

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF TUESDAY, DECEMBER 12, 1978
IN THE CHAMBERS OF THE COUNCIL AT 8:30 P.M.

ATTENDANCE: Councilmembers Present-Mitchell (1), Williams (4), Schnaubelt (5),
Stirling (7), Killea (8), Mayor Wilson.
Councilmembers Not Present-O'Connor (2), Lowery (3), Gade (6).

Meeting called to order at 8:35 a.m.

ITEM 300: Roll call.
Present-Mitchell, Williams, Stirling, Killea, and Mayor Wilson.
Not present-O'Connor, Lowery, Schnaubelt, and Gade.

Schnaubelt entered 8:40 a.m.

Meeting recessed at 9:59 a.m. by Mayor Wilson.

Meeting reconvened at 10:32 a.m. with O'Connor, Lowery, and Gade not present.

ITEM 330: Continued to February 26, 1979.

(Continued from the Meetings of October 31 and November 14, 1978
at the City Attorney's request.) 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, 77-09-20, 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;

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, 77-09-20-77-09-37, 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

Hearing began 8:47 a.m.
Hearing halted 9:55 a.m.

Testimony in favor given by Ed Gabrielson, Mr. Worden, and Eleanor Evans.

Testimony in opposition given by Tony Joseph, Hazel Higgins, Mrs. Rincon, Mr. McFadder, and Bonnie Byrd.

* Subitem d: Adopted as Resolution 222536.

(R-79-) Adoption of a RESOLUTION amending the General Plan to incorporate the Penasquitos East Community Plan.

Motion by Stirling to adopt a Resolution to amend the General Plan to incorporate Penasquitos East Community Plan.

Second by Killea.

Passed Unanimously. Not present 2,3,6.

Testimony from Mrs. Rincon requesting continuance due to possible violation of Coastal Act.

Motion by Stirling to refer Mrs. Rincon's communication to City Attorney for possible noise violation, and City Manager's Report to be sent back to Transportation and Land Use and to full Council.

Second by Killea.

Passed Unanimously. Not present 2,3,6.

Motion by Stirling to refer change in methodology of population estimates to Transportation and Land Use for review with C.P.O.

Second by Killea.

Passed Unanimously. Not present 2,3,6.

Motion by Stirling to continue to February 26, 1979, 2:00 p.m. time certain, per Mayor Wilson's request.

Second by Killea.

Passed Unanimously. Not present 2,3,6.

Motion by Williams to include Chollas/Radio Canyon areas in Open Space Plan and property east.

No second.

Motion by Williams to have Council express intent to include Pitta property and open space of Chollas/Radio Canyon and direct City Manager to initiate action to negotiate for acquisition of Pitta property.

Second by Mitchell.

Passed Unanimously. Not present 2,3,6.

Tom Hom commented that the MI Zones were one of the remaining in the City where railroad tracks for loading were available.

ITEM 331:

Matter of REZONING portions of PUEBLO LOTS 1278, 1293, 1302 AND 1303 of the PUEBLO LANDS OF SAN DIEGO, MISCELLANEOUS MAP NO. 36 (approximately 42.43 acres), located on the east side of Genesee Avenue between Nobel Drive and the Atchison, Topeka and Santa Fe Railway right-of-way, in the University Community Plan area, from ZONE R-1-5 to ZONE R-2A.

(CASE NO. 38-78-5)

Subitem a: Adopted as Resolution 222392.

(R-79-666) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 77-12-20 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 1/2/79.

(O-79-98) INTRODUCTION of an ORDINANCE for R-2A Zoning; and

Subitem c: Adopted as Resolution 222393.

(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. 77-12-20.

Hearing began 10:33 a.m.

Hearing halted 10:43 a.m.

Motion by Mitchell to close hearing, adopt 331-a and 331-c, and introduce 331-b.

Second by Stirling.

Passed Unanimously. Not present 2,3,6.

ITEM 332:

APPEAL of SERO AMUSEMENT COMPANY, from the decision of the PLANNING COMMISSION in DENYING, under CONDITIONAL USE PERMIT NO. 489-PC/AMENDMENT NO. 1, their application to allow the operation of a swap meet on an authorized drive-in theater with parking and landscaping on a 13.2 acre site in the R-2 and CA ZONES. The property is located on the north side of Coronado Avenue between Green Street and I-5 and is more particularly described as BAYVIEW DRIVE-IN THEATER TRACT NO. 2, MAP NO. 4493.

(CUP NO. 489-PC/AMENDMENT NO. 1)

Subitem a: Adopted as Resolution 222394.

(R-79-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 78-08-08 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 222395.

(R-79-) Adoption of a RESOLUTION granting or denying the appeal and the amendment to the permit.

