

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, SEPTEMBER 27, 1993
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:06 p.m. Mayor Golding adjourned the meeting at 4:50 p.m. into Closed Session at 9:00 a.m. on Tuesday, September 28, 1993 in the 12th floor conference room to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present
(1) Council Member Wolfsheimer-present
(2) Council Member Roberts-present
(3) Council Member Hartley-present
(4) Council Member Stevens-present
(5) Council Member Behr-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Council Member Vargas-present
Clerk-Fishkin (ll)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

(M) Mayor Golding-present
(1) Council Member Wolfsheimer-present
(2) Council Member Roberts-not present
(3) Council Member Hartley-not present
(4) Council Member Stevens-present
(5) Council Member Behr-present
(6) Council Member Stallings-present
(7) Council Member McCarty-present
(8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by John Witt, City Attorney.

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member McCarty.

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Don Stillwell regarding income taxes and regionalism and its objective to change local government by merging City and County and the elimination of elected officials.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A041-064.)

ITEM-PC-2:

Comment by Bob Doyle of the American Heart Association urging the Mayor and Council to expeditiously docket a smoking ordinance.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A065-084.)

ITEM-PC-3:

Comment by Art Salzberg regarding the short allotment of time allowed the public to give testimony and requested the Council to increase it to at least three minutes.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A085-097.)

COUNCIL COMMENT:

ITEM-CC-1:

Council Member McCarty congratulated all the candidates in the last election and thanked everyone for their support for her re-election.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A025-047.)

ITEM-CC-2:

Council Member Stevens commented on the WALL STREET JOURNAL article regarding the loss of jobs for African Americans.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A101-134.)

ITEM-CC-3:

Council Member Vargas acknowledged and thanked the participants of the Weed and Seed enterprise program for their good works in the community.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A143-165.)

ITEM-CC-4:

Mayor Golding advised the Council of the results of her meetings with the National Hockey League, National Basketball Association and the National Football League in New York and how positively she was received by these clubs.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A170-189.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
08/23/93 Adjourned
08/24/93 Adjourned
08/30/93 Adjourned
08/31/93 Adjourned
09/06/93 Adjourned
09/07/93

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A187-192.)

MOTION BY ROBERTS TO APPROVE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31:

SUBJECT: Cabrillo Festival Week.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-369) ADOPTED AS RESOLUTION R-282649

Proclaiming September 26 through October 3, 1993, to be "Cabrillo Festival Week" in San Diego, and urging our citizens to join in the commemoration of this historic event.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A192-256.)

MOTION BY ROBERTS TO ADOPT. Second by Vargas. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32:

SUBJECT: Establishing "Speak! San Diego" as an Official Promotional Program.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-248) ADOPTED AS RESOLUTION R-282650

Joining in a Declaration of Unity with the Convention and Visitors Bureau, Hotel-Motel Association, Asian Business Association, and the Black, Filipino, Hispanic, Junior and Greater Chambers of Commerce, for the purpose of reversing the tide of negative expression by immediately establishing "Speak! San Diego" as an official promotional program to be used in making San Diego the Hospitality Center of the World.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A257-449.)

MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-50:

SUBJECT: Two actions related to Business License Tax for Refuse Collection.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances, which were introduced on 9/13/93 (Council voted 5-3. Districts 2, 7 and Mayor voted nay. District 5 not present):

Subitem-A: (O-94-28) ADOPTED AS ORDINANCE O-17986 (New Series)

Amending Chapter III, Article 1, Division 1 and Division 3, of the San Diego Municipal Code by amending Sections 31.0110, 31.0301, and 31.0302, and adding Section 31.0306, increasing the Business Tax on Refuse Collectors.

Subitem-B: (O-94-29) ADOPTED AS ORDINANCE O-17992 (New Series)

Amending Chapter IV, Article 6, Division 1, of the San Diego Municipal Code by amending Section 66.0107, relating to the Collection, Transportation and Disposal of Refuse.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Stevens-yea, Behr-nay, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-nay.

* ITEM-51:

SUBJECT: Sewer Revenue Fund "Fair Share" Allocations.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on 9/7/93 (Council voted 9-0):

(O-94-13) ADOPTED AS ORDINANCE O-17987 (New Series)

Amending Chapter VI, Article 4, Division 4, of the San Diego Municipal Code, by amending Section 64.0403, relating to the Sewer Revenue Fund, to provide for "Fair Share" reimbursement from the Sewer Revenue Fund to Council districts found to be overburdened with wastewater projects.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-52:

SUBJECT: Stormwater Management and Discharge Control Ordinance (Urban Runoff Pollution Control Program-Regional Water Quality Control Board Order 90-42.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on 9/13/93 (Council voted 8-0. District 5 not present):

(O-93-113 Cor. Copy) ADOPTED AS ORDINANCE O-17988 (New Series)

Amending Chapter IV, Article 3, of the San Diego Municipal Code, by adding Division 3, entitled Storm Water Management and Discharge Control and Sections 43.0301, 43.0302, 43.0303, 43.0304, 43.0305, 43.0306, 43.0307, 43.0308, 43.0309, 43.0310, 43.0311, 43.0312, 43.0313 and 43.0314, all relating to Storm Water Management and Discharge Control.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Wolfsheimer. Passed by the

following vote: Wolfsheimer-yea, Roberts-not present,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-53:

SUBJECT: Re-zoning 2.81 acres to the Scientific Research (SR)
Zone.

(Case-89-0508. University Community Area. District-
1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on
9/14/93 (Council voted 8-0. District 7 not present):

(O-94-4) ADOPTED AS ORDINANCE O-17989 (New Series)

Re-zoning 2.81 acres located southeasterly of Nobel
Drive and Shoreline Drive, west of Interstate 805, and
north of Rose Canyon Open Space to the Scientific
Research (SR) Zone.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND
ADOPT ORDINANCE. Second by Wolfsheimer. Passed by the
following vote: Wolfsheimer-yea, Roberts-not present,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-
yea, Vargas-yea, Mayor Golding-yea.

* ITEM-54:

SUBJECT: Re-zoning designated portions of the Waring Road finger
canyon.

(Case-93-0197. Navajo Community Area. District-7.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on 9/7/93 (Council voted 7-2. Districts 1 & 6 voted nay):

(O-93-193) ADOPTED AS ORDINANCE O-17990 (New Series)

Re-zoning the Open Space portions of the finger canyon to R1-40,000/HR and R1-40,000 and re-zoning the Single-Family Residential portions to R1-5000/HR and R1-5000.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-55:

SUBJECT: Re-zoning 2244 Carmel Valley Road to the Neighborhood Commercial (CN) Zone.

(Case-93-0200. Torrey Pines Community Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on 9/14/93 (Council voted 8-0. District 7 not present):

(O-94-7 Cor.) ADOPTED AS ORDINANCE O-17991 (New Series)

Re-zoning 7,200 square feet of property located at 2244 Carmel Valley Road, at the northwest corner of Carmel Valley Road and Via Borgia to the Neighborhood Commercial (CN) Zone.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Wolfsheimer. Passed by the

following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-56:

SUBJECT: Graffiti Abatement Ordinance.

COUNCILMEMBER VARGAS' RECOMMENDATION:

Introduce the following ordinance:

(O-94-23 Cor. Copy) INTRODUCED, TO BE ADOPTED OCTOBER
11, 1993

Amending Chapter V, Article 4, Division 4, of the San Diego Municipal Code by amending Section 54.0412, relating to Graffiti Abatement, to:

- 1) Require not less than 8 and not more than 80 hours of community service from any juvenile convicted of painting graffiti; and
- 2) Require one parent or legal guardian to be present for at least one-half of the community service hours required.

FILE LOCATION:

COUNCIL ACTION: (Tape location: D265-452.)

MOTION BY VARGAS TO INTRODUCE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-not present, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-57:

SUBJECT: Joint Use Agreement for Washington Elementary School Site.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-94-25) INTRODUCED, TO BE ADOPTED OCTOBER 11, 1993

Authorizing a 25-year joint use agreement with the San Diego Unified School District, for the construction, operation, maintenance, and lease of turfed field and recreation facilities at Washington Elementary School;

Authorizing the expenditure of not to exceed \$150,000 from CIP-29-790.0, Washington Elementary School, CDBG Fund No. 18528/4024.

