

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, NOVEMBER 20, 2000
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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NON-DOCKET ITEMS:

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ADJOURNMENT:

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CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:06 p.m. Mayor Golding adjourned the meeting at 7:07 p.m. into Closed Session on Tuesday, November 21, 2000 at 9:00 a.m. in the twelfth floor conference room to discuss existing and anticipated litigation.

ATTENDANCE DURING THE MEETING:

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

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin 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 Blair-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

ITEM-10: INVOCATION

Invocation was given by Pastor George Clerie of Horizon Christian Fellowship.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Vargas .

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS: APPROVED

Approval of Council Minutes for the meetings of:

10/23/2000
10/24/2000
10/24/2000 Special Joint Meeting
10/30/2000

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A061-070.)

MOTION BY WEAR TO APPROVE. Second by Mathis. Passed by the following vote:
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-not present,
McCarty-yea, Vargas-yea, Mayor Golding-yea

ITEM-31: New Budget System Innovations.

PRESENTED

(See Memorandum from Ernie Anderson, Financial Management Director, dated
November 8, 2000.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A071-137.)

* ITEM-50: Three actions related to Police Regulated Ordinances Regarding Police-Regulated
Business Regulations, Massage Business and Massage Therapists, and Holistic
Health Practitioners.

CITY COUNCIL'S RECOMMENDATION:

Adopt the ordinances in Subitems A, B and C which were introduced as amended on
10/23/2000 (On Subitem A, Council voted 8-0. Councilmember Wear not present. On

Subitems B and C, Council voted 6-0. Councilmembers Wear, McCarty and Vargas not present.):

Subitem-A: (O-2001-2) ADOPTED AS ORDINANCE O-18885 (NEW SERIES)

Amending Chapter III, Article 3, of the San Diego Municipal Code by renaming Article 3 to "Police-Regulated Occupations and Businesses," amending Division I by amending Section 33.01 01; adding a new Section 33.0102; amending and renumbering Section 33.0102 to 33.0103; repealing Sections 33.0104 and 33.0105; adding a new Section 33.0104; amending and renumbering Section 33.0103 to 33.0105; repealing Sections 33.0106 and 33.0107; adding new Sections 33.0106, 33.0107, 33.0108 and 33.0109; amending Section 33.0201; repealing Sections 33.0202, 33.0204 and 33.0208; adding a new Section 33.0202; renaming Division 3 to "Applications for Permits," amending Division 3 by repealing Section 33.0301; amending and renumbering Section 33.0302 to 33.0301; adding new Sections 33.0302 and 33.0303; amending and renumbering Sections 33.0303 and 33.0304 to 33.0304 and 33.0305; repealing Sections 33.0305 and 33.0306; adding new Sections 33.0306 and 33.0307; repealing Section 33.0308; amending and renumbering Section 33.0307 to 33.0308; adding new Section 33.0309; repealing Section 33.0310; adding new Sections 33.0310, 33.0311, 33.0312 and 33.0313; amending Division 4 by renaming the Division to "Penalties and Regulatory Action"; repealing Section 33.0401; adding new Sections 33.0401, 33.0402, 33.0403, 33.0404, 33.0405 and 33.0406; amending Division 5 by renaming the Division to "Appeal Rights and Procedures"; amending Sections 33.0501 and 33.0502, adding new Sections 33.0503, 33.0504, 33.0506, 33.0507 and 33.0508; all relating to Police-Regulated Business Regulations.

Subitem-B: (O-2001-3 Cor. Copy Rev. 2) RE-INTRODUCED; TO BE
ADOPTED ON TUESDAY,
DECEMBER 5, 2000.

Amending Chapter III, Article 3, Division 35, of the San Diego Municipal Code by repealing Section 33.3501; amending and renumbering Section 33.3502 to 33.3501; repealing Section 33.3503; amending and renumbering Sections 33.3504, 33.3520 and 33.3521 to 33.3502, 33.3503 and 33.3504; adding new Sections 33.3505 and 33.3506; amending and renumbering Sections 33.3522 and 33.3523 to 33.3507 and 33.3508; amending and renumbering Sections 33.3530 and 33.3531 to 33.3509 and 33.3510; adding new Sections 33.3511 and 33.3512; amending and renumbering Section 33.3532 to 33.3513; adding new Section

33.3514; amending and renumbering Section 33.3540 to 33.3515; adding new Sections 33.3516, 33.3517, 33.3518, 33.3519, 33.3520, 33.3521, 33.3522 and 33.3523; repealing Section 33.3524; adding new Sections 33.3524, 33.3525, 33.3526, 33.3527, 33.3528 and 33.3529; repealing Sections 33.3533, 33.3541, 33.3542, 33.3550, 33.3551, 33.3552, 33.3553, 33.3554, 33.3555 and 33.3556; all relating to Massage Business and Massage Therapists.

Subitem-C: (O-2001-5 Cor. Copy Rev. 2) ADOPTED AS ORDINANCE O-18886 (NEW SERIES)

Amending Chapter III, Article 3, of the San Diego Municipal Code by creating a new Division 44 entitled "Holistic Health Practitioners" and adding Sections 33.4401, 33.4402, 33.4403, 33.4404, 33.4405, 33.4406, 33.4407, 33.4408, 33.4409, and 33.4410 relating to Holistic Health Practitioners.

FILE LOCATION: Subitems A,C: MEET
Subitem B: NONE

COUNCIL ACTION: (Tape location: A138-147; B123-550; E220-H026.)

MOTION BY VARGAS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN SUBITEM 50A. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY VARGAS TO INTRODUCE THE ORDINANCE IN SUBITEM 50B; ACCEPT THE AMENDMENT BY COUNCIL MEMBER MCCARTY TO EXTEND THE EDUCATION REQUIREMENTS DEADLINE TO JANUARY, 2005 WHICH IS ONE YEAR BEYOND THE RECOMMENDATION. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY VARGAS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE IN SUBITEM 50C. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-51: Three actions related to Police Regulated Ordinances regarding Entertainment Establishments, After-Hours Permit, and Promoters.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances in Subitems A, B and C which were introduced 10/23/2000 (Council voted 5-0. Councilmembers Wear, Kehoe, McCarty and Vargas not present):

Subitem-A: (O-2001-7) ADOPTED AS ORDINANCE O-18887 (NEW SERIES)

Amending Chapter III, Article 3, Division 15 and Division 16, of the San Diego Municipal Code by amending the title to "Entertainment Establishments;" and amending Sections 33.1501, 33.1600, 33.163 8, and 33.1670; repealing Sections 33.1502, 33.1503, 33.1504, 33.1505, 33.1506, 33.1507, 33.1508, 33.1509, 33.1510, 33.1511, 33.1520, 33.1521, 33.1522, 33.1523, 33.1530, 33.1531, 33.1532, 33.1533, 33.1534, 33.1540, 33.1541, 33.1542, 33.1543, 33.1544, 33.1550, 33.1550.6, 33.1550.7, 33.1550.8, 33.1550.9, 33.1550.10, 33.1550.13, 33.1551, 33.1552, 33.1570, and 33.1636, and adding new Sections 33.1502, 33.1503, 33.1504, 33.1505, 33.1506, 33.1507, 33.1508, 33.1509, 33.1510, 33.1511, 33.1512, 33.1513, and 33.1514, all relating to Dances and Entertainment.

Subitem-B: (O-2001-4) ADOPTED AS ORDINANCE O-18888 (NEW SERIES)

Amending Chapter III, Article 3, of the San Diego Municipal Code by adding Division 8 entitled "After-Hours Permits" and Sections 33.0801, 33.0802, 33.0803, 33.0804, 33.0805, 33.0806, 33.0807, 33.0808, 33.0809, 33.0810, 33.0811, 33.0812, 33.0813, 33.0814, 33.0815, 33.0816, and 33.0817, relating to an After-Hours Permit.

Subitem-C: (O-2001-9) ADOPTED AS ORDINANCE O-18889 (NEW SERIES)

Amending Chapter III, Article 3, of the San Diego Municipal Code by adding Division 7, entitled "Promoters," and Sections 33.0701, 33.0702, 33.0703, 33.0704, 33.0705, 33.0706, and 33.0707 relating to Promoters.

FILE LOCATION: Subitems A,B,C: MEET

COUNCIL ACTION: (Tape location: A138-275.)

CONSENT MOTION BY WEAR TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCES IN SUBITEMS A,B AND C. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-52: Police Regulated Ordinances - Peep Show Establishments.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 10/30/2000. (Council voted 5-4. Councilmembers Mathis, Kehoe, Blair and Stallings voted nay.):

(O-2001-6 Rev.1) ADOPTED AS ORDINANCE O-18890 (NEW SERIES)

Amending Chapter III, Article 3, Division 33, of the San Diego Municipal Code by Amending Sections 33.3301, 33.3302 and 33.3303; repealing Section 33.3304; Amending and Renumbering Section 33.3305 to 33.3304; adding new Sections 33.3305, 33.3306 and 33.3307; repealing Section 33.3313; amending and renumbering Section 33.3314 to 33.3309; amending and renumbering Section 33.3319 to 33.3310; adding new Sections 33.3311, 33.3312, 33.3313 and 33.3314; repealing existing sections 33.3315, 33.3316, 33.3317, and 33.3318, and adding new sections 33.3315, 33.3316, 33.3317, and 33.3318; adding a new Section 33.3319; repealing existing Sections 33.3320, 33.3321, 33.3322, 33.3323, 33.3324, 33.3325, and 33.3326, and adding new sections 33.3320, 33.3321, 33.3322, 33.3323, 33.3324, 33.3325, 33.3326, and 33.3327; all relating to Peep Show Establishments.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-53: Science and Technology Commission.

(See memorandum from Mayor Golding dated 11/7/2000.)

MAYOR GOLDING'S RECOMMENDATION:

Introduce the following ordinance:

(O-2001-82 Cor. Copy) INTRODUCED; TO BE ADOPTED ON
TUESDAY, DECEMBER 5, 2000.

Introduction of an Ordinance amending Chapter II, Article 6, of the San Diego Municipal Code by amending Section 26.1402, relating to the Science and Technology Commission.

FILE LOCATION: NONE.

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-54: Amending the San Diego Municipal Code Section 24.1503 Regarding Eligibility for Participation in the Supplemental COLA.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2001-97) INTRODUCED; TO BE ADOPTED ON TUESDAY,
DECEMBER 5, 2000

Introduction of an ordinance amending Chapter II, Article 4, of the San Diego Municipal Code by amending Section 24.1503 to add the survivors of the Special Class Safety Members who were receiving fluctuating monthly retirement benefits and the survivors of special death benefit recipients to the class of persons eligible to participate in the Supplemental COLA Program.

CITY MANAGER SUPPORTING INFORMATION:

The Supplemental COLA Program established by the Council via Ordinance 0-18608 on January 11, 1999, was amended via Ordinance 0-18839 on September 12, 2000, to expand the class of eligible participants. Pursuant to that amendment, retirees who met the requirements of San Diego Municipal Code ("SDMC") sections 24.1503 and 24.1504 who retired on an industrial disability with less than ten years of creditable service or who retired with ten years of continuous service, including survivors of either, were to be included. Two groups of additional persons, however, consisting of the survivors of Special Class Safety Members who were receiving fluctuating monthly retirement benefits and survivors of special death benefit recipients were inadvertently omitted. They were intended to be included in Ordinance 0-18839 which became effective October 12, 2000. The instant ordinance would amend the San Diego Municipal Code to include the survivors of Special Class Safety Members who were receiving fluctuating monthly retirement benefits as well as survivors of special death benefit recipients in the class of persons eligible to participate in the Supplemental COLA Program retroactive to October 12, 2000, the effective date of Ordinance 0-18839.

