

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF TUESDAY, NOVEMBER 20, 1979
IN THE CHAMBERS OF THE COUNCIL AT 8:30 A.M.

ATTENDANCE:

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

Meeting called to order at 8:48 a.m. by Mayor Wilson.

Meeting recessed at 8:49 a.m. by Mayor Wilson to meet as the Redevelopment Agency.

Meeting reconvened at 8:50 a.m. by Mayor Wilson with Councilmembers Lowery and Gade not present.

Meeting recessed at 9:59 a.m. by Mayor Wilson.

Meeting reconvened at 10:37 a.m. by Mayor Wilson with Councilmembers O'Connor, Gade and Stirling not present.

ITEM 300: Roll call.
Present-Mayor Wilson, Councilmembers Mitchell, O'Connor, Schnaubelt, Stirling, and Killea.
Not present-Councilmembers Lowery, Williams, and Gade.

ITEM 32: Adopted as Resolution R-250691. (Tape Loc. 112 - 113)

R-80-860) Authorizing the CITY MANAGER to pay the sum of \$47,500 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to ALVIN KIRT TOLBERT; authorizing the CITY AUDITOR AND COMPTROLLER to issue a WARRANT CHECK in the amount of \$47,500 to ALVIN KIRT TOLBERT and his attorney, ALPHA L. MONTGOMERY, in full settlement of all claims.

Motion by Stirling to adopt.
Second by Schnaubelt.
Passed unanimously. Not present-2,6,8.

ITEM 104: Adopted as revised as Resolution R-250692. (Tape Loc. 085 - 087)

(R-80-836) REJECTING the bids of Metro-Young Construction Co., and Coffman Construction, Inc. for the CONSTRUCTION OF IMPROVEMENTS TO SOUTH CHOLLAS CREEK CHANNEL between I-805 and Imperial Avenue.

Motion by Williams to adopt a substitute resolution accepting the bid of Metro-Young Construction Co.
Second by Lowery.

Passed unanimously. Not present-2,6,7.

ITEM 120: Adopted as Resolution R-250693. (Tape Loc. 114 - 119)

(R-80-859) Authorizing a CONTRACTUAL AGREEMENT with the San Diego Housing Commission for the purpose of ADMINISTERING the 1979 CDBG Low-Income Housing Planning and Development Project for a term commencing July 1, 1979 and ending June 30, 1980, for a total compensation of \$123,335 to be paid to Commission under the terms and conditions set forth in said agreement; authorizing the TRANSFER of \$94,975 from FIFTH YEAR CDBG FUND 18515, ELEMENT 5930 (Social Services), and \$28,361 from FIFTH YEAR CDBG FUND 18515, ELEMENT 5912 (Housing Rehab. - San Ysidro) for a total of \$123,335 to FUND 18515, ELEMENT 5902 (Housing Planning and Development Project) for the above purpose, subject to HUD's approval of the Request for Release of Funds.

Motion by Killea to adopt.

Second by Williams.

Passed. Yeas-1,3,4,7,8,M. Nay-5.

Not present-2,6.

ITEM 150: Two Items relative to COMPENSATION FOR OFFICERS AND EMPLOYEES OF THE CITY: (Tape Loc. 119 - 120)

Subitem a: Introduced, to be adopted December 3, 1979.

(0-80-53 Rev.) Amending Ordinance No. 12666 (New Series), as amended, entitled "AN ORDINANCE ESTABLISHING A SCHEDULE OF COMPENSATION FOR OFFICERS AND EMPLOYEES OF THE CITY OF SAN DIEGO FOR FISCAL YEAR 1979-80," by AMENDING EXHIBITS A AND B THERETO to create the classified positions of BUILDING INSPECTION TECHNICIAN I, BUILDING INSPECTION TECHNICIAN II AND BUILDING INSPECTION TECHNICIAN III, and ESTABLISH A SCHEDULE OF COMPENSATION therefor.

Subitem b: Adopted as Resolution R-250694.

(R-80-512) Approving the classifications of personnel in the classified service of the City eligible for premium or regular rate overtime, effective upon the passage of this resolution through June 30, 1980.

ITEM 150: Continued.

Motion by Killea to introduce (a) and adopt (b).
Second by Lowery.
Passed unanimously. Not present-2,6.