Hearing began 10:43 a.m.
Hearing halted 11:17 a.m.

Testimony in favor given by Paul Peterson.
Testimony in opposition given by Reverend Gosselin, Richard Foote, Lenore Morton, and Darlene Hodges.

Motion by Killea to close hearing, and adopt 332-a and 332-b.
Second by Schnaubelt.
Passed Unanimously. Not present 2,3,6.

ITEM 333:

Introduced, to be adopted January 2, 1979.

Proposed AMENDMENT of CHAPTER X, ARTICLE I, DIVISION 1 of the San Diego Municipal Code by adding Sections 101.1800, 101.1801, 101.1801.1 through 101.1801.20, 101.1810, 101.1820, 101.1830, and 101.1899 relating to REGULATIONS FOR ADULT ENTERTAINMENT ESTABLISHMENTS.

(O-79-124) Today's action is INTRODUCTION of an ORDINANCE amending the San Diego Municipal Code.

Hearing began 11:17 a.m.
Hearing halted 11:58 a.m.

Testimony in favor given by Frank Curran, Ann Martin, Will Rudd,
Jr., and Margaret Summers.

Testimony in opposition given by George Haverstick, Joseph
Bergmann, Frank Stiriti, and Robert Smith.

Meeting recessed at 11:58 a.m. to reconvene at 2:30 p.m. following an Executive
Session at 1:30 p.m.

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF TUESDAY, DECEMBER 12, 1978
IN THE CHAMBERS OF THE COUNCIL AT 2:00 P.M.

ATTENDANCE:

Present-Councilmembers Mitchell (1), Williams (4), Schnaubelt (5),
Gade (6), Stirling (7), Killea (8) and Mayor Wilson (M).
Not Present-Councilmembers O'Connor (2) and Lowery (3).
Clerk---Osborne.

Meeting reconvened at 2:48 p.m. with Councilmembers O'Connor and Lowery not present.

ITEM 200: Adopted as Resolution 222396.

(R-79-1007) Authorizing the FIRST AMENDMENT to OPERATING AGREEMENT OF 1977 with the San Diego Transit Corporation, MEMORIALIZING those certain terms and conditions set forth in said First Amendment to Agreement.

Motion by Stirling to adopt.

Second by Williams.

Passed unanimously. Not present-2,3.

ITEM 333: Introduced, to be adopted January 2, 1979.

Proposed AMENDMENT of CHAPTER X, ARTICLE 1, DIVISION 1 of the San Diego Municipal Code by adding Sections 101.1800, 101.1801, 101.1801.1 through 101.1801.20, 101.1810, 101.1820, 101.1830, and 101.1899 relating to REGULATIONS FOR ADULT ENTERTAINMENT ESTABLISHMENTS.

ITEM 333 - Continued:

(O-79-124) Today's action is INTRODUCTION of an ORDINANCE amending the San Diego Municipal Code.

Hearing resumed 2:50 p.m.
Hearing halted 2:56 p.m.

Staff gave report.

Motion by Mitchell to close the hearing and introduce the ordinance.
Second by Stirling.
Passed unanimously. Not present-2,3.

ITEM 334: Adopted as Resolution 222397.

VACATING a portion of HUENEME STREET between Lauretta Street and Mildred Street - on Resolution of Intention No. 222163.

(R-79-718) Today's action is adoption of a RESOLUTION OF VACATION.

Hearing began 2:56 p.m.
Hearing halted 2:58 p.m.

Staff gave report.

Motion by Gade to close the hearing and adopt.
Second by Mitchell.
Passed unanimously. Not present-2,3.

ITEM 335: Adopted as Resolution 222398.

VACATING a portion of UDALL STREET between Rosecrans and Locust Streets - on Resolution of Intention No. 222165.

(R-79-722) Today's action is adoption of a RESOLUTION OF VACATION.

Hearing began 2:58 p.m.
Hearing halted 3:00 p.m.

ITEM 335 - Continued:

Staff gave report.

Motion by Mitchell to close the hearing and adopt.
Second by Stirling.
Passed unanimously. Not present-2,3.

ITEM 336: Adopted as Resolution 222399.

VACATING AN UNSPECIFIED RIGHT-OF-WAY in Section 29, T14S, R2W -
on Resolution of Intention 222164.

(R-79-671) Today's action is adoption of a RESOLUTION OF
VACATION.

Hearing began 3:00 p.m.
Hearing halted 3:03 p.m.

Staff gave report.

Motion by Mitchell to close the hearing and adopt.
Second by Stirling.
Passed unanimously. Not present-2,3,8.

