

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF MONDAY, AUGUST 13, 1979
IN THE CHAMBERS OF THE COUNCIL AT 2:00 P.M.

ATTENDANCE:

Present: Mayor Wilson (M), Councilmembers Mitchell (1), O'Connor (2),
Lowery (3), Schnaubelt (5), Gade (6), and Killea (8).
Not present: Councilmembers Williams (4) and Stirling (7).
Clerk: Abdelnour.

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

Meeting adjourned at 3:29 p.m. by Mayor Wilson into Executive Session.

ITEM 1: Roll call.
Present-Mayor Wilson, Councilmembers Mitchell, O'Connor, Lowery,
and Killea.
Not present-Councilmembers Williams, Schnaubelt, Gade, and
Stirling.

ITEM 10: Invocation given by Reverend Keith Sargent.

ITEM 20: Pledge of Allegiance led by Councilmember Killea.

ITEM 30: Did not appear.

Ten visitors from France with the Pacific American Institute
will attend this meeting accompanied by Norma & Ed Hasselman and
Linda Jacoway.

ITEM 31: Approved. (Tape Loc. 039 - 040)

Approval of Council Minutes for:
07-23-79 P.M.
07-24-79 A.M. and P.M.

Motion by Lowery to approve.
Second by Killea.
Passed unanimously. Not present-4,7,M.

ITEM 32: Referred to City Manager and City Attorney.
(Tape Loc. 040 - 041)
BIDS: On Tuesday, July 31, 1979, the Purchasing Agent opened bids for PAVING and otherwise improving THE ALLEY IN BLOCK 8, NORTH SHORE HIGHLANDS.

Motion by Schnaubelt to refer to the City Manager and City Attorney.
Second by Lowery.
Passed unanimously. Not present-4,7,M.

ITEM 50: Continued to August 20, 1979. (Tape Loc. 027- 030)
(O-80-1) Incorporating a portion of HUFFMAN TRACT, ENCANTO, MAP NO. 749 (approximately 2.65 acres), located on the east side of 61st Street between Imperial Avenue and Benson Avenue, in the Southeast San Diego Community Plan Area, into R-2 ZONE.

(CASE NO. 29-79-3. Introduced 7-31-79. Council voted 8-0. District 3 not present.)

See ITEM 52 for motion.

ITEM 51: Adopted as Ordinance 15000 (New Series).
(Tape Loc. 027 - 030)
(O-80-23) Amending Chapter II, Article 3, Divisions 4, 6, 7 and 9 of the San Diego Municipal Code, by AMENDING SECTION 23.0402 (Rule III, Section 2); SECTION 23.0601 (Rule V, Section 1); SECTION 23.0603 (Rule V, Section 3); SECTION 23.0604 (Rule V, Section 4); SECTION 23.0607 (Rule V, Section 7); SECTION 23.0703 (Rule VI, Section 3) and SECTION 23.0903 (Rule VIII, Section 2) relating to EXAMINATION, LAYOFF AND REEMPLOYMENT, CERTIFICATION AND PROMOTION.

(Introduced 7-30-79. Council voted 5-0. Districts 2, 3, 4 and Mayor not present.)

See ITEM 52 for motion.

ITEM 52: Adopted as Ordinance 15001 (New Series).

(Tape Loc. 027 - 030)

(O-79-206) Amending Chapter IX, Article 1 of the San Diego Municipal Code by REPEALING SECTIONS 91.02.0603, 91.02.0703, 91.02.0803, 91.02.0903, 91.02.1003, 91.02.1103, 91.02.1203, 91.02.1303, 91.02.2314, 91.02.TABLE 23-1, 91.02.2518, 91.02.2609, 91.02.2627, 91.02.3803, 91.02.3805, 91.02.4903, 91.02.5406, 91.02.TABLE 54-D AND 91.02.TABLE 54-E; by AMENDING SECTIONS 91.01, 91.02.0104, 91.02.0204, 91.02.0301, 91.02.0302, 91.02.0304, 91.02.0404, 91.02.0420, 91.02.TABLE 5-A, 91.02.1101, 91.02.1105, 91.02.1302, 91.02.1304, 91.02.1404, 91.02.1502, 91.02.1709, 91.02.2505, 91.02.TABLE 25-C-1, 91.02.2611, 91.02.3203, 91.02.3305, 91.02.3312, 91.02.3603, 91.02.4706, 91.02.5401 AND 91.0405; and by ADDING SECTIONS 91.02 AND 91.02.1717 relating to BUILDING AND BUILDING REGULATION.

(Introduced 7-30-79. Council voted 9-0.)

