

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

OF

TUESDAY, FEBRUARY 9, 1982

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 8:45 a.m. The meeting was recessed by Deputy Mayor Killea at 9:30 a.m. to convene as the Redevelopment Agency. The Redevelopment Agency meeting was adjourned by Mayor Wilson at 9:57 a.m. to reconvene as the City Council with all Council members present. Mayor Wilson introduced students from Lowell Elementary School accompanied by their teacher, Muriel Langham. The meeting was recessed by Mayor Wilson at 10:07 a.m. The meeting was reconvened by Deputy Mayor Killea at 10:21 a.m. with Mayor Wilson not present. The meeting was recessed by Deputy Mayor Killea at 11:26 a.m. to reconvene at 2:00 p.m. The meeting was reconvened by Mayor Wilson at 2:05 p.m. Mayor Wilson adjourned the meeting at 4:01 p.m. to meet in Closed Session in the Council Conference Room on pending litigation and a meet and confer matter.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Wilson-present.
 - (1) Council Member Mitchell-present.
 - (2) Council Member Cleator-present.
 - (3) Council Member Golding-present.
 - (4) Council Member Williams-present.
 - (5) Council Member Struiksma-present.
 - (6) Council Member Gotch-present.
 - (7) Council Member Murphy-present.
 - (8) Council Member Killea-present.
- Clerk-Abdelnour (jb a.m.; eb p.m.)

FILE LOCATION:

MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- Mayor Wilson-present.
- Council Member Mitchell-present.
- Council Member Cleator-present.
- Council Member Golding-present.
- Council Member Williams-present.
- Council Member Struiksma-present.
- Council Member Gotch-present.

Council Member Murphy-present.
Council Member Killea- present.

ITEM-200: (O-82-112) INTRODUCED, TO BE ADOPTED FEBRUARY 22, 1982

INTRODUCTION of and ORDINANCE incorporating the V.R. DENNIS ANNEXATION into COUNCIL DISTRICT 7.

(Located northwesterly of Mission Gorge Road between Old Cliffs Road and Margerum Avenue. See City Manager Report

CMR-80-655.)

FILE LOCATION:

ANNEX V.R. Dennis Annexation

COUNCIL ACTION: (Tape location: G149-166).

MOTION BY MURPHY TO INTRODUCE. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-yea.

ITEM-201: (R-82-1206) ADOPTED AS RESOLUTION R-255807

AWARDING A CONTRACT to Charles Noble Company for CONSTRUCTION of POINT LOMA STOREROOM BUILDING for the sum of \$427,400 from SEWER REVENUE FUND 41506; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER the sum of \$57,900 within the SEWER REVENUE FUND 41506 from the Unallocated Reserve to Sewer Construction Outlay 70292, CIP-46-059, Point Loma Sewage Treatment Plant Storeroom Building; authorizing the EXPENDITURE not to exceed \$57,900 from SEWER REVENUE FUND 41506 to supplement funds previously authorized by Resolution R-255075, for the above purpose. BID-4202

(Harbor Community area. DISTRICT-2.)

FILE LOCATION:

CONTR - Charles Noble Co.

COUNCIL ACTION: (Tape location: G167-178).

MOTION BY CLEATOR TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-yea.

ITEM-202: (R-82-1128) ADOPTED AS RESOLUTION R-255808

Authorizing the execution of a TWO-YEAR LEASE AGREEMENT with Gerald L. McCann, dba Icarus Aviation for the USE of BUILDING 2004 (5,976 sq. ft.) and RAMP SPACE PARCEL 7 (54,180 sq. ft.) at BROWN FIELD AIRPORT on a percentage lease with a minimum

annual rental of \$11,160.
(Otay Mesa Community area.

FILE LOCATION:

LEASE - Icarus Aviation

COUNCIL ACTION: (Tape location: F407-466).

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

ITEM-203: (R-82-1234) ADOPTED AS RESOLUTION R-255809

Authorizing the execution of an AGREEMENT with RWA Environmental Group, Inc. for PROFESSIONAL SERVICES in connection with the DESIGN and CONSTRUCTION of the SAN YSIDRO BRANCH LIBRARY EXPANSION PROJECT; authorizing the EXPENDITURE of \$36,500 from CAPITAL OUTLAY FUND CIP-35-053 for the above project.

