

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF TUESDAY, SEPTEMBER 19, 1978
IN THE CHAMBERS OF THE COUNCIL AT 8:30 A.M.

ATTENDANCE:

Present--Mitchell (1), Lowery (3), Williams (4), Schnaubelt (5),
Gade (6), Stirling (7), and Mayor Wilson (M).
Absent--O'Connor (2).
Vacant--District 8.
Clerk---Abdelnour.

Meeting called to order at 8:33 a.m. by Mayor Wilson.

A quorum was not present until 8:47 a.m., at which time Councilwoman O'Connor was absent.

Meeting recessed at 10:46 a.m. by Mayor Wilson.

Meeting reconvened at 11:07 a.m. with Councilmen O'Connor, Lowery and Williams absent and District 8 vacant.

ITEM 300: Roll call.
Present--Mitchell, Schnaubelt, Stirling and Mayor Wilson.
Absent--O'Connor, Lowery, Williams and Gade.
Vacant--District 8.

ITEM 100: Adopted as Resolution 221832.

(R-79-424) AWARDING A CONTRACT to Barney and Barney for furnish-
ing STADIUM PROPERTY AND EARTHQUAKE INSURANCE for a period of
three years commencing August 1, 1978, for an estimated cost of
\$105,287.

Motion by Stirling to adopt.
Second by Mitchell.
Passed Unanimously. Absent-2. Vacant-8.

ITEM 101: Two Resolutions relative to REMOTE CONTROL OPERATORS CONSOLES:

Subitem a: Adopted as Resolution 221833.

(R-79-434) AWARDING A CONTRACT to Dispatch Systems for the purchase of two of said consoles for a sum of \$31,974; and

Subitem b: Adopted at Resolution 221834.

(R-79-433) Authorizing the use of CITY FORCES to do all the work to install, interconnect and test consoles as required to install two of said consoles; cost of said work shall not exceed \$8,655.

Motion by Stirling to adopt.

Second by Gade.

Passed Unanimously. Absent-2. Vacant-8.

ITEM 110: Adopted at Resolution 221835.

(R-79-418) Approving the acceptance by the CITY MANAGER of GRANT DEED of McMillin Scripps, composed of Financial Scene Incorporated and MLM Development Inc., conveying all that real property known as LOTS 889, 890 AND 892 of SCRIPP'S RANCH UNIT NO. 11.

Motion by Mitchell to adopt.

Second by Stirling.

Passed Unanimously. Absent-2. Vacant-8.

ITEM 112: Adopted as Resolution 221836.

(R-79-370) Authorizing an AGREEMENT with Bement-Dainwood-Sturgeon, to provide PROFESSIONAL ENGINEERING SERVICES in connection with the IMPROVEMENT OF ADOBE FALLS ROAD from the north line of College Canyon Subdivision to Waring Road; authorizing the EXPENDITURE of \$11,000 and \$12,000 out of CAPITAL OUTLAY FUND 245 and GAS TAX FUND 220 respectively for said services.

Motion by Stirling to adopt.

Second by Gade.

Passed Unanimously. Absent-2. Vacant-8.

ITEM 114: Adopted at Resolution 221837.

(R-79-334) Approving CHANGE ORDER NO. 1, issued in connection with the contract with Gulf Electric Company of California, Inc., for STREET LIGHT CONVERSIONS - CONTRACT NO. 1, PHASE 1,

ITEM 114 CONTINUED:

PWEA OF 1976, TITLE II, approving said change amounting to a NET INCREASE in the contract price of \$29,688, and an extension of time of 30 working days extending the completion date to 150 working days; authorizing the EXPENDITURE of \$29,688 out of PUBLIC WORKS EMPLOYMENT ACT FUND 2682 for said purpose.

Motion by Stirling to adopt.

Second by Gade

Passed Unanimously. Absent-2,3. Vacant-8.

ITEM 200: Filed.

