

Feb-24-1981

FILE: MINUTES

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, FEBRUARY 24, 1981, AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING: The meeting was called to order by Mayor Wilson at 8:39 a.m. The meeting was recessed by Mayor Wilson at 8:51 a.m. to convene as the Redevelopment Agency. The meeting was reconvened by Mayor Wilson at 9:31 a.m. with all members present and immediately recessed into closed session regarding pending litigation. The meeting was reconvened by Mayor Wilson at 10:44 a.m. with Councilmember Schnaubelt not present. The meeting was recessed until 2:00 p.m. by Mayor Wilson at 12:15 p.m.

The meeting was reconvened by Deputy Mayor Mitchell at 2:15 p.m. with Mayor Wilson not present. The meeting was adjourned by Deputy Mayor Mitchell at 4:31 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-present.

(1) Councilmember Mitchell-present.

(2) Councilmember Cleator-present.

(3) Councilmember Golding-present.

(4) Councilmember Williams-present.

(5) Councilmember Schnaubelt-present.

(6) Councilmember Gotch-present.

(7) Councilmember Murphy-present.

(8) Councilmember Killea-present.

Clerk-Abdelnour (mp/bb)

Feb-24-1981 ITEM-1:

FILE: MINUTES

DESCRIPTION:

Clerk Mutascio called the roll:

Mayor Wilson-present.

Councilmember Mitchell-not present.

Councilmember Cleator-not present.

Councilmember Golding-present.

Councilmember Williams-not present.

Councilmember Schnaubelt-not present.

Councilmember Gotch-present.

Councilmember Murphy-present.

Councilmember Killea-present.

Feb-24-1981 ITEM-310:

DESCRIPTION:

(R-81-1428) Authorizing SUGGESTIONS AWARDS and making a PRESENTATION to the following employees: Ernest C. Salgado - Police Department - \$2,500. Wayne L. Ramsey and Alvin A. Beckett - City Treasurer and Police Department - \$1,000. Joseph J. Scelso - Police Department - \$950. Gordon G. Redding - Police Department - \$865. Dennis L. Marnell - General Services Department - \$605.

FILE: (MEET)

COUNCIL ACTION:

(Tape location: A011-124).

Adopted as Resolution R-253678.

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

Feb-24-1981 ITEM-311:

DESCRIPTION:

Three Resolutions relative to authorizing SUGGESTION AWARDS to the following employees:

Subitem-A: (R-81-1429)

Caroline L. McCullagh - Building Inspection Department - \$305. Larry L. Griffin - Police Department - \$285. Thomas A. Wormington and George M. Harkleroad - General Services Department - \$225. Robert L. Davis - General Services Department - \$210. An Gia Vu - Water Utilities Department - \$195.

Subitem-B: (R-81-1430)

Timothy L. O'Connell - Planning Department - \$150. Robert C. Nightingale - Planning Department - \$115. Blanche Solow - Police Department - \$85. Harry J. Keehan - Library Department - \$70. Inge Davidson - Risk Management Department - \$20.

Subitem-C: (R-81-1431)

Thomas W. Dush - Fire Department - \$20. Madelyn L. Leibold - Planning Department - \$15. Kris A. Barnett and Donna M. Olszewski - Engineering and Development Department - \$10.

FILE: (MEET)

COUNCIL ACTION:

(Tape location: A011-124)

Subitem-A adopted as Resolution R-253679.

Subitem-B adopted as Resolution R-253680.

Subitem-C adopted as Resolution R-253681.

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

Feb-24-1981 ITEM-312:

DESCRIPTION:

Welcome to New Employees.

FILE: (MEET)

COUNCIL ACTION:

(Tape location: A125-149).

Welcomed.

Feb-24-1981 ITEM-330:

DESCRIPTION:

(Continued from the Meeting of February 10, 1981; last continued at Mr. Tom Gade's request.) Matter of a REQUEST to REZONE LOTS 42 through 45, BLOCK 6, PACIFIC BEACH VISTA TRACT, MAP-916 (approximately .33 acres), located on the south side of Agate Street between La Jolla Mesa Drive and Cass Street, in the Mission-Pacific Beach Community Plan area, from ZONE R-2A to ZONE R-3A. (Case-5-80-091. DISTRICT-6.)

