

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, APRIL 29, 1980  
AT 8:30 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Lowery at 8 45 a.m. The meeting was recessed by Deputy Mayor Lowery at 8:46 a.m. to meet as the Housing Authority. The meeting was reconvened by Deputy Mayor Lowery at 10:29 a.m. with Mayor Wilson not present. The meeting was recessed by Deputy Mayor Lowery at 10:34 a.m. The meeting was reconvened by Deputy Mayor Lowery at 10:52 a.m. with Councilmembers Mitchell, Schnaubelt, Gotch and Mayor Wilson not present. The meeting was recessed by Deputy Mayor Lowery at 12:05 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened at 2:28 p.m. by Deputy Mayor Lowery with Mayor Wilson and Councilmembers Cleator and Schnaubelt not present. The meeting adjourned by Deputy Mayor Lowery at 3:43 p.m. to meet as the Housing Authority.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Wilson-not present.
- (1) Councilmember Mitchell-present.
- (2) Councilmember Cleator-present.
- (3) Councilmember Lowery-present.
- (4) Councilmember Williams-present.
- (5) Councilmember Schnaubelt-present.
- (6) Councilmember Gotch-present.
- (7) Councilmember Stirling-present.
- (8) Councilmember Killea-present.

Clerk-Abdelnour (eb, kb)

CITY COUNCIL AGENDA:

ITEM-300: Clerk Abdelnour called the roll:

Mayor Wilson-not present.  
Councilmember Mitchell-present.  
Councilmember Cleator-not present.  
Councilmember Lowery-present.  
Councilmember Williams-not present.  
Councilmember Schnaubelt-present.  
Councilmember Gotch-present.  
Councilmember Stirling-present.  
Councilmember Killea-not present.

ITEM-150: (R-80-1882)

Authorizing the Housing Commission to make all decisions relating to PLANNING, DEVELOPMENT, and IMPLEMENTATION of the TAX EXEMPT MORTGAGE REVENUE BOND PROGRAM; declaring that this delegation shall not include the right to execute contracts or enter into any binding commitments with regard to the bond program except for such commitments which will be solely the responsibility of the Housing Commission and for which funds are available in the Housing Commission's approved budget.

NOTE: See Housing Commission Report CC80-005.

CITY COUNCIL ACTION: (Tape location: G016-116).

Adopted as Resolution R-251728.

MOTION BY WILLIAMS TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-nay. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

ITEM-330: Matter of REZONING LOTS 17 and 18, BLOCK 203, UNIVERSITY HEIGHTS, AMENDED MAP G.A. D'HEMECOURT (approximately 7,000 square feet), located on the east side of Oregon Street between University Avenue and Lincoln Avenue, in the Park North East Community Plan area, from ZONE C to ZONE R-3A.

(DISTRICT-3)

(CASE-9-80-1)

Subitem-A: (R-80-1860)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-79-12-22 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: (O-80-282)

INTRODUCTION of an ORDINANCE for R-3A Zoning.

CITY COUNCIL ACTION: (Tape location: C274).

Subitem-A adopted as Resolution R-251727.

Subitem-B introduced, to be adopted May 12, 1980.

Hearing began at 10:30 a.m. Hearing halted at 10:31 a.m.

MOTION BY STIRLING TO CLOSE THE HEARING, ADOPT SUBITEM-A AND INTRODUCE SUBITEM-B. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

ITEM-331 (0-80-250)

Proposal to AMEND CHAPTER X, ARTICLE 1, DIVISION 4 of the SAN DIEGO MUNICIPAL CODE by AMENDING SECTION 101.0427 relating to the CC ZONE as follows: (a) That apartments be permitted on the ground floor; and (b) That a "grandfather clause" for residential development which occurred prior to March 1, 1971 be established for the purpose of eliminating variance requirements for modifications to such development.

Today's action is INTRODUCTION of an ORDINANCE amending SECTION 101.0427 of the SAN DIEGO MUNICIPAL CODE.

