

Sep-15-1981

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, SEPTEMBER 15, 1981 AT 8:30 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING: The meeting was called to order by Deputy Mayor Mitchell at 8:35 a.m. with no quorum present. A quorum was present at 8:39 a.m. with Mayor Wilson and Councilmembers Cleator, Schnaubelt, and Gotch not present. The meeting was recessed by Deputy Mayor Mitchell at 9:48 a.m. The meeting was reconvened by Deputy Mayor Mitchell at 10:03 a.m. with Mayor Wilson and Councilmembers Cleator and Gotch not present. The meeting was recessed by Deputy Mayor Mitchell at 10:31 a.m. to reconvene at 2:00 p.m. Due to a lack of quorum the Clerk adjourned the meeting at 2:05 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Wilson-excused by R-255008 (vacation).
(1) Councilmember Mitchell-present.
(2) Councilmember Cleator-excused by R-254447 (vacation).
(3) Councilmember Golding-present.
(4) Councilmember Williams-present.
(5) Councilmember Schnaubelt-present.
(6) Councilmember Gotch-excused by R-254958 (vacation).
(7) Councilmember Murphy-present.
(8) Councilmember Killea-present.
Clerk-Abdelnour (bb/jb)

Sep-15-1981 ITEM-1:

FILE: MINUTES

DESCRIPTION:

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

Sep-15-1981 * ITEM-57:

DESCRIPTION: (O-82-24) Amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by AMENDING SECTIONS 101.0421.1, 101.0423, 101.0426, 101.0427, 101.0428.1, 101.0430.1, 101.0432.1 and 101.0433 all relating to COMMERCIAL ZONES, SPECIAL PROVISION.

FILE: MEET

COUNCIL ACTION:

(Tape location: A184-230).

Introduced, to be adopted September 28, 1981.

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

Sep-15-1981 * ITEM-111:

DESCRIPTION: Two Resolutions relative to LOT 83, DEL CERRO SHORES UNIT NO. 1 and a portion of LOT 67, RANCHO MISSION OF SAN DIEGO: (Located near the easterly terminus of Del Cerro Boulevard. Lake Murray Community area. DISTRICT-7.)

Subitem-A: (R-82-307)

Authorizing the execution of a DEED conveying to San Diego Gas & Electric Company an EASEMENT for underground and aboveground electrical facilities affecting the above.

Subitem-B: (R-82-308)

Authorizing the execution of a DEED conveying to Pacific Telephone & Telegraph Company an easement for underground and aboveground communication facilities affecting the above.

FILE:

Subitem A DEED F-1061;

Subitem B DEED F-1062

COUNCIL ACTION:

(Tape location: A230-248)

Subitem-A adopted as Resolution R-255010.

Subitem-B adopted as Resolution R-255011.

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

Sep-15-1981 * ITEM-119:

DESCRIPTION: (R-81-1597 Rev.) Authorizing the execution of an AGREEMENT with Atchison, Topeka and Santa Fe Railroad, for the COOPERATIVE INSTALLATION of RUBBER RAILROAD CROSSING MATERIAL at the railroad grade crossing on MIRAMAR ROAD (No. 2.253.80-6); authorizing the EXPENDITURE of \$55,000 from CAPITAL OUTLAY 30245 for the purchase of RUBBER RAILROAD CROSSING MATERIAL for the above purpose; authorizing the TRANSFER of \$35,000 from CIP-11-014, CONCRETE CROSS GUTTERS, to CIP-64-004, RAILROAD WARNING DEVICES. (DISTRICT-5.)

FILE: MEET

COUNCIL ACTION:

(Tape location: A248-290).

Adopted as Resolution R-255012.

MOTION BY GOLDING TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-not present. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-not present. Murphy-yea. Killea-yea. Mayor

Wilson-not

present.

Sep-15-1981 * ITEM-120:

DESCRIPTION: (R-82-394) Authorizing the execution of AGREEMENTS with the San Diego Unified School District, Sweetwater Union High School District, and Mount Carmel High School to provide a MINIMUM of TWO SAN DIEGO POLICE OFFICERS

at each REGULARLY SCHEDULED NIGHT FOOTBALL GAME between high schools during

the period of September 18, 1981 through December 31, 1981.

FILE: MEET

COUNCIL ACTION:

(Tape location: A290-308).

Adopted as Resolution R-255013.

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

Mitchell-yea. Cleator-not present. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-not present. Murphy-yea. Killea-yea. Mayor

Wilson-not

present.