MOTION FOR ITEMS 50 through 52:

Motion by O'Connor to continue Item 50 at Lockwood's request to refer back to the City Manager due to unpaid park fees and to adopt Items 51 and 52.

Second by Lowery.

Passed unanimously. Not present-4,7,M.

ITEM 100: Four Resolutions relative to AWARDING CONTRACTS:

Subitem a: Adopted as Resolution 250000.

(Tape Loc. 031 - 033)

(R-80-204) Select Electric, Inc., for CONSTRUCTION OF TRAFFIC SIGNAL AND STREET LIGHTING SYSTEMS AT NORTH TORREY PINES ROAD AND THE ENTRANCE TO THE GENERAL ATOMIC PLANT, for the sum of \$45,564; authorizing the EXPENDITURE of \$69,000 from TRUST FUND 63021 for said project and related costs.

Motion by Mitchell to adopt.

Second by Lowery.

Passed unanimously. Not present-4,7,M.

ITEM 100: Continued.

Subitem b: Adopted as Resolution 250001. (Tape Loc. 030 - 031)

(R-80-206) Kennedy's Firestone (Schedule I), with option to renew for an additional one year period, and Daniels Tire Service (Schedule II), for furnishing RECAPPING OF PASSENGER AND TRUCK TIRES as may be required for the period of one year ending July 31, 1980, for an estimated total sum of \$179,685.45.

Subitem c: Adopted as Resolution 250002. (Tape Loc. 030 - 031)

(R-80-207) H & M Security Guard Service for furnishing SECURITY SERVICE FOR SAN DIEGO STADIUM for the period ending July 31, 1980 for an actual estimated cost of \$70,500.

Subitem d: Adopted as Resolution 250003. (Tape Loc. 030 - 031)

(R-80-208) Moore Business Forms for the purchase of PRINTED UTILITY BILLS for an actual cost, including tax and terms, of \$13,177.92.

See ITEM 117 for motion.

ITEM 101: Adopted as Resolution 250004. (Tape Loc. 030 - 031)

(R-80-209) REJECTING THE SOLE BID received on February 27, 1979 for the IMPROVEMENT OF HOPKINS STREET between Roanoke Street and Winchester Street; authorizing the Purchasing Agent to ADVERTISE FOR BIDS for the IMPROVEMENT OF HOPKINS STREET, between Roanoke Street and Winchester Street - Specifications Document No. 764936.

See ITEM 117 for motion.

ITEM 102: Adopted as Resolution 250005. (Tape Loc. 033 - 037)

(R-80-198) APPROVING THE FINAL SUBDIVISION MAP of EASTSIDE VILLAS, a 1-lot subdivision located northwest of Landis Street and 43rd Street.

See ITEM 106 for motion.

ITEM 103: Adopted as Resolution 250006. (Tape Loc. 033 - 037)

(R-80-12) APPROVING THE FINAL SUBDIVISION MAP of FRIARS POINTE CONDOMINIUMS, a 1-lot subdivision located southwest of Friars Road and Rancho Mission Road.

See ITEM 106 for motion.

ITEM 104: Adopted as Resolution 250007. (Tape Loc. 030 - 031)

(R-80-196) APPROVING THE FINAL SUBDIVISION MAP of MONTGOMERY PALISADES CONDOMINIUM SUBDIVISION, a 1-lot subdivision located northeast of Palm Avenue and Cochran Avenue.

See ITEM 117 for motion.

ITEM 105: Adopted as Resolution 250008. (Tape Loc. 033 - 037)

(R-80-202) APPROVING THE FINAL SUBDIVISION MAP of VALLEY MEADOWS CONDOMINIUMS, a 1-lot subdivision located northeast of Mission Gorge Road and Zion Avenue.

See ITEM 106 for motion.

ITEM 106: Adopted as Resolution 250009. (Tape Loc. 033 - 037)

((R-80-201) APPROVING THE FINAL SUBDIVISION MAP of VALLEY MEADOWS NORTH CONDOMINIUMS, a 1-lot subdivision located northeast of Mission Gorge Road and Zion Avenue.

MOTION FOR ITEMS 102, 103, 105, AND 106:

Motion by Lowery to adopt.

Second by Schnaubelt.

Passed unanimously. Not present-4,7,M.

ITEM 107: Adopted as Resolution 250010. (Tape Loc. 030 - 031)

(R-80-148) Calling a PUBLIC HEARING to determine whether the public health, safety or general welfare require the formation of an UNDERGROUND UTILITY DISTRICT to be known and denominated as the KETTNER BOULEVARD TO ISLAND AVENUE UNDERGROUND UTILITY DISTRICT.

