REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, MAY 30, 1978
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
8:30 A.M.

Present-Councilmen Mitchell, O'Connor, Lowery, Gade, Stirling and Haro.
Absent--Councilmen Williams, Schnaubelt, and Mayor Wilson.
Clerk---Rene' A. Duncan, Deputy.

Deputy Mayor Haro called the Regular Meeting to order at 8:50 a.m.

(ITEM 1)
Roll call was taken.

(ITEM 20)
Councilman Stirling led the Pledge of Allegiance.

(ITEM 30)
Sixteen students from Standley Jr. High School will attend this Meeting accompanied by Carol Adamek.
Deputy Mayor Haro introduced the students.
Councilman Mitchell addressed the students.

(ITEM 32)
Approval of Council Minutes for:
06-01-76 P.M.
06-21-76 A.M. and P.M.
06-09-76 A.M. and P.M.
Adjourned Regular Meeting of 06-09-76 held 06-10-76 A.M.
06-15-76 P.M.
06-16-76 A.M. and P.M.
06-21-76 SPECIAL MEETING

A motion by Councilman Lowery to approve the item, passed unanimously with Councilmen Williams, Schnaubelt and Mayor Wilson absent.

(ITEM 33)
On Tuesday, May 23, 1978, the Purchasing Agent opened bids for PAVING and otherwise improving a portion of the ALLEY in BLOCK 8, LA MESA COLONY.

Councilman Williams entered the Chambers.

A motion by Councilman Stirling to refer the bids to the City Manager and City Attorney, passed unanimously with Councilman Schnaubelt and Mayor Wilson absent.

(ITEM 34)
On Tuesday, May 23, 1978, the Purchasing Agent opened bids for PAVING and otherwise improving PICADOR BOULEVARD from 700 feet south of Palm Avenue, and Palm Avenue to Picador Boulevard.
A motion by Councilman Stirling to refer the bids to the City Manager and City Attorney, passed unanimously with Councilman Schnaubelt and Mayor Wilson absent.

The Council considered the portion of the Consent Agenda dealing with Ordinances introduced at a previous meeting, ready for dispensing with the reading and adoption, which consisted of Items 50 and 51.

The following Ordinances were introduced at the Meeting of May 16, 1978: Item 50 and Item 51 as amended.
Reading in full was dispensed with by a vote of not less than a majority of the members elected to the Council and there was available for the consideration of each member of the Council and the public prior to the day of their passage, a written or printed copy of each Ordinance.

The following Ordinances were adopted on motion of Councilman Stirling, by the following vote: Yeas-Councilmen Mitchell, O'Connor, Lowery, Williams, Gade, Stirling and Haro. Nays-None. Absent-Councilman Schnaubelt and Mayor Wilson.

(ITEM 50)
ORDINANCE 12359 (New Series), Incorporating a portion of LOT 5, RANCHO MISSION OF SAN DIEGO, MAP NO. 330, S.C.C. NO. 348, into CO ZONE, located on the south side of Camino del Rio South between Ward Road and I-805, in the East Mission Valley Area Plan.

(ITEM 51)
ORDINANCE 12360 (New Series), Establishing a SCHEDULE OF COMPENSATION for officers and employees of the City of San Diego for the Fiscal Year 1978-79.

The Council considered the portion of the Consent Agenda dealing with Ordinances to be introduced, which consisted of Item 52.

The following Ordinance was introduced on motion of Councilman Stirling, by the following vote: Yeas-Councilmen Mitchell, O'Connor, Lowery, Williams, Gade, Stirling and Haro. Nays-None. Absent-Councilman Schnaubelt and Mayor Wilson.

(ITEM 52)
Establishing a NEW PARKING METER ZONE on the north side of West "A" STREET between 1st Avenue and Front Street; declaring a parking time limit of TWO HOURS shall be in effect between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted; authorizing the installation of parking meters and the necessary signs and markings.

The Council considered the portion of the Consent Agenda dealing with Resolutions, which consisted of Items 103, 104, 105, 106, 107, 108, 111, 112, 113, 114 and 115.

The following Resolutions were adopted on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Mitchell, O'Connor, Lowery, Williams, Gade, Stirling and Haro. Nays-None. Absent-Councilman Schnaubelt and Mayor Wilson.

(ITEM 103)
RESOLUTION 220961, DESIGNATING June 23, 1978 as the date upon which all property in the MISSION VILLAGE DRIVE (Gramercy Drive to Ronda Avenue) UNDERGROUND UTILITY DISTRICT must be ready to receive underground service and September 1, 1978 as the date for the removal of all overhead utility facilities.

(ITEM 104)
RESOLUTION 220962, SETTING A PUBLIC HEARING on the INTENTION to VACATE GAINES STREET between Azusa and Benicia Streets.