CITY MANAGER SUPPORTING INFORMATION: The proposed lease agreement provides for a 25 year no-fee joint use facility at Washington Elementary School.

The terms of the agreement allow for the development, operation and maintenance of an irrigated, turfed one-half (1/2) acre multi-use playing field, in an area which is deficient in recreational facilities. The San Diego Unified School District will administer the contracts for design and construction of this project in order to more efficiently coordinate and expedite the development. Subject to Council approval, the District will administer the contracts using the District's competitive bidding procedures. Unexpended funds, if any, remaining after completion of the construction will be returned to the City.
Aud. Cert. 9400157.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO INTRODUCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Awarding Contracts for DNA Typing.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-210) ADOPTED AS RESOLUTION R-282651

Awarding contracts to Cellmark Diagnostics (primary contract) and Genetic Design Inc. (secondary contract), for furnishing DNA Typing, as may be required for a period of one year beginning August 1, 1993 through July 31, 1994, for an estimated cost of \$60,000. (BID-B3869/93)

(Two bids received. For use by the Police Department Laboratory.)

FILE LOCATION: CONT-PURCHASE Cellmark Diagnostics Genetic Design Inc. CONT FY 94-2

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-101:

SUBJECT: Awarding a Contract for Calcium Hydroxide.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-291) ADOPTED AS RESOLUTION R-282652

Awarding a contract to Chemstar Lime Company for the purchase of Calcium Hydroxide (Hydrated Lime), as may be required for a period of one year beginning October 1, 1993 through September 30, 1994, for an estimated cost of \$117,056.25, for the first year's usage, including tax, terms, and freight, with options to renew the contract for four additional one year periods. (BID-B3928/93)

(One bid received. Requested by the Water Utilities

Department, Water Production Division.)

FILE LOCATION: CONT-PURCHASE Chemstar Lime Company CONT
FY94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by
Wolfsheimer. Passed by the following vote: Wolfsheimer-
yea, Roberts-not present, Hartley-yea, Stevens-nay, Behr-
yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-
yea.

* ITEM-102:

SUBJECT: Awarding a Contract for Sodium Hypochlorite.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-207) ADOPTED AS RESOLUTION R-282653

Awarding a contract to Jones Chemicals, Inc. for
furnishing sodium hypochlorite, 12.5 percent in
solution, as may be required for a period of one year
beginning October 1, 1993 through September 30, 1994
for an estimated cost of \$99,345.50, including tax;

Declaring that in the event the vendor is unable to
meet specifications at any time during the contract
period, the Purchasing Agent is authorized to terminate
the contract and to award to the next low responsible
and responsive bidder and to subsequent bidders, if
necessary, until a bidder is found who will comply with
specifications. (BID-3942/94)

(Seven bids received. Requested by the Water Utilities
Department, Metro Wastewater Division.)

FILE LOCATION: CONT-PURCHASE Jones Chemicals, Inc. CONT
FY94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Awarding a Contract for Ferric Chloride.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-293) ADOPTED AS RESOLUTION R-282654

Awarding a contract to Imperial West Chemical Co. for furnishing ferric chloride, as may be required for a period of one year beginning November 1, 1993 through October 31, 1994, for a total estimated cost of \$4,027,695, including tax, with options to renew the contract for four additional one year periods;

Authorizing the Purchasing Agent to obtain this material on the open market in the event the contractor fails to deliver material meeting specifications, until the requirement can be rebid.

(BID-B3773/93)

(Two bids received. Requested by the Water Utilities Department, Metro Wastewater Division, for use at the Metro Wastewater Treatment Plant and Pump Station No. 2.)

FILE LOCATION: CONT-PURCHASE Imperial West Chemical Co.
CONT FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Awarding a Contract for Wet Charge Maintenance Free Storage Batteries.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-206) ADOPTED AS RESOLUTION R-282655

Awarding a contract to U.S. Battery Mfg. Co., for furnishing wet charge maintenance free storage batteries, as may be required for a period of one year beginning August 1, 1993 through July 31, 1994, for a total estimated cost of \$77,390, including tax and terms, with options to renew the contract for three additional one year periods. (BID-I3926/93)

(Seven bids received. For stock in various City Storerooms.)

FILE LOCATION: CONT-PURCHASE U. S. Battery Mfg. Co. CONT FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105:

SUBJECT: Approving Existing Contracts for Five Specific Rental Motive Equipment Items.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-208) ADOPTED AS RESOLUTION R-282656

Approving existing contracts of Bengal Equipment & Tractor Co., BJ'S Rental Store, Contractors Equipment, and US Rentals and for furnishing five specific rental motive equipment items, as may be required for the period of the first option year beginning August 1, 1993 through July 31, 1994, for a total estimated cost for the primary contracts only for the first option year of \$86,490, including tax and terms. (BID-E3559/93)

(Six bids received. For use by the Water Utilities Department, Metro Division.)

FILE LOCATION: CONT-PURCHASE Bengal Equipment & Tractor Co.,
BJ's Rental Store, Contractors Equipment,
U.S. Rentals CONT FY 94-4

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106:

SUBJECT: Awarding contracts for Construction Equipment and 5th Wheel Tractor Rental.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-202) ADOPTED AS RESOLUTION R-282657

Awarding contracts to U.S. Rentals, San Diego Equipment Rentals, Inc., Bengal Equipment & Tractor Co., BJ'S Rental Store, Hertz Equipment Rental, Contractors Equipment Company, Miramar Ford, U.S. Rentals, and Clairemont Equipment Rentals for furnishing construction equipment and 5th wheel tractor rental, as may be required for a period of one year beginning August 1, 1993 through July 31, 1994, for a total

estimated cost of \$144,300, including tax and terms.
(BID-E3933/94)

(Thirteen bids received. For use by the Water Utilities Department, Metro Wastewater and System Divisions.)

FILE LOCATION: CONT-Purchase - U.S. RENTALS, SAN DIEGO EQUIPMENT RENTALS, INC., BENGAL EQUIPMENT & TRACTOR CO., BJ'S RENTAL STORE, HERTZ EQUIPMENT RENTAL, CONTRACTORS EQUIPMENT COMPANY, MIRAMAR FORD, U.S. RENTALS, CLAIREMONT EQUIPMENT RENTALS CONT FY 94-9

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-107:

SUBJECT: Awarding Contracts for Operated Construction Equipment and Low-Boy Trailer with Tractor Rentals.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-203) ADOPTED AS RESOLUTION R-282658

Awarding contracts to San Diego Equipment Rentals, Inc., Burns and Sons Trucking, Inc., Don's Backhoe Rental, Inc., Rutledge Gradalls, McDonald-Western, and Kraft Water Trucking, for furnishing miscellaneous operated construction equipment and low-boy trailer with tractor rentals, as may be required for a period of one year beginning August 1, 1993 through July 31, 1994, for an estimated annual cost of \$176,390. (BID-E3932/94)

(Nine bids received. For use by the Water Utilities Department, Systems Division.)

FILE LOCATION: CONT-PURCHASE San Diego Equipment Rentals, Inc., Burns and Sons Trucking, Inc., Don's Backhoe Rental, Inc., Rutledge Gradalls, McDonald-Western, Kraft Water Trucking CONT FY 94-6

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108:

SUBJECT: Awarding a Contract for a Heat Exchangers, Boiler and Utility Semi-Van (Mobile Sludge Heating System) Package.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-204) ADOPTED AS RESOLUTION R-282659

Awarding a contract to RMC2 Mechanical Systems for the purchase of a heat exchangers, boiler and utility semi-van (mobile sludge heating system) package;

Authorizing the expenditure of not to exceed \$575,655.45 from Department No. 700, Organization No. 400, Object Account No. 3298, and Job Order No. 2501;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-B3904/93)

(One bid received. Requested by the Water Utilities Department, Metro Wastewater Division.)

Aud. Cert. 9400258.

FILE LOCATION: CONT-PURCHASE RMC2 Mechanical Systems CONT
FY94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by
Wolfsheimer. Passed by the following vote: Wolfsheimer-
yea, Roberts-not present, Hartley-yea, Stevens-nay, Behr-
yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-
yea.

