

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, JULY 25, 1978  
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING  
CHARLES C. DAIL CONCOURSE  
8:30 A.M.

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

Mayor Wilson called the Regular Meeting to order at 8:36 a.m.

(ITEM 300)  
Roll call was taken.

Councilman Haro entered the Chambers.

Councilman Williams entered the Chambers.

UNANIMOUS CONSENT:

By Unanimous Consent granted to Councilman Haro, a communication from Jesse  
Ramirez, representing Friends of Councilman Jess Haro, was presented.

Mr. Ramirez, Rachael Ortiz, Jesus Herrera and Assemblyman Rubaul Alatore spoke.

Councilman Haro left the Chambers.

(ITEM S-604 - First time)  
(Continued from the Meetings of June 26, July 11 and 18, 1978 at City  
Manager's request.)

Matter of SALE BY NEGOTIATION of approximately 195 acres, known as Campus  
Point, located in the area of Interstate 5 and Genesee Avenue, to National Semi-  
Conductor Corporation for \$3,300,000.

The motion by Councilwoman O'Connor to continue to August 1, 1978 at the  
request of the City Manager passed unanimously with Councilmen Lowery and  
Williams absent.

The action was reconsidered later in the Meeting.

(ITEM S-600)

(Continued from the Meeting of July 18, 1978 due to lack of time.)

Proposed INDUSTRIAL ELEMENT amendment to the PROGRESS GUIDE AND GENERAL PLAN FOR THE CITY OF SAN DIEGO. The proposed Industrial Element replaces in its entirety the Industrial Element that appears on pages 25 through 29 of the text of the Progress Guide and General Plan for the City of San Diego, adopted in June, 1967. The Industrial Element contains along with a complete inventory of available industrial land in the City, recommendations of where additional land should be designated for such purposes.

Councilman Haro entered the Chambers.

The motion by Councilman Stirling to close the hearing; adopt the EIR resolution; adopt a resolution amending the Industrial Element of the Progress Guide and General Plan for the City of San Diego; and adopt resolution containing appropriate findings, was not voted on at this time.

Staff gave a report.

Michael Stang, Walter Smyk and Sylvia Rascome presented testimony.

The vote was then taken on the previous motion by Councilman Stirling, which passed unanimously with Councilman Lowery absent as RESOLUTION NOS. 221449, 221450 and 221451. See attached.

Mayor Wilson recessed the Regular Meeting at 10:18 am Upon reconvening at 10:48 a.m., the roll call showed Councilmen O'Connor, Lowery and Williams absent.

(ITEM 335)

APPEAL of CLEM ABRAMS from the decision of the PLANNING COMMISSION in DENYING his application to REZONE a portion of SECTION 31, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M. (approximately 1.46 acres), located on the west side of Rickert Road between Mira Mesa Boulevard and Hillery Drive, in the Mira Mesa Community Plan area, from ZONE A-1-1 to ZONE R-2A.

The motion by Councilman Gade to continue the Hearing to August 1, 1978 10:30 a.m. Time Certain at appellant's request passed unanimously with Councilmen O'Connor, Lowery and Williams absent.

(ITEM S-604 - Second Time)

Councilwoman O'Connor entered the Chambers.

The motion by Councilman Mitchell to reconsider Council's previous action to continue the matter to August 1, 1978 at the City Manager's request passed unanimously with Councilmen Lowery and Williams absent.

By common consent the matter was trailed to the afternoon session.

(ITEM S-601)

(Continued from the Meeting of July 18, 1978 due to lack of time.)

Matter of AMENDING the PROGRESS GUIDE AND GENERAL PLAN FOR THE CITY OF SAN DIEGO by amending the General Plan Map to incorporate the following changes:

a - Revised RANCHO BERNARDO COMMUNITY PLAN adopted by the City Council on March 28, 1978;

b - Revised UPTOWN COMMUNITY PLAN adopted by the City Council on June 13, 1978;

c - Revised CLAIREMONT-MESA COMMUNITY PLAN;

d - Revised SCRIPPS MIRAMAR RANCH COMMUNITY PLAN; and

e - Revised INDUSTRIAL ELEMENT.

Staff gave a report.

Councilman Williams entered the Chambers.

The motion by Councilman Stirling to close the hearing; adopt the EIR resolution as RESOLUTION 221452; adopt a resolution amending the Progress Guide and General Plan of the City of San Diego to include the above changes as RESOLUTION 221453; and adopt 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 NO. 77-09-20 as RESOLUTION 221454., passed unanimously with Councilman Lowery absent. See attached.

(ITEM 332)

Matter of REZONING a portion of the NORTHWEST 1/4, SECTION 26, TOWNSHIP 18 SOUTH, RANGE 2 WEST, S.B.B.M., RECORD OF SURVEY 1496 (approximately 5.8 acres), located on the south side of Palm Avenue between Beyer Way and Churrituck Drive, in the proposed Otay Mesa-Nestor Community Plan area, from ZONE A-1-10 to ZONE CA.

Staff gave a report.

The motion by Councilman Haro to close the hearing, adopt the END Resolution as RESOLUTION 221455 and introduce an ordinance for CA Zoning, passed unanimously with Councilman Lowery absent. See attached.

(ITEM 330)

Matter of REZONING LOTS 25 AND 26, BLOCK 16, GRANTVILLE, MAP NO. 776 (approximately 7,000 square feet), located on the north side of Glacier Avenue between Mission Gorge Road and Holabird Street, in the Navajo Community Plan area, from ZONE R-2 to ZONE R-3.

Staff gave a report.

The motion by Councilman Stirling to close the hearing, adopt the END Resolution as RESOLUTION 221456, and introduce an ordinance for R-3 Zoning passed unanimously with Councilman Lowery absent. See attached.

(ITEM S-507)

Five Resolutions relative to FISCAL YEAR 1979 REVENUE SHARING FUNDED SOCIAL SERVICE PROGRAMS:

a - Authorizing AGREEMENTS with Bayside Settlement House, Inc., California Public Interest and Research Group, Inc., Center for Women's Studies & Services, Inc., Legal Aid Society of San Diego, Inc., Neighborhood House Association, Inc., San Diego Urban League, Inc., Senior Adult Services, Inc., Social Advocates for Youth, Inc., Ocean Beach Child Care Project, Inc., YWCA of San Diego, Inc., Centro de Salud de la Comunidad de San Ysidro, Harmonium, Inc., San Diego State University Foundation, Inc., Mid-City Community Clinic, Inc. and Alpha Project of San Diego, Inc., to OPERATE said Social Service Programs for an eleven-month period from August 1, 1978 through June 30, 1979; authorizing the EXPENDITURE of a total of \$666,758 -- \$606,897 from FISCAL YEAR 1979 REVENUE SHARING FUNDS and \$59,861 from FISCAL YEAR 1978 REVENUE SHARING FUNDS -- for said purpose;

b - Authorizing an AGREEMENT with Community Service Center for the Disabled, Inc., for the purpose of providing a FORTY PERCENT (40%) MATCH for a SECOND STATE DEPARTMENT OF REHABILITATION GRANT beginning February 1, 1979 (\$15,000 Fiscal Year 1979 Revenue Sharing Funds); authorizing the EXPENDITURE of \$15,000 out of FISCAL YEAR 1979 REVENUE SHARING FUNDS for said purpose;

c - Authorizing an AGREEMENT with the County of San Diego for the purpose of TRANSFERRING \$82,057 in FISCAL YEAR 1979 REVENUE SHARING FUNDS to: (1) enable the County to contract with Bayside Settlement House and Union of Pan Asian Communities Home Help Programs for an eleven-month period from August 1, 1978 through June 30, 1979 (\$57,682); and (2) provide a one-third (1/3) share of the total funds for the Releasee Aid Program for a nine-month period from July 1, 1978 through March 31, 1979 (\$24,375); authorizing the EXPENDITURE of \$82,057 out of FISCAL YEAR 1979 REVENUE SHARING FUNDS for said purpose;

d - Authorizing an AGREEMENT with the San Diego Urban League, Inc., for the purpose of OPERATING THE BUSINESS OUTREACH PROJECT for an eleven-month period from August 1, 1978 through June 30, 1979; authorizing an EXPENDITURE of \$276,137 out of COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS 2940 for said purpose; and

e - Authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$2,000 of CALENDAR YEAR 1975 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS from FUND 2910, PROGRAM ELEMENT 95.79 (Social Service Needs Assessment Survey) to FUND 2910, PROGRAM ELEMENT 95.55 (Public Services).