Sep-15-1981 * ITEM-130:

DESCRIPTION: (R-82-328) Amending COUNCIL POLICY 700-10 regarding DISPOSITION OF SURPLUS CITY-OWNED REAL PROPERTY.

COMMITTEE ACTION:

Initiated by PFR on 7/22/81. Recommendation to ADOPT the Resolution.

Districts 2, 3 and 5 voted yea. Districts 6 and 7 not present.

FILE: MEET

COUNCIL ACTION:

(Tape location: A308-390).

Adopted as Resolution R-255014.

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

Mitchell-yea. Cleator-not present. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-not present. Murphy-yea. Killea-yea. Mayor

Wilson-not

present.

Sep-15-1981 ITEM-150:

DESCRIPTION: Three Resolutions relative to the INDUSTRIAL DEVELOPMENT AUTHORITY and the SAN DIEGO ECONOMIC DEVELOPMENT REVENUE BOND LAW:

(See City

Manager Report CMR-81-285.)

Subitem-A: (R-81-2492 Rev.)

Declaring the COUNCIL of the City of San Diego to be the BOARD OF DIRECTORS of the INDUSTRIAL DEVELOPMENT AUTHORITY of the City of San Diego.

Subitem-B: (R-81-2493 Rev.)

Authorizing the CITY MANAGER to ISSUE GUIDELINES to be followed by companies in making APPLICATIONS to the City of San Diego for FINANCING under the City of SAN DIEGO ECONOMIC DEVELOPMENT REVENUE BOND LAW.

Subitem-C: (R-81-2494 Rev.)

APPROVING the FEES to be charged companies making APPLICATIONS to the City of San Diego for FINANCING under the City of SAN DIEGO ECONOMIC DEVELOPMENT REVENUE BOND LAW.

COMMITTEE ACTION:

Reviewed by RULES on 8/3/81. Recommendation to ADOPT the Resolutions.

Districts 1, 4 and 8 voted yea. District 2 and Mayor not present.

FILE: MEET

COUNCIL ACTION:

(Tape location: A400- B150)

Subitem-A adopted as Resolution R-255015.

Subitem-B adopted as Resolution R-255016.

Subitem-C adopted as Resolution R-255017.

MOTION BY WILLIAMS TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-not present. Golding-yea. Williams-yea.

Schnaubelt-nay. Gotch-not present. Murphy-yea. Killea-yea. Mayor

Wilson-not

present.

Sep-15-1981 ITEM-151:

DESCRIPTION: (R-82-326) Declaring that the CITY COUNCIL wholeheartedly SUPPORTS the CALIFORNIA STATE PARK AND RECREATION DEPARTMENT'S intention to use MINOR CAPITAL IMPROVEMENT FUNDS to COMPLETE the RESTORATION of OLD TOWN SAN DIEGO HISTORIC PARK in 1981; directing the DEPARTMENT OF INTERGOVERNMENTAL RELATIONS to SEND a COPY of this DOCUMENT to Governor Edmund G. Brown, Jr., to State Park and Recreation Director Dangermond, and to the San Diego Legislative Delegation.

COMMITTEE ACTION:

Reviewed by RULES on 8/17/81. Recommendation to ADOPT the Resolution. Districts 1, 2 and Mayor voted yea. Districts 4 and 8 not present.

FILE: MEET

COUNCIL ACTION:

(Tape location: A390-400).

Adopted as Resolution R-255018.

MOTION BY KILLEA TO ADOPT. Second by Murphy. Passed by the following vote:

Mitchell-yea. Cleator-not present. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-not present. Murphy-yea. Killea-yea. Mayor

Wilson-not

present.

Sep-15-1981 ITEM-152:

DESCRIPTION: (R-82-332) ENDORSING those amendments listed as AMENDMENTS 2 through 7 to ASSEMBLY BILL 447 (Kapiloff) relating to the use of DE ANZA POINT. (See Rules Committee Consultant analysis RULES-81-12.)

COMMITTEE ACTION:

Reviewed by RULES on 8/17/81. Recommendation to ADOPT the Resolution.

Districts 1, 2 and Mayor voted yea. Districts 4 and 8 not present.

FILE: MEET

COUNCIL ACTION:

(Tape location: B166-210).

Filed.

MOTION BY SCHNAUBELT TO FILE. Second by Killea. Passed by the following

vote: Mitchell-yea. Cleator-not present. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-not present. Murphy-yea. Killea-yea. Mayor

Wilson-not present.

