

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, NOVEMBER 29, 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 2:07 p.m. The meeting was recessed by Golding at 6:18 p.m. to meet in Closed Session in the 12th floor Conference Room to discuss potential litigation regarding Item 57, Carmel Valley. The meeting was reconvened by Mayor Golding at 6:26 p.m. with Council Members Wolfsheimer and Behr not present. Mayor Golding adjourned the meeting at 6:28 p.m. to meet in Closed Session in the 12th floor Conference Room on Tuesday, November 30, 1993, at 9:00 a.m., to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
 - (1) Council Member Wolfsheimer-not 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-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Wolfsheimer-not 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

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend Byron Johns, College Avenue Baptist Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Hartley.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Stillwell regarding "Legislator's Responsibility."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A034-065.)

ITEM-PC-2:

Comments by John Hood regarding turning the NTC Base into a rehab colony.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A066-087.)

ITEM-PC-3:

Comments by Veronica McCune regarding Women Minority Small Business (WMSB) TV Warehouse Shopping.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A088-111.)

ITEM-PC-4: REFERRED TO CITY MANAGER

Comments by by Carol Hopkins and Rosemarie Rouster regarding waiver of fee for a meeting room on December 4, 1993 for a celebration for Dale Akiki.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A112-141.)

ITEM-PC-5:

Comments by Gerald Hass and Kenneth Parker regarding feeding the homeless in Balboa Park.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A142-265.)

COUNCIL COMMENT:

ITEM-CC-1:

Council Member Vargas recognized and welcomed students from San Ysidro High School.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A267-285.)

ITEM-CC-2:

Comments by Council Member Hartley regarding the homeless.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A286-305.)

ITEM-CC-3: REFERRED TO CITY MANAGER

Comments by Stallings noting the docketing of an aviation and airports issue to the wrong committee: The T&LU Committee agenda of December 1, 1993, includes the subject of Brown Field as an item. The subject of aviation and airports has been in the jurisdiction of the PF&R Committee.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A306-325.)

ITEM-CC-4:

Comments by Mayor Golding regarding the City of San Diego ranking as fourth in this year's "City and State Top 50 Cities" newspaper report. Also, the City of San Diego was the recipient of the 1993 Tecnology Achievement Award in the category of Personnel and Human Resources for the Automated Benefits and Enrollment System, City Manager and Benefits Information Line. The City of San Diego was the recipient of the James C. Holland Award for Urban Enrichment for the R.S.V.P. Program in Rancho Bernardo. Mayor Golding acknowledged and thanked Ed Ryan and Pat Frazier for their contribution to the upgrade and ranking of the City of San Diego by City State Magazine.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A328-348.)

ITEM-30: PRESENTED

Presentation by Naval Air Station Miramar to Deputy Mayor Tom Behr in recognition for his tireless and dedicated public service to the City and Naval Air Station Miramar.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A353-412.)

ITEM-31:

SUBJECT: Fred Conrad Day.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-94-736) ADOPTED AS RESOLUTION R-283030

Proclaiming November 29, 1993 to be "Fred Conrad Day" in San Diego; Thanking Frederick C. Conrad for his many years of exemplary professional service to the City.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A413-540.)

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

ITEM-32: APPROVED

Approval of Council Minutes for the Meetings of:

11/08/93
11/09/93
11/10/93 Special Night Meeting

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A541-548.)

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

* ITEM-50:

SUBJECT: Establishing New Classes of Pump Station Operator Trainee, Pump Station Operator and Pump Station Operations Supervisor.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/8/93. (Council voted 8-0. District 3 not present):

(O-94-31) ADOPTED AS ORDINANCE O-18009 (New Series)

Amending Ordinance O-17915 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1993-94," by amending the personnel authorization of the Water Utilities Department (700) by creating and adding three new classes entitled "Pump Station Operator Trainee" and "Pump Station Operator" in the Maintenance and Labor Unit Group and "Pump Station Operations Supervisor" in the Supervisory Bargaining Unit Group; Establishing salary rates for the new positions in the classified service;

Amending Resolution R-281921 to approve and declare the newly created classes eligible for premium rate overtime by placing the new positions in Group A of the Addendum to the Personnel Manual Section H-4, entitled "Overtime";

Amending Resolution R-281922 to include Pump Station Operator Trainee and Pump Station Operator in the Maintenance and Labor Bargaining Unit and Pump Station Operations Supervisor in the Supervisory Bargaining Unit.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-51:

SUBJECT: Amending the San Diego Municipal Code relating to the Department of Legislative Services.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/8/93. (Council voted 8-0. District 3 not present):

(O-94-43) ADOPTED AS ORDINANCE O-18010 (New Series)

Amending Chapter II, Article 2, Division 1, of the San Diego Municipal Code by amending Section 22.0101; amending Chapter II, Article 2, Division 18, by amending Section 22.1801; and by amending Chapter II, Article 2, Division 19, by amending Section 22.1901, to change the name of the Legislative Services Department to the Department of Intergovernmental Relations and provide that the Director of the Department is to be appointed by the Mayor.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

CONSENT MOTION BY BEHR TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Hartley. Passed by the following vote: Wolfsheimer-not present, Roberts-yea,

Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-52:

SUBJECT: Regulation of Public Pay Telephones.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/8/93. (Council voted 6-1. District 1 voted nay. Districts 3 and 5 not present):

(O-94-27 Rev. 2 Cor. Copy) RE-INTRODUCED AS AMENDED, TO
BE ADOPTED JANUARY 3, 1994

Amending Chapter V, Article 4, of the San Diego Municipal Code by adding Division 5, Sections 54.0501, 54.0502, 54.0503, 54.0504, 54.0505, relating to the Regulation of Public Pay Telephones.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: F252-G049.)

MOTION BY ROBERTS TO APPROVE THE ORDINANCE WITH THE RECOMMENDED CHANGES: 1) EXEMPT PAY PHONES THAT ARE INDOORS AND EXEMPT REPLACEMENT TELEPHONE. 2) REVISE THE POLICE CHIEF'S REPORT TO THE PS&S COMMITTEE ON THE EFFECTIVENESS OF THE PROPOSAL AND THE REVISIONS IN THE HIGH CRIME AREAS FROM QUARTERLY TO ANNUALLY. 3) ADD LANGUAGE REQUIRING THE POLICE CHIEF TO RESPOND TO THE PAY PHONE VENDOR REGARDING HIS REQUEST WITHIN FIVE DAYS OF THE DEPARTMENT'S DETERMINATION OF THE INSTALLATION OF THE PHONE. THIS WOULD BE AFTER THE 30-DAY NOTICE OF THE COMMUNITY GROUPS. 4) TO REQUIRE EACH VENDOR TO HAVE A BUSINESS LICENSE AND THAT IN JANUARY OF EACH YEAR THAT A MAP OF THE IMPACTED AREAS, THE PAY PHONE REGULATION ORDINANCE, THE RELATED REGULATIONS, AND A LIST OF THE PLANNING GROUPS AND THEIR ADDRESSES BE MAILED TO THE PAY PHONE BUSINESSES. ALSO SUGGEST HAVING ONLY AN ANNUAL UPDATE OF THE MAPS RATHER THAN THE QUARTERLY (UPDATE). DIRECT THE CITY ATTORNEY TO DRAFT THE ORDINANCE WITH THE CHANGES.

Second by Stevens. Passed by the following vote:

Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-

yea, Behr-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-53:

SUBJECT: Drug Loitering Ordinance.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/8/93. (Council voted 8-0. District 3 not present):

(O-94-41 Cor. Copy) ADOPTED AS ORDINANCE O-18011 (New Series)

Amending Chapter V, Article 2, of the San Diego Municipal Code by adding a new Division 30 entitled "Loitering for Drug Activities" and new Sections 52.3001 and 52.3002, to prohibit drug-related loitering activity.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-54:

SUBJECT: Regulatory Relief - Public Review of Addenda and Final Environmental Documents.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/8/93. (Council voted 8-0. District 3 not present):

(O-93-149 Cor. Copy) ADOPTED AS ORDINANCE O-18012 (New

Series)

Amending Chapter VI, Article 9, Division 2 of the San Diego Municipal Code, by amending Sections 69.0208, 69.0211 and 69.0212, to retain the current 14 days review period for final environmental documents and reduce the review period for addenda from 21 to 14 days.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-55:

SUBJECT: Rezoning in connection with Dennery Ranch Precise Plan. (RZ-88-0785. Otay Mesa Community Area. District-8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/9/93. (Council voted 8-0. District 2 not present):

(O-93-198) ADOPTED AS ORDINANCE O-18013 (New Series)

Rezoning Parcels 1 and 2 of Parcel Map PM-15134, located north of the future extension of Palm Avenue, east of Interstate 805, and south and west of the City of Chula Vista, into the A-1-1, R1-5000, and R-1750 Zones.

FILE LOCATION: ZONE ORD NO.

COUNCIL ACTION: (Tape location: B159-425.)

CONSENT MOTION BY BEHR TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Hartley. Passed by the following vote: Wolfsheimer-not present, Roberts-yea,

Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-56:

SUBJECT: Rezoning in connection with Santee Investments Otay Mesa Precise Plan. (RZ-91-0136. Otay Mesa Community Area. District-8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/9/93. (Council voted 7-0. Districts 2 & 3 not present):

(O-92-19) ADOPTED AS ORDINANCE O-18014 (New Series)

Rezoning 128.6 acres located to the southeast of the present terminus of State Route 905, into R-3000 (with CPIOZ Type B), R-3000/HR (with CPIOZ Type B), R-1500 (with CPIOZ), R-1500 and CN Zones.

