

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, MARCH 31, 1998
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:11 a.m.

Council Member Stallings acknowledged the presence of second grade students from Alcott Elementary School in District 6. She welcomed them and then invited them to her office on the 10th floor.

City Manager Uberuaga announced that he has appointed George Loveland as the Manager of Public Works.

Executive Assistant City Attorney Devaney announced that the City Council voted in Closed Session by a vote of 9-0 to intervene into one litigation matter.

The meeting was recessed by Mayor Golding at 11:22 a.m. to convene the Redevelopment Agency. The meeting was reconvened by Mayor Golding at 11:25 a.m. with all members of the City Council present. Mayor Golding adjourned the meeting at 11:26 a.m. to meet immediately in Closed Session in the twelfth floor conference room to discuss property acquisition and Meet and Confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present

- (5) Council Member Warden-present
 - (6) Council Member Stallings-present
 - (7) Council Member McCarty-present
 - (8) Council Member Vargas-present
- Clerk-Abdelnour (mp)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

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

ITEM-10: INVOCATION

Invocation was given by Pastor Richard Allsing of St. Paul's Lutheran Church.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mathis.

PUBLIC COMMENT:

ITEM-PC-1:

Michael Aguirre commented on the Council's decision last year to spend millions of dollars in favor of the Chargers and the NFL and urged the Mayor to pull

together other cities to stop the NFL from abusing the cities. He stated the NFL Cartel is engaging in monopolistic practices.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A060-075.)

ITEM-PC-2:

Don Stillwell talked on "Crisis in the Classroom." He stated the problem in this country is that people have left God.

FILE LOCATION: AGENDA

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

ITEM-PC-3:

Art Salzberg talked about the East Village Homeless Association, the demonstration at the doors of City Hall and that by the end of summer they will occupy Horton Plaza.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A100-130.)

ITEM-PC-4:

Roger Scott spoke on the homeless situation and the need for a social review board to recommend actions to the City Council. He asked Mayor Golding to look at a building where the homeless could feel comfortable.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A131-156.)

ITEM-PC-5:

Daniel Fagan spoke on the issue of a year-round homeless shelter. He urged the people to write to the Housing Commission. He stated the City needs a full-time homeless coordinator.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A158-186.)

ITEM-PC-6:

Al Strohlein spoke on stadium tickets and the Sky Box.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A187-215.)

ITEM-PC-7:

Bruce Henderson spoke on Proposition A and the Chargers. He commented on a newspaper article by Mr. Bloom regarding, among other things, the NFL declaring Qualcomm Stadium becoming obsolete in seven years.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A217-245.)

COUNCIL COMMENT:

ITEM-CC-1:

Council Member Kehoe stated the City will inform the NFL of the City's feelings about the NFL's requirements for future superbows in San Diego.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A247-251.)

ITEM-CC-2:

Mayor Golding commented that mayors of this country formed a conference a long time ago, initially focused on baseball, but now on the NFL because they do not like what is going on. Where the NFL is concerned, Mr. Bloom is interjecting his comments. Mayor Golding said she talked with Mr. Tagliabue and he did not know anything about the contents of that article. Mayor Golding stated the articles in the newspaper were not accurate and did not come from the NFL. The 2002 superbowl is between New Orleans and San Diego. Mayor Golding responded to Mr. Henderson that "shopping" the Chargers is totally incorrect.

Mayor Golding also announced that JJ had been released safely at 10:19 this morning.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A252-320.)

ITEM-CC-3:

Council Member Warden briefed Council on the results of her trip to Washington, D. C. She mentioned the generous amount of funding coming for various freeways.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A335-350.)

ITEM-30:

SUBJECT: Kate Sessions Month.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-98-862) ADOPTED AS RESOLUTION R-289896

Recognizing the remarkable accomplishments, life and legacy of Kate Sessions;

Proclaiming the month of April, 1998 to be "Kate Sessions Month" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A361-445;A540-B116.)

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

* ITEM-100:

SUBJECT: Two actions related to Inviting Bids for the Alvarado Trunk Sewer Re-Alignment.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-309) ADOPTED AS RESOLUTION R-289897

Inviting bids for the Alvarado Trunk Sewer Re-Alignment on Work Order No. 172801;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of \$2,577,277 from CIP-44-001.0, Annual Allocation - Sewer Main Replacements, Sewer Fund 41506, provided that the City Auditor first furnishes a certificate demonstrating that the funds 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-K98067C)

Subitem-B: (R-98-985) ADOPTED AS RESOLUTION R-289898

Certifying that the information contained in Mitigated Negative Declaration LDR-93-0619, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Declaration reflects the independent judgement of the City as Lead Agency and that the information contained, together with any comments received during the public review process, has been reviewed and considered by Council;

Stating that the Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and approving the Mitigated Negative Declaration;

Adopting the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required in order to mitigate or avoid significant effects on the environment.