FISCAL IMPACT:

There is no fiscal impact for Fiscal Year 2001. The pricing for the Supplemental COLA for Fiscal Year 2001 was already included by the Actuary for Ordinance 0-18839, adopted September 12, 2000, and effective October 12, 2000.

Herring/Kelly

FILE LOCATION: NONE.

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-55: Office Space Lease Amendment - Downtown Child Care Facility for City Staff.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2001-94) INTRODUCED; TO BE ADOPTED ON TUESDAY,
DECEMBER 5, 2000.

Introduction of an Ordinance authorizing the City Manager to execute a Lease Agreement /Lease Amendment with an appropriate lessor, for the lease of space for a downtown child care facility for City staff; expend funds for tenant improvements; subsidize the rates for the proposed child care; and amend Ordinance O-18827.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

CITY MANAGER'S RECOMMENDATION:

During the June 22, 2000 Budget Hearing meeting, the City Manager was directed to pursue options for leasing space for a downtown child care facility for City employees. The focus was to have the child care facility in close proximity to the City Administration Building. Staff has been exploring a number of locations and would like to begin negotiations to narrow down the most feasible location. The City presently has a child care facility in Kearny Mesa, serving 60 children but, none in the downtown area. Child care has proven to be an important benefit that helps retain staff and get them back on the job faster. The goal for the downtown child care

facility will be to serve 12 infants, 18 toddlers and 72 preschoolers totaling 102 children. The tuition rate ranges from \$90 per week for preschool to \$140 per week for infants.

Many of our employees find that quality infant care is prohibitively expensive. It is recommended that the infant spaces be subsidized. The City is proposing to negotiate a lease deal with a downtown landlord at one of the sites investigated under the following basic terms:

TERM - Approximately 15 years. Target commencement date is December 1, 2001.

RENT - An amount not to exceed \$18,000 per month.

USE - Downtown Child Care Facility for City staff.

SIZE - 6,000 to 8,000 square feet of office space, and 6,000 to 8,000 square feet of play area.

FISCAL IMPACT:

Monies to pay for tenant improvements and relocation expenses is coming from the following sources: \$455,000 Fund 100 (CY) and \$205,000 Fund 100 (PY): Totaling \$660,000 from the FY 2001 Budget. \$126,000 paid from the General Fund 100, Citywide Office Space Job No. 060143, for rent from the FY 2002 Budget.

Loveland/Griffith/DLM

Aud. Cert. 2100539.

FILE LOCATION: NONE.

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-56: Amending the San Diego Municipal Code Relating to Holidays to Add Cesar Chavez Day.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2001-87) INTRODUCED; TO BE ADOPTED ON TUESDAY,
DECEMBER 5, 2000.

Introduction of an Ordinance amending Chapter II, Article 1, of the San Diego Municipal Code by renumbering sections 21.01, 21.02 and 21.03 to sections 21.0101, 21.0102 and 21.0103; by amending and renumbering section 21.04 to new section 21.0104, relating to Holidays to add Cesar Chavez Day.

CITY MANAGER SUPPORTING INFORMATION:

Senate Bill 984 (Polanco) was signed into law by Governor Davis on August 18, 2000. SB-984 established a paid holiday for State employees each March 31, which would be designated as "Cesar Chavez Day" marking the anniversary of the date of birth of Cesar Chavez. The City currently observes nine (9) holidays, plus an additional "floating" holiday, which totals ten (10) paid holidays each year. These holidays include: New Year's Day, Dr. Martin Luther King's Birthday, Washington's Birthday, Memorial Day, July 4th, Labor Day, Veteran's Day, Thanksgiving Day, December 25th, and the "floating" holiday used at the employee's discretion. If approved by Council, this additional holiday will be administered in accordance with the contractual language of the Memoranda of Understanding with the recognized bargaining groups (POA, Local 145, MEA and AFSCME Local 127). The current language provides that if the holiday falls on a Saturday, the preceding Friday will be the City observed holiday. If the holiday falls on a Sunday, the following Monday will be the City observed holiday.

FISCAL IMPACT:

The fiscal impact of the addition of this holiday is estimated to be \$550,000 direct cost and \$1.1 million in accrued liability. The departments will absorb these additional costs within existing appropriations.

Herring/Kelly

FILE LOCATION: NONE.

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-100: Qualcomm Stadium ADA Modifications.

(Mission Valley Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-863) ADOPTED AS RESOLUTION R-294169

Amending FY2001 Capital Improvements Program Budget by adding CIP-34-201.0, Qualcomm Stadium Upgrade;

Authorizing the City Auditor and Comptroller to transfer and expend an amount not to exceed \$1,000,000 from the Public Liability Fund 81140 to Fund No. 34-201.0, Qualcomm Stadium ADA Upgrade;

Authorizing the City Auditor and Comptroller to transfer and expend an amount not to exceed \$400,000 from the Public Liability Fund 81140 to CIP-34-201.0, Qualcomm Stadium Parking Lot Modifications to comply with ADA requirements;

Authorizing the City Auditor and Comptroller to transfer any excess funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

Qualcomm Stadium and parking lot do not fully comply with requirements of the Federal Americans with Disabilities Act (ADA), and the State of California accessibility laws. To

comply with requirements of ADA, the Stadium and parking lot require structural and programmatic modifications. To move forward with the Stadium modifications, the City Manager recommends creation of a new CIP. A CIP is already in place to facilitate the parking lot modifications. It is further recommended that funding be allocated to both CIPs to allow for completion of the required work.

FISCAL IMPACT:

The total project cost is estimated at \$5,250,000. The parking lot CIP was approved in FY 2000, and additional funds are necessary to complete all required parking lot improvements (\$400,000). Additionally, a new CIP is required to begin work on the structural modifications of the Stadium (\$ 1,000,000). To begin work on the First phase of the required modifications, \$1,400,000 is available in FY 2001 Public Liability Fund 81140.

Belock/Boekamp/AO

Aud. Cert. 2100563.

FILE LOCATION: MEET (61)

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-101: Approving the Plans and Specifications and Inviting Bids for the Construction of University Avenue Improvements from Herman Avenue to Wilson Avenue.

(City Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001- 428) ADOPTED AS RESOLUTION R-294170

Accepting the low base bid of Heffler Company, Incorporated for the Construction of University Avenue Improvements from Herman Avenue to Wilson Avenue in the amount of \$1,301,075 on Work Order No. 392100;

Authorizing the City Manager to execute a contract with the lowest responsible bidder;

Authorizing the transfer of \$300,000 from City Heights/University Avenue Streetscape Improvements TransNet Fund 30300, CIP-39-210.0 to University Avenue/Lincoln Avenue Two Way Couplet System, CIP-52-462.0;

Authorizing the transfer of \$170,355 from City Heights/University Avenue Public Improvements, CDBG Fund 18535, CIP-39-210.0 to University Avenue/Lincoln Avenue Two Way Couplet System, CIP-52-462.0;

Authorizing the transfer of \$65,000 from City Heights BIA-University Avenue Public Improvements, CDBG Fund 18534, CIP-39-210.0 to University Avenue/Lincoln Avenue Two Way Couplet System, CIP-52-462.0;

Authorizing the expenditure of an amount not to exceed \$1,633,885 from University Avenue/Lincoln Avenue Two Way Couplet System, CIP-52-462.0 for the project and related cost;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K20088)

CITY MANAGER SUPPORTING INFORMATION:

This project will provide for Streetscape and other improvements on University Avenue between Herman Avenue and Wilson Avenue. This work is an important component of the Mid-City Commercial Revitalization program and the City Heights Redevelopment Plan since it will improve deteriorated infrastructure, provide visual enhancements and support commercial revitalization. The project includes the residual portions of the University/ Lincoln Couplet (CIP-52-462.0), as well as a portion of the enhancements planned as part of the University Avenue Streetscape Project (CIP-39-210.0). According to review of the bids received, Heffler Company, Inc. was the apparent low bidder in the amount of \$1,301,075.51.

FISCAL IMPACT:

The total project cost is \$1,633,885 of this \$1,098,530 is available from University Avenue/Lincoln Avenue Two-Way Couplet System, CIP-52-462.0, while \$235,355 is available in CDBG combined funds 18534 and 18535. The \$300,000 balance of the funding was approved as part of the allocation of \$9.1 Million dollars in TransNet funding from State Assembly Bill (AB 2928) that was recently approved by the Council (R-293796).
Belock/Boekamp/HR

Aud. Cert. 2100508.

FILE LOCATION: CONT - Heffler Company, Inc.; W.O. 392100

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-102: Three actions related to the Final Subdivision Map of Mesa Verde Estates Unit 1.

(Del Mar Mesa Planning Community Area. District-1)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-851) ADOPTED AS RESOLUTION R-294171

Authorizing the City Manager to execute a Subdivision Improvement Agreement with Mesa Verde - Del Mar, L.P., for the installation and completion of certain public improvements.

Subitem-B: (R-2001-850) ADOPTED AS RESOLUTION R-294172

Approving the final map.

Subitem-C: (R-2001-852) ADOPTED AS RESOLUTION R-294173

Authorizing the City Manager to execute a Landscape Maintenance Agreement with Mesa Verde - Del Mar, L.P., for the maintenance of landscaping.

CITY MANAGER SUPPORTING INFORMATION:

This map proposes the subdivision of 50.184 acres site into 57 lots, 44 for residential, lots "45" and "46" deeded to the City as Open Space for the Multiple Species Conservation Program, Lots "47", "48", "49" and "50" as Private Driveways, lots "A" and "B" as Building Restricted Easements, and lots "C", "D", "E", "F" and "U" as Open Space. This proposed development is located north of Shaw Ridge Road between Del Vino Court and Toyon Mesa Court in the Del Mar Mesa Community Plan Area. On July 28, 1998, the Planning Commission of the City of San Diego approved Resolution R-290516 for the Mesa Verde Estates Vesting Tentative Map VTM-96-0625. The City Engineer has approved the map and states that all conditions of the VTM have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing 29589-1-D through 29589-31-D filed in the Office of the City Clerk under Micro Number 140.57. All improvements are to be completed within two years. The Engineers estimate for the cost of improvements is \$3,467,656 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$21,100, as determined by the surveyor's estimate, has been posted as surety for setting the monuments. This subdivision is located in the Del Mar Mesa facilities Benefit Assessment (FBA) District, which provides for the payment of (FBA including parks), at the time of building permit issuance. The Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the "Memorandum of Understanding between the San Diego Building Industry Association and the U.S. Department of Housing and Urban Development". Subdivider shall enter into a Landscape Maintenance Agreement agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way, adjacent to this subdivision until another mechanism is established and assumes maintenance responsibility. Lots "45" and "46" are being deeded by separate instrument to the City at no cost as a condition of Tentative Map approval. These lots total 14.845 acres in size. No park fee credit is being granted by this action. The lots are to be used for Open Space easements.

Loveland/Haase/GPH

FILE LOCATION: SUBD- MESA VERDE ESTATES UNIT 1 (40)

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-103: North Torrey Pines Road Bridge over San Diego Northern Railway Bridge Transfer.

(See City Manager Report CMR-00-239. Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-830 Cor. Copy) CONTINUED TO MONDAY, NOVEMBER 27, 2000.