CITY COUNCIL ACTION: (Tape location: C285)

Introduced as amended, to be adopted May 12, 1980.

Hearing began at 10:31 a.m. Hearing halted at 10:32 a.m.

MOTION BY KILLEA TO CLOSE THE HEARING, INTRODUCE AS AMENDED TO INCLUDE AMENDED LANGUAGE AS SUBMITTED BY THE PLANNING DEPARTMENT. Second by Williams. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

ITEM-332: (0-80-249)

Proposal to AMEND CHAPTER X, ARTICLE 1, DIVISION 11 of the SAN DIEGO MUNICIPAL CODE as follows: (a) ADDING SECTIONS 101.1101.126 (Leasehold) and 101.1101.189 (Shopping Center); and (b) AMENDING SECTIONS 101.1110 (Sign Regulations) and 101.1123 (Comprehensive Sign Plan).

Today's action is INTRODUCTION of an ORDINANCE amending SECTIONS 101.1110 and 101.1123 and adding SECTIONS 101.1101.126 and 101.1101.189 of the SAN DIEGO MUNICIPAL CODE.

CITY COUNCIL ACTION: (Tape location: C314).

Introduced, to be adopted May 12, 1980.

Hearing began at 10:32 a.m. Hearing halted at 10:34 a.m.

MOTION BY CLEATOR TO CLOSE THE HEARING AND INTRODUCE. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

ITEM-333: Matter of a status report from City staff concerning the REGIONAL WATER SITUATION.

(Initiated by Councilman Mitchell.)

CITY COUNCIL ACTION: (Tape location: C420-E189).

Report accepted.

MOTION BY MITCHELL TO ACCEPT REPORT. Second by Williams. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-not present.

ITEM-334: (R-80- )

(Continued from the Meetings of February 19, March 17 and April 8, 1980 for further review of billing.)  
Matter of confirmation of costs for WEED ABATEMENT and authorizing the BILLING for said costs.

NOTE: See City Manager Report CMR-80-76.

CITY COUNCIL ACTION: (Tape location F015-617).

Adopted as Resolution R-251729.

Hearing began at 2:28 p.m. Hearing halted at 3:04 p.m.

Cleator in 2:29 p.m.

Schnaubelt in 2:42 p.m.

Stirling out 2:52 p.m.

Testimony given by John Edwards, Robert Changnon, and Tom Carlyon.

By Common Consent the City Manager was requested to check whether or not legal procedures were followed in erecting the fence located on Changnon's property along Chollas Canyon.

Motion by Williams to sustain staff recommendations. Second by Killea. No vote.

Motion by Williams to amend Changnon's assessment to \$80 because abatement information did not reach him until after his property was cleared. Billing information was sent to previous owners prior to his receiving it. Second by Killea. Passed by the following vote: Yeas-1,3,4,5,6,7,8. Nay-2. Not present-M.

Motion by Cleator to accept Carlyon's request that he be assessed \$150 because he was given incorrect information regarding the potential cost of abatement. No second.

Motion by Williams to amend Carlyon's assessment to \$250 because of incorrect information regarding potential cost of abatement. Second by Killea. Passed by the following vote: Yeas-1,2,3,4,5,6,8. Not present-7,M.

MOTION BY WILLIAMS TO ACCEPT STAFF'S RECOMMENDATIONS AS MODIFIED BY COUNCIL AND INSTRUCT STAFF TO AMEND REPORT TO INCLUDE ALL ADJUSTMENTS IN ADMINISTRATIVE COSTS PRIOR TO HEARING ON APRIL 29, 1980, AND BASIS ON WHICH COUNCIL MADE ITS DECISION. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-not present.