(ITEM 105)

Thirteen Resolutions relative to approving the acceptance by the CITY MANAGER of GRANT DEEDS, conveying all that portion of the east one-half of LOT 59, SUBDIVISION NO. 5 of LOT 12 of the EX-MISSION RANCHO; dedicating said land as and for a public street and naming the same 71st STREET:

a - RESOLUTION 220963, Certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 76-12-31 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;

b - RESOLUTION 220964, GRANT DEED of Baxter L. Mansfield and Linda M. Mansfield;

c - RESOLUTION 220965, GRANT DEED of Kenneth G. Harris;

d - RESOLUTION 220966, GRANT DEED of Mabel Lybeck;

e - RESOLUTION 220967, GRANT DEED of Charles Glad and Helen Glad;

f - RESOLUTION 220968, GRANT DEED of William Robert Flanders;

g - RESOLUTION 220969, GRANT DEED of the Department of Veterans Affairs of the State of California; Marie E. Grenfell;

h - RESOLUTION 220970, GRANT DEED of Alvin G. Eisman and Naomi R. Eisman;

i - RESOLUTION 220971, GRANT DEED of Guillermo C. Barrios and Antonia C.Barrios;

j - RESOLUTION 220972, GRANT DEED of Cayetano E. and Ethel V. Batiles;

k - RESOLUTION 220973, GRANT DEED of Leonarda P. Duran;

l - RESOLUTION 220974, GRANT DEED of Florence L. Mason; and

m - RESOLUTION 220975, GRANT DEED of Leon M. Brown and Anna C. Brown.

(ITEM 106)

RESOLUTION 220976, Approving the acceptance by the CITY MANAGER of STREET EASEMENT DEED of Jeffrey M. Yaddow and Linda Jean Yaddow, One-Half Undivided Interest; and Else A. Fuller, as to the Remainder, conveying the South 25.00 feet of the South 145 feet of the West 150 feet of LOT 3 of the SULLIVAN TRACT according to Map thereof NO. 1724; dedicating said land as and for a public street, and naming the same SOLITA AVENUE.

(ITEM 107 - 1st time)

RESOLUTION 220977, Authorizing an AGREEMENT with Homer Delawie, & Associates for ARCHITECTURAL SERVICES required for the design of the LINDA VISTA COMMUNITY PARK GYMNASIUM; authorizing the EXPENDITURE of $42,000 out of COMMUNITY DEVELOPMENT BLOCK GRANT FUND 2940 (Program/Element 5655) for said purpose.

This item was reconsidered later in this Meeting.

(ITEM 108)

RESOLUTION 220978, Approving CHANGE ORDER NO. 1 issued in connection with the contract with Arrow Electric for CONSTRUCTION OF STREET LIGHTING SYSTEMS ON COAST BOULEVARD, PROSPECT STREET, HERSCHEL AVENUE, THE PATH BETWEEN COAST BOULEVARD AND PROSPECT STREET, and approving said change amounting to an INCREASE in the contract price of $1,456; authorizing the EXPENDITURE of $1,456 out of CAPITAL OUTLAY FUND RESERVE 245, C.I.P. 90-245 for said project and related costs.

(ITEM 111)

RESOLUTION 220979, PROHIBITING the use of the following described street at all times to COMMERCIAL VEHICLES of a gross vehicular weight rating of one-ton (2,000 pounds) or more, providing that this use limitation shall not apply to passenger buses or public utility vehicles under the jurisdiction of the Public Utilities Commission or commercial vehicles having a destination or point of origin on said street:

CHAMOUNE AVENUE, between University Avenue and Redwood Street;

authorizing the installation of the necessary signs and markings.

(ITEM 112)

RESOLUTION 220980, Authorizing a representative of the POLICE DEPARTMENT to TRAVEL to Denver, Colorado, during the period June 19-23, 1978, for the purpose of attending the WORKSHOP ON MANAGEMENT OF THE INVESTIGATIVE FUNCTION; authorizing the EXPENDITURE of $722.50 from GENERAL FUND 100, POLICE DEPARTMENT UNANTICIPATED TRAVEL FUND 15.03, OBJECT ACCOUNT 32.15 for said purpose.

(ITEM 113)

RESOLUTION 220981, Authorizing the POLICE LEGAL ADVISOR to TRAVEL to Quantico, Virginia, during the period June 25-30, 1978, to attend the 1978 IACP/FBI/LOS SHORT COURSE FOR POLICE LEGAL ADVISORS; authorizing the EXPENDITURE of $512 from GENERAL FUND 100, POLICE DEPARTMENT UNANTICIPATED TRAVEL FUND 15.03, OBJECT ACCOUNT 32.15 for said purpose.