See ITEM 117 for motion.

ITEM 108: Two Resolutions relative to a portion of PUEBLO LOT 265 OF THE PUEBLO LANDS OF SAN DIEGO: (Tape Loc. 037 - 039)

Subitem a: Adopted as Resolution 250011.

(R80-153) Approving the acceptance by the CITY MANAGER of PEDESTRIAN AND NON-MOTOR VEHICULAR ACCESS EASEMENT DEED of Jung Ngoon Tom, conveying the permanent easement and right of way to construct, reconstruct, maintain, operate and repair pedestrian and non-motor vehicular access including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across said property; and

Subitem b: Adopted as Resolution 250012.

(R-80-154) Setting aside and dedicating said property as and for a PEDESTRIAN AND NON-MOTOR VEHICULAR PUBLIC ACCESS EASEMENT.

Motion by Lowery to adopt.

Second by Killea.

Passed unanimously. Not present-4,7,M.

ITEM 109: Five Resolutions relative to the MID-CITY COMMUNITY CLINIC: (Tape Loc. 030 - 031)

Subitem a: Adopted as Resolution 250013.

((R-79-2219) Certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 78-01-00.46BG has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report has been reviewed and considered by the Council;

ITEM 109: Continued.

Subitem b: Adopted as Resolution 250014.

(R-79-2218 Rev.) Approving the acceptance by the CITY MANAGER of GRANT DEED of the Salvation Army, conveying LOTS 24 THROUGH 29, inclusive, in BLOCK 19 of the subdivision of LOTS 20 THROUGH 50, inclusive, in BLOCK "N" of TERALTA, MAP NO. 1000; authorizing the EXPENDITURE of not to exceed \$234,900 from FIFTH (5th) YEAR COMMUNITY DEVELOPMENT BLOCK GRANT FUND for said property and related costs;

Subitem c: Adopted as Resolution 250015.

(R-79-2220) Authorizing a LEASE AGREEMENT with the Mid-City Community Clinic for the purpose of providing HEALTH AND SOCIAL SERVICES to the public for a ten year term, subject to a 90-day termination provision at the option of either party, for an annual rental of \$1.00;

Subitem d: Adopted as Resolution 250016.

(R-79-2221) Authorizing a YEAR TO YEAR LEASE AGREEMENT subject to a 30 day termination provision by either party, with the East San Diego Nutrition Center for the purpose of providing NUTRITIONAL SERVICES to the public, for an annual rental of \$1.00 per year; and

Subitem e: Adopted as Resolution 250017.

(R-79-) Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT NO. 78-01-00.46BG.

See ITEM 117 for motion.

ITEM 110: Adopted as Resolution 250018. (Tape Loc. 030 - 031)

Authorizing an ASSIGNMENT OF LEASE AGREEMENT from Alfred Gregory and Howard Glasgow, Assignor, to David J. Williams, Assignee

See ITEM 117 for motion.

ITEM 111: Adopted as Resolution 250019. (Tape Loc. 030 - 031)

(R-80-126) Authorizing AGREEMENTS with Atkinson, Johnson and Spurrier, Inc., Burkett and Wong, R. C. Byrum and Associates, Engineering Alliance Corporation, Ferver Engineering Company, Frisbie Killman and Associates, and Travis, Verdugo and Associates, consulting structural engineering firms, to provide STRUCTURAL PLAN CHECKING SERVICES through July 31, 1980; authorizing the EXPENDITURE of \$60,819 from GENERAL FUND BUILDING INSPECTION 130 for contractual services with the above engineering firms.

See ITEM 117 for motion.

ITEM 112: Adopted as Resolution 250020. (Tape Loc. 030 - 031)

(R-80-212) Authorizing the EXPENDITURE of \$7,500 from GENERAL FUND UNALLOCATED RESERVE for the LEASE OF TWO CRT TERMINALS and related software.

See ITEM 117 for motion.

ITEM 113: Adopted as Resolution 250021. (Tape Loc. 030 - 031)

(R-80-106) Confirming the following APPOINTMENTS by the Mayor to the INTERNATIONAL AFFAIRS BOARD for two-year term expiring March 1, 1981: Sharon L. McColl (Reappointment), Generoso F. Nocon (Reappointment), Hans W. Krakau (Replaces John Lockwood), Norma M. Ague (Reappointment), Dick Licciardi (Replaces Jean-Pierre Paris), John Ralph Barrow (Reappointment), Marjorie H. Gibson (Reappointment) and Winnie Wong Chase (Replaces Marge Wells).

See ITEM 117 for motion.