Approving the acceptance of a Quitclaim deed quitclaiming to the City of Del Mar the City's interest in the North Torrey Pines Road Bridge over San Diego Northern Railway;

Authorizing the City Manager to execute a Purchase and Sale agreement with the City of Del Mar, for the transfer of the City of San Diego's interest in the North Torrey Pines Bridge and adjacent property to the City of Del Mar.

FILE LOCATION: DEED F-7905

COUNCIL ACTION: (Tape location: A138-275.)

CONSENT MOTION BY WEAR TO CONTINUE TO MONDAY, NOVEMBER 27, 2000. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104: Easement Abandonment - Parcel 1 of Parcel Map PM-8262.

(Scripps Miramar Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-796) ADOPTED AS RESOLUTION R-294175

Vacating the sewer and water easements in Parcel 1 of Parcel Map PM-8262,
Drawing No. 00028-2-C.

CITY MANAGER SUPPORTING INFORMATION:

This project is located southwesterly of Mira Mesa Boulevard between Treena Street and Scripps Ranch Boulevard in the Scripps Miramar Ranch Plan Area. This action will vacate a portion of existing Sewer and Water Easements in Lot 1 of Parcel Map 8262 to accommodate a 47 unit apartment project. This is a new development that is proposed for the site (Monarch at Scripps Ranch). A new sewer and water easement has been acquired (City Dwg. No. 00028-1-C, F#7800) for the future public sewer and water mains. The existing easements were acquired at no cost to the City. Staff recommends approval.

FISCAL IMPACT:

None.

Loveland/Haase/BNM

FILE LOCATION: DEED F-7906

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-105: Building Restricted Easement Abandonment in Lot 40 and Landscaping Easement Abandonment in Lots 40, 41, and 42 of Westview Unit No. 3 Map No. 12996.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-362) ADOPTED AS RESOLUTION R-294176

Vacating the unneeded building restricted easement in Lot 40 of Westview Unit No. 3, Map No. 12996, and the unneeded landscaping easements in Lots 40, 41, and 42 of Westview Unit No. 3, Map No. 12996.

CITY MANAGER SUPPORTING INFORMATION:

Council is requested to abandon a portion of a building restricted easement granted over Lot 40 of Westview Unit No. 3 Map No. 12996 and a portion of a landscaping easement granted by deed over Lots 40, 41 and 42 of the same map. These easements are no longer required because of an approved modification to the project under Planned Residential Permit No. 88-1039. The easements were acquired at no cost to the City, are over one year old and have never been used for the purpose for which they were granted. Staff recommends approval of the abandonments.

FISCAL IMPACT:

None.

Loveland/Haase/GB

FILE LOCATION: DEED F-7907

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-106: Revised Conflict of Interest Code for the Centre City Development Corporation.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-650) ADOPTED AS RESOLUTION R-294177

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

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-107: Adopting the Conflict of Interest Code for the City Administration-General.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-497) ADOPTED AS RESOLUTION R-294178

Adopting the newly created Conflict of Interest Code for the City Administration-General.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-108: Revised Conflict of Interest Code for the City Land Use Boards and Commissions.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-703) ADOPTED AS RESOLUTION R-294179

Adopting the Revised Conflict of Interest Code for the City Land Use Boards and Commissions.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-109: Revised Conflict of Interest Code for the City of San Diego Commission for Arts and Culture.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-496) ADOPTED AS RESOLUTION R-294180

Adopting the Revised Conflict of Interest Code for the City of San Diego Commission for Arts and Culture.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego Commission for Arts and Culture's Conflict of Interest Code revision is intended to conform to Government Code 87306.5 requiring biennial review and update of local conflict of interest codes as reflected in City Council Resolution R-287479 adopted on June 10,

1996. The City of San Diego Commission for Arts and Culture’s code has revised the required disclosure categories.

Herring/Hamilton/IMS

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-110: Revised Conflict of Interest Code for the Employee Relations and Special Projects Business Center.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-377) ADOPTED AS RESOLUTION R-294181

Adopting the Revised Conflict of Interest Code for the Employee Relations and Special Projects Business Center.

CITY MANAGER SUPPORTING INFORMATION:

The Employee Relations and Special Projects Business Center’s Conflict of Interest Code was last revised on November 10, 1998. This revision is intended to conform to Government Code 87306.5 requiring biennial review and update of local conflict of interest codes. The Employee Relations and Special Projects Business Center’s code has been revised to include the position of Arts and Culture Program Manager, which has been transferred into the Business Center. The position of Senior Management Analyst has been deleted.

FISCAL IMPACT:

None with this action.

Herring/MCW

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-111: Revised Conflict of Interest Code for the Economic Development & Community Services Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-376) ADOPTED AS RESOLUTION R-294182

Adopting the Revised Conflict of Interest Code for the Economic Development & Community Services Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-112: Revised Conflict of Interest Code for the Environmental Services Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-440) ADOPTED AS RESOLUTION R-294183

Adopting the Revised Conflict of Interest Code for the Environmental Services Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-113: Revised Conflict of Interest Code for the Funds Commission.

CITY TREASURER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-648) ADOPTED AS RESOLUTION R-294184

Adopting the Revised Conflict of Interest Code for the Funds Commission.

CITY MANAGER SUPPORTING INFORMATION:

These amendments are non substantive changes which will bring the code into compliance with current requirements. Revisions were made to the consultant code and a change was made to a disclosure form number. These revisions are highlighted in bold italics on the exhibits, which are on file in the City Clerk's Office and included in the Mayor and City Council's docket background material.

FISCAL IMPACT:

None.

Frazier/RK

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-114: Revised Conflict of Interest Code for the Financial, Organization Development and Management Services Business Center.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-495) ADOPTED AS RESOLUTION R-294185

Adopting the Revised Conflict of Interest Code for the Financial, Organization Development and Management Services Business Center.

CITY MANAGER SUPPORTING INFORMATION:

The Conflict of Interest Code for the Financial, Organization Development and Management Services Business Center is a revision from the previous code for the Financial and Technical Services Business Center. This revision reflects organizational changes resulting in the creation of Technology Services as a separate entity. This revision is intended to conform to Government Code 87306.5 requiring biennial review and update of local conflict of interest codes.

FISCAL IMPACT:

None.

Frazier/Seyfarth/PDS

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-115: Revised Conflict of Interest Code for the Horton Plaza Theatres Foundation.

CITY CLERK'S OFFICE RECOMMENDATION:

Adopt the following resolution:

(R-2001-698) ADOPTED AS RESOLUTION R-294186

Adopting the Revised Conflict of Interest Code for the Horton Plaza Theatres Foundation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-116: Revised Conflict of Interest Code for the Library Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-494) ADOPTED AS RESOLUTION R-294187

Adopting the Revised Conflict of Interest Code for the Library Department.

CITY MANAGER SUPPORTING INFORMATION:

This revision is intended to conform to Government Code 87306.5 requiring biennial review and update of local conflict of interest codes as reflected in City Council Resolution No. R-287479 adopted on June 10, 1996. The Library Department's code has been revised to include a new position which had not been previously designated, to revise the title of an existing position, and to delete the title of a position that has been abolished.

FISCAL IMPACT:

None.

Loveland/Tatar/SN

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-117: Revised Conflict of Interest Code for the Metropolitan Wastewater Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-375) ADOPTED AS RESOLUTION R-294188

Adopting the Revised Conflict of Interest Code for the Metropolitan Wastewater Department.

CITY MANAGER SUPPORTING INFORMATION:

The Metropolitan Wastewater Department's Conflict of Interest Code has not been revised since July of 1998. This revision is intended to conform to Government Code 87306.5 requiring biennial review and update of local conflict of interest codes as reflected in City Council Resolution No. R-290243 adopted 6/15/98. The Metropolitan Wastewater Department's code has been revised to include new positions which had not been previously designated, to delete designated positions which are no longer current, to reflect changes in the Departmental organization, and to update the required filing Categories for each position.

Belock/DG

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-118: Conflict of Interest Code for the Neighborhood Code Compliance Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-620) ADOPTED AS RESOLUTION R-294189

Adopting the Conflict of Interest Code for the Neighborhood Code Compliance Department.

CITY MANAGER SUPPORTING INFORMATION:

The Neighborhood Code Compliance Department is establishing its own code to reflect the City reorganization in the FY 2000 which resulted in the Neighborhood Code Compliance Department being moved from the Community and Economic Development Department. The Neighborhood Code Compliance Department retained its separate department status, and currently resides within the Police Business Center.

Bejarano/Samuels/SD

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-119: Revised Conflict of Interest Code for the Office of the City Attorney.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-371) ADOPTED AS RESOLUTION R-294190

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

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-120: Revised Conflict of Interest Code for the Office of the Personnel Department.

PERSONNEL DEPARTMENT'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-374) ADOPTED AS RESOLUTION R-294191

Adopting the Revised Conflict of Interest Code for the Personnel Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-121: Revised Conflict of Interest Code for the Planning and Development Review Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-493) ADOPTED AS RESOLUTION R-294192

Adopting the Revised Conflict of Interest Code for the Planning and Development Review Department.

CITY MANAGER SUPPORTING INFORMATION:

The original Conflict of Interest Code for Development Services was adopted by Council Resolution No. 285019 on December 5, 1994, as required by the Political Reform Act (Government Code 81000 et seq.) The Planning and Development Review Conflict of Interest Code has been revised to reflect updated designated positions required to disclose economic interests. This review is also intended to conform to Government Code 87306.5 requiring biennial review and update of local Conflict of Interest codes as reflected in City Council Resolution R-287479, adopted on June 10, 1996. Last date of review/update: October 19, 1998 (Resolution No. 290850.)

Belock/AM

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-122: Revised Conflict of Interest Code for the Real Estate Assets Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-378) ADOPTED AS RESOLUTION R-294193

Adopting the Revised Conflict of Interest Code for the Real Estate Assets Department.

CITY MANAGER SUPPORTING INFORMATION:

The Political Act of 1974 (Government Code Section 87300, et. seq.) requires all agencies to review their Conflict of Interest Code every two years (even numbered) and as needed submit for approval a revised Code to the City Council. The current Conflict of Interest Code for the Real Estate Assets Department was approved in 1994.

This amendment to the Conflict of Interest Code updates Appendix A to rename and add positions resulting from organizational changes.

FISCAL IMPACT:

None.

Uberuaga/Griffith/AMS

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-123: Revised Conflict of Interest Code for San Diego City Employees' Retirement System.

RETIREMENT BOARD'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-382) ADOPTED AS RESOLUTION R-294194

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

SUPPORTING INFORMATION:

San Diego City Employees' Retirement System's Conflict of Interest Code was last revised by RR-290926 on November 10, 1998. It now needs to be revised to add the positions of Assistant Investment Officer, Medical Review Officer, and Retirement Financial Specialist

(Investments/Auditor); to revise Audit Accountant to Investment Accountant; and to delete Investment Analyst.

Grissom

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-124: Revised Conflict of Interest Code for the San Diego Convention Center Corporation.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-674) ADOPTED AS RESOLUTION R-294195

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

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-125: Revised Conflict of Interest Code for the San Diego Housing Commission.

SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-649) ADOPTED AS RESOLUTION R-294196

Adopting the Revised Conflict of Interest Code for the San Diego Housing Commission.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-126: Revised Conflict of Interest Code for the San Diego Police Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-634) ADOPTED AS RESOLUTION R-294197

Adopting the Revised Conflict of Interest Code for the San Diego Police Department.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-127: Adopting the Conflict of Interest Code for the Technology Services Business Center.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-380) ADOPTED AS RESOLUTION R-294198

Adopting a Conflict of Interest Code for the Technology Services Business Center.

