

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF TUESDAY, OCTOBER 17, 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), Killea (8) and Mayor Wilson (M).
Absent--O'Connor (2).
Clerk---Abdelnour.

Meeting called to order at 9:05 a.m. by Acting Mayor Gade.

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

ITEM 310: Welcomed.

Thirty-five students from Lewis Jr. High School will attend this Meeting accompanied by Mr. Jack Dray.

Acting Mayor Gade welcomed and Councilman Stirling addressed.

ITEM 330: Discussed and second public hearing scheduled for October 31, 1978 - 8:30 a.m.

Proposed revision of the Progress Guide and General Plan for The City of San Diego.

Subitem a: (R-79-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NOS. 77-08-31, 77-09-37, 77-11-53, 78-01-15, 78-02-27, 78-03-48 and 78-03-49, 78-03-52, 78-03-54, 78-03-55, 78-03-56, and 78-03-60 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said reports have been reviewed and considered by the Council;

ITEM 330: (continued)

Subitem b: (R-79-) Adoption of a RESOLUTION approving the revised Progress Guide and General Plan for The City of San Diego; and

Subitem c: (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 NOS. 77-08-31, 77-09-37, 77-11-53, 78-01-15, 78-02-27, 78-03-48 and 78-03-49, 78-03-52, 78-03-54, 78-03-55, 78-03-56, and 78-03-60.

Hearing began at 9:06 a.m.
Hearing halted at 11:33 a.m.

Mayor Wilson entered 9:44 a.m.
Williams entered 10:05 a.m.
Schnaubelt left 10:33 a.m.
Killea left 10:35 a.m.
Schnaubelt entered 10:47 a.m.
Killea entered 10:57 a.m.
Mitchell left 11:16 a.m.
Mitchell entered 11:33 a.m.

Testimony in favor by Mrs. Grizzle, Ms. Migdal, Mr. Wahling, Mr. Livingston, Mr. Rick, Mr. Federhart, and Ms. Stevens.

Testimony in opposition by Mr. Wilson, Ms. Clark, Mr. Joseph and Mr. Healy.

Testimony by Mr. Censor and Ms. Higgins.

Point of Order by Stirling: Can action be taken today on this item?

Acting Mayor Gade ruled: action cannot be taken today because another hearing has been already noticed.

ITEM 331: Matters of:

- a- Proposed PENASQUITOS EAST COMMUNITY PLAN encompassing approximately 5,000 acres west of Interstate 15 and north of Penasquitos Canyon; and

ITEM 331: (Continued)

- b - Proposed amendment to the Progress Guide and General Plan for The City of San Diego - to amend the Map concerning that portion covered by the proposed Penasquitos East Community Plan.

Hearing began at 11:34 a.m.
Hearing halted at 12:15 p.m.

Lowery and Williams left at 11:47 a.m.
Killea left at 12:00 p.m.
Williams entered at 12:02 p.m.
Lowery entered at 12:13 p.m.
Williams left at 12:14 p.m.

Testimony in favor by Mr. Malies and Mr. Rick.

Testimony in opposition by Mr. Beauchamp and Mr. Mathur.

Subitem a: Adopted as Resolution 222050.

(R-79-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 78-05-48 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: Adopted as Resolution 222051.

(R-79-) Adoption of a RESOLUTION approving the PENASQUITOS EAST COMMUNITY PLAN (alternative III-A modified), to be effective when the amendment to the General Plan Map is adopted after the hearings on October 17 and October 31, 1978; and

Subitem c: Adopted as Resolution 222052.

(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. 78-05-48.

ITEM 331: (Continued)

Motion by Mitchell to continue the item until the Federal Government can study vernal pools to see if there is a feasibility and necessity to conserve these pools.

Second by Williams.

No vote.

Motion by Mitchell to approve Plan III-A modified with stipulation that the Council preserve vernal pools and fund the purchasing of pool sites.

Second by Gade.

No vote.

Gade withdrew second.

Motion by Mitchell to close the hearing, adopt Plan III-A modified and adopt a, b, and c.

Second by Gade.

