

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE ADJOURNED REGULAR MEETING OF TUESDAY, OCTOBER 3, 1978
ADJOURNED TO AND HELD FRIDAY, OCTOBER 6, 1978
IN THE CHAMBERS OF THE COUNCIL AT 9:00 A.M.

ATTENDANCE:

Present--Mitchell (1), Lowery (3), Schnaubelt (5), Stirling (7) and
Mayor Wilson (M).
Absent--O'Connor (2), Williams (4) and Gade (6).
Vacant--District 8.
Clerk---Abdelnour.

Meeting called to order at 9:10 a.m. by Mayor Wilson.

Roll call.

Present--Mitchell, Lowery, Schnaubelt, Stirling and Mayor Wilson.
Absent--O'Connor, Williams and Gade.
Vacant--District 8.

ITEM 60: Five Ordinances relative to setting aside and dedicating certain
lands for a PUBLIC PARK and naming:

Subitem a: Adopted as Ordinance 12451 (New Series).

(O-79-60) ADAMS FIELD HOUSE;

Subitem b: Adopted as Ordinance 12452 (New Series).

(O-79-61) CADMAN PARK AND RECREATION CENTER;

Subitem c: Adopted as Ordinance 12453 (New Series).

(O-79-63) CLAY PARK;

Subitem d: Adopted as Ordinance 12454 (New Series).

(O-79-64) COWLES MOUNTAIN NEIGHBORHOOD PARK; and

ITEM 60 - Continued:

Subitem e: Adopted as ORDINANCE 12455 (New Series).

(0-79-62) KEILLER PARK.

Motion by Stirling to dispense with the reading and adopt. Second by Lowery.

Passed unanimously. Absent-2,4,6. Vacant-8.

Motion by Stirling to Refer to the City Manager the feasibility of acquiring one of the elementary schools to be closed by the Board of Education for implementing a joint police academy.

Second by Lowery.

Passed unanimously. Absent-2,4,6. Vacant-8.

ITEM 61: Four Ordinances relative to setting aside and dedicating certain lands for a PUBLIC PARK and naming:

Subitem a: Adopted as Ordinance 12456 (New Series).

(0-79-65) AVIARY PARK;

Subitem b: Adopted as Ordinance 12457 (New Series).

(0-79-66) BERRY PARK;

Subitem c: Adopted as Ordinance 12458 (New Series).

(0-79-68) HOWARD LANE PARK; and

Subitem d: Adopted as Ordinance 12459 (New Series).

(0-79-68) SUNNYSLOPE PARK.

Motion by Stirling to dispense with the reading and adopt.

Second by Mitchell.

Passed unanimously. Absent-2,4,6. Vacant-8.

ITEMS 100, 101, 102, 103 and S-402 WERE CONSIDERED SIMULTANEOUSLY:

ITEM 100: Adopted as Resolution 221954.

(R-79-529) AWARDING A CONTRACT to T.B. Penick & Sons, Inc. for CONSTRUCTION OF A RETAINING WALL ON THE WEST SIDE OF 54TH STREET, 600 FEET SOUTH OF UNIVERSITY AVENUE (STORM DAMAGE REPAIR) for the sum of \$227,201.50; approving the addition of CIP 52-268 (54th Street, 600 feet south of University Avenue Improvements) to the FY 1979 CAPITAL IMPROVEMENTS PROGRAM; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$64,641 from the CAPITAL OUTLAY FUND UNALLOCATED RESERVE (CIP 90-245) and \$209,781 from the GASOLINE TAX FUND UNALLOCATED RESERVE (CIP 90-220) to CIP 52-268.

See ITEM S-402 for motion.

ITEM 101: Two Resolutions relative to IMPROVEMENT OF SAN DIEGO STADIUM EAST CHANNEL (MURPHY CANYON CHANNEL AND SAN DIEGO RIVER CHANNEL) STORM DAMAGE REPAIR:

Subitem a: Adopted as Resolution 221955.

(R-79-517) Certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 78-05-35 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council; and

Subitem b: Adopted as Resolution 221956.

(R-79-518) AWARDING A CONTRACT to Silberberger Engineers Inc., for the sum of \$191,372; approving the addition of CIP 11-169 (San Diego Stadium East Channel - Improvements) to the FY 1979 CAPITAL IMPROVEMENTS PROGRAM; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$231,254 from the CAPITAL OUTLAY FUND UNALLOCATED RESERVE (CIP 90-245) to CIP 11-169.

See ITEM S-402 for motion.