FILE LOCATION: ZONE ORD. NO.

COUNCIL ACTION: (Tape location: B159-425.)

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

ITEM-57:

SUBJECT: Two actions related to Carmel Valley Neighborhood 6. (Case-93-0451. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances, which were introduced on 11/16/93 (Council voted 6-1. Mayor voted nay. Districts 1 and 5 not present):

Subitem-A: (O-94-48 Cor. Copy) ADOPTED AS ORDINANCE O-18015 (New Series)

Amending Chapter X, Article 3, Division 6, of the San Diego Municipal Code, by amending Section 103.0610, relating to the Carmel Valley Planned District.

Subitem-B: (O-94-47 Cor. Copy) ADOPTED AS ORDINANCE O-18016 (New Series)

Rezoning 16.1 acres from the Employment Center (EC) Zone into the Specialized Commercial (SC) Zone.

FILE LOCATION: LAND-Carmel Valley Planned District

COUNCIL ACTION: (Tape location: A556-B158; G050-055.)

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

* ITEM-58:

SUBJECT: Park Dedication - Mission Bay Park Northern Wildlife Preserve. (Mission Bay Park Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 11/8/93. (Council voted 8-0. District 3 not present):

(O-94-42 Cor. Copy) ADOPTED AS ORDINANCE O-18017 (New Series)

Setting aside and dedicating a portion of City-owned land being the northerly 200 feet of Acre Lot 74 of Pacific Beach, Map-854, for the expansion of Mission Bay Park.

FILE LOCATION: DEED F-6173 DEED FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-100:

SUBJECT: Awarding a Contract for Security Guard Service.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-684) ADOPTED AS RESOLUTION R-283031

Awarding a contract to Pioneer Private Security for furnishing security guard service at the Chollas, 20th and B, and Rose Canyon Operations Stations, Brown Field and Montgomery Field Municipal

Airports, and the Balboa Park Administration Building, as may be required for a period of one year beginning November 1, 1993 through October 31, 1994, for a total estimated cost of \$355,446, without discount terms;

In the event the contractor fails to perform in accordance with specifications, the Purchasing Agent is authorized to terminate the contract and award to the next low responsible and responsive bidder or to subsequent bidders, if necessary, until a bidder is found who complies with specifications. (BID-B3972/94)

FILE LOCATION: CONT-Purchase-Pioneer Private Security
CONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-101:

SUBJECT: Awarding Contracts for Miscellaneous Water Service Fittings.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-306) ADOPTED AS RESOLUTION R-283032

Awarding contracts to Marden Susco, Inc., Davis Taylor-Jett, Western Water Works Supply Co., Westburne Pipe & Supply and Pacific Pipeline Supply for furnishing miscellaneous water service fittings, as may be required for a period of one year beginning September 1, 1993 through August 31, 1994, for an estimated cost of \$430,300, for the first year, including tax and terms. (BID-E3970/94)

FILE LOCATION: CONT-Purchase-Marden Susco, Inc., Davis Taylor-Jett, Western Water Works Supply Co., Westburne Pipe & Supply and Pacific Pipeline Supply

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-102:

SUBJECT: Awarding Contracts for Will Call Service for the Purchase of Electrical Parts, Supplies and Equipment.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-309) ADOPTED AS RESOLUTION R-283033

Awarding contracts to County Wholesale Electric Co., Graybar Electric, Summers Group dba ESD Company, Coast Electric Supply, San Diego Wholesale Electric Company and Westinghouse Electric Supply Co. (Wesco), for furnishing will call service for the purchase of electrical parts, supplies and equipment, as may be required for a period of one year beginning October 1, 1993 through September 30, 1994, for a total estimated cost of \$250,000, including tax and terms. (BID-I3982/94)

FILE LOCATION: CONT-Purchase-County Wholesale Electric Co., Graybar Electric, Summers Group dba ESD Company, Coast Electric Supply, San Diego Wholesale Electric Company and Westinghouse Electric Supply Co. (Wesco) CONT FY94-6

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-103:

SUBJECT: Awarding Contracts for the Purchase of Seventeen Dump Trucks.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-308) ADOPTED AS RESOLUTION R-283034

Awarding contracts to Miramar Ford Truck Sales, Inc., for the purchase of eight 5 cubic yard dump trucks (Ford F-800 equipped with a crysteel dump box and hoist), and Fuller Ford for the purchase of nine 3 cubic yard dump trucks (Ford F-700 equipped with a crysteel dump box and hoist), for a total estimated cost of \$657,563.77, including tax.

Authorizing the expenditure of not to exceed \$657,563.77 from Funds 50033/50031, Department Nos. 8201/8203, Object Account No. 6013, Job Order Nos. 88082/88092, for providing funds for the project and related costs;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-C3986/94) Aud. Cert. 9400496.

FILE LOCATION: CONT-Purchase-Miramar Ford Truck Sales, Inc.; Fuller Ford CONT FY94-2

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-104:

SUBJECT: Construction of Improvements to 25th Street - State Route 94 to Russ Boulevard and Adjacent Streets. (Greater Golden Hill Community Area. Districts-3 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-713) ADOPTED AS RESOLUTION R-283035

Inviting bids for the Construction of Improvements to 25th Street - State Route 94 to Russ Boulevard and Adjacent Streets on Work Order No. 119934;

Authorizing a contract with the lowest responsible bidder;

Authorizing the Auditor and Comptroller to transfer \$100,000 from CIP-37-224.0, Golden Hill Commercial Revitalization - Public Requirements, CDBG Fund 18527, Dept. 4013, Org. 1305, to CIP-52-510.0, 25th Street - State Route 94 to Russ Boulevard and Adjacent Streets;

Authorizing the expenditure of \$1,200,000 from CIP-52-510.0, 25th Street - State Route 94 to Russ Boulevard and Adjacent Streets (\$100,000 from CDBG Fund 18527, Dept. 4013, Org. 1305, and \$1,100,000 from TransNet Fund 30300). (BID-K94066)

CITY MANAGER SUPPORTING INFORMATION:

This project provides for the reconstruction of 25th Street from State Route 94 to Russ Boulevard and adjacent streets. Curb, gutter, sidewalk, cross-gutters and pavement are being replaced as needed. Also, ornamental street lights, standard street lights, new fixtures on existing poles, and monumental multi-fixture lights at main entrances to the community are being installed. Annexation of the Golden Hills subdistrict (19th Street to 33rd Street, "A" Street to "F" Street, and Fern Street from "A" Street to Juniper Street) to the San Diego Street Light Maintenance District No. 1 was adopted by City Council on May 17, 1993 (R-281984). Lighting assessments will begin immediately after the recordation of the notice of completion on the subject project.

Aud. Cert. 9400475.

FILE LOCATION: W.O. 119934 CONT - L. R. Hubbard
Construction Co. Inc. CONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-105:

SUBJECT: Inviting bids for Reconstruction of Palm Avenue between Beyer Way and I-805 (Phase I).

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-714) ADOPTED AS RESOLUTION R-283036

Inviting bids for the Reconstruction of Palm Avenue - Phase I on Work Order No. 119923;

Authorizing a contract with the lowest responsible bidder; Authorizing the expenditure of funds not to exceed \$821,750 from CIP-52-512.0, Palm Avenue - I-5 to I-805 and Adjacent Streets, Fund 30300 for said project and related costs. (BID-K94067)

CITY MANAGER SUPPORTING INFORMATION:

The CIP project CIP-52-512.0 provides for the reconstruction of Palm Avenue and adjacent streets from I-5 to I-805. The CIP project has been divided into two phases in order to begin repairs to deteriorated street sections as soon as possible. Phase I work includes repairing broken pavement, replacing broken curb, gutter and sidewalk, construction of pedestrian ramps, and providing for a finishing asphalt overlay. The construction work for Phase I will be between Beyer Way and I-805. Phase II will include the following work: reconstruction of side streets, two new traffic signals, construction of a stamped, colored concrete median, and construction of an architectural barrier in front of the high school. Phase II plans will be completed by summer 1994, with construction estimated to begin in the fall. Formation of an assessment district must be approved and completed before award of a contract can be made for Phase II. The budget for the total project (Phases I and II) is \$1,800,000. The construction cost estimate for Phase I is \$500,000, with a total project cost of \$821,750, including design, administration, and field inspection costs. This project is consistent with the Otay Mesa/Nestor Community Plan and the City's General Plan.

Aud. Cert. 9400327.

FILE LOCATION: W.O. 119923 CONT - ABC Construction Co.
Inc. CONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-106:

SUBJECT: Inviting Bids for the Construction of Sports Arena Boulevard/West Point Loma Boulevard Traffic Signal Interconnect System. (Midway/Pacific Highway Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-712) ADOPTED AS RESOLUTION R-283037

Inviting bids for the Construction of a Traffic Signal Interconnect System on Sports Arena Boulevard and West Point Loma Boulevard on Work Order No. 112262;

Authorizing a contract with the lowest responsible bidder;

Authorizing the City Auditor and Comptroller to transfer \$45,000 from CIP-68-008.0, Traffic Signal Subsystems, Proposition "A" Fund 30300, to CIP-62-294.0, Traffic Signal Interconnect - Sports Arena Boulevard;

Authorizing the expenditure of \$120,000 from CIP-62-294.0, Traffic Signal Interconnect - Sports Arena Boulevard (\$75,000 from Fund 79505 and \$45,000 from Fund 30300) for the purpose of executing this contract and related costs;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess monies, if any, in CIP-68-008.0. (BID-K94065)

CITY MANAGER SUPPORTING INFORMATION:

The subject Capital Improvement Program project will coordinate the operation of seven traffic signals on Sports Arena Boulevard and West Point Loma Boulevard from East Drive to Rue d'Orleans/Adrian Street. This coordination will provide for the orderly progression of vehicles on Sports Arena Boulevard and West Point Loma Boulevard, a distance of approximately 0.6 miles. Aud. Cert. 9400478.