(R-79-426) Authorizing a MEMBER OF THE CIVIL SERVICE COMMISSION to TRAVEL to New Orleans, Louisiana, during the period October 29 through November 2, 1978 for the purpose of attending the INTERNATIONAL PERSONNEL MANAGEMENT ASSOCIATION'S INTERNATIONAL CONFERENCE; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER the sum of \$720.00 from GENERAL FUND 100, UNALLOCATED RESERVE 53.31/36.00, to PERSONNEL DEPARTMENT 13.10 for said purpose.

Motion by Williams to file.

Second by Lowery.

Passed Unanimously. Absent-2. Vacant-8.

ITEM 310: Noted and filed.

Matter of an estimate on cost and time required for a report from the Planning Department on the number of HOUSING PROJECTS AND UNITS applied for, granted and denied in the last 12 months and the reasons for denial.

Motion by Mitchell to note and file.

Second by Lowery.

Passed Unanimously. Absent-2. Vacant-8.

ITEM 330: Matter of REZONING PARCEL 3, PARCEL MAP NO. 5404 (approximately 67 acres), located west of West Bernardo Drive and northwest of Bernardo Center Drive, in the Rancho Bernardo Community Plan area, from ZONE A-1-10 to ZONE M-IP.

(CASE NO. 45-78-7)

Hearing began at 8:48 a.m.

Hearing halted at 8:57 a.m.

Testimony in favor by Arthur H. Preston

ITEM 330 CONTINUED:

Lowery entered at 8:54 a.m.

Subitem a: Adopted as Resolution 221838.

(R-79-429) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 78-05-52 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council;

Subitem b: Introduced, to be adopted 10/2/78.

(O-79-69) INTRODUCTION of an ORDINANCE for M-IP Zoning;

Subitem c: Adopted as Resolution 221839.

(R-79-) Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT NO. 78-05-52.

Motion by Mitchell to close the hearing, adopt the resolutions and introduce the ordinance.

Second by Gade.

Passed Unanimously. Absent-2. Vacant-8.

ITEM 331: Introduced, to be adopted 10/2/78.

(O-78-290) Amending Chapter X, Article 1, Division 9 of the San Diego Municipal Code by ADDING SECTION 101.0920 (Planned Industrial Developments).

Hearing began at 9:16 a.m.

Hearing halted at 9:50 a.m.

Motion by Lowery to close the hearing and introduce.

Second by Stirling.

Passed Unanimously. Absent-2. Vacant-8.

ITEM 332: (Continued from the Meetings of August 1 and 29, 1978 for full Council.) Matter of REZONING a portion of PARCEL "A" and all of PARCEL "B", PARCEL MAP NO. 795 and a portion of LOTS 2 AND 3, PARTITION OF PUEBLO LOT 1209 of the PUEBLO LANDS OF SAN DIEGO, S.C.C. NO. 8341 (approximately 10.8 acres), located on the north side of Balboa Avenue between Moraga Street and Clairemont Drive, in the Clairemont Mesa Community Plan area, from ZONES CO, R-1-5 and R-1-15 to ZONE R-2A.

(CASE NO. 20-78-1)

ITEM 332 CONTINUED:

Hearing began at 10:38 a.m.
Hearing halted at 10:46 a.m.

Subitem a: Adopted as Resolution 221840.

(R-79-127) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 78-02-73 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council;

Subitem b: Introduced, to be adopted 10/2/78.

(O-79-18) INTRODUCTION of an ORDINANCE for R-2A Zoning; and

Subitem c: Adopted as Resolution 221841.

(R-79-) Adoption of 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. 78-02-73.

Motion by Schnaubelt to close the hearing, adopt the resolutions and introduce the ordinance.

Second by Lowery.

Passed Unanimously. Absent-2. Vacant-8.

ITEM 333: Adopted as Resolution 221842.

(R-79-) (Continued from the Meetings of August 1 and 29, 1978 at appellant's request.) APPEAL of THOMAS H. ROTH, from the decision of the PLANNING COMMISSION in DENYING PRELIMINARY PARCEL MAP NO. 78-155, which proposes a one-parcel parcel map of a portion of PUEBLO LOT 1779, located on the west side of Soledad Road northerly of Bahia Drive, in the R-1-10 Zone, and within the boundaries of the La Jolla Community Plan.