Passed Unanimously. Absent-2,4,8.

ITEM S-505: Adopted as Resolution 222053.

(R-79-689) Authorizing an AGREEMENT with Penasquitos, Inc. providing for the CONVEYANCE OF NOT LESS THAN 2,050 ACRES to the City for PARK AND RECREATION purposes.

Motion by Stirling to adopt.

Second by Gade.

Passed Unanimously. Absent-1,2,4,8.

Mayor Wilson recessed the Meeting at 12:16 p.m. into Executive Session to convene at 1:30 p.m. 11th floor, Mayor's Conference Room on Meet and Confer and Pending Litigation matters.

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF TUESDAY, OCTOBER 17, 1978
IN THE CHAMBERS OF THE COUNCIL AT 2:00 P.M.

ATTENDANCE:

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

Meeting reconvened at 2:17 p.m. by Mayor Wilson.

Roll call.

Present--Lowery, Williams, Schnaubelt, Stirling, Killea and
Mayor Wilson.
Absent--Mitchell, O'Connor and Gade.

Meeting recessed at 3:41 p.m. by Mayor Wilson.

Meeting reconvened at 3:43 p.m. with Councilmen O'Connor and Lowery absent.

Meeting recessed at 3:52 p.m. by Mayor Wilson.

Meeting reconvened at 4:04 p.m. with Councilmen Mitchell, O'Connor, Lowery and
Williams absent.

ITEM 200: Adopted as Ordinance 12464 (New Series).

(O-78-152 REV. 2) (Continued from the Meeting of October 2, 1978
at City Manager's request.) Incorporating a portion of the
NORTHWEST 1/4 of SECTION 35, TOWNSHIP 18 SOUTH, RANGE 2 WEST,
S.B.B.M. (approximately 1.53 acres), located on the south side
of Highway 117 between Howard Avenue and the San Diego and
Arizona Eastern Railway right-of-way, in the San Ysidro
Community Plan Area, into C-1 ZONE.

Motion by Gade to adopt.

Second by Stirling.

Passed Unanimously. Absent-2,3.

ITEM 201: Adopted as Ordinance 12465 (New Series).

(O-79-71) Incorporating a portion of the NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 31, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M. into R-2 Zone, located on the south side of Galvin Avenue between Black Mountain Road and Samoa Avenue, in the Mira Mesa Community Plan area.

Motion by Mitchell to adopt.

Second by Gade.

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

ITEM 203: Adopted as Resolution 222054.

(R-79-605) Authorizing a LEASE AGREEMENT with the Old Globe Theatre for the SITE of the ORIGINAL OLD GLOBE THEATRE, CASSIUS CARTER THEATRE and AUXILIARY BUILDING for a six-month period ending April 30, 1979.

Motion by Killea to adopt.

Second by Mitchell.

Passed Unanimously. Absent-2,3.

ITEM 204: Adopted as Resolution 222055.

(R-79-618) Authorizing an AGREEMENT with the State of California, acting by and through its Business and Transportation Agency Department of Transportation, for ENGINEERING DESIGN SERVICES associated with the IMPROVEMENT OF ROUTE SA-680 from Bernardo Center Drive to Pomerado Road (CIP 52-255); URGING the County Board of Supervisors to JOIN WITH THE CITY in providing for a MINIMUM USABLE SECTION OF A TWO-LANE, CLOSED ACCESS ROADWAY, as required by FHWA in order to obtain Federal financing of the I-15 interchange at SA-680; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$13,000 from the CAPITAL OUTLAY RESERVE FUND to CIP 52-255 (SA-680), representing the County's share of the engineering design costs, for said services; authorizing an AGREEMENT with the County of San Diego for REIMBURSEMENT OF ITS PROPORTIONATE SHARE of said design costs.

Motion by Stirling to adopt.

Second by Gade.

Passed Unanimously. Absent-2,3.

ITEM 210: Adopted as Resolution 222056.

(Continued from the Meetings of September 5 and 18, 1978 at
Planning Director's request.)

