee, under the City's self-insured workers' compensation program, and Edinburgh will do the same for our San Diego employee. Letters of intent have been exchanged between the two City Librarians. A San Diego City Council Resolution is necessary to proceed.

Having participated in a number of staff exchanges in the past, the Library Department is eager to participate in this cross-cultural exchange opportunity. Both the staff members involved in the exchange as well as the two library systems will benefit from the knowledge and experiences shared. Encountering new ideas and the differences in how the two cities provide library service will enhance the operations of both.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-106:

SUBJECT: Reclaimed Water Distribution System - Miramar Road  
Subsystem Extension.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-728) ADOPTED AS RESOLUTION R-288273

Authorizing a second amendment to the agreement of June 6, 1994, with Camp Dresser McKee, Inc., for design services in connection with the Miramar Road Subsystem Extension;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$100,000 within Fund 41500, from CIP-70-921.0, Scripps Poway Parkway Subsystem, to CIP-70-916.0, Miramar Road Subsystem Extension;

Authorizing the expenditure of an amount not to exceed \$100,000 from Fund 41500, CIP-70-916.0, Miramar Road Subsystem Extension.

CITY MANAGER SUPPORTING INFORMATION:

On June 6, 1994, the City Council approved the agreement between the City and Camp Dresser McKee, Inc., to provide Design Services for the Miramar Road Subsystem Extension (R-284030). On March 20, 1995, the City Council approved Amendment No. 1 between the City and Camp Dresser McKee, Inc., for additional design services for the Miramar Road Subsystem Extension (R-285480). This amendment is requested to increase the number of submittal reviews in the project's scope of work. To ensure quality construction, Camp Dresser McKee is required to review more submittals than anticipated in the original scope of work. The funding provided by this amendment to Camp Dresser McKee's

contract will ensure support from the designer during construction. The total estimated cost of this amendment will not exceed \$100,000; the new agreement total is \$1,035,000. This project is included in the Interim Order issued by Federal Court dated August 28, 1994.

Aud. Cert. 9700605.

FILE LOCATION: MEET CCONFY97-1

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-107:

SUBJECT: Unified San Diego County Emergency Services  
Organization.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-754) ADOPTED AS RESOLUTION R-288274

Authorizing a Fourth Amended Emergency Services Agreement with the County Emergency Services Organization, including the City of San Diego, to facilitate planning and disaster preparedness activities, in the event of multi-jurisdictional emergencies or disasters.

CITY MANAGER SUPPORTING INFORMATION:

The Unified San Diego County Emergency Services Organization exists to facilitate planning and disaster preparedness activities, ensuring the execution of plans, programs, and mutual aid assistance in the event of multi-jurisdictional emergencies or disasters. In 1991 eighteen other local member entities and the County of San Diego executed a Fourth Amended Emergency Services Agreement. On July 1, 1996, the City of San Diego committed to full membership in the Unified San Diego County Emergency Services Organization, and will join as a signatory on the existing amended agreement. The yearly membership share of \$107,396 is budgeted in Citywide Program Expenditures.

Aud. Cert. 9700663.

FILE LOCATION: MEET TB( CONTFY97-1

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-108:

SUBJECT: Agreement with Louisiana-Pacific Corporation for the Purchase of Recycled Paper.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-718) ADOPTED AS RESOLUTION R-288275

Authorizing an agreement with Louisiana-Pacific Corporation, to purchase old newspaper, telephone books and mixed paper collected by the City's recycling program, for a five-year period.

CITY MANAGER SUPPORTING INFORMATION:

Louisiana-Pacific Corporation produces a cellulose insulation product in which recovered paper (primarily old newspaper) is shredded and treated with a chemical fire retardant, then sold to contractors for use as insulation in new and existing buildings. A contract with Louisiana-Pacific will support a local market for the City of San Diego's curbside Recycling Program, which services approximately 82,000 homes and collects an average of 850 tons of old newspaper and 550 tons of mixed paper each month. This contract will also support a local market for paper from other local recycling programs. Also, by contracting directly with this business, the City will increase the net revenue generated by the City's curbside recycling program by reducing processing and transporting costs of the material supplied to the Louisiana-Pacific facility. This will be the City of San Diego's second contract with Louisiana-Pacific Corporation for the purchase of old newspaper, mixed paper and telephone books. The first contract expired August 5, 1996, and the City has negotiated a new five year contract. Under the terms of this agreement, Louisiana-Pacific Corporation agrees to pay \$40 per ton for 700 tons of old newspaper delivered monthly to their facility at 7825 Trade Street, San Diego, CA 92121. Louisiana-Pacific has the option to purchase additional tonnages of old newspapers at \$40 per ton. They also have the option to purchase mixed paper and telephone books at a mutually agreed upon price.

FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-109:

SUBJECT: Kids' Copy Operating Agreement.

