

Nov-4-1980

FILE: MINUTES

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, NOVEMBER 4, 1980
AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING: The meeting was called to order by Chairperson Killea at 8:57 a.m. The meeting was adjourned by Deputy Mayor Lowery at 10:04 p.m.

Students from San Diego High School and Point Loma High School were welcomed by the Council.

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 (bb)

Nov-4-1980 ITEM-1:

FILE: MINUTES

DESCRIPTION:

Clerk Abdelnour called the roll:
Mayor Wilson-not present.
Councilmember Mitchell-present.
Councilmember Cleator-present.
Councilmember Lowery-not present.
Councilmember Williams-not present.
Councilmember Schnaubelt-not present.
Councilmember Gotch-present.
Councilmember Stirling-present.
Councilmember Killea-present.

Nov-4-1980 ITEM-203:

FILE: -

DESCRIPTION:

(R-81-314) Authorizing the SALE of a portion of LOT 18, BLOCK 4 of ENCANTO HEIGHTS to the highest bidder at the November 3, 1980 auction; authorizing the execution of a GRANT DEED, granting to the highest bidder at said auction said property; declaring that a broker's commission shall be paid by City if the applicable Municipal Code provisions have been satisfied; authorizing the payment of related expenses in accordance with the sale from the proceeds thereof. (DISTRICT-3.)

COUNCIL ACTION: (Tape location: A030-055)

Returned to City Manager.

Motion by Gotch to reconsider item from meeting of November 3, 1980. Second by Stirling. Passed by the following vote: Yeas-2, 5, 6, 7, 8. Nays-None.

Not present-1, 3, 4, M.

MOTION BY GOTCH TO REJECT BID OF D. D. FRANKEL CONSTRUCTION CO. AND RETURN TO THE CITY MANAGER FOR FURTHER REVIEW AT THE CITY MANAGER'S REQUEST.

Second by

Stirling. Passed by the following vote: Mitchell-not present. Cleator-yea.

Lowery-not present. Williams-not present. Schnaubelt-yea. Gotch-yea.

Stirling-yea. Killea-yea. Mayor Wilson-not present.

Nov-4-1980 ITEM-330:

FILE: ZONE 11/4/80

DESCRIPTION:

REZONING a portion of LOT 18, HORTON'S PURCHASE, MAP- 283 and LOT 3, BROADCAST CITY RESUBDIVISION NO. 1, MAP-4853 (approximately 1.31 acres), located on the north side of Highway 94 between Highway 94 and 47th Street, in the Mid-City Development Plan area, from ZONE R-3 to ZONE M-1B. (Case-5-80-062. DISTRICT-3.)

Subitem-A: (R-81-623)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-80-07-01 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.

Subitem-B: (O-81-73)

INTRODUCTION of an ORDINANCE for M-1B Zoning.

COUNCIL ACTION: (Tape location: A211-247).

Subitem-A adopted as Resolution R-253050.

Subitem-B introduced, to be adopted November 17, 1980.

Hearing began at 9:13 a.m. and halted at 9:16 a.m.

Testimony in favor by Michael Thorsnes.

MOTION BY WILLIAMS TO ADOPT (A), INTRODUCE (B) AND CLOSE THE HEARING.

Second

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

Lowery-not present. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea.

Killea-yea. Mayor Wilson-not present.

Nov-4-1980 ITEM-331:

FILE: ZONE 11/4/80

DESCRIPTION:

REZONING LOTS 16 and 17, BLOCK 9, BROOKES ADDITION, MAP-596 (approximately .31 acres), located on the west side of Fourth Avenue between Pennsylvania and Brookes Avenues, in the Uptown Community Plan Area, from ZONE R-4 to ZONE CO. (Case 5-80-063. DISTRICT-2.)

Subitem-A: (R-81-624)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-80-07-04 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.

Subitem-B: (O-81-74)

INTRODUCTION of an ORDINANCE for CO Zoning.

COUNCIL ACTION: (Tape location: A247-277).

Subitem-A adopted as Resolution R-253051.

Subitem-B introduced, to be adopted November 17, 1980.

Hearing began at 9:16 a.m. and halted at 9:18 a.m.

Testimony in favor by Don White.

MOTION BY GOTCH TO ADOPT (A) AND INTRODUCE (B). Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-not present.

Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-not present.

Nov-4-1980 ITEM-332:

FILE: PERM CUP-10-615-0

DESCRIPTION:

(R-81-) APPEAL of UNION OIL COMPANY, by B. L. Scaparro, from the decision of the PLANNING COMMISSION in APPROVING a modification of their application for a CONDITIONAL USE PERMIT to allow restructure of an existing service station for self-service operation on .465 acres in the CA-S ZONE. The subject property is located on the north side of Balboa Avenue between Genesee

and Mount Abernathy Avenues, in the Clairemont Community Plan area, and is more particularly described as LOT 9, BALBOA SHOPPING CENTER RESUBDIVISION NO. 1, MAP-6256. (CUP-10-615-0. DISTRICT-5.) Today's action is adoption of a RESOLUTION granting or denying the appeal with appropriate findings to support Council action.

COUNCIL ACTION: (Tape location: A277-527).

Failed.

Hearing began at 9:18 a.m. and halted at 9:33 a.m.

Testimony in favor of appeal by Bernard Scapparo.