Matter of the LOCAL AGENCY FORMATION COMMISSION'S draft policy
on AGRICULTURAL LANDS.

Motion by Stirling to adopt.

Second by Killea.

Passed Unanimously. Absent-2,3.

ITEM 332: Adopted as Resolution 222057.

(Continued from the Meeting of October 3, 1978 due to lack of
time.)

Establishing an UNDERGROUND UTILITY DISTRICT to be known and
denominated as the FOURTH AVENUE (Beech Street to Laurel Street)
UNDERGROUND UTILITY DISTRICT.

(R-79-202) Today's action is adoption of a RESOLUTION declaring
the area an Underground Utility District.

Hearing began at 2:47 p.m.

Hearing halted at 2:49 p.m.

Schnaubelt entered at 2:47 p.m.

Motion by Lowery to close the hearing and adopt.

Second by Gade.

Passed Unanimously. Absent-2.

ITEM 333: Adopted as Resolution 222058.

(Continued from the Meeting of October 3, 1978 due to lack of
time.)

Establishing an UNDERGROUND UTILITY DISTRICT to be known and
denominated as the ROSECRANS STREET (North Evergreen Street to
Pacific Highway) UNDERGROUND UTILITY DISTRICT.

(R-79-200) Today's action is adoption of a RESOLUTION declaring
the area an Underground Utility District.

Hearing began at 2:49 p.m.

Hearing halted at 2:51 p.m.

Motion by Stirling to close the hearing and adopt.

Second by Lowery.

Passed Unanimously. Absent-2.

ITEM 334: Failed.

(Continued from the Meeting of September 19, 1978 due to lack of time.)

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.

(CUP NO. 544-PC)

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 2:18.
Hearing halted at 2:47 p.m.

Gade entered at 2:18 p.m.

Mitchell entered at 2:23 p.m.

Schnaubelt left at 2:35 p.m.

Testimony in favor given by Gil Kaiser.

Testimony in opposition given by Marion Bear.

Motion by Gade to close the hearing, adopt a and adopt b granting the appeal and permit.

Second by Lowery.

Failed. Yeas-3,6,7,M. Nays-1,4. Absent-2,5.
Ineligible-8.

ITEM 335: Continued to November 21, 1978.

Matter of ANNUAL COUNCIL PROGRAMMING for the purpose of DEFINING CITY-WIDE GOALS and OBJECTIVES, DEVELOPING PROGRAM CONTENT and BUDGETS, REVIEWING PROGRAM EFFECTIVENESS, and PRIORITIZING COMMUNITY NEEDS for the FISCAL YEAR 1980 BUDGET.

Hearing began at 2:51 p.m.
Hearing halted at 3:22 p.m.

Testimony was given by Merling Osterhaus.

Motion by Gade to combine the October 24, 1978 meeting with a meeting on November 21, 1978 to discuss the \$235 million budget.

Second by Lowery.
Passed Unanimously. Absent-2.

Motion by Williams to direct the City Manager to contact the media to solicit co-operation from the media in giving notice of the next budget hearing.

Second by Mitchell.
Passed Unanimously. Absent-2.

ITEM 336:

APPEALS of JENNIFER M. WELLBORN, et al, and T. H. NIELSEN CORPORATION, from the decision of the PLANNING COMMISSION in APPROVING a modification of the application of LA JOLLA CORONA VENTURE, to construct 46 dwelling units on 16.11 acres (2.86 per acre) with parking, landscaping and open space in the R-1-5, R-1-10 and R-1-40 (portion H.R.) ZONES. The property is located east of Bellevue Drive between Forward Street and the easterly extension of La Costa and is more particularly described as LOTS 11-26, BLOCK 391, LOTS 1-30, BLOCK 392, LOTS 1-30, BLOCK 393, LOT 1, BLOCK 394, LOTS 27-28, BLOCK 453, MAP NO. 975; LOT 9, LA JOLLA BUTTERFIELD ESTATE, MAP NO. 3782; and a portion of LOT 5, PUEBLO LOT 1782 OF THE PUEBLO LANDS OF SAN DIEGO.