Subitem-A: (R-81-1295)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-80-10-13 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-81-169)

INTRODUCTION of an ORDINANCE for R-3A Zoning.

FILE: (ZONE 2/24/81)

COUNCIL ACTION:

(Tape location: B119-152)

Returned to the City Clerk.

MOTION BY MITCHELL TO RETURN THE ITEM TO THE CITY CLERK AT THE CLERK'S

REQUEST. Second by Golding. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-yea.

Feb-24-1981 ITEM-331:

DESCRIPTION:

(Continued from the Meeting of February 3, 1981; last continued at the City Manager's request.) Seven Resolutions relative to the improvement of CAMINO DEL RIO SOUTH, TEXAS STREET TO I-805 ASSESSMENT DISTRICT under the Improvement Act of 1913, Resolution of Intention R-252941. (Mission Valley Community Area. DISTRICT-3.)

Subitem-A: (R-81-1136)

Adoption of a RESOLUTION OVERRULING PROTESTS ON RESOLUTION R-252941 of PRELIMINARY DETERMINATION AND OF INTENTION.

Subitem-B: (R-81-1137)

Adoption of a RESOLUTION FINDING AND DETERMINING that the public convenience and necessity require proposed ACQUISITIONS AND IMPROVEMENTS. (8_votes required.)

Subitem-C: (R-81-1138)

Adoption of a RESOLUTION ORDERING REDUCTION OF ASSESSMENTS.

Subitem-D: (R-81-1139)

Adoption of a RESOLUTION and ORDER adopting ENGINEER'S REPORT, CONFIRMING THE ASSESSMENT and ORDERING THE WORK AND ACQUISITIONS.

Subitem-E: (R-81-1140)

Adoption of a RESOLUTION AWARDED SALE OF BONDS.

Subitem-F: (R-81-1141)

Adoption of a RESOLUTION of AWARD OF CONTRACT.

Subitem-G: (R-81-1142)

Adoption of a RESOLUTION DESIGNATING COLLECTION OFFICER.

FILE: (STRT D-2191)

COUNCIL ACTION:

(Tape location: B233-D181)

Continued to March 24, 1981.

Hearing began at 10:52 a.m. and halted at 12:15 p.m.

Testimony in favor by Chuck Baldwin.

Testimony in opposition by Joseph Appolito and Jerry Dawson.

Testimony by McElligott, Bond Counsel.

Councilmember Murphy left 11:31 a.m.

Councilmember Cleator left 11:54 a.m.

MOTION BY GOTCH TO CONTINUE THIS ITEM AND ITEM 332 TO MARCH 24, 1981, AND TO REQUEST STAFF RETURN IN ONE WEEK WITH ALTERNATIVES TO THE PRESENT ASSESSMENT DISTRICT, TAKING INTO CONSIDERATION THOSE PROPERTIES NOT PRESENTLY IN THE ASSESSMENT DISTRICT THAT BENEFIT OR DO NOT BENEFIT FROM THIS IMPROVEMENT, AND TO CONSIDER A SPREAD OF 60/40. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Murphy-not present. Killea-yea. Mayor Wilson-yea.

Feb-24-1981 ITEM-332:

DESCRIPTION:

(R-81-1143) (Continued from the Meeting of February 3, 1981; last continued at the City Manager's request.) Establishing an UNDERGROUND UTILITY DISTRICT to be known and denominated as the CAMINO DEL RIO SOUTH (Texas Street to I-805) UNDERGROUND UTILITY DISTRICT. (DISTRICT-3.)

FILE: (STRT K-119)

COUNCIL ACTION:

(Tape location: B233-D181).

Continued to March 24, 1981.

MOTION BY GOTCH TO CONTINUE TO MARCH 24, 1981, WITH ITEM 331. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea.

Golding-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Murphy-not present. Killea-yea. Mayor Wilson-yea.