* ITEM-109:

SUBJECT: Awarding a Contract for Traffic Signal Control
Equipment.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-292) ADOPTED AS RESOLUTION R-282660

Awarding a contract to Safetran Traffic Systems, Inc.
for furnishing traffic signal control equipment, as may
be required for a period of one year beginning August
1, 1993 through July 31, 1994, for a total estimated
cost of \$325,303.72, including tax.

(BID-B3908/93)

(Two bids received. Requested by the Engineering and
Development Department.)

WU-U-93-131.

FILE LOCATION: CONT-PURCHASE Safetran Traffic Systems, Inc.
CONT FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by
Wolfsheimer. Passed by the following vote: Wolfsheimer-
yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-
yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-
yea.

* ITEM-110:

SUBJECT: Inviting bids for Temporary Improvements to Dairy Mart Road.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-331) ADOPTED AS RESOLUTION R-282661

Inviting bids for Temporary Improvements to Dairy Mart Road on Work Order. No. 112298;

Authorizing the execution of a contract with the lowest responsible bidder;

Modifying the Fiscal Year 1994 Capital Improvements Program budget by adding CIP-52-570.0, Temporary Improvements to Dairy Mart Road; Authorizing the transfer of \$186,000 from CIP-17-002.0, Annual Allocation - Storm Drain Projects Not Yet Identified, Proposition A Fund 30300, into CIP-52-570.0, Temporary Improvements to Dairy Mart Road;

Authorizing the expenditure of \$186,000 from CIP-52-570.0, Temporary Improvements to Dairy Mart Road, Proposition A Fund 30300;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds in the project until completion;

Waiving the requirements to publicly advertise for bids of San Diego Municipal Code Section 22.0504 and authorizing the Purchasing Agent to solicit bids directly from contractors.

(BID-K94046)

(Prime Construction Contract \$120,000.)

CITY MANAGER SUPPORTING INFORMATION:

During the rains of January and February, 1993, a portion of Dairy Mart Road was completely washed out. The road was temporarily reconstructed with assistance from the U.S. Army National Guard. The road remains in a rough, dirt condition and is in need of an asphalt overlay and additional culverts.

This project will pave the rebuilt section of Dairy Mart Road and place additional culverts to assist in the passage of water should the Tijuana River swell again next winter. These improvements are only temporary until the final Tijuana River Valley study is completed and permanent recommendations are instituted. This project is eligible for disaster assistance and the federal and state governments have pledged to reimburse the City for up to 94 percent of the construction costs. Although the San Diego Municipal Code Sec. 22.0504 requires the Purchasing Agent to publicly advertise for bids for contracts over \$50,000, bidders for this project will be solicited by seeking competitive prices from at least five specific bidders. This action will be taken due to the Council-declared emergency per Resolution R-281612, adopted on March 15, 1993.

FISCAL IMPACT:

The estimated total cost of this project is \$186,000. Funds are available from CIP-17-002.0, Annual Allocation - Storm Drain Projects Not Yet Identified, Proposition A Fund 30300. Annual maintenance will be minimal.

Aud. Cert. 9400259.

FILE LOCATION: W.O. 112298 CONT - Sim J. Harris Co. CONT FY
94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111:

SUBJECT: Inviting bids for the Construction of Street Lights.

(Clairemont Mesa, Mission Trails Regional Park, Scripps

Miramar Ranch, and Centre City Community Areas.
Districts-2, 5 and 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-240) ADOPTED AS AMENDED AS RESOLUTION R-282662

Inviting bids for the Construction of Street Lighting at Mission Gorge Road east of Golfcrest Drive, at Cowley Way south of Iroquois Avenue, at Scripps Trail north of Eastglen Street, and at Front Street from Beech Street to Date Street on Work Order No. 119921;

Authorizing a contract with the lowest responsible bidder;

Authorizing the transfer of \$15,000 from CIP-37-028.0, Annual Allocation Undergrounding of City Utilities, Fund 30245, Capital Outlay Fund, to CIP-52-293, Annual Allocation-Installation of City-Owned Street Lights;

Authorizing the expenditure of \$104,100 from CIP-52-293.0, Annual Allocation - Installation of City-owned Street Lights (\$15,000 from Capital Outlay Fund 30245 and \$89,100 from Transnet Fund 30300);

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-52-293.0. (BID-K94044)

(Prime Construction Contract \$62,000.)

CITY MANAGER SUPPORTING INFORMATION:

The Capital Improvement Program Project for City-owned Street Lights will install low pressure sodium street lights in areas that do not have sufficient street lighting to satisfy current minimum City lighting standards at locations in Clairemont Mesa, Mission Trails Regional Park, and Scripps Miramar Ranch. The Capital Improvement Program for Under-grounding of City Utilities will install low pressure sodium street lights on Front Street to replace existing wood pole mounted street lights.

FISCAL IMPACT:

The estimated total cost of this project is \$104,100. Funds for

this project are available in Capital Outlay Fund CIP-52-293.0, Installation of City-Owned Street Lights. Approximate annual energy cost is \$1,225.
Aud. Cert. 9400194.

FILE LOCATION: W.O. 119921 CONT - Select Electric, Inc.
CONFY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT AND CONTINUE ONLY THE MISSION TRAILS REGIONAL PARK AREA TO OCTOBER 4, 1993 AT THE REQUEST OF COUNCIL MEMBER McCARTY. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112: TRAILED TO TUESDAY, SEPTEMBER 28, 1993

SUBJECT: Two actions related to Improvements of the Fiesta Island Sludge Dewatering Facility.

(Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-335)

Inviting bids for the purchase and installation of seven belt filter presses and ancillary equipment for the Fiesta Island Sludge Dewatering Facility on Work Order No. 030045. (BID-K94035)

Subitem-B: (R-94-334)

Inviting bids for the construction and installation of a 10-inch water line on Work Order No. 030045. (BID-K94034)

CITY MANAGER SUPPORTING INFORMATION:

During the wet weather periods of 1992-1993, the City's Fiesta Island Sludge Dewatering Facility was incapable of treating all of the sludge produced by the Point Loma Wastewater Treatment

Plant. When this occurred, sludge pumped to Fiesta Island for dewatering was returned to Point Loma with little or no dewatering accomplished. The high percentage of solids in this return flow to Point Loma caused overloading of the treatment plant and periodic noncompliance with Regional Water Quality Board Cease and Desist Order No. 87-113 and Order No. 90-32 regarding suspended solids removal rates at the treatment plant.

The City has pledged to the Regional Board that necessary improvements to the existing facilities will be made as soon as possible to assure that Fiesta Island has sufficient capacity to treat Point Loma sludge year round.

The City evaluated several options and determined that the best course of action would be to go to an all mechanical dewatering operation as the primary means to reliably dewater the sludge. The City, therefore, plans to install seven additional belt filter presses and ancillary equipment and utilities at Fiesta Island. This action would allow for the advertisement of the contracts necessary for the installation of the seven new belt filter presses and ancillary equipment and construction of the needed utilities.

FISCAL IMPACT:

None with this action. The estimated cost of constructing the belt filter presses is \$1,734,000 and the water pipeline is \$310,000. The Clean Water Program will return to Council at a later date to request these funds.

Funds are available for this purpose in CIP-46-119, Annual Allocation for the Point Loma Treatment Plant.

WU-CWP-94-039.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO TRAIL TO TUESDAY, SEPTEMBER 28, 1993 DUE TO THE UNAVAILABILITY OF STAFF. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113: TRAILED TO TUESDAY, SEPTEMBER 28, 1993

SUBJECT: Awarding contracts for Removal and Disposal of Digested Sludge.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-205)

Awarding contracts to Shrecka Technology Park, Western Advanced Systems and Technologies for the Environment, and Greenfield Environmental/Falcon Disposal for furnishing removal and disposal of an estimated 300,000 tons of digested sludge, as may be required for a period of one year beginning August 10, 1993 through August 9, 1994, for a total estimated cost of \$9,048,480, including terms. (BID-B3937/94)

(Twelve bids received. Requested by the Water Utilities Department, Metro Wastewater Division.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO TRAIL TO TUESDAY, SEPTEMBER 28, 1993 DUE TO THE UNAVAILABILITY OF STAFF. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-114:

SUBJECT: Amended Agreement for Carmel Valley Neighborhood 1 Unit No. 11.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-357) ADOPTED AS RESOLUTION R-282663

Authorizing the execution of an amendment to the subdivision agreement for Carmel Valley Neighborhood 1 Unit 11, to provide for the substitution of Pardee Construction Company for Village Properties, as subdivider;

Declaring that the public improvements to be constructed shall be completed by June 30, 1994;

Accepting Performance Bond No. 400JK0533, issued by St. Paul Fire & Marine Insurance Company, in the amount of \$1,044,938, as the surety for the required improvements in the subdivision, and releasing Performance Bond No. 11119070925, issued by The American Insurance Company in the amount of \$1,044,938.

