

Jul-7-1980

FILE: Minutes File

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JULY 7, 1980
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Wilson at 2:24 p.m. The meeting was recessed by Mayor Wilson at 3:54 p.m. into the into the Committee of the Whole. The Committee of the Whole was recessed by Mayor Wilson at 4:20 p.m. The meeting was reconvened by Mayor Wilson at 4:37 p.m. with Councilmember Lowery not present. The meeting was adjourned by Mayor Wilson at 5:20 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Wilson-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 (bb)

Jul-7-1980 ITEM-1:

FILE: Minutes File

DESCRIPTION:

Clerk Abdelnour called the roll:

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

Jul-7-1980 ITEM-10:

FILE: Minutes File

DESCRIPTION:

Invocation was given by Reverend Ray Doane, Pastor, Church of the Nazarene, Spring Valley.

Jul-7-1980 ITEM-20:

FILE: Minutes File

DESCRIPTION:

Pledge of Allegiance was led by Councilmember Williams.

Jul-7-1980 ITEM-30:

FILE: MEET

DESCRIPTION:

SUBMITTAL of a QUALIFIED FIREFIGHTERS INITIATIVE measure to a vote of the people at a special municipal election to be consolidated with the statewide general election to be held November 4, 1980. The measure proposes to amend the Charter of the City of San Diego by adding Section 130.5, FORMULA TO PAY SAN DIEGO CITY FIREFIGHTERS SALARIES EQUAL TO THE AVERAGE SALARIES PAID BY

OTHER LARGE CITIES IN CALIFORNIA.

COUNCIL ACTION: (Tape location: A186-359).

To be submitted.

Motion by Lowery to direct Rules Committee to prepare a resolution expressing Council opposition to ballot measure. Second by Cleator. Passed by the following vote: Yeas-1,2,3,4,5,7,8,M. Nay-6. Not present-None.

MOTION BY LOWERY TO SUBMIT PROPOSAL FOR NOVEMBER 4, 1980 BALLOT.

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-yea.

Jul-7-1980 * ITEM-50:

FILE: MEET

DESCRIPTION:

(O-80-327) Amending Ordinance No. O-15268 (New Series) entitled "AN ORDINANCE ESTABLISHING A SCHEDULE OF COMPENSATION FOR OFFICERS AND EMPLOYEES OF THE CITY

OF SAN DIEGO FOR THE FISCAL YEAR 1980-81" by AMENDING EXHIBIT A thereto.

(Introduced 6/24/80. Council voted 5-0. Districts 3, 4, 7 and 8 not present.)

COUNCIL ACTION: (Tape location: A441-452).

Adopted as Ordinance O-15289 (New Series).

MOTION BY GOTCH TO ADOPT. Second by Lowery. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.
Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jul-7-1980 * ITEM-52:

FILE: MEET

DESCRIPTION:

(O-80-273) Amending Chapter IX, Article 3 of the San Diego Municipal by
REPEALING SECTIONS 93.01.0603, 93.01.1107 and 93.01.1109; by AMENDING
SECTIONS

93.00.0002, 93.00.0003, 93.0103 and 93.0401.3; and by ADDING SECTIONS
93.00.0201, 93.00.0401 and 93.00.0503 relating to the UNIFORM PLUMBING AND
MECHANICAL CODES.

NOTE: See City Manager Report CMR-80-367.

COUNCIL ACTION: (Tape location: A452-458).

Introduced, to be adopted July 21, 1980.

MOTION BY LOWERY TO INTRODUCE. Second by Gotch. Passed by the following
vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea.
Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jul-7-1980 * ITEM-100:

FILE: SUBD Miramar Business and Industrial Park

DESCRIPTION:

Two Resolutions relative to the FINAL SUBDIVISION MAP of MIRAMAR BUSINESS AND
INDUSTRIAL PARK, a one-lot subdivision located southwesterly of Miramar Road
and Empire Street: (DISTRICT-1)

Subitem-A: (R-80-2547)

Authorizing the execution of an AGREEMENT with McKeller Development
Corporation for the installation and completion of improvements.

Subitem-B: (R-80-2546)

APPROVING THE FINAL MAP.

COUNCIL ACTION: (Tape location: A458-475).

Subitem-A adopted as Resolution R-252222.

Subitem-B adopted as Resolution R-252223.

MOTION BY GOTCH TO ADOPT. Second by Lowery. Passed by the following vote:
Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.
Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jul-7-1980 * ITEM-101:

FILE: SUBD Morena Industrial Center.

DESCRIPTION:

Two Resolutions relative to the FINAL SUBDIVISION MAP of MORENA INDUSTRIAL CENTER, a 13-lot subdivision located southeasterly of Morena Boulevard and Ariane Drive: (DISTRICT-1)

Subitem-A: (R-80-2537)

Authorizing the execution of an AGREEMENT with American Assets, Inc. for the installation and completion of improvements.

