

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JANUARY 12, 1998
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Wear at 2:08 p.m. Deputy Mayor Wear adjourned the meeting at 3:20 p.m. into Closed Session on Tuesday, January 13, 1998, at 9:00 a.m. in the twelfth floor conference room to discuss existing litigation and property acquisition matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-Excused by R-289690
(Illness)
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Fishkin (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-not 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-not present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Thomas T. Bunnett of the Grace Evangelical Lutheran Church & School.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mathis.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Betty Hennessy from "A Class Act" regarding a special delivery birthday song that she sang for Council Member Harry Mathis.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A041-069.)

ITEM-PC-2: REFERRED TO CITY MANAGER

Comment by Don Stillwell regarding the subject "Who Profits from Debt" and 30-year bonds issued by the City Council.

City Manager Uberuaga responded to Mr. Stillwell's comments stating that the City Council is not doing anything improper and that he will prepare a letter for Mr. Stillwell, in conjunction with the City Attorney, relating to bonding and how that bonding is done.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A070-109.)

ITEM-PC-3: REFERRED TO CITY MANAGER

Comment by Scott McLachlan regarding the following question pertaining to the Padres Task Force that he submitted to the Mayor and wanted to state publicly for the record: "The Padres have said that they are claiming losses for 1995 and 1996. Are some of these losses partially due to the rapid amortization of the players salaries and/or the necessity of legal counsel for the Padres in dealing with the Jack Murphy Stadium Expansion issues."

The following questions pertain to more recent events: 1) How much rent is the City getting for the Super Bowl tents going up in the Stadium parking lot; 2) How much rent is the City getting for the Super Bowl itself; and 3) The Padres are currently in negotiations with the City for a new stadium to be built for them. Mr. McLachlan asked that full disclosure of all terms of the contract be made available to the general public before any contracts are signed.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A110-222.)

ITEM-PC-4: REFERRED TO CITY MANAGER

Comment by Thomas Barrett regarding what he feels is a conspiracy by the San Diego Police Department to frame him and his family on certain prostitute murders and rapes which occurred in 1985.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A223-258.)

ITEM-PC-5:

Comment by Mel Shapiro regarding appointments to the Board of Housing Commission and the fact that three of the Commissioners terms have expired but are still serving on the board. He stated that he would like to see four qualified people appointed because he feels that in the past three years the Commission's actions and results have reflected poorly on the City.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A260-283.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member Stallings regarding the dedication of Information Kiosks at Marian Bear Park.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A285-303.)

ITEM-CC-2:

Comment by Council Member Warden thanking the 441 volunteers consisting of the Navy, Marines, Boy Scouts, Girl Scouts, MAC Project Youth, Urban Corp, Police, Firefighters, City crews, and everyone else who came out to help paint Qualcomm Stadium blue.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A304-317.)

ITEM-CC-3:

Comment by Council Member Mathis thanking everyone for the birthday greetings. He also stated that last week he as well as Congressman Bilbray and Deputy Mayor Wear were present for the official groundbreaking at Tourmaline Beach, the first of the diversion projects to divert the storm drains, and the pollution therein, into the sewage system rather than on our beaches. He further stated that this will insure that these pockets of pollution will be banned from our beaches forever.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A318-343.)

ITEM-CC-4:

Comment by Deputy Mayor Wear thanking Council for their support last year regarding the diversion of storm drains from the beaches. He also stated that he spent Friday night at his church as part of the Interfaith Shelter Program for the eleven homeless people who will hopefully be on their way to getting out of their predicament.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A344-354.)

ITEM-30:

SUBJECT: Recognizing San Diego Family Magazine's Sixteenth Year Anniversary.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-98-724) ADOPTED AS RESOLUTION R-289611

Congratulating San Diego Family Magazine for their hard work and diligence in serving the needs of our San Diego families;

Proclaiming 1998 to be the San Diego Family Magazine's Sixteenth Anniversary, in honor of the most valued home-grown family magazine in the San Diego region, and wishing them many more years of success.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A362-467.)

MOTION BY STEVENS TO ADOPT ITEMS 30 AND 31. 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-not present.

ITEM-31:

SUBJECT: Robert H. Smith Day.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-98-725) ADOPTED AS RESOLUTION R-289612

Congratulating Robert H. Smith for his tireless efforts and dedication in serving the families in Rancho Bernardo and helping to keep their homes and neighborhoods safe;

Proclaiming Monday, January 12, 1998 to be "Robert H. Smith Day" in San Diego, in recognition of Robert Smith's community service.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A362-467.)

MOTION BY STEVENS TO ADOPT ITEMS 30 AND 31. 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-not present.

ITEM-32: APPROVED

Approval of Council Minutes for the Meetings of:

12/8/97 Adjourned
12/9/97
12/15/97 Adjourned
12/15/97 Special
12/16/97

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A355-361.)

MOTION BY KEHOE TO APPROVE. 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-not present.

ITEM-50:

SUBJECT: Amendments to Municipal Code Section 101.0462 (Resource Protection Ordinance-RPO) to comply with the City's Multiple Species Conservation Program (MSCP) Implementing Agreement.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as amended on 12/16/97. (Council voted 9-0):

(O-98-47 Rev.1;Cor. Copy 12-19-97) ADOPTED AS ORDINANCE
O-18456 (New Series)

Amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by amending Section 101.0462 and by amending and renumbering Subsections A through R of Section 101.0462 into Sections 101.0462.0001 through 101.0462.0018, and by adding Sections 101.0462.0019 through 101.0462.0029, all relating to the Resources Protection Ordinance for the Protection of Biological Resources and Implementation of the Multiple Species Conservation Plan.

FILE LOCATION: LAND - Multiple Species Conservation Program (MSCP) Implementing Agreement

COUNCIL ACTION: (Tape location: B276-324.)

MOTION BY MATHIS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. STAFF IS REQUESTED TO CONTINUE TO INSURE THAT IF THERE ARE ANY REMAINING ISSUES, THAT THEY BE RESOLVED. 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-not present.

* ITEM-51:

SUBJECT: Beyer Way Rezone.
(RZ-96-7591. Otay Mesa-Nestor Community Area.
District-8.)

CITY COUNCIL'S RECOMMENDATION:
Adopt the following ordinance which was introduced on
12/16/97. (Council voted 9-0):

(O-98-63) ADOPTED AS ORDINANCE O-18457 (New Series)

Changing 1.6 acres located at 521 Beyer Way in the
Otay Mesa-Nestor Community Planning Area, from the
A-1-10 Zone into the R-3000 Zone.

FILE LOCATION: ZONE - 96-7591 (65)

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-52:

SUBJECT: The Worm Rezoning for a 0.35 acre parcel located at
6115 Decena Drive.
(RZ-96-7661. Navajo Community Area. District-7.)

