

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF MONDAY, DECEMBER 10, 1979
IN THE CHAMBERS OF THE COUNCIL AT 2:00 P.M.

ATTENDANCE:

Present: Mayor Wilson (M), Councilmembers Cleator (2), Lowery (3), Gotch (6), Stirling (7), and Killea (8).
Not present: Councilmembers Mitchell (1), Williams (4), and Schnaubelt (5).
Clerk: Mutascio.

Meeting called to order at 2:09 p.m. by Mayor Wilson.

Meeting recessed at 2:40 p.m. by Mayor Wilson.
Meeting reconvened at 4:08 p.m. by Mayor Wilson with Councilmembers Mitchell, Williams, Schnaubelt, and Stirling not present.

ITEM 1: Roll call.
Present-Mayor Wilson, and Councilmembers Cleator, Lowery, Stirling, and Killea.
Not present-Mitchell, Williams, Schnaubelt, and Gotch.

ITEM 10: Invocation given by Father John Bartke.

ITEM 20: Pledge of Allegiance led by Councilmember Killea.

ITEM 30: Approved. (Tape Loc. 003-004)

Approval of Council Minutes for:
10-29-79 P.M.
10-30-79 A.M.
10-30-79 P.M.

ITEM 31: Referred to City Manager and City Attorney.
(Tape Loc. 004-005)

BIDS: On Tuesday, November 20, 1979, the Purchasing Agent opened bids for PAVING and otherwise IMPROVING the ALLEY IN BLOCK 36, NORMAL HEIGHTS.

Today's action is referral to City Manager and City Attorney.

Motion by Stirling to refer.
Second by Killea.
Passed unanimously. Not present-1,4,5.

ITEM 50: Introduced, to be adopted January 7, 1980.
(Tape Loc. 005-006)

(O-80-170) Authorizing the execution of a LEASE AGREEMENT with the San Diego Unified School District for the purpose of LEASE, DEVELOPMENT and MAINTENANCE of a portion of the VALENCIA PARK and PENN ELEMENTARY SCHOOL sites and a portion of the BAY TERRACES JUNIOR HIGH SCHOOL site.

Motion by Stirling to introduce.
Second by Lowery.
Passed unanimously. Not present-1,4,5.

ITEM 100: Three Resolutions relative to AWARDDING CONTRACTS:

Subitem a: Continued to December 17, 1979.

(R-80-886) Environmental Care, Inc. for COMPLETE LANDSCAPE MAINTENANCE OF TWO CITY COMMUNITY PARKS as may be required for a period ending November 30, 1980, for the total cost, including terms, of \$81,087.45, with an option to renew for two additional one-year periods. (Tape Loc. 007-008 & 015-017)

Motion by Stirling to continue to December 17, 1979.
Second by Killea.
Passed unanimously. Not present-1,4,5.

Subitem b: Adopted as Resolution R-250767.

(R-80-883) PPG Industries for the purchase of PAINTS AND COATINGS as may be required for a period of one year ending December 31, 1980, for an estimated cost, including tax, terms and escalation, of \$26,110.40, with an option to renew for an additional one year period with two price escalations, each not to exceed 5% of bid price. (Tape Loc. 006-007)

ITEM 100 continued:

Subitem c: Adopted as Resolution R-250768.

(R-80-884) Vanier Graphics Corp. for the purchase of 400,000 SETS OF PARKING CITATIONS FORM TR-1505 for an actual cost, including tax and terms of \$14,149.86.

See ITEM 126 for motion.

ITEM 101: Adopted as Resolution R-250769. (Tape Loc. 006-007)

(R-80-885) INVITING BIDS for CONSTRUCTION OF METAL BEAM GUARD RAIL AT VARIOUS LOCATIONS - Specifications Document No. A-00023; authorizing a CONTRACT with the lowest responsible and reliable bidder; authorizing the EXPENDITURE, not to exceed \$122,000 from CAPITAL OUTLAY FUND 245 and GAS TAX FUND 220 for said project and related costs, and authorizing the AUDITOR AND COMPTROLLER, upon advice from the administering department, to TRANSFER excess budgeted funds, if any, to the appropriate reserves.