(ITEM 114)
RESOLUTION 220982, Authorizing a representative of the POLICE DEPARTMENT to TRAVEL to Quantico, Virginia, during the period June 4 through July 1, 1978, for the purpose of attending the SCHOOL FOR POLICE LAW SPECIALISTS at the FBI ACADEMY; declaring that the total cost of said travel, excluding salary, shall be at no expense to the City but shall be paid by the FBI.

(ITEM 115)
RESOLUTION 220983, Authorizing a representative of the WATER UTILITIES DEPARMENT and the CITY ATTORNEY'S OFFICE to TRAVEL to Seattle, Washington to attend the ENVIRONMENTAL PROTECTION AGENCY (EPA) HEARING ON SECONDARY TREATMENT, to be held on June 7 and 8, 1978, and to incur all necessary expenses.

(ITEM 100 - 1st time)
INVITING BIDS for the DEMOLITION/REMOVAL OF DESIGNATED PIERS IN SAIL (CRESCENT) BAY IN MISSION BAY PARK (PHASE III) - Specifications Document No. 763495.
There was discussion.

(ITEM 107 - 2nd time)
A motion by Councilman Williams to reconsider the item, passed unanimously with Councilman Schnaubelt and Mayor Wilson absent, as RESOLUTION 220984.
This item was taken a third time at this Meeting.

(ITEM 100 - 2nd time)
A motion by Councilman Williams to adopt the item, as RESOLUTION 220985, passed unanimously with Councilman Schnaubelt and Mayor Wilson absent.

(ITEM 101)
INVITING BIDS for MAINTENANCE SURFACING VARIOUS CITY STREETS, GROUP P - Specifications Document No. 763494.
A motion by Councilman Stirling to adopt the item, as RESOLUTION 220986, passed unanimously with Councilman Schnaubelt and Mayor Wilson absent.

(ITEM 102)

INVITING BIDS for IMPROVEMENT OF NORTH HARBOR DRIVE FROM 400 FEET EAST OF ESTUARY BRIDGE TO 300 FEET WEST OF NIMITZ BOULEVARD - Specifications Document No. 763496.

A motion by Councilwoman O'Connor to adopt the item, as RESOLUTION 220987, passed unanimously with Councilman Schnaubelt and Mayor Wilson absent.

(ITEM 107 - 3nd time)

A motion by Councilman Williams to continue the item to the Meeting of June 12, 1978 for a written opinion from the City Attorney, passed unanimously with Councilman Schnaubelt and Mayor Wilson absent.

(ITEM 109)

Approving CHANGE ORDER NO. 5, issued in connection with the contract with M. Arrieta & Son, Inc., for the POINT LOMA WASTEWATER TREATMENT PLANT SLUDGE LINE REPLACEMENT, said changes amounting to a NET INCREASE of $55,000.

A motion by Councilman Stirling to adopt the item, as RESOLUTION 220988, passed unanimously with Councilman Schnaubelt and Mayor Wilson absent.

(ITEM 110)

Authorizing the CITY MANAGER to submit an APPLICATION to the Office of Criminal Justice Planning for FUNDS to expand and maintain the VICTIM-/WITNESS PROGRAM in the City of San Diego.

A motion by Councilman Stirling to refer the item to the Committee on Public Services and Safety, passed unanimously with Councilman Schnaubelt and Mayor Wilson absent.

(ITEM 200)

Amending Chapter III, Article 5, of the San Diego Municipal Code by AMENDING SECTIONS 35.0102, 35.0103 and 35.0116, relating to the TRANSIENT OCCUPANCY TAX.

A motion by Councilman Lowery to adopt the item, as ORDINANCE 12361 (New Series), passed by the following vote: Yeas-Councilmen Miitchell, O'Connor, Lowery, Williams, Stirling and Haro absent. Nays-Councilman Gade. Absent-Councilman Schnaubelt and Mayor Wilson.

(ITEM 201)

(Continued from the Meeting of May 8, 1978 for a full Council.)

Nine Ordinances relative to incorporating HILLSIDES in the San Pasqual Area into HR (HILLSIDE REVIEW) OVERLAY ZONE:

a - Those hillsides east of the City of San Diego boundary and west of the easterly boundary of SECTION 28, TOWNSHIP 12 SOUTH, RANGE 1 WEST, and between the City of San Diego boundary on the north and the San Pasqual Valley on the south.

b - Those hillsides east of the westerly boundary of SECTION 28, TOWNSHIP 12 SOUTH, RANGE 1 WEST and west of the City of San Diego boundary, and between the City of San Diego boundary on the north and State Highway 78 on the south.

c - Those hillsides east of the City of San Diego boundary and west of Bandy Canyon Road, and between San Pasqual Valley on the north and Highland Valley Road on the south.

d - Those hillsides east of the westerly boundary of SECTION 34, TOWNSHIP 12 SOUTH, RANGE 1 WEST, and west of the City of San Diego boundary, and between San Pasqual Valley on the north and the City of San Diego boundary on the south.