Sep-15-1981

ITEM-154:

DESCRIPTION: (R-82-241) Authorizing the CITY MANAGER to SUBMIT a GRANT APPLICATION to the URBAN MASS TRANSPORTATION ADMINISTRATION (UMTA)

for the purpose of OBTAINING a GRANT to assist the City in the ORGANIZATION of a MODIFIED USER-SIDE SUBSIDY DIAL-A-RIDE PROGRAM using private operators. (See City Manager Report CMR-81-314.)

COMMITTEE ACTION:

Reviewed by TLU on 7/27/81. Recommendation to ADOPT the Resolution. Districts 3, 4, 5 and 7 voted yea. District 1 not present.

FILE: MEET

COUNCIL ACTION: (Tape location: B210-272).

Adopted as Resolution R-255019.

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

Sep-15-1981 ITEM-155:

DESCRIPTION: (R-82-180) ESTABLISHING COUNCIL POLICY 600-32 regarding PREFERR

STREET SYSTEM for CENTRE CITY. (See City Manager Report CMR-81-245.)

COMMITTEE ACTION:

Reviewed by TLU on 7/20/81. Recommendation to ADOPT the Resolution. Districts 1, 3, 4, 5 and 7 voted yea.

FILE: MEET

COUNCIL ACTION:

(Tape location: B272-278).

Adopted as Resolution R-255020.

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

Sep-15-1981 ITEM-157:

DESCRIPTION: (R-82-124) Authorizing the execution of a FIVE-YEAR PERMIT with Fro-Zin Ice Cream, Inc. for providing MOBILE FOOD VENDING SERVICES in MISSION BAY and OCEAN BEACH PARKS at an annual rent of \$7,000 or ten percent of all gross income, whichever is greater. (See City Manager Report CMR-81-325.

Mission Bay and Ocean Beach Community areas. DISTRICT-6.)

COMMITTEE ACTION:

Reviewed by PFR on 8/19/81. Recommendation to ADOPT the Resolution. Districts 2, 3, 5 and 7 voted yea. District 6 not present.

FILE: LEAS Fro-zin Ice Cream, Inc.

COUNCIL ACTION:

(Tape location: B278-300).

Adopted as Resolution R-255021.

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

Sep-15-1981 ITEM-200:

DESCRIPTION: (R-82-390) Authorizing the execution of a LETTER AGREEMENT with Orrick, Herrington and Sutcliffe to serve as SPECIAL COUNSEL for the LEGAL PROCEEDINGS necessary to VALIDATE the ORDINANCE ENACTING the ECONOMIC DEVELOPMENT REVENUE BOND LAW.

FILE: MEET

COUNCIL ACTION:

(Tape location: B150-166).

Adopted as Resolution R-255022.

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

Sep-15-1981 ITEM-330:

DESCRIPTION: Matters of: a - Proposal to adopt a REVISED HOUSING ELEMENT to the Progress Guide and General Plan for the City of San Diego and rescind the existing element. b - Proposal to amend the Progress Guide and General Plan for the City of San Diego to include the proposed revision of the Housing Element.

Subitem-A: (R-82-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-07-14 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: (R-82-)

Adoption of a RESOLUTION amending The Progress Guide and General Plan of the City of San Diego to include the revised Housing Element.

FILE: LAND Progress Guide and General Plan

COUNCIL ACTION:

(Tape location: A020-184)

Continued to September 21, 1981, at 2:00 time certain.

Hearing began at 8:43 a.m. and halted at 8:55 a.m.

Testimony in opposition by Mr. Briggs.

Councilmember Schnaubelt entered at 8:48 a.m.

MOTION BY KILLEA TO CONTINUE TO SEPTEMBER 21, 1981, AT 2:00 TIME CERTAIN, AT

CITY MANAGER BLAIR'S REQUEST, AND, BY INTENT OF RESOLUTION, TO HEAR THE BINGO

ORDINANCE ON SEPTEMBER 28, 1981, AT 3:00 TIME CERTAIN. Second by Golding.

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

Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-not present. Murphy-yea.

Killea-yea. Mayor Wilson-not present.

Sep-15-1981 ITEM-331:

DESCRIPTION: Matter of REZONING a portion of RANCHO LOS PENASQUITOS, and a portion of POMPEII FARMS COMPANY, POMPEII SUBDIVISION, MAP-1738, (approximately 113 acres), located on the east side of I-15 between Poway and Rancho Bernardo Roads, in the Rancho Carmel Community Plan area, from ZONE A1-10 to ZONE M-1B. (Case-5-80-023. DISTRICT-1.)