See ITEM 126 for motion.

ITEM 102: Adopted as Resolution R-250770. (Tape Loc. 006-007)

(R-80-887) INVITING BIDS for CONSTRUCTION OF GILMAN DRIVE BIKEWAY BETWEEN I-5 AND VIA ALICANTE - Specifications Document No. A-00024; authorizing a CONTRACT with the lowest responsible and reliable bidder; authorizing the EXPENDITURE, not to exceed \$75,000 from CIP No. 58-035(80) for said project and related costs, and authorizing the AUDITOR AND COMPTROLLER, upon advice from the administering department, to TRANSFER excess budgeted funds, if any, to the appropriate reserves.

See ITEM 126 for motion.

ITEM 103: Adopted as Resolution R-250771. (Tape Loc. 006-007)

(R-80-994) APPROVING the FINAL SUBDIVISION MAP of COLLIER CONDOMINIUM, a 1-lot subdivision located southwest of Collier Avenue and Bancroft Street.

See ITEM 126 for motion.

ITEM 104: Adopted as Resolution R-250772. (Tape Loc. 006-007)

(R-80-991) APPROVING the FINAL SUBDIVISION MAP of COLLWOOD WEST, a 1-lot subdivision located north of Madison Avenue and 51st Street.

See ITEM 126 for motion.

ITEM 105: Adopted as Resolution R-250773. (Tape Loc. 006-007)

(R-80-992) APPROVING the FINAL SUBDIVISION MAP of MEDITERRANEAN VILLAS and ACKNOWLEDGING RECEIPT OF SUBDIVIDER'S ASSURANCE OF COMPLIANCE WITH THE AFFIRMATIVE MARKETING PROGRAM, a 1-lot subdivision located northerly of Trojan Avenue and 53rd Street.

See ITEM 126 for motion.

ITEM 106: Four Resolutions relative to the FINAL SUBDIVISION MAP of STADIUM PARK EAST UNIT #1, a 27-lot subdivision located easterly of Mission Gorge Road and Mission Gorge Place:

(Tape Loc. 006-007)

Subitem a: Adopted as Resolution R-250774.

(R-80-984) Authorizing an AGREEMENT with the Caster Family Trust for the installation and completion of improvements;

Subitem b: Adopted as Resolution R-250775.

(R-80-983) APPROVING THE FINAL MAP AND ACKNOWLEDGING RECEIPT OF SUBDIVIDER'S ASSURANCE OF COMPLIANCE WITH THE AFFIRMATIVE MARKETING PROGRAM;

Subitem c: Adopted as Resolution R-250776.

(R-80-985) Authorizing an AGREEMENT with the Caster Family Trust for participation in the CONSTRUCTION OF A TRAFFIC SIGNAL AND LIGHTING SYSTEM, and to provide for REIMBURSEMENT by the City out of CAPITAL OUTLAY FUND 245, Annual Allocation, New Developments, CIP 58-001, in an amount not to exceed \$23,100; and

Subitem d: Adopted as Resolution R-250777.

(R-80-987) Authorizing the execution of a QUITCLAIM DEED, quitclaiming to CASTER FAMILY TRUST all the City's right, title and interest in the WATER EASEMENT.

See ITEM 126 for motion.

ITEM 107: Adopted as Resolution R-250778. (Tape Loc. 006-007)

(R-80-993) APPROVING the FINAL SUBDIVISION MAP of SUNBURST CONDOMINIUMS and ACKNOWLEDGING RECEIPT OF SUBDIVIDER'S ASSURANCE OF COMPLIANCE WITH THE AFFIRMATIVE MARKETING PROGRAM, a 1-lot subdivision located northwesterly of Success Avenue and Ruffin Road.

See ITEM 126 for motion.