FILE LOCATION: W.O. 112262 CONT - TCB Electric, Inc. CONT

FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-107:

SUBJECT: Inviting bids for Construction of San Diego Avenue Improvements. (Old Town San Diego Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-715) ADOPTED AS RESOLUTION R-283038

Inviting bids for the Construction of San Diego Avenue Improvements on Work Order No. 119782;

Authorizing a contract with the lowest responsible bidder;

Authorizing the transfer of \$40,000 from CIP-17-001.0, Annual Allocation - Minor Drain and Seepage Problems, Proposition "A" Fund No. 30300 to CIP-11-284, San Diego Avenue Improvements;

Authorizing the expenditure of not to exceed \$85,000 from CIP-11-284.0, San Diego Avenue Improvements (\$45,000 from DIF Fund No. 79523, and \$40,000 from Proposition "A" Fund 30300);

Authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in the project until completion. (BID-K94068M)

CITY MANAGER SUPPORTING INFORMATION:

San Diego Avenue has been overlaid many times causing drainage water to pond. There is an ongoing need to eliminate ponding in the area. This project will eliminate ponding in the subject area by installing new curb and gutter on the southeast side of San Diego Avenue between Conde and Twiggs Streets.

Aud. Cert. 9400426.

FILE LOCATION: W.O. 119782 CONT - Shiva Construction CONT
FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-108:

SUBJECT: Inviting bids for Construction of Fire Stations 9, 11 and 17 - Bathroom Additions. (La Jolla, Golden Hill and East San Diego Community Areas. Districts-1, 3, and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-717) ADOPTED AS RESOLUTION R-283039

Inviting bids for the Construction of Fire Stations 9, 11 and 17 - Bathroom Additions on Work Order No. 112017;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of funds not to exceed \$212,925 from CIP-330780, Annual Allocation - Bathroom Additions to Fire Stations, Fund 302453, Capital Outlay - Other;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K94069)

CITY MANAGER SUPPORTING INFORMATION:

This action authorizes an expenditure of \$212,925 for construction costs for the necessary renovation of existing restroom facilities to create separate gender-specific restroom facilities for men and women fire fighters for Phase 5, which includes Fire Stations 9, 11, and 17.
Aud. Cert. 9400353.

FILE LOCATION: W.O. 112017 CONT-Grahovac Construction Co.
Inc. CONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-109:

SUBJECT: Balboa Park Plaza de Balboa Cascade and Tiles Rehabilitation. (Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-716) ADOPTED AS RESOLUTION R-283040

Rejecting all bids received on August 27, 1993 for Plaza de Balboa Cascades and Tile Refurbishment;
Inviting bids for the Plaza de Balboa Cascades and Tile Refurbishment on Work Order No. 119495;

Authorizing a contract with the lowest responsible bidder. (BID-K94005A)

CITY MANAGER SUPPORTING INFORMATION:

Plaza de Balboa is located immediately west of Park Boulevard,

between the Natural History Museum and Reuben H. Fleet Space Theater. This project will replace the tile inlay with stamped concrete which looks like tile but is much more durable. It will also refurbish the cascades pumping system. Council approved the project on August 2, 1993. One bid of \$128,000, 36 percent over the estimate of \$94,000, was received on August 27, 1993 from Tri-Core Construction Company. One bid significantly over the estimate does not reflect competitive bidding and rejection of that bid is recommended.

Aud. Cert. 9301173.

FILE LOCATION: W.O. 119495 CONT-Tri-Core Construction CONT
FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-110:

SUBJECT: Two actions related to the final map of Maradore Terrace. (This is a 5-lot subdivision located southwesterly of 65th Street and Benson Avenue. South Encanto Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-751) ADOPTED AS RESOLUTION R-283041

Authorizing a Subdivision Improvement Agreement with Clyde T. Stahl and Margaret J. Stahl, for the installation and completion of certain public improvements.

Subitem-B: (R-94-750) ADOPTED AS RESOLUTION R-283042

Approving the final map.

FILE LOCATION: SUBD-Maradore Terrace CONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-111:

SUBJECT: Paradise Valley Road (Gilmartin Dr. to Woodman Ave.)
Underground Utility District. (North Bay Terraces
Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-671) ADOPTED AS RESOLUTION R-283043

Calling a public hearing to determine whether the public health, safety or general welfare requires the formation of the Paradise Valley Road (Gilmartin Drive to Woodman Avenue) Underground Utility District.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district will underground the overhead utility facilities on Paradise Valley Road between Gilmartin Drive and Woodman Street. This is a scheduled project in the calendar year 1992 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. Council Policy 800-2 provides for the use of San Diego Gas & Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion. Underground utility districts require only one public hearing as opposed to the two public hearings required for landscape maintenance districts and 1911 Act projects, as there are no assessments placed on benefitting parcels in underground utility districts.

Aud. Cert. 9400438.

FILE LOCATION: STRT K-219

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-112:

SUBJECT: Exclusive sale of City-Owned Land - Site 398.
(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-734) ADOPTED AS RESOLUTION R-283044

Authorizing the sale by negotiation of Site 398, being a portion of Lot 6, Block 55, Park Villas, Map-438, located at Boundary and 33rd Streets, for the sum of \$750 to Thomas Garcia and Natalie R. Garcia;

Authorizing the execution of a grant deed, granting the property to Thomas Garcia and Natalie R. Garcia;

Declaring that no broker's commission shall be paid by the City on the negotiated sale.

CITY MANAGER SUPPORTING INFORMATION:

The Garcias, the only adjacent property owners, wish to purchase 871 square feet of City-owned land at the corner of 33rd and Boundary Streets. This property is surplus and independently undevelopable. An updated staff appraisal has established the fair market value of this property at \$750. Staff recommends the sale of this property. The Greater North Park Planning Committee has no objections to this sale.

FILE LOCATION: DEED F-6174 DEED FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

CONSENT MOTION BY BEHR TO ADOPT. Second by Hartley. Passed

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

* ITEM-113:

SUBJECT: Abandonment of a Sewer Easement.
(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-755) ADOPTED AS RESOLUTION R-283045

Vacating the City's interest in an unneeded sewer easement affecting Lot 1, Hillside Hospital, Map-6108, pursuant to Section 8300 et seq. of the Streets and Highways Code.

CITY MANAGER SUPPORTING INFORMATION:

Application has been received by the Engineering & Development Department for the vacation of a sewer easement that encumbers property north of El Cajon Boulevard between Florida and Georgia Streets in the Greater North Park area. Sewer rights were acquired by the City of San Diego in 1926 at no cost. All affected City Departments and the local community planning group have reviewed the abandonment of this easement and it has been determined that the easement has never been used for City purposes and that there is no present or prospective public need for the sewer easement. Therefore, it is recommended that this easement be abandoned by resolution.

FILE LOCATION: DEED F-6175 DEED FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-114:

SUBJECT: Abandonment of a Public Utility Easement.
(Greater North Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-756) ADOPTED AS RESOLUTION R-283046

Vacating the City's interest in an unneeded public utility easement affecting Lot 7 of Park View, Map-1950, pursuant to Section 8300 et seq. of the Streets and Highways Code.

CITY MANAGER SUPPORTING INFORMATION:

Application has been received by the Engineering & Development Department for the vacation of a public utility easement which encumbers property on the north side of Upas Street between Mississippi Street and Louisiana Street in the Greater North Park area. The easement rights were acquired by the City of San Diego at no cost in 1926 by subdivision map. All affected City Departments have reviewed the abandonment of this easement and it has been determined that the easement has never been used and that there is no present or prospective public need for the easement. Also, per Council Policy 600-15 the abandonment has been reviewed by the local community planning group and there is no objection to the abandonment. Therefore, it is recommended that this easement be abandoned by resolution.

FILE LOCATION: DEED F-6176 DEED FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-115:

SUBJECT: Results of the General Municipal Election.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-94-809) ADOPTED AS RESOLUTION R-283047

Declaring the results of the General Municipal Election held in the City of San Diego, Council Districts 1, 3 and 5, on Tuesday, November 2, 1993.

CITY CLERK SUPPORTING INFORMATION:

The General Municipal Election was held on November 2, 1993 for the purpose of electing candidates in Council Districts 1, 3 and 5. The results of this election have been certified by the Registrar of Voters and the City Clerk and are now being certified to the City Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-116:

SUBJECT: Bennie F. Edens, Jr. Month.

COUNCILMEMBER ROBERTS' RECOMMENDATION:

Adopt the following resolution:

(R-94-708) ADOPTED AS RESOLUTION R-283048

Joining the San Diego Unified School District in support of naming the athletic fields at the Richard Henry Dana Center the "Bennie F. Edens, Jr. Sports Complex";

Proclaiming the month of December 1993 to be "Bennie F. Edens, Jr. Month" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-117:

SUBJECT: Fro Brigham Day.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-785) ADOPTED AS RESOLUTION R-283049

Proclaiming November 12, 1993 to be "Fro Brigham Day" in San Diego, in honor of the Granddaddy of San Diego Jazz, who acts as a role model by always encouraging other musicians especially young people to follow their dreams.