(Lincoln Park (South East San Diego) Community Area.  
Districts-3, 4, 7 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-741) ADOPTED AS RESOLUTION R-288276

Authorizing an agreement with Kids' Copy, for economics, community empowerment, job training activities, and operation of the Tubman/Chavez Community Center;

Authorizing the expenditure of an amount not to exceed \$300,000 from CDBG Fund 18532, Dept. 4121, Org. 2105.

CITY MANAGER SUPPORTING INFORMATION:

This action authorizes the 1996 CDBG allocation for Kids' Copy Administration and the operation of the center at 415 Euclid Avenue. The center will be staffed and administered by the tenant, Kids' Copy, and this agency's budget and scope of service agreement includes building renovation and project Gold Star's responsibilities.

Aud. Cert. 9700604.

FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-110:

SUBJECT: First Amendment to the Agreement with Union of Pan Asian Communities (UPAC).

(Golden Hills Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-723) ADOPTED AS RESOLUTION R-288277

Authorizing a first amendment to the agreement with Union of Pan Asian Communities (UPAC), for the design and the construction of their facilities at 1031 25th Street;

Authorizing the expenditure of not to exceed \$67,000 from CDBG Fund 18532, Dept. 4112, Org. 1234, J.O. 112593.

CITY MANAGER SUPPORTING INFORMATION:

The Union of Pan Asian Communities (UPAC) is a multilingual, multiethnic nonprofit organization established primarily to meet the existing and emerging needs of Asians, Pacific Islanders, and other ethnic communities in San Diego County. The primary purpose of UPAC is to improve the general well being and

education of the Asian, Pacific Islanders and other ethnic communities. It provides health promotion information, disease prevention, communications and understanding, provides affordable housing, provides technical assistance and supportive services for these communities. UPAC is proposing to replace the existing leaking roof at its office building, repair the heating, ventilation and air conditioning system (HVAC), and provide drainage and general repair to the building. On February 12, 1996, City Council adopted Resolution R-286923, authorizing the expenditure of \$65,000 of Fiscal Year 1996 CDBG Funds for this project. On April 23, 1996, Council adopted Resolution R-287238, granting an additional \$67,000 of Fiscal Year 1997 CDBG Funds for this project. This action will the additional \$67,000 to be used for this purpose.

Aud. Cert. 9700622.

FILE LOCATION: MEET TbCCONTFY97-1

COUNCIL ACTION: (Tape location: B004-164.)

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

ITEM-111:

SUBJECT: Agreement with Blue Cross of California for Group Health Insurance.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-644) ADOPTED AS RESOLUTION R-288278

Authorizing an agreement with Blue Cross of California to provide group health insurance for a one-year period beginning August 1, 1996 through July 31, 1997 with a premium rate as follows:

	Employee Only City Paid	One Dependent Employee Paid	Two+ Dependents Employee Paid
Blue Cross			
California Care	\$1,584	\$1,758	\$3,225
Blue Cross Plus	\$2,427	\$2,650	\$4,765
Prudent Buyer			
\$1,000 Deductible	\$1,478	\$1,713	\$3,425
Working Spouse	\$ 267	--	--

Authorizing the expenditure of not to exceed \$5,288,666 from Fund 60020, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

The City provides varied types of health insurance coverage to active employees and their dependents through the self-insured Citymed plans offered and administered by Blue Cross of California. Retired employees and their dependents are covered through a fully insured agreement by Blue Cross of California. Limited acupuncture benefits were added to the California Care plan in FY 1997. The term of the agreement is extended from August 1, 1996 through July 31, 1997. The annual rates for FY 1997 for active employees are as follows:

	Employee	One Dependent	Two+ Dependents	% Change
California Care	\$1,584	\$1,758	\$3,255	0
Blue Cross Plus	\$2,427	\$2,650	\$4,765	0
Prudent Buyer				
\$1,000 Deductible	\$1,478	\$1,713	\$3,425	0
Working Spouse	\$ 267	--	--	0

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

Aud. Cert. 9700525.

FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: C494-D140.)

MOTION BY MATHIS TO ADOPT THE RESOLUTIONS FOR ITEMS 111, 112, AND 113. 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: Extension of the Agreement with Kaiser Foundation Health Plans, Inc. for Group Health Insurance.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-631) ADOPTED AS RESOLUTION R-288279

Authorizing an extension of the agreement with Kaiser Foundation Health Plans, Inc., for health insurance for a one-year period beginning August 1, 1996 through July 31, 1997;

Declaring that the monthly premium rate will be as follows:

Employee Only	\$136.28
One Dependent	\$136.28
Two or More Dependents	\$270.88

Authorizing the Auditor and Comptroller to transfer not to exceed \$7,979,519 from Fund 60022, Object Account 9544 for the purpose of providing funds for the execution of the agreement.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego provides the Kaiser Health Plan, a health insurance maintenance organization (HMO), to active and retired employees and their dependents. The health insurance coverage and rates remain unchanged from the current year. The monthly rates are as follows:

Employee Only	\$136.28
One Dependent	\$136.28
Two or More Dependents	\$270.88

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

Aud. Cert. 9700478.

FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: C494-D140.)

MOTION BY MATHIS TO ADOPT THE RESOLUTIONS FOR ITEMS 111, 112, AND 113. 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-113:

SUBJECT: Health Net Seniority Plus - Group Health Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-630 Cor. Copy) ADOPTED AS RESOLUTION R-288280

Entering into a group health insurance agreement with Health Net, to provide a health insurance plan for retirees and their dependents effective August 1, 1995;

Extending the agreement for the term of August 1, 1996 through July 31, 1997. The rates decreased from \$15.85 per member in FY 1996 to \$14.68 per member per month for FY 1997.

Authorizing the expenditure of an amount not to exceed \$44,745 from Fund 60077, Account 9544 for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

Health Net was selected through a competitive bid process to provide a Medicare risk health insurance plan to retirees and their dependents effective August 1, 1995. The agreement is extended for the term of August 1, 1996 through July 31, 1997. The rates decreased from \$15.85 in FY 1996 to \$14.68 per member per month for FY 1997.

Aud. Cert. 9700496.

FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: C494-D140.)

MOTION BY MATHIS TO ADOPT THE RESOLUTIONS FOR ITEMS 111, 112, AND 113. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-114:

SUBJECT: Agreement with United States Behavioral Health for Group Managed Behavioral Health Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-645) ADOPTED AS RESOLUTION R-288281

Authorizing an agreement with United States Behavioral Health to provide managed behavioral health coverage to members of the applicable Blue Cross Health Plans, for a one-year period beginning August 1, 1996 through July 31, 1997;

Authorizing the expenditure of not to exceed \$370,408 from Fund 60020, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

United States Behavioral Health was selected to provide managed health and chemical dependency treatment benefits for participants enrolled in comprehensive Blue Cross health plans for a one-year term effective August 1, 1995. The agreement is extended for the term beginning August 1, 1996 through July 31, 1997. There is no change in coverage or cost from the current agreement.

Aud. Cert. 9700526.

FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-115:

SUBJECT: Alvarado Filtration Plant Expansion (CIP-73-261.0)  
Construction Contract 1A - Filter Valves Replacement,  
Change Order No. 1.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-749) ADOPTED AS RESOLUTION R-288282

Approving Change Order No. 1, dated December 24, 1996, issued in connection with the contract with Orion Construction Corp., amounting to a net increase in the contract price of \$282,346;

Authorizing the City Auditor to transfer \$282,346 from the Water Revenue Fund (41500) from Mission Valley Aqua-Culture Facility Demo, CIP-73-330.0, to Alvarado Filtration Plant, CIP-73-261.0;

Authorizing the expenditure of an amount not to exceed \$282,346 from CIP-73-261.0, Alvarado Filtration Plant Upgrade and Expansion, for augmenting previously

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

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

CITY MANAGER SUPPORTING INFORMATION:

On November 20, 1995, Council approved plans and specifications for the replacement of the Alvarado Filter Valves and authorized award to the lowest responsible bidder. Council authorized award on January 8, 1996 to the lowest responsible bidder, Orion Construction Corporation, in the amount of \$1,563,247. The contract was awarded and executed by the City Manager on January 31, 1996. The contractor has completed over 50 percent of the work and is scheduled to complete the remainder of the contract by March 17, 1997. The Water Production Division of the Water Department is requesting that construction of the Aqua Ammonia System Improvements be added as a contract change order to Contract 1A-Filter Valve Upgrade. The additional work is necessary due to safety and operational issues with the present feed system using dry ammonia sulfate powder. The existing ammonium sulfate materials transport and storage equipment was installed in 1950.

Originally, the equipment was designed for soda ash and later converted to ammonium sulfate. Based on chemical composition, it takes less of the aqua-ammonia to treat the same quantity of water. Overall, this change order will reduce both operation and maintenance costs. In addition, the installation of the Aqua Ammonia System must precede proposed Construction Contract 2 - Operations Building rehabilitation to facilitate demolition and removal of the existing dry feed system and storage bins. The construction manager and City project manager have evaluated the

proposed additional cost for this change in work, and have found the costs to be substantiated and reasonable when compared to similar contracted work. The engineer's opinion of probable construction costs for the Aqua Ammonia System prepared July 8, 1996 is \$300,042. Subcontractor for this work is Rockwell Electric, Inc. (21.7 percent).

Aud. Cert. 9700668.

WWF-CSD-97-271.