CITY MANAGER SUPPORTING INFORMATION:

The Alvarado Trunk Sewer Realignment Project became necessary after the heavy rains in March 1991. Alvarado Creek overflowed its banks causing erosion beneath the 21-inch Trunk Sewer, which ultimately led to a sewer break and spillage of 5.1 million gallons of untreated sewage. The California Regional Water Quality Control Board, by Order No. 91-68, fined the City of San Diego \$50,000 and imposed regulations to prevent re-occurrence of the event. In response, City maintenance crews repaired the break with a temporary concrete encasement and have conducted visual inspections to avoid any further spills. City staff determined that the sewer break was located within CalTrans' flood control channel for Alvarado Creek that runs parallel to Interstate 8 (I-8). The only permanent repair is to realign the Trunk Sewer out of Caltrans' flood control channel. The plans and specifications will relocate all of the existing 1,315 linear feet of 21-inch sewer from the control channel to Canyon Crest Drive, and improved private road owned by San Diego State University (SDSU). The realigned Trunk Sewer will then pass north under I-8 and connect to the existing 21-inch Alvarado Trunk Sewer in an open space area also owned by SDSU, and adjacent to Adobe Falls Park. The proposed replacement pipe will have a 42-inch steel casing pipe and a 30-inch sewer carrier pipe. Approximately 1,249 feet will be installed by tunneling. The remaining 297 linear feet of the pipe will be installed by traditional open cut methods. A Resource Protection Ordinance

(RPO) permit is required because the project encroaches into environmentally sensitive habitat. Measures to mitigate the potentially adverse impact caused by the project have been incorporated into condition of the RPO permit.

WWF-98-306.

ADDITIONAL BUSINESS:

(R-98-1070) ADOPTED AS RESOLUTION R-289899

Approving the Resource Protection Ordinance (RPO) Permit.

FILE LOCATION: Subitem-A,B,Add.Bus.: W.O. 172801; CONT -
BRH-Garver, Inc. CONFY98-1

COUNCIL ACTION: (Tape location: A540-B116.)

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

* ITEM-101:

SUBJECT: Inviting Bids for Replacement of the Hollister Street (Bailey) Bridge Over the Tijuana River.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-986) ADOPTED AS RESOLUTION R-289900

Inviting bids for Replacement of the Hollister Street (Bailey) Bridge Over the Tijuana River on Work Order No. 526250;

Authorizing a contract with the lowest responsible bidder;

Approving Program Supplement No. 11-5004(097) to Local Agency-State Agreement for Federal Aid Project No. 11-5004(034), in the amount of \$2,683,293 for Replacement of the Hollister Street (Bailey) Bridge Over the Tijuana River;

Authorizing the expenditure of an amount not to exceed \$3,353,293 from CIP-52-625.0, Replacement of the Hollister Street (Bailey) Bridge Over the Tijuana River, of which \$2,683,293 is from Program Supplement No. 11-5004(097), Fund 38713, contingent upon receipt of the executed Program Supplement;

Authorizing an amount not to exceed \$670,000 from TransNet Fund 30300, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury. (BID-K98066C)

CITY MANAGER SUPPORTING INFORMATION:

This project provides for the replacement of the temporary one-lane Bailey Bridge Over the Tijuana River with a permanent bridge which will provide a travel lane in each direction, 10 foot multipurpose path and sidewalk. This project will also allow for grading to occur both upstream and downstream from the bridge to remove the existing construction in the channel.

Aud. Cert. 9801020.

FILE LOCATION: W.O. 526250 CONT - Errica's Inc. CONTFY98-1

COUNCIL ACTION: (Tape location: A540-B116.)

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

* ITEM-102:

SUBJECT: Landscape Easement Exchange - Carmel Valley
Neighborhood 4 Unit 9.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-982) ADOPTED AS RESOLUTION R-289901

Approving the acceptance by the City Manager of the deed of Jeffry C. Howard and Sarah S. Howard, husband and wife as joint tenants, conveying to the City a landscape easement in portions of Carmel Valley Neighborhood 4 Unit 9, Map-12604;

Authorizing the execution of a quitclaim deed, quitclaiming to Jeffry C. Howard and Sarah S. Howard, of the City's right, title and interest in a landscape easement in portions of Carmel Valley Neighborhood 4 Unit 9, Map-12604;

Approving the acceptance by the City Manager of the deed of Pardee Construction Company, conveying to the City a landscape easement in portions of Carmel Valley Neighborhood 4 Unit 9, Map-12604;

Authorizing the execution of a quitclaim deed, quitclaiming to Pardee Construction Company, all of the City's right, title and interest in a landscape easement in portions of Carmel Valley Neighborhood 4 Unit 9, Map-12604.

CITY MANAGER SUPPORTING INFORMATION:

Landscape easements were originally dedicated on the final subdivision map of Carmel Valley Neighborhood 4 Unit 9. It was later found that the easement lines did not line up with the tops and toes of the graded slope. The new easements being granted more accurately reflect the area to be maintained by the landscape maintenance district. The area of landscape easement being vacated approximately equals the area being granted. Staff recommends Council approval of the exchange of these easements.