ITEM 114: Adopted as Resolution 250022. (Tape Loc. 030 - 031)

(R-80-211) Excusing COUNCILMAN BILL MITCHELL from the PUBLIC SERVICES AND SAFETY COMMITTEE MEETING of August 1, 1979.

See ITEM 117 for motion.

ITEM 115: Adopted as Resolution 250023. (Tape Loc. 030 - 031)

(R-80-197 Rev.) Certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 78-10-46, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said Report has been reviewed and considered by the Council; declaring that the Council incorporates the findings of mitigation contained in ENVIRONMENTAL IMPACT REPORT NO. 78-10-46.

See ITEM 117 for motion.

ITEM 116: Adopted as Resolution 250024. (Tape Loc. 030 - 031)

(R-80-188) Urging the Federal Aviation Administration (FAA) to STRICTLY ENFORCE THE ONE-WAY TRAFFIC RESTRICTIONS in the final approach corridors at Lindbergh Field.

See ITEM 117 for motion.

ITEM 117: Adopted as Resolution 250025. (Tape Loc. 030 - 031)

(R-80-189) Proposing and supporting AMENDMENTS to the AIRPORT AND AIRWAY DEVELOPMENT ACT OF 1970, as amended, and any other applicable Federal statutes which would permit a RESTRICTION OF GENERAL AVIATION AIRCRAFT FROM LINDBERGH FIELD.

MOTION FOR ITEMS 100 THROUGH 117 EXCEPT 100 (a), 102, 103, 105, 106, AND 108.

Motion by Lowery to adopt.

Second by Killea.

Passed unanimously. Not present-4,7,M.

ITEM 150: Adopted as Resolution 250026. (Tape Loc. 047 - 051)

(R-80-220) Endorsing SENATE BILL 534 relating to the SAN DIEGO METROPOLITAN TRANSIT DEVELOPMENT BOARD.

Motion by Lowery to adopt.
Second by Schnaubelt.
Passed unanimously. Not present-4,7.

ITEM 151: Adopted as Resolution 250027. (Tape Loc. 045 - 047)

(R-80-221) Designating the GREATER SAN DIEGO SPORTS ASSOCIATION as the organization to act as the OFFICIAL LIAISON between the City of San Diego and the United States Olympic Committee in connection with the 1984 SUMMER OLYMPICS to be held in the City of Los Angeles.

Motion by Killea to adopt.
Second by Lowery.
Passed unanimously. Not present-4,7.

ITEM 152: Referred to Transportation and Land Use Committee. (Tape Loc. 054 - 056)

(O-80-17) Amending Chapter VI, Article 4, of the San Diego Municipal Code by AMENDING SECTION 64.32 relating to SEWER SERVICE CHARGES.

Motion by Lowery to refer to Transportation and Land Use Committee to clear up confusion if any of the improvements relating to new development are required under the Regional Water Quality Control Act, and if so should an apportionment of fees occur.
Second by Gade.
Passed unanimously. Not present-4,7.

ITEM 153: Adopted as Resolution 250028. (Tape Loc. 051 - 054)
(R-80-214) Amending COUNCIL POLICY NO. 200-1 regarding
DISTRIBUTION OF STREET IMPROVEMENT COSTS.

Motion by Lowery to adopt.
Second by Gade.
Passed unanimously. Not present-4,7.

ITEM 154: Adopted as Amended as Resolution 250029. (Tape Loc. 056 - 065)
(R-80-195) Amending COUNCIL POLICY NO. 700-4 regarding BALBOA
PARK LEASES AND AGREEMENTS.

Motion by Lowery to amend to
exempt the Blind Recreation Center,
Boy Scouts, and Girl Scouts.
Second by Killea.
Passed unanimously. Not present-4,7.

Motion by Lowery to adopt as amended.
Second by Killea.
Passed unanimously. Not present-4,7.

REFER TO MINUTES OF TUESDAY, AUGUST 14, 1979,
A.M., ITEM 154 FOR RECONSIDERATION.

ITEM 200: Adopted as Ordinance 15002 (New Series). (Tape Loc. 065 - 069)
(O-80-29) Ordering, calling, providing for and giving notice of
a SPECIAL ELECTION to be held in the City on November 6, 1979,
for the purpose of submitting to the qualified voters of the City
of San Diego, FOUR PROPOSITIONS amending the Charter of the City
of San Diego and consolidating said SPECIAL ELECTION with the
general MUNICIPAL ELECTION to be held on the same date.

Motion by Schnaubelt to introduce,
dispense with the reading, and adopt.
Second by Gade.
Passed unanimously. Not present-4,7.

ITEM 201:

Adopted as Amended as Resolution 250030.