CITY MANAGER SUPPORTING INFORMATION:

On January 23, 1989 the City entered into an agreement with Village Properties, a California General Partnership, for the construction of public improvements for Carmel Valley Neighborhood 1 Unit No. 11. The agreement expired on January 23, 1991. An extension was granted to June 30, 1994.

The property is now owned by Pardee Construction Company. The new owner has signed an Amended Agreement to assume all of the obligations of the original subdivider and complete the required work. The new subdivider has provided a performance bond for the same amount as the original bond in the amount of \$1,044,938. The Amended Agreement is in accordance with Council Policy 600-21.

FISCAL IMPACT: None.

FILE LOCATION: SUBD-Carmel Valley Neighborhood 1 Unit No. 11

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-115:

SUBJECT: Two actions related to Carmel Valley Neighborhood 1
Unit 12B Final Map and Subdivision Agreement.

(An 8-lot subdivision located southeasterly of Del Mar
Heights Road and Carmel Country Road. Carmel Valley
Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-392) ADOPTED AS RESOLUTION R-282664

Authorizing the execution of a Subdivision Improvement
Agreement with Baldwin Building Company, for the
installation and completion of certain public
improvements in the subdivision to be known as Carmel
Valley Neighborhood 1 Unit 12B.

Subitem-B: (R-94-391) ADOPTED AS RESOLUTION R-282665

Approving the final map of Carmel Valley Neighborhood 1
Unit 12B.

FILE LOCATION: SUBD-Carmel Valley Neighborhood 1 Unit 12B

COUNCIL ACTION: (Tape location: A452-B261.)
CONSENT MOTION BY STALLINGS TO ADOPT. Second by
Wolfsheimer. Passed by the following vote: Wolfsheimer-
yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-
yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-
yea.

* ITEM-116:

SUBJECT: Amended Agreement for Carmel Valley Neighborhood 1,
Units 3 and 4 Re-subdivision.

(Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-356) ADOPTED AS RESOLUTION R-282666

Authorizing the execution of an amendment to the subdivision agreement for Carmel Valley Neighborhood 1, Units 3 and 4 Re-subdivision, to provide for the substitution of Pardee Construction Company for Village Properties, as subdivider;

Declaring that the public improvements to be constructed shall be completed by September 29, 1994;

Accepting Performance Bond No. 400JK0529, issued by St. Paul Fire & Marine Insurance Company, in the amount of \$1,912,482, as the surety for the required improvements in the subdivision, and releasing Performance Bond No. 111 3300 8364, issued by The American Insurance Company in the amount of \$1,912,482.

CITY MANAGER SUPPORTING INFORMATION:

On September 29, 1992 the City entered into an agreement with Village Properties, a California General Partnership, for the construction of public improvements for Carmel Valley Neighborhood 1, Units 3 and 4 Re-subdivision.

The agreement expires on September 29, 1994. The property is now owned by Pardee Construction Company. The new owner has signed an amended agreement to assume all of the obligations of the original subdivider and complete the required work. The new subdivider has provided a performance bond for the same amount as the original bond in the amount of \$1,912,482. The amended agreement is in accordance with Council Policy 600-21.

FISCAL IMPACT: None.

FILE LOCATION: SUBD-Carmel Valley Neighborhood 1, Units 3 and 4 Resubdivision CONT FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117:

SUBJECT: Street Reservation for Via Aprilia.

(Located northwesterly of I-5 and Carmel Valley Road.
Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-362) ADOPTED AS RESOLUTION R-282667

Accepting the deed of Thomas C. Royden, granting to the City
a street easement for potential future improvement of Via
Aprilia, in Lots 13 and 14 in Block 1 of Del Mar Terrace,
Map-1527.

FILE LOCATION: DEED F-6134 DEED FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by
Wolfsheimer. Passed by the following vote: Wolfsheimer-
yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-
yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-
yea.

* ITEM-118:

SUBJECT: Two actions related to Street Reservation - Camino de
la Plaza.

(Located on the north side of Camino de la Plaza, west
of I-5. Tia Juana River Valley Community Area.
District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-376) ADOPTED AS RESOLUTION R-282668

Accepting the deed of Burnham Pacific Properties, Inc.,

granting to the City a street easement for the potential future improvement of Camino de la Plaza, in Parcel 4 of Parcel Map PM-6861.

Subitem-B: (R-94-377) ADOPTED AS RESOLUTION R-282669

Stating for the record that the City of San Diego, as Lead Agency, has reviewed and considered Negative Declaration DEP-92-0687 in connection with the acceptance of a street reservation for the potential future improvement of Camino de la Plaza;

Finding that there is no substantial evidence that the project will have a significant effect on the environment.

FILE LOCATION: DEED F-6135 DEED FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-119:

SUBJECT: Setting Aside and Restricting Use of a City-owned Del Mar Mesa Mitigation Parcel.

(District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-251) ADOPTED AS RESOLUTION R-282670

Setting aside and restricting 30 acres of City-owned land located on Del Mar Mesa, north of Los Penasquitos Canyon and CalTrans Vernal Pool Preserve, and south of Deer Canyon, for use as a biological conservation preserve.

CITY MANAGER SUPPORTING INFORMATION:

This action provides for the setting aside and restriction of the use of 30 acres of City-owned land on Del Mar Mesa to a "biological conservation preserve." The parcel was purchased as "off-site" mitigation for the North City Water Reclamation Plant Project (CIP-42-910.1), as required by Environmental Impact Report and Mitigation Monitoring and Reporting Program, DEP-91-0516, dated December 7, 1992. This action is being taken to comply with requirements of the U.S. Fish and Wildlife Service placed on the project as part of the environmental process.

FILE LOCATION: DEED F-6136 DEED FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-120:

SUBJECT: Drainage Easement Exchange - New Salem Street.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-322) CONTINUED TO OCTOBER 4, 1993

Accepting the deed of San Diego Unified School District of San Diego County, granting to the City a drainage easement in the Northeast Quarter of Section 36, Township 14 South, Range 3 West, San Bernardino Meridian;

Authorizing the execution of a quitclaim deed, quitclaiming to San Diego Unified School District all of the City's right, title and interest in the drainage easement in the Northeast Quarter of Section 36, Township 14 South, Range 3 West, San Bernardino Meridian.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO OCTOBER 4, 1993 AT THE REQUEST OF DEPUTY MAYOR BEHR TO ALLOW STAFF TO LOOK INTO ALTERNATIVE DISPOSITIONS FOR THIS PROPERTY. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-121:

SUBJECT: Sewer Easement Abandonment - Children's Hospital and Health Center.

(Serra Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-387) ADOPTED AS RESOLUTION R-282671

Authorizing the sale by negotiation of an unneeded sewer easement in a portion of Pueblo Lot 1202, Miscellaneous Map No. 36, to Children's Hospital - San Diego;

Authorizing the execution of a quitclaim deed, quitclaiming to Children's Hospital - San Diego the sewer easement in a portion of Pueblo Lot 1202, Miscellaneous Map No. 36.

FILE LOCATION: DEED F-6138 DEED FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-122:

SUBJECT: Two actions related to the Columbia Street (Ash Street to Juniper Street) Underground Utility District.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-381) ADOPTED AS RESOLUTION R-282672

Designating December 1, 1993 as the date upon which all property in the Columbia Street (Ash Street to Juniper Street) Underground Utility District must be ready to receive underground service and February 1, 1994 as the date for the removal of all overhead utility facilities.