(PRD NO. 132)

Hearing began at 4:33 p.m.
Hearing halted at 4:43 p.m.

Hearing began at 4:56 p.m.
Hearing halted at 6:02 p.m.

ITEM 336 CONTINUED:

Williams left at 5:25 p.m.
Williams entered at 5:40 p.m.

Williams left at 5:48 p.m.
Williams entered at 5:49 p.m.

Testimony in favor of the project was given by Thomas H. Nielsen.

Testimony in opposition to the project was given by Mr. McMahon, Jerald Orr, Horst Kriebel, Ruth Potter, Roger Zuchett, Greg Carlson and Jennifer Wellborn.

Subitem a: Adopted as Resolution 222068.

(R-79-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 77-09-01 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: Continued to October 31, 1978.

(R-79-) Adoption of a RESOLUTION granting or denying the appeals with appropriate findings to support Council action; and

Subitem c: Continued to October 31, 1978.

(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. 77-09-01.

Motion by Mitchell to suspend the rules to permit the Council to continue the meeting past 5:30 p.m. Second by Lowery.

Passed Unanimously. Absent-2,4.

Motion by Mitchell to close the hearing and adopt 336-a.

Second by Gade.

Passed Unanimously. Absent-2,4.

ITEM 336 CONTINUED:

Motion by Mitchell to adopt 336-b granting the appeal of Jennifer Wellborn, et al.

Second by Williams.

Defeated. Yeas-1,4. Nays-3,5,6,7,M. Absent-2.
Ineligible-8.

Motion by Mitchell to deny the permit as approved by the Planning Commission and send it back to the Planning Commission for consideration of the surrounding community and to reconsider requiring a through road.

Second by Williams.

No Vote.

Previous motion by Mitchell withdrawn.

Motion by Stirling to continue to October 31, 1978, to allow the appellant's to negotiate terms agreeable to all parties.

Second by Mitchell.

Passed Unanimously. Absent-2. Ineligible-8.

ITEM S-400: Adopted as Resolution 222059.

(R-79-574) (Continued from the Meeting of October 10, 1978 due to lack of time.)

Adopting an AREAWIDE WATER QUALITY MANAGEMENT PLAN, including actions to be undertaken to implement the PLAN.

Motion by Stirling to adopt.

Second by Lowery.

Passed Unanimously. Absent-2,3.

ITEM S-401: Adopted as Resolution 222060.

(R-79-572) (Continued from the Meeting of October 10, 1978 due to lack of time.)

Declaring that the City Council URGES the State Legislature to develop a realistic all inclusive HIGHWAY PLAN to allow San Diego (as well as other State jurisdictions faced with similar future transportation funding straits), to proceed with a practical HIGHWAY TRANSPORTATION PROGRAM commensurate with expected population growth and associated increases in travel.

Motion by Gade to adopt.

Second by Killea.

Passed Unanimously. Absent-2,3.

ITEM S-402: Adopted as Resolution 222061.

(R-79-578) (Continued from the Meeting of October 10, 1978 due to lack of time.)

Amending Council Policy No. 300-7 regarding CONSULTANT SERVICES SELECTION.

Motion by Stirling to adopt.

Second by Gade.

Passed Unanimously. Absent-2,5.

ITEM S-500: Continued to October 24, 1978.

(Continued from the Meeting of October 10, 1978 at Verna Quinn's request.)

APPEAL of THE SOUTHEAST SAN DIEGO DEVELOPMENT COMMITTEE, from the decision of the PLANNING COMMISSION in APPROVING PRELIMINARY PARCEL MAP 78-163, which proposes a five lot subdivision of a portion of LOT L, ENCANTO, MAP 749 AND a portion of LOT 25, EDMONDS TRACT, MAP 1474, located on the northerly side of Eleanor Drive and westerly of 65th Street, in the R-1-5 ZONE, and within the boundaries of the Southeast San Diego Community Plan.

(T.M. 78-163)

Subitem a: (R-79-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 78-04-38 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 the appeal and denying the preliminary parcel map, or denying the appeal and granting the preliminary parcel map including appropriate findings to support Council action.

