

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, AUGUST 29, 1978
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
8:30 A.M.

Present--Councilmen Mitchell, O'Connor Schnaubelt, Gade and Stirling.
Absent--Councilmen Lowery, Williams, Haro and Mayor Wilson.
Clerk---Charles G. Abdelnour.

Acting Mayor O'Connor called the Regular Meeting to order at 9:11 a.m.

(ITEM 300)

Roll call was taken.

(ITEM 330)

(Continued from the Meeting of August 1, 1978 due to lack of time.)

Matter of REZONING a portion of PARCEL "A" and all of PARCEL "B", PARCEL MAP NO. 795 and a portion of LOTS 2 AND 3, PARTITION OF PUEBLO LOT 1209 of the PUEBLO LANDS OF SAN DIEGO, S.C.C. NO. 8341 (approximately 10.8 acres), located on the north side of Balboa Avenue between Moraga Street and Clairemont Drive, in the Clairemont Mesa Community Plan area, from ZONES CO, R-1-5 and R-1-15 to ZONE R-2A.

A motion by Councilman Gade to continue to the Meeting of September 19, 1978, 10:30 a.m., time certain, for a full Council, passed unanimously with Councilmen Lowery, Williams, Haro and Mayor Wilson absent.

(ITEM 338)

(Continued from the Meetings of March 6 and 13, May 1 and 30, 1978 to allow Navy and Centre City Development Corporation to review alternative sites for the hospital.)

Matter of discussion on a site for the Naval Hospital.

A motion by Councilman Stirling to continue to the Meeting of October 24, 1978, 8:30 a.m., time certain, for a full Council, passed unanimously with Councilmen Lowery, Williams, Haro and Mayor Wilson absent.

(ITEM 337)

(Continued from the Meeting of August 14, 1978 at the Mayor's request.)

Excusing COUNCILMAN JESS HARO from all COUNCIL AND COMMITTEE MEETINGS from August 7, 1978 through November 5, 1978.

A motion by Councilman Gade to continue to the Meeting of September 5, 1978, 8:30 a.m., time certain, to be combined with Councilman Gade's related item, passed unanimously with Councilmen Lowery, Williams, Haro and Mayor Wilson absent.

(ITEM S-501)

Matter of amending Resolution 221645 authorizing the SALE of a portion of LOT 1, RESEARCH PARK SUBDIVISION ADDITION (MAP 6386) to James R. Youngson, et al., and authorizing the MAYOR and CITY CLERK to execute a GRANT DEED to the same party.

A motion by Councilman Stirling to rescind RESOLUTION 221645 and adopt a resolution authorizing the SALE of a portion of LOT, RESEARCH PARK SUBDIVISION ADDITION (MAP 6386) to James R. Youngson, et al., or his designee(s) and authorizing the Mayor and City Clerk to execute a Grant Deed to the same party, passed unanimously as RESOLUTION 221729 with Councilmen Lowery, Williams, Haro and Mayor Wilson absent.

(ITEM S-502)

Matter of LEASE PROPOSALS for LOTS 11-15 at Montgomery Field Airport.

A motion by Councilman Stirling to continue to the Meeting of September 12, 1978, 10:30 a.m., time certain, for a full Council, passed unanimously with Councilmen Lowery, Williams, Haro and Mayor Wilson absent.

Acting Mayor O'Connor recessed the Meeting at 9:22 a.m. Upon reconvening at 9:24 a.m., the roll call showed Councilmen Lowery, Williams, Haro and Mayor Wilson absent.

(ITEM 334)

APPEAL of FRANK PAUL SCOTT, from the decision of the PLANNING COMMISSION in DENYING PRELIMINARY PARCEL MAP NO 78-154, which proposes a two-parcel parcel map of LOT 1, BAY PARK VISTA UNIT 1, MAP 2709, located on the east side of McGraw Street and south of Baker Street, in the R-1-5 ZONE, and within the boundaries of the Clairemont Mesa Community Plan.

Public testimony on continuance.

A motion by Councilman Gade to continue to the Meeting of September 5, 1978, 3:00 p.m., time certain, at the appellant's request, passed unanimously with Councilmen Lowery, Williams, Haro and Mayor Wilson absent.

(ITEM 310)

A Resolution authorizing SUGGESTION AWARDS and making a presentation to the following employees:

Danny L. Lenz - General Services Department - \$500; Aldo Chiappone - Water Utilities Department - \$475; John H. Vaughn - Fire Department - \$200; and Robert S. Zarkos - Police Department - \$145.

A motion by Councilman Gade to adopt, passed unanimously as RESOLUTION 221718 with Councilmen Lowery, Williams, Haro and Mayor Wilson absent.