CITY MANAGER SUPPORTING INFORMATION:

The newly created Technology Services Business Center is comprised of the Information Technology and Communications Department which was formerly contained within the Financial and Technical Services Business Center. Because the Technology Services Business Center is newly formed, there is no pre-existing Conflict of Interest Code. The Conflict of Interest Code for Financial and Technical Services was last revised through Resolution R-290851 adopted October 19, 1998.

Jeff/BS

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-128: Revised Conflict of Interest Code for the Transportation Department.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-379) ADOPTED AS RESOLUTION R-294199

Adopting the Revised Conflict of Interest Code for the Transportation Department.

CITY MANAGER SUPPORTING INFORMATION:

This revision is intended to conform to Government Code 87306.5 requiring biennial review and update of local conflict of interest codes as reflected in City Council Resolution R-287479 adopted on June 10, 1996. The Transportation Department Code has been revised to include new positions which had not been previously designated, to reflect changes in the Departmental organization, and to update the required filling categories for each position.

Belock/Gonzalez/MEM

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-129: Revised Conflict of Interest Code for the Water Department, Amendment No. 10.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-641) ADOPTED AS RESOLUTION R-294200

Adopting the Revised Conflict of Interest Code for the Water Department.

CITY MANAGER SUPPORTING INFORMATION:

The Political Reform Act of 1974 (Government Code Section 87300, et. seq.) requires all agencies to prepare and submit for approval a Conflict of Interest Code to the City Council. On April 27, 1977, Council approved the Conflict of Interest Code for the Water Department. The Conflict of Interest Code has been amended ten times to reflect organizational changes. This amendment again updates Exhibit A of the Code. This exhibit lists the duties and categories of those designated positions, the incumbents of which are required to submit Conflict

of Interest Statements. Several organizational changes render Exhibit A obsolete. This amendment changes Exhibit A of the Code. This Amendment also updates Exhibit B to conform to overall City policy. The City Attorney's office has reviewed the proposed revisions to the Water Department's designated positions and has determined that they conform to the standards set by the Fair Political Practice Commission (FPPC). Employees filling new positions designated as having potential conflicts of interest were afforded the opportunity to review and comment on this amendment.

FISCAL IMPACT:

None with this action.

Loveland/Gardner/WKM

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-130: Appointment to the Human Relations Commission.

(See memorandum from Mayor Golding dated November 9, 2000 with resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-874) ADOPTED AS RESOLUTION R-294201

Council confirmation of the following appointments by the Mayor to serve as members of the Human Relations Commission:

<u>NOMINEE</u>	<u>FOR TERM ENDING</u>
Randa Trapp (District 4) (Replacing Henry Hodge, whose term has expired)	July 22, 2003
Keith Turnham (District 7) (Replacing Brian Bennett, whose term has expired)	July 22, 2003
Thomas A. Galey (Replacing Barbara Crusberg, whose term has expired)	July 22, 2003
George M. Khoury (Replacing William D. Lynch, who has resigned)	July 22, 2002
Kaneko Oshima Bishop (Replacing Denise A. Macias, who has resigned)	July 22, 2002

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-131: American Psychiatric Association Alliance/2000-2001 National High School Essay Project "When Not to Keep a Secret."

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-837) ADOPTED AS RESOLUTION R-294202

Commending the American Psychiatric Association Alliance for sponsoring the 2000-2001 National High School Essay Project "When Not to Keep a Secret."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-132: Community Research Foundation Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-839) ADOPTED AS RESOLUTION R-294203

Commending Community Research Foundation for 20 years of providing outstanding service to the mentally ill members of the San Diego community;

Proclaiming October 14, 2000 to be "Community Research Foundation Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-133: San Diego Foundation For Change Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-838) ADOPTED AS RESOLUTION R-294204

Commending the board of directors, volunteers and staff of San Diego Foundation for Change for their tireless leadership to support those groups and individuals who are working in the most undeserved and disenfranchised communities in San Diego and Tijuana;

Proclaiming November 10, 2000 to be "San Diego Foundation for Change Day," in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-134: Robert Plimpton Day.

COUNCILMEMBER KEHOE'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-848) ADOPTED AS RESOLUTION R-294205

Commending Robert Plimpton for his more than 16 years of community service as the founder and artistic director of the Spreckels Organ Society and as Civic Organist for the City of San Diego;

Proclaiming November 26, 2000 to be "Robert Plimpton Day," in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-135: Hattie Mae Smith Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-771) ADOPTED AS RESOLUTION R-294206

Commending Hattie Mae Smith for her many contributions and accomplishments in her 100 years of life;

Proclaiming November 9, 2000 to be "Hattie Mae Smith Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-136: Linda Vista Leaders Day.

(Linda Vista Community Area. District-5.)

COUNCILMEMBER BLAIR'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-778) ADOPTED AS RESOLUTION R-294207

Recognizing and commending the Linda Vista Leaders for their efforts to serve youth and promote community awareness and youth participation in the community of Linda Vista;

Proclaiming November 20, 2000 to be "Linda Vista Leaders Day" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-137: Excusing Councilmember Wear from the Council Meetings of October 23 and 24, 2000.

COUNCILMEMBER WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-860) ADOPTED AS RESOLUTION R-294208

Excusing Councilmember Wear from attending the regularly scheduled Council meetings of October 23 and 24, 2000, due to being away on City business at a conference.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-138: Emerald Hills Picnic Shelter.

(Emerald Hills Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-657) ADOPTED AS RESOLUTION R-294209

Authorizing the City Auditor and Comptroller to transfer and appropriate an amount not to exceed \$20,000 from Building Permit Fees Fund No. 15000 to CIP-29-445.0, Dept. No. 30244, Emerald Hills Picnic Shelter;

Authorizing the expenditure of an amount not to exceed \$20,000 from CIP-29-445.0, Emerald Hills Picnic Shelter for providing funds for the project, and in addition to funds previously authorized for the project;

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

CITY MANAGER SUPPORTING INFORMATION:

The proposed Emerald Hills Picnic Shelter is located at 5650 Bethune Court, in Emerald Hills Community Park site. The project provides for a picnic shelter, sidewalks, ADA parking spaces and ramp, drinking fountain, picnic tables, barbeques, electrical outlet, grading and associated landscaping. On October 9, 2000, the City received a bid from Phillips National, Inc., Job Order Contractor, for the construction of Emerald Hills Picnic Shelter in the amount of \$47,698.79 which is \$12,491.79 over the project construction budget. At this time, the additional funds are

being requested in order to award the contract and proceed with construction of the improvements.

FISCAL IMPACT:

The estimated total project cost is \$69,250 of which \$49,250 have been previously authorized. The additional funds requested in the amount of \$20,000 is available in Building Permit Fees, Fund No. 15000. With this action, the requested funding will be available in CIP-29-455.0.

Belock/Boekamp/AO

Aud. Cert. 2100547.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-139: Appropriation and Expenditure of Funds - Rancho Penasquitos Park Projects.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-686) ADOPTED AS RESOLUTION R-294210

Authorizing the City Auditor and Comptroller to add the following projects to the FY2001 Capital Improvements Program Budget: CIP-29-416.0, Penasquitos Creek Neighborhood Park - Tot Lot Upgrade; CIP-29-417.0, Ridgewood and Adobe Bluffs Neighborhood Parks - Shade Structures; and CIP-29-423.0, Canyonside Community Park - Upgraded Sports Field Lighting;

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$319,000 from Black Mountain Ranch Development Agreement, Fund No. 392190 for park improvements as follows: \$150,000 for CIP-29-416.0, Penasquitos Creek Neighborhood Park - Tot Lot Upgrade; \$80,000 for CIP-29-417.0, Ridgewood and Adobe Bluffs Neighborhood Parks - Shade Structures; \$50,000 for CIP-29-423.0, Canyonside Community Park - Upgraded Sports Field Lighting; and \$39,000 for batting cages, bleachers, associated concrete pad, and landscaping at Views West Neighborhood Park.

CITY MANAGER SUPPORTING INFORMATION:

The Rancho Penasquitos Recreation Council has requested the implementation of miscellaneous park improvements within various park sites in the Rancho Penasquitos Community. CIP park improvements would include: 1) upgrade of play equipment for Penasquitos Creek Neighborhood Park; 2) Shade arbors/structures for Ridgewood & Adobe Bluffs Neighborhood Parks; 3) upgrade of lighting at Sport Field #1 at Canyonside Community Park. Other park improvements would include installation of: 1) batting cages at Views West Neighborhood Park; 2) two (2) sets of bleachers with associated concrete pad and landscaping at Views West Neighborhood Park (Pop Warner). The proposed park improvements would increase and enhance existing recreational amenities.

FISCAL IMPACT:

Funds in the amount of \$319,000 are available from Black Mountain Ranch Development Agreement, Fund No. 392190, for this purpose.

Loveland/McLatchy/DVW

Aud. Cert. 2100531.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-140: Carroll School Park - Development.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-518) ADOPTED AS RESOLUTION R-294211

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$20,000 from unallocated fund balance of the Mira Mesa Facilities Benefit Assessment Fund No. 79006 to CIP-29-757.0;

Authorizing the expenditure of an amount not to exceed \$20,000 from CIP-29-757.0, Carroll School Park Development, to supplement funding previously authorized to complete the construction project and to close out the above project;

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

CITY MANAGER SUPPORTING INFORMATION:

The project is located on Westmore Road, North of Mira Mesa Boulevard and West of Westonhill Drive. The work consisted of constructing sidewalk, curb and gutter, an asphalt concrete resurfacing, and installing a new 6-inch PVC sewer lateral. The project is now 98% complete and an additional \$20,000 is required to complete construction work, administer and close out the project.

FISCAL IMPACT:

The estimated total project cost is \$190,000, of which \$170,000 has been previously authorized. The additional \$20,000 is available from CIP-29-757.0, Fund No. 79006.

Belock/Boekamp/AO

Aud. Cert. 2100550.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-141: Larsen Field Multipurpose Field Improvements.
(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-832 Cor. Copy) ADOPTED AS RESOLUTION R-294212

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$10,000 from Park & Recreation Matching Funds Item 214; and an amount not to exceed \$50,000 from San Ysidro DIF Fund No. 79518 to CIP-29-450.0, Dept. 30244, Larsen Field Multipurpose Field Improvements;

Authorizing the expenditure of an amount not to exceed \$60,000 from Larsen Field Multipurpose Improvements, CIP-29-450.0 for the purpose of completing the construction documents for the Larsen Field Multipurpose Field Improvements and related costs;

Authorizing the City Auditor and Comptroller, upon advice from the Administering Department, to transfer excess funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

The proposed Larsen Field Improvements project is located at 395 Sycamore Rd., in the San Ysidro Community area. The project provides for turf, irrigation renovation and security lighting due to Park and Recreation, and community request. Additional funds are being requested to add the security lights and to sod the fields instead of seeding.

FISCAL IMPACT:

The estimated total project cost is \$158,500 of which \$98,500 has been previously authorized. The additional funds requested in the amount of \$10,000 is available in Park & Recreation Matching Fund, Item No. 214, and \$50,000 from San Ysidro DIF Fund No.79518. With this action, the requested funding will be made available in CIP-29-450.0 to advertise and award a construction contract for this project.