Hearing began at 11:08 a.m.
Hearing halted at 11:46 a.m.

Lowery and Williams entered at 11:16 a.m.

Testimony in favor given by Thomas Roth.

Testimony in opposition given by Don Worley.

ITEM 333 CONTINUED:

Motion by Mitchell to close the hearing and deny the appeal.

Second by Lowery.

Passed Unanimously. Absent-2. Vacant-8.

Meeting recessed at 11:55 a.m. by Mayor Wilson.

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF TUESDAY, SEPTEMBER 19, 1978
IN THE CHAMBERS OF THE COUNCIL AT 2:00 P.M.

ATTENDANCE:

Present--Councilmen Mitchell (1), Lowery (3), Williams (4),
Schraubelt (5), Gade (6), Stirling (7), and Mayor
Wilson (M).

Absent--Councilwoman O'Connor.

Vacant--District 8.

Clerk---Abdelnour.

Meeting reconvened at 2:12 p.m. by Mayor Wilson.

Roll call showed Councilmen Mitchell, O'Connor and Williams absent.

Meeting recessed at 3:34 p.m. by Mayor Wilson.

A quorum was not present until 3:56 p.m. at which time Councilmen O'Connor and
Williams were absent. Vacant--District 8.

Mayor Wilson welcomed Dr. and Mrs. William Nierenberg who were present in the
Chambers and presented a proclamation to Dr. Nierenberg, proclaiming the week of
September 27, 1978 as Scripts Institute of Oceanography week in commeration of the
Institute's 75th Anniversary.

ITEM 334: Appeal granted as Resolution 221843.

(R-79-) (Continued from the Meeting of August 29, 1978 at
appellant's request.) APPEAL of MR. AND MRS. DAVID KORN from the
decision of the HISTORICAL SITE BOARD in requiring modifications
to be made to their residence located at 287 Playa del Sur in La
Jolla.

ITEM 334 - Continued:

Today's action with regard to conditions No. 1 and 2 of the appeal, is adopting of a RESOLUTION granting or denying the appeal and affirming, reversing, or modifying the determination of the Historical Site Board.

Hearing began at 5:02 p.m.
Hearing halted at 6:07 p.m.

Williams left 5:08 p.m.

Testimony in favor by Deane Haskins, Mr. Korn and Mrs. Miller.

Testimony in opposition by Mr. Thompson, Ralph Chaney, Ed Berkhad and Joan Beasley.

Motion by Gade to suspend the rules to extend time of hearing past 5:30 p.m.

Second by Mitchell.

Passed unanimously. Absent-2,4. Vacant-8.

Motion by Mitchell to close the hearing and adopt Resolution granting the appeal.

Second by Schnaubelt.

Passed unanimously. Absent-2,4. Vacant-8.

Motion by Stirling to refer to Rules Committee the issue of the historical site board relationship to the Council; and direct the City Manager and City Attorney to explore the lawful basis, consequences, original relationship of the processes, the costs, and all ambient material.

Second by Mitchell.

Passed unanimously. Absent-2,4, Vacant-8.

ITEM 335: Filed.

(R-78-386 Rev.) (Continued from the Meetings of August 30, October 4, November 29, December 20, 1977, January 24, August 15, trailed as unfinished business from August 21, and continued from August 28, 1978 at Mr. Rick's and Mr. Gabrielson's request.) Expressing the Council's intention of operating and maintaining a REGIONAL PARK in PENASQUITOS CANYON and to budget funds for said purpose in future fiscal years.

ITEM 335 - Continued:

Considered with ITEM 336.

Hearing began at 2:19 p.m.
Hearing recessed at 3:34 p.m.

Hearing resumed at 3:58 p.m.
Hearing halted at 5:01 p.m.

Williams entered 4:07 p.m.

Williams left 4:32 p.m.

Williams entered 4:50 p.m.

Testimony in favor by William Rick, Supervisor Hedgecock, Lee Grissom, Joe Provencher, Art Casey, Noah Yates and Bruce Wilcox.

Testimony in opposition by Dennis Davidson, Nancy Yates, Jeannie O'Toole, Don Szalay and Marian Bear.