ITEM 108: Adopted as Resolution R-250779. (Tape Loc. 006-007)

(R-80-963) Authorizing the execution of a DEED conveying to San Diego Gas & Electric Company an easement for underground and aboveground electrical facilities affecting LOT 4 of CAMPUS POINT SUBDIVISION.

See ITEM 126 for motion.

ITEM 109: Adopted as Resolution R-250780. (Tape Loc. 006-007)

(R-89-988) Authorizing the execution of a QUITCLAIM DEED, quitclaiming to Genstar Development, Inc., all the City's right, title and interest in a DRAINAGE EASEMENT in Paradise Gardens West Unit No. 2 subdivision.

See ITEM 126 for motion.

ITEM 110: Adopted as Resolution R-250781. (Tape Loc. 006-007)

(R-80-989) Approving the acceptance by the CITY MANAGER of DEED of Mitchell Pacific Development and George D. Kohrt, conveying to City a DRAINAGE EASEMENT; ABANDONING the City's right, title or interest in a DRAINAGE EASEMENT.

See ITEM 126 for motion.

ITEM 111: Adopted as Resolution R-250782. (Tape Loc. 006-007)

(R-80-990) Authorizing an AGREEMENT with the State of California for PARTICIPATION in the WIDENING of Carmel Mountain Road from I-15 to Penasquitos Drive; certifying that the information contained in the ENVIRONMENTAL NEGATIVE DECLARATION 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; authorizing the EXPENDITURE of \$90,000 from CAPITAL OUTLAY FUND 30245 to provide the City's SHARE of the project's total cost of \$180,000, and the EXPENDITURE of \$90,000 from TRUST FUND 63021 to provide the developers SHARE of the project's cost.

See ITEM 126 for motion.

ITEM 112: Adopted as Resolution R-250783. (Tape Loc. 006-007)

(R-80-974) Authorizing a SUPERSEDING FREEWAY AGREEMENT on Route 15 from 0.9 mile north of Carmel Mountain Road to 0.3 mile north of Bernardo Center Drive; certifying that the information contained in the ENVIRONMENTAL NEGATIVE DECLARATION 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; authorizing the EXPENDITURE of an amount not to exceed \$23,180.50 from CAPITAL OUTLAY FUND 30245 ANNUAL ALLOCATION NEW DEVELOPMENTS on City streets for REIMBURSEMENT to Security Pacific Bank for the relocation of a sewer line.

See ITEM 126 for motion.

ITEM 113: Adopted as Resolution R-250784. (Tape Loc. 006-007)

(R-80-923) Authorizing the PERSONNEL DIRECTOR to enter into an AGREEMENT with the California Department of Rehabilitation for the purpose of ESTABLISHING an ON-THE-JOB TRAINING PROGRAM for the handicapped; said agreement to provide that the above Department is to PAY the full salaries and fringe benefits of the trainees.

See ITEM 126 for motion.

ITEM 114: Adopted as Resolution R-250785. (Tape Loc. 006-007)

(R-80-981) Authorizing an AGREEMENT with L. J. Osburn for PARTICIPATION in STREET IMPROVEMENTS for a portion of Tonawanda Drive, and to provide for REIMBURSEMENT by the City out of CAPITAL OUTLAY FUND 245 from the Annual Allocation, New Development, CIP 58-001, in an amount not to exceed \$26,600.

See ITEM 126 for motion.

ITEM 115: Adopted as Resolution R-250786. (Tape Loc. 006-007)

(R-80-936) Authorizing an AGREEMENT with William E. Peach and Associates for the purpose of providing LANDSCAPE ARCHITECTURAL SERVICES for the DESIGN of ALCOTT NEIGHBORHOOD PARK; authorizing the EXPENDITURE of \$18,450 from PARK SERVICE DISTRICT FUND 11461 for the above-stated purpose.

See ITEM 126 for motion.

ITEM 116: Adopted as Resolution R-250787. (Tape Loc. 006-007)

(R-80-804) Authorizing an AGREEMENT with The Planning Center for the PREPARATION of a GENERAL DEVELOPMENT PLAN and an ENVIRONMENTAL IMPACT REPORT for the development of Fiesta Island in Mission Bay Park; authorizing the EXPENDITURE of \$20,950 from the PARK AND RECREATION BOND FUND 30725 for the above-stated purpose.