Loveland/Belock/AO

Aud. Cert. 2100532.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-142: Two actions related to Expanding the Boundaries of the San Ysidro/Otay Mesa Enterprise Zone and the City’s Targeted Employment Area.

(See City Manager Report CMR-00-224. Otay Mesa/Nestor Community Areas. Districts-2 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-628 Cor. Copy) ADOPTED AS RESOLUTION R-294213

Identifying the census tracts comprising “Targeted Employment Areas” for the San Ysidro/Otay Mesa Enterprise Zone and the Metropolitan Enterprise Zone.

Subitem-B: (R-2001-627) ADOPTED AS RESOLUTION R-294214

Authorizing and directing the City Manager to file documents with the California Trade & Commerce Agency to expand the San Ysidro/Otay Mesa Enterprise Zone in accordance with regulations promulgated by the Trade & Commerce Agency pursuant to state law (AB 251 of 1989);

Authorizing the City Manager to take actions necessary to expand the San Ysidro/Otay Mesa Enterprise Zone to include the areas within the city limits of San Diego and Chula Vista;

Declaring that the San Ysidro/Otay Mesa Enterprise Zone, as expanded, has been found to be an area with high unemployment and limited employment opportunities for area residents, and that designation as an Enterprise Zone is necessary to the creation of jobs by private enterprise;

Authorizing the City Manager, in accordance with Resolution R-276382, adopted August 7, 1990 and Resolution R-286015, adopted June 26, 1995, to do the following actions for commercial and industrial projects within the San Ysidro/Otay Mesa Enterprise Zone and within the San Diego City limits, as expanded, when such expansion is approved by the California Trade and Commerce Agency: to expedite the necessary development plan and permit processing, and building permit issuance for such projects; and waive the requirement to pay into the San Diego Housing Trust Fund pursuant to an approved Economic Development Incentive Agreement;

Authorizing the City Manager to execute a Memorandum of Understanding with the City of Chula Vista, subsequent to its execution by the City of Chula Vista, for the expansion and administration of the San Ysidro/Otay Mesa Enterprise Zone and the City's Targeted Employment Area.

FILE LOCATION: Subitems A,B: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-143: Amendment No. 1 to the Agreement with Hellmuth, Obata & Kassabaum, Inc. for Design Services with the MWWD Environmental Monitoring & Technical Services Laboratory.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-693) ADOPTED AS RESOLUTION R-294215

Authorizing the City Manager to execute Amendment No. 1 to the agreement of December 7, 1999 with Hellmuth, Obata & Kassabaum, Inc. (HOK), for design services in connection with the MWWD Environmental Monitoring & Technical Services Laboratory;

Authorizing the expenditure of an amount not to exceed \$293,000 from Sewer Fund No. 41509, CIP-46-187.0, Environmental Monitoring & Technical Services Laboratory, Phase I;

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

CITY MANAGER SUPPORTING INFORMATION:

The MWWD's Environmental Monitoring and Technical Services Division conducts a comprehensive laboratory program in support of wastewater treatment and effluent disposal operations to ensure compliance with standards set by the state and federal governments. This is accomplished through monitoring, sampling, and testing the wastewater entering the treatment process from industry, the wastewater treatment process itself, and the ocean environment. On December 7, 1999 (R-292580) City Council Authorized the City Manager to execute a contract with Hellmuth, Obata, and Kassabaum (HOK) for design of a new EM&TS laboratory. Since then, due to site location and conditions, modifications to the scope of design are required (e.g., larger building due to user needs, regulatory testing requirement changes, and modifications to structural components due to soil conditions). An amendment to the design services of HOK is required to incorporate these necessary modifications. Furthermore, because the project site is located on the former Naval Training Center (NTC), conditions placed upon the project as a result of NTC Redevelopment planning must be addressed with design modifications and

additions. With this action we are requesting an amendment to the HOK design services contract to incorporate the following: additional design services related to design changes of the structure (\$60,000), design of Kincaid Road (\$135,000), soil borings in the channel to verify pier design (\$28,000), additional design for burying or relocating the steam line as determined during the ongoing park planning process (\$15,000), final design of the esplanade adjacent to this parcel (\$5,000), and additional services (\$50,000) due to the location of this site and the unknown nature of the ongoing processing of the NTC Reuse development program. Based on this, it is anticipated that the \$293,000 amendment will be distributed as follows: HOK, \$95,000; Martin & Martin, \$123,000; Marum Assoc. (*WBE*), \$13,000; Ninyo/Moore (MBE), \$42,000, and Fundament (MBE), \$20,000.

FISCAL IMPACT:

The total cost of this action is \$293,000, of which \$243,000 is for identified changes to the design contract and \$50,000 is for design contingencies. The total cost of this contract, including the previous authorization of \$765,000, is \$1,058,000. Funds are available in Sewer Fund 41509, CIP-46-187.0, Environmental Monitoring & Technical Services Laboratory, Phase I.

Belock/Schlesinger/CME
Aud. Cert. 2100488.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-144: As-Needed Engineering Services for Metro Biosolids Center - Amendment No. 2 to the Agreement.

(Clairemont Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-776) ADOPTED AS RESOLUTION R-294216

Authorizing the City Manager to execute a second amendment to the agreement of June 8, 1999 with Metcalf & Eddy for As-Needed engineering services in connection with the Metro Biosolids Center;

Authorizing the expenditure of an amount not to exceed \$250,000 from Fund No. 41509, CIP-42-913.0, Metro Biosolids Center - Annual Allocation.

CITY MANAGER SUPPORTING INFORMATION:

The Annual Allocation for the Metro Biosolids Center, CIP-42-913.0, is provided so that capital improvements can be constructed at the facility to maintain and/or improve the operating capability of the facility. This contract with Metcalf & Eddy makes available engineering services necessary to carry out the construction of these modifications and improvements. The original agreement with Metcalf & Eddy approved on June 8, 1999 (C-09374) in the amount of \$200,000 provided engineering services for activities funded by the FY1999 Annual Allocation CIP. Amendment No. 1 was approved on November 8, 1999 (CR-292419) in the amount of \$250,000 for engineering services for activities funded by the FY2000 Annual Allocation CIP. This amendment will release Metcalf & Eddy to perform engineering services for future MBC maintenance and operations improvements. The duration of this amendment will be 12 months. Amendment No. 2 will increase the Agreement not to exceed value by \$250,000, thus raising the total Agreement not to exceed value to \$700,000. Furthermore the Agreement duration will be extended for 12 months through June 8, 2002. These activities will be funded by the FY2001 Annual Allocation CIP.

FISCAL IMPACT:

The total cost of this Amendment No. 2 is \$250,000. Funds for this purpose are available in FY01 Fund 41509.

Belock/Schlesinger/JA

Aud. Cert. 2100507.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-145: Two actions related to Agreement with Developers to Purchase Treated Water at San Diego No. 10.

(Carmel Valley, Sorrento Hills, Black Mountain Ranch, Pacific Highlands Ranch, Torrey Highlands, Del Mar Mesa, Subarea II and Penasquitos East Community Areas. Districts-1 and 5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-535) ADOPTED AS RESOLUTION R-294217

Authorizing the City Manager to execute an Agreement with Pardee Construction Company to fund the purchase of treated water at San Diego No. 10.

Subitem-B: (R-2001-536) ADOPTED AS RESOLUTION R-294218

Authorizing the City Manager to execute an Agreement with Black Mountain Ranch Developers to fund the purchase of treated water at San Diego No. 10.

CITY MANAGER'S SUPPORTING INFORMATION:

Under the terms of this agreement Pardee Construction Company and the Black Mountain Ranch Developers will pay a one time reimbursement, \$385 maximum for each single family home, per Equivalent Dwelling Unit (EDU) to the City for each new water meter issued to them, respectively within the communities of Carmel Valley, Sorrento Hills, Black Mountain Ranch, Pacific Highlands Ranch, Torrey Highlands, Del Mar Mesa, Subarea II, Penasquitos East and the northern portion of Mira Mesa. The purpose of this agreement is to fund the new development pro-rata share per EDU of treated water purchased at San Diego County Water Authority Treated Water Connection No. 10 (SD No. 10) prior to the completion of the Black Mountain Reservoir. Based upon current water studies for this water service area, the purchase of San Diego County Water Authority treated water will be utilized at SD No. 10 to accommodate new development without jeopardizing service to existing customers. The additional water storage

gained by the completion of the Black Mountain Reservoir will accommodate peaking demands in the water service area that in the interim will be met by SD 10. Therefore, this agreement will create the vehicle for the City to collect monies for new development pro-rata shares per EDU for funding treated water purchases at SD No. 10. The Black Mountain Reservoir is scheduled for completion on or before August 31, 2001. Therefore, this agreement will terminate on August 31, 2001. The Facilities Financing Section in the Planning and Development Review Department will be the City lead on ensuring that the appropriate monies are collected under the terms of this agreement.

FISCAL IMPACT:

\$385 maximum per single family home will be collected in Water Fund 41500 for the purchase of treated water.

Belock/Gardner/LLW

FILE LOCATION: Subitems A,B: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-146: San Diego 17 Flow Control/Pumping Facility Agreements.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-636) ADOPTED AS RESOLUTION R-294219

Authorizing the City Manager to execute an agreement with the San Diego County Water Authority for operation and maintenance of San Diego 17 Flow Control/Pumping Facility and to pay an amount not to exceed \$100,000 for San Diego County Water Authority engineering related costs during design;

Authorizing the City Manager to execute a design agreement with Malcolm Pirnie, Inc. for San Diego 17 Flow Control/Pumping Facility for an amount not to exceed \$905,667;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$1,012,613 from CIP-73-314.0, CWA Flow Control and Pump Station 17 (SD 17);

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

CITY MANAGER SUPPORTING INFORMATION:

San Diego 17 Flow Control/Pumping Facility (SD 17) is located within the Alvarado Water Treatment Plant site near the Joint Laboratory along Lake Murray Boulevard. SD 17 will pump Alvarado Water Treatment Plant treated water directly into the San Diego County Water Authority treated water aqueduct to feed the Mid City Pipeline. The Mid City Pipeline is currently under construction and is scheduled for completion in February 2002. At the beginning of the Mid City Pipeline a like amount of water will leave the treated water aqueduct and enter the Mid City Pipeline through a downstream San Diego Flow Control Facility called SD 18/21. The flow rates between SD 17 and SD 18/21 will be continuously monitored to ensure accuracy. The City will have the ability to deliver up to 60 million gallons a day (mgd) of Alvarado Water Treatment treated water into the Mid City Pipeline. Treated water will enter through SD 17 and exit at SD 18/21.

Two different agreements are required at this time to begin the design of SD 17. The agreement with Malcolm Pirnie, Inc. will provide for the design and engineering services during construction for SD 17. The agreement with the San Diego County Water Authority will provide for the operation and maintenance of SD 17 and engineering related costs during design. Since SD 17 pumps water into the San Diego County Water Authority aqueduct, the San Diego County Water Authority has responsibility for its safe operation and maintenance. A separate agreement covers the operation and maintenance of SD 18/21. At the completion of SD 17, the City of San Diego will pay the San Diego County Water Authority on a monthly basis operation and maintenance costs which benefit the City exclusively.

At the conclusion of the design, a separate Request for Council Action will be drafted for the advertisement of construction for SD 17.