Subitem-B: (R-94-382) ADOPTED AS RESOLUTION R-282673

Authorizing the City Auditor and Comptroller to open Fund No. 78066 for the purpose of depositing Public Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Columbia Street (Ash Street to Juniper Street) Underground Utility District;

Authorizing payment to all property owners in the Columbia Street (Ash Street to Juniper Street) Underground Utility District as reimbursement for electrical service underground conversion work done on private property whenever the required length of trenching exceeds 1 foot;

Authorizing the City Auditor and Comptroller to return to San Diego Gas and Electric Company any undisbursed funds upon written notice that all electric service conversions within a particular district have been completed.

CITY MANAGER SUPPORTING INFORMATION:

The Columbia Street (Ash Street to Juniper Street) Underground Utility District was created by the City Council on November 12,

1991. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set December 1, 1993 as the Customer Ready Date, which will require that, upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish February 1, 1994 as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates.

Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

FILE LOCATION: STRT K-200

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-123:

SUBJECT: City of San Diego Red Ribbon Week.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-388) ADOPTED AS RESOLUTION R-282674

Proclaiming October 25 through October 29, 1993 to be "Red Ribbon Week" in San Diego;

Supporting the efforts of the City Manager's Advisory Committee on Substance Abuse and Prevention during this

week, and encouraging all City employees to show their support for a drug free workplace by wearing red ribbons and to make a pledge to work towards making our communities and workplace substance free.

CITY MANAGER SUPPORTING INFORMATION:

The City Manager's Advisory Committee on Substance Abuse and Prevention (MACSAP) continues to meet and discuss ways to improve the dissemination of information on substance abuse and prevention to City employees. MACSAP developed a logo and the City Employees Substance Abuse Bill of Rights, which was adopted by the City Council on October 7, 1991. The purpose of the City Employees Substance Abuse Bill of Rights and Responsibilities is to inform City employees that they have certain rights and responsibilities regarding the effects of alcohol and drug use and abuse on our communities and workplace. MACSAP request that the Mayor and City Council declare October 25-29, 1993, as the City of San Diego's Red Ribbon Week, and encourage all City employees to show their support for a drug-free workplace by wearing red ribbons and participating in Red Ribbon Week activities.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-124:

SUBJECT: Twin Hills Girls Softball Day.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-272) ADOPTED AS RESOLUTION R-282675

Commending The Twin Hills Girls Softball, Inc., for helping prepare today's girls for active leadership roles as citizens of tomorrow and proclaiming August

28, 1993 to be "Twin Hills Girls Softball Day."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-125:

SUBJECT: Evelyn Liggins Memorial Day.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-399) ADOPTED AS RESOLUTION R-282676

Proclaiming September 18, 1993 to be "Evelyn Liggins Memorial Day" in recognition of the life and work of Evelyn Liggins and the legacy of community service she leaves for all to follow.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-126:

SUBJECT: Excusing Councilmember Wolfsheimer's Absence.

COUNCILMEMBER WOLFSHEIMER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-371) ADOPTED AS RESOLUTION R-282677

Excusing Councilmember Abbe Wolfsheimer from attending the Council meetings of August 9 and 10, 1993, due to personal reasons.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-127:

SUBJECT: Settlement of Claim of William Hoese, et al.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following resolution:

(R-94-414) ADOPTED AS RESOLUTION R-282678

A Resolution approved by the City Council in Closed Session on Tuesday, September 14, 1993, by the following vote: Wolfsheimer-yea; Roberts-not present; Hartley-yea; Stevens-yea; Behr-not present; Stallings-yea; McCarty-yea; Vargas-ineligible; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$30,399 in the settlement of each and every claim against the City, its agents and employees, resulting from the property damage to William Hoese (Municipal Court Case No. 549543, William Hoese v. City of San Diego, et al.; Municipal Court Case No. 548970, Federal Insurance Company v. City of San Diego, et al.; and Superior Court Case No. 660241, United Services Automobile Association v. City of San Diego, et al.; authorizing the City Auditor and Comptroller to issue one check in the total amount of \$1,742 made payable to

Federal Insurance Company, as subrogee of Ellen Atkins, and their attorney, L. Steven Lory; and one check in the total amount of \$20,620 made payable to United Services Automobile Association, as subrogee of William Hoese, and their attorney, Jeffrey Karpel, in full settlement of their lawsuits and all their claims;

Authorizing the City Manager to pay up to, but not exceeding, the sum of \$8,037 for future settlement of the individual claim of William Hoese and his attorney, Timothy R. Pestotnik, Municipal Court Case No. 549543.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the property damage claim of William Hoese, et al. against the City of San Diego as a result of an incident which occurred on March 2, 1992, at 3754 Rosecroft Lane.

Aud. Cert. 9400297.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-128:

SUBJECT: Additional Financing for Dailard Park Development.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-182) ADOPTED AS RESOLUTION R-282679

Authorizing the transfer of not to exceed \$125,000 within Environmental Growth Fund 10505, from CIP-20-010.0, Annual Allocation - Resource Based Open Space

Parks, to CIP-29-646.0, Dailard Park Development;

Authorizing the expenditure of not to exceed \$125,000 from Environmental Growth Fund 10505, CIP-29-646.0, Dailard Park Development, to supplement funding authorized by Resolution R-280499 and for administrative inspection and contingency costs.

CITY MANAGER SUPPORTING INFORMATION:

Dailard Neighborhood Park is located at 6435 Cibola Road between Laurelridge Road and Cabaret Street in the Navajo Community Planning Area. Construction of Phase I began in October of 1992. Upon completion of the grading portion of the work, members of the community expressed extreme concern due to the contoured design of the site which prohibits a complete view of the proposed walkway. The necessity for the contoured design was a result of more rigid requirements for a flatter walkway which would meet the Americans With Disabilities Act (ADA) provisions. The design can be modified by the removal of additional soil from the site at a cost of approximately \$90,000.

An additional \$35,000 is necessary to provide for administrative inspection and contingency costs which will occur due to delays in the contract time and scope.

Aud. Cert. 9400113.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-129:

SUBJECT: Additional Financing for Nestor Neighborhood Park.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-374) ADOPTED AS RESOLUTION R-282680

Authorizing the transfer of not to exceed \$63,000 from PSD Fund 11730 to CIP-29-447.0, Nestor Neighborhood Park Development;

Authorizing the expenditure of not to exceed \$63,000 from CIP-29-447.0, Nestor Neighborhood Park Development, to supplement funding authorized by Resolution R-278131, adopted on June 24, 1991.

CITY MANAGER SUPPORTING INFORMATION:

Nestor Neighborhood Park is located on the south side of Grove Avenue east of Hollister Street. CGC Construction Inc. began constructing the park in October 1991. The work is expected to be completed in August 1993. City costs for this project were estimated to be \$145,500 when the construction contract was awarded. Those costs are now over \$204,000 because the construction period has been so long. There have been delays due to weather and site problems but the primary reasons for the low construction period has been contractor performance problems which have required involvement by the contractor's bonding company. One item of work, the installation of play equipment, will be deleted from the contract in order to expedite the acceptance of the park by the City and allow the public to use it. This work will be done by a separate contract. Council has authorized \$775,403 for this project. As of mid July the project had an unencumbered balance of \$26,049. An additional \$63,000 is being requested to supplement previous authorizations to insure adequate funding to pay all project costs and to design and install the small children's play equipment. Redesign is required to meet today's access requirements.

Aud. Cert. 9400226.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D024-029.)

MOTION BY VARGAS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-130:

SUBJECT: California State Library Grant to Serve Immigrant Populations.