Hearing began at 3:22 p.m.

Hearing halted at 3:29 p.m.

Hearing began at 4:17 p.m.

Hearing halted at 4:33 p.m.

Testimony in favor given by Verna Quinn, Charlotte Bucannon and Judith Booker.

Testimony in oppositon given by Bob Savers.

Motion by Williams to close the hearing and continue to October 24, 1978 for Councilman Williams to visit the site.

Second by Mitchell.

Passed Unanimously. Absent-2. Ineligible-8.

ITEM S-501:

(Continued from the Meetings of July 25, August 1 and September 5 and 12, 1978 to allow absent Councilmembers to hear tape.)

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.

(CASE NO. 60-78-5)

Hearing began at 4:05 p.m.

Hearing halted at 4:17 p.m.

Mitchell entered 4:05 p.m.

Williams entered at 4:08 p.m.

Lowery entered at 4:10 p.m.

Subitem a: Adopted as Resolution 222062.

(R-79-78) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 78-03-64 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: Introduced as amended for R-2 Zone, to be adopted 10/31/1978.

(O-79-11) INTRODUCTION of an ORDINANCE for R-2A Zoning, or denying the appeal on the rezoning request.

Motion by Mitchell to adopt S-501-a.

Second by Gade.

Passed Unanimously. Absent-2. Ineligible-8.

ITEM S-501 CONTINUED:

Motion by Mitchell to deny the appeal.
Second By Stirling.

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

Motion by Gade to introduce S-501-b with an amendment
for R-2 Zone instead of R-2A Zone.

Second by Schnaubelt.

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

ITEM S-502: Adopted as Resolution 222063.

(R-79-441) (Continued from the Meeting of October 10, 1978 due
to lack of time.)

Authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER the sum
of \$530,253 from the FACILITY RESERVE FUND (227) to the NEW
CONVENTION FACILITY FUND (2231), to be used in financing the
preliminary stages of the NEW DOWNTOWN CONVENTION CENTER
PROJECT.

Motion by Stirling to adopt.

Second by Killea.

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

ITEM S-503: Adopted as Resolution 222064.

(R-79-474) (Continued from the Meeting of October 10, 1978 due
to lack of time.)

Adopting an AMENDMENT to the BYLAWS of the CENTRE CITY
DEVELOPMENT CORPORATION relating to compensation for additional
meetings attended by the Directors.

Motion by Stirling to adopt.

Second by Lowery.

Passed Unanimously. Absent-2,5.

ITEM S-504: Tabled.

(R-79-543) (Continued from the Meeting of October 10, 1978 due
to lack of time.)

Declaring that the Council ENDORSES SENATE JOINT RESOLUTION NO.
40 relative to urging the President and Congress of the United
States to MAINTAIN CLOSE RELATIONS WITH THE REPUBLIC OF CHINA.

Motion by Lowery to file.
No Second.

Motion by Mitchell to continue.
Second by Stirling.
No vote.

Motion by Mitchell to table.
Second Lowery.
Passed Unanimously. Absent-2,5.

UNANIMOUS
CONSENT:

Adopted as Resolution 222065.

(R-79-528) Awarding a Contract for the construction of Bay Bridge Park additional improvements.

Motion by Stirling to adopt.
Second by Lowery.
Passed Unanimously. Absent-2,5.

UNANIMOUS
CONSENT:

Adopted as Resolution 222066.

(R-29-479) Awarding a Contract for the construction of Cabrillo Playground Fieldhouse.

Motion by Stirling to adopt.
Second by Gade.
Passed Unanimously. Absent-2,5.

UNANIMOUS
CONSENT:


Adopted as Resolution 222067.

(R-79-478) Awarding a Contract for construction of John F. Kennedy Memorial Park lighting.

Motion By Stirling to adopt.
Second by Gade.
Passed Unanimously. Absent-2,5.

ADJOURNMENT:

Meeting was adjourned at 6:11 p.m. on motion of Councilman Gade in memory of Harry Wax.



City Clerk of The City of San Diego, California