FISCAL IMPACT:

The total amount of this request is \$1,012,613. Funding of \$1,012,613 is available in Water Revenue Fund No. 41500, CIP-73-314.0, CWA Flow Control and Pump Station 17 (SD 17). Belock/Gardner/LLW

Aud. Cert. 2100537.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-147: Carroll Canyon Road Extension - State Program Supplement Agreement.

(Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-712) ADOPTED AS RESOLUTION R-294220

Authorizing the City Manager to execute Program Supplement Agreement No. 139-M to Administering Agency-State Agreement No. 11-5004 for an amount of \$1,283,685, for the preliminary and design engineering of Carroll Canyon Road from Scranton Road to Sorrento Valley Road, CIP-52-392.0;

Authorizing the expenditure of an amount not to exceed \$1,450,000 from CIP-52-392.0, Carroll Canyon Road -Scranton Road to Sorrento Valley Road, of which \$1,283,685 is from Program Supplement Agreement No. 139-M to Administering Agency-State Agreement No. 11-5004(096) and \$166,315 is from local (FBA) Fund No. 79006;

Authorizing the City Manager to execute a consultant agreement with the highest qualified firm proposing the most fair and reasonable fee for engineering services

for the above project;

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

CITY MANAGER SUPPORTING INFORMATION:

The extension of Carroll Canyon Road from Scranton Road to Sorrento Valley Road will provide for an alternative access to Interstate 805 and much needed relief for the traffic at Mira Mesa Boulevard intersections with Scranton Road and Interstate 805, as identified in the City's Capital Improvement Program. This action will authorize the City Manager to accept and execute the Program Supplement Agreement 139-M from State for the necessary Federal ISTEA funds. The action also authorizes the City Manager to expend a total of \$1,450,000 for the preliminary and design engineering of the project, including both in-house and consultant costs. Interviews for a design consultant for this project were conducted in accordance with Council Policy 300-7. The City Manager is currently negotiating with the most qualified firm (Parsons, Brinckerhoff, Quade & Douglas, Inc.) and will execute an agreement once a fair and reasonable fee is reached.

FISCAL IMPACT:

The total fiscal impact for engineering services is \$1,450,000 funded from CIP-52-392.0, Carroll Canyon Road - Scranton Road to Sorrento Valley Road, of which \$1,283,685 is from Program Supplement Agreement No. 139-M to Administering Agency-State Agreement No. 11-5004(096) and \$166,315 is from Local (FBA) Funds.

Belock/Boekamp/HR

Aud. Cert. 2100505.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-148: First Amendment to the Second Amended and Restated Management Agreement between the City of San Diego and the San Diego Convention Center Corporation (SDCCC).

(Centre City Redevelopment Project. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-708) ADOPTED AS RESOLUTION R-294221

Authorizing the City Manager to enter into a First Amendment to the Second Amended and Restated Management Agreement between the City of San Diego and the San Diego Convention Center Corporation memorializing the various agreements between the City and SDCCC regarding the operations of the Convention Center and Ballpark Project.

CITY MANAGER SUPPORTING INFORMATION:

On September 8, 1998, the City and the San Diego Convention Center Corporation (SDCCC) entered into a Second Amended and Restated Management Agreement - City of San Diego Document No. R-290663, pursuant to which the Corporation operates and manages public meeting facilities, including the San Diego Convention Center. The City, in contemplation of the development of a ballpark, including the Park at the Park and related ancillary development projects in the immediate vicinity of the Center issued for public comment, a draft Subsequent Environmental Impact Report on the Ballpark Project.

The SDCCC submitted a letter of comment on the draft SEIR addressing specific concerns on the impact of the Ballpark Project on the Center's operations and the Corporation's ability to continue its compliance with regulatory requirements of the Convention Center Environmental Impact Report and the Convention Center Expansion Environmental Impact Report, including the Parking Management and Monitoring Program for the Expanded and Existing Center, dated 11/9/95.

Mitigation measures regarding parking, traffic, public transportation and facilities, and noise and light impacts proposed in the Final SEIR for the Ballpark Project generally address the Corporation's concerns. The City and the SDCCC desire to formalize their understandings, agreements and covenants with regard to the implementation of mitigation measures and other measures applicable to the Center in an amendment to the Management Agreement and, the City

and the SDCCC further desire to amend the Management Agreement with respect to certain maintenance obligations at the Center which the Corporation will assume.

The City and the SDCCC agree that the Management Agreement shall be and hereby is amended to: 1) amend the maintenance provisions to address the maintenance of the storm water pumping system, and 2) memorialize certain facility control and mitigation commitments negotiated with the SDCCC related to the construction and operation of the Ballpark.

FISCAL IMPACT:

None.

Herring/MCW

FILE LOCATION: MEET (64)

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-149: Memorandum of Understanding on Transit/Land Use Planning Coordination.

(See City Manager Report CMR-P00-086.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2000-1418) ADOPTED AS RESOLUTION R-294222

Authorizing the City Manager to execute a Memorandum of Understanding between the City of San Diego and the San Diego Metropolitan Transit Development Board (MTDB) for Transit/Land Use Planning Coordination.

RULES, FINANCE AND INTERGOVERNMENTAL RELATIONS COMMITTEE'S RECOMMENDATION:

On 5/1/2000, RULES voted 3 to 0 to approve the Manager's recommendation. (Councilmembers Mathis, Wear and Vargas voted yea. Councilmember Warden and Mayor not present.)

CITY MANAGER SUPPORTING INFORMATION:

The Metropolitan Transit Development Board is seeking to enter into a Memorandum of Understanding (MOU) with each jurisdiction in the County for coordination of transit and land use planning. On May 1, 2000, the Rules Committee voted unanimously to recommend the City Council approve the MOU. The MOU has previously been reviewed with the Planning Commission and the Community Planners Committee.

Loveland/Goldberg/BAM

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

* ITEM-150: Annual Review of North City West (Carmel Valley) School Facilities Master Plan, Fiscal Year 1999-2000.

(See City Manager Report CMR-00-241. Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-750) ADOPTED AS RESOLUTION R-294223

Accepting the 1999-2000 annual review of the North City West School Facilities Master Plan for the Carmel Valley Community.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

ITEM-160: Exclusive Negotiations with Hillel of San Diego for the Ground Lease of Site 653.

(See City Manager Report CMR-00-140, letter from Susan L. Taylor dated 9/18/2000 and letter from Erwin J. Shustak dated 9/13/2000. La Jolla Community Area. District-1.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-2001-613) ADOPTED AS RESOLUTION R-294224

Authorizing the City Manager to enter into exclusive negotiations with Hillel of San Diego for the ground lease of Site 653 at La Jolla Scenic Drive North.

LAND USE AND HOUSING COMMITTEE'S RECOMMENDATION:

On 9/20/2000, LU&H voted 4 to 0 to direct the Real Estate Assets and Planning and Development Review Business Centers to return to the Land Use and Housing Committee with necessary revisions to Property Department Policy 3.18, dealing with Planning review of leases, permits, and sales, prior to City Manager and/or City Council action. The revisions are to include notice of potentially impacted Planning and Park and Recreation citizen committees prior to any City Council Committee action. (Councilmembers Wear, Kehoe, Stevens and McCarty voted yea.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-321; B123-215; B551-E202.)

MOTION BY VARGAS TO ADOPT AND TO INCLUDE AS PART OF THE NEGOTIATIONS THE SUBJECTS OF: 1) MAINTAINING A PARK-LIKE ACREAGE THROUGH LUSH LANDSCAPING; 2) MAKING THE LAND ACCESSIBLE TO THE PUBLIC; 3) DISCUSSIONS OF HOW FAR THE STRUCTURE IS FROM LA JOLLA SCENIC DRIVE NORTH AND TO WHAT EXTENT THE BUILDING CAN BE BUFFERED; 4) STAFF TO REVIEW THE TRAFFIC, PARKING, AND NOISE ISSUES. Second by Kehoe. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Blair-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-200: Two actions related to Point Loma Digester C1/C2 Upgrade - SWRCB - Low Interest Loan Authorization.

CITY MANAGER'S RECOMMENDATION:

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

Subitem-A: (O-2001-92) INTRODUCED; TO BE ADOPTED ON TUESDAY, DECEMBER 5, 2000

Introduction of an Ordinance authorizing and accepting state revolving fund loan program contracts regarding matching funds to fund zero-interest loans.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

Subitem-B: (R-2001-748) ADOPTED AS RESOLUTION R-294225

Agreeing to the following terms in return for a zero-percent interest in a State Revolving Fund (SRF) loan for the Point Loma Wastewater Treatment Plant Digester C1/C2 Upgrade Project, CIP-46-170.0, SRF No. C-06-4718-110:

1) To contribute the state match share equal to 16.667 percent of the eligible project costs, in an estimated amount of \$1,700,000.

- 2) To pay an administrative fee not to exceed 0.575 percent of the eligible project costs for the administrative match amount, if requested, by the State Water Resources Control Board [SWRCB], prior to issuance of the zero-percent interest SRF loan contract, provided that the fee shall be waived by the SWRCB if sufficient monies to fund the administrative match are available from other sources.
- 3) To establish a state match account for the project, and deposit sufficient funds, as necessary, to make the state match payments to the contractor(s).
- 4) To provide the SWRCB, Division of Clean Water Programs [Division] a certification with each progress payment request stating that the appropriate state match amount for the requested payment has been paid to the contractor(s).
- 5) To provide the Division with copies of the canceled checks documenting payment of the state match amount, on a quarterly basis.

CITY MANAGER SUPPORTING INFORMATION:

The City Council has adopted two Ordinances, 0-18781 and 0-18655, as well as Resolution R-291764 which comply with the State Water Resources Control Board's Policy to obtain low interest construction loans for wastewater projects. The Ordinances authorize the City Manager, and the Deputy City Manager for Public Works as his duly designated representative to apply for, enter into, conduct all negotiations, execute and comply with loan requirements regarding matching funding, to fund zero-interest loans provided that the City Auditor first furnishes one or more certificates demonstrating that the funds necessary are, or will be, on deposit in the City Treasury; the City Manager or his duly authorized representative to enter into specific loans for City wastewater projects. The Resolution provides the necessary 16.667 percent state match for each loan; provides for an administrative fee not to exceed 0.575 percent of the eligible project cost, if requested; establishes a match account for the project and deposits sufficient funds to make state match payments to contractors; provides certification with progress payments certifying payment has been made to the contractor; and provides copies of canceled checks documenting payments. Ordinance O-18655 and Resolution R-291764 are specific to loans for the Point Loma Digesters 7&8, Point Loma Central Boilers Facility, and South Bay Water Reclamation Plant Packages 2&3. Ordinance Number 0-18781 was authorized for the South Bay Reclamation Sewer and Pump Station Packages A&B and the Point Loma Maintenance Building Expansion. There is currently a Resolution pending for these projects. The requested Ordinances and Resolution for the Point Loma Digesters C1/C2 Upgrade Project, CIP-46-170.0, will accomplish the same compliance for a low interest loan. The loan amount is expected to be \$9,800,000.

Declaring that the City Manager may finance the acquisition under the Master Lease Program over a period of seven (7) years. (BID-P3543/01)

Aud. Cert. 2100432.

FILE LOCATION: MEET (61)

COUNCIL ACTION: (Tape location: A276-321; H027-121.)

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

ITEM-202: Three actions related to Approving the Plans and Specifications and Inviting Bids for the Construction of Miramar Road Pipeline.

