

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - MONDAY, AUGUST 28, 1978
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
2:00 P.M.

Present-Councilmen O'Connor, Lowery, Schnaubelt, Gade, Stirling and Mayor
Wilson.

Absent--Councilmen Mitchell, Williams and Haro.

Clerk---Charles G. Abdelnour.

Mayor Wilson called the Regular Meeting to order at 2:10 p.m.

(ITEM 1)

Roll call was taken.

(ITEM 10)

City Clerk Abdelnour gave the Invocation.

(ITEM 20)

Councilman Lowery led the Pledge of Allegiance.

Councilman Mitchell entered the Chambers.

Items S-401 and S-402 were taken simultaneously.

(ITEM S-401)

(Continued from the Meetings of August 30, October 4, November 29,
December 20, 1977, January 24 and August 15, 1978. Trailed as unfinished
business from the Meeting of 8-21-78.)

Expressing the Council's intention of operating and maintaining the
PENASQUITOS REGIONAL PARK at such time as public acquisition is completed.

(ITEM S-402)

(Continued from the Meetings of August 30, October 4, November 29,
December 20, 1977, January 24, and August 15, 1978. Trailed as unfinished
business from the Meeting of 8-21-78.)

Authorizing the execution of an AGREEMENT with Penasquitos, Inc. for the
CONVEYANCE FOR PARK PURPOSES OF LAND LYING WITHIN PENASQUITOS CANYON, which
conveyances would be phased with the development of adjacent property.

(ITEM S-402 - Continued)

A motion by Councilman Lowery to continue Items S-401 and S-402 to the Meeting of September 9, 1978 - 2:00 p.m. time certain at Mr. Rick's and Mr. Gabrielson's request, passed by the following vote: Yeas-Councilmen O'Connor, Lowery, Schnaubelt, Gade, Stirling and Mayor Wilson. Nays-Councilman Mitchell. Absent-Councilmen Williams and Haro.

(ITEM 112)

Authorizing the MAYOR and the CITY CLERK to execute a DEED conveying to the Pacific Telephone and Telegraph Company an easement for telephone facilities affecting City-owned portions of BLOCKS 18 AND 19.

A motion by Councilman Lowery to return this item to the City Manager, passed unanimously with Councilmen Williams and Haro absent.

The Council considered that portion of the Consent Agenda dealing with Ordinances introduced at a previous meeting, ready for dispensing with the reading and adoption, which consisted of Items 50, 51, 52 and 53.

The following Ordinances were introduced at the Meeting of August 14, 1978.

Reading in full was dispensed with by a vote of not less than a majority of the members elected to the Council and there was available for the consideration of each member of the Council and the public prior to the day of their passage, a written or printed copy of each Ordinance.

The following Ordinances were adopted on motion of Councilman Stirling, by the following vote: Yeas-Councilmen Mitchell, O'Connor, Lowery, Schnaubelt, Gade, Stirling and Mayor Wilson. Nays-None. Absent-Councilmen Williams and Haro.

(ITEM 50)

ORDINANCE 12423 (New Series), Amending Chapter III, Article 1, of the San Diego Municipal Code, by AMENDING SECTION 31.0348 relating to LICENSE TAX-- AUTOMOBILES FOR HIRE.

(ITEM 51)

ORDINANCE 12424 (New Series), Amending Chapter III, Article 3, Division 33 of the San Diego Municipal Code by AMENDING SECTION 33.3321 and ADDING SECTIONS 33.3325 and 33.3326; and amending Chapter IV, Article 2, Division 2, by ADDING SECTION 42.0216, relating to HEALTH REQUIREMENTS OF PEEP SHOW ESTABLISHMENTS.

(ITEM 52)

ORDINANCE 12425 (New Series), Setting aside and dedicating a portion of PUEBLO LOT 1232 in perpetuity for PARK AND RECREATIONAL PURPOSES, and naming the same LINDBERGH PARK.

(ITEM 53)

Two Ordinances relative to setting aside and dedicating certain lands for PUBLIC PARKS:

a - ORDINANCE 12426 (New Series), Portion of PUEBLO LOT 1296, naming said park "CLIFFRIDGE PARK"; and

b - ORDINANCE 12427 (New Series), Portions of PUEBLO LOTS 1249, 1270, 1271 and 1272, naming said park "STANDLEY PARK AND RECREATION CENTER."

The Council considered that portion of the Consent Agenda dealing with Resolutions, which consisted of Items 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 113, 114, 116, 118, 121, 122, 123 and 124.