ITEM 151: Adopted as Resolution R-250695. (Tape Loc. 121 - 123)

(R-80-810) Approving the FORM of SPECIAL USE PERMIT - RECREATION ADVISORY COUNCILS; authorizing the PARK AND RECREATION DIRECTOR, subject to the approval of the CITY MANAGER, to ENTER INTO and EXECUTE Special Use Permits - Recreation Advisory Councils for periods of one year.

Motion by Killea to adopt.
Second by Stirling.
Passed unanimously. Not present-2,6.

ITEM 200: Adopted as Resolution R-250696. (Tape Loc. 142 - 148)

(R-80-763) Authorizing the PERSONNEL DIRECTOR to execute AMENDED AGREEMENTS with the San Diego Regional Employment and Training Consortium (RETC) to accept an additional \$6,155,693 in CETA Title II-D funds and an additional \$3,294,356 in CETA Title VI funds to continue CETA Public Service Employment programs for the City and Subagents through September 30, 1980; empowering the PERSONNEL DIRECTOR to EXTEND the foregoing agreements through September 30, 1980; authorizing the PERSONNEL DIRECTOR to EXECUTE and MODIFY as necessary, AGREEMENTS with the following agencies for the operation of the Public Service Employment Programs pursuant to the Comprehensive Employment and Training Act (P.L. 95-524), Title II-D and Title VI, for the period December 1, 1979 through September 30, 1980, in the event the foregoing amended agreements with RETC are extended: Comprehensive Planning Organization, Poway Unified School District, San Diego Regional Employment & Training Consortium, San Diego Community College District, San Diego State University, San Diego Unified School District, San Ysidro School District, United Way of San Diego County and University of California, San Diego.

Motion by Williams to adopt.
Second by Killea.
Passed. Yeas-1,2,3,4,8,M. Nays-5,7.
Not present-6.

ITEM 330:

Adopted as Resolution R-250697.

(Tape Loc. 087 - 097)

APPEAL of JOSEPH U. SCHORER from the decision of the PLANNING COMMISSION in APPROVING the TENTATIVE SUBDIVISION MAP of PARK CHATEAU CONDOMINIUMS, which proposes a one-lot subdivision for condominium conversion of LOTS 1 through 5, BLOCK 152, UNIVERSITY HEIGHTS, D'HEMECOURT MAP. The subject property is located at the southeast corner of Idaho and Howard Streets in the R3A ZONE, and within the boundaries of the Park Northeast Community Plan.

(T.M. 79-271)

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

Hearing began 10:41 a.m.
Hearing halted 10:46 a.m.

Testimony for the appeal by John Kitchingham.

Motion by Schnaubelt to close the hearing,
deny the appeal and grant the map.
Second by Lowery.
Passed unanimously. Not present-2,6,7.

ITEM 331:

Adopted as Resolution R-250698.

(Tape Loc. 092 - 111)

APPEALS of CHARLOTTE FONTENOT and LOANIE TYSON from the decision of the PLANNING COMMISSION in GRANTING the application of THE SOUTHLAND CORPORATION for a CONDITIONAL USE PERMIT EXTENSION OF TIME to convert an existing gasoline station into a 7-11 Food Store with self-serve gasoline, parking and landscaping on a 12,456 square foot parcel in the CN ZONE. The subject property is located on the east side of Linda Vista Road between Daniel Avenue and Wheatley Street and is more particularly described as a portion of LOT 23 and all of LOTS 24 through 26, BLOCK 4, CHESTERTON EXTENSION, MAP NO. 2062.

(CUP NO. 530-PC/EOT No. 1)

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

Hearing began 10:47 a.m.
Hearing halted at 11:05 a.m.

ITEM 331: Continued.

Councilmember Stirling entered at 10:47 a.m.

Testimony for the appeal by Charlotte Fontenot and Loanie Tyson.

Testimony in opposition to the appeal by Larry Duval.

Motion by Schnaubelt to close the hearing, deny the appeal and grant the extension of time, with a directive to the City Manager to investigate the appropriateness of placing a crosswalk in that location; include in the CUP that the operator will be obliged to remove debris from the property.

Second by Stirling.

Passed unanimously. Not present-2,6.