(Lincoln Park, Mid-City, Pacific Beach, Paradise Hills, Skyline and University Community Areas. Districts-1, 4 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-363) ADOPTED AS RESOLUTION R-282681

Authorizing the City Manager to apply for, accept, and administer grant funds from the California State Library to increase the Library Department's collection of materials that will serve San Diego's immigrants.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Public Library has been invited to apply for Library Services and Construction Act funds from the California State Library. This grant will allow the Library to enhance its collection of Spanish, Filipino and Indochinese materials. The funds will be used to purchase print and/or audiovisual materials that will assist limited English speaking immigrants with acculturation into American society. The branch libraries that are being included in this application meet the State Library's requirements and have not previously received grant funding for foreign language materials. Up to four library sites may receive funding.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-131:

SUBJECT: Amendment of American Red Cross Purchase Service Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-375) ADOPTED AS RESOLUTION R-282682

Authorizing the execution of an amendment to the purchase of service agreement of November 16, 1992 with the American Red Cross, San Diego/Imperial Counties Chapter, for special transportation services;

Authorizing the expenditure of not to exceed \$174,345 from Fund 19631, State Transportation Development Act 4.5 Grant Funding.

CITY MANAGER SUPPORTING INFORMATION:

Lift-equipped service has been provided by the American Red Cross under the same terms and conditions for the following time periods:

July 1, 1986-June 30, 1987	by R-266426
July 1, 1987-June 30, 1988	by R-265315
July 1, 1988-June 30, 1989	by R-271376
July 1, 1989-June 30, 1990	by R-274069
July 1, 1992-June 30, 1993	by R-281049

This proposed Purchase of Service Agreement would amend and extend Resolution R-281049 authorized by City Council on November 16, 1992. The period of service would be from July 1, 1993-June 30, 1994 with no increase in rates from the FY 93 period.

Aud. Cert. 9400240.

FILE LOCATION: MEET CONT FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-132:

SUBJECT: Amendment to the Agreement with Bayside Settlement House.

(Linda Vista Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-359) ADOPTED AS RESOLUTION R-282683

Authorizing a first amendment to the agreement with Bayside Settlement House, to increase the design and construction budget for the parking lot addition and kitchen improvements to their facility at 2202 Comstock Street;

Authorizing the expenditure of not to exceed \$160,000 from CDBG Fund 18529, Dept. 4042, Org. 4208.

CITY MANAGER SUPPORTING INFORMATION:

Bayside Settlement House is a non-profit organization providing a variety of critical services to the minority community in Linda Vista. This project proposes to construct improvements to the existing facility at 2202 Comstock Street. These improvements will provide additional parking spaces, passive and active recreational areas, landscape and irrigation system, and remodeling of kitchen area to include structural reinforcement of the kitchen floor. The 1993 Community Development Block Grant (CDBG) funding of \$41,900 provided only for design and partial construction of this project.

On May 24, 1993, the City Council adopted Resolution R-282036 granting an additional \$160,000 in CDBG funding for these improvements.

Aud. Cert. 9400215.

FILE LOCATION: MEET CONT FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by

Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-133:

SUBJECT: Agreement with Burkett and Wong for As-Needed Sewer Televising Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-385) ADOPTED AS RESOLUTION R-282684

Authorizing an agreement with Burkett and Wong for as-needed sewer televising services;

Authorizing the expenditure of an amount not to exceed \$100,000 from Sewer Revenue Fund 41506, Reimbursable Services Program 704890 for providing funds for this project.

CITY MANAGER SUPPORTING INFORMATION:

A request for two as-needed consultants for sewer televising was advertised on June 8, 1992 in the San Diego Daily Transcript. The City's Consultant Nominating Committee reviewed three letters of interest from qualified consultants and selected all three firms to be interviewed. In conformance with City Policy 300-7, the firms were interviewed on February 18, 1993 and Burkett and Wong was selected as one of the two first best qualified to perform the as-needed consultant services. An agreement is forthcoming for the other consultant selection. The agreement provides for as-needed sewer televising services on an hourly basis, not to exceed \$25,000 per task. The total contract shall not exceed \$100,000 for a period of one year from the date of execution by the City Manager. These services will be used for CIP projects, other agency projects within the City and new subdivisions.

Aud. Cert. 9400252.

WU-U-93-131.

FILE LOCATION: MEET CCONT FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-134:

SUBJECT: Two actions related to Sewer and Water Reimbursement Agreement for Mah Subdivision.

(North City West Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-352) ADOPTED AS RESOLUTION R-282685

Authorizing an agreement with Del Mar View Partners, for the construction of offsite water and sewer facilities for Mah Subdivision and adjoining properties.

Subitem-B: (R-94-353) ADOPTED AS RESOLUTION R-282686

Stating for the record that the information contained in DEP-82-0714 has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

The developer is required to construct off-site water and sewer facilities for the purpose of serving the Mah Subdivision, TM-86-0956, and for the purpose of serving the adjoining area as shown on City Drawing No. 24444-D.

The facilities consist of approximately 1,280 lineal feet of 12-inch PVC water main and approximately 2,461 lineal feet of 8-inch PVC sewer main.

This agreement is in compliance with Council Policy 400-7 and

Administrative Regulation 55.10 and allows the developer to be reimbursed by benefitting property owners; therefore, the City Manager is authorized to execute the agreement per Resolution R-221797.

WU-U-94-026.

FILE LOCATION: SUBD-Mah Subdivision CONT FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-135:

SUBJECT: Amendment No. 1 to the Environmental Services Agreement with Dudek and Associates, Inc.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-372) ADOPTED AS RESOLUTION R-282687

Authorizing an amendment to the agreement with Dudek and Associates, Inc., for "as-needed" environmental services, for the Clean Water Program, increasing the contract amount by \$100,000 and extending the duration of the contract for four additional months;

Authorizing the expenditure of \$100,000 from Clean Water Program Sewer Revenue Fund No. 41509, CIP-45-910.3.

CITY MANAGER SUPPORTING INFORMATION:

The original agreement between the City and Dudek and Associates, Inc., for the "As-Needed" Environmental Services was adopted on December 9, 1991 via Resolution R-279131. The agreement was issued for a duration of two years and for an amount not to exceed \$300,000. The Clean Water Program is currently issuing another Request for Proposals for "As-Needed" Environmental

Services, which would carry us from January 1994 through December 1996. This amendment is to add \$100,000 and extend the duration four months to the original agreement. This request is made due to some immediate environmental services needed by the Clean Water Program and to carry us through the new procurement process. Types of services anticipated include biological monitoring and revegetation, traffic analysis, visual assessments, air quality, noise and odor evaluations, and paleontological services. Constraints analyses and Clean Water Program environmental document review are also anticipated to identify fatal flaws as early as possible. Project subconsultants are: Basmaciyan-Darnell, traffic; Estrada Land Planning (MBE), visual; Gallegos and Associates (MBE), cultural resources; Geocon, geotechnical; Giroux and Associates, noise and air quality; RMW Paleo (WBE), paleontological; SOTA Environmental (MBE), hazardous materials. For efforts to date, Dudek has achieved an MBE goal of 7.4 percent and a WBE goal of 9.8 percent. Dudek's total goal proposed is 19.4 percent MBE and 12.8 percent WBE based on completion of the total agreement (March 1994).

Aud. Cert. 9400242.

WU-CWP-94-021.

FILE LOCATION: MEET CCONT FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-136:

SUBJECT: Tire Recycling Market Development Project.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-390) ADOPTED AS RESOLUTION R-282688

Authorizing an agreement with the California Integrated Waste Management Board for performing research on the disposition and constraints on recycling of scrap tires in San Diego and the Recycling Market Development zone;

Accepting \$4,945 from the California Integrated Waste Management Board for the purpose of conducting the tire recycling research and publishing the results;

Authorizing the expenditure of an amount not to exceed \$4,945 from Fund 19303, Object Account 9544 for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Recycling Market Development Zone (RMDZ) is a State-designated area which promotes the development of businesses that produce products with recycled content. The RMDZ overlays a part of the San Ysidro/Otay Mesa Enterprise Zone, so that in addition to Enterprise Zone Incentives, these businesses are eligible for low interest loans from the California Integrated Waste Management Board (CIWMB). The zone is administered jointly by the Economic Development Services Program and the Waste Management Department. The goals of the RMDZ are to create jobs for Enterprise Zone residents and to reduce the tonnage of material disposed at landfills, as required by State law (AB 939). In February, the CIWMB solicited proposals for research projects related to scrap tires. The build-up of scrap tires represents one of the State's most difficult recycling problems, but at the same time, is a potentially valuable source of rubber. The City of San Diego submitted a proposal to research the disposition of scrap tires in San Diego and surrounding areas. In addition, research will be conducted on the constraints on tire recyclers, as well as developing the resources to increase tire recycling activities. Information on the source of scrap tires and permit related issues is a prerequisite to developing the market for this resource. The amount requested from the State was \$4,945, and requires a minimum 25 percent local match.