(Mira Mesa and University Community Areas. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-740) ADOPTED AS RESOLUTION R-294227

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Miramar Road Pipeline on Work Order No. 185571;

Authorizing the City Manager to establish contract funding phases and execute a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$50,000 for property related costs;

Authorizing the expenditure of an amount not to exceed \$15,030,400 from CIP-70-945.0, Miramar Road Pipeline, Water Revenue Fund No. 41500, and \$507,707 from CIP-73-331.0, Annual Allocation for Pooled Contingency, Water

Revenue Fund No. 41500, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K01030C)

Subitem-B: (R-2001-741) ADOPTED AS RESOLUTION R-294228

Certifying that the information contained in LDR Mitigated Negative Declaration LDR-40-0526, 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 in the report, together with any comments received during the public review process, has been reviewed and considered by Council in connection with the approval of Miramar Road Pipeline;

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

Adopting the Mitigation Monitoring and Reporting Program.

Subitem-C: (R-2001-742) ADOPTED AS RESOLUTION R-294229

Authorizing the City Manager to use City Forces to perform all the work necessary to shutdown existing pipelines and install valves, tees and piping as required in connection with Miramar Road Pipeline; the cost of said work shall not exceed \$350,000.

CITY MANAGER SUPPORTING INFORMATION:

In December of 1997, the Water Department Capital Improvement Program (CIP) completed a water study titled the 610/712 Miramar-North City Water Study. The purpose of this study was to identify critical infrastructure improvements necessary to meet the delivery needs within the City's northern water transmission system. Implementation of these identified improvements is intended to satisfy growing water demands in the area and respond to the importance of supplementing the existing transmission system to assure reliable water service. A key system improvement identified in the water study was the construction of a major pipeline along

Miramar Road that would provide additional conveyance capacity within the Miramar service zone.

This pipeline project has been given a high priority due to the fact that there are few major transmission mains in the northern area, which creates system operations and maintenance problems. Construction of this pipeline will afford added flexibility in performing maintenance activities and allow scheduling of programmed system improvements with minimal service impacts. This project consists of two segments of 36-inch diameter water pipeline approximately 25,000 feet in length. The first segment (24,000 feet) would run along Miramar Road starting at Eastgate Mall moving east to Kearny Mesa Road and the second (1,000 feet) is proposed to run east under 1-15 to the intersection of Trenea Street and Scripps Lake Drive.

In addition, the project includes several cross connectors between the existing 16-inch diameter pipeline. It is anticipated that construction would start in May of 2001 and be completed by May of 2002 with most of the heavy construction being completed by January of 2002. Construction will take place at night in an effort to mitigate traffic impacts. The Capital Improvement Program is performing an extensive community outreach program for this project and will continue this throughout construction.

FISCAL IMPACT:

Funding in the amount of \$15,030,400 is available in Water Revenue Fund 41500, CIP-70-945.0, Miramar Road Pipeline and \$507,707 is available in Water Revenue Fund 41500, CIP-73-331.0, Annual Allocation Water Pooled Contingency.

Belock/Gardner/OAK

FILE LOCATION: Subitems A,B,C: CONT - Vido Artukovich & Son
Inc./Vidmar Inc.; W.O. 185571

COUNCIL ACTION: (Tape location: A276-321.)

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

ITEM-203: Two actions related to Approving the Plans and Specifications and Inviting Bids for the Construction of Sewer Group Job 708.

(Normal Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-800) ADOPTED AS RESOLUTION R-294230

Approving the plans and specifications for the furnishing of all labor, material, tools, equipment, transportation and other expense necessary or incidental and inviting bids for the Construction of Sewer Group Job 708 on Work Order No. 175441;

Authorizing the City Manager to execute a contract with the lowest responsible bidder;

Authorizing the expenditure of an amount not to exceed \$2,275,800 from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacement, for Sewer Group Job 708 for providing funds for the project and related costs, provided that the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K01033C)

Subitem-B: (R-2001-801) ADOPTED AS RESOLUTION R-294231

Certifying that the Mitigated Negative Declaration No. LDR-40-0016 has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations Section 15000 et seq.), that the declaration reflects the independent judgement of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of Construction of Sewer Group Job 708;

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

Adopting the Mitigated Monitoring Reporting Program.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Group Job 708 is part of the City of San Diego's continuing annual sewer main replacement program. This project will include the installation of approximately 7,609 feet of 8-inch sewer main. Sewer lateral replumbing will also be required. It also calls for the construction of 38 pedestrian ramps, and resurfacing and slurry sealing the impacted City streets. The following streets and nearby alleys will be affected by construction operations: East Mountain View Drive, Alexia Place, Arthur Avenue, Eugene Place, Copley Avenue, 35th Street, and Sydney Place. Residents will be notified by the City, via mail, at least one (1) month prior to construction, and at least ten (10) days before the start of construction by the Contractor through hand distribution.

FISCAL IMPACT:

The total estimated cost of this project is \$2,275,800. Funds are available from Sewer Fund 41506, CIP-44-001.0, Annual Allocation - Sewer Main Replacement, for this purpose.

Belock/Boekamp/HR

WWF-01-474.

FILE LOCATION: Subitems A,B: CONT - Cal Southwest Constr. Inc.;
W.O. 175441

COUNCIL ACTION: (Tape location: A276-321.)

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

ITEM-204: Becky's House Shelter Donation Fund - Agreement with the Housing Commission.

(Districts-5 and 6.)

(Continued from the meeting of September 12, 2000, Item 206, at the request of Deputy Mayor Mathis on behalf of District 5 for further review.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2000-1035 Cor. Copy) ADOPTED AS RESOLUTION R-294232

Authorizing the City Manager to execute an agreement with the San Diego Housing Commission and/or nonprofit service provider(s), for the construction and operation of Becky's House, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for expenditure pursuant to the agreement are, or will be, on deposit in Becky's House Fund No. 10591.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego and FM Radio Station STAR 100.7 have worked collaboratively to build and operate a 10 unit transitional housing shelter for spouses and children fleeing domestic violence. In April 1999, Council District Five allocated the necessary CDBG funds from its District CDBG budget to pay for design and construction. Since that time, STAR 100.7 has made "Becky's House" the centerpiece of its 1999 fund raising campaign. The radio station has pledged proceeds from their December 1999 "Jingle Ball" concert to go towards the Becky's House Project. All fund raising proceeds will be deposited in the Becky's House Donation fund administered by the City. The City will enter into an agreement with the Housing Commission to utilize the funds for shelter expenses and to provide counseling and other supportive services. The Housing Commission is negotiating with the YWCA of San Diego County to operate Becky's House. It is estimated that the transitional housing units will be built and ready for occupancy in the Summer of 2000.

In accordance with California Penal Code section 273.7, it is a misdemeanor to publicly disseminate the location of any domestic violence shelter. This law is intended to protect domestic violence victims by keeping the location of all shelters confidential.

FISCAL IMPACT:

Funds will become available as private donations are deposited in the fund and certified by the City Auditor.

Loveland/Cunningham/EL

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A276-321.)

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

ITEM-205: Wireless Telephone Equipment and Service Agreement.

(See City Manager Report CMR-00-231.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-732) ADOPTED AS RESOLUTION R-294233

Authorizing the City Manager to execute an agreement with Verizon Wireless, for wireless telephone equipment and service.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A276-321.)

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

ITEM-206: Marketing Partnership with Verizon Wireless.

(See City Manager Report CMR-00-232.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-735 Cor. Copy) ADOPTED AS RESOLUTION R-294234

Authorizing the City Manager to execute a Marketing Partnership Agreement with Verizon Wireless.

Declaring that revenue from the Partnership is to be deposited into the General Fund as a part of the revenue projection for the Municipal Marketing Partnership Program in the Fiscal Year 2001 Budget.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A276-321.)

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

ITEM-207: First Amendment to Broker and Insurance Services Activities for the Owner Controlled Insurance Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-653) ADOPTED AS RESOLUTION R-294235

Authorizing the City Manager to execute a First Amendment to Agreement with Marsh Risk & Insurance Services, Inc. to continue to provide and manage an Owner Controlled Insurance Program for the Water Department Capital Improvements Program, for an amount not to exceed \$288,000 over the next 2 years, terminating on June 30, 2003;

Authorizing Marsh Risk and Insurance Services, Inc. to serve as broker of record for the purchase of the Worker's Compensation and Commercial General

Liability insurance for the Owner Controlled Insurance Program, and authorizing the City Auditor and Comptroller to expend an amount not to exceed \$976,440 for the purchase of such insurance, over the next 2 years, to terminate on June 30, 2003;

Authorizing Robert F. Driver to serve as broker of record for the purchase of Builders' Risk insurance, and authorizing the City Auditor and Comptroller to expend an amount not to exceed \$430,038 for the purchase of such insurance, over the next 2 years, to terminate on June 30, 2003;

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

CITY MANAGER SUPPORTING INFORMATION:

On September 29, 1998 the City Council adopted Resolution R-290765 establishing the Water Department CIP Owner Controlled Insurance Program (OCIP) and authorizing an agreement with J&H Marsh & McLennan, Inc. to provide the insurance broker services for the OCIP. The corporate entity that signed the agreement has been succeeded by Marsh Risk & Insurances Services Inc. to provide and manage that program. The City Council also authorized the payment of insurance premiums for Worker's Compensation, General Liability, and Builder's Risk insurances. Marsh and Robert F. Driver were selected through competitive bid procedures to provide the needed insurance and administrative services. The proposed action continues that Owner Controlled Insurance Program at the same excellent premium rates established in 1998. Two benefits of continuing using an OCIP over a contractor supplied insurance program are: 1) the cost saving realized by having more buying power and control over the insurance program; and 2) the increased emphasis on construction safety procedures which results in fewer accidents, and injuries, thus reducing costs.

FISCAL IMPACT:

The \$1,694,478 cost of this action is budgeted in Water Fund 41500 CIP projects. The costs will be distributed to various projects proportionately.

Belock/Gardner/DGS

Aud. Certs. 2100533, 2100534, 2100535.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A276-321.)

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

ITEM-208: Amendment No. 5 to the Agreement with McCutchen, Doyle, Brown and Enersen.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-775) ADOPTED AS RESOLUTION R-294236

Authorizing the City Manager to execute a fifth amendment to the agreement of February 24, 1992 with McCutchen, Doyle, Brown & Enersen for continuing legal services regarding clean water litigation;

Authorizing the expenditure of an amount not to exceed \$600,000 from Fund No. 41509, Dept. 777, Org. 445, Object Account 4141, Job Order 5003.

CITY MANAGER SUPPORTING INFORMATION:

On February 24, 1992, City Council authorized the retention of the law firm of McCutchen, Doyle, Brown and Enersen [MDBE] to: (1) act as co-counsel in the second phase of the Metropolitan Wastewater Monitoring as provided in the Consent Decree entered in U.S.A. v. City of San Diego, U.S. District Court No. 88-1101-B, and; (2) continue the effort in Federal Court to facilitate matters relating to the establishment of the Multiple Species Conservation Program.

Amendment No. 1 for \$100,000 for legal support during the appeal of the Consumers' Alternative to the Ninth Circuit Council Court of Appeals was approved by Council on January 3, 1994, Resolution R-283202.

Amendment No. 2 for \$800,000 was for continued legal support and was approved by Council on April 25, 1994, Resolution R-283754.

Amendment No. 3 for \$800,000 continued advocacy of City interest in the following matters, among others: (1) Interim Order; (2) State Spills Litigation; (3) Fiesta Island Enforcement Action; (4) MSCP; and (5) Participating Agencies Arbitration and was approved by Council on December 4, 1995, Resolution R-286697.