FILE LOCATION:           CONT-Orion Construction Corp.       CONFY97-1

COUNCIL ACTION:           (Tape location: B004-164.)

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

\* ITEM-116:

SUBJECT: Change Order No. 6 with Kiewit Pacific Company for the Point Loma Wastewater Treatment Plant - Digesters 7/8 and Gas System Upgrades.

(Point Loma Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-729)   ADOPTED AS RESOLUTION R-288283

Approving Change Order No. 6, with Kiewit Pacific Company for the Point Loma Wastewater Treatment Plant - Digesters 7/8 and Gas System Upgrades, increasing the contract price by \$430,578;

Authorizing the expenditure of not to exceed \$550,000 from Sewer Fund No. 41508, CIP-46-170.0, Point Loma -Digester Facility Upgrade and Expansion, 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:

City Council Resolution No. R-286601, dated November 20, 1995, authorized the City Manager to execute a contract with the lowest responsible bidder, Kiewit Pacific Company, for the Digester 7/8 and Gas System Upgrades Project at the Point Loma Wastewater Treatment Plant. The Digester 7/8 and Gas System Upgrades Project is under construction and will take over two years to construct. The project includes construction of new digesters No. 7 and 8, a control building, waste gas burners and piping, and earthwork to create space for construction staging and parking, and ultimately digesters No. 9 and 10. As part of the earthwork, a 120 foot high berm is being constructed to partially screen the treatment plant from the view-shed of Cabrillo National Monument. During the earthwork excavation about 30,000 cubic yards of unsuitable material was encountered which had not been fully incorporated into the design and original bid documents. To insure a stable berm construction, the unsuitable material must be processed and geo-textile fabric must be added to reinforce its placement into the top of the berm.

Council approval is requested to authorize Construction Change Order No. 6 for the processing and placement of this material into the berm and to replenish contingency funding for the contract with Kiewit Pacific Company.

Aud. Cert. 9700667.

FILE LOCATION:           CONT-Kiewit Pacific Company       CONFY97-1

COUNCIL ACTION:           (Tape location:   B004-164.)

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

\* ITEM-117:

SUBJECT: Seven actions related to the Final Subdivision Map of N.C.W. Neighborhood 4A, Unit 5.

(A 37-lot subdivision located south of Lansdale Drive and Winstanley Drive. Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A:   (R-97-703)   ADOPTED AS RESOLUTION R-288284

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

Subitem-B:   (R-97-702)   ADOPTED AS RESOLUTION R-288285

Approving the final map.

Subitem-C: (R-97-704) ADOPTED AS RESOLUTION R-288286

Accepting a grant deed of Pardee Construction Company, granting to the City Parcel "P" of N.C.W. Neighborhood 4A, Unit 5.

Subitem-D: (R-97-705) ADOPTED AS RESOLUTION R-288287

Accepting a grant deed of NCW 4A Neighborhood Homeowners' Association, granting to the City an easement for public street purposes in Parcel "I" of North City West Neighborhood 4A, Unit 3, Map-12148;

Dedicating and naming the same Lansdale Drive.

Subitem-E: (R-97-706) ADOPTED AS RESOLUTION R-288288

Accepting a grant deed of Pardee Construction Company, granting to the City an easement for public street purposes in a portion of the South Half of the Northwest Quarter of the Northeast Quarter and the South Half of the Northeast Quarter of Section 17, Township 14 South, Range 3 West, San Bernardino Meridian;

Dedicating and naming the same Lansdale Drive and Hayford Way.

Subitem-F: (R-97-707) ADOPTED AS RESOLUTION R-288289

Accepting a grant deed of NCW 4A Neighborhood Homeowners' Association, granting to the City an easement for water facilities in a portion of Parcel "F" of North City West Neighborhood 4A, Unit 3, Map-12148.

Subitem-G: (R-97-708) ADOPTED AS RESOLUTION R-288290

Authorizing a Joint Use Agreement with San Diego Gas  
and Electric Company.

FILE LOCATION: SUBITEMS A & B: SUBD-N.C.W. Neighborhood 4A,  
Unit 5; SUBITEMS: C, D, F & E: DEED F-6912;  
SUBITEM G: SUBD-N.C.W. Neighborhood 4A, Units  
CONTFY97-2 DEEDFY97-4

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-118:

SUBJECT: CARING (Community AIDS Response to Increase Grants)  
Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-97-738) ADOPTED AS RESOLUTION R-288291

Recognizing the outstanding contributions that CARING  
has made during the past eight years to improve the  
lives of citizens who are effected by HIV/AIDS in the  
City of San Diego;

Proclaiming Friday, February 7, 1997 to be "CARING Day"  
in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-119:

SUBJECT: City Heights Village/City Link Inv. Corp., Phase I,  
Landis Street (43rd Street to Chamoune Avenue)  
Underground Utility District.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-731) ADOPTED AS RESOLUTION R-288292

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of the City Heights Village/City Link Inv. Corp., Phase I, Landis Street (43rd Street to Chamoune Avenue) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

This proposed district is identified in CIP-37-028.0, Annual Allocation - Undergrounding of City Utilities, and will underground the overhead utility facilities on Landis Street (43rd Street to Chamoune Avenue). The formation of this district

will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding. Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum \$1,800 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box. This cost typically ranges from \$300-\$1,500. A future request for a resolution will establish the date for removal of overhead electrical services to all customers and will be submitted as the undergrounding work approaches completion.

