

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF MONDAY, OCTOBER 16, 1978
IN THE CHAMBERS OF THE COUNCIL AT 2:00 P.M.

ATTENDANCE:

Present--Councilmen Mitchell (1), O'Connor (2), Lowery (3), Williams (4), Schnaubelt (5), Gade (6), Stirling (7), Killea (8) and Mayor Wilson (M).

Absent--None.

Clerk--Abdelnour.

Meeting called to order at 2:15 p.m. by Mayor Wilson.

ITEM 1:

Roll call.

Present--Mitchell, O'Connor, Lowery, Gade, Stirling, Killea and Mayor Wilson.

Absent--Williams and Schnaubelt.

Meeting recessed at 3:21 p.m. by Mayor Wilson.

Meeting reconvened at 3:44 p.m. with Councilmen O'Connor, Lowery and Stirling absent.

ITEM 10:

Invocation offered by The Reverend Amos Johnson, Pastor, Church of the New Creation.

ITEM 20:

Pledge of Allegiance led by Councilman Mitchell.

ITEM 30:

Approved.

Approval of Council Minutes for:

08-01-78 P.M.

Adjourned Regular Meeting of 09-04-78 A.M., Adjourned to 09-05-78 P.M.

09-05-78 P.M.

09-11-78 P.M.

09-12-78 A.M.

09-18-78 P.M.

09-19-78 A.M. and P.M.

ITEM 30 - Continued:

Motion by O'Connor to approve.
Second by Williams.
Passed unanimously. Absent-None. District 8 ruled
not eligible to vote.

ITEM 31: Continued to October 30, 1978.

Matter of placing RESOLUTION 79-412 (Authorizing the City
Manager to execute an agreement with CALTRANS for the CONSTRU-
TION OF THE SAN DIEGO BAY ROUTE BIKEWAY) on the Adoption Agenda
of the Council.

Motion by Williams to place on docket of October 30,
1978 for hearing.
Second by Schnaubelt.
Passed unanimously. Absent-None.

ITEM 40: Referred to City Attorney and Planning Department.

Marshall H. Roth, representing the Barrio/Harbor Logan 101
Community Planning Association, requesting permission to address
the Council regarding the ASSOCIATION'S BYLAWS and the
SEPTEMBER 27, 1978 ELECTION.

Testimony by Mr. Roth.

Motion by Killea to Refer to City Attorney and
Planning Department for a report back and if
warranted, further Refer the matter to Transportation
and Land Use Committee for hearing.
Second by Stirling.
Passed unanimously. Absent-None.

THE FOLLOWING ITEMS WERE PRESENTED AS A CONSENT GROUP:

ITEM 50: Adopted as Ordinance 12460 (New Series).

ITEM 50 - Continued:

(0-79-40) Incorporating PARCEL 1, PARCEL MAP NO. 6068 (approximately 12,600 square feet), located on the south side of Tait Street between the easterly terminus of Tait Street and Drescher Street, in the Kearny Vista Community Plan Area, into R-2A ZONE.

See ITEM 53 for motion.

ITEM 51:

Adopted as Ordinance 12461 (New Series).

(0-79-70) Incorporating portions of SECTION 10, TOWNSHIP 15 SOUTH, RANGE 3 WEST, S.B.B.M. into M-1B ZONE, located on the north and south sides of Carroll Canyon Road at the intersection with Carroll Road, in the Mira Mesa Community Plan Area.

See ITEM 53 for motion.

ITEM 52:

Adopted as Ordinance 12462 (New Series).

(0-79-53) Amending Ordinance No. 8760 (New Series) and constituting the SECOND AMENDMENT to Ordinance No. 8760 (New Series), relating to the GRANTING OF A NON-EXCLUSIVE PIPELINE FRANCHISE to San Diego Pipeline Company for a period of forty years to INSTALL, CONSTRUCT, MAINTAIN AND OPERATE A PIPELINE for the transportation of refined petroleum products and other hydrocarbon substances in certain City streets of and within the City of San Diego.

See ITEM 53 for motion.

ITEM 53:

Adopted as Ordinance 12463 (New Series).