Staff gave a report.

(ITEM S-507 - Continued)

The motion by Councilwoman O'Connor to continue "d" to July 31, 1978 at the request of the City Manager passed unanimously with Councilmen Lowery absent.

Staff gave a report.

Testimony by Liz Pinkerton and a representative of Wayside Settlement House.

The motion by Councilwoman O'Connor to adopt the Committee recommendation less "d" as RESOLUTIONS 221457, 221458, 221459 and 221460, passed by the following vote: Yeas-Councilmen Mitchell, O'Connor, Williams, Gade, Stirling, Haro and Mayor Wilson. Nays-Councilman Schnaubelt. Absent-Councilman Lowery.

(ITEM 331)

Matter of REZONING a portion of LOT 15, ROSEDALE TRACT; a portion of RESUBDIVISION OF LOT 14, ROSEDALE TRACT, MAP NO. 825; and a portion of LOT D, PARTITION LOT 70, RANCHO MISSION OF SAN DIEGO, S.C.C. NO. 15191 (approximately 129.5 acres), located north of Clairemont Mesa Boulevard between Santo Road and San Diego Aqueduct, in the Elliott Community Plan area, from ZONE R-1-40 to ZONE R-1-5.

Staff gave reports.

The motion by Councilman Stirling to close the hearing, adopt the EIR resolution as RESOLUTION 221461; introduce an ordinance for R-1-5 Zoning; and adopt a resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with the Supplemental Environmental Impact Report No. 78-01-51 as RESOLUTION 221462 (see attached) passed unanimously with Councilman Lowery absent.

(ITEM 204)

Authorizing the CITY MANAGER to execute an OPTION AGREEMENT with Project Concern, Inc., granting a right to purchase LOT F OF RESEARCH PARK for a period of one year for a consideration of \$13,700 and a purchase price of \$137,000; authorizing the MAYOR and CITY CLERK, in the event said OPTION is exercised, to execute a GRANT DEED, granting to Project Concern, Inc. said property; declaring that a broker's commission shall be paid by the City; authorizing the payment of related expenses in connection with the sale from the proceeds.

Testimony by Don Jenkinson.

The motion by Councilman Schnaubelt to adopt the resolution (revised) as RESOLUTION 221463, passed unanimously with Councilman Lowery absent.

(ITEM 203)

Two Resolutions relative to PAVING and otherwise improving PICADOR BOULEVARD from 700 feet south of Palm Avenue to Palm Avenue, and PALM AVENUE from Picador Boulevard to 500 feet easterly under the IMPROVEMENT ACT OF 1911:

a - AWARDING A CONTRACT to R. E. Hazard Contracting Co. for said work for an estimated cost of \$256,451.10;

b - Authorizing the CITY AUDITOR AND COMPROLLER to TRANSFER the sum of \$191,300 from CIP 52-189.2 to the CAPITAL OUTLAY FUND RESERVE, CIP 90-245.

The motion by Councilman Haro to adopt the resolutions as RESOLUTION NOS. 221464 and 221465 passed unanimously with Councilman Lowery absent.

(ITEM 333)

Matter of PREZONING LOT 53, RANCHO MISSION; portions of LOTS 61, 62 AND 63, RANCHO MISSION; portion of LOT E, partition of portion of LOT 70, RANCHO MISSION; and portion of LOT 46, ROSEDALE TRACT (approximately 270 acres), located on the north side of Mission Gorge Road between Old Cliffs Road and Margerum Avenue in the Navajo Community Plan area, from COUNTY-ANNEXATION to ZONES A-1-10 and M-1B to be applied upon ANNEXATION to the City and REZONING from ZONE R-1-5 to ZONE M-1B.

Staff gave report.

The motion by Councilman Stirling to close the hearing; adopt the EIR resolution as RESOLUTION 221466; introduce rezoning ordinance for A-1-10 Zoning and M-1B Zoning; introduce ordinance Rezoning R-1-5 to M-1B Zoning; and adopt a resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to the California Public Resources Code Section 21081 in connection with Environmental Impact Report No. 77-02-08 as RESOLUTION 221467 passed unanimously with Councilman Lowery absent. See attached.

The meeting was recessed at 11:51 a.m. to reconvene at 2:00 p.m. and the Mayor announced the Council would recess into executive session in the eleventh floor conference room on pending litigation. The attached resolutions were adopted as RESOLUTION NOS. 221447 and 221448.

  
City Clerk of the City of San Diego, California

*Allen*  
333 a

RESOLUTION No. 221466 (R-79-72 )  
Adopted on JUL 25 1978 (Revised)

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That it be, and it is hereby certified, that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 77-02-08, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines thereto, and that said Declaration has been reviewed and considered by this Council.

APPROVED: JOHN W. WITT, City Attorney

By *Frederick Conrad*  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:smm  
7-25-78 (REVISED)  
33-78-4  
Or.Dept.:Clerk

NOTICE OF DETERMINATION

pursuant to  
The California Environmental Quality Act and State EIR Guidelines

TO:  Secretary for Resources  
1416 Ninth Street, Room 1311  
Sacramento, CA 95814  
 County Clerk  
County of San Diego  
220 W. Broadway  
San Diego, CA 92101

FROM:  
City of San Diego  
City Administration Building  
202 "C" Street  
San Diego, CA 92101

PROJECT TITLE:  
V. R. Dennis Annexation

STATE CLEARINGHOUSE NUMBER:

CONTACT PERSON: Betty Goldberg TELEPHONE: (714) 236-6420

PROJECT LOCATION:  
Lot 53, Rancho Mission, Pors. of Lots 61, 62 and 63, Rancho Mission, Por.  
Lot E, part. of por. of Lot 70, Rancho Mission & por. of Lot 46, Rosedale  
Tract, n. side of Mission Gorge Rd. bet. Old Cliffs Rd. & Margerum Ave.

PROJECT DESCRIPTION:  
Rezoning from County-Annexation to Zones A-1-10 and M-1B to be applied  
upon annexation to the City and rezoning from Aone R-1-5 to Zone M-1B.

This is to advise that the City of San Diego City Council  
(NAME OF DECISION-MAKING BODY)  
has made the following determinations regarding the above described project:

1. The project has been  approved  disapproved by the Lead Agency.
2. The project, in its approved form,  will  will not have a significant effect on the environment.
3.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA, and was certified as required by Section 15085(g). Res. 221466  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. A copy of the Negative Declaration is attached.
4. The following mitigation measures were adopted by the Lead Agency to reduce the impacts of the approved project:

Mitigation measures are not needed as the Environmental Impact Report does not identify any adverse impacts associated with the rezoning.

DATE RECEIVED FOR FILING:

AUTHORIZED BY:

DISTRIBUTION:

EQD File NO. 77-02-08

Betty Goldberg 10-3-78  
SIGNATURE DATE  
Deputy City Clerk  
TITLE



RESOLUTION No. 221447

(R-78-2592)

Adopted on JUL 25 1978

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That the City Manager be and he is hereby authorized and empowered to pay the total sum of \$9,705.20 in the settlement of each and every claim against the City of San Diego, its agents and employees [John E. Weiks, Jr., et al. v. City of San Diego, et al., Superior Court Case No. 376999], resulting from the personal injury to John E. Weiks, Jr.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue two warrant checks in the total amount of \$9,705.20: one for \$8,600.00 payable to John E. Weiks and his attorney Fredric G. Dunn, and one for \$1,105.20 payable to Travelers Indemnity Company and their attorneys of record, Hinchy, Witte, Wood, Anderson & Hodges, in full settlement of all claims.