The following Resolutions were adopted on motion of Councilman Stirling, by the following vote: Yeas-Councilmen Mitchell, O'Connor, Lowery, Schnaubelt, Gade, Stirling and Mayor Wilson. Nays-None. Absent-Councilmen Williams and Haro.

(ITEM 100)

RESOLUTION 221682, AWARDING A CONTRACT to American Processing Company, Inc. for HAULING APPROXIMATELY 2,500,000 GALLONS OF SLUDGE from Point Loma Sewage Treatment Plant to Fiesta Island, for an estimated cost, including terms, of \$34,078.75.

(ITEM 101)

RESOLUTION 221683, AWARDING A CONTRACT to William Reynolds, dba William Reynolds Const. Co. for the IMPROVEMENT OF SOUTH BAY OPERATIONS STATION for the sum of \$29,871.30.

(ITEM 102)

RESOLUTION 221684, INVITING BIDS for CONSTRUCTION OF POLICE COMMUNICATIONS CENTER - ADDITIONAL RESTROOMS - C.O.B. - Specifications Document No. 764259.

(ITEM 103)

RESOLUTION 221685, INVITING BIDS for IMPROVEMENT OF KIOWA DRIVE NORTHERLY OF LAKE MURRAY BOULEVARD - Specifications Document No. 764258.

(ITEM 104)

RESOLUTION 221686, Authorizing the PURCHASING AGENT to ADVERTISE FOR SALE 32 VEHICLES; said vehicles are so used, obsolete or depreciated as to be unfit or undesirable for use or retention by the City; expenses in connection with the sale of said equipment shall be deducted from the proceeds received from the sale thereof.

(ITEM 105)

Two Resolutions relative to the FINAL SUBDIVISION MAP of RANCHO BERNARDO RACQUET CLUB, a 2-lot subdivision located on the west side of Bernardo Center Drive between Regalo Lane and Bernardo Center Court:

- a - RESOLUTION 221687, Authorizing an AGREEMENT with So-Cal Development, Inc., for installation and completion of improvements; and
- b - RESOLUTION 221688, APPROVING THE FINAL MAP.

(ITEM 106)

RESOLUTION 221689, Setting aside and establishing a sewer easement along and across all that portion of LOT F OF PARTITION OF LOT 70, RANCHO MISSION OF SAN DIEGO.

(ITEM 107)

RESOLUTION 221690, Setting aside and dedicating as a public street the STREET RESERVATION in LOTS 5 AND 6, QUEST SUBDIVISION, and naming the same CARROLL CANYON ROAD.

(ITEM 108)

Two Resolutions relative to a portion of PUEBLO LOT 1234:

- a - RESOLUTION 221691, Approving the acceptance by the CITY MANAGER of DEED of M.B. Construction and Development Company, conveying the permanent easement and right-of-way for a public alley for said property; dedicating said land as and for a public street and alley purposes; and
- b - RESOLUTION 221692, Abandoning whatever right, title or interest the City may have in the SLOPE EASEMENT.

(ITEM 109)

RESOLUTION 221693, Approving the acceptance by the CITY MANAGER of GRANT DEED of Pacific Telephone and Telegraph Company, conveying a portion of LOTS A-209 AND A-210 in ADDITION NO. 4 TO SAN YSIDRO; dedicating said land as and for public streets and naming the same SMYTHE AVENUE, FOOTHILL ROAD and BEYER BOULEVARD.

(ITEM 110)

RESOLUTION 221694, Approving the acceptance by the CITY MANAGER of STREET EASEMENT DEED of Genesee Highlands Home Owners Association, conveying all that portion of LOTS E-5 AND E-7 of GENESEE HIGHLANDS UNIT NO. 2; dedicating said land as and for public streets and naming the same: Parcel 1 - CAMINO HUERTA and CAMINO ISLAY; Parcel 2 - CAMINO KIOSCO and CAMINO JONATA; Parcel 3 - CAMINO TICINO; Parcel 4 - CAMINO MILITA; Parcel 5 - CAMINO HUERTA; Parcel 6 - CAMINO TICINO and CAMINO GLORITA; Parcel 7 - CAMINO LITA.

(ITEM 111)

Two Resolutions relative to DEEDS of WICKLINE BEDDING CO., INC., for public street and slope purposes over, along and across all that portion of PUEBLO LOT 1778 in the PUEBLO LANDS OF SAN DIEGO:

- a - RESOLUTION 221695, Approving the acceptance by the CITY MANAGER of STREET EASEMENT DEED conveying an easement for public street purposes; dedicating said land as and for a public street and naming the same SANTA FE STREET; and
- b - RESOLUTION 221696, Approving the acceptance by the CITY MANAGER of SLOPE RIGHT EASEMENT DEED conveying an easement for slope purposes.