Motion by Mitchell to suspend the rules to permit 20 minutes testimony per side.

Second by Gade.

Passed unanimously. Absent-2. Vacant-8.

Motion by Stirling to direct City Manager and Planning Director to schedule the appropriate hearings before the Council on the Penasquitos East Community Plan and General Plan amendments on October 17, 1978; accept agreement and open escrow with Penasquitos, Inc.; and file Items 335 and 336.

Second by Lowery.

Passed. Yeas-3,4,5,6,7,M. Nays-1. Absent-2.
Vacant-8.

ITEM 336: Filed.

(R-78-175) (Continued from the Meetings of August 30, October 4, November 20, December 29, 1977, January 24, August 15, trailed as unfinished business from August 21, and continued from August 28, 1978 at Mr. Rick's and Mr. Gabrielson's request.) Authorizing the execution of an AGREEMENT with Penasquitos, Inc. for the CONVEYANCE FOR PARK PURPOSES OF LAND LYING WITHIN PENASQUITOS CANYON, which conveyances would be phased with the development of adjacent property.

ITEM 336 - Continued:

Considered with ITEM 335.

Hearing began at 2:19 p.m.
Hearing recessed at 3:34 p.m.

Hearing resumed at 3:58 p.m.
Hearing halted at 5:01 p.m.

Williams entered 4:07 p.m.

Williams left 4:32 p.m.

Williams entered 4:50 p.m.

Testimony in favor by William Rick, Supervisor Hedgecock, Lee Grissom, Joe Provencher, Art Casey, Noah Yates and Bruce Wilcox.

Testimony in opposition by Dennis Davidson, Nancy Yates, Jeannie O'Toole, Don Szalay and Marian Bear.

Motion by Mitchell to suspend the rules to permit 20 minutes testimony per side.

Second by Gade.

Passed unanimously. Absent-2. Vacant-8.

Motion by Stirling to direct City Manager and Planning Director to schedule the appropriate hearings before the Council on the Penasquitos East Community Plan and General Plan amendments on October 17, 1978; accept agreement and open escrow with Penasquitos, Inc.; and file Items 335 and 336.

Second by Lowery.

Passed. Yeas-3,4,5,6,7,M. Nays-1. Absent-2. Vacant-8.

ITEM 337:

APPEAL of BETTY ALEXANDER, et al, from the decision of the PLANNING COMMISSION in GRANTING the application of COLLWOOD MEADOWS, LTD. and R & A BUILDERS, INC., owner/permittee, to construct 92 dwelling units with parking and landscaping on a 15.27 acre site (6.08 per acre) in the R-1-5 and R-1-40 (portion of HR) ZONE. The property is located on the west side of Collwood Boulevard between Montezuma Road and Monroe Avenue, in the State University Area Plan, and is more particularly described as a portion of LOT 2, MARCELLENA TRACT, MAP NO. 828.

Hearing began at 6:58 p.m.
Hearing halted at 7:30 p.m.

Testimony in favor by Betty Alexander.

ITEM 337 - Continued:

Subitem a: Adopted as Resolution 221844.

(R-79-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 78-06-01 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council; and

Subitem b: Appeal denied as Resolution 221845.

(R-79-) Adoption of a RESOLUTION granting the appeal and denying the permit, or denying the appeal and granting the permit, including appropriate findings to support Council action.

Motion by Lowery to close the hearing, adopt END Resolution, and adopt Resolution denying the appeal.

Second by Gade.

Passed. Yeas-1,3,5,6,M. Nays-7. Absent-2,4, Vacant-8.

ITEM 338:

APPEAL of DOUGLAS B. AND DOROTHY A. BYRNE, from the decision of the PLANNING COMMISSION in DENYING PRELIMINARY PARCEL MAP 78-81, which proposes a two parcel parcel map of LOT 945, MISSION VILLAGE UNIT NO. 10, MAP 3883, located on the southeast side of Overton Avenue southerly of Wilbee Court, in the R-1-5 ZONE, and within the boundaries of the Serra Mesa Community Plan.