(0-79-73) AMENDING Section 1 of Ordinance No. 11658 (New Series), adopted August 6, 1975, AMENDED by Ordinance No. 12062 (New Series), adopted May 11, 1977, INCORPORATING PORTIONS OF LOTS 58, 59, 60 AND 70, RANCHO MISSION OF SAN DIEGO, Referee's Partition Map of a partition of portion of LOT 70, RANCHO MISSION OF SAN DIEGO SCC NO. 15191, and portions of LOTS 27 AND 38 ROSEDALE TRACT, into R-1-5 ZONE, located on the north side of Tierrasanta Boulevard, southeasterly of Tanbor Road, Elliott Community Plan - extension of time to September 5, 1982.

ITEM 53 - Continued:

Motion for ITEMS 50 - 53:

Motion by Stirling to dispense with the reading and adopt.

Second by Mitchell.

Passed unanimously. Absent-None.

THE FOLLOWING ITEMS WERE PRESENTED AS A CONSENT GROUP:

ITEM 100: Two Resolutions relative to AWARDING CONTRACTS:

Subitem a: Adopted as Resolution 222030.

(R-79-653) Universal Truck Body for furnishing HEIL REPAIR PARTS for a period of one year ending October 31, 1979, for an actual estimated cost of \$20,000, with an option to renew for an additional one year period.

Subitem b: Adopted as Resolution 222031.

(R-79-652) Industries Supply Co. for the purchase of 50 EACH 6" TWO WAY FIRE HYDRANTS, for an actual cost, including tax and terms, of \$11,515.84.

See ITEM 110 for motion.

ITEM 101: Adopted as Resolution 222032.

(R-79-629) Calling a PUBLIC HEARING to determine whether the public health, safety or general welfare requires the formation of an UNDERGROUND UTILITY DISTRICT to be known and denominated as the NORTH CLAIREMONT PLAZA UNDERGROUND UTILITY DISTRICT.

See ITEM 110 for motion.

ITEM 102: Adopted as Resolution 222033.

(R-79-636) Calling a PUBLIC HEARING to determine whether the public health, safety or general welfare requires the formation of an UNDERGROUND UTILITY DISTRICT to be known and denominated as the UNIVERSITY AVENUE (Third Avenue to Centre Street) UNDERGROUND UTILITY DISTRICT.

See ITEM 110 for motion.

ITEM 103: Adopted as Resolution 222034.

(R-79-344) DESIGNATING April 15, 1979 as the date upon which all property in the FIFTH AVENUE (Beech Street to Laurel Street) UNDERGROUND UTILITY DISTRICT must be ready to receive underground service and June 15, 1979 as the date for the removal of all overhead utility facilities.

See ITEM 110 for motion.

ITEM 104: Adopted as Resolution 222035.

(R-79-620) DESIGNATING April 20, 1979 as the date upon which all property in the UNIVERSITY AVENUE AND CHOLLAS PARKWAY (54th Street to College Avenue) UNDERGROUND UTILITY DISTRICT must be ready to receive underground service and July 15, 1979 as the date for removal of all overhead utility facilities; revising the BOUNDARY of said district.

See ITEM 110 for motion.

ITEM 105: Adopted as Resolution 222036.

(R-79-582) SETTING A PUBLIC HEARING on the INTENTION to VACATE BALBOA AVENUE between Olney Street and the Alley in Block 211 of Map 854 and Map 791.

See ITEM 110 for motion.

ITEM 106: Adopted as Resolution 222037.

(R-79-580) SETTING A PUBLIC HEARING on the INTENTION to VACATE a portion of CONVOY STREET and KEARNY MESA ROAD adjacent to Lot 3 and Parcel B of Map 4883.

See ITEM 110 for motion.

ITEM 107: Adopted as Resolution 222038.

(R-79-632) Authorizing the MAYOR and the CITY CLERK to execute a DEED conveying to the San Diego Gas & Electric Company an easement for overhead electric facilities affecting that portion of RANCHO SAN BERNARDO.

See ITEM 110 for motion.

ITEM 108: Adopted as Resolution 222039.

(R-79-628) Authorizing an AGREEMENT with Boys' Club of San Diego to REHABILITATE the LINDA VISTA BOYS' CLUB located at 2230 East Jewett Street; authorizing the EXPENDITURE of \$100,066 from COMMUNITY DEVELOPMENT BLOCK GRANT FUND 2940 and \$3,400 from ENGINEERING DEPARTMENT GENERAL FUND 39.21 for said purpose.