FILE LOCATION: DEED F-7201 DEEDFY98-4

COUNCIL ACTION: (Tape location: A540-B116.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea,

Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Two actions related to Sewer Easement Exchange and Street Dedication - San Gorgonio Street.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-824) ADOPTED AS RESOLUTION R-289902

Authorizing the City Manager to accept the grant deed of Glenn A. Davis and Delaine H. Davis, husband and wife as joint tenants, granting to the City an easement for public street purposes in a portion of Lot 5 of Coronado Vista Map-2568; dedicating the land as and for a public street and naming the same San Gorgonio Street.

Subitem-B: (R-98-825) ADOPTED AS RESOLUTION R-289903

Authorizing the City Manager to accept the deed of Glenn A. Davis and Delaine H. Davis, conveying to the City a sewer easement in a portion of Lot 5 of Coronado Vista Map-2568;

Authorizing the execution of a quitclaim deed, quitclaiming to Glenn A. Davis and Delaine H. Davis, all of the City's right, title and interest in a sewer easement in a portion of Lot 5 of Coronado Vista Map-2568.

CITY MANAGER SUPPORTING INFORMATION:

This action is requested to facilitate construction of a new 6,602 sq. ft. single-family residence on portions of a 0.5-acre site located at 620 San Gorgonio Street, in the Peninsula area. The construction requires the relocation of a public service easement. There are currently no facilities in the existing easement. A new easement in a different location is proposed by

the owner. The Council is asked to vacate the old easement and authorize the acceptance of the new easement. The easement exchange is shown on Engineering Drawing No. 18985-B. This action also accepts the dedication of four feet of right-of-way on San Gorgonio Street at the property's frontage. The dedication is a requirement of condition 15 of Coastal Development Permit CDP-95-0689. Engineering Permit No. W46905 has been issued for grading and public improvements.

FILE LOCATION: Subitem-A,B: DEED F-7202 DEEDFY98-3

COUNCIL ACTION: (Tape location: A540-B116.)

CONSENT MOTION BY KEHOE TO ADOPT THE RESOLUTIONS. 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-104:

SUBJECT: Children's Theatre Network Day.

DEPUTY MAYOR WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-98-959) ADOPTED AS RESOLUTION R-289904

Recognizing Mr. Alex Urban, and the Children's Theatre Network for 25 years of contributions to children in San Diego;

Proclaiming April 3, 1998 to be "Children's Theatre Network Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A540-B116.)

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

* ITEM-105:

SUBJECT: San Ysidro Redevelopment Project Area Committee
Elections.

(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1012) ADOPTED AS RESOLUTION R-289905

Ratifying the election results of March 3, 1998 for the
San Ysidro Redevelopment Project Area Committee.

CITY MANAGER SUPPORTING INFORMATION:

The San Ysidro Redevelopment Project Area Committee (consisting of 11 members), conducted annual elections as required by California Redevelopment Law on March 3, 1998. From a total of six candidates, four were elected as members of the Project Area Committee (PAC) of the San Ysidro Redevelopment Project Area. A representative from the City Clerk's Office attended the March 3, 1998 election to ensure its validity. California Redevelopment Law requires ratification of elections within 30 days of the election date. Names of newly elected members are listed on the memorandum dated March 4, 1998 from Pedro Moreno, Election Secretary.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A540-B116.)

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

* ITEM-106:

SUBJECT: Agreement with Almgren & Koptionak, Inc., for
Engineering Services for the Rehabilitation of Sewer
Pump Station No. 27.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-946) ADOPTED AS RESOLUTION R-289906

Authorizing an agreement with Almgren & Koptionak, Inc., for engineering services for the rehabilitation of Sewer Pump Station No. 27;

Authorizing the transfer of an amount not to exceed \$237,408 from Sewer Fund 41506, CIP-46-158.1, Mission Bay Interceptor, to Sewer Fund 41506, CIP-46-106.0, Annual Allocation - Pump Station Restoration, CIP-46-601.3;

Authorizing the expenditure of an amount not to exceed \$237,408 from CIP Sewer Fund 41506, CIP-46-601-3.

CITY MANAGER SUPPORTING INFORMATION:

Pump Station No. 27 is located in Mata Park at 2211 Avenida De La Playa, between El Paseo Grande and El Paseo Del Ocaso. The Pump Station is located in the La Jolla Shores Community Area, Council District 1. The Sewer Pump Station was constructed in 1972 and is now operating beyond its estimated service life. The pump station facilities are completely underground with the only visible items being the electrical transformer, a vent (flag pole), and concrete stairway which is the only entrance to the Pump Station.

This project will restore and improve the reliability of Pump Station No. 27 and bring it up to current standards and regulations. For this reason, the Engineering & Capital Projects Department is rehabilitating this facility to meet operational requirements including a secondary force main, replacement of existing equipment, and a backup power source. The list of as-needed civil engineering consultants were requested from the Consultant Selection Coordinator. The Consultant Nominating Committee nominated six civil engineering firms to participate in the final selection process. In conformance with Council Policy 300-7, the six civil engineering firms were interviewed. Almgren & Koptionak, Inc., was selected as the best qualified firm to provide civil engineering services for this project. The

subconsultants used by Almgren & Koptionak, Inc., are AGRA Earth & Environmental, Inc.; Mark Balan & Associates; Katz, Okitsu & Associates; Dudek & Associates; Wiechers Corporation; and Lightfoot Planning Group. It's anticipated that there will be 18.1 percent MBE participation in this contract.