Hearing began at 7:50 p.m.

Hearing halted at 8:09 p.m.

Testimony in favor by Dorothy Byrne.

Subitem a: Adopted as Resolution 221846.

(R-78-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 78-02-49 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

ITEM 338 - Continued:

Subitem b: Appeal granted as Resolution 221847.

(R-78-) Adoption of a RESOLUTION granting or denying the appeal and the preliminary parcel map including appropriate findings to support Council action.

Motion by Schnaubelt to close the hearing, adopt END Resolution, and adopt Resolution granting the appeal.
Second by Gade.

Passed unanimously. Absent-1,2,4. Vacant-8.

ITEM 339: Continued to October 17, 1978 - 2:00 p.m. Time Certain.

APPEAL of GIL KAISER (MORENA ASSOCIATES, owner) and RAY WILSON (FAMILY FITNESS CENTER, permittee), from the decision of the PLANNING COMMISSION in DENYING their application to construct and operate a family recreational center and racquetball club of 23,116 square feet (two-story) with parking and landscape on a 1.1 acre site in the M-1P ZONE. The property is located on the west side of Morena Boulevard between Avati Drive and Balboa Avenue, in the Clairemont Mesa Community Plan area, and is more particularly described as LOT 1, MORENA INDUSTRIAL PARK, MAP NO. 8046.

Subitem a: (R-79-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 78-06-06 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council; and

Subitem b: (R-79-) Adoption of a RESOLUTION granting or denying the appeal and permit, including appropriate findings to support Council action.

Hearing began at 7:30 p.m.
Hearing halted at 7:31 p.m.

Testimony on continuance.

Motion by Gade to continue to 2:00 p.m. Time Certain on October 17, 1978 due to lack of time.

Second by Stirling.

Passed unanimously. Absent-1,2,4. Vacant-8.

ITEM S-405 Adopted as Resolution 221848.

(R-79-393) AWARDING A CONTRACT to T.B. Penick and Sons, Inc., for CONSTRUCTION OF ROLLING HILLS PARK AND TWIN TRAILS PARK, Base Bid, including Deductive Alternate 1 and 2, for the sum of \$340,426; authorizing the EXPENDITURES of \$31,562 from PARK SERVICE FUND 12140; \$141,957 from PARK SERVICE FUND 12141; \$69,020 from PARK SERVICE FUND 11141; \$54,775 from PARK SERVICE FUND 12145; and \$666 from PARK SERVICE FUND 11145 for said project and related costs.

Considered with ITEMS S-408 and S-409.

Testimony in favor.

Motion by Lowery to adopt. Second by Gade.
Passed unanimously. Absent-1,2,4. Vacant-8.

ITEM S-406 Three Resolutions relative to land acquisitions in SAN DIEGO PARK DISTRICT NO. 19 (DEL CERRO):

Subitem a: Adopted as Resolution 221849.

(R-79-488) Declaring INTENTION TO ORDER certain acquisitions within said city pursuant to the SAN DIEGO PARK DISTRICT PROCEDURAL ORDINANCE OF 1969; describing the district to be benefited by said acquisition and to be assessed to pay the cost and expense thereof; determining and declaring that bonds shall be issued under the Improvement Act of 1911 to represent unpaid assessments; providing for the use of any surplus amount remaining in the fund after completion of the acquisition; and referring the proposed improvement to the CITY MANAGER to make and file a written report;

Subitem b: Adopted as Resolution 221850.

(R-79-489) APPROVING A REPORT prepared pursuant to the SAN DIEGO PARK DISTRICT PROCEDURAL ORDINANCE OF 1969; and FIXING TIME AND PLACE for hearing protests and objections to the acquisition, diagram and assessment described and contained in the report, and whether the public convenience and necessity requires such acquisition; and giving notice of said hearing; and

Subitem c: Adopted as Resolution 221851.

(R-79-450) Directing CITY CLERK to GIVE NOTICE INVITING SEALED BIDS for the PURCHASE OF IMPROVEMENT BONDS.

ITEM S-406 - Continued:

Motion by Stirling to adopt.

Second by Lowery.