(San Ysidro Community area. DISTRICT-8.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: G180-190).

MOTION BY KILLEA TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-yea.

ITEM-330: DENIED APPEAL

19820209

APPEAL of JEFF STORCK from the decision of the PLANNING COMMISSION in DENYING PRELIMINARY PARCEL MAP PM-02-212-0, which proposes a five-lot parcel map of a portion of PARCEL 4, PARCEL MAP PM-9538 and a portion of ARROYO SORRENTO ROAD VACATED. The subject property is located on the west and south side of Via Del Mar, westerly of Tierra Del Sur, in the A1-1 (Hillside Review) ZONE and within the boundaries of the North City West Community Plan.

(PM-02-212-0. DISTRICT-1.)

(Planning Department recommended DENIAL of the map; was opposition. Planning Commission voted 7-0 to DENY the map.)

Today's actions are:

Subitem-A: (R-82-) ADOPTED AS RESOLUTION R-255804

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-08-27 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: (R-82-) DENIED APPEAL AND MAP, ADOPTED AS RESOLUTION R-255805

Adoption of a RESOLUTION granting or denying the appeal and the map with appropriate findings to support Council action.

FILE LOCATION: SUBD Parcel 4, Parcel Map PM-9538

COUNCIL ACTION: (Tape location: B618-D298).

Hearing began at 10:22 a.m. and halted at 11:26 a.m.

Council Member Williams left at 11:01 a.m.

Council Member Williams entered at 11:22 a.m.

Testimony in favor by John Turner, Guy Winton, L. W. Southerland, Betty Russell, Donna Dean, Stephenie Zinovoy and John Day.

Testimony in opposition by Gary Stephenson, Larry Serra, Todd Price and Katherine Yarbrough.

Motion by Mitchell to urge the people in the Arroyo Sorrento area to begin preparing their precise plan immediately and ask City staff to assist on a minimal consultant basis upon request. Second by Cleator. Passed. Yeas: 1,2,3,4,5,6,7,8. Nays: None.

Not present: M.

MOTION BY MITCHELL TO CLOSE THE HEARING, ADOPT SUBITEM-A AND DENY

THE APPEAL AND MAP. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-nay, Golding-yea, Williams-not present, Struiksmay-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-331:

19820209

Matters of: LOTS 2615 and 2616, ALLIED GARDENS UNIT 13, MAP-3544, located on the east side of Halifax Street, between Havenwood Street and the north end of Halifax Street, in the R-1-5 ZONE and within the boundaries of the Navajo Community Plan area.

1. APPEAL of B. JOAN BOYER from the decision of the PLANNING COMMISSION in APPROVING an extension of time to PLANNED RESIDENTIAL DEVELOPMENT PRD-20-159-0, which proposes a 41-unit residential development, located on the above described real property.

(PRD-20-159-0. DISTRICT-7.)

2. APPEAL of B. JOAN BOYER from the decision of the PLANNING COMMISSION in APPROVING an extension of time to TENTATIVE MAP TM-79-195 (HALIFAX VIEWS), which proposes a 43-lot subdivision, located on the above described real property.

(TM-79-195/EOT. DISTRICT-7.)

Subitem-A: (R-82-1376) ADOPTED AS RESOLUTION R-255810

Adoption of a RESOLUTION certifying that the information contained in the ENVIRONMENTAL IMPACT REPORT EIR-79-04-57 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: (R-82-1377) ADOPTED AS RESOLUTION R-255811 DENYING THE APPEAL

Adoption of a RESOLUTION granting the appeal and denying the extension of time to the permit, or denying the appeal and granting the extension of time to the permit with appropriate findings to support Council action.

Subitem-C: (R-82-1378) ADOPTED AS RESOLUTION R-255812 DENYING THE APPEAL

Adoption of a RESOLUTION granting the appeal and denying the extension of time to the map, or denying the appeal and granting the extension of time to the map with appropriate findings to support Council action.

Subitem-D: (R-82-1379) ADOPTED AS RESOLUTION R-255813

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-79-04-57.

FILE LOCATION: PERM PRD-20-1590 SUBD Halifax Views

COUNCIL ACTION: (Tape location: E461-F402).

Hearing began 2:37 p.m. and halted 3:16 p.m.