FILE LOCATION: AGENDA CONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-118:

SUBJECT: Five actions related to authorizing Suggestion Awards.

CITY MANAGER'S RECOMMENDATION:

Adopt the resolutions authorizing Suggestion Awards to the following City employees:

Subitem-A: (R-94-709) ADOPTED AS RESOLUTION R-283050

Florince Sardina and Annette Howell - Library - \$50.00
(shared equally)

Subitem-B: (R-94-710) ADOPTED AS RESOLUTION R-283051

Dennis J. Boisvert - Water Utilities/Production -
\$100.00

Subitem-C: (R-94-741) ADOPTED AS RESOLUTION R-283052

Margaret A. McLaughlin - Treasurer's/Administration -
\$117.00

Subitem-D: (R-94-742) ADOPTED AS RESOLUTION R-283053

Kathleen A. Avery - Auditor's - \$121.73

Subitem-E: (R-94-743) ADOPTED AS RESOLUTION R-283054

Daniel Hughes, Alvaro Ahumada, and Brad Johnson - Water
Utilities/Production - \$702.50 (shared equally)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-119:

SUBJECT: Property Damage Claim of Pacific Bell.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following resolution:

(R-94-746) ADOPTED AS RESOLUTION R-283055

A Resolution approved by the City Council in Closed
Session on Tuesday, September 28, 1993 by the following
vote: Wolfsheimer-not present; Roberts-not present;

Hartley-yea; Stevens-not present; Behr-yea; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$69,300 in the settlement of each and every claim against the City, its agents and employees, resulting from damage which occurred to Pacific Bell's armored submarine cable running from Crown Point to the FAA Vector Island (Superior Court Case No. 657459, Pacific Bell v. City of San Diego);

Authorizing the City Auditor and Comptroller to issue one check in the amount of \$69,300, made payable to Pacific Bell, in full settlement of the lawsuit and of all claims.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the property damage claim of Pacific Bell against the City of San Diego as a result of an incident which occurred on September 11, 1991.

Aud. Cert. 9400526.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-120:

SUBJECT: Two actions related to Transfer of Funds from the Unallocated Reserve - Clean Water Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-748) ADOPTED AS RESOLUTION R-283056

Authorizing the City Auditor and Comptroller to

transfer not to exceed \$39,590 within Clean Water Program Fund 40012, Operation and Maintenance Unallocated Reserve, Organization 7003, Account 4903, to be transferred as follows: \$35,000 to Organization 7003,

Account 4151 - Unclassified Professional Services and \$4,590 to Organization 7003, Account 4226; Authorizing the expenditure of not to exceed \$39,590 from Clean Water Program Fund No. 40012, Organization 7003, to be expended as follows: not to exceed \$35,000 from Account 4151 - Unclassified Professional Services, to provide funds for a one year subscription to LEGISLATE; to fund a Memorandum of Understanding satisfactory to the City Manager with the Public Agencies for Audit Reform; and to contribute to the WaterReuse Association; and not to exceed \$4,590 from Account 7226, to fund the purchase of data processing equipment and services for support personnel in the Financial Management Department.

Subitem-B: (R-94-749) ADOPTED AS RESOLUTION R-283057

Authorizing the City Auditor and Comptroller to transfer not to exceed \$377,277 from the Clean Water Program Fund No. 40012, Operation and Maintenance Unallocated Reserve, to the San Diego Area Wastewater Management District Fund No. 41515;

Authorizing the expenditure of not to exceed \$377,277 from the San Diego Area Wastewater Management District Fund No. 41515, to fund the City's portion of the District's Fiscal Year 1994 operating budget.

CITY MANAGER SUPPORTING INFORMATION:

The transfer of \$35,000 from the Unallocated Reserve will be divided three ways. \$20,000 will pay for a one year subscription to LEGISLATE online computer service. \$5,000 will fund an MOU with the Public Agencies for Audit Reform (PARR), an organization of California public agencies whose main function is to pursue changes to the current problems associated with the EPA audit and audit appeal process. The remaining \$10,000 will be contributed to the WaterReuse Association for the production of a public education video on potable reuse of reclaimed water. The San Diego Area Wastewater Management District has adopted a FY 94 operating budget of \$825,865 of which \$96,380 is carry-over from the prior year and \$221,688 is already budgeted under the Clean

Water Program Administration, which is paid by all participating agencies in their quarterly Metro invoices. The remaining \$507,797 will be paid by the City and all District Participating Agencies. The transfer of \$377,277 from the Clean Water Program's unallocated reserve is the City's portion of the \$507,797. In FY 1994 the Clean Water Program is funding an Administrative Analyst in the Financial Management Department to work on issues related to the bond issuance. This position requires a personal computer (PC) and related software to perform the required duties. Funding has been identified in the Clean Water Program unallocated reserve to pay for the initial outlay; future operating expenses will be budgeted in the Clean Water Program data processing unit.

Aud. Cert. 9400489.

WU-CWP-94-048.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-121:

SUBJECT: Otay Valley Regional Park.

(Otay Mesa and Otay Mesa-Nestor Community Area.
Districts-2 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-789 Cor. copy) ADOPTED AS RESOLUTION R-283058

Authorizing the expenditure of an amount not to exceed \$1,150,000 from CIP-29-795, Fund 38043, for the acquisition of property rights and related costs of seven parcels of property constituting approximately 57.4 acres located east of I-5, west of I-805, and

north of Palm Avenue in the Otay Valley River Basin for the Otay Valley Regional Park.

CITY MANAGER SUPPORTING INFORMATION:

The Cities of San Diego and Chula Vista and the County of San Diego, acting in partnership, have been very much interested in preserving the Otay River Valley as a regional open space park. A Joint Exercise of Powers Agreement among these agencies was established for planning and acquisition for the regional park. It was finalized by the San Diego City Council as Resolution R-275620 on April 30, 1990. In 1989, the City of San Diego, working through its lobbyist, successfully secured a \$1.5 million grant for projects in Otay River Valley (Senate Bill 735). The State Coastal Conservancy was assigned to administer the grant. Council Resolution R-280697 was passed on 9/21/92 in support of the Coastal Conservancy grant project.

On October 30, 1992, the Coastal Conservancy Board approved the proposed uses for the funding, which are: 1) To acquire parcels in the Otay River Valley for purposes of creating a regional park; and 2) To use any monies remaining on restoration projects in the park. The uses have been proposed by joint staff and elected officials of the Cities of Chula Vista and San Diego, and the County of San Diego, pursuant to the Joint Exercise of Powers Agreement. This action will approve the expenditure of the remaining grant funds. Offers have been made and accepted for seven additional parcels which lie within the valley between I-5 and I-805, north of Palm Avenue and south of Main Street. Total costs for acquisition and related expenses are estimated at \$1,150,000.

Aud. Cert. 9400521.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-122:

SUBJECT: Transfer of funds for Fire Station No. 4 - Renovation.

(Centre City Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-705) ADOPTED AS RESOLUTION R-283059

Authorizing the City Auditor to transfer an amount not to exceed \$8,000 from Restroom Additions to Selected Fire Stations, CIP-33-078.0, Fund No. 302453, Capital Outlay/Other to Fire Station No. 4 -Renovation, CIP-33-071.0, Fund No. 302453.

CITY MANAGER SUPPORTING INFORMATION:

This action is to transfer \$8,000 from the Fire Department's Restroom Addition CIP-33-078.0 to the Fire Station No. 4 Renovation Project. The funding is needed to award the contract to the second low re-roof bidder. Purchasing solicited bids and initially awarded the contract to Pohop Construction for \$10,350. After Pohop Construction signed all the necessary contract documents, they failed to proceed with the work. City staff was unable to contact Pohop Construction by certified correspondence, or by telephone. Because of their failure to proceed with the work, Purchasing rejected Pohop's bid as non-responsive and processed an award to contract to the second low bidder. The second low bid was \$13,900.

Aud. Cert. 9400352.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-123:

SUBJECT: Modification of Traffic Signals and Street Lighting and Installation of Flashing Beacons at Various Locations Citywide.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-758) ADOPTED AS RESOLUTION R-283060

Authorizing the expenditure of not to exceed \$20,000 from CIP-62-002.0, Annual Allocation - Minor Signal Requirements, Fund 30300, for the modification of traffic signals and street lighting systems and installation of flashing beacons at various locations City-wide;

Authorizing the Auditor to retain excess monies, if any, in CIP-62-002.0.

CITY MANAGER SUPPORTING INFORMATION:

This Capital Improvement Program project modifies traffic signals and installs red flashing beacons at 41 locations Citywide. These projects were identified over the past several years based on requests from the City Council and citizens, as well as the City's accident monitoring system. Construction of these projects enhances vehicular and pedestrian safety. During construction, it was discovered that alternate equipment was desired in place of equipment in the original design. In addition, the striping layout for the flow of traffic was modified at some locations. These changes required an extensive increase in time by engineering and field personnel for redesign, equipment changes and field inspection.

Aud. Cert. 9400473.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-124:

SUBJECT: Funding Transfer for Children's Play Equipment.