ITEM S-400: Adopted as Resolution R-250699. (Tape Loc. 123 - 141)

(R-80-830) (Continued from the Meeting of November 13, 1979 at Councilman Stirling's request.) AWARDING A CONTRACT to Environmental Care, Inc. for sites B, D, E, F and G and Hacienda Landscape Company for sites A and C for furnishing COMPLETE LANDSCAPE MAINTENANCE of seven City Parks for a period of one year ending October 31, 1980, with an option to renew for two additional one year periods, for a total actual cost including terms of \$128,361.11.

Motion by Killea to adopt and report back at the end of the year to give an evaluation of the contract.

Second by Lowery,

Passed unanimously. Not present-2,6.

ITEM S-500. Adopted as Resolution R-250700. (Tape Loc. 009 - 076)

(Continued from the Meeting of November 13, 1979 at the requests of the Mayor and Councilwoman O'Connor). APPEAL of KOPLAR ENTERPRISES, INC., CHASE HOTEL, INC. and SPORTS ARENAS PROPERTIES, INC., by Bruce A. Ray, attorney, from the decision of the PLANNING COMMISSION in DENYING TENTATIVE SUBDIVISION MAP 79-224 (UNIVERSITY CITY VILLAGE) which proposes a one-lot subdivision for condominium purposes of LOTS 1 through 4, UNIVERSITY CITY UNIT 9, MAP 5100. The subject property is located on the south side of Governor Drive, east and west of Gullstrand Street in the R-1-5 and R-1-5 (HR) ZONES, and within the boundaries of the University Community Plan.

(T.M. 79-224).

ITEM 333 - Continued:

Hearing began 4:28 p.m.
Hearing halted: 4:30 p.m.

Killea in 4:29 p.m.

Motion by Stirling to close the hearing, adopt Subitem a and introduce subitem b.

Second by Schnaubelt.

Passed unanimously. Not present-2,6.

ITEM 334:

APPEAL of BETTY PETERSON, MR. and MRS. EUGENE PLOCKLEMAN, MARY LOU DILLION, EVE NICOL, MR. and MRS. ALLEN LINEHAN, MR. and MRS. J. M. WALLACE, MR. and MRS. D. B. MCFADDEN and DOROTHY MOSSIDES, by David W. Pies, attorney, from the decision of the PLANNING COMMISSION in GRANTING the application of BAYCLAIRE DEVELOPMENT CORP., under PLANNED COMMERCIAL DEVELOPMENT PERMIT NO. 72, to construct 48 condo dwelling units in conjunction with an existing medical-dental office building complex with parking and landscaping on a five-acre site in the CO (portion in HR) ZONE. The subject property is located on the west side of Clairemont Drive between Ute Drive and Rappahannock Avenue and is more particularly described as LOT 1203 of CLAIREMONT UNIT NO. 7, MAP NO. 2872.

(PCD NO. 72)

(Tape Loc. 114 - 168)

Subitem a: Adopted as Resolution R-250703.

(R-80-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-06-05 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: Appeal denied as Resolution R-250704.

(R-80-) Adoption of a RESOLUTION granting the appeal and denying the permit, or denying the appeal and granting the permit with appropriate findings to support Council action.

ITEM S-500: Continued.

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

Hearing began at 8:51 a.m.
Hearing halted at 9:58 a.m.

Councilmember Williams entered at 8:49 a.m.

Councilmember Lowery entered at 8:57 a.m.

Testimony for the appeal by Bruce Ray, Eugene Cook, and Edward Haswell.

Motion by Mitchell to close the hearing and deny the appeal and the tentative map with findings based on the fact that the conversion of the project to condominium will be inconsistent for the purpose of which the CUP was granted.

Second by Killea.

Passed unanimously. Not present-6.

ITEM S-501: Adopted as Resolution R-250701. (Tape Loc. 148 - 158)

(R-80-928) Directing the CITY MANAGER to proceed with DECENTRALIZATION of the POLICE DEPARTMENT utilizing TEMPORARY FACILITIES.

Motion by Mitchell to adopt.

Second by Williams.

Passed unanimously. Not present-6.

Meeting recessed at 11:52 a.m. by Mayor Wilson to reconvene at 2:00 p.m.

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF TUESDAY, NOVEMBER 20, 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), Williams (4), Schnaubelt (5), Stirling (7) and Killea (8).
Not present: Councilmember Gade (6):
Clerk: Abdelnour.