(ITEM 113)

RESOLUTION 221697, Authorizing the MAYOR and the CITY CLERK to execute a DEED conveying to the San Diego Gas & Electric Company an easement for overhead electrical facilities affecting City-owned portion of the OAKS TRACT OF RANCHO SAN BERNARDO.

(ITEM 114)

RESOLUTION 221698, Authorizing the MAYOR and the CITY CLERK to execute a DEED conveying to the San Diego Gas & Electric Company an easement for underground electrical facilities affecting City-owned LOT 891, SCRIPPS RANCH UNIT NO. 11.

(ITEM 116)

RESOLUTION 221699, Approving the acceptance by the CITY MANAGER of DEED of Miramar Industrial Park, conveying an OPEN SPACE EASEMENT in PARCEL 3 of PARCEL MAP 6833; authorizing the MAYOR and the CITY CLERK to execute a QUITCLAIM DEED quitclaiming to MIRAMAR INDUSTRIAL PARK all of the City's right, title and interest in the OPEN SPACE EASEMENT in PARCEL 4 of PARCEL MAP 6833.

(ITEM 118)

RESOLUTION 221700, Authorizing an AGREEMENT with the Central City Association of San Diego for the DOWNTOWN IMPROVEMENT AREA.

(ITEM 121)

RESOLUTION 221701, Authorizing an AGREEMENT with the San Diego Unified School District to share in the costs of the IMPROVEMENT of POLK AVENUE between Menlo Avenue and Euclid Avenue.

(ITEM 122)

RESOLUTION 221702, Authorizing an AGREEMENT with the State of California whereby the City shall be REIMBURSED for ELECTRICAL ENERGY COSTS for eleven street lights in the San Diego State University vicinity for the period of one year, July 1, 1978 through June 30, 1979.

(ITEM 123)

RESOLUTION 221703, Authorizing an AGREEMENT with the State of California, Department of Transportation, for MAINTENANCE by the City of that portion of ROUTE 163 BETWEEN ASH STREET AND THE END OF ROUTE 163 at the 15/163 separation.

(ITEM 124)

RESOLUTION 221704, Approving the SUBMISSION to the coastal commissions of the UNIVERSITY ISSUE IDENTIFICATION REPORT.

(ITEM 31)

Matter of a BRIEFING on the Regional Employment and Training Consortium (RETC).

By common consent the Council accepted the report.

(ITEM 200)

Approving the SAN DIEGO REGIONAL EMPLOYMENT AND TRAINING CONSORTIUM ADMINISTRATIVE BUDGET for the federal fiscal year 1979 (October 1, 1978 - September 30, 1979); authorizing the EXPENDITURE of \$1,809,651 out of RETC FUND 940 for said purpose, contingent upon the Department of Labor funding.

(1) A motion by Councilman Lowery to adopt the item, received no vote.

(ITEM 200 - Continued)

(2) A motion by Councilman Lowery to continue the item to the Meeting of September 11, 1978 - 2:00 p.m. time certain for a full Council, passed unanimously with Councilmen Williams and Haro absent.

The Chairman stipulated that further discussion would be limited to Districts 4 and 8.

(ITEM 40)

Robert Miles Parker, representing SOHO (Save Our Heritage Organization) requesting permission to address the Council regarding the City Administration's attitude toward PRESERVATION OF SAN DIEGO'S HISTORIC ENVIRONMENT as embodied in its ARCHITECTURE.

A motion by Councilman Mitchell to refer the matter to the City Manager and Planning Department for a review of a possible preservation, policy and for a list of historical sites and the possibility of using grant funds for the preservation with a report back to Council and Mr. Parker, passed unanimously with Councilmen Williams and Haro absent.

Mayor Wilson recessed the Meeting at 4:00 p.m. Upon reconvening at 4:27 p.m., the roll call showed Councilmen Mitchell, Lowery, Williams and Haro absent.

(ITEM 30)

Approval of Council Minutes for:

03-28-78 A.M. and P.M.

05-15-78 P.M.

05-16-78 A.M. and P.M.

05-23-78 A.M. and P.M.

05-29-78 P.M.

06-05-78 P.M.

06-12-78 P.M.

06-13-78 A.M. and P.M.

06-19-78 P.M.

06-26-78 P.M.