e - Those hillsides east of the westerly boundary of Section 34, TOWNSHIP 12 SOUTH, RANGE 1 WEST, and west of the easterly boundary of Section 36, TOWNSHIP 12 SOUTH, RANGE 1 WEST, and between the City of San Diego boundary on the north and the City of San Diego boundary on the south.

f - Those hillsides east of the westerly boundary of SECTION 36, TOWNSHIP 12 SOUTH, RANGE 1 WEST, and west of the easterly boundary of SECTION 32, TOWNSHIP 12 SOUTH, RANGE 1 WEST, and between the City of San Diego boundary on the north and the City of San Diego boundary on the south.

g - Those hillsides east of Del Dios Highway and west of the City of San Diego boundary, and between the City of San Diego boundary on the north and the City of San Diego boundary on the south.

h - Those hillsides east of Del Dios Highway and west of Interstate 15, and between the City of San Diego boundary on the north and Lake Hodges on the south.

i - Those hillsides adjacent to the north and south shores of Lake Hodges.

A motion by Councilman Stirling to continue the item to the Meeting of June 19, 1978 for a report from the Planning Department, passed unanimously with Councilman Schnaubelt and Mayor Wilson absent.

(ITEM 202)

(Continued from the Meetings of March 27, April 3, 10, 17, 25 and May 1, 1978 for a full Council.)

Endorsing PROPOSITION 8 which will appear on the ballot of the STATE PRIMARY ELECTION to be held on June 6, 1978.

(1) A motion by Councilman Lowery to adopt the item, as RESOLUTION 220989, received no vote yet.

Mayor Wilson entered the Chambers.

Motion #1 (by Lowery), passed by the following vote: Yeas-Councilmen O'Connor, Lowery, Williams, Haro and Mayor Wilson. Nays-Councilmen Mitchell, Gade and Stirling. Absent-Councilman Schnaubelt.

(ITEM 31)

Seven students from Sunset Hills Elementary School will attend this Meeting accompanied by Mr. Lee Coulter.

Mayor Wilson introduced the students.

Councilman Mitchell addressed the students.

Mayor Wilson introduced Mrs. Jerry Millman the mother of Linda Goldzimer, Housing and Community Services Director.

Mayor Wilson recessed the Meeting at 10:02 a.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:10 p.m. the roll call showed Councilmembers Lowery, Williams and Gade not present.

The Council considered requests for continuances: Item S-606.

(ITEM S-606)
NOTICED HEARINGS: (Continued from the Meetings of April 11 and May 9 and 23, 1978 at Mr. Tringali's request.) Three Resolutions relative to LOTS 27 THROUGH 34, BLOCK 97, SAN DIEGO LAND AND TOWN COMPANY'S ADDITION - BARRIO STATION YOUTH FACILITY:

a - (R-78-1839) Certifying that the information contained in the NEGATIVE DECLARATION NO. 77-01-00.42 BG 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;

b - (R-78-1837) Determining and declaring that the public interest, convenience and necessity of the City require the development of the BARRIO STATION YOUTH FACILITY in LOTS 27 THROUGH 34, BLOCK 97, SAN DIEGO LAND AND TOWN COMPANY'S ADDITION, according to MAP thereof NO. 379; and that the public interest, convenience and necessity demand the acquisition of fee title to said property for said BARRIO STATION YOUTH FACILITY; and declaring the intention of the City to acquire said property under EMINENT DOMAIN PROCEEDINGS; and directing the CITY ATTORNEY to commence an action in the Superior Court of the Sate of California, in and for the County of San Diego, for the purpose of CONDEMNING and ACQUIRING said property; and

c - (R-78-1838 REV.) Authorizing the EXPENDITURE of $350,000 out of the COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (CIP 34-023(8)), for the purpose of ACQUIRING FEE TITLE to LOTS 27 THROUGH 34, BLOCK 97, SAN DIEGO LAND AND TOWN COMPANY'S ADDITION for RELOCATION EXPENSES required for the Barrio Station Youth Facility.

Testimony by Peter R. Polermo, Attorney for Mr. Tringali, requesting a continuance.

Councilmen Lowery and Williams entered the Chambers.

Staff answered questions directed by the Council.

Councilman Gade entered the Chambers.

The motion by Councilman Haro to continue to the meeting of June 27, 1978 at Mr. Tringali's request and direct staff to contact property owners and invite them to be present, which was seconded by Councilman Lowery, passed unanimously with all Councilmembers present.