ITEM 102: Adopted as Resolution 221957.

(R-79-530) AWARDING A CONTRACT to T.B. Penick & Sons, Inc., for CONSTRUCTION OF IMPROVEMENTS IN 7000 BLOCK OF COUNTRY CLUB DRIVE, LA JOLLA, CALIFORNIA (STORM DAMAGE REPAIR) for the sum of \$58,144; approving the addition of CIP 52-263 (Country Club Drive, 7000 Block, Improvements) to the FY 1979 CAPITAL IMPROVEMENTS PROGRAM; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$74,834 from the CAPITAL OUTLAY FUND UNALLOCATED RESERVE (CIP 90-245) to CIP 52-263.

See ITEM S-402 for motion.

ITEM 103: Adopted as Resolution 221958.

(R-79-519) AWARDING A CONTRACT to Sapper Construction Co., for the IMPROVEMENT OF COAST BOULEVARD CURB AND SIDEWALK BETWEEN PROSPECT AND LA JOLLA COVE for the sum of \$24,958; accepting the addition of CIP NO. 52-261 (Coast Boulevard, Prospect to La Jolla Cove, Improvements) to the FY 1979 CAPITAL IMPROVEMENTS PROGRAM; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$6,647 from CAPITAL OUTLAY FUND UNALLOCATED RESERVE (CIP 90-245) to CIP 52-261, and \$27,011 from GASOLINE TAX FUND UNALLOCATED RESERVE (CIP 90-220) to CIP 52-261.

See ITEM S-402 for motion.

ITEM 106: Adopted as Resolution 221959.

(R-79-521) AWARDING A CONTRACT for furnishing OFFICE FURNITURE as follows:

- 1) Parron-Hall Corporation - Section I, DESKS AND TABLES, standard; and Section IV, EXECUTIVE FURNISHINGS for Lehigh-Leopold brand;
- 2) McMahan Desk of San Diego - Section II, VERTICAL FILES, BOOKCASES, CONSOLE FILES AND STORAGE CABINETS; Section III, CHAIRS, and Section IV, EXECUTIVE FURNISHING for the following brands: Costa Mesa, EPP, Taylor, Golden Oak, Eastern Cabinet, Kimball and Boline;
- 3) Kerrigans Discount Office Furniture - Section IV, EXECUTIVE FURNISHINGS for Anderson brand;
- 4) Arenson Office Furniture - Section IV, EXECUTIVE FURNISHINGS for Wesley Freeman brand;
- 5) San Diego Office Supply - Section IV, EXECUTIVE FURNISHINGS for Alma and Modular Design brands;

ITEM 106 - Continued:

6) Fisher Office Interiors - Section IV, EXECUTIVE FURNISHINGS for the following brands: Hiebert, Modern Mode, Norman Bates, Benedetti, Condi, Gunlocke, Johnson, KT Furniture and Beelner & Thomas; and

7) Southwest Office Interiors - Section IV, EXECUTIVE FURNISHINGS for Office Suites and Steelcase Designs in Wood brands;

for a total estimated cost for Sections I, II and III only, including tax and terms, of \$41,906.61.

Motion by Stirling to adopt.

Second by O'Connor.

Passed unanimously. Absent-4.6. Vacant-8.

ITEM 134: Adopted as Resolution 221960.

(R-79-542) Authorizing a MODIFIED PAYING AGENCY AGREEMENT with Bank of America modifying the agreement with Bank of America dated July 5, 1974, in order to provide for participation in a NEW COMPUTERIZED BOND COUPON PROCESSING SYSTEM at the bank's San Francisco location.

Motion by O'Connor to adopt.

Second by Lowery.

Passed unanimously. Absent-4,6. Vacant-8.

ITEM 135: Adopted as Resolution 221961.

(R-79-546) Authorizing a USE AND OCCUPANCY PERMIT with Palomar Communications Company, for the purpose of a RADIO RECEIVING AND TRANSMITTING FACILITY ATOP MOUNT WOODSON, for a term of five years, at an annual rental of \$1,500.

Motion by Mitchell to adopt.

Second by Stirling.

Passed unanimously. Absent-4,6. Vacant-8.

ITEM 145: Adopted as Resolution 221962.

(R-79-320) Establishing COUNCIL POLICY NO. 700-39 entitled
"EMINENT DOMAIN PROCEEDINGS - NOTICE PERIOD."

Motion by Stirling to adopt.

Second by Schnaubelt.