APPROVED: JOHN W. WITT, City Attorney

By   
Ronald L. Johnson, Chief Deputy

RLJ/een:Lit  
7/19/78  
Aud.Ctfs.#70958, 70959  
Or.Dept.: Risk Mgmt

RESOLUTION No. 221448 (R- 79-57 )

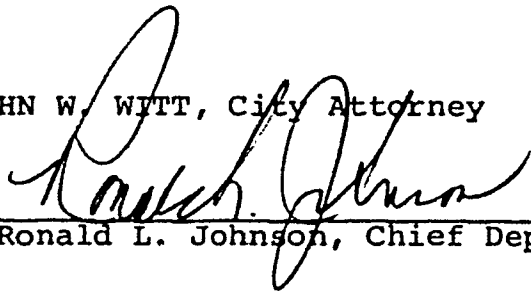
Adopted on JUL 25 1978

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That the City Manager be and he is hereby authorized and empowered to pay the sum of \$50,000.00 in the settlement of each and every claim against the City of San Diego, its agents and employees [Loren H. Mitchell, et al. v. City of San Diego, et al., Superior Court Case No. 370075], resulting from the personal injury to Loren H. Mitchell.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to issue a warrant check in the amount of \$50,000.00 to Loren H. Mitchell and his attorney Ernest R. Fraley in full settlement of all claims.

APPROVED: JOHN W. WITT, City Attorney

By   
Ronald L. Johnson, Chief Deputy

RLJ/een:Lit  
7/10/78  
Aud.Cert. #79041  
Or.Dept.:Risk Mgmt

S-600 a

R.79-532

RESOLUTION No. 221449 (R- )

Adopted on JUL 25 1978

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That it be and it is hereby certified that the information contained in the Supplemental Environmental Impact Report on file in the office of the City Clerk as E.Q.D. No. 78-01-16, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines pursuant thereto, and that said Report has been reviewed and considered by this Council.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh  
9/14/78  
Or.Dept.:Clerk

00703

*Ellen*  
*S-600 b*

**221450**

R.79-533

RESOLUTION NO. \_\_\_\_\_

JUL 25 1978

WHEREAS, the Planning Commission held public hearings on March 16, 1978, April 27, 1978 and May 25, 1978, to consider the proposed Industrial Element amendment to the Progress Guide and General Plan for The City of San Diego; and

WHEREAS, the Planning Commission approved and recommended to the City Council adoption of the Industrial Element amendment to the Progress Guide and General Plan of The City of San Diego; and

WHEREAS, City Council Policy 600-7 requires that public hearings to consider revisions of the Progress Guide and General Plan for The City of San Diego shall be scheduled concurrently with all public hearings on proposed community plans; and

WHEREAS, the Planning Commission of The City of San Diego has held concurrent public hearings to consider the Industrial Element amendment to the General Plan; and

WHEREAS, On May 25, 1978, the Planning Commission adopted and recommended for adoption by the City Council an amended General Plan; and

WHEREAS, California Government Code, Section 65860, provides that mandatory elements of the General Plan may not be amended more than three times per year; and

WHEREAS, it is the intention of the City Council to consider amendments to the Progress Guide and General Plan for The City of San Diego at hearings conducted on a semi-annual basis; and

**00704**

WHEREAS, it is the intention of the City Council to conduct a public hearing on proposed actions that will result in changes to the Progress Guide and General Plan during the year, but such changes shall not become effective until enacted at the semi-annual hearing conducted for the purpose of amending the Progress Guide and General Plan for The City of San Diego; and

WHEREAS, the Council of The City of San Diego held a public hearing on July 18, 1978, continued until July 25, 1978, to consider the Industrial Element amendment to the Progress Guide and General Plan for The City of San Diego; NOW, THEREFORE,

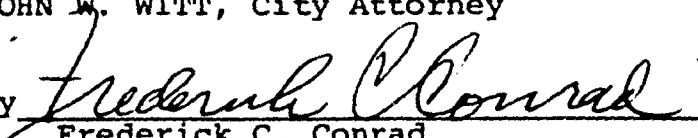
BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That this Council hereby adopts the Industrial Element amendment to the Progress Guide and General Plan for The City of San Diego, a copy of which is on file in the office of the City Clerk as Document No. 764573.

2. That the Industrial Element amendment to the Progress Guide and General Plan of The City of San Diego shall become effective upon adoption of an appropriate amendment to the Progress Guide and General Plan for The City of San Diego, incorporating said Industrial Element amendment, an omnibus hearing on this and other amendments having been scheduled on or about July 25, 1978.

APPROVED: JOHN W. WITT, City Attorney

By

  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh  
9/15/78

S-600 e

R. 79-534

RESOLUTION NO. 221451

JUL 25 1978

BE IT RESOLVED, by the Council of The City of San Diego, that pursuant to California Public Resources Code, Section 21081, the following findings are made with respect to the environmental impacts identified in Supplemental Environmental Impact Report No. 78-01-16:

1. The unemployment rate in the City of San Diego is unacceptable, and substantial steps must be taken to remedy this situation.
2. The unreasonably high unemployment rate is in part due to the failure of the local economy to achieve and maintain a balanced economic and employment base.
3. In order to achieve the desired balance, it is necessary to encourage industrial growth, especially basic manufacturing industries.
4. The currently available land designated and/or developed for industrial use is not adequate to achieve the employment and industrial growth needed to meet the employment demands of present and expected future residents.
5. The proposed Industrial Element contains policies, standards and guidelines which, if effectively implemented, will substantially assist in providing an adequate supply of industrial property and in encouraging the expansion of existing and location of new industrial employment opportunities within the City.

00706

6. The environmental effects identified in the General EIR (No. 77-09-20) and the Supplemental EIR (No. 78-01-16) are either unavoidable and/or incapable of mitigation, will be adequately mitigated, are beyond the authority and control of The City of San Diego, or are of less relative importance than the overwhelming social and economic goals of providing adequate employment opportunities for present and future residents, as indicated below.

a. The identified air quality effects would unavoidably occur regardless of the type of future development or the location of new industrial areas. These impacts may only be mitigated by implementation of a regional plan to be developed by the County Air Pollution Control District, State Air Resources Board, Federal Environmental Protection Agency and Regional Comprehensive Planning Organization.

b. The water quality effects will be adequately mitigated by effective implementation of existing City ordinances and regulations of the Regional Water Quality Control Board. These effects would occur regardless of the type of development which occurs in the areas identified for industrial use.

c. Noise impacts upon industrial area employees will be adequately mitigated by enforcement of state and federal occupational health and safety regulations. Noise effects generated by industrial uses will be

adequately mitigated by City ordinances. Traffic noise effects are effectively controlled only by state and federal regulations.

d. Biological resource losses are incapable of mitigation and unavoidable if the identified areas are developed for urban use; however, this loss of habitat is of less relative significance than the social and economic advantages to be derived from the proposed industrial development.

e. The potential loss of historic and cultural resources would be adequately mitigated by implementation of the Urban Design and Cultural Resources Management Elements of the General Plan.

f. Potential geological flood and soils hazards will be adequately mitigated through the implementation of City ordinances.

g. Impacts upon the utility, transportation, and other urban support systems will be adequately mitigated or avoided through expansion of facilities and services concurrent with future industrial development need.

h. Impacts upon water and energy conservation efforts, agriculture and aesthetic qualities are considered insignificant.

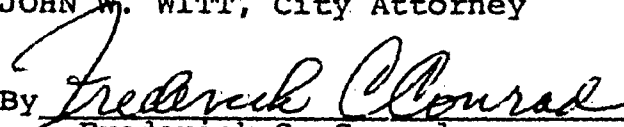
i. The potential growth-inducing effects will be adequately mitigated or avoided through the community planning process and the phasing of residential growth through the Progress Guide and General Plan.



7. The Planning Commission further finds that the Industrial Element, as proposed, contains a reasonable allocation of land designated for industrial development, located in areas appropriate for industrial development.