Aud. Cert. 9801031.

WWF-98-323.

FILE LOCATION: MEET CCONTFY98-1

COUNCIL ACTION: (Tape location: A540-B116.)

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

* ITEM-107:

SUBJECT: Miramar Road Railroad Bridge Widening - Additional State Funding.

(Mira Mesa, North University City, Corridor and Clairemont Mesa Community Areas. Districts-3,5 & 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-968) ADOPTED AS RESOLUTION R-289907

Authorizing a supplement to Agreement No. 11R004 with the State of California Department of Transportation (CalTrans);

Authorizing the City Manager to accept \$327,815 from CalTrans (Grade Separation Fund), pursuant to Section 190 of the Streets and Highways Code and as a result of the supplement to Agreement No. 11R004;

Amending the FY 98 CIP Budget to add CIP-52-656.0, Genesee Avenue Median Improvements;

Authorizing the Auditor and Comptroller to deposit and approve the expenditure of not to exceed \$227,815 in CIP-39-210.0, City Heights - University Avenue Streetscape, and deposit and approve the expenditure of not to exceed \$100,000 in CIP-52-656.0, Genesee Avenue Median Improvements.

CITY MANAGER SUPPORTING INFORMATION:

On September 26, 1986, under Resolution R-266679, the City entered into an agreement with CalTrans for widening of the Miramar Road Railroad Bridge over the AT&SF Railroad. Under the agreement, CalTrans would provide 80 percent of the funds for construction. The construction cost estimate for the project was \$600,000, with CalTrans providing \$480,000. The project has been completed. A Notice of Completion was recorded on the project on July 11, 1989.

The actual total cost to construct was \$1,009,769.38. Under Title 21 Department of Transportation Subchapter 13, the City may file for supplemental funding. This request proposes a request for \$327,815.50, which together with funds previously received would be 80 percent of the actual cost of constructing the improvements. On November 23, 1992, under Resolution R-281111, the City filed an application for supplemental funding to receive 80 percent CalTrans reimbursement. CalTrans has informed the City that the AT&SF construction costs (\$58,033.38) are 80 percent reimbursable. The new total project cost would then be \$1,009,769.38. This action will provide the resolution to approve the supplement to Agreement No. 11R004 between the City of San Diego and CalTrans. The CIP-52-656.0 project will improve the existing asphalt-paved median on Genesee Avenue in accordance with a prior commitment to the community by the City Manager. The funds transferred to CIP-39-210.0 (City Heights - University Avenue Streetscape) are needed to meet revised estimated project costs, so that a Council approved CIP project can proceed.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A540-B116.)

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

* ITEM-108:

SUBJECT: Consultant Agreement with Earth Tech for El Camino Real
- Via de la Valle to San Dieguito Road, Phase I.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1004) ADOPTED AS RESOLUTION R-289908

Authorizing the execution of an agreement with Earth Tech, for the purpose of providing professional geotechnical reports, preliminary environmental studies and preliminary construction documents for the street widening and bridge construction of El Camino Real between Via de la Valle and San Dieguito Road;

Authorizing the expenditure of an amount not to exceed \$111,817 from Fund 30300, and an amount not to exceed \$300,000 from Fund 39051, CIP-52-479.0, El Camino Real - Half Mile Drive to Via de la Valle.

CITY MANAGER SUPPORTING INFORMATION:

This project will provide for the improvement of El Camino Real between Via de la Valle and Half Mile Drive, from the existing two-lane roadway to a four-lane major street. Other improvements to be added include: rehabilitation and widening the existing two-lane bridge; new curb, gutter, and sidewalk; and equestrian and wildlife trail crossings. This action will provide a consultant to prepare geotechnical reports, traffic studies, and preliminary environmental studies which will be required as part of the Environmental Impact Report (EIR), bridge design options, and roadway construction documents to the 35 percent complete stage for Phase I of the project (El Camino Real between Via de la Valle and San Dieguito Road). A grade and alignment study for Via de la Valle from I-5 east to the county line is also included in this work. It is not feasible for City staff to perform this design since the work is highly technical and qualified staff is not available for this effort at this time.

The proposed consultant firm of Earth Tech was selected in accordance with Council Policy 300-7, and staff thereby recommends that they be retained as the consultant for work as

specified.

Aud. Cert. 9801033.

FILE LOCATION: MEET CCONTFY98-1

COUNCIL ACTION: (Tape location: A540-B116.)

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

* ITEM-109:

SUBJECT: Consultant Selection - City of San Diego Annual Independent Auditor.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1016) ADOPTED AS RESOLUTION R-289909

Authorizing an agreement with Calderon, Jahan & Osborn, to conduct the City's audits for Fiscal Years 1998-2002;

Authorizing the expenditure of an amount not to exceed \$162,853.