FILE LOCATION:                   STRT - K-242

COUNCIL ACTION:               (Tape location: B004-164.)

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

\* ITEM-120:

SUBJECT: City Heights Village/City Link Inv. Corp., Phase II,  
Wightman Street (43rd Street to Chamoune Avenue)  
Underground Utility District.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-734) ADOPTED AS RESOLUTION R-288293

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of the City Heights Village/City Link Inv. Corp., Phase II, Wightman Street (43rd Street to Chamoune Avenue) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district is identified in CIP-37-028.0, Annual Allocation - Undergrounding of City Utilities, and will underground the overhead utility facilities on Wightman Street (43rd Street to Chamoune Avenue). The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding.

Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$1,800 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box. This cost typically ranges from \$300-\$1,500. A future request for a resolution will establish the date for removal of overhead electrical services to all customers and will be submitted as the undergrounding work approaches completion.

FILE LOCATION: STRT - K-241

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-121:

SUBJECT: Improvement of Alley Block 3, Fortuna Park.

(Pacific Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-646 Cor.Copy) ADOPTED AS RESOLUTION R-288294

Resolution of Intention for the improvement of Alley Block 3, Fortuna Park, under the provisions of the San Diego Municipal Code and the Improvement Act of 1911.

CITY MANAGER SUPPORTING INFORMATION:

This proposed public improvement is a property owner initiated project under the provisions of the Improvement Act of 1911. This act provides the means to install public improvements, apportion the cost of such improvements to the benefitting parcels of land and issue ten year, fully amortized bonds repaid in semiannual installment payments of principal and interest. The property owners reside on the block bounded by Pacific Beach Drive, Fortuna Avenue, Promontory Street and Ingraham Street. The proposed improvements include grading and paving the alley and the construction and installation of an 18" storm drain.

Seventy percent of the property owners (measured by area) benefitting from this improvement have shown their support for the project. The owners of 61 percent of the property area have signed a petition requesting the improvements. Waivers of protest for alley improvements were obtained for 9 percent of the property area. The waivers were obtained as a condition of approval of building permits, recorded with the County Recorder's office and are on file with the City of San Diego. The City recently conducted a postcard survey to determine the current property owner support for this project. This survey was warranted by the passage of time (more than two years) and a significant increase in the estimated costs of the improvements from those shown in the original petition (current estimated costs \$190,000; original estimated costs \$50,000). We mailed postcards to each of the 25 property owners. The results of this property owner survey are as follows:

		Percentages	
	Parcel Area	Voting	Total
No Response	0.6888	0.0	28.6
In Favor	1.0308	60.0	42.8
Opposed	.6888	40.0	28.6
Total	2.4084	100.0	100.0

FILE LOCATION: STRT - D-2298

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-122:

SUBJECT: Reappointments to the Board of Library Commissioners.  
(See memorandum from Mayor Golding dated 1/10/97.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-97-766) ADOPTED AS RESOLUTION R-288295

Council confirmation of the reappointments by the Mayor  
to serve as members of the Board of Library Commission  
for terms expiring March 1, 1998:

Elizabeth Franco Bradley  
Michael Madigan  
Ann MacCullough  
Norris S. Nagao

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B004-164.)

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

ITEM-123: TRAILED TO TUESDAY, JANUARY 28, 1997 AS UNFINISHED  
BUSINESS

SUBJECT: Appointment and Reappointments to the Civic Events and  
Promotional Programs Allocation Board.

(See memorandum from Mayor Golding dated 1/16/97 with  
resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-97-765)

Confirming the following appointment and reappointments  
by the Mayor to the Civic Events and Promotional  
Programs Allocation Board, for terms expiring September  
30, 1998:

Reappointments  
Peggy Dodson  
Jonathan "Jack" A. Jacobs  
Duke F. Sobek

Appointment  
Jeanne M. Zagrodnik (To fill the unexpired term of  
Aida Mancillas, who has resigned.)

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B004-164.)

\* ITEM-124:

SUBJECT: Appointments and Reappointment to the Citizens'  
Advisory Board on Police and Community Relations.

