

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF TUESDAY, OCTOBER 24, 1978
IN THE CHAMBERS OF THE COUNCIL AT 8:30 A.M.

ATTENDANCE:

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

Absent--None.

Clerk---Abdelnour.

Meeting called to order at 8:44 a.m. by Mayor Wilson.

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

Meeting reconvened at 11:08 a.m. with all members present.

Mayor Wilson left at 11:12 a.m.

ITEM 300:

Roll Call.

Present--Mitchell, Williams, Stirling, Killea and Mayor Wilson.

Absent--O'Connor, Lowery, Schnaubelt and Gade.

ITEM 102:

Three Resolutions relative to the FINAL SUBDIVISION MAP of VILLA DOMINIQUE NO. 1, a 53-lot subdivision, located north of Clairemont Mesa Boulevard at Rueda Drive:

Subitem a: Adopted as Resolution 222082.

(R-79-659) Authorizing an AGREEMENT with Tierrasanta, Inc., for installation and completion of improvements;

Subitem b: Adopted as Resolution 222083.

(R-79-658) APPROVING THE FINAL MAP AND ACKNOWLEDGING RECEIPT OF SUBDIVIDER'S ASSURANCE OF COMPLIANCE WITH THE AFFIRMATIVE MARKETING PROGRAM; and

ITEM 102 CONTINUED:

Subitem c: Continued to December 18, 1978.

(R-79-634) Approving the acceptance by the City Manager of GRANT DEED of Tierrasanta, Inc., conveying LOT 86, VILLA DOMINIQUE UNIT NO. 2.

Motion by Stirling to adopt a and b and continue c to December 18, 1978 to meet with the community to discuss establishing a maintenance district.

Second by Gade.

Passed Unanimously. Absent-M.

ITEM 310: Welcome to new employees.

Bob Lynn introduced the group of new employees.
Mayor Wilson welcomed the group.

ITEM 330: (Continued from the Meetings of August 8 and September 12, 1978 at applicant's request.) Matter of REZONING LOTS 1 THROUGH 5, BLOCK 14, SWAN'S ADDITION, MAP NO. 947 (approximately 17,500 square feet), located on the south side of Maple Street between 44th Street and Highland Avenue, in the Mid-City Community Plan area, from ZONE R-1-5 to ZONE R-3.

(CASE NO. 16-78-1)

Hearing began at 8:51 a.m.

Hearing halted at 9:35 a.m.

O'Connor entered at 8:52 a.m.

Schnaubelt entered at 8:53 a.m.

Gade entered at 9:04 a.m.

Lowery entered at 9:07 a.m.

Subitem a: Adopted at Resolution 222084

(R-79-159) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 78-03-34 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, to be adopted 11-6-1978.

(O-79-23) INTRODUCTION of an ORDINANCE for R-2 Zoning.

ITEM 330 CONTINUED:

Testimony in favor given by Roland Tannmann, William Scroggs, Jr., Williams Scroggs, Sr. and Ron Baird.

Testimony in opposition given by Janice Czech.

Motion by Lowery to close the hearing, adopt a and introduce b for R-2 Zoning.

Second by O'Connor.

Passed. Yeas-2,3,5,6,7,M. Nays-1,4. Absent-None.
Ineligible-8.

Mayor Wilson welcomed a group of Webelo Scouts from Scout Troup 272 accompanied by Ron Zengus.
Councilman Schnaubelt addressed the group.

ITEM 331:

Failed.

(Continued from the Meeting of October 10, 1978 at appellant's request.) APPEAL of MR. AND MRS. ERHARDT F. PILGRIM, from the decision of the PLANNING COMMISSION in DENYING PRELIMINARY PARCEL MAP 78-218, which proposes a two-parcel parcel map of PARCEL 1, PARCEL MAP 1755, located on the west side of 69th Street and northerly of Saranac Street, in the R-1-5 ZONE, and within the boundaries of the Mid-City Community Plan.

(T.M. 78-218)

Subitem a: (R-79-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 78-06-16 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 the preliminary parcel map, including appropriate findings to support Council action.

Hearing began at 11:15 a.m.
Hearing halted at 11:28 a.m.

Hearing began at 11:30 a.m.
Hearing halted at 11:36 a.m.

Testimony in favor was given by Alan Perry.

ITEM 331 CONTINUED:

Motion by Gade to close the hearing, adopt a and adopt b granting the appeal and the preliminary parcel map.
Second by Schnaubelt.
Failed. Yeas-5. Nays-2,3,4,7. Absent-1,M.
Ineligible-8.

ITEM 332:

Continued to November 7, 1978, 8:30 a.m., time certain.