Aud. Cert. 9400251.

FILE LOCATION: MEET CCONT FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT AND TO ACCEPT COUNCIL MEMBER WOLFSHEIMER'S REQUEST TO DIRECT THE CITY MANAGER TO INCLUDE THE POSSIBILITY OF USING TIRES TO FILL POTHOLES IN THE RESEARCH BEING CONDUCTED, AND INCLUDE OTHER AREAS WHO MAY HAVE USED TIRES SUCCESSFULLY AS WELL. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-137:

SUBJECT: Renewal of Contract with the County of San Diego for Industrial Hygiene Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-354) ADOPTED AS RESOLUTION R-282689

Authorizing an extension to the agreement with the County of San Diego to renew industrial hygiene services from July 1, 1993 through June 30, 1994;

Authorizing the expenditure of not to exceed \$23,000 from Fund 50061, Account No. 9544.

CITY MANAGER SUPPORTING INFORMATION:

For a number of years, the City of San Diego has retained the services of the County of San Diego for the performance of industrial hygiene services, with regard to indoor air quality, respiratory protection, noise monitoring, chemical analysis and various other complex issues that must be investigated by certified industrial hygienists. In June, 1991, a contract was approved (RR-278043), for an initial contract period of June 1, 1991, through November 3, 1992, with option to renew clauses available through November, 1994. The contract amount was not to exceed \$70,000 and was to be used primarily in regard to a Citywide respiratory needs assessment. Because of the program's duration and both the City and County's desire to maintain a contract that corresponds to a July 1 - June 30 fiscal year, the contract was amended accordingly. The initial contract was procured in accordance with all requirements of A.R.25.70 and was

reviewed and approved by E.O.C.P. Council approval is now required to initiate the option clause for the period of July 1, 1993 through June 30, 1994 and endorse the stipulated amendments. Aud. Cert. 9400160.

FILE LOCATION: MEET CCONT FY 94-1

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-138:

SUBJECT: City/American Newland Penasquitos Canyon Land Exchange - Sixth Amendment.

(Sorrento Hills/Penasquitos East Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-224) ADOPTED AS RESOLUTION R-282690

Authorizing the execution of a sixth amendment to the Penasquitos Canyon land exchange agreement between the City of San Diego and American Newland Associates, as follows:

1. Extending the close of escrow from September 30, 1993 to September 12, 1995;
2. Adjusting the interest rate on the "cash difference" owed the City (if the transaction is consummated) from the current rate of 10.435 percent to 7 percent for the period of September 12, 1993 to September 12, 1995;
3. Recomputing the interest owed by Newland on the "cash difference" to \$984,098.80 computed to the new close of escrow date;

4. Adding to the list of "Discretionary Actions" that Newland may initiate affecting the City-owned land to include a Coastal Development Permit, Other Government Approvals, and Redesign;

5. Expanding Newland's right to terminate the agreement, to include any probable or actual decision by the City or any governmental agency regarding any discretionary action taken by Newland to develop the City land, if the decision is considered unsatisfactory by Newland;

6. Declaring that the amendment is contingent upon the Director of the City Engineering and Development Department, or his authorized representative, before September 30, 1993, extending until September 30, 1995, certain Subdivision Improvement Agreements referred to in the amendment.

CITY MANAGER SUPPORTING INFORMATION:

In 1985, the City entered into an Exchange Agreement with Genstar Development, Inc. Under the terms of the agreement, American Newland Associates (Successor to Genstar) is to trade to the City approximately 287 acres of land, for inclusion in the Los Penasquitos Canyon Preserve, together with \$958,250 in cash plus accrued interest, in exchange for 155 acres of City-owned land adjacent to Interstate 5. In 1986, the Council designated that if the transaction is consummated, all funds received as a part of the exchange will be used for the maintenance and enhancement of the Los Penasquitos Canyon Preserve. This Sixth Amendment to the Agreement: 1) extends the close of escrow from September 30, 1993 to September 12, 1995; 2) adjusts the interest rate on the "cash difference" Newland owes the City, from the current 10.435 percent to 7 percent for the period of this extension; 3) recomputes the interest owed by Newland on the "cash difference" to \$984,098.80 based on the new close of escrow date; 4) adds to a list of "discretionary actions" that Newland may initiate affecting the City-owned parcel; 5) expands Newlands' ability to terminate the agreement based on probable or actual decisions by any governmental agency regarding "discretionary actions" initiated by Newland; and 6) is contingent upon the City extending, until September 12, 1995, certain Subdivision Improvement Agreements referred to in the amendment.

FILE LOCATION: MEET CONT FY 94-1

COUNCIL ACTION: (Tape location: D031-264.)

Motion by Wolfsheimer to approve only the extension of close of escrow from September 30, 1993 to September 12, 1995. Second by Stevens. No vote.

MOTION BY McCARTY TO ADOPT. Second by Vargas. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-nay, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-139:

SUBJECT: Metro Pump Station No. 2, Installation of 8th Pump and Engine Drives.

(Pacific Highway Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-386) ADOPTED AS RESOLUTION R-282691

Approving Change Order No. 9, dated June 4, 1993, and Change Order No. 10, dated July 21, 1993, with Western Summit Constructors, Inc., amount to net increases in the contract price by \$39,878.94 for Change Order No. 9 and \$164,304.30 for Change Order No. 10;

Authorizing the transfer of \$260,200 from Sewer Fund 41506, CIP-46-158.0, Mission Bay Sewage Interceptor System, to Fund 41508, CIP-64-101.0, Metro Pump Station No. 2 - Additional Pumps;

Authorizing the expenditure of not to exceed \$260,200 from Sewer Revenue Fund 41508, Metro Pump Station No. 2 - Additional Pumps, Installation of 8th Pump and Engine Drives, CIP-64-101.0.

CITY MANAGER SUPPORTING INFORMATION:

Metro Pump Station No. 2, located on North Harbor Drive, pumps all of the City and Metro sewage to the Point Loma Wastewater Treatment Plant. The installation of the 8th pump and natural gas-driven engines is the final phase of three large construction

yea.

* ITEM-140:

SUBJECT: Confirming the appointment of Anna J. Mathews to the Human Relations Commission.

(See memorandum from Mayor Golding dated 9/8/93 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-411) ADOPTED AS RESOLUTION R-282692

Council confirmation of the appointment by the Mayor of Anna J. Mathews, to the Human Relations Commission, for a four-year term expiring July 22, 1997, to replace Gary Kreep, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-141:

SUBJECT: Proclaiming "Coastweeks" and "Coastal Cleanup Day" in San Diego.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-418) ADOPTED AS RESOLUTION R-282693

Proclaiming the weeks of September 18, through October 11, 1993, as "Coastweeks" and October 2, 1993 as "Coastal Cleanup Day" in San Diego;

Encouraging individual citizens, businesses, groups and public institutions to observe this event and to participate in appropriate activities designed to promote a healthy and productive coastal environment for the benefit of the people of San Diego and the nation.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-142:

SUBJECT: Federal Community Policing Grant.

(See Department of Legislative Services Report DLS-93-30.)

RULES COMMITTEE'S RECOMMENDATION:

On 9/13/93, RULES voted 4-0 (Councilmembers Roberts, Hartley, Stallings and Mayor Golding voted yea; Councilmember Behr not present) to accept the report and recommend adoption of the following resolution:

(R-94-215) ADOPTED AS RESOLUTION R-282694

Expressing support for activities currently being undertaken by the Mayor's Office, the San Diego Police Department, the City's Grants Coordinator and the City's Washington lobbyist to ensure that the City of San Diego is a successful applicant for a grant under the Bureau of Justice's Police Hiring.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-143:

SUBJECT: Approval of the Annexation - Olympic Training Center Boathouse Site - Lower Otay Lake.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-424) ADOPTED AS RESOLUTION R-282695

Authorizing a Consent to Inclusion of Property effecting the inclusion of the Olympic Boathouse Site into the Otay Water District.