See ITEM 126 for motion.

ITEM 117: Adopted as Resolution R-250788. (Tape Loc. 006-007)

(R-80-975) Authorizing an AGREEMENT with Helix Engineering Service to provide PROFESSIONAL ENGINEERING SERVICES relating to DESIGN PLANS for the construction of storm drain systems in Girard Avenue/Prospect Street between Girard Avenue at Prospect Street (westerly intersection) and Girard Avenue at Coast Boulevard, and in San Miguel Avenue between Ocean View Boulevard and Los Pinos Avenue; authorizing the EXPENDITURE of not to exceed \$14,600 from FUND 30244, for providing funds for the above services.

See ITEM 126 for motion.

ITEM 118: Adopted as Resolution R-250789. (Tape Loc. 006-007)

(R-80-935) Authorizing an AGREEMENT with Kercheval and Associates, Inc., for the purpose of providing PROFESSIONAL SERVICES to DESIGN IMPROVEMENTS for reconstruction of the Children's Pool Lifeguard Facility Retaining Wall; authorizing the EXPENDITURE of \$18,000 from CAPITAL OUTLAY FUND 30245 for the above-stated purpose.

See ITEM 126 for motion.

ITEM 119: Adopted as Resolution R-250790. (Tape Loc. 008-015)

(R-80-972) Authorizing an AGREEMENT with Ernesto Abarro to serve as COORDINATOR for the City's RIDE-SHARING PROGRAM; authorizing the EXPENDITURE of \$15,000 from GENERAL FUND 100, DEPT/FUNCTION 082, OBJECT ACCOUNT 4222 for the purpose of providing funds for the above described services.

Motion by Lowery to adopt with direction to staff to report to Transportation & Land Use Committee after 120 days to evaluate the authorized position and its function.

Second by Stirling.

Passed unanimously. Not present-1,4,5.

ITEM 120: Adopted as Resolution R-250791. (Tape Loc. 006-007)

(R-80-973) Authorizing an AGREEMENT with Victoria Whelan to serve as COORDINATOR for the federally funded PARATRANSIT MONITORING STUDY; authorizing the EXPENDITURE of \$20,664 from FUND 18801, DEPT./FUNCTION 1801, OBJECT ACCOUNT 4222 for the purpose of providing funds for the above described services.

See ITEM 126 for motion.

ITEM 121: Adopted as Resolution R-250792. (Tape Loc. 006-007)

(R-80-942) Approving CHANGE ORDER NO. 2, issued in connection with the contract with McCain Construction Company, Inc., said changes amounting to a NET INCREASE in the contract price of \$34,449 and an extension of time of 50 working days extending the completion time to 170 days.

See ITEM 126 for motion.

ITEM 122: Adopted as Resolution R-250793. (Tape Loc. 006-007)

(R-80-998) Approving CHANGE ORDER NO. 6, issued in connection with the contract with Olson Construction Company for ELECTRIC BUILDING RECONSTRUCTION - PHASES III and IV, said changes amounting to a NET INCREASE in the contract price of \$14,895.

Motion by Killea to adopt.

Second by Lowery.

Passed unanimously. Not present-1,4,5.

ITEM 123: Adopted as Resolution R-250794. (Tape Loc. 006-007)

(R-80-969) Requesting the Office of Planning and Research to provide PLANNING ASSISTANCE under authority of the Government Code of the State of California, with such FINANCIAL ASSISTANCE as may be provided by the California Coastal Commission, not to exceed the amount of \$289,860, relating to Local Coastal Program processing; authorizing the CITY MANAGER or his representative, to execute in the name of the City, all APPLICATIONS, CONTRACTS and AGREEMENTS and AMENDMENTS hereto to IMPLEMENT and CARRY OUT the purposes specified in this resolution.

See ITEM 126 for motion.