CITY MANAGER SUPPORTING INFORMATION:

A Request for Proposal (RFP) was issued on October 13, 1997 for Independent Audit Services to the City of San Diego and its related entities for Fiscal Years 1997-98 through 2001-02. In accordance with Council Policy 300-7, the RFP was advertised in the San Diego Daily Transcript, Union Tribune, Voice & Viewpoint, and El Sol de San Diego for the period of October 23 through November 6, 1997. In addition, the RFP was sent directly to 27 local and southern California accounting firms. A selection committee, consisting of seven members, reviewed the four proposals submitted and interviewed two finalists (Calderon, Jaham & Osborn and KPMG Peat Marwick). The committee recommended that Calderon, Jaham & Osborn be retained to provide independent

audit services to the City and its related entities. Calderon, Jahan & Osborn has been the City's independent auditor for the contract period Fiscal Year 1992-93 through Fiscal Year 1996-97. The firm has provided excellent service to the City and its related entities during these past five years and was determined to be the most qualified to continue providing these services.

Aud. Cert. 9801072.

FILE LOCATION: MEET CCONFY98-1

COUNCIL ACTION: (Tape location: A540-B116.)

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

* ITEM-110: CONTINUED TO APRIL 7, 1998

SUBJECT: Two actions related to First Amendment to the Lease with Wesco Sales Corporation for Dana Landing Marina.

(See City Manager Report CMR-98-56. Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-98-929)

Authorizing a first amendment to the lease with Wesco Sales Corporation for the redevelopment of the Dana Landing Marina.

Subitem-B: (R-98-930)

Certifying that the information contained in Negative Declaration LDR-96-7477 in connection with Dana Landing, 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.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A540-B116.)

CONSENT MOTION BY KEHOE TO CONTINUE THE ITEM TO APRIL 7, 1998 AS REQUESTED BY THE CITY MANAGER TO FINALIZE THE LEASE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111:

SUBJECT: Subdivision Improvement Agreement for Carmel Valley Neighborhood 1 Unit 16A-2.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-955 Cor.Copy) ADOPTED AS RESOLUTION R-289910

Authorizing a Subdivision Improvement Agreement with Warmington Del Mar Associates, L.P., for the installation and completion of public improvements;

Releasing existing Bond No. 111 4153 5077, issued by the American Insurance Company in the amount of \$193,254.

CITY MANAGER SUPPORTING INFORMATION:

On November 14, 1994 the City entered into a Subdivision Improvement Agreement with Baldwin Building Company, a California general partnership, for the construction of public improvements for Carmel Valley Neighborhood 1 Unit 16A-2. The agreement expired on November 14, 1996. The property is now owned by Warmington Del Mar Associates, L.P. The new owner has signed a Subdivision Improvement Agreement to assume all of the obligations of the original subdivider and complete the required work. Warmington Del Mar Associates, L.P. has provided a performance bond for the work remaining (\$77,302).

FILE LOCATION: SUBD - Carmel Valley Neighborhood 1 Unit 16A-
2 CONFY98-1

COUNCIL ACTION: (Tape location: A540-B116.)

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

* ITEM-112:

SUBJECT: Subdivision Improvement Agreement for Carmel Valley Neighborhood 1 Unit 16A-1.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-954 Cor.Copy) ADOPTED AS RESOLUTION R-289911

Authorizing a Subdivision Improvement Agreement with Warmington Del Mar Associates, L.P., for the installation and completion of public improvements;

Releasing existing Bond No. 111 3309 3135, issued by the American Insurance Company in the amount of \$1,163,851.

CITY MANAGER SUPPORTING INFORMATION:

On January 18, 1994 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 1 Unit 16A-1. The agreement expired on January 18, 1996. The property is now owned by Warmington Del Mar Associates, L.P. The new owner has signed a Subdivision Improvement Agreement to assume all of the obligations of the original subdivider and complete the required work. Warmington Del Mar Associates, L.P. has provided a performance bond for the work remaining (\$378,252).

FILE LOCATION: SUBD - Carmel Valley Neighborhood 1 Unit 16A-

COUNCIL ACTION: (Tape location: A540-B116.)

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

* ITEM-113:

SUBJECT: Amended Subdivision Improvement Agreement for Stargaze Estates.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-983 Cor.Copy) ADOPTED AS RESOLUTION R-289912

Authorizing an amended Subdivision Improvement Agreement with Hallmark Stargaze Ltd. and Western Pacific Housing-Penasquitos LLC, for construction of public improvements for Stargaze Estates;

Authorizing the Auditor and Comptroller to release existing Bond No. 150-35-29 issued by Insurance Company of the West in the amount of \$230,978.

CITY MANAGER SUPPORTING INFORMATION:

On December 16, 1997 the City entered into a subdivision improvement agreement with Hallmark Stargaze Ltd., a California Limited Partnership, for the construction of public improvements for Stargaze Estates. The property was recently purchased by Western Pacific Housing-Penasquitos LLC. The new owner has signed an amendment to the subdivision improvement agreement to assume all of the obligations of the original subdivider and complete the required work. Western Pacific Housing-Penasquitos LLC has provided a performance bond in the original amount of \$230,978. The amended agreement is in accordance with Council Policy 600-21. Staff recommends approval.