Passed. Yeas-2,3,5,7,M. Nays-1. Absent-4,6.
Vacant-8.

ITEM 147: Adopted as Resolution 221963.

(R-79-540) RESCINDING RESOLUTION NO. 213969, adopted August 6, 1975, effective September 1, 1975; authorizing the CITY MANAGER to establish and collect FEES for POLICE OPERATED EMERGENCY AMBULANCE SERVICE according to the following schedule, to be effective immediately: 1) For the transporting of any emergency patient when that patient requires the use of an ambulance, there shall be a charge of \$60; 2) There shall be a \$15.00 penalty assessed for the failure to pay any ambulance charge made pursuant to this schedule within sixty days after the emergency service is rendered, except that such penalty may be waived by the City Treasurer or his representative where good cause for delay is shown; 3) All ambulance service charges shall be due and payable on the day the emergency service is rendered; authorizing the CITY MANAGER to UPDATE from time to time said "EMERGENCY AMBULANCE SERVICE FEE" in order to recover the City's actual costs involved in providing the above identified services.

Motion by Stirling to adopt.

Second by Schnaubelt.

Passed unanimously. Absent-4,6. Vacant-8.

ITEM 150: Adopted as Resolution 221964.

(R-79-467) Declaring that certain parcel of City-owned property located on the NORTH SIDE OF FRIARS ROAD, WEST OF MISSION VILLAGE DRIVE encompassing 20.5 acres to be SURPLUS and designating it for SALE pending rezoning to possible commercial/recreation use; declaring that this designation is subject to REVIEW by the Community Planning Group and APPROVAL by the Planning Commission and resubmittal to the Transportation and Land Use Committee before December 31, 1978; designating that certain parcel of City-owned property on the NORTH SIDE OF FRIARS ROAD, EAST OF MISSION VILLAGE DRIVE encompassing approximately six acres for use as OPEN SPACE.

ITEM 150 - Continued:

Motion by Schnaubelt to adopt.
Second by Lowery.
Passed unanimously. Absent-4,6. Vacant-8.

ITEM 152: Adopted as Resolution 221965.

(R-79-360) Approving the work program and budget for the DELLS REDEVELOPMENT PROJECT; authorizing the CITY AUDITOR, for the purpose of implementing said project, to TRANSFER the sum of \$1,541,000 from BLOCK GRANT FUND 2940 to REDEVELOPMENT FUND 9835 as an ADVANCE to be repaid from tax increment or other project revenues.

Motion by Stirling to adopt.
Second by Lowery.
Passed. Yeas-1,2,3,7,M. Nays-5. Absent-4,6.
Vacant-8.

ITEM 154: Adopted as amended as Resolution 221966.

(R-79-329) Urging the San Diego County Board of Supervisors to encourage the San Diego County Sheriff to REINSTATE and CONTINUE the QUICK RELEASE PROGRAM for drinking drivers, thus maintaining this desirable alternative for deserving members of this City and County when and where appropriate.

Motion by Stirling to amend by deleting the words "the San Diego County Board of Supervisors" and adopt as amended and Refer to the City Manager to explore all avenues to alleviate problems of jail and Refer to Rules Committee the proposal for possible legislative change for City to take on obligation of the Quick Release Program.
Second by Mitchell.
Passed unanimously. Absent-4,5,6. Vacant-8.

10-6-1978

ITEM 155: Adopted as Resolution 221967.

(R-79-386) Approving the acceptance by the CITY MANAGER of GRANT DEED of Benson - Corwin, conveying all that portion of LOT H of the portion of LOT 70 OF RANCHO MISSION OF SAN DIEGO; authorizing the EXPENDITURE of not to exceed \$42,279 from ENVIRONMENTAL GROWTH FUND 2505 for acquisition of said land.

Motion by Stirling to adopt.

Second by O'Connor.

Passed unanimously. Absent-4,6. Vacant-8.

ITEM 200: Introduced, to be adopted October 23, 1978.

(O-79-83) AMENDING Ordinance No. 12397 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1978-79 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR," by AMENDING DOCUMENT NO. 764187, as adopted and amended therein, by ADDING the equivalent of 26.0 POLICE OFFICERS to the POLICE PATROL PROGRAM (113.00) for the remainder of the Fiscal Year (beginning November 1, 1978); and authorizing the AUDITOR AND COMPROLLER to TRANSFER the sum of \$377,262 from the UNALLOCATED RESERVE to the POLICE DEPARTMENT.

Motion by Stirling to introduce.

Second by Mitchell.