Meeting reconvened at 2:13 p.m. by Mayor Wilson with Councilmembers Mitchell, O'Connor, Williams, Schnaubelt, Gade, Stirling and Killea not present.
At 2:15 p.m. Councilmembers Mitchell, Schnaubelt and Stirling entered and a quorum was then present.

Meeting recessed at 4:02 p.m. by Mayor Wilson.
Meeting reconvened at 4:26 p.m. by Mayor Wilson with Councilmembers O'Connor, Lowery, Schnaubelt, Gade and Killea not present.

ITEM 332: Rezoning denied.

Matter of REZONING a portion of BLOCKS 15, 16, 17, 18, 19 and 21, LOMA ALTA UNIT 1, MAP 1078 (approximately 5.73 acres), located on the north and south sides of Voltaire Street between Seaside and Venice Streets, in the Peninsula Community Plan area, from ZONE R-1-5 to ZONE R-2A.

(CASE NO. 5-78-2 REV.)

(Tape Loc. 057 - 108)

Subitem a: (R-80-840) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 79-05-55 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;

Subitem b: (O-80-154) INTRODUCTION of an ORDINANCE for R-2A Zoning; and

ITEM 332 - Continued:

Subitem c: (R-80-) 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. 79-05-55.

Hearing began 3:10 p.m.
Hearing halted 4:01 p.m.

Testimony in favor by Roland Sannmann and John B. Rose.

Testimony in opposition by Caroline St. Clair, Terri Tonkins, Audrey Boeh, Wayne Hester and William Healy.

Motion by O'Connor to close the hearing and deny the rezoning.

Second by Mitchell.

Passed. Yeas-1,2,4,7,8. Nays-3,5,M. Not present-6.

ITEM 333:

Matter of REZONING a portion of LOT 1, BLOCK 49 (MAP NO. 1), GRANTVILLE AND OUTLOTS, MAP NO. 776 (approximately 16,320 square feet), located on the north side of Twain Avenue between Decena Street and Crawford Street, in the Navajo Community Plan area, from ZONE R-2 to ZONE R-3.

(CASE NO. 33-79-2)

(Tape Loc. 111)

Subitem a: Adopted as Resolution R-250702.

(R-80-841) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-06-55 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: Introduced, to be adopted December 3, 1979.

(O-80-155) INTRODUCTION of an ORDINANCE for R-3 Zoning.

ITEM 334 - Continued:

Hearing began 4:31 p.m.
Hearing halted 5:25 p.m.

Testimony in favor by David Pies, Merle Osterhaus,
James Nicol, Duncan McFadden and Dorothea Massedies.

Testimony in opposition by Donald Worley.

Motion by Schnaubelt to close the hearing, adopt
subitem a and b, denying the appeal and granting the
permit.

Second by Lowery.

Passed unanimously. Not present-2,6.

ITEM 335:

(Continued from the Meeting of October 30, 1979 due to lack of
time.) APPEAL of DIANNE STUTZMAN, from the decision of the
PLANNING COMMISSION in APPROVING CONDITIONAL USE PERMIT NO.
452-PC/EXTENSION OF TIME, for a sanitary landfill (North Chollas
Landfill) on approximately 80 acres in the R-1-5 ZONE. The
property is located on the north side of College Grove Drive
between the Chollas Heights Reservoir and 54th Street, and is
more particularly described as a portion of SECTION 34, TOWNSHIP
16 SOUTH, RANGE 2 WEST, S.B.B.M.

(CUP NO. 452-PC/EOT)

(Tape Loc. 002 - 057)

Appeal denied as Resolution R-250705.

Today's action is adoption of a RESOLUTION granting the appeal
and denying the extension of time to the permit, or denying the
appeal and granting the extension of time to the permit with
appropriate findings to support Council action.

Motion by Lowery to close the special hearing, and
adopt Resolution denying the appeal and granting the
extension of time to the permit, incorporating seven
conditions presented to the Council in the Meeting.

Second by Stirling.

Passed. Yeas-2,3,5,7,8,M. Nays-1,4. Not present-6.

ITEM 336: Matter of REZONING portions of LOTS A59 and A60, SAN YSIDRO MAP NO. 1174 (approximately 1.3 acres), located on the west side of Sycamore Road between I-5 and the Tia Juana River, in the Tia Juana River Valley Plan area, from ZONE R-1-40 to ZONE R-2A.