Amendment No. 4 for \$375,000 provided continued support in the following matters: (1) EPA litigation: Sierra Club petition for award of attorney's fees; (2) continued Participating Agency negotiations; and (3) litigation with the Surfrider Foundation and Save Our Bay and was approved by Council on September 8, 1997 Resolution R-289144.

Amendment No. 5 will provide funding in the amount of \$600,000 to retain MDBE's continued assistance in litigating on-going and future issues including City vs. EPA Case #CV-00436 clarifying the Pt. Loma waiver renewal for a revised total not to exceed amount of \$3,075,000.

FISCAL IMPACT:

Funds for this purpose are available in the MWWD FY2001 Operating Budget, Fund 41509, Department 777, Org. 445, Object Account 4141, Job Order 5003 for the purpose of funding Amendment No. 5.

Belock/Schlesinger/AR

Aud. Cert. 2100511.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A276-321.)

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

ITEM-209: Otay WTP Upgrade, Engineering Design Consultant Services Agreement.

(Otay Mesa, Otay Mesa Nestor, San Ysidro, Tijuana River Valley, Centre City, Greater Golden Hill, Skyline/Paradise Hills, and Southeast San Diego Community Areas. Districts-8, 4, 3 and 2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-723) ADOPTED AS RESOLUTION R-294237

Authorizing the City Manager to execute a phase funded agreement with Montgomery Watson for engineering design and construction support services for the Otay WTP Upgrade Project;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$3,411,471 from Water Revenue Fund 41500, CIP-73-250.0, Otay WTP Clearwell Storage, to Water Revenue Fund 41500, CIP-73-285.0, Otay WTP Upgrade;

Authorizing the expenditure of an amount not to exceed \$6,620,484 from Water Revenue Fund 41500, CIP-73-285.0, Otay WTP Upgrade, for engineering design services and related costs provided that the City Auditor first furnishes one or more certificates demonstrating that funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

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

CITY MANAGER SUPPORTING INFORMATION:

The Otay Water Treatment Plant (Otay WTP) is the primary water supplier for the Otay Service Area, one of three major water service areas within the City of San Diego. This service area includes Otay Mesa, Otay Mesa Nestor, San Ysidro, and the Tijuana River Valley. The Otay WTP was reconstructed from the ground up in 1971 during which the plant's capacity was expanded to 15 million gallons per day (15 mgd). In 1981 eight new gravity filters were built to replace the aging pressure filter system, and in 1989 the facility was expanded again to 40 mgd. This last expansion added a raw water pump station, eight more gravity filters, two flocc-sed basins, and improved chemical feed and storage systems. In response to recent and proposed changes in the federal and state water quality regulations (such as the Safe Drinking Water Act, and the EPA's Stage I & II Disinfection/Disinfection Byproduct Rules), several water quality and water process feasibility studies were undertaken and evaluated to help determine the City's best course of action. The construction of a low pressure membrane filter facility to augment,

and eventually replace, the existing water treatment process was the approach which resulted from this analysis. Implementing this new technology will help ensure that the City's Otay Water Treatment Plant will continue to meet both the current and future needs of our City. This upgrade includes: 1) The membrane filter units, and the associated equipment required to operate and test the membranes; 2) A building to house the membrane filters and filter testing facilities, and the associated grading & yard piping; 3) A new chlorine contactor upstream of the membrane filter units to provide chemical support for the filters. The Otay WTP Upgrade is part of the City's approved Capital Improvement Program. Council approval of this item will provide funding for the City to contract with Montgomery Watson for the professional engineering design services, and technical support during construction, required for these improvements.

FISCAL IMPACT:

Funding for the total amount of this request, \$6,620,484 (including the \$3,441,471 being transferred from CIP-73-250.0), is available in Water Revenue Fund 41500, CIP-73-285.0, Otay WTP Upgrade.

Belock/Gardner/JOP

Aud. Cert. 2100530.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A276-321.)

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

ITEM-210: Water System CIP- Program Management Services Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-673) ADOPTED AS RESOLUTION R-294238

Authorizing the City Manager to execute a phase funded agreement with Parsons Infrastructure & Technology Group, Inc. to provide Program Management Services and Safety Services for an amount not to exceed \$25,667,773;
Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$551,398 from Water Revenue Fund 41500, CIP-73-348.0, Telemetry Control Systems - SCADA - Phase II to Water Revenue Fund 41500, CIP-73-347.0, CIP Program Management;

Authorizing the expenditure of an amount not to exceed \$26,056,035 with \$21,522,578 coming from Water Revenue Fund 41500, CIP-73-347.0, and \$4,533,457 coming from various CIP projects as needed for this agreement and related costs, provided that the City Auditor first furnishes one or more certificates demonstrating that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury;

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

CITY MANAGER SUPPORTING INFORMATION:

In support of the ongoing Water Department's Capital Improvements Program to upgrade and expand the water infrastructure system, Parsons Infrastructure and Technology Group, Inc. (Parsons) was contracted with to provide the technical and program management support necessary to ensure the CIP Program is successfully executed in a timely and cost effective manner. The end of the first 3-year term of the Parsons contract, approved by the City Council in December 1997, is nearing. It is now necessary to enter into a new contract for an additional 3 year term to ensure the program continues to have the necessary resources for the continued implementation of water system improvements. Parsons onsite support in the areas of technical review, program management, schedule and cost controls, and safety management will become more critical as the City moves into its fourth year of the planned eight year (1998 - 2006) Water CIP Program. The peak of CIP execution and project implementation of the scheduled work will take place in FY01 - FY04. To date, the Water Department's CIP Program has successfully completed many projects including new and rehabilitated pump stations, pipelines and reservoirs. These and the ongoing work to expand and upgrade the City's water treatment plants have been accomplished successfully and in compliance with all State Department of Health Service mandates. This next 3 year term of the Parsons program management contract is essential to continue this successful effort.

FISCAL IMPACT:

Funding in the amount of \$26,056,035 is available in Water Fund 41500.

Belock/Gardner/DGS
Aud. Certs. 2100528, 2100529.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A276-321.)

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

ITEM-211 Amendment No. 23 with Westinghouse Process Control, Inc. (COMNET).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-841) ADOPTED AS RESOLUTION R-294239

Amendment 23 with Westinghouse Process Control, Inc. in connection with the
Wastewater Operations Management Network (COMNET).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A276-321.)

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

ITEM-212 Clarification of Resolution R-290821.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-685) TRAILED TO TUESDAY, NOVEMBER 21, 2000 AS
REQUESTED BY MAYOR GOLDING.

Declaring that Resolution R-290821 intended to vest in the City Manager complete discretion to determine whether to undertake the Charger ticket purchase authorized by that resolution, and the timing and circumstance of the ticket purchase;

Reaffirming the authority and discretion vested in the City Manager by Resolution R-290821.

FILE LOCATION: NONE.

COUNCIL ACTION: (Tape location: A276-321.)

ITEM-213: Three actions related to Salary Adjustment for the City Manager, City Auditor & Comptroller and City Clerk.

PERSONNEL DIRECTOR'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2001-112) ADOPTED AS RESOLUTION R-294241

Setting the compensation for the City Manager.

Subitem-B: (R-2001-115) ADOPTED AS RESOLUTION R-294242

Setting the compensation for the City Auditor and Comptroller.

Subitem-C: (R-2001-114) ADOPTED AS RESOLUTION R-294243

Setting the compensation for the City Clerk.

FILE LOCATION: Subitems A,B,C: MEET

COUNCIL ACTION: (Tape location: E203-219.)

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

*ITEM-S400: Excusing Councilmember Wear from the Council Meeting of August 15, 2000.

COUNCILMEMBER WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-545) ADOPTED AS RESOLUTION R-294244

Excusing Councilmember Wear from attending the regularly scheduled Council meeting of Tuesday, August 15, 2000, due to his attendance to other out of town City business.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A138-275.)

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

ITEM-S401: Amending the Legislative Calendar to Add a Regular City Council Meeting on Monday, November 27, 2000 at 2:00 P.M.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-868) ADOPTED AS RESOLUTION R-294245

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period January 1, 2000 through December 31, 2000 as follows:

1. Add a meeting of the City Council on Monday, November 27, 2000, at 2:00 p.m. to be held at 202 "C" Street, San Diego, CA, 12th floor.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

*ITEM-S402: Excusing Mayor Golding from the City Council Meeting of November 14, 2000.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-889) ADOPTED AS RESOLUTION R-294246

Excusing Mayor Golding from attending the regularly scheduled Council meeting of Tuesday, November 14, 2000, due to other City business.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A138-275.)

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

*ITEM-S403: Appointment to the Convention Center Corporation Board of Director.

MAYOR GOLIDNG'S RECOMMENDATION:

Adopt the following resolution:

(R-2001-865) ADOPTED AS RESOLUTION R-294247

Nominating the following person for election to the San Diego Convention Center Corporation Board of Directors:

<u>Nominee</u>	<u>For Term Ending</u>
Wilmer Cooks, Jr. (replacing expired Stephen P. Cushman)	December 1, 2003

Declaring that Wilmer Cooks, Jr. is elected to the Board of Directors of the San Diego Convention Center Corporation, for a three-year term to expire on December 1, 2003.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A138-275.)

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

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action.

ITEM-S450: Settlement of the Personal Injury Claim of Beverly Walker, et al..

(R-2001-622)

Adopted as Resolution R-293988.

A Resolution approved by the City Council in Closed Session on Tuesday, October 17, 2000, by the following vote: Mathis-yea; Wear-yea; Kehoe-yea; Stevens-not present; Blair-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-not present.

NOTE: Valerie Stallings voted **NAY** as to \$130,000 made payable to the Law Firm of Skadden, Arps, Slate, Meagher, and Flom, LLP.

Authorizing the City Manager to pay the total sum not to exceed \$1,660,000 in the settlement of claims against the City, its agents and employees, in U.S. District Court Case No. 97-cv-1547 BTM (POR), Beverly Walker v. City of San Diego, et al., resulting from personal injury to Beverly Walker, et al.

Authorizing the City Auditor and Comptroller to issue seven checks, one in the amount of \$150,000, made payable to Beverly Walker and her attorney of record, Amy B. Vandeveld; one in the amount of \$20,000, made payable to Noel Neudeck and his attorney of record, Amy B. Vandeveld; one in the amount of \$20,000, made payable to Peter Moseley and his attorney of record, Amy B. Vandeveld; one in the amount of \$25,000, made payable to Jebb Hann and his attorney of record Amy B. Vandeveld; one in the amount not to exceed \$15,000, made payable to the Estate of Kip Hayes and his attorney of record, Amy B. Vandeveld; one in the amount not to exceed \$130,000, made payable to the Law Firm of Skadden, Arps, Slate, Meagher, and Flom, LLP; and one in the amount of \$1,300,000, made payable to Amy and Thomas Vandeveld, Attorneys at Law, said funds are to be payable from Fund No. 81140, Public Liability Reserve Fund.

Aud. Cert. 2100398.

NOTE: This item is placed on a Council docket, so that the official and public record will reflect the adoption of this Resolution. It does not require any further Council action.

NON-DOCKET ITEMS:

NONE.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 7:07 p.m. in memory of Colonel Bryce F. Denno and Elizabeth Ellen "Lisa" Witty at the request of City Clerk, Charles G. Abdelnour.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H122-143).