ITEM 337:

Proposal to ADOPT the SOUTH BAY TERRACES COMMUNITY PLAN and rescind the existing South Bay Terraces Development Plan which was adopted by City Council Resolution 195865 on January 23, 1969. The Plan encompasses approximately 2,200 acres, and is generally bounded by State Route 54 on the south, The City of San Diego boundary and Meadowbrook Drive on the east, Skyline Drive on the north, and 61st Street (extended southerly), Munda Road and Reo Drive on the west. It contains seven basic elements: Housing and Residential, Commercial, Community Facilities, Schools, Parks and Open Space, Transportation, and Implementation. The Plan was developed with the overriding objectives for retaining residential character, providing adequate community services, enhancing the physical and social environment, and fostering a socially and economically diverse community.

Hearing began 4:49 p.m.
Hearing halted 4:56 p.m.

Staff gave report.

Testimony by Mr. Gabrielson and Mr. Spencer.

ITEM 337 - Continued:

Subitem a: Adopted as Resolution 222400.

(R-79-) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 76-09-49 and FIRST AMENDMENT thereto has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report and first amendment thereto has been reviewed and considered by the Council;

Subitem b: Adopted as Resolution 222401.

(R-79-) Adoption of a RESOLUTION approving the South Bay Terraces Community Plan and rescinding the 1969 South Bay Terraces Development Plan; and

Subitem c: Adopted as Resolution 222402.

(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. 76-09-49 and FIRST AMENDMENT thereto.

Motion (1) by Stirling to refer to Transportation and Land Use Committee the issue of the location of mobile home parks in San Diego.

Second by Mitchell.

Passed unanimously. Not present-2,3,M.

Motion (2) by Stirling to refer to Transportation and Land Use Committee the subject of the Planning Department's inclusion of a historical site element in all community plans.

Second by Schnaubelt.

Passed unanimously. Not present-2,3,M.

Motion (3) by Stirling to refer to the Public Facilities and Recreation Committee the subject of establishing park fees to cover the entire cost of parks.

Second by Mitchell.

Passed unanimously. Not present-2,3,M.

Motion (4) by Mitchell to close the hearing and adopt resolutions a,b and c.

Second by Gade.

Passed unanimously. Not present-2,3,M. 8-ineligible to vote.

ITEM 337 - Continued:

Motion (5) by Schnaubelt to refer to the Transportation and Land Use Committee the issue of including a least-cost housing element in the General Plan.

Second by Gade.

Passed unanimously. Not present-2,3,M.

ITEM S-400: Continued to January 8, 1979 - 2:00 p.m. Time Certain.

(Continued from the Meetings of October 17 and 24, November 21 and December 4, 1978 due to lack of time.) 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.

Motion by Gade to continue to January 8, 1979 -2:00 p.m. Time Certain for City Manager Report on list of items that could be cut to meet a \$235,000,000 budget limit.

Second by Schnaubelt.

Passed unanimously. Not present-1,2,3,M.

ITEM S-500: Introduced as amended, to be adopted January 2, 1979, and adopt Resolution 222403.

(Continued from the Meetings of October 24 and 31, November 14 and December 5, 1978 for revised language.) (O-79-82) 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.

Hearing began 3:25 p.m.

Hearing halted 3:40 p.m.

Hearing resumed 3:43 p.m..

Hearing halted 4:06 p.m.

Mayor left 3:48 p.m.

Staff gave report.

Testimony by Jane Carey.

ITEM S-500 - Continued:

Motion by Stirling to introduce as amended and adopt a resolution directing the City Manager and City attorney to bring the matter of renegotiation to Council prior to such renegotiation and to give public notice of intent to renegotiate.
Second by Schnaubelt.
Passed unanimously. Not present-2,3,M.

ITEM S-501: Continued to December 19, 1978.

PAVING and otherwise improving HOPKINS STREET between Roanoke Street and Winchester Street - on Resolution of Intention No. 222113.

Subitem a: (R-79-) Adoption of an 8-vote RESOLUTION OF FEASIBILITY; and

Subitem b: (R-79-695) Adoption of a RESOLUTION ORDERING WORK and directing NOTICE INVITING BIDS.

See Item S-502 for motion.

ITEM S-502: Continued to December 19, 1978.

PAVING and otherwise improving 71ST STREET northerly of Lisbon Street - on Resolution of Intention No. 222115.

Subitem a: (R-79-) Adoption of an 8-vote RESOLUTION OF FEASIBILITY; and

Subitem b: (R-79-698) Adoption of a RESOLUTION ORDERING WORK and directing NOTICE INVITING BIDS.

Motion for Items S-501 and S-502.

Motion by Mitchell to continue to December 19, 1978 for full Council.
Second by Stirling.
Passed unanimously. Not present-2,3.

ITEM S-503: Adopted as Resolution 222404.