(Tape Loc. 009 - 027)

(Continued from the Meetings of July 17 and 31, 1979 at Samuel Blick's request.) APPEAL of ROBERT A. COLLINS from the decision of the PLANNING COMMISSION in DENYING TENTATIVE SUBDIVISION MAP 79-146 which proposes a one-lot subdivision (Chateau La Jolla) of LOTS 8 THROUGH 16, BLOCK 15, LA JOLLA PARK, MAP 352. The subject property is located on the south side of Prospect Street and the north side of Ravina Street in the R-3 ZONE and within the boundaries of the La Jolla Community Plan.

(T.M. 79-146)

(R-80-) Today's action is adoption of a RESOLUTION granting or denying the appeal and the map with appropriate findings to support Council action.

Motion by O'Connor to grant the appeal with the following conditions spelled out by the appellant:

Prior to the recordation of the final subdivision map, the subdivider shall provide evidence satisfactory to the City Council that:

a. The subdivider has tendered to each present tenant (as of July 31, 1979) holding a written lease, a lease amendment assuming:

(1) That the tenant has the option of periodically renewing the lease through July 31, 1994, on the same terms except for rental increases (which, in no event shall exceed the increase in the Consumer's Price Index Revised) and provided the tenant is physically able to occupy an apartment.

(2) That a present lease provision which allows the landlord to early terminate a lease if, in its sole discretion, the termination would be in the best interests of the facility and other residents, be changed to provide for early termination for cause.

ITEM 201: Continued.

(3) That the present services will not be diminished, it being understood food cost may be reasonably increased.

(4) That, if condominium units are put on the market, only those which become vacant and those which are purchased by present tenants will be sold.

(5) That, if condominium units are put on the market, each present tenant may purchase his unit at a 10% discount from the going ask price.

b. There will be recorded, as the next document following the final subdivision map, a condominium Declaration of Restrictions containing, inter alia, the following:

"At least one occupant of each Unit shall be at least 62 years of age; anything elsewhere herein to the contrary notwithstanding, the foregoing restriction shall not be amended, modified or rescinded without the approval of the City Council of The City of San Diego, a municipal corporation."

"The Chateau La Jolla Owners' Association, Inc., a California non-profit corporation, shall provide the services described in Subparagraphs 2.b, 2.c and 2.e of Conditional Use Permit (Planning Commission) No. 176-PC, as the same may from time to time be amended; anything elsewhere herein to the contrary notwithstanding, the foregoing restriction shall not be amended, modified or rescinded without the approval of the City Council of The City of San Diego, a municipal corporation."

ITEM 201: Continued.

Second by Schnaubelt.
Passed unanimously. Not present-4,7.

UNANIMOUS
CONSENT #1:

Adopted as Resolution 250031. (Tape Loc. 068 - 074)

Excusing Councilman Stirling from attending Council and Council Committee meetings for the period of August 8 through August 24, 1979, by reason of illness.

Motion by Killea to adopt.
Second by Gade.
Passed unanimously. Not present-3,4,7.

UNANIMOUS
CONSENT #2:

Adopted as Resolution 250032. (Tape Loc. 068 - 074)

Excusing Councilman Williams from attending Council and Council Committee meeting fro the period of August 13 through August 20, 1979, by reason of illness in family.

Motion by Gade to adopt.
Second by Killea.
Passed unanimously. Not present-3,4,7.

UNANIMOUS
CONSENT #3:

Adopted as Resolution 250033. (Tape Loc. 068 - 074)

Excusing Councilman Lowery from attending Council, Council Committee, and Special Council Meetings for the period August 6 through August 8, 1979, by reason of vacation.

Motion by Gade to adopt.
Second by O'Connor.
Passed unanimously. Not present-3,4,7.

ADJOURNMENT:

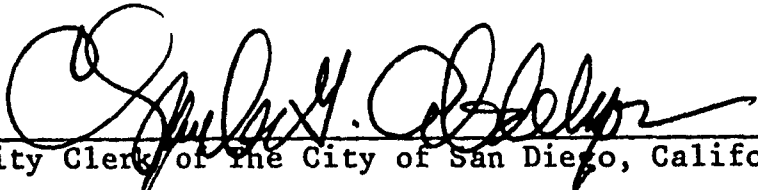
Meeting adjourned at 3:29 p.m. by Mayor Wilson in memory of
Anna Mae Eckert.

Motion by Gade to adjourn in memory.

Second by Killea.

Passed unanimously. Not present-3,4,7.

Mayor Wilson announced that Council would adjourn into Executive
Session on pending litigation, 11th floor.



City Clerk of the City of San Diego, California