Passed unanimously. Absent-4,6. Vacant-8.

ITEM 203: Adopted as Resolution 221968.

(R-79-563) Authorizing an AGREEMENT with the San Diego Regional Employment and Training Consortium (RETC) for \$523,454; and to negotiate additional contracts, as necessary, should other funds be made available, for the purpose of FUNDING FISCAL YEAR '79 CETA VI SPECIAL PROJECTS in accordance with a priority listing submitted for Council approval.

Motion by Stirling to adopt.

Second by Lowery.

Passed. Yeas-1,2,3,7,M. Nays-5. Absent-4,6.
Vacant-8.

ITEM 204: Adopted as Resolution 221969.

(R-79-559) Authorizing an AGREEMENT with the San Diego Regional Employment and Training Consortium (RETC) to CONTINUE the SAN DIEGO REGIONAL YOUTH EMPLOYMENT PROGRAM (REGY) under Title I of the Comprehensive Employment and Training Act (CETA).

Motion by O'Connor to adopt.

Second by Mitchell.

Passed. Yeas-1,2,3,7,M. Nays-5. Absent-4,6.
Vacant-8.

ITEM 206: Adopted as Resolution 221970.

(R-79-523) Declaring that the weeds, rubbish, refuse and dirt upon or in front of the real property located in the 4600 BLOCK OF HOME AVENUE to be a PUBLIC NUISANCE and declaring the intention of the Council to order the ABATEMENT of these conditions on said property.

Motion by Lowery to adopt.

Second by Stirling.

Passed unanimously. Absent-4,6. Vacant-8.

ITEM 208: Continued to October 23, 1978.

(O-79-6) (Continued from the Meeting of 8-14-78 and trailed as unfinished business from the Meeting of 9-11-78.)
Amending Chapter III, Article 2, of the San Diego Municipal Code by REPEALING SECTION 32.01, relating to ALLOCATION OF REVENUE FOR CAPITAL OUTLAY EXPENDITURES.

Motion by Lowery to continue to October 23, 1978 for full Council.

Second by O'Connor.

Passed unanimously. Absent-4,6. Vacant-8.

ITEM 209: Adopted as Resolution 221971.

(R-78-1772) (Continued from the Meetings of 4-24, 5-1, 5-22, 6-5, 6-12, 6-19, 6-26, 7-10, 7-24, 7-31 and trailed as unfinished business from the Meeting of 9-11-78.)
Amending Council Policy No. 000-13 entitled, "PROCEDURE FOR MAYOR AND COUNCIL APPOINTMENTS."

Motion by O'Connor to adopt.

Second by Stirling.

Passed. Yeas-2,3,5,7,M. Nays-1. Absent-4,6.
Vacant-8.

ITEM 210: Adopted as Resolution 221972.

(R-79-185) (Continued from the Meeting of 8-7-78 and trailed as unfinished business from the Meeting of 9-11-78.)
Authorizing and instructing the City's delegate to the Comprehensive Planning Organization of the San Diego Region ("CPO") to vote to APPROVE PROPOSED CPO RESOLUTION 78-99 regarding the MTDB GUIDEWAY PLANNING PROJECT.

Motion by Lowery to adopt.

Second by Stirling.

Passed unanimously. Absent-4,6. Vacant-8.

ITEM S-400 Failed.

(R-79-606) Authorizing INSPECTOR KEN FORTIER of the POLICE DEPARTMENT to TRAVEL to Portland, Oregon, during the period October 10 and 11, 1978, for the purpose of assisting in EMPLOYMENT INTERVIEWS for PUBLIC SAFETY COMMUNICATIONS DIRECTOR; declaring that the total cost of said travel, excluding salary, shall be at no expense to the City but shall be paid by the City of Portland.

Motion by Lowery to adopt.

Second by O'Connor.

Failed. Yeas-2,3,5,M. Nays-7. Absent-1,4,6.
Vacant-8.

ITEM S-401: Adopted as Resolution 221973.

(R-79-569) Declaring the week of October 8 - October 15, 1978 to be COMMUNITY EDUCATION WEEK for the City of San Diego.

Motion by O'Connor to adopt.

Second by Lowery.

Passed unanimously. Absent-1,4,6. Vacant-8.

ITEM S-402 WAS CONSIDERED WITH ITEMS 100, 101, 102 and 103.

ITEM S-402: Adopted as Resolution 221974.