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

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-762) ADOPTED AS RESOLUTION R-283061

Authorizing the City Auditor and Comptroller to transfer not to exceed \$25,000 from PSD Fund No. 15000 to CIP-29-778.0, Children's Play Equipment - Contract No. 1;

Authorizing the expenditure of not to exceed \$25,000 from CIP-29-778.0, Children's Play Equipment - Contract No. 1, to supplement funding previously authorized by the Council in Resolution R-281818, adopted on April 26, 1993.

CITY MANAGER SUPPORTING INFORMATION:

CIP-29-778.0 includes playground improvements for four park sites, of which Kensington Park is one. The Kensington Park Play Area is currently under construction. Funding was not available initially to implement all planned improvements. However, funding has now been identified to complete the planned improvements. Completing the planned improvements at this time would 1) minimize the negative effects of future park closure and construction activities; 2) correct safety problems with existing play equipment; and 3) bring the entire park into full compliance with the 1990 Americans with Disabilities Act requirements. These funds are requested to supplement the previously authorized funding.

Aud. Cert. 9400481.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-125:

SUBJECT: Payment of Attorney Fees for Associated General Contractors v. City of San Diego.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-94-822) ADOPTED AS RESOLUTION R-283062

Authorizing the payment of attorney fees for Associated General Contractors v. City of San Diego, United States District Court Case No. 93-1152-K(POR);

Issuing one check in the amount of \$80,000, made payable to Associated General Contractors and their attorney, Merrill, Schultz & Wolds, from Fund/Dept. No. 81140, Account No. 4824 and Job Order No. 081141.

Aud. Cert. 9400551.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-126:

SUBJECT: Allocation of District Five's \$24,000 CDBG Fund.

DEPUTY MAYOR BEHR'S RECOMMENDATION:

Adopt the following resolution:

(R-94-771) ADOPTED AS RESOLUTION R-283063

Directing the City Manager to allocate \$24,000 of District Five's 1993 CDBG Funds for the design and construction of an expansion to the Mira Mesa Senior Center, to accommodate the Senior Nutrition Program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-127:

SUBJECT: Payment of Premium Finance Fee for Excess Public Liability Insurance.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-792) ADOPTED AS RESOLUTION R-283064

Authorizing the City Manager to expend \$24,138.79 for the premium finance fee charged to the City for the policy period beginning December 11, 1992, and ending December 11, 1993, for its excess public liability insurance policy provided by the City's broker of record, Marsh and McLennan, and financed by the AFCO Acceptance Company;

Authorizing the expenditure of not to exceed \$24,138.79 from the Public Liability Reserve Fund 81140, Water Utilities Water Fund 41500, and Sewer Revenue Fund 41506.

CITY MANAGER SUPPORTING INFORMATION:

Following the Council's action on November 23, 1992 approving renewal of the City's public liability insurance policy for the current year beginning December 11, 1992 and ending December 11, 1993 for the premium of \$1,836,460, Risk Management financed its payment in 11 equal installments with the AFCO Acceptance Company, through its broker of record, Marsh & McLennan, Inc. This was based upon the City's ability to finance the payments at a 2.95 percent rate of interest, and the Treasurer's ability to invest monies at an average 4.98 percent rate of interest. Overall, the City saved money through the periodic payment of the

policy premium, and the request is to pay the finance charges of \$24,138.79 at this time to the AFCO Acceptance Company.

Aud. Cert. 9400524.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-128: TRAILED TO TUESDAY, NOVEMBER 30, 1993

SUBJECT: Renewal and Purchase of Excess Public Liability Insurance. (See City Manager Report CMR-93-330.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-791)

Authorizing an agreement through the City's broker of record, Marsh and McLennan, Inc., to renew the City's policy of Excess Public Liability Insurance beginning December 11, 1993, for the third year of a three-year insurance policy ending December 11, 1994;

Authorizing the expenditure of not to exceed \$1,836,960 from Public Liability Reserve Fund 81140, Water Utilities Water Fund 41500, and Sewer Revenue Fund 41506;

Authorizing the expenditure of an additional amount to finance the \$1,836,960 based upon the City Treasurer's ability to obtain a more favorable investment interest rate.

Aud. Cert. 9400537.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B159-425.)

* ITEM-129:

SUBJECT: Agreement with the Black Contractors Association.
(South Encanto Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-677) ADOPTED AS RESOLUTION R-283065

Authorizing an agreement with the Black Contractors Association for the design of their proposed construction-oriented apprentice training center at 6125 Imperial Avenue;

Authorizing the expenditure of not to exceed \$260,000 from CDBG Fund 18529, Dept. 4042, Org. 4209, J.O. 112354.

CITY MANAGER SUPPORTING INFORMATION:

The Black Contractors Association (BCA) is a non-profit organization dedicated to providing services to construction contractors and youth mentorship to the community. The BCA proposes to design and build a 9,567 sq. ft. training facility at the southeast corner of Imperial Avenue at 61st Street, in the South Encanto area of San Diego.

The proposed facility will provide hands-on pre-apprenticeship training opportunity to youths interested in entering the construction trade. This action will provide \$260,000 for phase one of this project which will consist of the design of a new building, and preparation of a plan to abate an existing underground fuel tank. City administration costs in the amount of \$60,000 to cover the duration of the project have been retained from the \$260,000. On May 24, 1993, City Council adopted Resolution R-282036 granting \$600,000 of Fiscal Year 1994 CDBG Funds to the BCA for this project.

Aud. Cert. 9400456.

FILE LOCATION: MEET CCONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-130:

SUBJECT: Consultant Agreement for East Mission Gorge Trunk Sewer Rehabilitation. (East Elliot Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-778) ADOPTED AS RESOLUTION R-283066

Authorizing an amendment to the agreement of March 29, 1993 with Dudek and Associates, Inc., for professional services for design of the East Mission Gorge Trunk Sewer Rehabilitation;

Authorizing the transfer of an amount not to exceed \$199,337 within Sewer Revenue Fund 41506, from CIP-46-166.0, Valencia Park Trunk Sewer, to CIP-40-920.4, East Mission Gorge Trunk Sewer Rehabilitation;

Authorizing the expenditure of an amount not to exceed \$199,337 from Sewer Revenue Fund 41506, CIP-40-920.4, East Mission Gorge Trunk Sewer Rehabilitation, to provide funds for the above amendment.

CITY MANAGER SUPPORTING INFORMATION:

The East Mission Gorge Interceptor System transports wastewater flows from users in Santee, El Cajon, Lakeside, Alpine and Wintergardens Sanitation Districts to the San Diego Metropolitan Wastewater System. The alignment follows the San Diego River from Fairmount Avenue to the City limits at Mission Gorge Road near Fanita Drive.

The agreement approved by Council Resolution R-281697 on March 25, 1993 provides for surveys and inspection of 42,000 feet of sewer main and manholes, evaluation of rehabilitation methods,

access plan, Environmental Impact Report, and final plans. A portion of the trunk sewer, between Big Rock Road and Fanita Drive, conflicts with the proposed improvements for State Route SR-52. CalTrans has identified the new alignment of Mission Gorge Road and directed the relocations of utilities within that alignment. Also impacted by the proposed improvements are interceptor sewers from El Cajon and Lakeside/Alpine/Wintergardens and Santee. The City as lead agency proposes to prepare improvement plans and specifications for the relocation of all impacted sewers and three existing metering stations. CalTrans has agreed to have the City contract with Dudek and Associates for the required services, with an agreement for reimbursement to follow a determination of, liability. Amendment No. 1 will provide improvement plans, specifications, engineering estimates and construction support for CalTrans to include in their contract for the construction of Mission Gorge Road. Included in the total cost not to exceed \$199,337 is \$144,933 for design services, \$14,404 for construction support, and \$40,00 for additional services increase to Phase IV of the agreement. Subconsultants for this amendment are: CWP Geosciences (MBE), Geotechnical \$23,100 - 14.5 percent; Mark Baland and Assoc. (MBE), Electrical \$4,300 - 2.7 percent; Cordax (MBE), and Acadd Services \$3,640 - 2.3 percent; Lintvedt, McColl and Assoc. (WBE), civil engineering \$6,750 - 4.2 percent; and ADS, flow metering \$4,340 - 2.7 percent.

Aud. Cert. 9400485.

FILE LOCATION: MEET CCONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-131:

SUBJECT: Agreement with the Girls Club of San Diego, Inc.
(Southeast San Diego Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-500) ADOPTED AS RESOLUTION R-283067

Authorizing an agreement with the Girls Club of San Diego, Inc., for the renovation of their facility located at 606 South 30th Street;

Authorizing the expenditure of not to exceed \$100,000 from CDBG Fund 18529, Dept. 4042, Org. 4218, W.O. 112410.

CITY MANAGER SUPPORTING INFORMATION:

The Girls Club of San Diego, Inc. is a non-profit corporation that services a portion of Southeast San Diego which contains some of the highest poverty rated census tracts in the City. Southeast San Diego has significantly larger proportions of children and young people than the County average. The Girls Club provides young girls and women with many different programs aimed at developing skills and self-image so that they will be able to reach their full potential and become productive members of society. The facility must be renovated to the greatest extent possible because the roof leaks in several locations. The leaks caused water damage to insulation, ceiling tiles, paint, and carpet. If the roofing material is not replaced, the upcoming rainy season will surely cause additional damage. The interior finishes must be repaired or the Agency will lose their license. In addition, the parking lot, driveway, and play area must be paved because they are impassable during the winter. This agreement will provide the design and construction of the improvements with CDBG funding in the amount of \$100,000. This was approved by City Council on May 24, 1993 by Resolution R-282036.