CITY MANAGER SUPPORTING INFORMATION:

On July 6, 1992 the City Council authorized the lease of 3.69 acres of land to the San Diego Sports Training Foundation. This leased land is to be utilized by the Olympic Training Center as a boathouse site. The boathouse site is adjacent to the Lower Otay Reservoir, and lies within the City of Chula Vista. The water agency that serves this area is the Otay Water District. To supply the Olympic Training Center boathouse with Otay water, the site must first be annexed into the Otay Water District. This annexation consists of 4.75 acres and is larger than the lease premises because of the new meets and bounds description prepared for this proposal.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A452-B261.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by

Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-150:

SUBJECT: Evening Council Meetings.

RULES COMMITTEE'S RECOMMENDATION:

Rules voted 4-0 (Councilmembers Roberts, Hartley, Stallings, and Mayor Golding voted yea; Councilmember Behr not present) to recommend adoption of the following resolution:

(R-94-420) ADOPTED AS RESOLUTION R-282696

Establishing a "Temporary Rule" to Section 22.0101 of the Municipal Code, Permanent Rules of Council, which shall be in full force and effect through April 30, 1994, unless made permanent by enactment of an ordinance:

On the following Mondays, the public portion of Council Meetings will begin at 5:00 p.m. preceded by a closed session beginning at 4:00 p.m., and shall continue until 8:30 p.m. unless extended beyond that time:

November 8, 1993
December 6, 1993
January 10, 1994
February 7, 1994
March 7, 1994
April 11, 1994

On Tuesdays following these six dates, regular meetings shall begin at 10:00 a.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A452-B261.)

MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,

McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Declaration of a Continued State of Local Emergency.

(San Ysidro and Tijuana River Valley Community Areas.
District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-397) ADOPTED AS RESOLUTION R-282697

Declaring the continued State of Emergency due to
escalated discharge of raw sewage from Tijuana, Mexico.

SUPPORTING INFORMATION:

For over 50 years, renegade raw sewage flows from Tijuana, Mexico have flowed across the international border in the Tijuana River into the United States. These flows have impacted the health and safety of San Diego residents. The permanent solution to this border situation is the construction of the proposed International Treatment Plant by the federal government. This plant is expected to be operational by 1998 and will treat raw sewage from Mexico. In the interim, until the international plant is constructed, the City in 1991, agreed to accept and treat 13 million gallons per day of Tijuana sewage in the Metropolitan Sewerage System. The amount of flow that the City can accept is limited due to the capacity of the emergency connection. Due to increased water availability and usage in Tijuana, raw sewage flows into the Tijuana River have increased. These flows are beyond the capacity that can be handled by the Mexican treatment system and the emergency connection. These increased flows threaten the health, safety and welfare of the citizens of San Diego.

The declaration of emergency enacted on September 7, 1993 will enable the City to assist state and federal agencies in expediting the treatment of this international sewage. The government code requires the local governing body to review a State of Emergency every fourteen days until the local emergency is declared terminated. This action requests the continuation of the State of Emergency declared by City Council on September 7,

1993.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A452-B261.)

MOTION BY STALLINGS TO ADOPT. Second by Wolfsheimer.
Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Creation of The Centre for Organization Effectiveness.

(See City Manager Report CMR-93-275.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-396) CONTINUED TO OCTOBER 11, 1993

- 1) Authorizing the City Manager to establish The Centre for Organization Effectiveness for the purpose of developing, marketing, and distributing organization development, management development, training, and other products and services, which may include publishing related materials;
- 2) Authorizing the Auditor and Comptroller to establish The Centre for Organization Effectiveness Fund (The Centre Fund);
- 3(a) Authorizing the transfer of not to exceed \$75,000 from the Entrepreneurial Program and not to exceed \$15,000 from the Special Training Fund into The Centre Fund for the start up costs for this new venture;
- (b) Authorizing the appropriation of \$90,000 from the above two sources, plus any additional revenue, including interest, and receivables generated by The Centre, and any other monies received by The Centre for The Centre's Fiscal Year 1994 Budget;

(c) Authorizing the Auditor and Comptroller to reimburse the Entrepreneurial Program for not to exceed \$75,000 and to reimburse the Special Training Fund for not to exceed \$15,000 from The Centre Fund by the end of Fiscal Year 1997 as follows: 1) an annual amount to be transferred from The Centre Fund to the Entrepreneurial Program and Special Training Fund, in an amount to be determined by the Financial Management Department; and 2) any excess carryover monies from the prior year including interest earned by The Centre Fund may be appropriated and expended for the purposes for which the Fund was created or, upon direction of the Financial Management Department, may be transferred by the Auditor and Comptroller to the General Fund;

4) Authorizing the City Manager to establish fees to charge for services provided by The Centre, as outlined in Attachment B of the City Manager's Report;

5) Authorizing the City Manager to execute contractual obligations for not to exceed \$50,000 per contract as necessary for The Centre to deliver services requested;

6) Authorizing the City Manager to apply for, accept and expend, and authorizing the Auditor and Comptroller to appropriate, grants and other contributions for The Centre.

Aud. Cert. 9400298.

FILE LOCATION:

COUNCIL ACTION: (Tape location: B266-D021.)

Motion by Stallings to accept the City Manager's recommendations with the condition that staff report back to the Council every six months with an accounting audit and report until all money that has been expended on Diversity training is recouped. Second by Roberts. No vote.

MOTION BY ROBERTS TO CONTINUE TO OCTOBER 11, 1993 TO ALLOW THE CITY MANAGER TIME TO DELINEATE IN DETAIL WHAT PART OF THIS PROGRAM IS GOING TO ACTUALLY BE A BUSINESS AND WHAT PART IS NOT, AND HOW IT WILL BE OPERATED. Second by Stallings. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-

yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: San Diego Data Processing Corporation Management Audit.

(Continued from the meetings of June 1, 1993, Item 201, and July 26, 1993, Item 203; last continued at Mayor Golding's request, for further review.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-93-2186) CONTINUED TO OCTOBER 11, 1993

Accepting the City Manager's Informational Report (CMR-93-208) regarding the San Diego Data Processing Corporation Management Audit.

(See City Manager Reports CMR-93-208, CMR-93-156 and CMR-93-73.)

OTHER RECOMMENDATIONS:

CITY MANAGER'S RECOMMENDATIONS (CMR-93-156):

NOTE: The following recommendations (Nos. 1,2,3, and 4) were continued from June 1, 1993:

1. Accept the City Manager's recommendations (as contained in City Manager Report CMR-93-73) to implement changes in response to the management audit.
2. Retain the San Diego Data Processing Corporation as a non-profit corporation and evaluate services provided to determine if they can be better provided within the City's organization or through outplacement.
3. Adopt, in concept, the hybrid organizational structure outlined in City Manager Report CMR-93-156 which would bring some services back to the City of San Diego, solicit proposals for mainframe and network operations from the private sector, and retain software development in the San Diego Data Processing Corporation.
4. Direct the City Manager to report back to the City Council on a semi-annual basis regarding the implementation of the

audit recommendations.

NOTE: The following recommendations (Nos. 5 and 6) were adopted by Council on 6/1/93:

5. Eliminate the current exclusivity clause within San Diego Data Processing Corporation's operating agreements.
6. Direct the City Manager to work with the San Diego Data Processing Corporation to develop an implementation plan for a \$1.0 million reduction in the San Diego Data Processing Corporation's budget. This reduction should have minimal operational impact on City of San Diego Departments.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A452-462.)

MOTION BY ROBERTS TO CONTINUE TO OCTOBER 11, 1993 AT THE REQUEST OF THE CITY MANAGER. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: San Diego Data Processing Corporation's Fiscal Year 1994 Budget.

(See Memorandum from the City Manager dated 9/27/93.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-394) CONTINUED TO OCTOBER 11, 1993

Approving San Diego Data Processing Corporation's proposed FY1994 Budget, pursuant to Section 3(a) of the Operating Agreement.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A452-462.)

MOTION BY ROBERTS TO CONTINUE TO OCTOBER 11, 1993 AT THE

REQUEST OF THE CITY MANAGER. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:50 p.m. in honor of the memory of Bettie Kujawa.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D510).