(R-79-401) AMENDING the CAPITAL IMPROVEMENTS PROGRAM for Fiscal Year 1979, by amending DOCUMENT NO. 764187, as amended, by deferring C.I.P. PROJECTS NO. 21-004.2, entitled "MUNICIPAL GOLF COURSE - REPLACE IRRIGATION SYSTEM" and NO. 37-137, entitled "CRYSTAL PIER RECONSTRUCTION"; and deleting C.I.P. PROJECTS NO. 52-240, entitled "RECAP OF PACIFIC HIGHWAY FROM HARBOR DRIVE TO ROSECRANS" and NO. 52-238, entitled "RECAP DIVISION STREET FROM I-5 TO 43RD STREET; authorizing the AUDITOR AND COMPTROLLER to TRANSFER the unexpended balances of the above projects to the appropriate fund reserves; authorizing the EXPENDITURE of \$220,000 from the STADIUM RESERVE FUND 256 solely and exclusively for REPAIRING STADIUM STORM DAMAGED FACILITIES.

Motion for ITEMS 100, 101, 102, 103 and S-402.

Motion by Stirling to adopt.

Second by Lowery.

Passed unanimously. Absent-4,6. Vacant-8.

UNANIMOUS
CONSENT #1:

Failed.

(R-79-643) Authorizing Acting Personnel Director Richard Maben to travel to Cincinnati, Ohio to speak at the 6th Annual Conference of the International City Management Association to be held October 16, 1978, and to incur lodging expenses not to exceed \$40.00 from the Scheduled Travel Fund (3213). The Association has agreed to pay for all travel and meal expenses.

Motion by O'Connor to Adopt.

Second by Lowery.

Failed. Yeas-2,3,5,M. Nays-7. Absent-1,4,6.
Vacant-8.

UNANIMOUS
CONSENT #2:

Adopted as Resolution 221975.

(R-79-624) Authorizing Richard L. Hays, Chief, Organizational Development and Training, General Services Department, to travel to Cincinnati, Ohio, October 14-16, 1978 to attend a meeting of International City Management Association (ICMA) Advisory Committee for Productivity Implementation Training Project, at no cost to the City other than normal salary expense; travel and other associated expenses will be reimbursed by ICMA; authorizing the expenditure of \$456 out of Fund 534 solely and exclusively, for the above stated purpose.

Motion by O'Connor to adopt.

Second by Lowery.

Passed unanimously. Absent-1,4,6. Vacant-8.

UNANIMOUS
CONSENT #3:

Unfinished Business.

(R-79-625) Authorizing the Noise Abatement and Control Administrator of the Building Inspection Department to attend the National Association of Noise Officials Board of Directors meeting to be held on October 9, 10 and 11, 1978, and to address the University of Colorado Noise Control Institute on October 12 and 13, 1978, in Boulder, Colorado, at no cost to the City other than normal salary expense.

Motion by O'Connor to adopt.

No second.

UNANIMOUS
CONSENT #4:

Adopted as Resolution 221976.

(R-79-662) Proclaiming October 15 through 28 of 1978 "Rancho Bernardo Good Neighbor Weeks;" urging all residents and the business community of Rancho Bernardo to do their part in the beautification of Rancho Bernardo, in beautifying yards and places of business, and in helping maintain Rancho Bernardo as the great planned community that it now is.

Motion by O'Connor to adopt.

Second by Lowery.

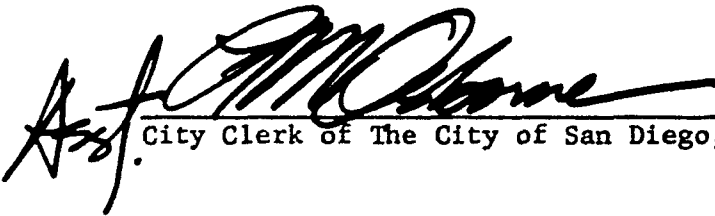
Passed unanimously. Absent-1,4,6. Vacant-8.

ADJOURNMENT:

Motion by Schnaubelt to adjourn the Meeting at 11:20 a.m. in memory of Mrs. Birdie Mae Taylor, long-time Pacific Beach resident; James Thomas Lowrie, twelve-year old son of Mr. and Mrs. James Lowrie, who was slain by sniper's shot in Linda Vista on Thursday, September 21, 1978; and Edgar Bergen, a well-known ventriloquist who passed away Saturday, September 30, 1978 of an apparent heart attack.

Second by Stirling.

Passed unanimously. Absent-1,4,6. Vacant-8.



City Clerk of The City of San Diego, California