(See memorandum from Mayor Golding dated 1/13/97;  
memorandum from Councilmember Mathis dated 10/10/96;  
memorandum from Councilmember Kehoe dated 10/17/96;  
memorandum from Councilmember Warden dated 8/27/96; and  
memorandum from Councilmember McCarty dated 9/26/96.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-97-768) ADOPTED AS RESOLUTION R-288296

Council confirmation of the following appointments and reappointment by the Mayor to serve as members of the Citizens' Advisory Board on Police and Community Relations, representing categories as indicated, for two-year terms expiring January 1, 1999:

Appointments:

Samuel M. Duran (Council District 1)  
(to replace James Ryan, whose term has expired)

Karen Manley (Council District 3)  
(to replace Sharon Wilson, whose term has expired)

Sam Miller (Council District 5)  
(to replace Charles W. Johnson, whose term has expired)

Reappointment:

Michael C. Smiley (Council District 7)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B004-164.)

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

ITEM-200:

SUBJECT: Agreement for Architectural Services Phase 2 for the  
New Main Library.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-753) ADOPTED AS RESOLUTION R-288297

Authorizing an agreement for consulting services with  
Rob Wellington Quigley, FAIA, Simon Martin-Vegue  
Winkelstein Moris, and Tucker, Sadler and Associates,  
for architectural services for the new Main Library;

Authorizing the expenditure of not to exceed \$471,000.

CITY MANAGER SUPPORTING INFORMATION:

On August 5, 1996, Mayor Susan Golding and City Council approved the selection of the Quigley, SMWM, TS&A Collaborative to design the new Main Library for the City of San Diego. The new Main Library, to be located on the site behind the America Plaza Office Tower on the corner of Kettner Blvd. and B Street, will replace the existing facility at 8th and E Streets.

An initial contract for phase one of the architects' contract for \$224,000 was authorized by the City Manager. Phase one funded preliminary site analysis and program review. In this phase (phase two) for \$471,000, the work to be performed by the Architects, including all subcontractors, shall include the scope of work covered under Section 2.1. The product of this agreement will result in several concept designs for a state-of-the-art new Main Library.

Aud. Cert. 9700613 Revised.

FILE LOCATION: MEET CCONFY97-1

COUNCIL ACTION: (Tape location: B180-C421.)

MOTION BY WEAR TO APPROVE THE AGREEMENT FOR CONSULTING SERVICES WITH ROB WELLINGTON QUIGLEY, FAIA, SIMON MARTIN-VEGUE WINKELSTEIN MORIS, AND TUCKER, SADLER AND ASSOCIATES, FOR ARCHITECTURAL SERVICES FOR THE NEW MAIN LIBRARY; AND TO ACCEPT AS PART OF THE MOTION COUNCIL MEMBER McCARTY'S REQUEST THAT THE CITY MANAGER PROVIDE A WRITTEN REPORT TO COUNCIL AS TO LENGTH OF EACH PHASE OF THE LIBRARY, THE DOLLAR AMOUNTS ATTACHED TO EACH PHASE, AND TO ADDRESS THE FOLLOWING QUESTIONS ASKED BY THE TAXPAYERS ASSOCIATION: 1) HOW MUCH WILL THE LIBRARY PROJECT COST AND HOW WILL IT ULTIMATELY BE FINANCED; 2) WHAT ARE THE ESTIMATED COSTS OF THE PROJECT AT THIS TIME; 3) ARE LEASE REVENUE BONDS GOING TO BE USED AND WHAT REVENUE SOURCES ARE CONTEMPLATED TO USE TO PAY OFF THE BOND DEBTS; AND 4) WILL THE TOT FUNDS BE THE SOLE REVENUE FUNDS OR WILL OTHER GENERAL FUND REVENUE BE USED AS WELL. Second by Mathis. 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-201: CONTINUED TO MONDAY, FEBRUARY 10, 1997

SUBJECT: Preliminary Official Statement and Continuing Disclosure Agreement for the Convention Center Expansion Financing Authority Lease Revenue Bonds.

(Continued from the meeting of January 13, 1997, Item 117, at the City Manager's request, to allow time to get the legal documents ready.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-685)

Authorizing the City Manager to execute the Preliminary Official Statement and Continuing Disclosure Agreement for the Convention Center Expansion Financing Authority Lease Revenue Bonds, Series 1996A;

Authorizing the City Manager to enter into any non-material, non-substantive changes or additions to the Preliminary Official Statement and Continuing Disclosure Agreement which the City Manager shall approve as being necessary or in the best interest of the City, and which, in the opinion of the City Attorney, do not: 1) increase the financial commitments or the scope of the obligations of the City; or 2) decrease revenue to the City.

CITY MANAGER SUPPORTING INFORMATION:

Due to the delay in the financing caused by the litigation, portions of certain financing documents, originally approved by the City Council in March 1996 (Ordinance O-18270), contain information which is out of date.