Testimony in favor by Richard Pearson.

Testimony in opposition by Joan Boyer and Joseph Panacero.

MOTION BY CLEATOR TO CLOSE THE HEARING, ADOPT RESOLUTIONS FOR SUBITEMS A AND B, DENYING THE APPEAL AND GRANTING THE EXTENSION OF TIME TO THE PERMIT, SUBITEM-C, DENYING THE APPEAL AND GRANTING THE EXTENSION OF TIME TO THE MAP, AND SUBITEM-D, MAKING THE APPROPRIATE

FINDINGS. Second by Murphy. Passed by the following vote:
Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea,
Gotch-nay, Murphy-yea, Killea-yea, Mayor Wilson-not present.

ITEM-332: CONTINUED TO FEBRUARY 16, 1982, 10:30 A.M.

Four actions relative to the IMPROVEMENT of FAIRMOUNT AVENUE
between MISSION GORGE ROAD and TWAIN AVENUE on Resolution of
Intention No. R-255576.

(1911 Street Improvement Act.)

Subitem-A: (R-82-938)

Adoption of a RESOLUTION approving the PLANS and
SPECIFICATIONS.

Subitem-B: (R-82-939)

Adoption of a RESOLUTION ORDERING WORK and directing NOTICE
INVITING BIDS.

Subitem-C: (R-82-940)

Adoption of a RESOLUTION INVITING SEALED PROPOSALS.

Subitem-D: (R-82-)

Adoption of an 8-vote RESOLUTION OF FEASIBILITY.
(Grantville Community area. DISTRICT-7.)

FILE LOCATION:

STRT D-2235

COUNCIL ACTION: (Tape location: E470-G140).

Testimony on continuance by Doris Rose.

Motion by Murphy to close the hearing and adopt

Subitems-A, B, C,

and D. Second by Killea. No vote.

MOTION BY MURPHY TO CONTINUE TO FEBRUARY 16, 1982, 10:30 A.M. AT
PROPERTY OWNER'S REQUEST. Second by Killea. Passed by the
following vote: Mitchell- yea, Cleator-yea, Golding-yea,
Williams-yea, Struiksma-yea, Gotch-yea, Murphy- yea, Killea-yea, Mayor
Wilson-yea.

ITEM-333: CONTINUED TO MARCH 23, 1982, 2:00 P.M.

Four actions relative to the IMPROVEMENT of HORTON AVENUE
between SASSAFRAS STREET and SPRUCE STREET on Resolution of
Intention No. R-255577.

(1911 Street Improvement Act.)

Subitem-A: (R-82-650)

Adoption of a RESOLUTION approving the PLANS and SPECIFICATIONS.

Subitem-B: (R-82-651)

Adoption of a RESOLUTION ORDERING WORK and directing NOTICE INVITING BIDS.

Subitem-C: (R-82-652)

Adoption of a RESOLUTION INVITING SEALED PROPOSALS.

Subitem-D: (R-82-)

Adoption of an 8-vote RESOLUTION OF FEASIBILITY.
(Middletown Community area. DISTRICT-8.)

FILE LOCATION:

STRT D-2211

COUNCIL ACTION: (Tape location: E020-067).

MOTION BY GOLDING TO CONTINUE TO MARCH 23, 1982, 2:00 P.M. AT CITY MANAGER'S REQUEST. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-not present, Golding-yea, Williams-yea, Struiksmma-not present, Gotch- yea, Murphy-yea, Killea-yea, Mayor Wilson-yea.

ITEM-334: CONTINUED TO MARCH 9, 1982, 2:00 P.M.

Four actions relative to the IMPROVEMENT of 58TH STREET between CHURCHWOOD STREET and SKYLINE DRIVE on Resolution of Intention No. R-255578.
(1911 Street Improvement Act.)

Subitem-A: (R-82-634)

Adoption of a RESOLUTION approving the PLANS and SPECIFICATIONS.

Subitem-B: (R-82-635)

Adoption of a RESOLUTION ORDERING WORK and directing NOTICE INVITING BIDS.

Subitem-C: (R-82-647)

Adoption of a RESOLUTION INVITING SEALED PROPOSALS.