Subitem-B: (R-80-2536)

APPROVING THE FINAL MAP.

COUNCIL ACTION: (Tape location: A458-475).

Subitem-A adopted as Resolution R-252224.

Subitem-B adopted as Resolution R-252225.

MOTION BY GOTCH TO ADOPT. Second by Lowery. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jul-7-1980 * ITEM-102:

FILE: SUBD Terrace Green Unit 4.

DESCRIPTION:

Two Resolutions relative to the FINAL SUBDIVISION MAP of TERRACE GREEN UNIT 4, a one-lot subdivision located westerly of Alta View Drive and Tooma Street: (DISTRICT-4)

Subitem-A: (R-80-2352)

Authorizing the execution of an AGREEMENT with Treetops Unlimited for the installation and completion of improvements.

Subitem-B: (R-80-2351)

Approving the FINAL MAP and acknowledging receipt of SUBDIVIDER'S ASSURANCE OF COMPLIANCE with the affirmative marketing program.

COUNCIL ACTION: (Tape location: A452-458).

Subitem-A adopted as Resolution R-252226.

Subitem-B adopted as Resolution R-252227.

MOTION BY GOTCH TO ADOPT. Second by Lowery. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jul-7-1980 * ITEM-104:

FILE: DEED F-198

DESCRIPTION:

(R-80-2540) Approving the acceptance by the CITY MANAGER of EASEMENT DEEDS of Jeffrey G. and Patricia P. Storck and Leigh C. and Beatriz M. Rhett, conveying to City easements for slope and public street purposes over, along and across a portion of the SOUTHEAST QUARTER of the NORTHWEST QUARTER of SECTION 30, TOWNSHIP 14 SOUTH, RANGE 3 WEST, S.B.M. and a portion of PARCELS 1, 3 and 4 of PARCEL MAP PM-9538; dedicating said land therein as and for a public street and naming the same VIA DEL MAR. (DISTRICT-1)

COUNCIL ACTION: (Tape location: A458-475).

Adopted as Resolution R-252229.

MOTION BY GOTCH TO ADOPT. Second by Lowery. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jul-7-1980 * ITEM-105:

FILE: MEET

DESCRIPTION:

(R-80-2483) Authorizing the CITY MANAGER or his representative to execute WORK EXPERIENCE TRAINING AGREEMENTS with the San Diego Apprentice & Training Coordinators Association, Inc. in connection with its youth employment and training program.

COUNCIL ACTION: (Tape location: A458-475).

Adopted as Resolution R-252230.

MOTION BY GOTCH TO ADOPT. Second by Lowery. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jul-7-1980 * ITEM-107:

FILE: MEET

DESCRIPTION:

(R-80-2473) Authorizing the EXPENDITURE of \$197,964 out of CAPITAL OUTLAY FUND 245 for the purchase of equipment and furnishings for NEW AREA POLICE STATIONS; authorizing the CITY AUDITOR AND COMPTROLLER to transfer the sum of \$50,703 from CIP-36-030 (Southeastern Area Station) to CIP-36-029 (Western Area Station).

COUNCIL ACTION: (Tape location: A2458-475).

Adopted as Resolution R-252232.

MOTION BY GOTCH TO ADOPT. Second by Lowery. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jul-7-1980 * ITEM-108:

FILE: MEET

DESCRIPTION:

(R-80-2526) Authorizing the EXPENDITURE of a sum not to exceed \$4,000 from CAPITAL OUTLAY FUND 30245 ANNUAL ALLOCATION CIP 58-001 for the modification of

a sewer at Bernardo Center Drive and I-15; authorizing the use of CITY FORCES to do all necessary work in connection with the above modification.

(DISTRICT-1)

COUNCIL ACTION: (Tape location: A458-475).

Adopted as Resolution R-252233.

MOTION BY GOTCH TO ADOPT. Second by Lowery. Passed by the following vote:

Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jul-7-1980 ITEM-200:

FILE: CONT- CH2M Hill, South Bay Wastewater System

DESCRIPTION:

(R-80-2492) Authorizing the execution of AMENDMENT NO. 1 to TASK ORDER NO. 3, and AMENDMENTS NO. 3 and NO. 4 to TASK ORDER NO. 4 of the agreement with CH2M Hill California, Inc., Lowry and Associates, Boyle Engineering Corporation, John Carollo Associates and Rick Engineering Company in connection with South Bay Wastewater System and related facilities for the Point Loma Accelerated Projects. (DISTRICT-2)

COUNCIL ACTION: (Tape location: A475-501).

Adopted as Resolution R-252234.

MOTION BY STIRLING TO ADOPT. Second by Schnaubelt. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea.