APPROVED: JOHN W. WITT, City Attorney

By

  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh

8/24/78

r.Dept.:Clerk

5-1-1

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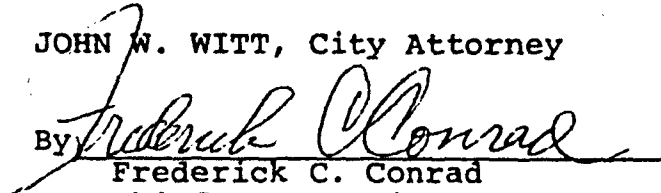
**RESOLUTION No.** 221452 (R-79-785)

Adopted on 10/23/78

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That it be, and it is hereby certified, that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 77-09-20, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines thereto, and that said Declaration has been reviewed and considered by this Council.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh  
10/23/78  
Or.Dept.:Clerk

00710

5-1001 ..

R.79-787

RESOLUTION NO. 221453

JUL 25 1978

WHEREAS, City Council Policy 600-7 requires that public hearings to consider revisions of the General Plan shall be scheduled concurrently with all public hearings on proposed community plans; and

WHEREAS, the Planning Commission of The City of San Diego has held concurrent public hearings to consider the Revised RANCHO BERNARDO COMMUNITY PLAN, Revised UPTOWN COMMUNITY PLAN, Revised CLAIREMONT-MESA COMMUNITY PLAN, Revised SCRIPPS MIRAMAR RANCH COMMUNITY PLAN, and the Revised INDUSTRIAL ELEMENT in order to retain consistency between said plans and the General Plan; and

WHEREAS, on January 19, 1978, February 2, 1978, May 25, 1978, and June 8, 1978, the Planning Commission adopted and recommended for adoption to the City Council amendments to the General Plan Map; and

WHEREAS, the Council of The City of San Diego held a public hearing to consider said amendments to the General Plan Map;

NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That this Council hereby adopts that amended General Plan Map entitled "Progress Guide and General Plan for The City of San Diego," incorporating the Revised RANCHO BERNARDO COMMUNITY PLAN, Revised UPTOWN COMMUNITY PLAN, Revised CLAIREMONT-MESA

00711

COMMUNITY PLAN, Revised SCRIPPS MIRAMAR RANCH COMMUNITY  
PLAN, and the Revised INDUSTRIAL ELEMENT, a copy of which  
amended General Plan Map is on file in the office of the  
City Clerk as Document No. 764363.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh  
10/24/78  
Or.Dept.:Clerk

221453

5-001

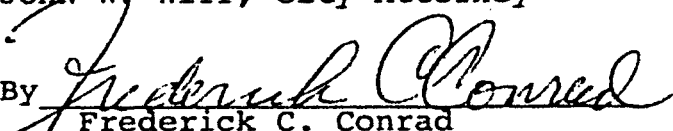
K. 79-788  
REV.

RESOLUTION NO. 221454 JUL 25 1978

BE IT RESOLVED, by the Council of The City of San Diego, that pursuant to California Public Resources Code, Section 21081, the following determination is made with respect to Environmental Impact Report No. 77-09-20:

No significant environmental impacts are identified in Environmental Impact Report No. 77-09-20, which relate to the General Plan Amendments contained within Resolution No. 221453.

APPROVED: JOHN W. WITT, City Attorney

BY   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh  
10/24/78  
Rev. 11/2/78  
Or.Dept.:Clerk

00713

RESOLUTION No. 221455 (R. 79-38 )

Adopted on JUL 25 1978

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That it be and it is hereby certified that the information contained in Environmental Negative Declaration No. 78-03-59, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines thereto, and that said Declaration has been reviewed and considered by this Council.

APPROVED: JOHN W. WITT, City Attorney

By *Frederick C. Conrad*  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:sml  
7-14-78  
48-78-9  
Or.Dept.;Clerk



331a

RESOLUTION No. 221461 (R-79-37 )

Adopted on JUL 25 1978

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That it be and it is hereby certified that the information contained in the Supplemental Environmental Impact Report on file in the office of the City Clerk as E.Q.D. No. 78-01-51, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines pursuant thereto, and that said Report has been reviewed and considered by this Council.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:sml  
7-13-78  
Or.Dept.:Clerk  
41-78-8

00716



Allen - 331 c

RESOLUTION No. 221462

R.79-522

Adopted on III 25 1978

BE IT RESOLVED, by the Council of The City of San Diego as follows:

BE IT RESOLVED, by the Council of The City of San Diego, that pursuant to California Public Resources Code, Section 21081, those findings entitled "Environmental Findings EIR No.: 77-11-52, Tierrasanta Norte Master Plan," attached hereto and made a part hereof, are made with respect to the environmental impacts identified in Environmental Impact Report No. 78-01-51.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh  
9/14/78  
41-78-9  
Dr. De...: Clerk

Rezone No. 41-78-8  
Rezone No. 41-78-9

June 5, 1978

City of San Diego  
Environmental Quality Division  
202 C Street  
San Diego, California 92101

Re: Environmental Findings EIR No: 77-11-52  
Tierrasanta Norte Master Plan

Gentlemen:

In accordance with recent amendments to the California Environmental Quality Act, I herewith submit findings in response to the suggested mitigation measures outlined in subject EIR.

1. GEOLOGY

All grading will be under the constant supervision of a competent soils engineer and/or engineering geologist. Preliminary recommendations already exist by virtue of a soil and geological research and reconnaissance report.

Detailed recommendations will be provided by a comprehensive investigation to be completed at the time of development of each individual subdivision within the Master Plan. Any unknown condition encountered during the grading operation will be properly dealt with at the time, according to the analyses and recommendation of the soils engineer and/or engineering geologist.

2. PALEONTOLOGY

If further investigation indicates the need, Tierrasanta will engage a competent Paleontologist and allow him to inspect the grading as he feels necessary. He will also be given the authority to divert or halt grading operation

for a reasonable time to allow any fossil remains discovered to be collected by a public scientific institution.

3. EROSION

It has always been Tierrasanta's policy to properly landscape for erosion and for pleasant visual impact.

We also will continue, wherever possible, to revegetate with native material.

4. HYDROLOGY

Proper mitigation is more of a technical nature, and will be provided as determined and recommended by whatever agencies are involved.

5. TOPOGRAPHIC ALTERATION

In order to feasibly develop the area, significant grading is required. Visual impact will be reduced however, because of the 432 acres within the project, 111 acres will remain as undisturbed open space. This is more than 25% of the entire site. Other mitigation measures will be the rounding and sculpturing of slopes and the installation of landscaping.

6. NOISE

Affected areas are very localized, and will be discussed as the individual projects proceed.

7. WATER CONSERVATION

Tierrasanta will, as in the past, reintroduce native vegetation wherever possible into open space and slopes. This will require the use of water only for the early stages of growth and stabilization. We will also install automatic sprinkler controls and low flush toilets.

8. BIOLOGICAL RESOURCES

It is proposed that Tierrasanta will dedicate substantial amounts of natural, undisturbed open space to the City of San Diego. It is also proposed that a free form fill be constructed across the city owned open space at the Southwest

corner of Villa Vista. The slope will provide convenient pedestrian access to the natural canyons. A portion of these slopes, as well as other natural and manufactured slopes, can be used as an area to transplant the native San Diego Barrel Cactus. I am informed by the Rancho Santa Ana Botanical Gardens that this specie of cactus is very transplantable; particularly on a Southeast facing slope.

Although the natural vegetation will need irrigation temporarily, intensive care will be taken not to over water the transplanted cacti.

#### 9. TRAFFIC

Complete mitigation of the traffic situation will not occur until the completion of the I-15 Freeway.

The present Caltrans schedule (attached) indicates the Aero Drive interchange opening during or before May 1980. Prior to the Aero Drive completion, the Tierrasanta Boulevard interchange will be under construction. It is important to note that the present intersection of Tierrasanta Boulevard and I-15 will remain open as it is during all but the last 6 weeks of the interchange construction.