See ITEM 110 for motion.

ITEM 109: Adopted as Resolution 222040.

(R-79-654) Authorizing an AGREEMENT with the City of La Mesa for preparation and collection of AMBULANCE INVOICES for services rendered by that City; authorizing the CITY MANAGER to REVISE THE FEE AND PROCEDURE as necessary in the future to insure that the City of San Diego costs are recovered.

See ITEM 110 for motion.

ITEM 110: Adopted as Resolution 222041.

(R-79-649) Establishing a PARKING TIME LIMIT of TWO HOURS, between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the north side of QUIVERA ROAD from Dana Landing to a point 400 feet east; authorizing the installation of necessary signs and markings.

Motion for ITEMS 100 - 110:

Motion by Mitchell to adopt.
Second by Stirling.
Passed unanimously. Absent-None.

ITEM 150: Adopted as Resolution 222042.

(R-79-648) Adopting the following PROPOSED GUIDELINES for INVESTMENT OF RETIREMENT SYSTEM FUNDS and SURPLUS CITY FUNDS: Assuming that the financial considerations of alternative investments are equivalent, the Board of Retirement and the City Treasurer should give preference to those investments which would have the greatest positive impact upon the local economy. Consideration should be given to such factors as job growth, effect on the housing stock and areas of capital deficiency. Such investment preference should not sacrifice the yield, security or fluidity of the portfolio.

Testimony in favor by Shirley Whitehead Lawson, Chris Walker, Michele Damash and Gerry Newport.

Motion by O'Connor to adopt.

Second by Lowery.

Passed unanimously. Absent-3,7.

ITEM 202: Continued to October 30, 1978.

(O-79-74) (Continued from the Meeting of October 2, 1978 at San Diego Police Officer's request.) Amending Chapter II, Article 4, Division 1, of the San Diego Municipal Code by AMENDING SECTION 24.0105 and by ADDING SECTION 24.0105.2, relating to the EXCLUSION FROM THE RETIREMENT SYSTEM OF POLICE RECRUITS.

Testimony in opposition by Pat Thistle and Mr. Murray.

Motion by Stirling to introduce.

No second.

Motion by Stirling to continue.

Second by Lowery.

Withdrawn.

Motion by Gade to continue to October 30, 1978 for further review.

Second by Lowery.

Passed unanimously. Absent-2,4,8.

ITEM 205: Adopted as Resolution 222043.

(R-79-657 Revised 10-13-78) Recommending to the Department of Interior and the California Coastal Commission that the twenty-six tracts between Dana Point and the International Border (Tracts 141 through 166) be withdrawn from Lease Sale No. 48.

Testimony in favor by Gerry Newport.

Motion by Lowery to adopt.

Second by Stirling.

Passed. Yeas-1,2,3,4,7,8,M. Nays-5,6. Absent-None.

ITEMS 206 and 208 WERE CONSIDERED SIMULTANEOUSLY.

ITEM 206: Returned to City Manager.

(Continued from the Meeting of September 18, 1978 at City Manager's request.)

VACATING a portion of CAMINO DEL RIO SOUTH - on Resolution of Intention No. 221618.

(R-79-148) Today's action is adoption of a RESOLUTION OF VACATION.

See ITEM 208 for motion.

ITEM 207: Adopted as Resolution 222044.

VACATING BRANT STREET adjacent to Lot D, Block 321, and Lot I, Block 320, Map 2163 - on Resolution of Intention No. 221783.

(R-79-339) Today's action is adoption of a RESOLUTION OF VACATION.

Hearing began at 5:39 p.m.

Hearing halted at 5:42 p.m.

Motion by Stirling to suspend the Rules to extend time of Meeting past 5:30 p.m.

Second by Lowery.

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

Motion by Stirling to close the hearing and adopt Resolution.

Second by Schnaubelt.

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

ITEM 208: Returned to City Manager.

VACATING a portion of CAMINO DEL RIO SOUTH, adjacent to Lot 1,
Map 8245 - on Resolution of Intention No. 221784.

(R-79-341) Today's action is adoption of a RESOLUTION OF
VACATION.