FILE LOCATION: SUBD - Stargaze Estates CONFY98-1

COUNCIL ACTION: (Tape location: A540-B116.)

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

* ITEM-114:

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-98-844) ADOPTED AS RESOLUTION R-289913

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

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

COUNCIL ACTION: (Tape location: A540-B116.)

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

* ITEM-115:

SUBJECT: Christ Temple Church San Diego Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1028) ADOPTED AS RESOLUTION R-289914

Commending Christ Temple Church for 40 years of dedication and devotion to not only the community, but the entire City of San Diego;

Proclaiming April 5, 1998 to be "Christ Temple Church San Diego Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A540-B116.)

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

* ITEM-116:

SUBJECT: Excusing Councilmember Warden from the Council Meeting of 3/24/98 and the NR&C Committee Meeting of 3/25/98.

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1015) ADOPTED AS RESOLUTION R-289915

Excusing Councilmember Barbara Warden from attending the regularly scheduled Council Meeting of March 24, 1998, and the Natural Resources and Culture Committee Meeting of March 25, 1998, due to out of town City business in Washington, D.C.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A540-B116.)

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

* ITEM-117:

SUBJECT: Appointments to the San Diego County Water Authority Board of Directors.

(See memorandum from Mayor Golding dated 3/23/98 with resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1017) ADOPTED AS RESOLUTION R-289916

Council confirmation by the Mayor of the following appointments to serve as members of the San Diego County Water Authority Board of Directors, for terms ending as indicated:

NAME	TERM ENDING
Joseph Parker (reappointment)	March 7, 2004
John W. Johnson (replacing Robert Russell, who resigned upon expiration of term, 1/28/98)	January 28, 2004
Bernie Rhinerson (replacing Janice M. Stroud, whose term expired 3/7/98)	March 7, 2004

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A540-B116.)

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

ITEM-200:

SUBJECT: First Amendment to the Lease Agreement with the County of San Diego for Palomar Mountain Communication Site.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-98-102) INTRODUCED, TO BE ADOPTED ON APRIL 20, 1998

Introduction of an Ordinance authorizing a first amendment to the lease agreement with the County of San Diego for rack space at Palomar Mountain Communication Site.

NOTE: Pursuant to Section 99 of the City Charter, this hearing was noticed in the Daily Transcript on 3/20/98.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego entered into an agreement with the San Diego Unified School District on July 15, 1991. This agreement allows the School District to connect to the City's 800 MHZ radio system. As part of this agreement, the City installed a single 800 MHZ repeater in rack space at the County's Palomar Mountain Communication site. This repeater provides radio coverage for the School District's buses traveling to and from the District's camps on Palomar Mountain. The School District pays fair market value to the City for their use of the County's communication site. The City subsequently entered into a five-year lease with the County of San Diego, effective May 28, 1992, for the District's aforementioned repeater. This agreement is currently on holdover. The proposed amendment terms are as follows:

TERM - Five years. Extends original five-year agreement for five more years, effective May 28, 1997.

RENT - \$972 per year under current agreement and \$3,600 per year under proposed amendment, subject to annual Consumer Price Index adjustment. Proposed rent derived from analysis of current market values.

All other terms and conditions of the master lease remain in effect as previously approved.

Aud. Cert. 9801073.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A540-B116.)

Hearing began at 10:50 a.m. and halted at 11:00 a.m.

CONSENT MOTION BY KEHOE TO INTRODUCE THE ORDINANCE. 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-330:

SUBJECT: This is the public meeting regarding the annual assessments for the Coral Gate Landscape Maintenance District. Following public testimony at today's meeting, the Council will consider and may confirm the proposed assessments.

(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Upon affirmative findings at today's public hearing, adopt the following resolution:

(R-98-455 Cor.Copy) ADOPTED AS RESOLUTION R-289917

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance in the matter of the Coral Gate Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

The Coral Gate Landscape Maintenance District was established in 1995 to provide maintenance for parkway and slope landscaping along Camino de la Plaza, Sipes Lane and Bibler Drive, fences and walls along Camino de la Plaza, revegetation in open space areas and cowbird trapping in the Open Space Easement Lots within Coral Gate. The Fiscal Year 1999 proposed maintenance costs for the district are as follows:

FUND

DESCRIPTION	OPERATIONS	RESERVE	TOTAL
BEGINNING BALANCE	\$ 0.00	\$ 0.00	\$ 0.00
REVENUE:			
Assessments	47,123.00	0.00	\$47,123.00
TRANSFER	(1,752.00)	1,752.00	0.00
EXPENSE:			
Personnel	1,386.00	0.00	1,386.00
Contractual	20,000.00	0.00	20,000.00
Incidental	\$23,985.00	\$ 0.00	\$23,985.00
TOTAL EXPENSE	\$47,123.00	\$ 00	\$45,371.00
ENDING BALANCE	\$ 0.00	\$1,752.00	\$ 1,752.00

The proposed assessment for Fiscal Year 1999 is \$98.81 per equivalent benefitting unit (EBU). The maximum authorized assessment is \$172.84 per EBU indexed annually to the San Diego Consumer Price Index-Urban Consumers. The District contains 476.89 equivalent benefitting units.