The Tierrasanta community is being developed by a number of builders, as well as the Murphy Canyon Heights Naval Housing project. At present the total number of dwelling units approved within the Elliot Community Plan is 8056. This includes all of the privately owned land other than that of Tierrasanta, Inc. As of June 15, 1978, 6039 dwelling units will be occupied. This is 2017 dwelling unit's less than the amount approved.

In order to somewhat mitigate the impact of the possibility of an additional 2017 dwelling unit's, and to be able to offer a wider range of residential availability, Tierrasanta, Inc., will alter its sales and development program to insure Aero Drive interchange opening, will not exceed the number of units presently approved for construction. The number in fact, will probably be several hundred less, based on today's projections. (See attached schedule).

In addition to the above, the proposed free right turn from westbound Tierrasanta Boulevard is expected to produce measurable benefits. Also if it will produce favorable

City of San Diego  
June 5, 1978  
Page 4

results, we would construct a right turn storage lane from northbound I-15 to inbound Tierrasanta Boulevard. This, of course, would be dependent upon permission from Caltrans.

Very truly yours,

  
WILLIAM H. DUNCAN  
Vice President

WHD/zaw  
Enclosures

00721

TIERRASANTA COMMUNITIES

DEVELOPMENT NAME	TOTAL D.U. APPROVED	OCCUPIED 6-15-78
1. Villa Barbados	324	324
2. Villa Monserate N.	149	149
3. Villa Portofina	485	485
4. Villa Martinique	721	721
5. Villa Trinidad	448	448
6. Villa Majorca	794	794
7. Villa Granada	165	165
8. Villa Antigua	293	20
9. Villa Dominique	202	-
10. Tierrasanta Racquet Apts.	216	-
11. Tierrasanta Villas	340	240
12. Villa Monterrey	43	-
13. Eldorado Hills	504	372
14. Murphy Canyon Heights	1051	-
15.	2321	2321
	8056	6039

CONSTRUCTION SCHEDULE

I-15 and S-52

1. Construction of I-15 from Friars Road to 1/8 mile before Tierrasanta Boulevard, will include new Aero Drive and Santo Road interchange which will relieve traffic from Tierrasanta Boulevard.

Advertise: November, 1978  
Construction begins: March, 1979  
Completion: May, 1980

2. Construction from 1/8 mile south of Tierrasanta Boulevard to new Balboa Avenue interchange (Route 274), will also include new Tierrasanta Boulevard interchange.

Advertise: February 1980  
Construction begins: May, 1980  
Completion: May, 1982

3. Construction from Interstate 8 to Friars Road.

Advertise: March, 1980  
Construction begins: June, 1980  
Completion: June, 1982

4. Construction from 7/10 mile north of Route 274 to Route 163.

Advertise: Early 1981  
Completion: Early 1983

5. 1981 is the anticipated point when funding will become available and other administrative requirements will be completed for State 52. State 52 will be constructed concurrently from Interstate 805 across 163 interchange, east to Santo Road.

Compliments of  
ASSEMBLYMAN JIM ELLIS  
77th District

00723

Actions taken on Item 204

① No Vote  
Stirling - adopt  
Lewery - 2<sup>nd</sup>

② No Vote  
Schraubelt - amend to increase <sup>next</sup> ~~by~~ to  
Stade - 2<sup>nd</sup> \$150,000 to offset  
additional year's option  
given in the agreement

Mayor announced the meeting  
was adjourned and all items  
not completed would be continued  
to 7/25

jd  
7/25/78



Upon reconvening at 2:15 p.m., the roll call showed Councilmen Mitchell, O'Connor, Lowery, Williams, Schnaubelt and Haro absent.

Due to lack of a quorum, the Meeting was delayed.

Councilmen Mitchell and Schnaubelt entered the Chambers.

A quorum is now present.

(ITEM S-602)

(Continued from the Meeting of July 18, 1978 due to lack of time.)

Matter of REZONING a portion of SECTION 31, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M., RECORD OF SURVEY 3511 (approximately 2.05 acres), located on the west side of Rickert Street between Hillery Drive and Mira Mesa Boulevard, in the Mira Mesa Community Plan area, from ZONE A-1-1 to ZONE R-1-5.

Councilwoman O'Connor entered the Chambers.

A motion by Councilman Mitchell to close the hearing, adopt Item S-602-a, as RESOLUTION 221468 (see attached) and introduce the proposed Ordinance for R-1-5 zoning (see attached), contingent upon the receipt of the letter of availability, passed unanimously with Councilmen Lowery, Williams and Haro absent.

(ITEM 334)

Matter of REZONING LOTS 1 THROUGH 4, VIA MIRAMAR, MAP NO. 7139 (approximately 1.9 acres), located on the north side of Miramar Road and east and west of Black Mountain Road, in the Mira Mesa Community Plan area, from ZONE C-1S to ZONE C-1.

A motion by Councilman Mitchell to close the hearing and introduce the proposed Ordinance for C-1 Zoning (see attached), passed unanimously with Councilmen Lowery, Williams and Haro absent.

(ITEM 336)

(Continued from the Meeting of May 9, 1978 at applicant's request.)

APPEAL of NASLAND ENGINEERING, by William A. Moser, Chief Engineer, on behalf of Earl and Gloria Ensberg, from the decision of the PLANNING COMMISSION in DENYING PRELIMINARY PARCEL MAP 77-275, which proposes a two parcel parcel map of LOT 55, FAIRWAY PARK UNIT NO. 1, MAP 6778, located on the north side of Mt. Ariane Drive westerly of Mt. Burnham Court, in the R-1-5 ZONE, and within the boundaries of the Clairemont Mesa Community Plan.

(ITEM 336 - Continued)

Councilmen Williams and Haro entered the Chambers.

A motion by Councilman Schnaubelt to close the hearing, adopt Item 336-a, as RESOLUTION 221469 (see attached) and adopt Item 336-b granting the appeal, as RESOLUTION 221470 (see attached) passed by the following vote: Yeas-Councilmen O'Connor, Schnaubelt, Gade, Stirling and Mayor Wilson. Nays-Councilmen Mitchell, Williams, Haro. Absent-Councilman Lowery.

Mayor Wilson recessed the Meeting at 3:05 p.m. Upon reconvening at 3:29 p.m., the roll call showed Councilmen O'Connor, Lowery, Stirling and Mayor Wilson absent.

(ITEM 338)

(Continued from the Meetings of June 27 and July 11, 1978 at appellant's request.)

APPEAL of SHELDON AND MARTHA TYSON, from the decision of the PLANNING COMMISSION in APPROVING PRELIMINARY PARCEL MAP 78-103, which proposes a two parcel parcel map of LOT 7 AND THE NORTHERLY 25 FEET OF LOT 8, BLOCK 5, BEVERLY HEIGHTS, MAP 2229, located on the west side of Mar Avenue opposite the intersection of Massena Street, in the R-1-5 ZONE, and within the boundaries of the La Jolla Community Plan.

Councilman Stirling entered the Chambers.

A motion by Councilman Mitchell to close the hearing, adopt Item 338-a, as RESOLUTION 221471 (see attached) and adopt Item 338b denying the appeal, as RESOLUTION 221472 (see attached), passed unanimously with Councilmen O'Connor, Lowery and Mayor Wilson absent.

Councilman Lowery entered the Chambers.

(ITEM 152)

Declaring that the City Council SUPPORTS the proposal by the California Department of Transportation to CONSTRUCT A TWO-LANE, DIRECTIONAL EXCLUSIVE EXPRESS LANE FACILITY on Interstate Route 15 from the Route 163 Interchange to north of the Poway Road Interchange, in order to minimize freeway congestion, to promote the use of carpools and public transit, and to minimize air pollution and fuel consumption, provided said facility shall be in addition to a minimum of eight freeway lanes available to general traffic.

(ITEM 152 - Continued)

A motion by Councilman Stirling to adopt the item, as RESOLUTION 221473, passed by the following vote: Yeas-Councilmen Lowery, Williams, Schnaubelt, Gade, Stirling and Haro. Nays-Councilman Mitchell. Absent-Councilwoman O'Connor and Mayor Wilson.

