

RESOLUTION No. 222850 (R⁷⁹-1490)

Adopted on FEB 20 1979

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That the following three proposals for state legislation (attached hereto) are hereby adopted by The City of San Diego, and the Department of Legislative Representation is hereby directed to take all necessary action, for and on behalf of The City of San Diego, to seek introduction and passage of these proposals:

1. PROPOSAL 79-A Solid Waste Disposal Site Review Authority
2. PROPOSAL 79-B Missing Persons Dental Records
3. PROPOSAL 79-C Disposal of Surplus Government Property (Land)

APPROVED: JOHN W. WITT, City Attorney

By Stuart H. Swett
Stuart H. Swett
Chief Deputy City Attorney

SHS:rc:046
2/8/79
Or. Dept.: Rules Committee

MICROFILMED
01081

Submitted by: General Services Department

CITY OF SAN DIEGO
PROPOSAL 79-A

Solid Waste Disposal Site Review Authority

- Proposal: To eliminate the duplication of governmental agency review and approval authority for establishing solid waste disposal sites.
- Present Law:
- 1) Require in Sec. 66784.1 of the Government Code that no solid waste disposal site shall be established without a finding by the county that the distance from the site to the nearest residential structures is in compliance with all state minimum standards for solid waste management.
 - 2) Establishes, under the Z'berg - Kapiloff Solid Waste Control Act of 1976, enforcement agencies in each county and/or city which must issue a permit indicating compliance with state minimum standards before a solid waste disposal site can be established and also establishes an enforcement program to insure operating facilities continue to meet all such state minimum standards for solid waste management.
- Discussion: This proposal repeals Sec. 66784.1 of the Government Code and eliminates the requirement for county approval of solid waste disposal sites. Comprehensive review and approval functions would continue to be served by the State Solid Waste Management Board.
- Fiscal Impact: Unknown potential savings in time and costs associated with time delays.

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Submitted by: Police Department

CITY OF SAN DIEGO
PROPOSAL 79-B

Missing Persons Dental Records

Proposal: To transfer from the city to the State Department of Justice the responsibility to request of family or next of kin of a person missing for 30 days, written consent to contact and request from the missing person's dentist the person's dental records.

Present Law: Requires local law enforcement agencies 1) to obtain written consent of the next of kin of a person missing for 30 days, to contact and request from the missing person's dentist the person's dental records; and 2) to submit a missing person report and the dental records to the State Department of Justice.

Discussion: This proposal lessens the impact of the state mandated program enacted in 1978. AB 81 (Chapter 462/78) became effective January 1, 1979 and requires the city's police department to provide information concerning missing persons to the State Department of Justice as discussed above.

This proposal specifically changes existing law to require the agency centralizing missing person information (State Department of Justice) to obtain that information instead of local law enforcement agencies. The police department would continue to send missing person reports to the State Department of Justice.

Fiscal Impact: Potential savings of \$15,000 to \$30,000 in city costs.

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Submitted by: Councilman Stirling

CITY OF SAN DIEGO
PROPOSAL 79-C

Disposal of Surplus Government Property (Land)

- Proposal:** To eliminate restrictions in existing law which limit the use of state or local government surplus property by other government entities.
- Present Law:** Provides limitations with regard to the disposal of surplus property owned by state and local agencies and requires that such property be first offered at market value to other governmental entities for park, recreation, open space or housing purposes.
- Discussion:**
1. This proposal would retain the requirement in existing law that government entities disposing of surplus property notify other entities in writing of their intent to dispose of the property and offer such land at fair market value prior to disposal.
 2. This proposal specifically changes existing law, (Sections 39030, 39363.5, 81190 and 81363.5 of the Education Code and Section 54222 of the Government Code) regarding the permitted uses of surplus land purchased by other government entities by allowing the property to be used for any purpose including park, recreation, open space or housing purposes.
- Fiscal Impact:** None
- Background:** Councilman Stirling has requested the submission of this proposal to allow broader public use of property which may be made available to the City by the San Diego Unified School District.
- According to Councilman Stirling, the San Diego Unified School District is presently studying declining enrollment in various areas of the city and many recommend the closure of one or more facilities. It is anticipated that the School District may then make such surplus property available to the public agencies pursuant to existing state law. Should this occur, the city would be limited by existing law to use such property for park, recreation, open space or housing purposes.

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Passed and adopted by the Council of The City of San Diego on FEB 20 1979,
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By *Pita Andrews*, Deputy.

Office of the City Clerk, San Diego, California	
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Adopted	FEB 20 1979

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