FILE LOCATION: STRT - M-412-99

COUNCIL ACTION: (Tape location: A540-B116.)

Hearing began at 11:01 a.m. and halted at 11:03 a.m.

Mayor Golding announced the tally as 176 yeas and 1 nay.

Mayor Golding closed the hearing.

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

ITEM-331:

SUBJECT: Request to Bid Centre City East Streetlights Phase IV.

(See CCDC's memorandum dated 3/11/98. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-98-998) ADOPTED AS RESOLUTION R-289918

Making certain findings with respect to the payments for the construction of improvements consisting of the Centre City East Streetlights Phase IV in the East Village Redevelopment District of the Centre City Redevelopment Project, and making certain findings with respect to the payments for these improvements.

NOTE: See the Redevelopment Agency Agenda of March 31, 1998 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A540-B116.)

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

ITEM-332:

SUBJECT: Findings of Benefit to Horton Plaza Redevelopment Project Regarding an Owner Participation Agreement with Village Place Apartments and SVDP Management, Inc.

(See CCDC's memorandum dated 3/11/98. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:

Adopt the following resolution:

(R-98-997) ADOPTED AS RESOLUTION R-289919

Determining that the use of funds from the Horton Plaza Redevelopment Project Low and Moderate Income Housing Fund to provide funding for an Owner Participation Agreement in the East Village Redevelopment District of the Centre City Redevelopment Project will be of benefit to the Horton Plaza Redevelopment Project.

NOTE: See the Redevelopment Agency Agenda of March 31, 1998 for

a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A540-B116.)

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

ITEM-333: DENIED REQUEST FOR A HEARING

SUBJECT: Request by Steve Bram, for a hearing of an appeal from the decision of the Planning Commission in approving an application for a Coastal Development Permit (CDP) with conditions and denying the associated variances (VAR) in the Torrey Pines Community Plan Area (Bram Residence).

(CDP/VAR-96-7238. Torrey Pines Community Area. District-1.)

TODAY'S ACTION IS:

A motion either granting or denying the request for a hearing of the appeal.

NOTE: Pursuant to the requirements of the San Diego Municipal Code, no oral presentations shall be made to the Council by either the proponents or opponents of the project.

If the request to allow an appeal is granted, time has been reserved for the project to be heard on May 5, 1998 at 10:00 a.m.

SUPPORTING INFORMATION:

The appeal is being requested to consider the approval of an application for a Coastal Development Permit (CDP) to allow for the previous demolition of a single family residence, and the construction of a new, single family residence, and other accessory structures; and the denial of the associated variances (VAR) to:

(1) permit the structure to have a maximum height of approximately thirty (30) feet and ten (10) inches where

thirty (30) feet is allowed and
(2) permit the structure to have a floor area ratio of .71
(approximately 4,322 square feet of gross floor area) where
.60 (approximately 3,653 square feet of gross floor area) is
allowed within the underlying R1-5000 zone.

The site is located at 12818 Via Grimaldi within the Torrey Pines
Community Area more particularly described as Lot 39, and a
portion of Lot 40 in Block 8 of Del Mar Terrace, Map-1527.

The Development Services Department recommended approval of
Coastal Development Permit CDP-96-7238 with conditions and denial
of Variance No. 96-7238.

The Planning Commission voted 4-0 to uphold the Hearing Officer's
decision and approve the Coastal Development Permit and deny the
requested variances.

Ayes: Steele, Anderson, Skorepa and Watson
Not present: Butler, Quinn and White

The Torrey Pines Community Planning Group has recommended denial
of the permit and the variance for the single family residence.

FILE LOCATION: PERM-96-7238 (65)

COUNCIL ACTION: (Tape location: B116-415.)

MOTION BY MATHIS TO DENY THE REQUEST FOR A HEARING. Second
by Stallings. Passed by the following vote: Mathis-yea,
Wear-yea, Kehoe-nay, Stevens-nay, Warden-nay, Stallings-nay,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334:

SUBJECT: Matter of a public hearing for the determination of the
Citywide average vacancy rate for residential rental
units. The determination is required by Municipal Code
Sections 101.0512 "Conditional Use Permit for Companion
Units" and 101.0990 et. seq. "Condominium Conversion
Map Procedure."

(Citywide.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1032) RETURNED TO CITY MANAGER

Adoption of a Resolution certifying that the Citywide average vacancy rate for residential rental units in the City of San Diego is determined not to have exceeded five percent (5%) for calendar year 1997.

OTHER RECOMMENDATIONS:

Planning Commission voted 5-0 to approve; no opposition.