It is requested that the City Council approve the revised versions of the Preliminary Official Statement and the Continuing Disclosure Agreement in conjunction with the Convention Center Expansion Financing Authority's issuance of Lease Revenue Bonds to finance the Convention Center Expansion.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B004-164.)

CONSENT MOTION BY KEHOE TO CONTINUE THIS ITEM TO MONDAY, FEBRUARY 10, 1997, AT THE CITY MANAGER'S REQUEST FOR FURTHER REVIEW. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Two actions related to Point Loma Outfall Reballasting.

(Point Loma Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-97-663) ADOPTED AS RESOLUTION R-288298

Authorizing the Auditor and Comptroller to amend the FY 97 CIP budget to add CIP-40-923.0, Point Loma Outfall Reballasting, in accordance with the Fiscal Year 1997 Appropriation Ordinance;

Authorizing the Auditor and Comptroller to transfer not to exceed \$171,825 from CIP-40-911.5, State Ocean Plan Compliance Facilities, Phase II, to CIP-40-923.0, Point Loma Outfall Reballasting;

Authorizing the expenditure of not to exceed \$171,825 from CIP-40-923.0, Point Loma Outfall Reballasting, to provide funds for Amendment No. 7 to the agreement with Parsons Engineering Science;

Authorizing the Auditor and Comptroller to transfer excess budgeted funds, if any, from CIP-40-911.5, State Ocean Plan Compliance Facilities, Phase II, at the

completion of the project, to CIP-40-923.0, Point Loma Outfall Reballasting;

Approving the plans and specifications for advertising for bids by the City Manager for the Point Loma Outfall Ballast Installation Project on Work Order No. 174091;

Authorizing the Auditor and Comptroller to transfer not to exceed \$1,062,628.04 within Fund 41509, from CIP-46-147.1, Modified Wastewater Treatment State Ocean Plan, to CIP-40-923.0, Point Loma Outfall Reballasting, and to transfer not to exceed \$166,672.36 within Fund 41509, from CIP-46-147.0, Modified Wastewater Treatment Facility Plan, to CIP-40-923.0, Point Loma Outfall Reballasting;

Authorizing the expenditure of not to exceed \$4,799,300 provide funds for project construction, contingency, 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 funding phases with the lowest responsible bidder, based on actual low bid submitted, and to execute a contract with the lowest responsible bidder, 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.  
(BID-K97107)

Subitem-B: (R-97-664) ADOPTED AS RESOLUTION R-288299

Certifying that Mitigated Negative Declaration  
DEP-96-0238 has been completed in compliance with the

California Environmental Quality Act of 1970, as amended, and State guidelines; that the declaration reflects the independent judgement of the City as Lead Agency; that the information contained in the declaration, together with any comments received during the public review process, has been reviewed and considered by Council; adopting the Mitigation, Monitoring and Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

This project will allow for the reballasting of the original 108-inch Point Loma Outfall. The annual Point Loma Outfall Inspection Report indicated that the rock ballast on the seaward 40 percent of the original outfall needs to be reballasted. The near shore portion of the original outfall was reballasted during the repair project following the outfall failure in 1992. With this reballasting construction project the entire original outfall will have been reballasted.

Aud. Cert. 9700550.

FILE LOCATION: W.O. 174091 CONT - Manson Construction  
Co. CONTFY97-1  
COUNCIL ACTION: (Tape location: B004-164.)

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

ITEM-203:

SUBJECT: Reallocation of Contract Phases for Metro BiosolidsCenter with Metcalf & Eddy, Inc.

(NAS Miramar. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-752) ADOPTED AS RESOLUTION R-288300

Revising contract funding phases with Metcalf & Eddie, Inc., in connection with the Metro Biosolids Center, to reflect reallocation of previously approved expenditures, as follows:

Phase	CIP-42-910.0 North City Sludge Processing Facility	CIP-42-911.4 Metro Bio- Solids Ctr.	CIP-46-055.0 FIRP Pump Station
Total			
Phase 1-FY93	\$2,098,461	\$ 0	\$2,098,461
	\$4,196,922		
Phase 2-FY94	\$ 0	\$6,986,150	\$ 0
	\$6,986,150		
Phase 2-FY94	\$ 0	\$ 664,199	\$ 0
	\$ 664,199		
Amendment #1			
Phase 2-FY94	\$ 0	\$ 847,995	\$1,209,294
	\$2,057,289		
Amendment #2			
Phase 3-FY95	\$ 0	\$ 706,397	\$ 706,398
	\$1,412,795		
Phase 3-FY95	\$ 0	\$ 500,000	\$ 340,706
	\$ 840,706		
Amendment #2			