(ITEM S-500)

(Continued from the Meeting of July 17, 1978.)

Amending Council Policy 800-4 entitled "DRAINAGE FACILITIES."

A motion by Councilman Stirling to adopt the item, as RESOLUTION 221474, passed unanimously with Councilwoman O'Connor and Mayor Wilson absent.

(ITEM S-501)

(Continued from the Meeting of July 17, 1978 due to lack of time.)

Declaring that insofar as time constraints permit, all REPORTS and COMMENTS from the City Manager and non-managerial department heads relating to items on a Council meeting docket or Council Committee meeting agenda shall be issued at least 48 HOURS PRIOR to the time of the meeting.

(1) A motion by Councilman Stirling to adopt the item, as RESOLUTION 221475, received no vote yet.

(2) A motion by Councilman Schnaubelt to amend the resolution to include Committee Consultant's to submit their reports twenty-four hours in advance, passed by the following vote: Yeas-Councilmen Lowery, Schnaubelt, Gade, Stirling and Haro. Nays-Councilmen Mitchell and Williams. Absent-Councilmen O'Connor and Mayor Wilson.

Motion #1 (by Stirling), as amended, passed unanimously with Councilwoman O'Connor and Mayor Wilson absent.

(ITEM S-503)

(Continued from the Meeting of July 17, 1978 due to lack of time.)

Approving the AGREEMENT between San Diego Entertainment, Inc. and the Associated Students of San Diego State University for the EXHIBITION OF COLLEGIATE BASKETBALL, dated April 17, 1978.

A motion by Councilman Williams to adopt the item, as RESOLUTION 221476, passed unanimously with Councilwoman O'Connor and Mayor Wilson absent.

(ITEM 310)

The following visitors, under the auspices of the Sister Cities International U.S./Africa Professional Women's Exchange Program, will attend this meeting accompanied by Mrs. Quincella Kimbrough, President, San Diego-Tema Sister City Society:

Mayor Cecelia G. Towah

(ITEM 310 - Continued)

Mrs. Kate Oyegun  
Mrs. Margaret Quist  
Justice Doris Awusu-Addo  
Mme. Aoua Thierno Keita

Mrs. Kimbrough introduced the women.  
Mayor Wilson welcomed the women and presented them with a commemorative medallion and a Key to the City.

Mayor Wilson recessed the Meeting at 4:30 p.m. Upon reconvening at 6:30 p.m., the roll call showed all present.

(ITEM 337)

ANNUAL APPROPRIATION ORDINANCE (BUDGET) proposed to be adopted for the Fiscal Year 1978-79.

Mayor Wilson announced that this item would be heard at the Meeting of July 31, 1978 - 2:00 p.m. time certain.

A motion by Councilman Gade to suspend the rules to extend the time of the meeting past 5:30 p.m., passed unanimously with all present.

(ITEM S-607)

Matter of authorizing the CITY MANAGER to approve the filing of an application for the NATIONAL HISTORIC PRESERVATION GRANTS-IN-AID ASSISTANCE for the SPRECKELS ORGAN PAVILION PROJECT; appointing the CITY MANAGER to COORDINATE, PROCESS and execute all CONTRACTS, AGREEMENTS, AMENDMENTS and ANCILLARY DOCUMENTS within the application.

A motion by Councilman Lowery to adopt the item, as RESOLUTION 221477, passed unanimously with all present.

Mayor Wilson recessed the Meeting at 6:34 p.m. Upon reconvening at 6:54 p.m., the roll call showed Councilmen O'Connor and Haro absent.

(ITEM S-604 - 3rd time)

(Continued from the Meetings of June 26, July 11 and 18, 1978 at City Manager's request.)

Matter of SALE BY NEGOTIATION of approximately 195 acres, known as Campus Point, located in the area of Interstate 5 and Genesee Avenue, to National Semi-Conductor Corporation for \$3,300,000.

(ITEM S-604 - 3rd time - Continued)

Councilmen O'Connor and Haro entered the Chambers.

(3) A motion by Councilman Lowery to adopt the item, as RESOLUTION 221478, received no vote yet.

(4) A motion by Councilman Mitchell to amend the resolution to state: "proceeds from the sale to be used for acquisition of Rose Canyon," passed by the following vote: Yeas-Councilmen Mitchell, O'Connor, Williams, Stirling and Haro. Nays-Councilmen Lowery, Schnaubelt, Gade and Mayor Wilson. Absent-None.

Councilman Haro originally voted nay on the amendment but changes his vote later.

Motion #3 (by Lowery), as amended, passed by the following vote: Yeas-Councilmen Mitchell, O'Connor, Lowery, Williams, Stirling, Haro and Mayor Wilson. Nays-Councilmen Schnaubelt and Gade. Absent-None.

(ITEM S-606)

Matter of authorizing the CITY MANAGER to execute an AGREEMENT with Medevac, Inc., for the PROVISION OF PARAMEDIC SERVICES.

Councilman Haro left the Chambers.

(1) A motion by Councilwoman O'Connor to adopt the item, as RESOLUTION 221479, received no vote yet.

Councilman Lowery left the Chambers.

(2) A motion by Councilman Stirling to amend the contract to delete the clause: "without prior consent of the City Manager" (see attached), passed unanimously with Councilmen Lowery and Haro absent.

Councilman Lowery entered the Chambers.

(3) A motion by Councilman Mitchell to amend the contract to delete "county" and insert "city" and delete "without prior consent of the City Manager" (see attached), passed unanimously with Councilman Haro absent.

Councilman Williams left the Chambers.

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

(UNANIMOUS CONSENT)

By unanimous consent granted to Councilman Williams, a request was granted to place a proposed charter change - Department of Public Safety - on the July 31, 1978 docket for consideration.

Items 101 and 114 were taken simultaneously.

(ITEM 101)

AWARDING A CONTRACT to L. R. Hubbard, Jr. for the CONSTRUCTION OF BALBOA PARK MISCELLANEOUS IMPROVEMENTS, including Additive Alternates 1 and 2 for the sum of \$95,975; authorizing the CITY AUDITOR AND COMPTROLLER to DELETE CIP 21-002.2, GENERAL LIGHTING, PHASE 3, and to TRANSFER \$20,200 from this project to CIP NO. 21-025; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$11,000 from CIP 90-725, PARK AND RECREATION BOND FUND RESERVE to CIP NO. 21-025.

(ITEM 114)

Approving the acceptance by the CITY MANAGER of GRANT DEED of Ramon Pacheco and Christina Pacheco conveying to City a portion of LOT A-245 of ADDITION NO. 5 to SAN YSIDRO; authorizing the expenditure of \$40,000 from THIRD YEAR COMMUNITY DEVELOPMENT BLOCK GRANT FUND 2930 (C.I.P. 52-242(8) Street Improvements) for the IMPROVEMENT of said property.

A motion by Councilman Schnaubelt to adopt Item 101, as RESOLUTION 221480 and Item 114, as RESOLUTION 221481, passed unanimously with Councilmen Mitchell, Williams and Haro absent.

(ITEM S-506)

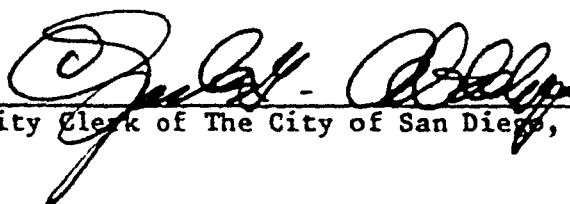
(Continued from the Meeting of July 17, 1978 due to lack of time.)

Matter of the MTDB City Council's delegates VOTE at the MTDB meeting of Thursday, July 13, 1978.

There was discussion.

There being no further business to come before the Council at this time, the Mayor announced that Items 30, 103, 151, 153, 154, 155, 201, 202 of the Regular Docket and Items S-502, S-504, S-505, S-506, S-508, S-509, S-603 and S-605 would be continued to the Meeting of Monday, July 31, 1978, and the Meeting was adjourned on motion of Councilman Gade at 8:00 p.m.