Feb-24-1981 ITEM-333:

DESCRIPTION:

(R-81-) Adoption of a Resolution approving the PENINSULA LOCAL COASTAL PROGRAM (LCP) Land Use Plan for submittal to the California Coastal Commission. The area is generally south of Midway Drive between Froude Street and the bay to the tip of Point Loma. This Land Use Plan is intended to meet the requirements of the California Coastal Act of 1976.

FILE: (LAND Peninsula Local Coastal Program)

COUNCIL ACTION:

(Tape location: B164-205).

Continued to March 24, 1981.

Hearing began at 10:47 a.m. and halted at 10:49 a.m.

MOTION BY GOTCH TO CONTINUE TO MARCH 24, 1981, AT PLANNING DEPARTMENT'S

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

Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-yea.

FILE: SUBD PM-01-217-0

DESCRIPTION:

(R-81-) (Continued from the Meeting of January 27, 1981; last continued at Councilwoman Killea's request.) APPEAL of FU-KONG TZUNG from the decision of the PLANNING COMMISSION in DENYING PRELIMINARY PARCEL MAP PM-01-217-0 which

proposes a three-lot subdivision of LOTS 11, 12, 19 and 20, BLOCK 13, DEL MAR TERRACE, MAP-1527. The subject property is located north of Via Aprillia between Via Grimaldi and Via Latina, in the R-1-5 ZONE and within the boundaries of the Torrey Pines Community Plan. (PM-01-217-0. DISTRICT-1.)

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

COUNCIL ACTION: (Tape location: E010-420).

Failed.

Hearing began at 2:16 p.m. and halted at 2:45 p.m.

Testimony in favor by Ted Smith.

Testimony in opposition by Charlie Nichols.

MOTION BY CLEATOR TO CLOSE THE HEARING AND GRANT THE APPEAL AND MAP. Second by

Schnaubelt. Deemed denied due to a lack of 5 affirmative votes. Planning Commission's recommendation to deny the map is upheld. Defeated by the following vote: Mitchell-nay. Cleator-yea. Golding-yea. Williams-nay. Schnaubelt-yea. Gotch-nay. Murphy-nay. Killea-nay. Mayor Wilson-not present.

FILE: STRT K-122

DESCRIPTION:

Three Resolutions relative to the HEALTH CENTER DRIVE UNDERGROUND UTILITY DISTRICT: (Linda Vista Community area. DISTRICT-5.)

Subitem-A: (R-81-1185)

Establishing said Underground Utility District on Resolution of Intention R-253454.

Subitem-B: (R-81-1186)

Authorizing the execution of an AGREEMENT with San Diego Gas & Electric Company for FINANCING the RULE 20B portion of the formation of the said district.

Subitem-C: (R-81-1187)

Authorizing the execution of an AGREEMENT with Sharp Memorial Hospital Foundation for REIMBURSEMENT of CITY'S SHARE of the formation of said

district.

COUNCIL ACTION: (Tape location: F418-457)

Subitem-A adopted as Resolution R-253683.

Subitem-B adopted as Resolution R-253684.

Subitem-C adopted as Resolution R-253685.

Hearing began at 3:29 p.m. and halted at 3:31 p.m.

Deputy Mayor Mitchell left at 3:29 p.m. and entered at 3:30 p.m.

MOTION BY MURPHY TO ADOPT. Second by Williams. Passed by the following vote:

Mitchell-yea. Cleator-yea. Golding-yea. Will Gotch-yea. Murphy-yea.

Killea-yea. Mayor Wilson-not present.

Feb-24-1981 * ITEM-336:

FILE: STRT D-2210

DESCRIPTION:

(R-81-) Paving and otherwise improving the ALLEY in BLOCK 1, TURNER'S SEA SHELL PARK, and CONTIGUOUS TO LOT 450, CROWN POINT on ASSESSMENT ROLL-3957.

(1911 Street Improvement Act.) (DISTRICT-6.) Today's action is ADOPTION of a RESOLUTION CONFIRMING THE ASSESSMENT.

COUNCIL ACTION:

(Tape location: F457-G140).

Continued to March 10, 1981.