CITY COUNCIL'S RECOMMENDATION:
Adopt the following ordinance which was introduced on
12/9/97. (Council voted 9-0):

(O-98-44) ADOPTED AS ORDINANCE O-18458 (New Series)

Rezoning 0.35 acre parcel located at 6115 Decena
Drive, in the Navajo Community Planning Area, into the
R-1500 Zone.

FILE LOCATION: LUP - The Worm Rezoning

COUNCIL ACTION: (Tape location: A507-B176.)
CONSENT MOTION BY MATHIS 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-not present.

* ITEM-100:

There is no Item 100 on today's docket.

* ITEM-101:

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-98-721) ADOPTED AS RESOLUTION R-289613

Designating February 20, 1998 as the date upon which
all property in the City Heights Village/City Link Inv.
Corp., Phase I, Landis Street (43rd Street to Chamoune
Avenue) Underground Utility District must be ready to
receive underground service and May 22, 1998 as the
date for the removal of all overhead utility
facilities;

Authorizing the City Auditor and Comptroller to open
Fund 78096 for the purpose of depositing Public
Utilities Commission Case 8209 Utility Undergrounding
Allocation Funds for the City Heights Village/City Link
Inv. Corp., Phase I, Landis Street (43rd Street to
Chamoune Avenue) Underground Utility District;

Authorizing the City Treasurer to receive these funds
from the San Diego Gas & Electric Company;

Authorizing payment to all property owners in the City
Heights Village/City Link Inv. Corp., Phase I, Landis
Street (43rd Street to Chamoune Avenue) Underground
Utility District as reimbursement for electrical
service underground conversion work done on private

property;

Authorizing the City Auditor and Comptroller to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The City Heights Village/City Link Inv. Corp., Phase I, Landis Street (43rd Street to Chamoune Avenue) Underground Utility District was created by the City Council on February 25, 1997. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set February 20, 1998 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish May 22, 1998 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the 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 which typically ranges from \$300-\$1,500.

FILE LOCATION: STRT - K-241

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-102:

SUBJECT: Sunset Cliffs Boulevard (Newport Avenue to Brighton Avenue) Underground Utility District.

(Ocean Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-722) ADOPTED AS RESOLUTION R-289614

Designating February 20, 1998 as the date upon which all property in the Sunset Cliffs Boulevard (Newport Avenue to Brighton Avenue) Underground Utility District must be ready to receive underground service and May 22, 1998 as the date for the removal of all overhead utility facilities;

Authorizing the City Auditor and Comptroller to open Fund 78097 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Sunset Cliffs Boulevard (Newport Avenue to Brighton Avenue) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all property owners in the Sunset Cliffs Boulevard (Newport Avenue to Brighton Avenue) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Auditor and Comptroller to return to SDG&E any undisbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$13,618 from CIP-37-028.0 to Sublet CIP-37-294.2;

Authorizing the expenditure of an amount not to exceed \$13,618 from TransNet Fund No. 30300, Sublet CIP-37-294.2, solely and exclusively to replace existing street lights in the Sunset Cliffs Boulevard (Newport Avenue to Brighton Avenue) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The Sunset Cliffs Boulevard (Newport Avenue to Brighton Avenue) Underground Utility District was created by the City Council on November 24, 1992. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set February 20, 1998 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to

receive service from the new underground system. This action will also establish May 22, 1998 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the 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 which typically ranges from \$300-\$1,500.

Aud. Cert. 9800729.

FILE LOCATION: STRT K-208

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-103:

SUBJECT: CCDC Area 1 - Phase 1, Market Street to K Street (6th Avenue to 12th Avenue) Underground Utility District.

(Centre City Community Area. Districts-2 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-705) ADOPTED AS RESOLUTION R-289615

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the CCDC Area 1 - Phase 1, Market Street to K Street (6th Avenue to 12th 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 CCDC Area 1 - Phase 1, Market Street to K Street (6th Avenue to 12th Avenue)

Underground Utility District. 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.

Aud. Cert. 9800697.

FILE LOCATION: STRT - K-246

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-104:

SUBJECT: CCDC Area 1 - Phase 1, K Street to Imperial Avenue (6th Avenue to 12th Avenue) Underground Utility District.

(Centre City Community Area. Districts-2 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-715) ADOPTED AS RESOLUTION R-289616

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the CCDC Area 1 - Phase 1, K Street to Imperial Avenue (6th Avenue to 12th 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 CCDC Area 1 - Phase 1, K Street to Imperial Avenue (6th Avenue to 12th Avenue) Underground Utility District. 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.

Aud. Cert. 9800728.

FILE LOCATION: STRT K-245

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-105:

SUBJECT: Opportunity Acquisition - Assessor Parcel Number 549-311-15. (South Encanto Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-723) ADOPTED AS RESOLUTION R-289617

Approving the acceptance by the City Manager of the grant deed of Jessie Daugherty, et al., granting to the City .0312 acres of land, Tract 1546 Lot 24 of Encima de San Diego Addition No. 1, located on the south side of Cielo Drive near Woodman Street;

Authorizing the expenditure of not to exceed \$1,500

from Water Fund 41500 for acquisition of the land and related costs.

CITY MANAGER SUPPORTING INFORMATION:

The property owners, James, Sharon and Jessie Daugherty, have proposed the conveyance of approximately .0312 acres of land to the City of San Diego for its assessed value of \$270. The land lies adjacent to the City's water pump station located at Cielo Drive and Woodman Street. Acquisition of the land will provide additional space for any future expansion of the pump station and will provide maintenance control of the area surrounding the pump station.

Aud. Cert. 9800741.

FILE LOCATION: DEED F-7146 DEEDFY98-1

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-106:

SUBJECT: Water Access Easement and Storm Drain Easement Exchange
- Parcel 1 of Parcel Map PM-17477.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-708) ADOPTED AS RESOLUTION R-289618

Approving the acceptance by the City Manager of the two deeds of Cottonwood Golf Course, conveying to the City a water access and a storm drain easement in all that portion of Parcel 1 of Parcel Map PM-17477;

Authorizing the execution of two quitclaim deeds, quitclaiming to Cottonwood Golf Course, all the City's right, title and interest in a water access and storm drain easement in a Portion of Parcel 1 of Parcel Map PM-17477.

CITY MANAGER SUPPORTING INFORMATION:

This action is requested to facilitate a 5,840 sq. ft. building

addition to an existing 24,000 sq. ft. industrial building, located at 4540 Viewridge Avenue, in the Kearny Mesa Area. The existing facility and the new addition are approved by Planned Industrial Permit No. PID-90-0130. The expansion requires the relocation of some public service easements. There are currently no facilities in the existing easements. New easements in a different location are proposed by the developer. The City Council is asked to vacate the old easements and authorize the acceptance of the new easements. The easement exchange is shown on Engineering Drawing No. 18520-B(1-2).