APPEAL of BILL PONTSLER, et al, from the decision of the PLANNING COMMISSION in GRANTING the application of P.H. DEVELOPMENT COMPANY, owner/permittee, to construct 40 townhouse condominium units with parking and landscaping on a 5.35 acre site (8.15 per acre) in the R-1-5 (portion H.R.) ZONE. The property is located on the west side of Reo Drive between Valley Road and Banbury Street and is more particularly described as PARCEL 4, PARCEL MAP NO. 5521 AND LOTS 183 THROUGH 191, BLOCK 52, PARADISE HILLS UNIT NO. 3, MAP NO. 2101.

(PRD NO. 129)

Subitem a: (R-79-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 77-11-12, and the FIRST AMENDMENT thereto, 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 permit, or denying the appeal and granting the permit with appropriate findings to support Council action.

Hearing began at 11:37 a.m.
Hearing halted at 11:51 a.m.

Killea left at 11:39 a.m.

Testimony in favor was given by Bill Pontsler.

Motion by Williams to continue to November 7, 1978, 8:30 a.m., time certain, due to lack of time.

Second by Gade.
Passed Unanimously. Absent-1,8,M.

ITEM 333: Continued to January 16, 1979, 8:30 a.m., time certain.

(Continued from the Meetings of October 12, November 9 and 23, 1977, May 23, August 15 and 21, 1978 at applicant's request.)
APPEAL of JACQUES SYRACUSE from the decision of the PLANNING COMMISSION in DENYING his appeal from the decision of the Subdivision Review Board denying the proposed TENTATIVE MAP for SOLAR CITY, being a proposed subdivision of a portion of LOT 18, RANCHO MISSION, MAP 330; LOTS 1-12, BLOCK 10 and LOTS 1-7, BLOCK 9, LARCHMONT, MAP 1319, located on the west side of 60th Street on the east and west sides of Radio Drive, in the R-1-6 ZONE.

(T.M. 77-90.)

- Subitem a: (R-78-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 77-03-41 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report has been considered and reviewed by the Council;
- Subitem b: (R-78-) Adoption of a RESOLUTION granting the appeal and the tentative map, or denying the appeal and the tentative map; and
- Subitem c: (R-78-) 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. 77-03-41.

Hearing began at 8:49 a.m.
Hearing halted at 8:51 a.m.

Hearing began at 11:52 a.m.
Hearing halted at 11:53 a.m.

Stirling left at 11:52 a.m.

Testimony on continuance given by Don Worley and Hazel Higgins.

Motion by Lowery to continue to January 16, 1979, 8:30 a.m., time certain at the appellant's request.

Second by Gade.

Passed Unanimously. Absent-1,7,8,M.

ITEM 334: Continued to October 31, 1978, 8:30 a.m., time certain.

GRANTING the nonexclusive right, privilege and franchise to lay and use lines, wires, coaxial cable and appurtenances for transmitting, distributing and supplying radio and cable television service along, across and upon the public streets, ways, alleys and places within certain areas of San Diego.

(O-79-82) Today's action is INTRODUCTION of an ORDINANCE granting the franchise.

Hearing began at 11:28 a.m.
Hearing halted at 11:30 a.m.

Mitchell left at 11:28 a.m.

Motion by Williams to continue to October 31, 1978, 8:30 a.m., time certain, due to lack of time.

Second by Stirling.

Passed Unanimously. Absent-1. Ineligible-8.

ITEM 338: Noted and filed.

(Continued from the Meetings of March 6 and 13, May 1 and 30, and August 29, 1978 for full Council.) Matter of discussion on a site for the Naval Hospital.

Motion by Gade to adopt the Florida Canyon site as the site for the Navy to relocate on.

Chair ruled this motion out of order.

Motion by Stirling to note and file the matter.

Second by Mitchell.

Passed Unanimously. Absent-None.

Motion by Schnaubelt that the Council go on record in favor of the Florida Canyon site.

Second by Gade.

Chair ruled this motion out of order.

Motion by Killea to amend to accept the Navy's report and provide that a task force be formed to investigate alternate sites.

Second by Williams.

Defeated. Yeas-2,4,8. Nays-1,3,5,6,7,M. Absent-None.

ITEM 338 CONTINUED:

Motion by Gade that the Council supports the Florida
Canyon site.
Second by Schnaubelt.
No Vote.

Meeting recessed at 11:53 a.m. by Mayor Wilson.

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF TUESDAY, OCTOBER 24, 1978
IN THE CHAMBERS OF THE COUNCIL AT 2:00 P.M.

ATTENDANCE:

Present-Councilmen Mitchell (1), O'Connor (2), Lowery (3), Williams
(4), Schnaubelt (5), Gade (6), Stirling (7), Killea (8)
and Mayor Wilson (M).

Absent--None.

Clerk---Abdelnour.