ATTEST:

  
\_\_\_\_\_  
City Clerk of The City of San Diego, California

ORDINANCE NO. \_\_\_\_\_  
(New Series)

O. 79-12

AN ORDINANCE INCORPORATING LOTS 1 THROUGH 4, VIA MIRAMAR, MAP NO. 7139 (APPROXIMATELY 1.9 ACRES), LOCATED ON THE NORTH SIDE OF MIRAMAR ROAD AND EAST AND WEST OF BLACK MOUNTAIN ROAD, IN THE MIRA MESA COMMUNITY PLAN AREA, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO C-1 ZONE, AS DEFINED BY SECTION 101.0430.1 OF THE SAN DIEGO MUNICIPAL CODE, AND REPEALING ORDINANCE NO. 11271 (NEW SERIES), ADOPTED MARCH 28, 1974, OF THE ORDINANCES OF THE CITY OF SAN DIEGO INsofar AS THE SAME CONFLICTS HERewith.

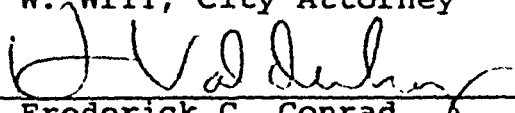
BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Lots 1 through 4, Via Miramar, Map No. 7139 (approximately 1.9 acres), located on the north side of Black Mountain Road, in the Mira Mesa Community Plan Area, in the City of San Diego, California, within the boundary of the district designated "C-1" on Zone Drawing No. B-3114, be, and it is hereby incorporated into C-1 Zone, as such zone is described and defined by Section 101.0430.1 of the San Diego Municipal Code.

Section 2. That Ordinance No. 11271 (New Series), adopted March 28, 1974, of the ordinances of The City of San Diego be, and it is hereby repealed insofar as it conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:sml  
7-17-78  
60-78-6

CO731

*Revised*

R. 79-331

RESOLUTION No. 221469 (R. )

Adopted on JUL 25 1978

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That it be and it is hereby certified that the information contained in Environmental Negative Declaration No. 77-09-45, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines thereto, and that said Declaration has been reviewed and considered by this Council.

APPROVED: JOHN W. WITT, City Attorney

By *Frederick C. Conrad*  
Frederick C. Conrad  
Chief Deputy City Attorney

C0732



RESOLUTION NO. 221470

~~Handwritten signature~~  
Puni

R.79-327

JUL 25 1978

WHEREAS, NASLAND ENGINEERING, by William A. Moser, Chief Engineer, on behalf of Earl and Gloria Ensberg, appealed the decision of the Planning Commission in denying Preliminary Parcel Map 77-275, which proposes a two-parcel parcel map of Lot 55, Fairway Park Unit NO. 1, Map 6778, located on the north side of Mt. Ariane Drive westerly of Mt. Burnham Court, in the R-1-5 Zone, and within the boundaries of the Clairemont Mesa Community Plan; and

WHEREAS, on January 12, 1978, the Planning Commission voted 5 to 1 to deny the preliminary parcel map; and

WHEREAS, on January 23, 1978, pursuant to the provisions of Section 102.0302 of the San Diego Municipal Code, NASLAND ENGINEERING, by William A. Moser, Chief Engineer, on behalf of Earl and Gloria Ensberg, appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on May 9, 1978, continued to July 25, 1978, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, the City Council in considering said appeal is empowered by the provisions of Municipal Code, Section 102.0302 to affirm, reverse or modify, in whole or in part, any determination of the Planning Commission subject to the limitations as are placed upon the Planning Commission by the Municipal Code; NOW, THEREFORE,

C0733

BE IT RESOLVED, by the Council of The City of San Diego,  
as follows:

All of the following facts exist with respect to  
Preliminary Parcel Map 77-275:

1. The proposed map is consistent with the General Plan and Clairemont Mesa Community Plan which designate the property for residential use.

2. The design and proposed improvements for the subdivision are consistent with the General Plan and Clairemont Mesa Community Plan and R-1-5 Zone and R-1-5 Zone Variance Development Regulations.

3. The site is physically suitable for residential development.

4. The site is suitable for the proposed residential density of development.

5. The design of the subdivision and the proposed improvements will not cause substantial environmental damage, based upon the findings of the Environmental Report EQD No. 77-09-45 ND.

6. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as the map is consistent with R-1-5 and requested R-1-5 Zone Variance and conforms with City development regulations.

7. The design of the subdivision and the type of improvements are such that they will not conflict with any

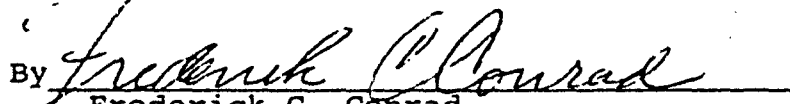
easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

8. The said Findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the appeal of NASLAND ENGINEERING, by William A. Moser, Chief Engineer, on behalf of Earl and Gloria Ensberg, is hereby granted; the decision of the Planning Commission to deny the preliminary parcel map is overruled, and said map is granted.

APPROVED: JOHN W. WITT, City Attorney

By

  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh  
8/18/78  
T.M. 77-275  
Or.Dept.:Clerk

*Revised 336a*

**RESOLUTION No.** 221471 (R79-251)

Adopted on JUL 25 1978

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That it be and it is hereby certified that the information contained in Environmental Negative Declaration No. 78-02-45, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines thereto, and that said Declaration has been reviewed and considered by this Council.

APPROVED: JOHN W. WITT, City Attorney

By *Frederick C. Conrad*  
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh  
8/7/78  
T.M. 78-103  
Or.Dept.:Clerk

00736

Rev 338b

RESOLUTION NO. 221472

JUL 25 1978  
R.79-231

WHEREAS, SHELDON and MARTHA TYSON appealed the decision of the Planning Commission in approving Preliminary Parcel Map 78-103, which proposes a two-parcel parcel map of Lot 7 and the northerly 25 feet of Lot 8, Block 5, Beverly Heights, Map 2229, located on the west side of Mar Avenue opposite the intersection of Massena Street, in the R-1-5 Zone, and within the boundaries of the La Jolla Community Plan; and

WHEREAS, on May 18, 1978, the Planning Commission voted 7 to 0 to approve the preliminary parcel map; and

WHEREAS, on June 1, 1978, pursuant to the provisions of Section 102.0308 of the San Diego Municipal Code, SHELDON and MARTHA TYSON appealed the decision of the Planning Commission; and

WHEREAS, said appeal was set for public hearing on June 27, 1978, continued to July 11, 1978, and testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; and

WHEREAS, the City Council in considering said appeal is empowered by the provisions of Municipal Code, Section 102.0308, to affirm, reverse or modify, in whole or in part, any determination of the Planning Commission subject to the limitations as are placed upon the Planning Commission by the Municipal Code; NOW, THEREFORE,

00737

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That the City Council adopt the findings of the Subdivision Review Board, as follows:

1. The proposed map is consistent with the General Plan and La Jolla Community Plan which designate the property for residential use.

2. The design and proposed improvements for the subdivision are consistent with the General Plan and La Jolla Community Plan and R-1-5 and R-1-5 Zone Variance Development Regulations.

3. The site is physically suitable for residential development.

4. The site is suitable for the proposed residential density of development.

5. The design of the subdivision and the proposed improvements will not cause substantial environmental damage, based upon the findings of the Environmental Report EQD No. 78-02-45 ND.

6. The design of the subdivision and the type of improvements will not likely cause serious public health problems inasmuch as the map is consistent with R-1-5 Zone and requested R-1-5 Zone Variance and conforms with City development regulations.


7. The design of the subdivision and the type of improvements are such that they will not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

8. The undergrounding utility requirements for existing facilities are waived since the conversion involves a short span of overhead facility (less than 600 feet in length) and it has been determined that such conversion is not a part of a continuing effort to accomplish a total undergrounding within a specific street or area. The undergrounding utility requirements for existing facilities are waived since the conversion would represent an isolated undergrounding with a minimum possibility of extension in the future.