FILE LOCATION: DEED F-7147 DEEDFY98-2

@5COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-107:

SUBJECT: Environmental Enhancement Mitigation Program (EEMP) Grant Applications. (Carmel Valley, Mid-City and Otay Mesa Community Areas. Districts-1,3 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-718) ADOPTED AS RESOLUTION R-289619

Approving the application for grant funds for the Environmental Enhancement and Mitigation Program under Streets and Highways Code Section 164.56 for the Carmel Mountain Completion of Acquisition, the Normal Heights Park Acquisition, and the Otay Valley Regional Park 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 Year 2000-01, 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 \$250,000 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 June 1998. After a review of the criteria for the Fiscal Year 1999 EEMP, three projects will be submitted by City staff: 1) the Carmel Mountain Completion of Acquisition Project will request \$494,360 to purchase parcels within the critical area of the City's adopted Multiple Species Conservation Program (MSCP). Last year, the City was awarded \$305,640 under this grant program with a willingness from the California Transportation Commission to complete the funding request of \$800,000 during the FY 98-99 program cycle; 2) Normal Heights Park Acquisition Project will purchase five parcels, totaling .48 acres directly adjacent to the existing land identified for the Normal Heights Park. Several of the parcels identified for the purchase are currently being used by CalTrans as a construction staging area for State Route I-15; the total grant application is for \$287,000. This project was approved for funding during the FY 97-98 program cycle, but the State did not have enough grant funds to award monies to all recommended projects; 3) The Otay Valley Regional Park Acquisition Project will purchase one parcel, totaling 8.18 acres in the Otay River Valley, a critical area within the MSCP. The parcel is located within the area of a Joint Exercise of Powers Agreement (JEPA) between the Cities of San Diego, Chula Vista, and the County of San Diego, which allows conceptual planning and purchasing of land within the proposed Otay Valley Regional Park. The total grant application is \$125,000.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-108:

SUBJECT: Agreement with Harmonium, Inc. for the San Diego Regional Teen Center.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-719) ADOPTED AS RESOLUTION R-289620

Authorizing an agreement with Harmonium, Inc. for start-up and operational costs associated with the San

Diego Regional Teen Center;

Authorizing an agreement with the California Department of State Parks for the San Diego Regional Teen Center;

Authorizing the City Manager to accept and expend grant funds from the State of California, Department of Parks and Recreation, to be used for the San Diego Regional Teen Center;

Authorizing the Auditor and Comptroller to establish an interest bearing account for the grant funds.

CITY MANAGER SUPPORTING INFORMATION:

On October 24, 1997, Park and Recreation Department staff was officially notified by the California State Department of Parks and Recreation that \$250,000 was allocated in the Fiscal Year 1998 State Budget for the San Diego Regional Teen Center. The amount of funding will be reduced by 1.5 percent for State administration costs. The San Diego Regional Teen Center, located in the Mira Mesa Community, will serve as a constructive after-school alternative for the youth in Mira Mesa and surrounding communities. The Center will be operated by Harmonium, Inc. The City of San Diego will act as the administrating agency for the State's grant funding. This action will allow the City Manager to enter into an agreement with the State and Harmonium, Inc.

FILE LOCATION: MEET CONFY98-2

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-109:

SUBJECT: Amending the FY 98 Capital Improvement Program CIP Budget for the Cadman Community Park Tot Lot Upgrade and Gershwin Neighborhood Park Tot Lot Upgrade.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-720) ADOPTED AS RESOLUTION R-289621

Amending the Fiscal Year 1998 Capital Improvement Program (CIP) Budget to reflect the addition of CIP-29-474.0, Cadman Community Park Tot Lot Upgrade and CIP-29-475.0, Gershwin Neighborhood Park Tot Lot Upgrade;

Authorizing the transfer and expenditure of \$123,125 from Fund No. 38065 to CIP-29-475.0, Gershwin Neighborhood Park Tot Lot Upgrade;

Authorizing the transfer and expenditure of \$103,425 from Fund No. 38064 to CIP-29-474.0, Cadman Community Park Tot Lot Upgrade.

CITY MANAGER SUPPORTING INFORMATION:

During the Fiscal Year 1998 State budget process, the State of California allocated \$125,000 for Gershwin Neighborhood Park Tot Lot Upgrade and \$105,000 for Cadman Community Park Tot Lot Upgrade. A 1.5 percent State surcharge for administrative services was deducted from the total amount of funding allocated to the City. Improvements to the facilities will ensure they are accessible to persons with disabilities.

Aud. Cert. 9800684.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-110:

SUBJECT: Authorizing Expenditure of Additional Funds for the Ocean Beach Elementary School Joint Use Facility.

(Ocean Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-629) ADOPTED AS RESOLUTION R-289622

Approving the appropriation and expenditure of \$40,000 from Community Development Block Grant Fund No. 18533, and \$20,000 from Building Permit Fees Fund No. 17000 for payment to San Diego City Schools, for the

construction of the Ocean Beach Elementary School Joint Use Facility;

Authorizing the Auditor and Comptroller to reprogram \$40,000 in Community Development Block Grant Funds from Fund No. 18533, Dept. 4131, Org. 3111, to the Ocean Beach Elementary School Joint Use Facility Project.

CITY MANAGER SUPPORTING INFORMATION:

On June 9, 1997, City Council approved Ordinance No. O-18411, authorizing the City Manager to enter into a 25 year agreement for the construction, lease and maintenance of a 1.2 acre turfed multi-use playing field at the Ocean Beach Elementary School site. The terms of the agreement specify that the City will provide funding for construction and maintenance while the District will administer the construction contract and provide the land for the facility. On July 15, 1997, the District opened bids, and it was determined that the only bidder whose bid fell within the original estimated cost was not properly licensed. The project was re-bid on August 19, 1997. On September 9, 1997, the San Diego City Schools Board awarded a contract for construction of the joint use facility, and construction started shortly thereafter. During the course of construction, a number of existing underground utilities, electrical components and footings were found to be excessively corroded, out dated and in need of repair prior to relocation. Additional funding will provide for replacement and repair of the existing improvements, and accommodate the actual project cost according to the bid.

Aud. Cert. 9800627.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-111:

SUBJECT: South Bay Secondary Treatment Plant and Sludge Processing Facility - Phase I.

(Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-681)

ADOPTED AS RESOLUTION R-289623

Authorizing and directing the Auditor and Comptroller to amend the CIP budget in accordance with the 1998 Appropriation Ordinance to add CIP-42-922.0, South Bay Secondary Treatment Plant and Sludge Processing Facility;

Authorizing the Auditor and Comptroller to transfer not to exceed \$100,000 within Fund No. 41509, from CIP-45-910.3, Program Planning and Studies, to CIP-42-922.0, South Bay Secondary Treatment Plant and Sludge Processing Facility.

CITY MANAGER SUPPORTING INFORMATION:

The proposed South Bay Secondary Treatment Plant and Sludge Processing Facility (SBSTP & SPF) will treat the wastewater flows presently being conveyed from the southern region of the Metropolitan Sewerage System to the Point Loma Wastewater Treatment Plant for treatment. The SBSTP & SPF will provide mass loading and hydraulic capacity relief to the Point Loma Plant enabling it to meet the requirements of the Ocean Pollution Reduction Act. This legislation enabled the City to apply for and obtain a waiver from secondary treatment at Point Loma. The SBSTP will also provide hydraulic capacity relief to the South Metro Interceptor. The South Metro Interceptor conveys flow from the southern regions of the Metro System to Point Loma for treatment. The SBSTP & SPF will treat 21 million gallons of wastewater per day and its associated sludge. The secondary plant consists of the headworks, screening and grit removal, primary sedimentation, activated sludge aeration, secondary clarification and disinfection. The sludge processing facility consists of thickening, anaerobic digestion, and dewatering. The project is located adjacent to the South Bay Water Reclamation Plant, just north of the international border. Also associated with the SBSTP & SPF is a new wastewater pump station and pipeline in the City of Chula Vista that will divert wastewater from the South Metro Interceptor to the SBSTP. Design of this project is expected to begin in FY 1999 and the project is expected to be completed by the end of 2005. This request is to provide funding to begin the design consultant procurement process.

Aud. Cert. 9800667.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-112:

SUBJECT: Settlement of the Claim of J. Carl Peus.
(Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-709) ADOPTED AS RESOLUTION R-289624

A Resolution approved by the City Council in Closed Session on Tuesday, December 2, 1997 by the following vote: Mathis-not present; Wear-yea; Kehoe-not present; Stevens-yea; Warden-yea; Stallings-not present; McCarty-yea; Vargas-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$210,000 in the settlement of each and every claim against the City, its agents and employees, for the settlement of all claims in the matter entitled, J. Carl Peus v. City of San Diego, Superior Court Case No. 705971;
Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$210,000 made payable to Lawyer's Title Company, in full settlement of the lawsuit and all claims;

Declaring that the funds are to be paid from Fund No. 81140, Public Liability Reserve Fund.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the claim of J. Carl Peus against the City of San Diego, its agents and employees.

Aud. Cert. 9800731.

FILE LOCATION: DEED F-7164 DEEDFY98-1

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-113:

SUBJECT: Coleman Conrad Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-98-692) ADOPTED AS RESOLUTION R-289625

Proclaiming Tuesday, December 16, 1997 to be "Coleman Conrad Day" in San Diego, in appreciation of his many years of extraordinary public service and commitment to making our City an even better place for its citizens and visitors.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-114:

SUBJECT: Three actions related to Authorizing Suggestion Awards to City Employees.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-700) ADOPTED AS RESOLUTION R-289626

Robert Abeyta - Water Utilities - \$500.

Subitem-B: (R-98-701) ADOPTED AS RESOLUTION R-289627

John Handley - Fire & Life Safety - \$2,500.

Subitem-C: (R-98-702) ADOPTED AS RESOLUTION R-289628

Margaret McLaughlin-Pack - Treasurer/Investments - \$79.20.

Pamela Galan - Treasurer - \$57.94.

FILE LOCATION: Subitems A-C: MEET

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-115:

SUBJECT: Subdivision Improvement Agreement with Pardee
Construction Company for Carmel Valley Neighborhood 4
Unit No. 9.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-293) ADOPTED AS RESOLUTION R-289629

Authorizing a Subdivision Improvement Agreement with
Pardee Construction Company, for the installation and
completion of public improvements in the Carmel Valley
Neighborhood 4 Unit No. 9 Subdivision (formerly known
as North City West Neighborhood, Unit No. 9);

Authorizing the Auditor and Comptroller to release
existing Bond No. 11132688638, issued by The American
Insurance Company in the amount of \$2,301,475.

CITY MANAGER SUPPORTING INFORMATION:

On April 24, 1990 the City entered into a Subdivision Improvement Agreement with Village Properties, a California general partnership, for the construction of public improvements for Carmel Valley Neighborhood 4 Unit No. 9. The agreement expired on November 1, 1995. The property is now owned by Pardee Construction Company. The new owner has signed a Subdivision Improvement Agreement to assume all of the obligations of the original subdivider and complete the required work. Pardee has provided a performance bond for the same amount as the original performance bond (\$2,301,475).

FILE LOCATION: SUBD - Carmel Valley Neighborhood 4 Unit
No. 9 CONFY98-1

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-116:

SUBJECT: Memorandum of Understanding with Children's Hospital,
Center for Child Protection.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-98-728) ADOPTED AS RESOLUTION R-289630

Authorizing the City Attorney to execute a Memorandum
of Understanding with Children's Hospital, Center for
Child Protection.

CITY ATTORNEY'S SUPPORTING INFORMATION:

On September 10, 1997, Children's Hospital, Center for Child
Protection received notification that the Office of Criminal
Justice Planning, State of California had awarded them a \$70,000
grant to conduct a Multidisciplinary Child Abuse Advocacy
Program. This program will provide advocacy, referrals, support
and other interventions to children who are involved in the
criminal court system, but for whom the incident may not proceed
due to no fault of the child or family. For example: if a child
is very young and unable to fully describe the abuse incident, a
full police investigation and subsequent prosecution may not
occur. However, the family and child may still be in acute need
of services in order to provide an abuse free environment. The
grant includes funds in the amount of \$25,207 for a part-time
investigator and prosecutor from the City Attorney's Office. The
Memorandum of Understanding will permit the City Attorney's
Office to be reimbursed for these services by Children's Hospital
out of grant funds.

FILE LOCATION: MEET CONFY98-1

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-117:

SUBJECT: Agreement with the State of California Board of
Control, Revenue Recovery and Compliance Branch.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-98-727) ADOPTED AS RESOLUTION R-289631

Authorizing an agreement with the State of California Board of Control, Revenue and Compliance Branch, for the purpose of working with the City Criminal Justice System to ensure restitution fines and orders are properly administered in accordance with applicable statutes.

CITY ATTORNEY SUPPORTING INFORMATION:

The City Attorney has been notified by the State Board of Control that the City has been awarded a grant in an amount not to exceed \$39,459 to hire a Legal Assistant to perform the duties outlined in the City Attorney contract.