Ayes: Steele, Anderson, Butler, Watson, White
Not present: Quinn, Skorepa

SUPPORTING INFORMATION:

If the vacancy rate is determined to be less than five percent, the City will begin accepting application for conditional use permits for companion units in eligible communities for one year. Additionally, certain financial and procedural requirements for the conversion of apartments to condominiums will become effective.

NOTE: This activity is exempt from CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines. Subsequent new development will be subject to additional CEQA review.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A540-B116.)

CONSENT MOTION BY KEHOE TO RETURN THE ITEM TO THE CITY MANAGER AT HIS REQUEST BECAUSE OF A NOTICING PROBLEM AND TO BRING IT BACK TO COUNCIL ON APRIL 21, 1998. 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-S500:

SUBJECT: University of San Diego High School Men's Basketball

Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1055) ADOPTED AS RESOLUTION R-289920

Recognizing the remarkable accomplishments and deeds of the players and coach of the University of San Diego High School men's basketball team in becoming State Champion;

Proclaiming Tuesday, March 31, 1998 to be "University of San Diego High School Men's Basketball Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A457-B116.)

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

ITEM-S501:

SUBJECT: Authorizing Emergency Contract for Repair of the Carroll Canyon Trunk Sewer.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-98-1046) ADOPTED AS RESOLUTION R-289921

Awarding a contract to Orion Construction, Inc. to perform emergency repair of the Carroll Canyon Trunk Sewer;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$450,000 from CIP-46-

164.0, La Jolla-Pacific Beach Trunk Sewer Relief and an amount not to exceed \$105,284 from CIP-41-920.0, Sewer Pump Station No. 43 Upgrades to CIP-46-194.0, Annual Allocation for Trunk Sewer Rehabilitation;

Authorizing the expenditure of an amount not to exceed \$555,284 from CIP-46-194.0, Annual Allocation for Trunk Sewer Rehabilitation.

CITY MANAGER SUPPORTING INFORMATION:

The Carroll Canyon Trunk Sewer (CCTS) is a large trunk sewer serving a majority of the Mira Mesa, University, and Miramar Ranch community areas. Constructed in 1970, the CCTS originates near Interstate 15 and discharges into Sewer Pump Station No. 64 near Interstate 805. The section connecting to the Mira Mesa Trunk sewer east of Camino Santa Fe consists of 470 feet of 20-inch cast iron pipe and 21-inch clay pipe which is located in very steep terrain next to several rock mining operations in the canyon. On February 9, 1998, City Forces repaired a break in the cast iron section connecting to the Mira Mesa Trunk Sewer. On February 17, 1998, City Forces repaired a break in the clay pipe section immediately downstream. As a result of the last break, approximately 116,000 gallons of raw sewage spilled into the nearby creek. Following this repair, it was determined that this section of the CCTS was extremely deteriorated and would need to be replaced. Due to the high sewage flows, deteriorated condition, and the potential for damage from rains, it was determined that this section of the CCTS must be replaced immediately to prevent additional spills into the canyon. City staff developed a scope of work for the replacement of this 470 foot section of deteriorated sewer. After which, City staff negotiated an agreement with Orion Construction Inc. to perform this replacement work and found their proposed prices to be reasonable considering the rough terrain, lack of impact to other City projects, and extremely accelerated schedule requiring completion within 20 days. In addition, they had adequate staff available to begin work immediately. Therefore, Orion was directed to proceed with the work in accordance with the negotiated agreement.

Aud. Cert. 9801094.

WWF-98-333.

FILE LOCATION: CONT - Orion Construction, Inc. CONFY98-1

COUNCIL ACTION: (Tape location: A540-B116.)

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

ITEM-S502:

SUBJECT: Exemption of New Local Enforcement Agency Program Coordinator from the Classified Service.

(See memorandum from Personnel Director dated 1/30/98.)

CITY MANAGER'S RECOMMENDATION:

Introduce and adopt the following ordinance:

(O-98-93) INTRODUCED AND ADOPTED AS ORDINANCE O-18476 (New Series)

Introduction and adoption of an ordinance amending Ordinance No. O-18424 (New Series), titled "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. OO-18424, to add the position of Program Coordinator in the Development Services Department and exempting the position from the Classified Service.

NOTE: See Item S501 on the Supplemental Docket of Tuesday, March 24, 1998 for the first public hearing. Today's action is the second public hearing for the introduction and adoption of the ordinance.

CITY MANAGER SUPPORTING INFORMATION:

On July 29, 1997, the San Diego City Council withdrew the designation of the County of San Diego as the Local Enforcement Agency (LEA) responsible for regulatory enforcement over solid waste facilities within the City of San Diego. Part of the City Council's action was to direct that the LEA function reside in Development Services.

Subsequently, on November 19, 1997, the California Integrated Waste Management Board, the State Agency responsible for enforcing the solid waste sections of the California Code of Regulations, approved the City's Enforcement Action Plan for carrying out this responsibility. As a result, Development Services began immediately to function in this capacity through the use of consultants and existing Development Services staff. In order to carry out the long-term management duties of the LEA, authorization is requested for an unclassified Program Coordinator position to serve as the Solid Waste LEA Manager.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A540-B116.)

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

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 11:26 a.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B424).