(ITEM 333)
SPECIAL HEARINGS: (Continued from the Meetings of March 6 and 13, and May 1, 1978 to allow Navy and Centre City Development Corporation to review alternative sites proposed by City Staff for the hospital.)
SUBMITTED BY THE COMMITTEE FOR CHARTER PROTECTION FOR PARKS

PROPOSITION. Shall the use as a public park of 39 acres, more or less, of the

(ITEM 333 - Continued)

lands owned by the City of San Diego, known as Balboa Park, adjoining the northerly and easterly boundaries of the Naval Hospital be discontinued, and upon the discontinuance of the use of said real property as a public park shall the same be leased for fifty years with a 25 year option to renew to the United States government for another public purpose, to wit: For use by the United States government in connection with and as a part of the Naval Hospital now being operated by said United States government; said lands to be abandoned and discontinued in use as a public park?

Staff testimony.

Testimony by Attorney Kathryn Rosenberry, Admiral Brown, Admiral Rogers and Captain Collins.

(1) Motion by Councilman Haro to continue to the first week in July for the purpose of getting information to place the matter on the ballot, which was seconded by Councilman Stirling, received no vote.

Councilman Stirling withdrew the second to motion (1).

(2) Motion by Councilman Haro to continue to August 29, 1978 to allow the Navy and Centre City Development Corporation to review alternative sites for the Naval Hospital and to include a reaffirmation of San Diego City Council's confidence and desire to make sure the Navy gets a hospital in a timely manner, which was seconded by Councilman Stirling, was not voted on at this time.

Discussion followed.

Mayor Wilson left the Chambers.

Staff testimony.

The vote was then taken on motion (2) which passed unanimously with Mayor Wilson not present.

Meeting recessed at 3:54 p.m. Upon reconvening at 4:09 p.m. the roll call showed Councilmembers O'Connor, Stirling and Mayor Wilson not present.

(ITEM 332 - First time)

The hour of 2:00 p.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, continued from the Meeting of May 16, 1978, on the Tia Juana River Flood Improvement District - The proposed improvement consists, in general, of a project which will protect lands in the United States and Mexico,

(ITEM 332 - First time - Continued)

between the north levee of the project, Dairy Mart Road and Interstate 5 and encompassing approximately 465 acres, from flooding by the Tia Juana River, under the provisions of the San Diego Improvement District Procedural Ordinance - on Resolution of Intention 220653.

a - (R-78-2135) Adoption of RESOLUTION FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY REQUIRE CERTAIN IMPROVEMENTS;

b - (R-78-2136) Adoption of RESOLUTION OVERRULING PROTESTS AND OBJECTIONS, MAKING FINDINGS, CONFIRMING DIAGRAM AND ASSESSMENT AND APPROVING THE MAKING OF ACQUISITIONS AND IMPROVEMENTS:

c - (R-78-2163) Adoption of a RESOLUTION AUTHORIZING THE CITY'S CONTRIBUTION OF $404,600 for said improvement; MODIFYING RESOLUTION NO. 219450 by stating, "CITY WILL CONTRIBUTE $404,600 TO THE TIA JUANA RIVER FLOOD IMPROVEMENT DISTRICT FROM $2,666,188 PREVIOUSLY ADVANCED FOR THE PROJECT BY RESOLUTION NO. 219450"; and

d - (R-78-2137) Adoption of RESOLUTION AWARDING BONDS.

The Deputy Mayor further announced that in the matter of the proposed city participation in the financing of certain acquisitions and improvements for the Tia Juana River Flood Improvement District this is the time and place for combined hearings on the following:

(a) The Report of the City Engineer, prepared pursuant to the San Diego Improvement District Procedural Ordinance and resolution of intention, Resolution No. 220653;

(b) Whether public convenience and necessity require the acquisitions and improvements and whether they should be ordered without application of the Special Assessment Investigation, Limitation, and Majority Protest Act of 1931.

He further stated that any and all persons having any protest or objection to the proposed city participation in the financing of the acquisitions and improvements, the extent of the proposed assessment district, the proposed assessment, or the ordering of the improvements without application of the Special Assessment Investigation, Limitation, and Majority Protest Act of 1931 may appear before the Council and show cause why the same should not be carried out and ordered.

City Clerk Abdelnour reported that the Report of the City Engineer was available in the Council Chambers. He further reported that the affidavit of publication of notice of improvement and certificates of posting the notice of improvement and mailing notice of adoption of the resolution of intention were on file in his office.

Special Counsel Frank Hamilton gave a brief explanation of the nature, purpose and procedure for the hearings.

<u>Councilman Stirling entered the Chambers</u>.

(ITEM 332 - First time - continued)

Bob Cain, Engineering and Development Department, and Mr. Hamilton answered questions directed by the Council relative to a proposed extension of the bond bid.

At this time the Hearings were trailed until later in the Meeting.