FILE LOCATION: MEET CONFY98-1

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-118:

SUBJECT: Contract Change Order No. 8 with BRH-Garver, Inc. for the East Linda Vista Trunk Sewer.

(Linda Vista Community Area. Districts-5 & 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-679) ADOPTED AS RESOLUTION R-289632

Approving Change Order No. 8, with BRH-Garver, Inc. for construction of the East Linda Vista Trunk Sewer, increasing the contract price by \$275,091, and extending the time by 15 working days.

CITY MANAGER SUPPORTING INFORMATION:

On June 5, 1995, the City Council authorized the execution of a contract for the construction of the East Linda Vista Trunk Sewer (R-285898). On August 28, 1995, the City Manager awarded the construction contract for \$2,218,813 to BRH-Garver, Inc. To comply with City Council directive to include resurfacing as part of pipe replacements in the right-of-way, and to deliver a better finished product to the community, Change Order No. 8 includes the resurfacing of portions of Linbrook Drive, Courtney Drive, Crandall Drive, Flushing Drive, Crandall Court, Fulton Street,

and Linda Vista Road from Fulton Drive to Genesee Avenue, which were affected by the installation of the Trunk Sewer. In addition, Change Order No. 8 includes compensation to the contractor for excavation and protection of existing utilities which had not been previously identified.

Aud. Cert. 9800664.

WWF-98-309.

FILE LOCATION: CONT - BRH-Garver, Inc.
CONFY98-1

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-119:

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-98-683) ADOPTED AS RESOLUTION R-289633

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: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-120: REFERRED TO NR&C COMMITTEE

SUBJECT: Amendment to the Enterprise Zone Water Conservation Business Incentive Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution: (R-98-688)

Authorizing the City Manager to amend the Enterprise Zone Water Conservation Business Incentive Program;

Authorizing the City Manager to enter into agreements with participants of the Enterprise Zone Water Conservation Business Incentive Program;

Authorizing the transfer of \$300,000 within the Water Operating Fund 41500, from the Unallocated Reserve (Program Element 76226, Object Account 4222) to the Water Conservation Program (Program Element 76254);

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$300,000 from the Water Department Operating Fund (41500).

CITY MANAGER SUPPORTING INFORMATION:

This action requests a modification to the Enterprise Zone Water Conservation Business Incentive Program. The action also authorizes the City Manager to authorize agreements with participants of the Enterprise Zone Water Conservation Business Incentive Program. In September 1991, the City Council adopted a resolution to become an original signatory to the Memorandum of Understanding (MOU) Regarding Urban Water Conservation in California. The MOU contains sixteen Best Management Practices (BMP's) that are proven long-term water conservation measures which have become statewide standards. The goal of the Financial Incentives BMP is to offer incentives to facilitate implementation of conservation programs. On August 1, 1997, City Manager's Action Document No. C-08155 approved implementation of the Enterprise Zone Water Conservation Business Incentive Program to provide financial benefits to City water customers located in designated Enterprise Zones who make extraordinary efforts to conserve water by utilizing seawater instead of potable water. The provisions of this amendment will allow the City, in addition to the existing Provisions, to reimburse a customer up to \$300,000 for the cost of implementing water conservation technologies that reduce the consumption of potable water, so long as: 1) the company recycles water for water efficiency; 2) the cost per acre-foot saved is less than the current rate of imported water; 3) the amount of the incentive provided does not exceed the present value of the amount saved by the City in potable imported water costs over a ten year period; 4) the water conservation technologies were implemented on or after January 1, 1991; 5) the company is located in an Enterprise Zone; and 6) the total financial incentive, under this program does not exceed

\$1,000,000.

Aud. Cert. 9800758.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS TO REFER THIS ITEM TO THE NR&C COMMITTEE SO THAT IT CAN BE DISCUSSED MORE AMPLY THERE. 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-not present.

* ITEM-121:

SUBJECT: Reappointment to the Civil Service Commission.

(See memorandum from Mayor Golding dated 1/5/98.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-98-744) ADOPTED AS RESOLUTION R-289634

Council confirmation of the reappointment by the Mayor of Franne M. Ficara, to serve as a member of the Civil Service Commission, for a five-year term ending January 9, 2003.

FILE LOCATION: MEET

@5COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

* ITEM-122:

SUBJECT: Proclaiming Stephen F. Kelly Day.

COUNCILMEMBER STALLINGS'S RECOMMENDATION:

Adopt the following resolution:

(R-98-733) ADOPTED AS RESOLUTION R-289635
Commending Stephen F. Kelly for his devotion and
dedication to making San Diego a better place to work
and live;

Proclaiming January 12, 1998 to be "Stephen F. Kelly
Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

ITEM-150:

SUBJECT: Distribution of the Transient Occupancy Tax Fund -
Coastal Infrastructure and Facilities for FY 98.

(See City Manager Report CMR-97-200; City Clerk Route
Slip dated 10/8/97. La Jolla Shores, Mission Beach and
Pacific Beach Community Areas. Districts-1 & 2.)

TODAY'S ACTION IS:

Introduction and adoption of the following ordinance:

(O-98-75) INTRODUCED AND ADOPTED AS ORDINANCE O-18459
(New Series)

Amending Ordinance O-18424 (NS), as amended, entitled
"An Ordinance Adopting the Annual Budget for the Fiscal
Year 1997-98 and Appropriating the Necessary Money to
Operate the City of San Diego for said Fiscal Year," by
amending Document No. 00-18424, as amended and adopted
therein, by amending the Capital Improvement Program
Budget to add CIP-29-471.0, CIP-29-472.0 and
CIP-29-473.0, by allocating funds for a 0.25 Coastal
Engineer position.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 11/5/97, NR&C voted 4-0 to recommend the City Council approve
the City Manager's recommendation to allocate the Coastal
Infrastructure and Facilities Fund for: One-quarter (1/4)
Coastal Erosion Engineering position for Park and Recreation
Department projects, design of the Lifeguard Station at Pacific
Beach, design and construction of restroom replacements at South
Kellogg Park, design of restroom replacements at Grand Avenue and

South Belmont Park, and the City's share of the annual cost for the San Diego Association of Governments (SANDAG) to monitor the region's coastal erosion. (Councilmembers Mathis, Stallings, McCarty and Vargas voted yea. Councilmember Kehoe not present.)

Aud. Cert. 9800669.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS TO INTRODUCE, 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-not present.

ITEM-200:

SUBJECT: Two actions related to Participation Agreement for the Design and Construction of the South San Diego Pipeline No. 2 - Phase II.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-98-73) INTRODUCED AND ADOPTED AS O-18460
(New Series)

Introduction and adoption of an Ordinance amending Ordinance No. O-18424 (New Series), entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1997-98 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year," by increasing total appropriations in the Water Operating Fund 41500 by \$627,135 from Unappropriated Fund Balance and Revenue.