Subitem-D: (R-82-)

Adoption of an 8-vote RESOLUTION OF FEASIBILITY.
(Encanto Community area. DISTRICT-4.)

FILE LOCATION:

STRT D-2220

COUNCIL ACTION: (Tape location: E067-084).

MOTION BY KILLEA TO CONTINUE TO MARCH 9, 1982, 2:00 P.M. AT CITY MANAGER'S REQUEST. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-not present, Golding-yea, Williams-yea, Struiksmma-not present, Gotch- yea, Murphy-yea, Killea-yea, Mayor Wilson-yea.

ITEM-S402: (O-82-101) INTRODUCED, TO BE ADOPTED FEBRUARY 22, 1982

Amending CHAPTER VI, ARTICLE 1, of the San Diego Municipal Code by adding thereto DIVISION 23, containing SECTIONS 61.2300 through 61.2380, establishing the San Diego Improvement District Procedural Ordinance of 1982 to PROVIDE an ALTERNATIVE METHOD of FUNDING PUBLIC IMPROVEMENTS through the ISSUANCE of BONDS.

COMMITTEE ACTION: Reviewed by RULES on 2/1/82. Recommendation to APPROVE the Proposed Ordinance with alternate No. 2 of Section 61.2373. Districts 2, 3, 4, and 8 voted yea. Mayor not present.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: G195-380).

MOTION BY CLEATOR TO INTRODUCE. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksmma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-yea.

ITEM-S403: (R-82-1268 Rev.) ADOPTED AS RESOLUTION R-255814

Approving the CHANGE ORDER NO. 11, dated January 15, 1982, issued in connection with the contract between the City of San Diego and C.E. Wylie Construction Company for the POINT LOMA WASTEWATER TREATMENT FACILITIES ACCELERATED PROJECTS CONSTRUCTION CONTRACT C-3 DIGESTER GAS UTILIZATION FACILITY

and

the changes therein set forth, amounting to a net increase in the contract price of \$1,061,659; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER the sum of \$500,000 with SEWER REVENUE FUND (41506) from the UNALLOCATED RESERVE (70697) to SEWER CONSTRUCTION OUTLAY (70292) CIP-46-071; authorizing the sum not to exceed \$1,061,659 from SEWER REVENUE FUND 41506, solely and exclusively for providing funds for the above purpose; authorizing the CITY MANAGER to proceed with TASK ORDER NO. 15 of the AGREEMENT with CH2M Hill, Lowry and Associates, Boyle Engineering Corporation, John Carollo

Associates, and Rick Engineering, a Joint Venture in connection with the POINT LOMA ACCELERATED PROJECTS, FIELD CONSULTANT FOR FOUNDATION GROUTING; authorizing the EXPENDITURE of \$33,053 from the SEWER REVENUE FUND (41506) CIP- 46-009 for the purpose of executing TASK ORDER NO. 15; authorizing the CITY MANAGER to proceed with TASK ORDER NO. 6 of the AGREEMENT with Brown and Caldwell-Heery, a Joint Venture, for the POINT LOMA ACCELERATED PROJECTS; authorizing the EXPENDITURE of \$38,942 from the SEWER REVENUE FUND (41506) CIP- 46-009 for the purpose of executing TASK ORDER NO. 6.

(Harbor Community area. DISTRICT-2.)

FILE LOCATION:

CONT - C.E. Wylie Construction Co.

COUNCIL ACTION: (Tape location: G383-395).

MOTION BY CLEATOR TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksmayea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-yea.

ITEM-S500: (R-82-1125) CONTINUED TO FEBRUARY 23, 1982, 10:30 A.M.

Authorizing the execution of a LEASE AGREEMENT with San Diego Air Sports Center, Inc., for the use of 125 ACRES of CITY-OWNED LAND adjacent to LOWER OTAY LAKE for AIRFIELD OPERATIONS, for a term of 15 years, with option for renewal for five years, at a minimum annual rent of \$5,000 with an additional percentage of gross income.

(See City Manager Report CMR-82-5 and Committee Consultant Analysis 82-2. Lower Otay Lake Community area.)

COMMITTEE ACTION: Reviewed by PFR on 2/3/82. Recommendation to ADOPT the Resolution. Districts 1, 5, 6, and 7 voted yea. District 2 not present.

FILE LOCATION:

LEAS - San Diego Air Sports Center, Inc.