ITEM 124: Adopted as Resolution R-250795. (Tape Loc. 006-007)

(R-80-944) 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 MALLARD STREET between Federal Boulevard and Holstrom Place; authorizing the installation of the necessary signs and markings.

See ITEM 126 for motion.

ITEM 125: Adopted as Resolution R-250796. (Tape Loc. 006-007)

(R-80-298) Approving pursuant to Section 8 of the Annual Salary Ordinance the classifications of personnel in the classified service eligible for premium or regular rate overtime through June 30, 1980.

See ITEM 126 for motion.

ITEM 126: Adopted as Resolution R-250797. (Tape Loc. 006-007)

(R-80-995) Approving the CONCEPT of Neighborhood House Association's USE of a portion of their current Revenue Sharing allocation from the City as a TEN PERCENT MATCH for a Law Enforcement Assistance Administration Grant for JUVENILE DIVERSION.

MOTION FOR ITEMS 100 THROUGH 126 EXCEPT FOR ITEMS 100a, 119, AND 122

Motion by Lowery to adopt.
Second by Killea.
Passed unanimously. Not present-1,4,5.

ITEM 150: Adopted as Resolution R-250798. (Tape Loc. 021-022)

(R-80-556) Authorizing an AGREEMENT with Krommenhoek/McKeown & Associates to provide PROFESSIONAL SERVICES for area POLICE STATIONS; authorizing the EXPENDITURE of \$262,000 from CAPITAL OUTLAY FUND 245 for the above purpose and related project costs.

Motion by Stirling to adopt.
Second by Cleator.
Passed unanimously. Not present-1,4,5.

ITEM 151: Adopted as Resolution R-250799. (Tape Loc. 022-024)

(R-80-982) Requesting the MAYOR to COMMUNICATE with the Board of Supervisors of San Diego County concerning the SERIOUS DEFICIENCIES identified with the County-owned UHF EMERGENCY MEDICAL SERVICES COMMUNICATION SYSTEM and requesting the County to immediately initiate a COMPREHENSIVE STUDY of said system.

Motion by Killea to adopt.
Second by Lowery.
Passed unanimously. Not present-1,4,5.

ITEM 152: (Continued from the Meeting of November 19, 1979 at David R. Sherer's request.) Three Items relative to POLICE REGULATED BUSINESSES: (Tape Loc. 024-025)

Subitem a: Introduced, to be adopted January 7, 1980.

(0-79-300 Rev.) Amending Chapter III, Article 3 of the San Diego Municipal Code by ADDING SECTIONS 33.0102, 33.0103 and 33.0104; AMENDING SECTIONS 33.0304, 33.0401, 33.0501, 33.0502, 33.1006.3, 33.1006.4, 33.1405, 33.1410, 33.1501, 33.1520.2, 33.1520.3, 33.1520.6, 33.1560.2, 33.1625.2, 33.1625.3, 33.1625.5 (e), 33.1625.8, 33.1625.10, 33.1625.11, 33.2003, 33.2007, 33.3301, 33.3302, 33.3303, 33.3304, 33.3305, 33.3318, 33.3406, 33.3506 (a), 33.3508 (a), 33.3510 (a), 33.3510 (b) (12), 33.3517, 33.3519, 33.3606 (a), 33.3608 (a), 33.3612, 33.3613 and 33.3616; and REPEALING SECTIONS 33.1501.1, 33.1501.9, 33.1501.13, 33.1501.14, 33.1520.5, 33.1520.7, 33.1520.8, 33.1550.1, 33.1550.2, 33.1550.5, 33.1550.11, 33.1550.12, 33.1560.4, 33.1560.5, 33.1560.7, 33.1630.1, 33.1630.2, 33.1655, 33.2006, 33.2008, 33.3306, 33.3307, 33.3308, 33.3309, 33.3310, 33.3311, 33.3312, 33.3317, 33.3520, 33.3521, 33.3522, 33.3617, 33.3618 and 33.3619 relating to the above;

Subitem b: Adopted as Resolution R-250800.