Mayor Wilson-yea.

Jul-7-1980 ITEM-201:

FILE: MEET

DESCRIPTION:

(Continued from the Meeting of June 23, 1980 at the City Manager's request.)

Matter of proceeding with CONSTRUCTION of the NORTH CHOLLAS LANDFILL.

COUNCIL ACTION: (Tape location: C338-D520).

To proceed with construction.

MOTION BY LOWERY TO PROCEED WITH CONSTRUCTION. Second by Cleator.

Passed by

the following vote: Mitchell-nay. Cleator-yea. Lowery-yea. Williams-nay.

Schnaubelt-yea. Gotch-nay. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jul-7-1980 ITEM-S400:

FILE: General-Elections, Initiative Petitions-Black's Beach.

DESCRIPTION:

Matter of an INITIATIVE PETITION submitted by Friends for Alternatives in Recreation to REDESIGNATE Black's Beach a SWIMSUIT-OPTIONAL ZONE by amending Municipal Code 56.53 to include a new subsection (e) as follows:

The provisions of this section shall not apply to a designated swimsuit-optional zone. A swimsuit-optional zone is hereby designated by San Di

City Council resolution No. 210316 dated April 4, 1974, to wit, that area of the public and adjacent waters bounded on the north by the southern boundary of

Pueblo Lot 1324, bounded on the east by the cliffs, and bounded on the south by the westerly extension of the northern boundary of Lot 5, La Jolla Farms Subdivision.

The submitted petition was found to contain 33,975 signatures prima facie. In order to qualify an initiative petition for a legislative act to be submitted to the people, it must contain signatures of at least 10 percent of the voters. The current requirement, based on the number of registered voters in the City at the last General Municipal Election held on November 6, 1979, is 39,454 signatures. The petition is insufficient to cause direct submission to the people.

The submitted petition does, however, contain prima facie the signatures of at least three percent of the voters, which is currently 11,836 required signatures, and pursuant to Municipal Code Section 27.2502 qualifies for submission to the Council for action by the Council in accordance with Municipal Code Section 27.2520.

Municipal Code Section 27.2520 provides: "If the petition presented to the Council contains the signatures of at least three percent of the voters but less than ten percent of the voters, the Council must within ten days approve or reject the legislative act as presented but may not amend it."

COUNCIL ACTION: (Tape location: A359-441).

Filed.

MOTION BY LOWERY TO FILE. Second by Mitchell. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jul-7-1980 ITEM-S402:

FILE: SUBD Fulton Subdivision.

DESCRIPTION:

(R-80-2521) (Continued from the Meeting of June 30, 1980 at Councilman Gotch's request.) Approving the FINAL SUBDIVISION MAP of FULTON SUBDIVISION and acknowledging receipt of SUBDIVIDER'S ASSURANCE OF COMPLIANCE with the affirmative marketing program, a one-lot subdivision located at the easterly end of Fulton Street. (DISTRICT-5)

COUNCIL ACTION: (Tape location: B538-560).

Adopted as Resolution R-252236.

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

ITEM-S403:

FILE: MEET

DESCRIPTION:

(R-80-2389) (Continued from the Meetings of June 30 and July 7, 1980 at the City Attorney's request.) Authorizing the CITY AUDITOR AND COMPTROLLER to MAINTAIN and ADD CIP-21-110, Balboa Park/Nursery Relocation to the Fiscal Year 1980 Capital Improvements Program; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER the sum of \$40,000 from CIP-90-245, Capital Outlay Fund Unallocated Reserve to CIP-21-110 Balboa Park Maintenance and Nursery Yard Relocation; authorizing the execution of an AGREEMENT with Berryman and Stephenson, Inc. for PROFESSIONAL SERVICES for park projects of minor scope and for the Balboa Park Maintenance and Nursery Yard Relocation; authorizing the following EXPENDITURES from the CAPITAL OUTLAY FUND 30245 for the above purpose: \$40,000 from CIP-21-110 Balboa Park Maintenance and Nursery Yard Relocation and \$20,000 from CIP-20-009 Miscellaneous Professional Services.

(DISTRICT-8)

COUNCIL ACTION: (Tape location: A168-186).

Continued to July 14, 1980.

MOTION BY WILLIAMS TO CONTINUE TO JULY 21, 1980, AT CITY ATTORNEY'S REQUEST.

Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea.

Killea-yea. Mayor Wilson-yea.

Jul-7-1980 ITEM-UC-1:

FILE: MEET

DESCRIPTION:

(R-81-23) A Resolution presented to the City Council with UNANIMOUS CONSENT: Authorizing the City Manager to purchase building materials on the open market.

COUNCIL ACTION: (Tape location: B560-6010).

Adopted as Resolution R-252237.