Subitem-B: (R-98-638) ADOPTED AS RESOLUTION R-289640

Authorizing the City Manager to approve the commencement of Phase II of the Participation Agreement with TMP Homes, Inc., for the design of the South San Diego Pipeline No. 2;

Authorizing the Auditor and Comptroller to transfer not to exceed \$627,135 from Water Revenue Fund 41500, to CIP-74-249.0, South San Diego Pipeline No. 2;

Authorizing the expenditure of not to exceed \$627,135
from Water Revenue Fund 41500, CIP-73-249.0.

CITY MANAGER SUPPORTING INFORMATION:

On February 25, 1997, \$206,000 was approved for the funding of Phase I-A, Document No. RR-288361. On June 30, 1997, \$338,494 was approved for the funding of Phase I-B, Document No. RR-288874. This request is for the funding approval of Phase II. TMP Homes, Inc., a California Corporation, is the developer designing and constructing the South San Diego Pipeline No. 2 and is a partner in the ownership of the Remington Hills Development Project located in the Otay Mesa Area of the City of San Diego. A second water pipeline is needed to provide the South San Diego and Otay Mesa areas with a redundant supply of potable water. This participation agreement will provide funding for the design and construction of the needed water improvements in three phases as follows: Phase I-A commenced a study for up to four alternative pipeline alignments. Phase I-B is on-going and will finalize the alignment study. The alignment study will be completed by December 1997. Phase II will design the final alignment and Phase III will encompass construction of the second water transmission pipeline between the South San Diego Reservoir and Palm Avenue adjacent to Interstate 805. These public water system improvements are necessary and are for the benefit of the City as a whole. Final payment for the Phase III improvements shall be made upon the City's acceptance of the completed project and submission of the original mylar as-built drawings.

Aud. Cert. 9800624.

WWF-DSD-97-305.

FILE LOCATION: Subitems A,B: MEET
CCONTFY98-1

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS TO INTRODUCE, DISPENSE WITH THE READING, AND ADOPT THE ORDINANCE FOR SUBITEM A, AND ADOPT THE RESOLUTION FOR SUBITEM B. 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-not present.

ITEM-201:

(Continued from the meeting of December 16, 1997, Item 53, at the City Manager's request, for further review.)

SUBJECT: Land Dedication - Mission Trails Regional Park.

(Camp Elliott Community Area. District-7.)

CITY ATTORNEY'S RECOMMENDATION:

Re-introduce the following ordinance which was introduced on 12/2/97. (Council voted 8-0. District 1 not present):

(O-98-29) REINTRODUCED, TO BE ADOPTED FEBRUARY 2, 1998

Dedicating portions of Lots 1 and 2, Blocks G and H, Fanita Ranch, and portions of Tract C and T, Rancho El Cajon, as a park, and for inclusion in Mission Trails Regional Park.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS TO REINTRODUCE 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-not
present.

ITEM-202:

SUBJECT: Two actions related to Carmel Valley Neighborhood No. 4
Park Site.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolution in Subitem A and hold the first public hearing of the ordinance in Subitem B:

Subitem-A: (R-98-714) ADOPTED AS RESOLUTION R-289636

Authorizing the Auditor and Comptroller to appropriate and transfer \$2,722,442.85 from FBA No. 79002 to CIP-29-628.0;

Authorizing the expenditure of not to exceed \$4,549,000 from CIP-29-628.0 for the acquisition of required property rights, title, escrow, contingencies and miscellaneous cost for the acquisition of 8.49 acres located in Carmel Valley Neighborhood No. 4, from Pardee Development Company, for a City park and joint use area to be shared with the Del Mar Union School District.

Subitem-B: (O-98-76) HEARING HELD

First public hearing of an Ordinance amending Ordinance No. O-18424 (New Series), entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1997-98 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year," by amending CIP-29-628.0, increasing CIP-29-628.0 by \$2,722,422.85, by transferring the sum of \$2,722,422.85 from FBA No. 74002 to CIP-29-628.0 for the acquisition of 8.49 acres from Pardee Development Company, located at the intersection of Del Mar Heights Road and Ashley Fall Road.

NOTE: The introduction and adoption of the Ordinance in Subitem B will be heard on Tuesday, January 13, 1998.

CITY MANAGER SUPPORTING INFORMATION:

The acquisition of this property from Pardee Development Company containing 8.49 acres is a requirement of the Community and Precise Plans for the development of Carmel Valley Neighborhood No. 4. The acquisition consists of 4.65 acres for a City park and 3.84 acres for a joint use area to be shared with the Del Mar Union School District. On November 26, 1997, the City acquired 3.20 acres from Marlin Development to give the City a total of 6.10 acres for a City park and 5.59 acres for joint use. Upon completion of this action, the acquisition portion of the project will be complete.

Aud. Cert. 9800747.

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

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS TO ADOPT THE RESOLUTION FOR SUBITEM A AND APPROVE THE FIRST HEARING FOR SUBITEM B. 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-not present.

ITEM-203: CONTINUED TO TUESDAY, JANUARY 20, 1998

SUBJECT: Awarding a Contract to Vince Dixon Ford, Inc. for 84 Police Patrol Vehicles.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-213)

Awarding a contract to Vince Dixon Ford, Inc., (Carlsbad, CA), for furnishing 84 police patrol vehicles (1998 Ford Crown Victoria Police Interceptors), at a cost of \$19,642.65 each, for a total estimated cost of \$1,649,982.60, including tax and terms, less the following trade-in allowance:

Trade-In Equipment

Quantity	Description	Unit Allowance	Extension
1 each	1987 Ford Crown Victoria	\$ 521	\$ 521
16 each	1992 Ford Crown Victoria	\$2,211	\$ 35,376
26 each	1993 Ford Crown Victoria	\$3,011	\$ 78,286
27 each	1994 Ford Crown Victoria	\$3,511	\$ 94,797
2 each	1995 Ford Crown Victoria	\$5,011	\$ 10,022
Total Trade-In Allowance			\$219,002

Authorizing the expenditure of not to exceed \$1,558,854.25 from Fund No. 100, Dept. No. 110, Org. No. 4001, Object Account No. 6013 and Job Order No. 004001;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-C6411/98)

CITY MANAGER SUPPORTING INFORMATION:

These vehicles are requested by the Police Department for use as patrol vehicles. Seventy-two are replacements for the vehicles being traded-in which all have mileage in excess of 100,000 miles. Five are replacements for vehicles which were damaged beyond cost effective repair and are being used as a source of replacement parts. Seven are additional vehicles which will be utilized by additional officers assigned to patrol. Forty-nine potential bidders were contacted; three bids were received. Bids were evaluated per bid specifications on the basis of the initial cost of the vehicles, trade-in allowances and terms of payment. Similar vehicles were purchased in October of 1996 from Bob Baker Ford. The proposed contract pricing is approximately 1 percent higher.