(ITEM 311)

Six Resolutions authorizing SUGGESTION AWARDS to the following employees:

a - Phillip J. Love - General Services Department - \$80; John E. Mills - Engineering & Development Department - \$60; Charles R. Johnson - Library Department - \$50; Nina L. Ladd - Police Department - \$35;

b - Estevan R. Limon, Jr. - General Services Department - \$35; Robert W. Snowden - General Services Department - \$35; Thomas B. Wells - General Services Department - \$25; D. Gary Lee - Fire Department - \$25 and Lucy H. Galvin - Department of the City Council - \$25;

c - Maryanne Piumatti - Department of the City Auditor - \$25; Clifford D. Loomis - Housing and Community Services Department - \$20; Myrna F. Choate - Risk Management Department - \$20; Barbara J. Butler - Police Department - \$20; and James H. Kline - Fire Department - \$10;

d - German Gonzalez - Personnel Department - \$10; Faye L. Walsh - Personnel Department - \$10; and Faye L. Walsh - Personnel Department - \$10;

e - Gloria L. Gordon - Police Department - \$15; Earl M. Shepard - Fire Department - \$15; Robert H. Marlow - Fire Department - \$15; and George E. Hubbard - General Services Department - \$10; and

f - Nina L. Ladd - Police Department - \$55; Susan E. Roos - Police Department - \$55; Sylvia Johnson - Water Utilities Department - \$15; Sylvia Johnson and Olivia Sardinha - Water Utilities Department - \$15; and Russell I. Skillman - General Services Department - \$15.

A motion by Councilman Stirling to adopt, passed unanimously as: a-RESOLUTION 221719, b-RESOLUTION 221720, c-RESOLUTION 221721, d-RESOLUTION 221722, e-RESOLUTION 221723 and f-RESOLUTION 221724 with Councilmen Lowery, Williams, Haro and Mayor Wilson absent.

(ITEM 331)

Matter of REZONING LOTS 28-43 and portions of LOTS 44-47, BLOCK 127; LOTS 1, 10-24 and portions of LOTS 2-5, 7-9, 25-39 and 43-48, BLOCK 128, CHOATES ADDITION, MAP NO. 167; portions of LOTS 29-35, BLOCK 1, McLARENS H STREET ADDITION, MAP NO. 219; LOTS 40-48 and portions of LOTS 36-39, BLOCK 1, REED AND SWAYN'S CENTRAL PARK ADDITION, MAP NO. 982; portion of LOT 25, BLOCK 143, CHOATES ADDITION, MAP NO. 167; LOTS 1-27 and portions of LOTS 28-31, BLOCK 1, DELLS PARK, MAP NO. 1172; LOTS 1-27, BLOCK 1, McLARENS H STREET ADDITION, MAP NO. 291 and LOTS 1-20, BLOCK 6, McLARENS H STREET ADDITION, MAP NO. 219 (approximately 8.1 acres), located on the north and south sides of Market Street between 32nd Street and Wabash Boulevard (I-15), in the Southeast San Diego Community Plan area, from ZONES R-4 and C to ZONE M-1B.

(ITEM 331 - Continued)

Staff testimony

A motion by Councilman Gade to close the hearing, adopt 331-a as RESOLUTION 221725(see attached) and introduce an Ordinance for M-1B Zoning, passed unanimously by the following vote: Yeas-Councilmen Mithcell, O'Connor, Schnaubelt, Gade and Stirling. Nays-None. Absent-Councilmen Lowery, Williams, Haro and Mayor Wilson.

(ITEM 332)

Matter of REZONING a portion of BLOCK 25, TRACT NO. 2, ENCANTO HEIGHTS, MAP NO. 1100 as shown on MAP NO. 2121 and a portion of WINNETT STREET VACATED (approximately 24,788 square feet), located at the northerly terminus of Winnett Street between Federal Boulevard and Highway 94, in the Southeast San Diego Community Plan area, from ZONE C to ZONE M-1A.

Staff testimony.

A motion by Councilman Gade to close the hearing, adopt 332-a as RESOLUTION 221726(see attached) and introduce an Ordinance for M-1A Zoning, passed unanimously by the following vote: Yeas-Councilmen Mitchell, O'Connor, Schnaubelt, Gade and Stirling. Nays-None. Absent-Councilmen Lowery, Williams, Haro and Mayor Wilson.

(ITEM 333)

Matter of REZONING PARCEL 1, PARCEL MAP NO. 5405 and a portion of VIRGINIA AVENUE CLOSED (approximately 5.7 acres), located on the north side of Avenida Camiones between Virginia Avenue and I-5, in the San Ysidro Community Plan area, from ZONES R-2 and R-4 to ZONE C-1.