MOTION BY STIRLING TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jul-7-1980 ITEM-UC-2:

FILE: MEET

DESCRIPTION:

(R-81-0000) A Resolution presented to the City Council with UNANIMOUS CONSENT: Excusing Councilman Fred Schnaubelt from the Transportation and Land Use Committee meeting and Committee of the Whole meeting on July 2, 1980, to attend a conference in Sacramento, California on governmental business.

COUNCIL ACTION: (Tape location: D520-540).

Adopted as Resolution R-252238.

MOTION BY STIRLING TO 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-yea.

Jul-7-1980 ADJOURNMENT:

FILE: Minutes File

DESCRIPTION:

Meeting was adjourned by Mayor Wilson at 5:20 p.m.

Jul-7-1980

ITEM-S401:

FILE: MEET

DESCRIPTION:

(R-81-13) Approving in concept the ESTABLISHMENT of the SOUTHEAST ECONOMIC DEVELOPMENT CORPORATION to advise the Redevelopment Agency on redevelopment in Southeast community and to implement and coordinate all redevelopment activities in the area; approving the formation of an ORGANIZING COMMITTEE advisory to the Transportation and Land Use Committee which organizing committee would oversee (1) the drafting of appropriate incorporating papers, (2) identification of funding and staffing to facilitate prompt financial and planning analysis of redevelopment area, (3) and the development of an overall FY 81 budget to support planned redevelopment activities; naming the following individuals to serve on the organizing committee: John Fowler, Deputy City Manager; Gerald Trimble, Exec. Vice President, CCDC; Jack Van Cleave, Planning Dept. Director; William Jones, Principal Assistant to Councilman Williams; Chuck Woolever, TLU Committee Consultant; Steve West, Redevelopment Division Superintendent; Harold Valderhaug, Deputy City Attorney.

COMMITTEE ACTION:

Initiated by TRANSPORTATION AND LAND USE COMMITTEE (TLU) on 7/2/80.

Recommendation to ADOPT the Resolution. Districts 2, 4, 6 and 8 voted yea.

District 5 not present.

COUNCIL ACTION: (Tape location: A501-B538).

Adopted as amended as Resolution R-252235.

MOTION BY WILLIAMS TO ADOPT AS AMENDED TO INCLUDE KEN CARPI, DAN WILKENS, DAN

GREENBLAT, AND A MEMBER OF THE ECONOMIC DEVELOPMENT CORPORATION

TO SERVE ON

THE ORGANIZING COMMITTEE. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-nay. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

FILE: MEET

DESCRIPTION:

(O-80-321) Amending Chapter II, Article 2 of the San Diego Municipal Code by AMENDING SECTION 22.0209 relating to ALTERATIONS IN CONTRACTS.

COMMITTEE ACTION:

Initiated by PUBLIC FACILITIES AND RECREATION COMMITTEE (PFR) on 5/8/80. Recommendation to INTRODUCE the Ordinance. Districts 2, 6 and 7 voted yea. Districts 1 and 8 not present.

COUNCIL ACTION: (Tape location: A452-458).

Introduced, to be adopted July 21, 1980.

MOTION BY LOWERY TO INTRODUCE. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

FILE: LEAS Edwin E. Proctor.

DESCRIPTION:

(R-80-2539) Authorizing the CITY MANAGER to TERMINATE, effective June 1, 1980, the City's lease with Edwin E. Proctor of 100 Acres in the San Pasqual Valley; authorizing the CITY MANAGER to ACCEPT certain privately owned improvements consisting of 2 sets of pumps, electric motors and electrical systems which have been installed on the leasehold premises in lieu of rent for the months of April and May, 1980. (DISTRICT-1)

COMMITTEE ACTION:

Initiated by PUBLIC FACILITIES AND RECREATION COMMITTEE (PFR) on 5/22/80. Recommendation to ADOPT the Resolution. Districts 1, 2 and 7 voted yea. Districts 6 and 8 not present.

COUNCIL ACTION: (Tape location: A458-475).

Adopted as Resolution R-252231.

MOTION BY GOTCH TO ADOPT. Second by Lowery. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Jul-7-1980

* ITEM-103: (R-80-2468) ADOPTED AS RESOLUTION R-252228
(form)

RESOLUTION OF INTENTION authorizing the execution of a SUPERSEDING FREEWAY AGREEMENT with the State of California, Department of Transportation for the PERMANENT CLOSING of the QUINCE STREET ON-RAMP to State Route 163.

(DISTRICT-8.)

COUNCIL ACTION: (Tape location: A458-475).

MOTION BY GOTCH TO ADOPT. Second by Lowery. Passed by the following vote: Mitchell-yea, Cleator-yea, Lowery-yea, Williams-yea, Schnaubelt-yea, Gotch-yea, Stirling-yea, Killea-yea, Mayor Wilson-yea.