07-05-78 A.M. SPECIAL

07-10-78 P.M.

Adjourned Regular Meeting of 07-03-78 P.M. held 07-10-78 P.M.

Adjourned Regular Meeting of 07-04-78 A.M. held 07-10-78 P.M.

07-11-78 A.M. and P.M.

07-18-78 A.M. and P.M.

07-24-78 P.M.

A motion by Councilman Gade to approve the minutes, passed unanimously with Councilmen Mitchell, Lowery, Williams and Haro absent.

(ITEM 201)

Three Resolutions relative to CONGRATULATING and COMMENDING the following people for their initiative, courage and civic responsibility in notifying the Police Department of information leading to the apprehension of suspects who were later charged with murder, kidnapping and bank robbery:

- a - ROBERT PINEAULT;
- b - HARRY ROGERS; and
- c - JUAN UGARTE.

Councilman Mitchell entered the Chambers.

A motion by Councilman Mitchell to adopt Item S-201-a, as RESOLUTION 221705, S201-b as RESOLUTION 221706 and S-201-c as RESOLUTION 221707, passed unanimously with Councilmen Lowery, Williams and Haro absent.

(ITEM 203)

Matter of authorizing an AGREEMENT with the San Diego Urban League, Inc., for the purpose of OPERATING THE BUSINESS OUTREACH PROJECT for an eleven-month period from August 1, 1978 through June 30, 1979.

A motion by Councilwoman O'Connor to adopt the item, as RESOLUTION 221708, passed unanimously with Councilmen Lowery, Williams and Haro absent.

(ITEM 150)

Amending Chapter VI, Article 3, of the San Diego Municipal Code by ADDING SECTION 63.02.6.1 relating to CAVE DIGGING WITHIN CLIFF AREAS.

A motion by Councilman Stirling to introduce the proposed Ordinance, passed unanimously with Councilmen Lowery, Williams and Haro absent.

(ITEM 151)

Extending CONGRATULATIONS and APPRECIATION to the AEROSPACE CENTER DEVELOPMENT COMMITTEE for their outstanding job and unselfish contribution to the citizens of San Diego in promoting and developing an aerospace center; designating the FORD BUILDING in Balboa Park as the AEROSPACE HISTORICAL CENTER.

A motion by Councilman Stirling to adopt the item, as RESOLUTION 221709, passed unanimously with Councilmen Lowery, Williams and Haro absent.

(ITEM 202)

Excusing DEPUTY MAYOR JESS D. HARO from the COUNCIL MEETINGS of July 17 and 18, 1978; RULES COMMITTEE MEETINGS of June 19, July 17, 24 and 31, 1978; TRANSPORTATION AND LAND USE COMMITTEE MEETINGS of June 8, July 12, 19 and 26, 1978; PUBLIC SERVICES AND SAFETY COMMITTEE MEETING of July 26, 1978.

(ITEM 202 - Continued)

A motion by Councilwoman O'Connor to continue this item to the Meeting of September 5, 1978 - 8:30 a.m. time certain to be taken with Item 200 of the September 5, 1978 docket, passed unanimously with Councilmen Lowery, Williams and Haro absent.

(ITEM S-403)

Adopting the proposed 1978 Mission Bay Park Master Plan for Land and Water Use as the Master Plan for Mission Bay Park, and repealing the 1958 and 1959 Mission Bay Master Plans and all other previous Master Plans for Mission Bay Park.

Councilwoman O'Connor left the Chambers.

Councilman Lowery entered the Chambers.

(1) A motion by Councilman Stirling to adopt Item S-403-a, as RESOLUTION 221710, S-403-b, as RESOLUTION 221711 and S-403-c, as RESOLUTION 221712, received no vote yet.

(2) A motion by Councilman Lowery to suspend the rules to extend the time of the Meeting past 5:30 p.m., passed unanimously with Councilmen O'Connor, Williams and Haro absent.

Mayor Wilson recessed the Meeting at 5:38 p.m. Upon reconvening at 5:30 p.m., the roll call showed Councilmen O'Connor, Williams and Haro absent.

Motion #1 (by Stirling), passed unanimously with Councilmen O'Connor, Williams and Haro absent.

(ITEM S-400)

(Continued from the Meeting of August 21, 1978 for further review.)

Amending Chapter II, Article 4, Division 5 of the San Diego Municipal Code by AMENDING SECTIONS 24.0503 and 24.0504.1 and by ADDING SECTIONS 24.0514, 24.0515 and 24.0516 relating to DISABILITY RETIREMENT.