(ITEM S-605)

Two Resolutions relative to CONSTRUCTION OF ROLLING HILLS PARK AND TWIN TRAILS PARK were adopted on motion of Councilman Mitchell by unanimous vote with Councilmembers O'Connor and Mayor Wilson not present:

RESOLUTION 220990, certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATIONS 77-10-41 and 77-10-42 have been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines and that said Declarations have been reviewed and considered by the Council; and

RESOLUTION 220991, INVITING BIDS - Specifications Document No. 763412.

The motion by Councilman Stirling to refer Montgomery Waller Park No. 5 to the Public Facilities and Recreation Committee passed unanimously with Councilmembers O'Connor and Mayor Wilson not present.

(ITEM S-600)

RESOLUTION 220992, approving the SUBMISSION to the COASTAL COMMISSIONS of the MIRA MESA ISSUE IDENTIFICATION REPORT, was adopted on motion by Councilman Stirling, which passed unanimously with Councilmembers O'Connor and Mayor Wilson not present.

(ITEM S-601)

RESOLUTION 220993, authorizing an AMENDMENT to the AGREEMENT with Regional Environmental Consultants for the PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT for Lake Murray, Cowles and Fortuna Mountain Regional Park; authorizing the EXPENDITURE of $27,000 out of FUND 2505, ENVIRONMENTAL GROWTH FUND, CIP 23-308, LAKE MURRAY, COWLES AND FORTUNA MOUNTAIN PARK for the purpose of PROVIDING FUNDS for the above described services, was adopted and a referral was made to the City Attorney for an opinion on the question of wheter a social and economic component of the IER is legally required, on motion by Councilman Stirling by unanimous vote with Councilmembers O'Connor and Mayor Wilson not present.

(ITEM S-602)

(R-78-1967) CONFIRMING the following APPOINTMENTS by the Mayor to the BOARD OF ZONING APPEALS for two-year terms ending March 1, 1980:

Name	District	Term Expires
Alfonso Macy (Reappointment)	2	March 1, 1980
Daniel Weber (Replacing Paul S. Bazler, Jr.)	3	March 1, 1980
CURRENT BOARD MEMBERS		
Mrs. Patricia E. Backman	6	March 1, 1979
Ronald A. Dahlin	1	March 1, 1979
Alfonso Macy	2	March 1, 1978
Gary A. Kaku	2	March 1, 1979

By common consent the question was divided.

(1) Motion by Councilman Stirling to approve the appointment of Alfonso Macy which was seconded by Councilman Lowery, RESOLUTION 220994, was not voted on at this time.

Staff answered questions.

The vote was then taken on motion (1) which passed by the following vote: Yeas-Councilmembers Mitchell, Lowery, Williams, Schnaubelt, Stirling and Deputy Mayor Haro. Nays-Councilman Gade. Not present-Councilmembers O'Connor and Mayor Wilson.

Councilwoman O'Connor entered the Chambers.

The motion by Councilman Stirling to refer to the Planning Department the issue of whether Picnic'N Chicken could have been referred to the Board of Zoning Appeals, passed unanimously with Mayor Wilson not present.

The motion by Councilman Gade to approve the appointment of Daniel Weber, seconded by Councilman Williams, RESOLUTION 220995, passed unanimously with Mayor Wilson not present.

(ITEM 332- Second time)

Mr. Cain gave a brief explanation of the project as set forth in the resolution of intention and the Report and the proposed diagram and assessment, reviewing the method used in the apportionment of the assessment, and stating that, in his opinion all lands within the proposed assessment district will be benefited by the proposed acquisitions and improvements. He further explained that the proposed assessment has been apportioned upon the several parcels, subdivisions and condominium interests in the district in proportion to the estimated benefits to be received from the proposed acquisitions and improvements.

(ITEM 332 - Second time - Continued)

He further explained the proceedings under the Environmental Quality Act, stating that a "Final Environmental Statement, Tia Juana River Flood Control Project, San Diego, California," dated May 20, 1976, has been prepared by the U.S. Army Engineer District, Los Angeles, California, for the United States Section, Internation Boundary and Water Commission, in compliance with Public Law 91-190, the National Environmental Policy Act of 1969.

Mr. Cain continued his report by stating that the protests on the project after notice was given, based on the total area of land within the assessment district, which is a requirement of the Ordinance, that includes public rights-of-way, streets and alleys and property that was not assessed, equals 71.7% of such area. Protests based on just the assessable area based on the total area of property to be assessed - written protests represent 83.9% of such area.

He concluded by stating he was available to answer questions.

Mr. Abdelnour stated that copies of all written protests filed with the City Clerk before 1:00 p.m. on May 30, 1978 were furnished to each member of the Council.

Michael Cowith appeared to speak.

Councilman Williams left the Chambers.

Mr. Cowith continued with his testimony.

Councilman Williams entered the Chambers.

Mr. Cain answered questions directed by the Council.

The motion by Councilman Stirling to continue the hearings to 2:00 p.m. Time Certain, Tuesday, June 6, 1978 for full Council, was not voted on at this time.