Passed unanimously, Absent-1,2,4. Vacant-8.

Motion by Gade to Refer to City Manager for a report to Rules Committee by October 31, 1978 on the impact of Proposition C on assessment Districts - past, proposed and future.

Second by Stirling.

Passed unanimously. Absent-1,2,4. Vacant-8.

ITEM S-407

Continued to September 20, 1978 - 11:00 A.M.

Twelve Resolutions relative to PUBLIC SERVICE EMPLOYMENT PROGRAMS:

- Subitem a: (R-79-442) Authorizing AGREEMENTS with the San Diego Regional Employment and Training Consortium to accept \$1,336,600 in CETA TITLE II FUNDS and \$4,032,000 in CETA TITLE VI FUNDS for said program for the period of October 1, 1978 through December 31, 1978; authorizing the EXPENDITURES of \$1,336,600 and \$4,032,000 out of FUND 28652--CETA TITLE II FISCAL YEAR '79, and Fund 28663--CETA TITLE VI FISCAL YEAR '79, respectively for said program;
- Subitem b: (R-79-443) Authorizing an AGREEMENT with Americans for Indian Future and Tradition for the operation of said program pursuant to the Comprehensive Employment and Training Act of 1973 (CETA), Title II and Title VI, for the period of October 1, 1978 through December 31, 1978;
- Subitem c: (R-79-444) Authorizing an AGREEMENT with the Comprehensive Planning Organization (CPO) for the operation of said program pursuant to CETA of 1973, Title II and Title VI, for the period October 1, 1978 through December 31, 1978;
- Subitem d: (R-79-445) Authorizing an AGREEMENT with the Poway Unified School District for the operation of said program pursuant to CETA of 1973, Title II and Title VI, for the period of October 1, 1978 through December 31, 1978;
- Subitem e: (R-79-446) Authorizing an AGREEMENT with San Diego Regional Employment and Training Consortium (RETC) for the operation of said program pursuant to CETA of 1973, Title II and Title VI, for the period of October 1, 1978 through December 31, 1978;
- Subitem f: (R-79-447) Authorizing an AGREEMENT with San Diego Community College District for the operation of said program, pursuant to CETA of 1973, Title II and Title VI, for the period of October 1, 1978 through December 31, 1978;

ITEM S-407 - Continued:

- Subitem g: (R-79-448) Authorizing an AGREEMENT with San Diego State University (SDSU) for the operation of said program pursuant to CETA of 1973, Title II and Title VI, for the period of October 1, 1978 through December 31, 1978;
- Subitem h: (R-79-449) Authorizing an AGREEMENT with the San Diego Unified School District for the operation of said program pursuant to CETA of 1973, Title II and Title VI, for the period of October 1, 1978 through December 31, 1978;
- Subitem i: (R-79-450) Authorizing an AGREEMENT with the San Ysidro School District for the operation of said program pursuant to CETA of 1973, Title II and Title VI, for the period of October 1, 1978 through December 31, 1978;
- Subitem j: (R-79-451) Authorizing an AGREEMENT with University of California, San Diego (UCSD) for operation of said program pursuant to CETA of 1973, Title II and Title VI, for the period of October 1, 1978 through December 31, 1978;
- Subitem k: (R-79-452) Authorizing an AGREEMENT with United Way of San Diego for the operation of said program pursuant to CETA of 1973, Title II and Title VI, for the period of October 1, 1978 through December 31, 1978; and
- Subitem l: (R-79-453) Authorizing the CITY MANAGER to execute MODIFICATIONS necessary to continue said programs if funds become available for the period of January 1, 1979 through September 30, 1979 with the following agencies: Americans for Indian Future and Tradition, Comprehensive Planning Organization (CPO), Poway Unified School District, San Diego Regional Employment and Training Consortium (RETC), San Diego Community College District, San Diego State University (SDSU), San Diego Unified School District, San Ysidro School District, University of California, San Diego (UCSD), and United Way of San Diego County.

Motion by Stirling to adopt.

No second.

No vote.

Motion by Lowery to continue to Adjourned Meeting on September 20, 1978 - 11:00 a.m.