(CASE NO. 48-79-10)

(Tape Loc. 169)

Subitem a: Adopted as Resolution R-250706.

(R-80-839) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-06-12 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: Introduced, to be adopted December 3, 1979.

(O-80-153) INTRODUCTION of an ORDINANCE for R-2A Zoning.

Hearing began 5:26 p.m.
Hearing halted 5:29 p.m.

Motion by Killea to close the hearing, adopt Subitem a and introduce Subitem b.

Second by Williams.

Passed unanimously. Not present-2,6.

ITEM 337: Continued to December 4, 1979, 2:00 p.m. (Tape Loc. 108)

APPEAL of PETER AMATO from the decision of the PLANNING COMMISSION in APPROVING the TENTATIVE SUBDIVISION MAP of GOLDEN HILLS VILLAS, which proposes a one-lot subdivision of a portion of PUEBLO LOT 1140, CHOATES ADDITION, MAP 351 and a portion of MORSE, WHALEY and DALTON ADDITION, MAP 516. The subject property is located west of Whaley Avenue between Ash and Beech Streets in the R-2 (HR) ZONE and within the boundaries of the Park Northeast Community Plan.

(T. M. 79-127)

ITEM 337 - Continued:

- Subitem a: (R-80-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 79-03-50 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;
- Subitem b: (R-80-) Adoption of a RESOLUTION granting the appeal and denying the map, or denying the appeal and granting the map with appropriate findings to support Council action; and
- Subitem c: (R-80-) Adoption of a RESOLUTION containing the findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT NO. 79-03-50.

Motion by Killea to continue to December 4, 1979 at the appellant's request.
Second by Mitchell.
Passed unanimously. Not present-6.

ITEM S-502: Adopted as amended as Resolution R-250707

(Tape Loc. 177)

Matter of a Resolution CONFIRMING the finding of the Rules Committee that NO BASIS EXISTS for substantiation of the recent charges regarding INVESTMENT of RETIREMENT SYSTEM FUNDS; finding that the Retirement System Funds are conservatively managed from the standpoint of its investment policy and the actual results produced; and extending an APOLOGY to the RETIREMENT BOARD OF ADMINISTRATION for any embarrassment which may have resulted from the allegations.

Motion by Williams to amend to state that the City Employees Retirement Fund is well managed and extend the confidence of the Council to the Retirement Board of Administration for its efforts and devotion to the welfare of the Retirement Fund.
Second by Killea.
Subsequent second by Lowery after Killea left Chambers.
Passed unanimously. Not present-1,5,6,8.

Motion by Schnaubelt to continue two weeks.
No second.

Motion by Williams to adopt as amended.
Second by Lowery.
Passed unanimously. Not present-1,5,6,8.

ITEM S-503:

Adopted as Resolution R-250708.

(Tape Loc. 174)

Matter of URGING the FEDERAL AVIATION ADMINISTRATION to initiate without further delay, a TERMINAL CONTROL AREA for Lindbergh Field.

Motion by Mitchell to adopt.

Second by Lowery.

Passed unanimously. Not present-2,6.

UNANIMOUS
CONSENT NO. 2:

Adopted as Resolution R-250709.

(Tape Loc. 175)

(R-80-) Commending Mrs. Caterina Ghio for her many contributions to the City of San Diego.

Motion by Killea to adopt.

Second by Mitchell.

Passed unanimously. Not present-2,6.

ADJOURNMENT:

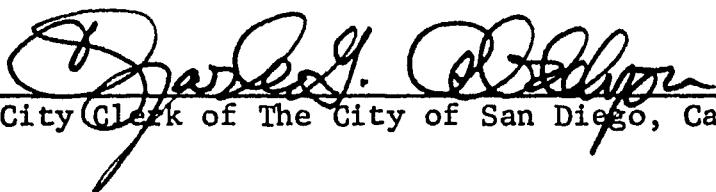
Meeting adjourned at 6:09 p.m. by Mayor Wilson in memory of the Honorable James M. Carter.

(Tape Loc. 210)

Motion by Williams to adjourn.

Second by O'Connor.

Passed unanimously. Not present-1,5,6,8.


City Clerk of The City of San Diego, California