Staff answered questions directed by the Council and Mr. Cowith and Bryan Riley gave further public testimony.

The vote was then taken on the previous motion by Councilman Stirling, which passed unanimously with Mayor Wilson not present.

(ITEM S-604 - First time)

(R-78-2323) Requesting that the City Manager CANCEL the scheduled June 5, 1978, SALE AT OPEN AUCTION of LOT 21, UNIT 4, and LOT 4, UNIT 6, in the San Diego Industrial Park and enter into a NEGOTIATED SALE AGREEMENT at fair market value with an owner/user per Council Policies 700-10 and 900-3 and in the spirit of Council Policy 900-4.

Staff gave report.

Mac Strobl, EDE, appeared to speak.

(1) Motion by Councilman Gade to suspend the rules to extend the time of the Meeting to 6:00 p.m. passed unanimously with Mayor Wilson not present.

The item was trailed.

(ITEM S-607)

(Continued from the Meetings of April 4 and May 9 and 23, 1978 at Councilman Haro's request.

BEYER BOULEVARD, DAIRY MART ROAD TO I-805, ASSESSMENTDISTRICT - The proposed improvement consists, in general, of the improvement of Beyer Boulevard between Dairy Mart Road and Interstate Highway No. I-805, the improvement consisting of grading, the construction of certain curbs, gutters, paving, sidewalks, driveway entrances, street lighting, water, sewer, and drainage facilities, retaining walls,

(ITEM S-607 - Continued)

concrete structures, and the installation of a traffic signal and safety lighting system, under the provisions of the MUNICIPAL IMPROVEMENT ACT of 1913 - on Resolution of Intention No. 220289.

Today's action is:

a - (R-78-1820) Adopted of a RESOLUTION FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY REQUIRE CERTAIN IMPROVEMENTS;

b - (R-78-2050) Adoption of a RESOLUTION ORDERING CHANGES IN THE REPORT, ASSESSMENT, AND CITY CONTRIBUTION:

c - (R-78-2051) Adoption of a RESOLUTION MAKING FINDINGS AND OVERRULING PROTESTS AND OBJECTIONS, CONFIRMING DIAGRAM AND ASSESSMENT AND ORDERING IMPROVEMENTS:

d - (R-78-2094) Adoption of a RESOLUTION AUTHORIZING THE CITY'S CONTRIBUTION of $1,383,084.94 for said improvement; authorizing the EXPENDITURES of $150,715 from GAS TAX FUND 220 and $746,434 from CAPITAL OUTLAY FUND 245 for said purpose; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER the sum of $131,816 from CIP 52-110.1 to CAPITAL OUTLAY FUND - UNALLOCATED RESERVE, CIP 90-245;

e - (R-78-2052) Adoption of a RESOLUTION AWARDING IMPROVEMENT BONDS; and

f - (R-78-1823) Adoption of a RESOLUTION AWARDING A CONTRACT.

Special Bond Counsel Frank Hamilton answered questions.

The motion by Councilwoman O'Connor to continue the Hearing to June 5, 1978, 3:00 p.m. Time Certain for full Council passed unanimously with Mayor Wilson not present.

(ITEM S-604 - Second time.)

Mr. Myers, Collins development Company, appeared to speak.

Councilmen Stirling and Williams left the Chambers.

Bob Richardson, Mr. Strobl, Mr. Davis and Mr. Feldman appeared to speak.

(2) Motion by Councilwoman O'Connor to suspend the rules to extend the time of the Meeting to 6:30 p.m. passed unanimously with Councilmen Williams, Stirling and Mayor Wilson not present.

Further public testimony was presented.

(3) Motion by Councilman Lowery to continue to Monday, June 5, 1978, 2:00 p.m. was not voted on at this time.

(4) Motion by Councilman Mitchell to file the item received no vote.

(5) Motion by Councilwoman O'Connor to adopt the resolution was out of order.

The vote was then taken on motion (3) which failed by the following vote: Yeas-Councilmen Lowery, Gade and Deputy Mayor Haro. Nays-Councilmen Mitchell, O'Connor and Schnaubelt. Not present-Councilmen Williams, Stirling and Mayor Wilson.

(6) Motion by Councilwoman O'Connor to adopt the Resolution was defeated by the following vote: Yeas-None. Nays-Councilmen Mitchell, O'Connor, Lowery, Schnaubelt, Gade and Deputy Mayor Haro. Not present-Councilmen Williams, Stirling and Mayor Wilson.

Councilman Lowery left the Chambers.

(UNANIMOUS CONSENT NO. 1)

Three resolutions relative to La Jolla Bluffs Subdivision, a 6-lot subdivision located northerly of La Jolla Shores Drive adjacent to Ellentown Road;

a - Authorizing an agreement with Fargo Industries Corporation for completion of improvements;

b - Renaming a portion of La Jolla Shores Drive - LA JOLLA SHORES LAND; and

c - Approving the final map.