A motion by Councilman Stirling to close the hearing, adopt 333-a as RESOLUTION 221727(see attached) and introduce an Ordinance for C-1 Zoning, passed unanimously by the following vote: Yeas-Councilmen Mitchell, O'Connor, Schnaubelt, Gade and Stirling. Nays-None. Absent-Councilmen Lowery, Williams, Haro and Mayor Wilson.

(ITEM S-503)

Fixing the TAX RATES and levying TAXES for the FISCAL YEAR 1978-79.

By common consent this item was trailed to the afternoon session of the Meeting of August 29, 1978.

(UNANIMOUS CONSENT)

Granted to Mayor Wilson.

Excusing Mayor Pete Wilson from the Council Meeting of August 29, 1978.

Discussion followed.

(1) A motion by Councilman Mitchell to refer to the Committee on Rules, Legislation and Intergovernmental Relations the matter of establishing a policy on Councilmember attendance and scheduling of vacations, to be presented by Councilman Mitchell, passed unanimously with Councilmen Lowery, Williams, Haro and Mayor Wilson absent.

(UNANIMOUS CONSENT - Continued)

(2) A motion by Councilman Stirling to adopt the resolution excusing Mayor Pete Wilson from the Council Meeting of August 29, 1978, passed unanimously as RESOLUTION 221728 with Councilmen Lowery, Williams, Haro and Mayor Wilson absent.

Acting Mayor O'Connor recessed the Meeting at 9:48 a.m. Upon reconvening at 10:30 a.m. the roll call showed Councilmen Mitchell, Lowery, Williams, Stirling, Haro and Mayor Wilson absent.

The Meeting was delayed due to lack of a quorum.

Councilmen Mitchell and Stirling entered the Chambers.

A quorum is now present.

(ITEM 335)

(Continued from the Meeting of August 1, 1978 at the requests of Don Worley and Mr. Roth.)

APPEAL of THOMAS H. ROTH, from the decision of the PLANNING COMMISSION in DENYING PRELIMINARY PARCEL MAP NO. 78-155, which proposes a one-parcel parcel map of a portion of PUEBLO LOT 1779, located on the west side of Soledad Road northerly of Bahia Drive, in the R-1-10 Zone, and within the boundaries of the La Jolla Community Plan.

Public testimony on continuance.

A motion by Councilman Stirling to continue to the Meeting of September 19, 1978, at the appellant's request, passed unanimously with Councilmen Lowery, Williams, Haro and Mayor Wilson absent.

(ITEM 336)

APPEAL of MR. AND MRS. DAVID KORN from the decision of the HISTORICAL SITE BOARD in requiring modifications to be made to their residence located at 287 Playa del Sur in La Jolla.

Public testimony.

A motion by Councilman Stirling to continue to the Meeting of September 19, 1978, at the appellant's request, passed unanimously with Councilmen Lowery, Williams, Haro and Mayor Wilson absent.

(ITEM S-500)

(Continued from the Meetings of April 18, May 16 and August 15 and 21, 1978 at Councilman Stirling's request.)

APPEALS of ROSS R. TRUESDALE, RONALD J. and CHERYL D. WAGAR, BEN B. and SARALOU G. DAMERON, JERRY and ANNETTE GARNER, JACK A. and CLARA GRAHAM, ROY E. MANN, ANN T. MEADE, RICHARD J. and MARGARET A. ROSSETTER, MARTHA A. SMITH and ROBERT E. TUGEND from the decision of the PLANNING COMMISSION in GRANTING the

(ITEM S-500 - Continued)

application of MARBURN CORPORATION, owner/permittee, to construct 52 attached residential units with a tennis court, parking and landscaping on 6.30 acres in the R-1-5 ZONE. The property is located on the east side of College Avenue between I-8 and Del Cerro Boulevard and is more particularly described as a portion of LOT 67, RANCHO MISSION OF SAN DIEGO.

Staff testimony.

Public testimony on continuance.

A motion by Councilman Stirling to continue to the Meeting of October 31, 1978, 2:00 p.m., time certain, at the City Manager's request and direct the City Clerk to notify all appellants of this action, passed unanimously with Councilmen Lowery, Williams, Haro and Mayor Wilson absent.

Acting Mayor O'Connor recessed the Meeting at 10:40 a.m. to reconvene at 2:00 p.m.

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, AUGUST 29, 1978
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
2:00 P.M.

Present-Councilmen Mitchell, Schnaubelt, Gade, Stirling and Acting Mayor O'Connor.
Absent--Councilmen Lowery, Williams, Haro and Mayor Wilson.
Clerk---Abdelnour.

Acting Mayor O'Connor called the Regular Meeting to order at 2:10 p.m.