Second by Gade.

Passed unanimously. Absent-1,2,4. Vacant-8.

Motion by Stirling to refer to Rules Committee the subject of opposition by the City to National Public Services Programs.

Second by Lowery.

Passed unanimously. Absent-1,2,4. Vacant-8.

ITEM S-408

Adopted as Resolution 221852.

(R-79-205) Authorizing AGREEMENTS with Penasquitos, Inc. to provide for the RECEIPT OF PREPAID PARK FEES for subdivisions known as PENASQUITOS BLUFFS UNIT NOS. 11, 12, AND 13; authorizing an AGREEMENT with Penasquitos Inc. and William Lyon Company to provide for RECEIPT OF PREPAID PARK FEES from Penasquitos, Inc. for the account of PENASQUITOS BLUFFS UNIT NO. 8, and provide for dispersal of subsequent fees paid by William Lyon Company to Penasquitos, Inc., as received.

Considered with ITEMS S-405 and S-409.

Testimony in favor.

Motion by Lowery to adopt.

Second by Gade.

Passed unanimously. Absent-1,2,4. Vacant-8.

ITEM S-409

Adopted as Resolution 221853.

(R-79-475) Accepting the generous contribution of \$34,500 from Penasquitos, Inc. and directing that said contribution be deposited in Trust Fund 3021 to be used exclusively for the development of Rolling Hills and Twin Trails Parks; authorizing an AGREEMENT with Penasquitos, Inc. concerning said donation; COMMENDING Penasquitos, Inc. for this act of civic generosity and publicly expressing on behalf of the citizens of this City a debt of gratitude to this corporation.

Considered with ITEMS S-405 and S-408.

Testimony in favor.

Motion by Lowery to adopt.

Second by Gade.

Passed unanimously. Absent-1,2,4. Vacant-8.

ITEM S-501

Continued to October 10, 1978 at 3:00 P.M. Time Certain.

(0-79-297) (Continued from the Meetings of August 22 and September 12, 1978 at applicant's request.)

Proposals on MIDWAY PLANNED DISTRICT REGULATIONS:

- 1) Amending the San Diego Municipal Code by adding Chapter X, Article 3, Division 8, Midway Planned District Regulations;
- 2) Repealing the existing land use zoning within the Midway Planned District; and
- 3) Applying the restrictions and regulations of Chapter X, Article 3, Division 8, of the San Diego Municipal Code, Midway Planned District Regulations, to the Midway Community Plan area.

The proposed Midway Planned District area encompasses approximately 234 acres and is generally bounded by Interstate 8 on the north, by Interstate 5 and Pacific Highway on the east, by Kurtz Street, Sports Arena Boulevard, Midway Drive and Barnett Street on the southwest.

Today's action is INTRODUCTION of an ORDINANCE amending the San Diego Municipal Code by adding the Midway Planned District Regulations.

Motion by Gade to continue to October 10, 1978 at 3:00 p.m. Time Certain due to lack of time.

Second by Lowery.

Passed unanimously. Absent-2,4. Vacant-8.

ITEM S-502

(Continued from the Meetings of August 8 and September 12, 1978 due to lack of time.)

Matters of:

a - REZONING a portion of the EAST 1/2 of the NORTHEAST 1/4 of the SOUTHEAST 1/4 of SECTION 23, TOWNSHIP 14 SOUTH, RANGE 4 WEST, S.B.B.M. (approximately 4.2 acres), located northerly of Del Mar Scenic Parkway between Carmel Valley Road and Caminito Mar Villa, in the Torrey Pines Community Plan area, from ZONE A-1-1 to ZONE R-1-10.

(CASE NO. 60-78-3)

ITEM S-502 - Continued:

b - APPEALS of SAN DIEGUITO UNION HIGH SCHOOL DISTRICT and MARY T. KELLEY representing TORREY PINES PROTECTIVE ASSOCIATION, from the decision of the PLANNING COMMISSION in GRANTING the application of DR. JOHN H. LUX and VALLE DEL MAR, INCORPORATED, to construct 15 single-family dwelling units with parking and landscaping on a 4.2 acre site in the A-1-1 proposed R-1-10 (portion H.R.) ZONE. The property is located northerly of Del Mar Scenic Parkway between Carmel Valley Road and Caminito Mar Villa and is more particularly described as a portion of the EAST 1/2 of the NORTHEAST 1/4 of the SOUTHEAST 1/4 of SECTION 23, TOWNSHIP 14 SOUTH, RANGE 4 WEST, S.B.B.M.