(R-79-1907) AMENDING COUNCIL POLICY NO. 000-11; and

Subitem c: Adopted as Resolution R-250801.

(R-80-826) Approving that the FORM OF AGREEMENT between the CITY OF SAN DIEGO and ADJUDICATORS to conduct hearings, prepare findings of fact, provide recommendations and a decision in appeals from decisions of the Police Chief relating to the above.

Motion by Stirling to introduce (a), and adopt (b) and (c).

Second by Lowery.

Passed unanimously. Not present-1,4,5.

ITEM 200: Adopted as Resolution R-250802. (Tape Loc. 033-043)

(R-80-569) Authorizing a FIRST AMENDMENT to LEASE AGREEMENT with Gentry & Coles, involving certain property in the area of Midway and West Point Loma Boulevard, for the purpose of EXTENDING the term of the lease from 40 years to 55 years, and TRANSFERRING JURISDICTION regarding administration of the lease from the City Manager to the Executive Director of the Housing Authority /Commission.

Motion by Killea to adopt.
Second by Stirling.
Passed unanimously. Not present-1,4,5.

ITEM S-400: Adopted as Resolution R-250803. (Tape Loc. 025-029)

(R-80-962) INVITING BIDS for RENOVATION OF SAN DIEGO STADIUM PLAYING FIELD - 1980 - Specifications Document No. A-00026; authorizing a CONTRACT with the lowest responsible and reliable bidder; authorizing the EXPENDITURE, not to exceed \$75,000 from SAN DIEGO STADIUM OPERATING FUND NO. 10330 for said project and related costs, and authorizing the AUDITOR AND COMPTROLLER, upon advice from the administering department, to TRANSFER excess budgeted funds, if any, to the appropriate reserves.

Motion by Stirling to adopt.
Second by Lowery.
Passed unanimously. Not present-1,4,5.

ITEM S-401: Adopted as Resolution R-250804. (Tape Loc. 029-032)

(R-80-1032) REJECTING the SOLE BID received November 28, 1979 for CONSTRUCTION OF ROSE CREEK INLET RESTORATION; authorizing the Purchasing Agent to READVERTISE FOR BIDS for CONSTRUCTION OF ROSE CREEK INLET RESTORATION - Specifications Document No. A-00025.

Motion by Gotch to adopt.
Second by Stirling.
Passed unanimously. Not present-1,4,5.

UNANIMOUS
CONSENT #1:

Adopted as Resolution R-250805. (Tape Loc. 032-033)

(R-80-) Excusing Councilman Stirling from attending Council and Committee Meetings during the week of December 17, 1979 - December 20, 1979, in order that he may take vacation time.

Motion by Killea to adopt.
Second by Lowery.
Passed unanimously. Not present-1,4,5.

EXECUTIVE
SESSION #1:

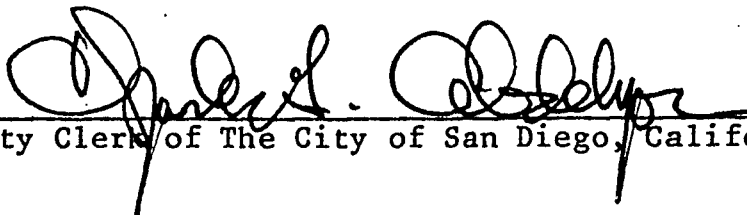
Adopted as Resolution R-250806. (Tape Loc. 053-057)

(R-80-1079) Protesting the proposed acquisition by eminent domain by the City of Escondido of approximately 77.5 acres of property owned by the City of San Diego, which property is sought to be used for park purposes to replace other park property proposed to be leased by the City of Escondido for shopping center development.

Motion by Lowery to adopt.
Second by Killea.
Passed unanimously. Not present-1,4,5.

ADJOURNMENT:

Meeting adjourned at 4:31 p.m. by Mayor Wilson in memory of Superior Court Judge Eli Levenson, and Mrs. Helen Ann Ninteman.



City Clerk of The City of San Diego, California