Meeting reconvened at 2:13 p.m.

Roll call showed Mitchell and Williams absent.

Meeting recessed at 4:07 by Mayor Wilson.

Meeting reconvened at 4:32 p.m. with Lowery, Williams, Schnaubelt and Stirling
absent.

Meeting recessed at 5:00 p.m. to reconvene on Wednesday, October 25, 1978 following
Special Meeting scheduled at 10:00 a.m.

ITEM 202: Introduced, to be adopted November 6, 1978.

(0-79-6) (Continued from the Meeting of 8-14-78, Unfinished
Business from the Meetings of 9-11-78 and 9-18-78, continued
from the Meeting of 10-2-78 for full Council.) Amending Chapter
III, Article 2, of the San Diego Municipal Code by REPEALING
SECTION 32.01, relating to ALLOCATION OF REVENUE FOR CAPITAL
OUTLAY EXPENDITURES.

Motion by O'Connor to introduce.

Second by Lowery.

Passed Yeas-2,3,4,8,M. Nays-1,5,6,7. Absent-None.

ITEM 203: Adopted as Resolution 222085.

(R-79-655) Declaring that the CITY COUNCIL is committed to PROVIDING THE BEST BUSINESS CLIMATE POSSIBLE and FULLY SUPPORTS the SAN DIEGO ECONOMIC DEVELOPMENT CORPORATION in its effort to demonstrate that SAN DIEGO IS "ZONED FOR SUCCESS."

Motion by Stirling to adopt.
Second by Lowery.
Passed unanimously. Absent-4.

ITEM 335: Council heard testimony to be consolidated with November 21, 1978 hearing.

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 2:16 p.m.
Hearing halted at 2:30 p.m.

Mitchell entered at 2:17 p.m.

Testimony by Avis Stone.

Discussion.

ITEM 336: (Continued from the Meeting of October 10, 1978 at Mr. Balmer's request.) Proposed AMENDMENTS to Chapter X, Article 1, Division 1, 4, and 5 of the San Diego Municipal Code relating to GUEST QUARTERS and R-1 ZONES.

Hearing began at 4:43 p.m.
Hearing halted at 4:59 p.m.

Williams in 4:54 p.m.

Testimony in favor by Mr. Palmer and Marian Bear.

ITEM 336 - Continued:

Subitem a: Introduced, to be adopted November 6, 1978.

(0-78-305) Introduction of an ORDINANCE amending Chapter X, Article 1, Division 1 of the San Diego Municipal Code by amending Section 101.0101.28 relating to Guest Quarters;

Subitem b: Introduced, to be adopted November 6, 1978.

(0-78-307) Introduction of an ORDINANCE amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0407 relating to R-1 Zones;

Subitem c: Introduced, to be adopted November 6, 1978.

(0-78-306) Introduction of an ORDINANCE amending Chapter X, Article 1, Division 5 of the San Diego Municipal Code by amending Section 101.0503 relating to the use of Guest Quarters under Conditional Use Permits; and

Subitem d: Adopted as Resolution 222086.

(0-78-2402) Adoption of a RESOLUTION adopting the Permit Issuance Standards/Guest Quarters.

Motion by Stirling to close the hearing, introduce the ordinances and adopt the Resolution.

Second by O'Connor.

Passed unanimously. Absent-3. District 8 ruled ineligible to vote.

ITEM 337: Continued to December 5, 1978 - 4:00 p.m.

APPEAL of LEON E. CAMPBELL, ROBERT L. HILL AND RICHARD K. LIVETT, from the decision of the PLANNING COMMISSION in DENYING HILLSIDE REVIEW PERMIT NO. 126, for grading in the HILLSIDE REVIEW OVERLAY ZONE (HR Zone) to allow development under the regulations of the R-1-40 and R-1-8 ZONES. The property is located south of Hillside Drive between Castellana and Via Siena and is more particularly described as LOTS 1 THROUGH 4, LA JOLLA HILLSIDE, MAP NO. 8782.

(HRP NO. 126)

ITEM 337 - Continued:

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

Hearing began at 4:34 p.m.
Hearing halted at 4:42 p.m.

Schnaubelt in 4:38 p.m.

Testimony by Edward P. Cole and Addie Hughes.

Motion by Mitchell to continue to Tuesday, December 5, 1978 - 4:00 p.m. and Refer to Planning Commission for a report on revised plan and necessary information relative to the Environmental Impact Report.

Second by Stirling.

Passed unanimously. Absent-3,4.

ITEM 339:

Continued to Wednesday, October 25, 1978.

(Continued from the Meetings of July 17, 24, 31, August 7, trailed as unfinished business from September 11, and continued from September 18, 1978 at Councilman Gade's request.) Matter of the MTDB City Council's delegates VOTE at the MTDB meeting of Thursday, July 13, 1978.