Motion for ITEMS 206 and 208:

Motion by Mitchell to return ITEMS 206 and 208 to the
City Manager at his request.

Second by Williams.

Passed unanimously. Absent-7.

ITEM 209: Adopted as Resolution 222045.

VACATING a portion of 19TH STREET northerly of Imperial Avenue -
on Resolution of Intention No. 221785.

(R-79-337) Today's action is adoption of a RESOLUTION OF
VACATION.

Hearing began at 5:43 p.m.

Hearing halted at 5:45 p.m.

Motion by Stirling to close hearing and adopt.

Second by Lowery.

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

ITEM 211: ITEM 211 was filed, but 2 Resolutions to be drafted by the City
Attorney were adopted as Resolution Nos. 222046 and 222047.

Matter of a request by Supervisor Jim Bates and Councilman Jess
Haro, Co-Chairpersons of the City/County Reinvestment Task
Force, that the City Council investigate the possibility of
TERMINATING THE INVESTMENT OF PUBLIC FUNDS in companies doing
business in SOUTH AFRICA.

ITEM 211 - Continued:

Testimony in favor by Vernon Sukuniu, Ernest Charles McGray, Dr. Ngubu, Rodey Johnston, Lowell Waxman and Henry Spencer.

Testimony in opposition by Dr. Franklin Kosdon.

Motion by Williams to adopt Resolution investigating the possibility of terminating the investment of public funds in companies doing business in South Africa.

No second.

Motion by Lowery to file Item 211.

Second by Gade.

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

Motion by Stirling urging that the government of the United States condemn and oppose racial oppression in South Africa; and urging U.S. Corporations doing business in South Africa subscribe to Leon Sullivan's Statement of Principles.

Second by Mayor Wilson.

Motion divided:

(1) Urging the government of the United States to condemn and oppose racial oppression in South Africa.

Passed unanimously. Absent-2,4,8. (Adopted as Resolution 222046)

(2) Urging United States corporations doing business in South Africa subscribe to Leon Sullivan's Statement of Principles.

Passed unanimously. Absent-2,4,6,8. (Adopted as Resolution 222047)

ITEM 211 - Continued:

Motion by Gade to amend to include all countries that participate in practice of apartheid.
Second by Schnaubelt.
No vote.

ITEM S-403: Adopted as Resolution 222048.

(R-79-692) Authorizing the City Auditor and Comptroller to transfer up to \$1,000 from the Transient Occupancy Tax Unappropriated Reserve Fund 224 to the Convention and Performing Arts Center Fund 254, for the purpose of off-setting the cost of stage setup and public address systems for Disability Awareness Week, October 16-20, 1978, sponsored by the Community Services Center for the Disabled Incorporated.

Motion by Mitchell to adopt.
Second by O'Connor.
Passed unanimously. Absent-3,7.

UNANIMOUS
CONSENT:

Adopted as Resolution 222049.

(R-79-687) Excusing Councilwoman Maureen O'Connor from the Council meeting of October 17, 1978, for the purpose of attending the California Housing Finance Agency Board Meeting in Irvine.

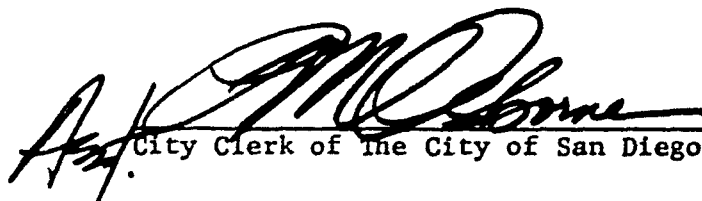
Motion by Stirling to adopt.
Second by Schnaubelt.
Passed unanimously. Absent-2,4,6,8.

ADJOURNMENT:

Motion by Stirling to adjourn the Council Meeting at
5:48 p.m. in memory of Mr. S. L. Brundy.
Second by Mitchell.
Passed unanimously. Absent-2,4,8.

Ruling by Chairman to rescind motion to adjourn the
meeting.

Motion by Lowery to adjourn the Council Meeting at
6:13 p.m. in memory of Mr. S. L. Brundy.
Second by Gade.
Passed unanimously. Absent-2,4,8.



City Clerk of The City of San Diego, California