The motion by Councilman Schnaubelt to adopt the resolutions as RESOLUTION NOS. 220996, 220997 and 220998 respectively, passed unanimously with Councilmembers Lowery, Williams, Stirling and Mayor Wilson not present.

(ITEM 330)

(Continued from the Meeting of May 9, 1978 for the Board of Education report on school availability.)

Matter of REZONING LOT 3309, MIRA MESA VERDE UNIT NO. 27, MAP NO. 7038 (approximately 5.1 acres), located on the west side of Andasol Street between Aegean Court and Acama Street, in the Mira Mesa Community Plan area, from ZONE CN to ZONE R-1-5.

(CASE NO. 60-78-2.)

a - Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 78-01-28 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

b - Introduction of an ORDINANCE for R-1-5 Zoning.

The motion by Councilman Mitchell to close the hearing, adopt the END resolution, RESOLUTION 220999, and introduce the ordinance for R-1-5 Zoning subject to letter of school availability, passed unanimously with Councilmembers Lowery, Williams, Stirling and Mayor Wilson not present.

(ITEM 331)

Matter of REZONING portions of LOTS 13 and 14, LEMON VILLA, MAP NO. 734 (approximately 1.72 acres), located on the north side of Orange Avenue between 52nd and 54th Streets, in the Mid-City Development Plan area, from ZONE R-1-5 to ZONE R-3A.

(CASE NO. 7-78-1.)

a - Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 78-01-18 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

b - INTRODUCTION of an ORDINANCE for R-3A Zoning.

The motion by Councilman Gade to continue the rest of the docket received no vote.

The motion by Councilman Gade to continue ITEM 331 to June 6, 1978 due to lack of time passed unanimously with Councilmembers Lowery, Williams, Stirling and Mayor Wilson not present.

(UNANIMOUS CONSENT NO. 2)

Endorsing and approving the Memorandum of Understanding agreed to by the Management Team and representatives of Local 145, International Association of Fire Fighters, AFL-CIO for the Fire Fighter Unit.

The motion by Councilman Mitchell to adopt passed unanimously with Councilmembers Lowery, Williams, Stirling and Mayor Wilson not present, RESOLUTION 221000.

(UNANIMOUS CONSENT NO. 3)

Excusing Mayor Pete Wilson from the Budget Review Session of Thursday, June 1, 1978 for the reason of personal business.

The motion by Councilman Gade to adopt passed unanimously with Councilmembers Lowery, Williams, Stirling and Mayor Wilson not present, RESOLUTION 221001.

The Meeting recessed at 6:32 p.m. Upon reconvening at 6:34 p.m., the roll call showed Councilmembers Lowery, Williams, Stirling and Mayor Wilson not present.

(ITEM S-603)

(Continued from the Meetings of May 15 and 22, 1978 at Councilman Haro's request.)

Adopting and approving, by this City Council, sole member of the CENTRE CITY DEVELOPMENT CORPORATION, INC., the amendment to the BYLAWS of said corporation by AMENDING ARTICLE III, SECTION 13 of said bylaws, relating to COMPENSATION.

By common consent this item was continued to June 5, 1978 due to lack of time.

The Regular Meeting was adjourned at 6:35 p.m. on motion by Councilman Gade in memory of Reverend John R. Nicholson, Rector of Holy Trinity Episcopal Church in Ocean Beach; Hugh E. Johnson, father of Councilman Gil Johnson; and in commemoration of Monday, May 29th which was Memorial Day.

Charles G. Abdelpini

City Clerk of The City of San Diego, California

ADJOURNED REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - MONDAY, MAY 29, 1978
HELD TUESDAY, MAY 30, 1978
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
8:30 A.M.

Present-Councilmen Mitchell, O'Connor, Lowery, Gade, Stirling and Haro.
Absent--Councilmen Williams, Schnaubelt and Mayor Wilson.
Clerk---Rene' A. Duncan, Deputy.

The Adjourned Regular Meeting was called to order by Deputy Mayor Haro at 8:48 a.m.

It was reported that this Meeting had been adjourned from Monday, May 29, 1978, to this time by notice of the Clerk.

The Clerk reported that copies of the Notice of Adjournment covering the adjournment of this Meeting from Monday, May 29, 1978 to 8:30 a.m., Tuesday, May 30, 1978, had been posted as required by law, and that the proper Certificates of Posting and Mailing are on file.

There being no further business to come before the Council at this time, the Adjourned Regular Meeting was adjourned on motion of Councilman Stirling, at 8:49 a.m.

Pete Wilson
Mayor of The City of San Diego, California

ATTEST:

City Clerk of The City of San Diego, California

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