Aud. Cert. 9800685.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS TO CONTINUE THIS ITEM TO JANUARY 20, 1998, AT THE REQUEST OF COUNCIL MEMBER KEHOE, TO

SEE IF THE RSVP AND CSO GROUPS WOULD BE INTERESTED IN THE TRADE-INS. 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-not present.

ITEM-204:

SUBJECT: Awarding Contracts for the Purchase and Lease/Purchase of Heavy Duty Motive Equipment.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-212) ADOPTED AS RESOLUTION R-289637

Awarding contracts for purchase and lease/purchase of heavy duty motive equipment, as may be required for a period of one year beginning November 1, 1997 through October 31, 1998, with options to renew the contract for four additional one year periods, with price escalations not to exceed 10 percent of prices in effect at the end of each prior contract year, for a total estimated cost of \$954,144.26, including tax and terms, to the following:

1. Contractors Equipment Co. (San Diego, CA), for Items 1,2,3 and 5 at a cost of \$883,138.40;
2. Haaker Equipment Co. (Pomona, CA), for Item 6 at a cost of \$148,649.75;
3. Nixon-Egli Equipment Co. (Santa Fe Springs, CA), for Item 7 at a cost of \$122,673.38;
4. Clairemont Equipment Co. (San Diego, CA), for Items 8,9,10 and 11 at a cost of \$351,303.79;
5. Hawthorne Machinery Co. (San Diego, CA), for Item 12 at a cost of \$151,252.99;

Authorizing the City Manager to finance a portion of the acquisition under the Master Lease Program over a period of seven years for a total estimated lease cost of \$916,200 of which \$55,200 in sales tax will come from FY 98 funds;

Authorizing the expenditure of not to exceed \$954,144.26 for FY 98, from Fund Nos. 500311, 500318, 500312, 500313, 500333, 500315, 500317 and 500331, Dept. Nos. 500311, 500318, 500312, 500313, 500333,

500315, 500317, and 500331, Org. Nos. 442, 940, 764, 766, 773, 775, 751 and 730, Object Account Nos. 6013 and 6029, and Job Order Nos. 000442, 000940, 000764, 000766, 000773, 016186, 000751 and 000730;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-P6331/98)

CITY MANAGER SUPPORTING INFORMATION:

The proposed contract is for the purchase, or lease/purchase utilizing the City's Master Lease Program, of 28 units of heavy duty motive equipment to be used by the Equipment Division. All units, except 2 of Item 3, are replacement units for similar pieces of equipment which had been used by the Equipment Division, and have exceeded their useful life span. The 2 units of Item 3 are additional pieces of equipment. The new pieces of equipment will be utilized by the Equipment Division to meet the needs of various divisions of the Public Works Business Center.

Thirty-four potential bidders were contacted and thirteen bids were received. The apparent low bid for Item 1 from Bengal Equipment and Tractor Co. was rejected as it did not meet the City specifications, and this item is being awarded to the second low bidder, Contractors Equipment Co. The apparent low bid for Item 7 from Hermann Equipment, Inc. was rejected as non-responsive as the bidder submitted a monthly/annual lease price, not a purchase price; this item is being awarded to the second low bidder, Nixon-Egli Equipment Co. Item 4 is not being awarded at this time pending a demonstration by the low bidder. The majority of these units will be purchased outright, but one each of Item 1, Item 3, Item 7, Item 9, Item 12, four each of Item 5, and three each of Item 6 will be purchased using the City's Master Lease Program.

Aud. Cert. 9800718.

FILE LOCATION: PURCHASE CONFY98-5

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

ITEM-205: RETURNED TO CITY MANAGER

SUBJECT: Inviting Bids for Construction of the Metropolitan Wastewater Department Maintenance Facilities

Relocation.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution: (R-98-508)

Inviting bids for the construction of the Metropolitan Wastewater Department Maintenance Facilities Relocation on Work Order No. 174421;

Authorizing 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;

Authorizing the Auditor and Comptroller to transfer the following amounts:

\$1,290,641 from Fund No. 41509, CIP-43-910.3, Program Planning and Studies; \$484,456 from Fund No. 41509, CIP-45-910.2, CWP Predesign and Engineering; and \$114,372 from Fund No. 41509, CIP-45-925.0, MOC Energy Upgrade; all transferred to Fund No. 41506, CIP-46-196.0, Maintenance Facilities Relocation;

Authorizing the expenditure of not to exceed \$2,253,273 as follows:

\$2,172,013 from Fund No. 41506, CIP-46-196.0, Maintenance Facilities Relocation Project to provide funds for project construction and related costs; and \$81,260 from Fund No. 41506, CIP-46-193.0, Annual Allocation - Pooled Contingency, to provide funds for project contingency, 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.
(BID-K98108)

CITY MANAGER SUPPORTING INFORMATION:

This project will include the following improvements:

Construction:

The construction improvements are specifically related to 9150 Topaz Way, Metropolitan Operation Center, MOC I Facility in Kearny Mesa. The project will begin in April 1998 and will be

completed in late September 1998. This project will improve approximately 31,000 sq. ft. at the MOC I Facility for the Wastewater Collection Division, field and office staff. The construction will include the addition of new showers, restrooms and locker facilities for the Wastewater Collection Division field staff. Other improvements include demo of drywall, installation of new framing and drywall, upgrades to the fire sprinkler, heating/air conditioning replacement, electrical upgrades, telephone and data upgrades, improvements to the existing restroom facilities for ADA compliance and new carpet and paint.

Supplemental Construction:

The installation of a new electrical service feed for MOC I power requirements, will be performed by MWWD's Job Order Contractor, R.E. Hazard Contractors. This project includes installation of conduits from SDG&E's vault to MOC I and the installation of a new transformer pad.

Related Costs:

This request provides for funds for construction (\$1,675,211) and related costs associated with improvements to the MOC I office space described above. Other related costs are identified as In-House Engineering, Owner Controlled Insurance Program, Permitting, Asbestos Abatement (Using Environmental Services As-Needed Contractor), Construction and Project/Construction Management by MWWD and Sverdrup Kaiser Engineering.

Aud. Cert. 9800645.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS TO RETURN THIS ITEM TO THE CITY MANAGER AT HIS 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-not present.

ITEM-206: CONTINUED TO MONDAY, FEBRUARY 2, 1998

SUBJECT: Debarment and Assessment of Penalty Against Mingus Constructors, Inc.