9. That said Findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the appeal of SHELDON and MARTHA TYSON is denied, the decision of the Planning Commission to approve the preliminary parcel map is sustained, and said preliminary parcel map is hereby granted.

APPROVED: JOHN W. WITT, City Attorney

By:   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh  
8/2/78  
T.M. 78-103  
Or.Dept.:Clerk

00739

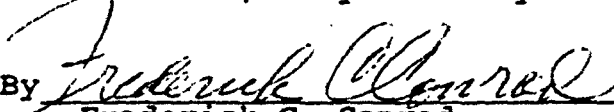
RESOLUTION No. \_\_\_\_\_ (R-79-3 )

Adopted on \_\_\_\_\_

BE IT RESOLVED, by the Council of The City of San Diego as follows:

That it be, and it is hereby certified, that the information contained in the SECOND AMENDMENT to ENVIRONMENTAL NEGATIVE DECLARATION NO. 76-09-18, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines thereto, and that said Declaration has been reviewed and considered by this Council.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Conrad  
Chief Deputy City Attorney

FCC:clh  
7/12/78  
60-78-4  
Or.Dept.:Clerk

00740



ORDINANCE NO. \_\_\_\_\_  
(New Series)

O.79-1

AN ORDINANCE INCORPORATING A PORTION OF SECTION 31, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M., RECORD OF SURVEY 3511, IN THE CITY OF SAN DIEGO, CALIFORNIA, INTO R-1-5 ZONE, AS DEFINED BY SECTION 101.0407 OF THE SAN DIEGO MUNICIPAL CODE AND REPEALING ORDINANCE NO. 10936 (NEW SERIES), OF THE ORDINANCES OF THE CITY OF SAN DIEGO INSOFAR AS THE SAME CONFLICTS HEREWITH.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That in the event that within two years of the effective date of this ordinance a portion of Section 31, Township 14 South, Range 2 West, S.B.B.M., Record of Survey 3511, in the City of San Diego, California, designated "R-1-5" on Zone Map Drawing No. B-3104, is subdivided and a map or maps thereof duly submitted to the City and thereafter recorded, and within such subdivision or subdivisions provision is made for the installation of public utility services and the dedication of streets, alleys and easements for public use, the provisions of Section 101.0407 shall attach and become applicable to the said subdivided land, and the said subdivided land shall be incorporated into R-1-5 Zone, as described and defined by Section 101.0407, the boundary of such zone to be as indicated on Zone Map Drawing No. B-3104, filed in the office of the City Clerk as Document No. 763660. Said zoning shall attach only to those areas included in the map as provided in this section.

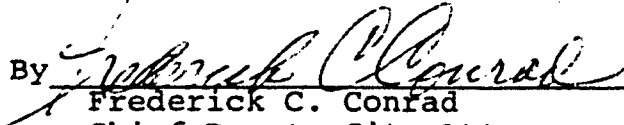
Section 2. That in the event the zoning restrictions shall attach to the said land described in Section 1 of this ordinance, Ordinance No. 10936 (New Series), adopted October 5,

**C0741**

1972, be, and it is hereby repealed insofar as it conflicts herewith.

Section 3. This ordinance shall take effect and be in force on the thirtieth day from and after its passage, and no building permits for development inconsistent with the provisions of this ordinance shall be issued unless application therefor was made prior to the date of adoption of this ordinance.

APPROVED: JOHN W. WITT, City Attorney

By   
Frederick C. Confad  
Chief Deputy City Attorney

FCC:clh  
7/12/78  
60-78-4  
Or.Dept.:Clerk

activity using radio frequencies for which the City is the licensee. In that regard, the City has certain responsibilities, which include an annual inspection as required by the Federal Communications Commission (FCC).

a. All communications equipment which the City deems necessary (after consultation with Medevac) for paramedic operations will be acquired, owned, installed, repaired and maintained by City at City expense. Communications systems will meet or exceed applicable legal communication requirements for paramedic units. Medevac agrees to pay for repairs required due to Medevac's negligence or abuse of the communications equipment and agrees to replace, in kind, any communications equipment which is lost or stolen while in Medevac's possession.

b. Medevac agrees to operate radio equipment in accordance with FCC rules and regulations and instructions from City.

c. Medevac agrees to adhere to the County of San Diego Emergency Medical Service Communications Plan when communicating with hospitals.

d. Medevac will bring radios to City Communications and Electrical Division, Electronic Section at 1970 B Street, Building 38, at mutually agreeable times to permit City to make periodic inspections and to repair any deficiencies found. City will give priority repair to enable Medevac to keep MICU's operative at all times and City will maintain such spare communications equipment as may be reasonably necessary to assure that MICU down-time is at the lowest reasonable level.

e. Medevac will use communications equipment only in support of City paramedic operations and for no other purpose whatsoever. City

f. Within the ~~County~~ of San Diego, Medevac will not advertise, promote, or endorse in any way any emergency

or non-emergency medical service telephone number except the City Dispatch telephone number ~~without the prior consent of the City Manager, which shall not be unreasonably withheld.~~ Further, Medevac shall cooperate with any emergency medical services public information and education program undertaken by City.

6. BUDGET SUBMISSIONS AND COMPENSATION.

a. Budget Submissions.

(1) Medevac shall prepare and submit in the form designated by the City Manager a Proposed Budget for Medevac's operation of the services to be provided herein for the fiscal year commencing on July 1, 1978. Said Proposed Budget shall include all expenses and costs which are related to Medevac's provision of Paramedic services for the fiscal year 1978-1979 but shall not include any management fee to Medevac for said services. The Proposed Budget together with the management fees called for in paragraph 6d for fiscal year 1978-1979 shall be considered by the City Council at the time it is considering the authorization by the City Manager to execute this Agreement and if approved shall be the Approved Budget for fiscal year 1978-1979. The Proposed Budget for fiscal year 1978-1979 is attached hereto as Exhibit "F"; the Approved Budget for fiscal year 1978-1979 will subsequently be attached as Exhibit "G".

(2) Commencing in calendar year 1979, Medevac shall submit a Proposed Budget to the City Manager no later than the 15th day of January of each year of this Agreement. Said Proposed Budget together with applicable management fees called for in paragraph 6d shall be submitted to the City Council for its review and approval, amendment or revision, as the case may be, and shall be determined by the City Council during its annual budget

and expenses, including attorneys' fees, arising out of or resulting from the performance by City of its obligations specified in this Agreement, caused by any negligent act or omission of City, any subcontractor of City, or anyone directly or indirectly employed by City or its subcontractors.

10. OTHER PROVISIONS.

a. Corporate Headquarters. Medevac agrees to relocate its corporate headquarters and corporate staff to a location within the City of San Diego by February 1, 1979. Medevac further agrees that its corporate headquarters and staff will remain in the City of San Diego so long as a contract is in force between City and Medevac for the provision of Paramedic services in the City of San Diego.

b. Other Emergency Services.

(1) Medevac agrees that, ~~without the prior consent of the City Manager,~~ within the County of San Diego it will not provide other types of non-paramedic emergency or non-emergency medical transportation services.

(2) Medevac will not provide Paramedic services to other cities within San Diego County, or to San Diego County, which would have the effect of degrading the level of service Medevac is required to provide under this Agreement.

c. Relationship of Parties. This Agreement is an agreement by and between two independent contractors and is not intended to and shall not be construed to create the relationship of agent, servant, employee, partnership, joint venture or association.

d. Assignment. Medevac shall not assign any portion of this Agreement or the services to be rendered thereunder without the written consent first obtained from City, and any assignment made contrary to the provisions of this section shall serve to terminate this agreement at the option of City and shall not convey any rights to the assignee.

activity using radio frequencies for which the City is the licensee. In that regard, the City has certain responsibilities, which include an annual inspection as required by the Federal Communications Commission (FCC).

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