Aud. Cert. 9400328.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-132:

SUBJECT: Point Loma Wastewater Treatment Plant Maintenance Building. (Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-761) ADOPTED AS RESOLUTION R-283068

Authorizing an amendment to the agreement with Mosher/Drew/Watson/Ferguson, for additional architectural services in connection with the Point Loma Wastewater Treatment Plant Maintenance Building;

Authorizing the transfer of an amount not to exceed \$185,000 within Sewer Revenue Fund No. 41506 from CIP-46-088.0, Sedimentation Basins 9 and 10 Project, to CIP-46-086.0, Point Loma Maintenance Building Expansion Project;

Authorizing the expenditure of an amount not to exceed \$81,630 from Sewer Revenue Fund No. 41506, CIP-46-086.0, Point Loma Maintenance Building Expansion Project, to provide funds for this amendment.

CITY MANAGER SUPPORTING INFORMATION:

On September 10, 1990 the City Council authorized Amendment No. 1 to the agreement of January 21, 1986 with Nolte and Associates for an amount of \$185,000, and the expenditure of monies from the Sewer Revenue Fund No. 41506, to cover this action, Document No. RR-276450.

This amendment was for additional construction support services in connection with the Point Loma Wastewater Treatment Plant Expansion Project. The current action will reallocate an amount of \$185,000 within the Sewer Revenue Fund No. 41506, available from CIP-46-088.0, Sedimentation Basins 9 and 10 project to CIP-46-086.0, Point Loma Maintenance Building Expansion project, to provide funds for the previous work authorized by Council. On May 28, 1985, the City and Mosher/Drew/Watson/Ferguson (Consultant) entered into an agreement for professional services for the Point Loma Wastewater Treatment Plant, Document RR-263269. On February 12, 1990, the City and consultant entered into a subsequent agreement for professional services, Document RR-275123, herein called "Agreement," to supersede the Agreement of May 28, 1985. The Agreement failed to carry over an amount of

\$18,450 which was already owed to the Consultant for predesigned work performed under the agreement of May 28, 1985. This action will update and correct the City's financial accounting records.

Aud. Cert. 9400319.

WU-U-94-013.

FILE LOCATION: MEET CCONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-133:

SUBJECT: San Diego Youth Involvement, Inc.

(Logan Heights Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-784) ADOPTED AS RESOLUTION R-283069

Authorizing an amendment to an agreement with San Diego Youth Involvement, Inc., for the renovation of their facility at 2356 Irving Avenue;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$1,475 from CDBG Program Income Fund 18502 to Fund 18527, Dept. 4012, Org. 1213, JO 112048;

Authorizing the expenditure of not to exceed \$1,475 from CDBG Fund 18527, Dept. 4012, Org. 1213, JO 112048 for the above project.

CITY MANAGER SUPPORTING INFORMATION:

San Diego Youth Involvement, Inc. is a non-profit organization providing residential program and "drop-in" services in an effort

to deter delinquent behavior among juveniles. The agency's services include individual, family and group counseling, peer activities, and support assistance. Among the many services provided by this agency is Southeast Involvement Project's administration of the residential care facility located at 2356 Irving Avenue. This project involves renovation of the agency's facility to include painting, carpeting, vinyl flooring, plumbing fixtures, and kitchen cabinets. The original funding available for this project was inadequate to cover the necessary improvements. This amendment will provide additional funding of \$1,475, which will allow the agency to complete the renovation as proposed. On June 28, 1993, City Council adopted Resolution R-282227 authorizing the initial \$18,000 Community Development Block Grant (CDBG) funding for this project.

Aud. Cert. 9400495.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-134:

SUBJECT: San Diegans United for Safe Neighborhoods Agreement.
(City Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-800) ADOPTED AS RESOLUTION R-283070

Authorizing an agreement with San Diegans United for Safe Neighborhoods for economic development activities;

Authorizing the expenditure of not to exceed \$75,000 from Fund 18529 for providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

The City Council in the 1993-94 Community Development Block Grant (CDBG) appropriation cycle, approved \$50,000 for the San Diegans United for Safe Neighborhoods organization, and an additional \$25,000 in October 1993. Major activities are intended to enhance neighborhood pride, personal safety and property security in the Mid-City area.

Aud. Cert. 9400516.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-135:

SUBJECT: Memorandum of Understanding between the City and San Diego Unified School District. (Scripps Miramar Ranch Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-765) ADOPTED AS RESOLUTION R-283071

Authorizing the execution of a Memorandum of Understanding between the City of San Diego and the San Diego Unified School District regarding certain property located in the Scripps Miramar Ranch Community.

CITY MANAGER SUPPORTING INFORMATION:

In January 1992, the City Council approved a concept memorandum of understanding between the City of San Diego and the San Diego Unified School District for future park and school improvements in the Scripps Miramar Ranch Community. The City Manager and City Attorney were directed to work with staff of the School District to develop the final Memorandum of Understanding (MOU) for proposed Council approval. The Scripps Miramar Ranch MOU

provides that: 1) the School District shall construct athletic playfields on the Scripps Ranch High School Campus, and the City and the School District shall jointly use a portion of the Scripps Ranch High School campus for a 25-year period at no cost to the City except normal maintenance and operations expenses; 2) the City shall fast-track the District's application for rezoning of a 14-acre site west of Scripps Ranch School Campus; 3) the School District shall convey Ahrens Field to the City at no cost if a reasonable, satisfactory rezoning is approved by the City; 4) water and sewer reimbursable fees are addressed; 5) the Fairbrook Elementary School site is surplus to the District's needs and, after the above rezoning, will be sold to the City at fair market value. Council approval of the MOU is recommended.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-136:

SUBJECT: Change Order No. 4 for Construction of Sewer Group Job 614. (Centre City, East San Diego, Encanto, North Park, University Heights, Kensington, and Linda Vista Community Areas. Districts-3, 4, 5, and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-772) ADOPTED AS RESOLUTION R-283072

Approving Change Order No. 4, dated September 29, 1993, with Universal Liner Company for the construction of Sewer Group Job 614, amounting to a net increase in the contract price of \$17,267.08;

Authorizing the expenditure of not to exceed \$45,000 from the Sewer Revenue Fund 41506, CIP-001-0, Annual Allocation - Sewer Main Replacements, for funding this change order and additional in-house costs.

CITY MANAGER SUPPORTING INFORMATION:

Sewer Group Job 614 is a Capital Improvement Project authorized by Council to slipline approximately 6,183 linear feet of sewer main.

Change Order No. 4 was required to adjust the contract for extra work performed due to a changed condition. The changed condition resulted when a manhole shown on the record drawings could not be located in the field. Additional funds were required due to the delay resulting from the extra work.

Aud. Certs. 9400502 and 9400503.

WU-U-94-046.

FILE LOCATION: CONT-Universal Liner Company
 CONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

* ITEM-137:

SUBJECT: Comprehensive Housing Affordability Strategy (CHAS).
(See the Comprehensive Housing Affordability Strategy (CHAS) for 10/1/93 - 9/30/98 and CHAS FY 93 Performance Report.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-816 Cor. Copy) ADOPTED AS RESOLUTION R-283073

Approving the Comprehensive Housing Affordability Strategy covering the period of October 1, 1993 to September 30, 1998; Approving the CHAS Federal Fiscal Year 1993 Performance Report;

Authorizing the City Manager to complete required CHAS

Certifications of Fair Housing and Relocation, and submit the final City of San Diego's CHAS to the U.S. Department of Housing and Urban Development (HUD) on behalf of the City; Directing City staff and affiliated agencies to pursue activities contained therein, as coordinated by the Housing Commission, including those which require presentation of policy recommendations to the City Council for consideration.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

ITEM-150:

SUBJECT: Agreement with MTDB for Regulation of Taxicabs and Other For-Hire Passenger Vehicles.

(See City Manager Report CMR-93-289.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-456 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-283074

Authorizing a Second Amendment to the Agreement for Administration of Paratransit Regulations with the San Diego Metropolitan Transit Development Board (MTDB) to continue to regulate Paratransit services for an additional five year period of operation, from January 1, 1994 through December 31, 1999;

Authorizing the transfer of all pending administrative matters, permit applications, appeals and other miscellaneous matters to MTDB pursuant to the above agreement.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B434-D118.)

Motion by Roberts to recommend a report and a review prepared not only at the end of the next 12 months but have a report back to this Council every 12 months based on the review on what has been done to affect the recommendations in that period report and to bring those regulatory costs down. Have a quarterly report back from the industry leaders and CONVIS to MTDB on the progress on these issues. No second.

MOTION BY STEVENS TO ADOPT AS AMENDED APPROVING MAYOR GOLDING'S RECOMMENDATION TO EXTEND THE CONTRACT FOR SIX MONTHS AND APPOINT A FIVE-MEMBER BOARD FROM THE FOLLOWING: TWO TAXICAB DRIVERS, ONE MEMBER FROM THE CHAMBER OF COMMERCE, ONE MEMBER FROM CONVIS AND ONE MEMBER FROM THE BUSINESS ADVISORY BOARD. THE BOARD IS TO REPORT BACK TO COUNCIL BEFORE THE END OF SIX MONTHS. Second by Vargas. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-151:

SUBJECT: Two actions related to the Famosa Slough Enhancement Plan. (See City Manager Report CMR-93-287; Negative Declaration DEP-93-0191; Councilmember Roberts' 10/5/93 memorandum; James A Peugh's 9/23/93 letter. Peninsula Community Area. District-2.)