(See City Manager Report CMR-98-01.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution (R-98-660)

Adopting in full the findings of fact in City Manager Report CMR-98-01, relative to the corrupt practices of Mingus Constructors, Inc.;

Declaring that as a consequence of the facts, Mingus Constructors, Inc. is permanently debarred from performing contract work for the City of San Diego;

Assessing Mingus Constructors, Inc. a penalty of \$79,594.77, representing 10 percent of the reinforcing steel subcontract value for the Pump Station 65 Relocation Project, and depositing the penalty in Sewer Revenue Fund No. 41506;

Directing the City Manager to report these matters involving Mingus Constructors, Inc. to the California Contractors Licensing Board.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A471-500.)

MOTION BY MATHIS TO CONTINUE THIS ITEM TO FEBRUARY 2, 1998, AT THE REQUEST OF MINGUS CONSTRUCTORS, INC., TO ALLOW THEM TIME TO PREPARE FOR THE HEARING. 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-not present.

ITEM-207:

SUBJECT: Reallocation of Costs - Metropolitan Wastewater and Environmental Services Departments.

(NAS Miramar. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-730) ADOPTED AS RESOLUTION R-289638

Reallocating and reimbursing the following expenditures and costs between the Metropolitan Wastewater Department and the Environmental Services Department:

1. Reallocation of \$1,418,066 previously approved from the Metropolitan Wastewater Department, Fund No. 41509, consisting of \$271,000 from CIP-40-921.0, FIRP Phase II Digested Sludge Pipeline and \$1,147,066 from CIP-42-911.4, Metro Biosolids Center, to the Environmental Services

Department, Fund No. 41201, CIP-37-255.0,
Materials Recovery Facility;

2. Reallocation of \$223,600 in expenditures from the Environmental Services Department, Fund No. 41201, CIP-37-056.0, West Miramar Landfill Phase II, to the Metropolitan Wastewater Department, Fund No. 41509, CIP-42-911.4, Metro Biosolids Center;
3. Reimbursement of \$48,100 in expenditures for water from the Metropolitan Wastewater Department, Fund No. 41509, CIP-42-911.4, Metro Biosolids Center, to the Environmental Services Department, Fund No. 41200, Dept. 752, Revenue Account 77596;

Authorizing the Auditor and Comptroller to transfer not to exceed \$2,984,166 from the Metropolitan Wastewater Department, Fund No. 41509, CIP-42-911.4, Metro Biosolids Center to Environmental Services Enterprise Fund No. 41200, Dept. 752, Revenue Account 79298, as compensation for the earth mound storage capacity used by the Metropolitan Wastewater Department in clearing a site for the Metro Biosolids Center.

CITY MANAGER SUPPORTING INFORMATION:

On September 14, 1992, the City Council adopted Resolution R-280613, approving the concept of the Miramar Landfill General Development Plan, and authorizing the City Manager to proceed with planning of expanded facilities. This Plan encompassed all foreseeable future developments on the Miramar lease property and co-located Environmental Services Department (ESD) and Metropolitan Wastewater Department (MWWD) facilities. The two departments, working as a team, coordinated the common use of consultants, contractors, utilities, and earth mound storage capacity to effect a net savings to the City. MWWD used approximately 650,000 cubic yards of ESD's on-site mounding capacity to reduce hauling costs for excess construction fill and keep the Metro Biosolids Center project on its aggressive schedule. It is estimated that this collaborative effort between the Metropolitan Wastewater Department (MWWD) and Environmental Services Department (ESD) saved MWWD approximately \$3,275,000 in reduced earth moving costs related to the Metro Biosolids project, by eliminating the need to haul excavated soil off-site. This action will reallocate funding from MWWD to ESD, to compensate ESD for the value of the on-site mounding capacity used by MWWD at the Miramar Landfill.

Aud. Cert. 9800746.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS 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-not present.

ITEM-208: RETURNED TO CITY MANAGER

SUBJECT: Inviting Bids for Construction of the Metropolitan
Operations Center (MOC 3) Expansion Project.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-659)

Inviting bids for the construction of the Metropolitan
Operations Center (MOC 3) Expansion Project on Work
Order No. 173761;

Authorizing 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;

Authorizing the Auditor and Comptroller to transfer
\$380,000 from Fund No. 41509, CIP-45-910.3, Program
Planning and Studies, to Metro Fund No. 41508,
CIP-40-922.0, Metropolitan Operations Center Expansion;

Authorizing the expenditure of not to exceed \$2,153,981
as follows:

\$2,093,406 from Metro Fund No. 41508, CIP-40-922.0,
Metropolitan Operation Center Expansion, to provide
funds for project construction and related costs; and
\$60,575 from Metro Fund No. 41508, CIP-46-501.0, Annual
Allocation - Pooled Contingency, to provide funds for
project contingency, 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.
(BID-K98109)

CITY MANAGER SUPPORTING INFORMATION:

This project is for improvement of the Central Support Facility in Kearny Mesa. This project will begin in April 1998 and will be completed by October 1998 using an advertise and award contract. This project at 9191 Kearny Villa Court will provide for the build out of a central repair facility, centralized warehousing, 6,000 sq. ft. of office space, locker room facilities, training room, an electrical shop and Store Room No. 64. In addition, the facility will undergo a seismic upgrade from Zone 3 to the current standard of Zone 4. This project also includes upgrades to the electrical service feed and the installation of telephone and data equipment and furnishing for the facility. The warehouse, machine shop, office and seismic improvements will be completed by the low responsible bidder. The electrical service upgrade will be performed by MWWD's Job Order Contractor, R.E. Hazard, and the telephone/data installation will be performed by San Diego Data Processing Corp. Any asbestos abatement will be performed by the City of San Diego, Environmental Services Program, Asbestos and Lead Management Section. The project will be supervised by MWWD, Program Management Division and construction management will be performed by Sverdrup/Kaiser Engineering.

Aud. Cert. 9800644.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A507-B176.)

CONSENT MOTION BY MATHIS TO RETURN THIS ITEM TO THE CITY MANAGER AT HIS 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-not present.

ITEM-S400:

SUBJECT: Declaring January 18-24, 1998 to be Qualcomm Week.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-98-754) ADOPTED AS RESOLUTION R-289639

Declaring the week of January 18-24, 1998 to be "Qualcomm Week" in San Diego, in appreciation of the economic and social contributions the company makes to our region.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B177-275.)

MOTION BY WARDEN 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-not present.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Wear at 3:20 p.m. in honor of the memory of:

Sonny Bono, as requested by Deputy Mayor Wear; and

Eva Crawford, as requested by Council Members Stevens and Vargas.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B325-360.)