Hearing began at 3:31 p.m. and halted at 3:51 p.m.

Testimony in opposition by Hal Harding and Billie Hart.

MOTION BY MURPHY TO CONTINUE TO MARCH 10, 1981 AT HIS REQUEST. Second by

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

Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea.

Killea-ye

Mayor Wilson-not present.

Feb-24-1981 ITEM-337:

FILE: ZONE 2/24/81

DESCRIPTION:

Matter of REZONING LOTS 9, 10 and 16 through 20, BLOCK 78, CITY HEIGHTS OF SAN DIEGO, MAP-1007 (approximately .11 acres), located on the east side of Marlborough Avenue between Dwight and Landis Streets, in the Mid-City Community Plan area, from ZONE R-2 to ZONE R-3A. (Case-5-80-097. DISTRICT-3.)

Subitem-A: (R-81-1479)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-80-10-34 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-81-185)
INTRODUCTION of an ORDINANCE for R-3 Zoning.
COUNCIL ACTION:
(Tape location: G140-H070)

Subitem-A adopted as Resolution R-253686.

Subitem-B introduced, to be adopted March 9, 1981.
Hearing began at 3:51 p.m. and halted at 4:29 p.m.
Testimony in favor by Larry Holliday.
Councilmember Williams left 3:51 p.m. and entered 3:54 p.m.
Councilmember Williams left 4:04 p.m.
MOTION BY KILLEA TO CLOSE THE HEARING, ADOPT SUBITEM (A) AND INTRODUCE SUBITEM (B). Second by Golding. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Feb-24-1981 ITEM-338:

FILE: GENL Centre City Dev Corp - By Laws
DESCRIPTION:
(R-81-1470) Adopting AMENDMENTS to the BYLAWS of the CENTRE CITY DEVELOPMENT CORPORATION. (See Centre City Development report dated 2/6/81. Centre City Planning area. DISTRICT-8.)
COUNCIL ACTION:
(Tape location: H070-090).
Adopted as Resolution R-253687.
MOTION BY KILLEA TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Feb-24-1981 ITEM-S500:

DESCRIPTION:
(R-81-1532) Advising the GENERAL ACCOUNTING OFFICE of the U.S. Government of the VIEWS and POSITIONS of the City of San Diego relating to the U.S. NAVAL

MEDICAL REGIONAL CENTER in Florida Canyon, a part of Balboa Park.

FILE: (GENL USA Naval Hospital)

COUNCIL ACTION:

(Tape location: B153-163 and E420-F418).

Adopted as amended as Resolution R-253688.

Amendment was reviewed at this morning's closed session. Information will be available at 2:00 p.m. today; the matter will not be discussed prior to that time.

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

FILE:

DESCRIPTION:

(R-81-1546) A Resolution adopted by the City Council in Closed Session on February 24, 1981:

Authorizing the City Manager to pay the total sum of \$60,000 in settlement of Superior Court Case No. 427685, Robin Mindlin v. City of San Diego, et al., and of each and every claim against the City, its agents and employees resulting from the personal injuries to Robin Mindlin; authorizing the City Auditor and Comptroller to issue one check in the amount of \$60,000 to Robin Mindlin and her attorney, Donald F. Hildre, in full settlement of the lawsuit and all claims.

COUNCIL ACTION:

Adopted as Resolution R-253682.

Feb-24-1981

ADJOURNMENT:

FILE: MINUTES

DESCRIPTION:

By common consent the meeting was adjourned by Deputy Mayor Mitchell at 4:31 p.m.

Feb-24-1981 ITEM-ES-2:

FILE:

DESCRIPTION:

(R-81-1452) A Resolution adopted by the City Council in Executive Session on February 24, 1981:

Authorizing the City Manager to pay the total sum of \$4,926.03 in partial settlement of each and every claim against the City, its agents and employees, resulting from the property damage to Elwood and Elaine Logan; authorizing the City Auditor and Comptroller to issue one check in the amount of \$4,926.03 to

Luth & Turley, Inc., in partial settlement of all claims.

CITY_

COUNCIL ACTION:

Adopted as Resolution R-253689.