(ITEM 30)

Roll call was taken.

(ITEM 339)

An Ordinance amending Ordinance No. 12397 (New Series), 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."

Staff gave reports.

Councilman Lowery entered the Chambers.

Staff reports continued.

The motion by Councilman Stirling to introduce, dispense with the reading and adopt the ordinance as amended to reduce the unallocated reserve by an amount that would reduce the total budget to \$250,000,000 as ORDINANCE 12428 (new Series), was not voted on at this time.

Testimony by Ruth Schneider.

Staff answered questions.

The vote was then taken on Councilman Stirling's motion which passed unanimously with Councilmen Williams, Haro and Mayor Wilson absent.

(ITEM S-503)

Fixing the TAX RATES and levying TAXES for the FISCAL YEAR 1978-79.

Staff gave reports.

The motion by Gade to introduce dispense with the reading and adopt the ordinance as ORDINANCE 12429 (New Series) passed by the following vote: Yeas-Councilmen Mitchell, Lowery, Schnaubelt, Gade and Acting Mayor O'Connor. Nays-Councilman Stirling. Absent-Councilmen Williams, Haro and Mayor Wilson.

(ITEM 339 - Second time)

(1) Motion by Councilman Schnaubelt to direct the City Manager to establish a goal of \$235,000,000 for FY 1979-80 Budget, was not voted on at this time.

(2) Motion by Councilman Lowery to Refer to the City Manager for a report back to Council in 30 days on what curtailment is necessary to set a goal of \$235,000,000 for FY 1980 budget was not voted on at this time.

Discussion followed.

The vote was then taken on motion (1) which failed due to lack of five affirmative votes by the following vote: Yeas-Councilmen Schnaubelt, Gade and Stirling. Nays-Councilmen Mitchell, Lowery and Acting Mayor O'Connor. Absent-Councilmen Williams, Haro and Mayor Wilson.

Staff gave report.

The vote was then taken on motion (2) which had been amended by common consent to place the matter on Council docket for November 14, 1978, which passed unanimously with Councilmen Williams, Haro and Mayor Wilson absent.

(ITEM 340)

Two Resolutions relative to CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE A TAXICAB:

a - REVOKING the certificate issued to Steven F. Ferguson; and

b - GRANTING said certificate to Jing-Shiang Lee subject to compliance with all provisions of the San Diego Municipal Code; declaring that in the event the certificate holder named herein fails to pay the business fees called for under Municipal Code Section 31.0344 and in the manner provided in Section 31.0104 within twenty days of the adoption of this resolution and commence operation of his taxicab for which the certificate is now issued within ninety days of the adoption of this resolution, the City Manager is directed to recommend the revocation of the certificate and to present to City Council the next prospective individual owner/operator applicant as determined by the date of filing an application.

(1) Motion by Councilman Stirling to continue 340 (b) to September 19, 1978 2:00 p.m. passed unanimously with Councilmen Williams, Haro and Mayor Wilson absent.

This action was reconsidered later in the Meeting by motion (4).

Staff gave reports.

Testimony by Floyd Morrow, Tom Grillo, Raymond Cratt and Jack Stevenson.

(2) Motion by Councilman Stirling to amend Resolution (a) to express intent to revoke the certificate if any violation is reported by the Police Department. This includes any moving violation, any failure to appear, any arrest, any failure to file reports or refuse a lawful order of a San Diego Police Officer, any traffic violation reported back to Council, and adopt as amended as RESOLUTION 221730, was not voted on at this time.

Discussion followed.

The vote was taken on motion (2) which passed by the following vote: Yeas-Councilmen Mitchell, Lowery, Schnaubelt, Gade and Stirling. Nays-Councilwoman O'Connor. Absent-Councilmen Williams, Haro and Mayor Wilson.

(ITEM 340 - Continued)

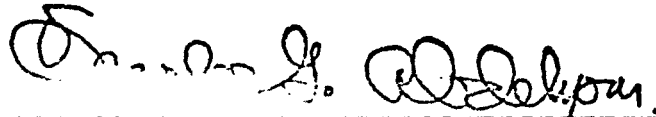
(3) Motion by Councilman Stirling to refer the subject of taxicab reporting procedure to Transportation and Land Use Committee passed unanimously with Councilmen Williams, Haro and Mayor Wilson absent.

(4) Motion by Gade to reconsider Council's action on 340 (b) (Motion (1)) passed unanimously with Councilmen Williams, Haro and Mayor Wilson absent..

(5) Motion by Gade to file item 340 (b) passed unanimously with Councilmen Williams, Haro and Mayor Wilson absent.

(ADJOURNMENT)

The Regular Meeting was adjourned at 4:50 p.m.



City Clerk of The City of San Diego, California