A motion by Councilman Stirling to adopt the item, as ORDINANCE 12430 (New Series), passed unanimously with Councilmen O'Connor, Williams and Haro absent.

Mayor Wilson left the Chambers.

(ITEM S-404)

WAIVING COUNCIL POLICY 700-36, Decoration of Public Structures by Private Citizens, which would require affirmative recommendations from the Central Area and Facilities Committees of the Park and Recreation Board; authorizing PROJECT PRIDE II, administered through Alpha Project to paint a mural on the north wall of the recreation center at Highland-Landis Park in East San Diego.

A motion by Councilman Stirling to adopt the item, as RESOLUTION 221713, passed unanimously with Councilmen O'Connor, Williams, Haro and Mayor Wilson absent.

(ITEM 115)

Authorizing the MAYOR and the CITY CLERK to execute a GRANT DEED granting to The City of Del Mar the City's right, title and interest in LOTS 684, 759 AND 760 of ARDEN HEIGHTS NO. 6.

A motion by Councilman Stirling to adopt the item, as RESOLUTION 221714, passed unanimously with Councilmen O'Connor, Williams, Haro and Mayor Wilson absent.

(ITEM 117)

Revesting Abutter's RIGHTS OF ACCESS to and from DAIRY MART ROAD for LOT 263, RANCHO JARANA UNIT NO. 2.

A motion by Councilman Stirling to adopt the item, as RESOLUTION 221715, passed unanimously with Councilmen O'Connor, Williams, Haro and Mayor Wilson absent.

(ITEM 119)

Authorizing TWO AGREEMENTS with Crocker National Bank to provide CUSTODIAL BANKING SERVICES for investments in the CEMETERY PERPETUITY FUND and BENJAMIN MEMORIAL FUND.

A motion by Councilman Stirling to adopt the item, as RESOLUTION 221716, passed unanimously with Councilmen O'Connor, Williams, Haro and Mayor Wilson absent.

(ITEM 120)

Authorizing an AGREEMENT with the Regional Employment and Training Consortium (RETC) for a GRANT of \$75,410 to reimburse City for the operation of the 1978 SUMMER RECREATION SUPPORT PROGRAM (RSP), funds to be deposited into REVENUE SHARING FUND 267.

(ITEM 120 - Continued)

A motion by Councilman Stirling to adopt the item and direct staff to provide Council with a report on this program, failed by the following vote: Yeas-Councilmen Mitchell, Lowery, Gade and Stirling. Nays-Councilman Schnaubelt. Absent-Councilmen O'Connor, Williams, Haro and Mayor Wilson.

Items 125 and 126 were taken simultaneously.

(ITEM 125)

Authorizing a representative of the City's FIRE PREVENTION BUREAU to attend the NATIONAL FIRE PROTECTION AND CONTROL ADMINISTRATION'S ANNUAL MEETING in Seattle, Washington, October 23-27, 1978, at no cost to the City, except for salary.

(ITEM 126)

Authorizing a representative of the POLICE DEPARTMENT to attend the factory sponsored TRAINING COURSE for INTOXILIZER INSTRUMENTS in Vail, Colorado, September 13-15, 1978; authorizing the EXPENDITURE of \$423.50 out of GENERAL FUND 100/1503 for said purpose.

A motion by Councilman Mitchell to continue Items 125 and 126 to the Meeting of September 5, 1978, died for lack of a second.

The Chair ruled that these items would be carried over to the Meeting of August 29, 1978 as Unfinished Business.

(UNANIMOUS CONSENT)

Excusing Councilman Lowery from the Council Meetings of July 31 and August 1, 1978 due to his wife's illness.

A motion by Councilman Stirling to adopt this item, as RESOLUTION 221717 passed unanimously with Councilmen O'Connor, Williams, Haro and Mayor Wilson absent.

(ITEM 251)

Authorizing an AGREEMENT with Urban Projects, Inc., for the purpose of providing CONSULTANT SERVICES in connection with CONDUCTING FISCAL ANALYSES OF HOUSING DEVELOPMENT PLANS submitted to the City by private contractors for the CONSTRUCTION OF HOUSING on City-owned sites; authorizing the EXPENDITURE of not to exceed \$10,000 from FUND 100 (Element 05.72) for said services.

There was discussion.

There being no further business to come before the Council at this time,
the Meeting was adjourned at 6:49 p.m. on motion of Councilman Schnaubelt.

Mayor of The City of San Diego, California

ATTEST:

Charles J. [Signature]
City Clerk of The City of San Diego, California