Subitem-A: (R-82-271)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-80-12-04 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-82-31)

INTRODUCTION of an ORDINANCE for M-1B, M-LI and CN Zoning.

Subitem-C: (R-82-)

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 EIR-80-12-04.

FILE: ZONE 9/15/81

COUNCIL ACTION:

(Tape location: B314-370)

Subitem-A adopted as Resolution R-255023.

Subitem-B introduced, to be adopted September 28, 1871.

Subitem-C adopted as Resolution R-255024.

Hearing began at 10:04 a.m. and halted at 10:07 a.m.

Testimony in favor by George Corus.

MOTION BY SCHNAUBELT TO CLOSE HEARING, ADOPT SUBITEMS A AND C, AND INTRODUCE

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

Sep-15-1981 ITEM-332:

DESCRIPTION: Matter of REZONING a portion of the SOUTH 1/2 of the NORTHWEST 1/4 of SECTION 4, TOWNSHIP 15 SOUTH, RANGE 3 WEST, S.B.B.M. (approximately 18.15 acres), located on the east side of I-805 between Mira Mesa and Sorrento Valley Boulevards, in the proposed Mira Mesa Community Plan area, from ZONE A1-10 (portions HR) to ZONE M-1B. (Case-5-80-085. DISTRICT-1.)

Subitem-A: (R-82-270)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-80-08-20 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-82-30)

INTRODUCTION of an ORDINANCE for M-1B Zoning.

Subitem-C: (R-82-)

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 EIR-80-08-20.

FILE: ZONE 9/15/81

COUNCIL ACTION:

(Tape location: B370- C090)

Subitem-A adopted as Resolution R-255025.

Subitem-B introduced, to be adopted September 28, 1981.

Subitem-C adopted as Resolution R-255026.

Hearing began at 10:07 a.m. and halted at 10:30 a.m.

Testimony in favor by Don Stephenson.

MOTION BY MURPHY TO CLOSE HEARING AND ADOPT PLANNING COMMISSION'S RECOMMENDATION WITH THE UNDERSTANDING THAT THE LUSK COMPANY WORK WITH THE PLANNING DEPARTMENT STAFF ON SETTING ASIDE PART OF THE EASTERN PORTION FOR MLI ZONING. THIS WOULD BE CONTINGENT ON PLANNING DEPARTMENT'S RECOMMENDATIONS.

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

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

Sep-15-1981 ITEM-333:

DESCRIPTION: (R-81-2442) DESIGNATING an AREA of BENEFIT in NORTH UNIVERSITY

CITY and the BOUNDARIES thereof, CONFIRMING the description of PUBLIC FACILITIES PROJECTS, the COMMUNITY FINANCING PLAN and CAPITAL IMPROVEMENT

PROGRAM with respect to said public facilities projects, the METHOD for APPORTIONING the COSTS of said public facilities projects AMONG the PARCELS within the area of benefit and the AMOUNT of the FACILITIES BENEFIT ASSESSMENTS charged to each such parcel, the BASIS and METHODOLOGY for ASSESSING and LEVYING DISCRETIONARY AUTOMATIC ANNUAL INCREASES in facilities

benefit assessments, and proceedings thereto, and ORDERING of PROPOSED PUBLIC FACILITIES PROJECT in the matter of the NORTH UNIVERSITY CITY FACILITIES BENEFIT ASSESSMENT AREA on Resolution of Intention R-254743. (Located north of Rose Canyon between I-5 and I-805. University City Community area.

DISTRICT-

1.)

FILE: STRT FB-1

COUNCIL ACTION:

(Tape location: none).

Unfinished business to be taken Monday, September 21, 1981.

Sep-15-1981

ITEM-UC-1:

DESCRIPTION:

(R-81-0000) A Resolution presented to the City Council with UNANIMOUS CONSENT: Proclaiming the week of September 13-19, 1981, as Mexican-American Week.

FILE: (MEET)

COUNCIL ACTION: (Tape location: C090-102).

Adopted as Resolution R-255027.

MOTION BY KILLEA TO ADOPT. Second by Murphy. Passed by the following vote:

Mitchell-yea. Cleator-not present. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-not present. Murphy-yea. Killea-yea. Mayor

Wilson-not

present.

Sep-15-1981 ADJOURNMENT:

FILE: MINUTES

DESCRIPTION:

Due to a lack of quorum the Clerk adjourned the meeting at 2:05 p.m.