(PRD NO. 121)

Hearing began at 6:08 p.m.
Hearing halted at 6:58 p.m.

Williams left 6:09 p.m.

Testimony in favor by Bill Berrier.
Testimony in opposition by John Lux.

Subitem a: Adopted as Resolution 221854.

(R-79-232) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 78-01-25 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council;

Subitem b: Introduced, to be adopted October 2, 1978.

(O-79-31) INTRODUCTION of an ORDINANCE for R-1-10 Zoning; and

Subitem c: Appeal denied as Resolution 221855.

(R-79-) Adoption of a RESOLUTION granting the appeal and denying the Planned Residential Development or denying the appeal and granting the Planned Residential Development.

ITEM S-502 - Continued:

Motion by Mitchell to close the hearing and introduce Ordinance for R-1-10 Zoning.

Second by Lowery.

Passed unanimously. Absent-2,4, Vacant-8.

Motion by Mitchell to grant PRD on condition the developer obtain a letter of school availability.

No second.

Motion by Gade to deny the appeal, grant the PRD on the condition that the previous offer to the School District of \$860 per unit be accepted.

Second by Schnaubelt.

No vote.

Motion by Gade to deny the appeal and grant the PRD on the condition that the developer pay the amount of \$33,000 requested by San Dieguito High School District.

Second by Lowery.

Passed unanimously. Absent-2,4. Vacant-8.

Motion by Stirling to Refer to Manager's rate analyst the task of reviewing the cost allocation of each of the school districts and have that information available to the Rules Committee on October 16, 1978.

Second by Mayor Wilson.

Passed unanimously. Absent-2,4. Vacant-8.

ITEM S-503

Continued to October 3, 1978 - 8:30 a.m. Time Certain.

(R-79-) (Continued from the Meetings of August 8 and September 12, 1978 due to lack of time.)

APPEAL of UNION OIL COMPANY OF CALIFORNIA, owner/permittee, from the decision of the PLANNING COMMISSION in requiring as a condition to APPROVING CONDITIONAL USE PERMIT NO. 539-PC, the replacement of an existing pole mounted sign with a pole mounted self-serve sign of monument style. The property is located on the northwest side of Lake Murray Boulevard between San Carlos Drive and Navajo Road in the Navajo Community Plan area, and is more particularly described as LOT 34, SAN CARLOS UNIT NO. 2, MAP NO. 4089.

(CUP NO. 539-PC)

ITEM S-503 - Continued:

Today's action is adoption of a RESOLUTION granting or denying the appeal.

Hearing began at 7:32 p.m.
Hearing halted at 7:49 p.m.

Testimony in favor by Chuck Rowe.

Motion by Stirling to close the hearing and adopt Resolution granting the appeal.

Second by Gade.

Withdrawn.

Motion by Gade to continue to October 3, 1978 -8:30 Time Certain for further review.

Second by Stirling.

Passed unanimously. Absent-1,2,4. Vacant-8.

UNANIMOUS
CONSENT #1:

Adopted as Resolution 221856.

(R-79-561) Establishing deadline of 5:00 p.m. Friday, 29th September 1978 for filing of financial disclosure statements by all applicants who wish to be considered for appointment to the 8th Councilmanic District office.

Motion by Lowery to adopt.

Second by Gade.

Passed unanimously. Absent-2,4, Vacant-8.

By common consent the balance of the docket was continued as Unfinished Business to the Adjourned Regular Meeting at 11:00 a.m., Wednesday, September 20, 1978.

Meeting was recessed at 8:49 p.m. to reconvene at 11:00 a.m., Wednesday, September 20, 1978 in the Council Chambers.


City Clerk of The City of San Diego, California