ITEM-335: Two Resolutions relative to LOW-RENT PUBLIC HOUSING:

Subitem-A: (R-80-1999)

Approving the APPLICATION of the Housing Authority of the City of San Diego for a PRELIMINARY LOAN for LOW-RENT PUBLIC HOUSING; and

Subitem-B: (R-80-2000)

Approving the DEVELOPMENT, ACQUISITION, SUBSTANTIAL REHABILITATION, AND OWNERSHIP of approximately 102 DWELLING UNITS and approving the form and authorizing the execution of COOPERATION AGREEMENT between the City of San Diego and the Housing Authority of the City of San Diego.

CITY COUNCIL ACTION: (Tape location: G120-414).

Subitem-A adopted as Resolution R-251730.

Subitem-B adopted as Resolution R-251731.

Hearing began at 3:20 p.m. Hearing halted at 3:41 p.m.

By Common Consent, at Stirling's request, the Housing Commission was directed to prepare a detailed report to Council regarding the decrease in write offs of uncollectable accounts since the program was taken over by the Commission.

Motion by Schnaubelt to amend "Whereas, the act provides that there shall be local determination of need for low-rent housing to meet the needs not being adequately met by private enterprise..." to read, "determination of need for low-rent housing to meet needs prohibited by government from being met by private enterprise..." No second.

MOTION BY KILLEA TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-nay. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-nay. Gotch-yea. Stirling-nay. Killea-yea. Mayor Wilson-not present.

ITEM-S500: (0-80-294)

AMENDING Ordinance No. 0-12700 (New Series), as amended, entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1979-80 AND APPROPRIATING THE NECESSARY MONEY TO OPERATE THE CITY OF SAN DIEGO FOR SAID FISCAL YEAR," by amending Document No. 766809, as adopted and amended therein, by TRANSFERRING the sum of \$250,000 from the PUBLIC LIABILITY INSURANCE RESERVE FUND (81140) to the GENERAL FUND 100, DEPARTMENT 601, CLAIMS PROGRAM (ORGANIZATION 106) for the purpose of providing funds for PAYMENT OF CERTAIN CLAIMS for the remainder of Fiscal Year 1979-80.

CITY COUNCIL ACTION: (Tape location: F618-635).

Adopted as Ordinance 0-15250 (New Series)

MOTION BY STIRLING TO DISPENSE WITH THE READING AND ADOPT. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

\* ITEM-S501: (R-80-2067)

Accepting the offer of Bekins Building Maintenance Company to PROVIDE SERVICES at the Convention and Performing Arts Center on a month to month basis, as may be required, commencing May 1, 1980 and terminable at the option of City at the end of any month on seven (7) days' prior written notice; declaring that Bekins' agreement to the provisions of this resolution shall be signified by a letter of concurrence.

CITY COUNCIL ACTION: (Tape location: F636-G014).

Adopted as Resolution R-251732.

MOTION BY MITCHELL TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

UC-2: (R-80-0000)

A Resolution presented to the City Council with UNANIMOUS CONSENT:

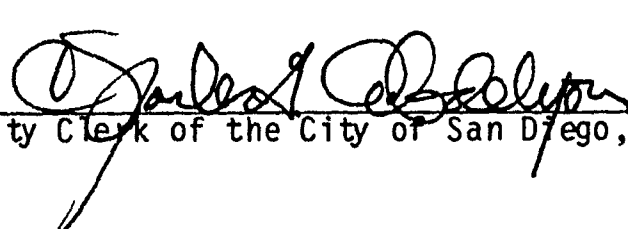
Changing the date of a previously set noticed hearing to consider Temporary Halt of Development of any Project within 1000 yards of the Mission Trails Regional Park from May 5, 1980, at 2:00 p.m., Time Certain, to May 12, 1980, 2:00 p.m., Time Certain.

CITY COUNCIL ACTION: (Tape location: G419-445).

Adopted as Resolution R-251733.

MOTION BY STIRLING TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-yea. Cleator-nay. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

ADJOURNMENT: Meeting was adjourned by Deputy Mayor Lowery at 3:43 p.m. into the Housing Authority.

  
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City Clerk of the City of San Diego, California