COUNCIL ACTION: (Tape location: E085-441).

MOTION BY MURPHY TO CONTINUE TO FEBRUARY 23, 1982, 10:30 A.M. AT COUNCIL MEMBER MURPHY'S REQUEST. Second by Killea. Passed by the following vote: Mitchell-nay, Cleator-yea, Golding-yea, Williams-yea, Struiksmayea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-nay.

ITEM-S501: (R-82-1270) ADOPTED AS RESOLUTION R-255806

Designating the City of San Diego as a pilot City with the PARTNERS FOR LIVABLE PLACES ORGANIZATION COALITION; authorizing and directing the CITY AUDITOR AND COMPTROLLER to ESTABLISH an

EXPENDABLE TRUST FUND into which private donations to PARTNERS FOR LIVABLE PLACES shall be deposited; designating the City Planning Director as administrator of said Trust Fund and as the City's local coordinator; recognizing a PARTNERS FOR LIVABLE PLACES ADVISORY COMMITTEE to be initially chaired by Mrs. Danah H. Fayman, and which Committee shall have the function of advising the City Planning Director as to the EXPENDITURE of said Trust Fund monies; declaring that City approval and recognition of said Advisory Committee is subject to said Committee's compliance with all the laws relating to the solicitation of charitable donations; acknowledging the generous donation of Mrs. Fayman of \$1,000 to be placed in said Trust Fund; authorizing the EXPENDITURE of \$589.58 from said Trust Fund for the purpose of reimbursing travel expenses of Mr. Russell Forester incurred in connection with a PARTNERS FOR LIVABLE PLACES conference in Pittsburgh, Pennsylvania, on October 4-6, 1981.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: B415-450).

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

ITEM-CS-1: (R-82-1197) ADOPTED AS RESOLUTION R-255815

A Resolution adopted by the City Council in Closed Session on February 9, 1982:

Authorizing the City Manager to pay the total sum of \$4,828.39 in addition to \$4,900 already expended in settlement of each and every claim against the City, its agents and employees, resulting from the property damage to Carriage Trade West; authorizing the City Auditor and Comptroller to issue two checks in the total amount of \$4,828.39, one check to the contractor doing the repairs in the amount of \$4,417.46 made payable to Luth and Turley, Inc. and the second check made payable to Carriage Trade West in the amount of \$410.93 for personal property damage in full settlement of all claims.

FILE LOCATION:

MEET

ADJOURNMENT:

By common consent the meeting was adjourned by Mayor Wilson

at 4:01 p.m.

ITEM-310:

Two actions relative to the matter of Report of the Salary Setting Commission to the Mayor and City Council regarding Salary Recommendations, pursuant to Section 41.1 of the Charter of the City of San Diego.

R- Subitem-A: (R-82-) ADOPTED AS AMENDED AS RESOLUTION
255802

Accepting the Salary Setting Commission's recommendations to increase the Council Members' salaries.

R- Subitem-B: (R-82-) ADOPTED AS AMENDED AS RESOLUTION
255803

Accepting the Salary Setting Commission's recommendations to increase the Mayor's salary.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A035-B055).

MOTION BY CLEATOR TO ACCEPT THE SALARY SETTING COMMISSION'S RECOMMENDATIONS AS AMENDED TO INCREASE THE COUNCIL MEMBERS' SALARIES

TO \$25,750, WITH THE FIRST INCREASE TO BE EFFECTIVE JULY 1, 1982, AND THE SECOND INCREASE TO \$30,000 TO BE HELD IN ABEYANCE FOR COUNCIL'S REVIEW PRIOR TO JULY, 1983. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksmma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-yea.

MOTION BY CLEATOR TO ACCEPT THE SALARY SETTING COMMISSION'S RECOMMENDATION AS AMENDED TO INCREASE THE MAYOR'S SALARY TO \$36,625,

WITH THE FIRST INCREASE TO BE EFFECTIVE JULY 1, 1982, AND THE SECOND

INCREASE TO \$42,000 TO BE HELD IN ABEYANCE FOR COUNCIL'S REVIEW PRIOR TO JULY 1, 1983. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksmma-yea, Gotch-yea, Murphy-yea, Killea-yea, Mayor Wilson-not present.