Phase 3-FY95	\$	0	\$4,570,000	\$	0
\$4,570,000					
Amendment #3					
Phase 4-FY96	\$	0	\$1,291,633	\$	0
\$1,291,633					
Phase 4-FY96	\$	0	\$3,900,000	\$	0
\$3,900,000					
Amendment #4					
Phase 5-FY97	\$	0	\$ 923,652	\$	0
\$ 923,652					
Phase 5-FY97	\$	0	\$5,000,000	\$	0
\$5,000,000					
Amendment #4					
Phase 6-FY98	\$	0	\$ 650,452	\$	0
\$ 650,452					
Phase 6-FY98	\$	0	\$1,000,000	\$	0
\$1,000,000					
Amendment #4					
TOTAL	\$	\$2,098,461	\$27,040,478	\$	\$4,354,859
\$33,493,798					

Authorizing the expenditure of not to exceed \$923,652 from the Metropolitan Wastewater Department Fund No. 41509, CIP-42-911.4, Metro Biosolids Center, to provide funds for Phase 5 of the contract.

CITY MANAGER SUPPORTING INFORMATION:

Council Resolution R-287313 authorized the City Manager to execute Amendment No. 4 to the original agreement with Metcalf & Eddy, Inc., for a contract total of \$33,493,798. This request reallocates previously authorized expenditures from the North

City Sludge Processing Facility, CIP-42-910.0, and from the FIRP Pump Station, CIP-46-055.0, to the Metro Biosolids Center, CIP-42-911.4.

Aud. Cert. 9700677.

FILE LOCATION: MEET CONFY97-1

COUNCIL ACTION: (Tape location: C427-488.)

MOTION BY WARDEN TO ADOPT THE RESOLUTION. 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-204: RETURNED TO THE CITY MANAGER

SUBJECT: Mid-Year Budget Adjustment to Implement a City-wide  
Center Island Maintenance Program.

(See City Manager Report CMR-97-11.)

CITY MANAGER'S RECOMMENDATION:

Hold the first public hearing in the matter of:

(O-97-71)

Amending Ordinance O-18328 (NS), as amended, entitled  
"An Ordinance Adopting the Annual Budget for the Fiscal  
Year 1996-97 and Appropriating the Necessary Money to  
Operate the City of San Diego for said Fiscal Year" by  
amending Document No. OO-18328 by amending the  
Personnel and Non-Personnel expense authorization of  
the Transportation Department (534) Street Division  
(105), in General Fund 100, by adding 7.00 positions

and related Non-Personnel expense for the purpose of funding the implementation of a City-wide Center Island Maintenance Program.

Aud. Cert. 9700674.

NOTE: See Item 332 on the docket of Tuesday, January 28, 1997, for the introduction and adoption of the ordinance. Today's action is the first public hearing.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B004-164.)

CONSENT MOTION BY KEHOE TO RETURN THIS ITEM TO THE CITY MANAGER DUE TO SERIOUS ISSUES ABOUT THE CENTER ISLAND MEDIAN MAINTENANCE, AND TO DELAY THIS ITEM UNTIL THE BUDGET HEARINGS ARE HELD IN THE SPRING AT THE CITY MANAGER'S REQUEST. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205:

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

(See City Manager's Update. San Ysidro and Tijuana River Valley Community Areas. District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-97-763) ADOPTED AS RESOLUTION R-288301

Declaring a continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L - State of Emergency Regarding the  
Discharge of Raw Sewage from Tijuana, Mexico.

COUNCIL ACTION: (Tape location: B004-164.)

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

\* ITEM-S400:

SUBJECT: Settlement of the Property Damage Claim of Todd Zweig.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-97-724) ADOPTED AS RESOLUTION R-288302

A Resolution approved by the City Council in Closed Session  
on Tuesday, December 10, 1996 by the following vote:  
Mathis-yea; Wear-yea; Kehoe-yea; Stevens-yea; Warden-yea;  
Stallings-yea; McCarty-yea; Vargas-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$72,500  
in the settlement of each and every claim against the City,  
its agents and employees, resulting from property damage  
(Superior Court Case No. 697799, Todd Zweig v. City of San  
Diego, et al.);

Authorizing the City Auditor and Comptroller to issue one  
check in the total amount of \$72,500 made payable to Todd  
Zweig and his attorney, Gerald M. Dawson, in full settlement  
of the lawsuit and all claims;

Declaring that the funds are to be payable from Fund No.  
81140.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the  
Property Damage Claim of Todd Zweig against the City of San  
Diego, its agents and employees, as a result of an incident which  
occurred on April 17, 1995.

Aud. Cert. 9700666.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B004-164.)

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

NON-DOCKET ITEMS:

NONE.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:23 p.m. in  
honor of the memory of Dr. Albert Anderson as requested by  
Mayor Golding and Council Member Wear; Edward K. "Ned"  
Baumer as requested by Mayor Golding; and Akida Cunningham  
as requested by Council Member Stevens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D140-154.)