PUBLIC FACILITIES AND RECREATION COMMITTEE'S RECOMMENDATION:

On 10/13/93, PF&R voted 4-0 to recommend adoption of the following resolutions (Councilmembers Hartley, Stallings, McCarty and Vargas voted yea; Councilmember Behr not present):

Subitem-A: (R-94-617) ADOPTED AS RESOLUTION R-283075

Adopting the Famosa Slough Enhancement Plan, including modifications outlined in the Executive Summary (Attachment 5), as set forth in City Manager's Report CMR-93-287.

Subitem-B: (R-94-618) ADOPTED AS RESOLUTION R-283076

Certifying that the information contained in Negative Declaration DEP-93-0191, dated July 27, 1993, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the Negative Declaration has been reviewed and considered by the Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

ITEM-200:

SUBJECT: Formation of a New Department to Manage Wastewater.
(See City Manager Report CMR-93-334.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-808) ADOPTED AS RESOLUTION R-283077

Authorizing the commencement of the creation and funding of a new department to be known as the Metropolitan Wastewater Department, which will be responsible for carrying out the upgrading and expansion of the Metropolitan Sewerage System in accordance with the provisions of the Clean Water Act.

FILE LOCATION: WATER-metropolitan Wastewater Department

COUNCIL ACTION: (Tape location: D122-150.)

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

ITEM-201:

SUBJECT: Intention to Design and Construct a Reclaimed Water Distribution System.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-793) ADOPTED AS RESOLUTION R-283078

Expressing the intention of the Mayor and Council to design and construct a reclaimed water distribution system and to fund the construction from the water rates as reclaimed water is a new source of water for water consumers, with the ultimate cost of the system depending on whether potable mixing is approved and pursued or whether direct distribution to reclaimed water users is approved and pursued.

CITY MANAGER SUPPORTING INFORMATION:

The sale of reclaimed water to be produced at the Consumers' Alternative's North City Water Reclamation Plant requires that the Mayor and Council commit to the design and construction of a reclaimed water distribution system (RWDS), costing an estimated \$162 million in current dollars. This system, to be funded by the City's current and future potable and reclaimed water ratepayers, will supply reclaimed water to larger "Type I" water users such as parks and golf courses, thereby significantly reducing their dependence on the region's potable water supply. Consistent with past practice, a financial plan and revenue program for the City's water utility is being prepared for presentation to the Mayor and Council in the Spring of 1994. The plan will incorporate a request for approval of funding for the aforementioned RWDS, which includes \$28 million to fund on-site construction work required to connect public and private customers' potable water systems to the RWDS. Preliminary estimates indicate that the water rate increases necessary to fund the RWDS will range from 2 percent in FY 1995 plus .5 percent each year thereafter if fully debt financed, to 12 percent in FY 1995 plus .3 percent each year thereafter on a pay-as-you-go basis.

FILE LOCATION: WATER-Reclaimed Water Distribution

COUNCIL ACTION: (Tape location: B159-425.)

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

ITEM-202:

SUBJECT: Interim Agreement Regarding Withdrawal from the San Diego Area Wastewater Management District.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-801) ADOPTED AS RESOLUTION R-283079

Authorizing an interim agreement regarding withdrawal from the San Diego Area Wastewater Management District.

CITY MANAGER SUPPORTING INFORMATION:

On October 22, 1993, the Board of Directors of the San Diego Area Wastewater Management District (District) adopted an Interim Agreement Regarding Withdrawal from the District. The District Board has requested that each of its member agencies review, ratify and authorize the execution of the agreement, the substance of which is to provide for the terms and conditions of extending the deadline for withdrawal from the District without penalty (exclusive of the member agency's obligation to pay its proportionate share of total District expenses pursuant to the 1993-94 budget adopted by the District) from December 31, 1993 to June 30, 1994.

FILE LOCATION: WATER-San Diego Area Wastewater Management District CONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

ITEM-203:

SUBJECT: Declaring a Continued State of Local Emergency. (San Ysidro, Tijuana River Valley Community Areas. District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-790) ADOPTED AS RESOLUTION R-283080

Declaring a continued state of emergency to persist relative to the escalated discharge of raw sewage from Tijuana, Mexico, and that the measures previously taken by the Council in Resolution R-282544 shall continue to have full force and effect.

CITY MANAGER 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 in 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, and continued on September 27, 1993, and again on October 4, 1993, and again on October 11, 1993, and again on October 25, 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 14 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 and authorization for the City Manager to execute all necessary contracts for the diversion, treatment and disposal of international raw sewage.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B159-425.)

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

ITEM-204:

SUBJECT: Rescinding Resolutions relating to Economic Sanctions on South Africa. (See Memorandum from Mayor Golding dated 11/5/93.)

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-747) ADOPTED AS RESOLUTION R-283081

Rescinding Resolution R-268530, adopted on June 8, 1987 and Resolution R-268052, adopted on April 6, 1987, relating to Economic Sanctions on South Africa, due to the changing political climate in South Africa and recent appeals by Mr. Nelson Mandela and President F.W. de Klerk.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D157-248.)

MOTION BY STEVENS TO ADOPT ITEM 204 TO RESCIND THE RESOLUTION REGARDING THE ECONOMIC SANCTIONS AGAINST SOUTH AFRICA. Second by Behr. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205:

SUBJECT: Living AIDS Memorial Garden - Balboa Park.
(Balboa Park Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-776 Rev.) ADOPTED AS AMENDED AS RESOLUTION R-
283082

Encouraging the establishment of a Living AIDS Memorial
Garden in the Cypress Point area of Balboa Park;

Directing City staff to work with the AIDS Memorial
Task Force to ensure that this project is completed
within a reasonable time frame.

CITY MANAGER SUPPORTING INFORMATION:

On November 7, 1991, the Park and Recreation Department was contacted by representatives of the AIDS Memorial Task Force regarding establishment of a memorial in Balboa Park. The AIDS Memorial Task Force, following a design competition, has now come forward with a concept proposal for a Living AIDS Memorial Garden to be located in the Cypress Point area on the west side of Balboa Park. A series of meetings have been held between staff of the AIDS Memorial Task Force and the Park and Recreation Department regarding landscaping improvements on Cypress Point. The Living AIDS Memorial Garden will be located east of Balboa Drive and south of Quince Street. The Memorial Garden would consist of tree groves and a paved sidewalk leading to an elevated grassy mound and encircled by crescent walls and additional landscape. Along and around the pathway will be a number of fallen trees. Based on a review of renderings and site plans, staff feels the proposed plan will be compatible with surrounding landscaping and other park uses and will not result in the loss of any significant assets. A groundbreaking ceremony will take place at Cypress Point on December 1, 1993 which is World AIDS Day. This will mark the beginning of a three year plan of fund raising. Construction is set to begin in June 1996 and be completed prior to December 1, 1996. The Park and Recreation Board reviewed the proposal at their meeting of October 21, 1993 and unanimously approved the project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D251-E520.)

MOTION BY STALLINGS TO ADOPT AS AMENDED APPROVING IN CONCEPT AN AIDS MEMORIAL IN BALBOA PARK AND REFER THE DETAILS BACK TO THE PF&R COMMITTEE TO BE DOCKETED ON JANUARY 12, 1994. INCLUDE THE ISSUE OF ESTABLISHING A POLICY FOR MEMORIALS IN THE PARK. Second by Hartley. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-206:

SUBJECT: Inviting bids for West Bernardo Drive - Phase I.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-718) ADOPTED AS RESOLUTION R-283083

Inviting bids for construction of West Bernardo Drive - Phase I on Work Order No. 119731; Authorizing the execution of a contract with the lowest responsible bidder;

Authorizing the City Auditor and Comptroller to transfer \$294,000 from CIP-52-352.0, Imperial Avenue - I-5 to 8th Avenue, Fund 30300, to CIP-52-489.0, West Bernardo Drive, Andanza Way to I-15, and authorizing the transfer of \$221,000 from CIP-58-004,

Annual Allocation - Miscellaneous Requirements - City Streets, Fund 30300, to CIP-52-489.0, West Bernardo Drive - Andanza Way to I-15;

Authorizing the expenditure of \$860,000 from CIP-52-489.0, West Bernardo Drive, Andanza Way to I-15, (\$560,000 from Fund 30300, and \$300,000 from Fund 39056), for the purpose of executing this contract and related costs;

Authorizing the Auditor and Comptroller, upon advice

from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K94070)

CITY MANAGER SUPPORTING INFORMATION:

This project provides for the widening of West Bernardo Drive from two lanes to four lanes on either side of the existing Casa De Las Companas private retirement home. It also provides for the realignment of the entrance to the retirement home and the existing Rancho Bernardo Community Park. Other improvements include sidewalks, storm drain facilities, landscaping and irrigation, and a traffic signal at the realigned intersection. Completion of this project will enhance both vehicular and pedestrian safety. A portion of the funding for this project is available from Imperial Avenue - I-5 to 8th Avenue which has been reprogrammed for next fiscal year to allow time to evaluate issues related to the Sports Arena.

Aud. Cert. 9400518.

FILE LOCATION: W.O. 119731 CONT - Sierra Pacific West, Inc.
CONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

ITEM-207:

SUBJECT: Rancho Bernardo Branch Library Project State Grant.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-794) ADOPTED AS RESOLUTION R-283084

Accepting the California Library and Construction and Renovation Bond Act Grant Funds from the California State Library for the construction of the Rancho Bernardo Branch Library, CIP-350840;

Authorizing the execution of the grant award agreement with the California State Library;

Authorizing the City Manager to administer the grant funds and to have the authority to make amendments to the grant agreement, if necessary. This will ensure that delays to the project are minimal and that the City will be able to stay within the State's required project timetable.