Motion by Gade to continue to Wednesday, October 25, 1978 to follow Special Meeting at 10:00 a.m. at request of Mayor.

Second by O'Connor.

Passed unanimously. Absent-None.

ITEM 340:

Continued to October 30, 1978.

Matter of having City staff prepare several alternative maps for REDISTRICTING PURPOSES in light of the district and population imbalances.

Motion by Gade to continue to October 30, 1978 for creation of task force and establishing a timetable for staff preparation; and direct staff to prepare several alternative maps for redistricting to be submitted to a proposed task force.

Second by Stirling.

Passed. Yeas-3,5,6,7,M. Nays-1,2,4,8. Absent-None.

ITEM S-400: Adopted as Resolution 222087.

(R-79-680 REV.) Approving the acceptance by the CITY MANAGER of GRANT DEED from Fotomat Corporation, conveying the FEE to LOT 25, CITY OF SAN DIEGO INDUSTRIAL PARK, UNIT NO. 7, MAP NO. 6658; authorizing the sum of \$350,000 to be paid out of the CAPITAL OUTLAY FUND 245-1 (Industrial Development) to Fotomat Corporation for said property.

Motion by Stirling to adopt.

Second by Lowery.

Passed unanimously. Absent-None.

Motion by Gade to amend to direct staff to submit property for auction.

Second by Mitchell.

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

ITEM S-401: Adopted as Resolution 222088.

(R-79-727) Approving CHANGE ORDER NO. 4 issued in connection with the contract with Robert G. Fisher Co. for the FORD BUILDING REHABILITATION - PHASE II: RENOVATION; approving said change amounting to an INCREASE in the contract price of \$19,345.

Motion by Lowery to adopt.

Second by Mitchell.

Passed unanimously. Absent-4.

ITEM S-403: Adopted as Resolution 222089.

(R-79-763) Authorizing the CITY MANAGER to APPEAL to the U.S. Department of the Interior on the STATE HISTORICAL RESOURCES COMMISSION'S NOMINATION of the BELMONT PARK ROLLER COASTER as a historic structure to be listed in the NATIONAL REGISTER OF HISTORIC PLACES.

Motion by Stirling to Adopt.

Second by Lowery.

Passed unanimously. Absent-4.

ITEM S-500: (Continued from the Meetings of October 10 and 17, 1978 to allow Councilman Williams to visit the site.)
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)

Hearing began at 3:07 p.m.
Hearing halted at 3:44 p.m.

Testimony by Mr. Thomas and Mrs. Quinn.

Subitem a: Adopted as Resolution 222090.

(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: Adopted as Resolution 222091.

(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.

Motion by Williams to adopt END Resolution and adopt resolution granting the appeal and denying the preliminary parcel map.
Second by Mitchell.
Defeated. Yeas-1,2,4. Nays-3,5,6,7,M. District 8 ineligible to vote.

ITEM S-500 - Continued:

Motion by Gade to adopt resolution denying the appeal and granting the preliminary parcel map including appropriate findings to support Council action.

Second by Schnaubelt.

Passed. Yeas-3,5,6,7,M. Nays-1,2,4. District 8 ineligible to vote.

Motion by Williams to continue one week to allow Councilmembers to visit the site.

Second by Mitchell.

Defeated. Yeas-1,2,4. Nays-3,5,6,7,M. District 8 ineligible to vote.

Motion by Gade to adopt END Resolution.

Second by Schnaubelt.

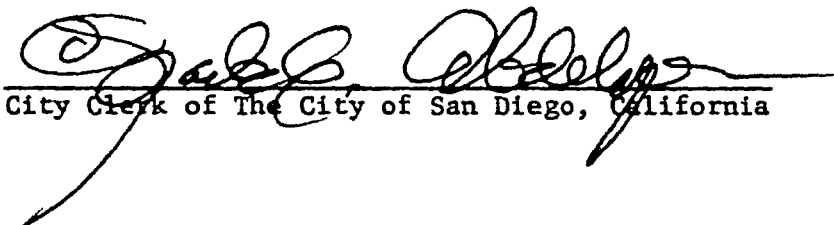
Passed. Yeas-1,2,3,5,6,7,M. Nays-4. District 8 ineligible to vote.

Motion by Stirling to refer to Rules Committee the subject of proper deterrent for illegal grading.

Second by Mayor Wilson.

Passed unanimously. District 5 abstained from voting.

Meeting recessed by Mayor Wilson at 5:00 p.m. until October 25, 1978 following Special Meeting scheduled at 10:00 a.m., and the Mayor announced that Council would recess into Executive Session in the 11th Floor Conference Room on pending litigation.



City Clerk of The City of San Diego, California