MOTION BY SCHNAUBELT TO GRANT APPEAL AND CLOSE HEARING. Second by Cleator.

Failed due to lack of 5 affirmative votes.: Mitchell-nay. Cleator-yea.

Lowery-not present. Williams-nay. Schnaubelt-yea. Gotch-nay. Stirling-yea.

Killea-yea. Mayor Wilson-not present.

Nov-4-1980 ITEM-333:

FILE: ZONE 11/4/80

DESCRIPTION:

REZONING a portion of LOT 13, BARROW'S SUBDIVISION, MAP-704 (approximately 10.7 acres), located on the north side of Eastgate Mall between Miramar Road and I-805, in the University Community Plan Area, from ZONE A-1-10 (portion HR) to ZONE M-1B. (Case-60-79-18. DISTRICT-1.)

Subitem-A: (R-81-660)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-79-04-17 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-81-82)

INTRODUCTION of an ORDINANCE for M-1B Zoning.

Subitem-C: (R-81-)

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 EIR-79-04-17.

COUNCIL ACTION: (Tape location: A527-640).

Subitem-A adopted as Resolution R-253052.

Subitem-B introduced, to be adopted November 17, 1980.

Subitem-C adopted as Resolution R-253053.

Hearing began at 9:35 a.m. and halted at 9:38 a.m.

Councilman Lowery entered the chambers at 9:35 a.m.

MOTION BY GOTCH TO ADOPT (A) AND (C) AND INTRODUCE (B). 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.

Nov-4-1980 ITEM-335:

FILE: STRT D-2198

DESCRIPTION:

(R-81-) PAVING and otherwise improving the ALLEY in BLOCK 14, LA MESA COLONY - on ASSESSMENT ROLL-3951. (1911 Street Improvement Act. DISTRICT-7.) Today's action is ADOPTION of a RESOLUTION CONFIRMING THE ASSESSMENT. COUNCIL ACTION: (Tape location: B317-345).

Adopted as Resolution R-253056.

MOTION BY STIRLING TO ADOPT. 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-not present.

Nov-4-1980 ITEM-336:

FILE: MEET

DESCRIPTION:

(R-81-801) Authorizing the execution of a CONTRACT with the California Department of Transportation providing for a \$1,060,000 GRANT to assist in the acquisition of the Santa Fe Depot. (See Centre City Development Corporation Memorandum of October 16, 1980. Centre City Planning Area. DISTRICT-8.) COUNCIL ACTION: (Tape location: A015-030).

Continued to November 10, 1980 at Centre City Development Corporation's request.

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

Nov-4-1980 ITEM-S402:

FILE: A-00149 - A-00152

DESCRIPTION:

(R-81-862) Approving the PLANS and SPECIFICATIONS and authorizing the PURCHASING AGENT to ADVERTISE for BIDS for the POINT LOMA WASTEWATER TREATMENT

FACILITIES ACCELERATED PROJECTS CONSTRUCTION CONTRACTS C-2, C-3, C-4 and C-5,

on Specifications Document Nos. A-00149, A-00150, A-00151 and A-00152 respectively; approving the PLANS and SPECIFICATIONS and authorizing the

PURCHASING AGENT to ADVERTISE for BIDS for the POINT LOMA WASTEWATER TREATMENT

FACILITIES ACCELERATED PROJECTS EQUIPMENT PREPURCHASE CONTRACTS E-1, E-2, E-3,

E-4, E-7, E-10, E-11, E-12 and E-13. (Harbor Community area. DISTRICT-2.)

COUNCIL ACTION:

Adopted as Resolution R-253057.

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-not present

Nov-4-1980 ADJOURNMENT:

FILE: Minutes File

DESCRIPTION:

By common consent, Deputy Mayor Lowery adjourned the meeting at 10:04 a.m.

Nov-4-1980

ITEM-334:

FILE: MEET

DESCRIPTION:

Declaring the ILLEGAL FILL at MALLARD STREET and McARTHUR DRIVE a NUISANCE

and directing the CITY ATTORNEY to commence abatement to accomplish total removal of the fill across the canyon. (DISTRICT-4.)

Subitem-A: (R-81-540)

Declaring the property of Blane Thorsen located at 6532 Mallard Street and more particularly described as LOTS 17 and 18, BROADWAY HEIGHTS, UNIT NO. 2, MAP-4254 a nuisance and directing the City Attorney to proceed to cause removal of the fill.

Subitem-B: (R-81-541)

Declaring the property of Stephen Slepko located at 6503 McArthur Drive and more particularly described as LOT 16, BROADWAY HEIGHTS, UNIT NO. 2, MAP-4254 a nuisance and directing the City Attorney to proceed to cause removal of the fill.

COMMITTEE ACTION:

Initiated by TLU on 5/14/80. Recommendation to ADOPT the Resolution.

Districts 2, 4, 5, 7 and 8 voted yea.

COUNCIL ACTION: (Tape location: A726-B249).

Subitem-A adopted as Resolution R-253054.

Subitem-B adopted as Resolution R-253055.

Hearing began at 9:42 a.m. and halted at 9:58 a.m.

Testimony in opposition by Steven Shepro.

MOTION BY WILLIAMS TO ADOPT (A) AND (B) AND CLOSE HEARING. Second by Stirling. 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.