CITY MANAGER SUPPORTING INFORMATION:

On July 19, 1991, the City submitted a grant application to the California Library Construction and Renovation Board for Proposition 85 Bond Act Grant Funds to construct a new Rancho Bernardo Branch Library. Although this application was initially unsuccessful, it was resubmitted in February of 1993 when additional funds became available after a library project was canceled elsewhere in the State. The State Grant Funds (\$3,618,795) will cover 65 percent of the eligible project costs with additional funding being provided by local sources. The State requires execution of the grant award agreement, which includes the City's original grant application as well as the bond act requirements. The Board of Library Commissioners supported by formal motion the application for California Library Construction and Renovation Bond Act funds for the Rancho Bernardo Branch Library project. City Council previously certified by Resolution R-278278 on July 8, 1991, the project budget in the grant application; the City's commitment of matching funds in the amount of \$1,948,582; the City's ability to finance the supplemental funds in the amount of \$520,206 in order to complete the project in a timely manner; the availability of local matching and supplemental funds needed to meet the cash flow requirements of the project; the accuracy and truthfulness of all information contained in the application; and the City's commitment to operate the completed facility as a public library.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: E528-617.)

MOTION BY BEHR TO ADOPT ITEMS 207 AND 208 TO ACCEPT THE GRANT FROM THE STATE. Second by Stevens. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-208:

SUBJECT: Consultant Agreement for Rancho Bernardo Branch Library.
(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-795) ADOPTED AS RESOLUTION R-283085

Amending the Fiscal Year 1994 CIP Budget by transferring 400,000 from Interest TransNet Fund No. 30300 to CIP-52-489.0, W. Bernardo Drive;

Amending the Rancho Bernardo Public Facilities Financing Plan and Facilities Benefit Assessment to transfer DIF Fund 39056 in the amount of \$400,000 from CIP-52-489.0, West Bernardo Drive to CIP-35-084.0, Rancho Bernardo Branch Library;

Authorizing the transfer of \$400,000 DIF Fund 39056 from CIP-52-489.0, West Bernardo Drive to CIP-35-084.0, Rancho Bernardo Branch Library;

Authorizing an agreement with LPA, Inc., in the amount of \$365,000 for professional services required for the Rancho Bernardo Branch Library;

Authorizing the expenditure of \$400,000 from CIP-35-084.0, Rancho Bernardo Branch Library;

Authorizing the transfer of \$30,100 and the expenditure of \$2,500 from CIP-37-443.0, Rancho Bernardo Library-Relocation Fund 30245, Capital Outlay to CIP-35-084.0, Rancho Bernardo Branch Library, and authorizing the closeout of CIP-37-443.0, Rancho Bernardo Library-Relocation.

CITY MANAGER SUPPORTING INFORMATION:

This project will provide for the design of a 20,000 square foot library building with a 2,500 square foot community room,

adjacent parking and landscaping. The new facility will replace an existing 8,000 square foot library which is currently unable to meet the needs of the community. Project location is in the Park Terrace Commercial Center in Rancho Bernardo. The Library Department has successfully applied for a State grant in conjunction with the California Library Construction and Renovation Bond Act. The State grant will provide for partial funding of this project as described in the grant application. The proposed consultant was selected in accordance with Council Policy 300-7. Five firms were interviewed by the Engineering and Development and Library Departments and LPA, Inc. has been selected as the designer for this project. Minority and Women Business Enterprises are represented as follows: 17 percent MBE and 5 percent WBE.

Aud. Cert. 9400483.

FILE LOCATION: MEET CCONT FY94-1

COUNCIL ACTION: (Tape location: E528-617.)

MOTION BY BEHR TO ADOPT ITEMS 207 AND 208 TO ACCEPT THE GRANT FROM THE STATE. Second by Stevens. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-209:

SUBJECT: Second Amendment to the Agreements with the County of San Diego and Greenfield Services Corp.

(See City Manager Report CMR-93-308.)
(Continued from the meeting of November 15, 1993, Item 115, at Councilmember McCarty's request, for further review.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-703) ADOPTED AS RESOLUTION R-283086

Authorizing the execution of a second amendment to the agreement with the County of San Diego, for Household

Hazardous Materials Program Services for Fiscal Year 1994;

Authorizing the expenditure of not to exceed \$222,800 from Fund Nos. 41200 and 40012, Department Nos. 751 and 700 for providing funds for the above projects;

Authorizing the execution of a second amendment to the agreement with Greenfield Services Corporation, for Household Hazardous Materials Program Services for Fiscal Year 1994;

Authorizing the expenditure of not to exceed \$545,000 from Funds Nos. 41200 and 40012, Department Nos. 751 and 700, Org. No. 283, Account No. 4229, Job Order Nos. 7530 and 37639 for providing funds for the above projects;

Authorizing the City Manager to expend not to exceed \$25,000 from Contingency Fund for unforeseen costs affecting the Household Hazardous Materials Program.

Aud. Certs. 9400469 & 9400470.

FILE LOCATION: MEET CONT FY94-2

COUNCIL ACTION: (Tape location: B159-425.)

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

ITEM-210:

SUBJECT: Change Order No. 5 with Sim J. Harris Company for the improvement of Skyline Drive and Woodman Street.

(Continued from the meeting of October 11, 1993, Item 122, at Councilmember Stevens' request, for further discussions with the City Manager and the Contractor.)

(Northbay Terraces, Skyline, and South Encanto Community Areas. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-479) ADOPTED AS RESOLUTION R-283087

Approving Change Order No. 5, with Sim J. Harris Company for the improvement of Skyline Drive and Woodman Street, increasing the contract price by \$251,984.80;

Authorizing the transfer of \$110,000 from CIP-68-008, Annual Allocation - Traffic Signal Subsystems, Fund No. 30300 to CIP-52-377.0, Skyline Drive from Valencia Parkway to Deerock Place;

Authorizing the transfer of \$90,000 from CIP-52-127, Annual Allocation - Safety All-Weather Walkways, Fund No. 30300 to CIP-52-377.0, Skyline Drive from Valencia Parkway to Deerock Place;

Authorizing the transfer of \$55,000 from CIP-52-320, Woodman Street - Skyline Drive to 1000 feet South of Skyline Drive, Fund No. 30300 to CIP-52-377.0, Skyline Drive from Valencia Parkway to Deerock Place;

Authorizing the expenditure of an amount not to exceed \$255,000 from CIP-52-377.0.

CITY MANAGER SUPPORTING INFORMATION:

On October 12, 1990, the City Council awarded a construction contract for \$582,234.40 to Sim J. Harris Company for the improvement of Skyline Drive from Valencia Parkway to Deerock Place, identified as CIP-52-377.0. This project did not include improvements of Woodman Street south of Skyline Drive because a private developer was obligated to do this work pursuant to a subdivision agreement. This private developer was found to be in default of his commitment to do the work, and the majority of the work was left uncompleted. A portion of Woodman Street improvement has since been completed under Change Order No. 3, leaving approximately 800 linear feet of improvement to fully complete this project. Change Order No. 5 will complete the improvement of Woodman Street south of Skyline Drive. The cost for Change Order No. 5 is \$251,984.80. Staff has been working with the San Diego Housing Commission and a Cost Recovery District will be processed to recover \$430,921 of the costs from them as they are in the process of purchasing and developing the

adjacent site.

Aud. Cert. 9400290.

FILE LOCATION: CONT-Sim J. Harris Company CONT FY94-1

COUNCIL ACTION: (Tape location: B159-425.)

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

ITEM-211:

SUBJECT: Contract Negotiations for an MBE/WBE Predicate/Disparity Study. (See City Manager Report CMR-93-333.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-799) ADOPTED AS RESOLUTION R-283088

Authorizing the City Manager to negotiate a contract with DEGA/TMS, a Joint Venture for an MBE/WBE Predicate/Disparity Study, as set forth in the City Manager's Report to the Council.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F020-066.)

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

ITEM-212:

SUBJECT: Amending the Equal Opportunity Program.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-94-823 Rev.1) ADOPTED AS AMENDED AS RESOLUTION R-283089

Directing the City Manager to amend City Manager Report CMR-85-37, to establish an equal opportunity program for consultants, vendors, and construction contractors doing business within the City of San Diego; Rescinding Resolutions R-262633 and R-270402.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F067-241.)

MOTION BY STEVENS TO ADOPT, RESCINDING THE CITY'S MINORITY AND WOMEN'S BUSINESS ENTERPRISE PROGRAM AND DIRECT THE CITY MANAGER TO RETURN WITH AN ENFORCEABLE EQUAL OPPORTUNITY PROGRAM THAT WILL INCLUDE DIVIDING LARGE CONTRACTS AND ASSISTANCE WITH BONDING TO ENCOURAGE GREATER PARTICIPATION AT ALL ECONOMIC LEVELS. ALSO, EVALUATE THE APPLICATION OF THE STATE AND FEDERAL EQUAL OPPORTUNITY PROGRAM FOR COMPLIANCE BY CITY CONTRACTORS AND THEIR AGENTS. Second by Behr. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, 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 6:28 p.m. in honor of the memory of Jim E. "Jimmie" Howard as requested by City Attorney John W. Witt.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G027-039).