Establishing an UNDERGROUND UTILITY DISTRICT to be known and denominated as the NORTH CLAIREMONT PLAZA UNDERGROUND UTILITY DISTRICT.

ITEM S-503 - Continued:

(R-79-630) Today's action is adoption of a RESOLUTION declaring the area an Underground Utility District.

Hearing began 3:06 p.m.
Hearing halted 3:07 p.m.

Staff gave report.

Motion by Gade to close the hearing and adopt resolution.

Second by Killea.

Passed unanimously. Not present-2,3.

ITEM S-504:

Matter of REZONING LOT 1, BERNARDO INDUSTRIAL PARK UNIT NO. 1, MAP 5864; LOT 2, BERNARDO INDUSTRIAL PARK UNIT NO. 2, MAP 6007; LOT 3, BERNARDO INDUSTRIAL PARK UNIT NO. 3, MAP 6035; LOT 5, BERNARDO INDUSTRIAL PARK UNIT NO. 3, MAP 6035; LOT 6, BERNARDO INDUSTRIAL PARK UNIT NO. 4, MAP 6093; LOT 8, BERNARDO INDUSTRIAL PARK UNIT NO. 5, MAP 6617; LOT 9, BERNARDO INDUSTRIAL PARK UNIT NO. 6, MAP 6275; LOT 11, BERNARDO INDUSTRIAL PARK UNIT NO. 8, MAP 6293; LOT 12, BERNARDO INDUSTRIAL PARK UNIT NO. 9, MAP 6513; and PARCELS A AND B, PARCEL MAP NO. 1010, (approximately 221.52 acres), located west of I-15 between Bernardo Center Drive and Rancho Bernardo Road, in the Rancho Bernardo Community Plan area, from ZONE M-1A to ZONE M-IP.

(CASE NO. 45-78-8)

Hearing began 3:08 p.m.
Hearing halted 3:10 p.m.

Staff gave report.

Subitem a: Adopted as Resolution 222405.

(R-79-854) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 78-08-29 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 January 2, 1979.

(O-79-125) INTRODUCTION of an ORDINANCE for M-IP Zoning.

ITEM S-504 - Continued:

Motion by Mitchell to close the hearing, adopt the END Resolution and introduce the ordinance for M-1P Zoning.

Second by Gade.

Passed unanimously. Not present-2,3.

ITEM S-505

Adopted as amended as Resolution 222406.

(R-79-1069) Urging GOVERNOR BROWN to INCLUDE \$25 MILLION in the 1979-80 STATE BUDGET for the ROBERTI - Z'BERG URBAN OPEN SPACE AND RECREATION PROGRAM.

Motion by Killea to amend to add "State Legislature" and adopt as amended.

Second by Stirling.

Passed. Yeas-1,4,6,7,8. Nays-5. Not present-2,3,M.

ITEM S-506:

Adopted as amended as Resolution 222407 and continue 3) to December 19,

(R-79-927 Rev.) Instructing the City's representative to the Comprehensive Planning Organization to: 1) Initiate an AMENDMENT to the AVIATION ELEMENT of the REGIONAL TRANSPORTATION PLAN (RTP) providing for the preparation of an AIRSPACE MANAGEMENT PLAN for inclusion in the Aviation Element; directing CPO staff to report back to each member agency regarding this plan in six months; 2) Take all necessary action to change the priority in the RTP of ROUTES 52 AND 125 for the purpose of ALLEVIATING CONGESTION on INTERSTATE 8; 3) Present the CITY'S POSITION on the RTP as set forth in the City Manager's Report (#78-234) with the exception of guideline #7 regarding preparation of a financial element for the 1980 RTP.

Motion by Stirling to adopt.

Second by Killea.

By common consent the question was divided and the motion was amended to include points 4) and 5) as recommended by the Transportation and Land Use Committee in a Special meeting of Friday, December 8, 1978 as follows: 4) to propose that the Financial Element of the Regional Transportation Plan, Financial Policies section, be amended to delete the seeking of

ITEM S-506 - Continued:

a regional sales Tax ; and 5) to propose an additional Financial Policy which states: Streamline, simplify, or eliminate existing transportation fund collection and allocation procedures at all levels of government. Further amend the motion to delete 3).
Passed unanimously. Not present-2,3.

Motion by Gade to continue 3) to December 19, 1978.
Second by Stirling.
Passed unanimously. Not present-2,3.

ITEM S-507: Continued to December 19, 1978.

(R-79-1071) Declaring that the City Council OPPOSES the action by the County Board of Supervisors to DELETE SA 680 from the CIRCULATION ELEMENT of the SAN DIEGUITO COMMUNITY PLAN and requests both the County and the Comprehensive Planning Organization (CPO) to provide the necessary information and opportunity for detailed evaluation of the traffic impacts on all jurisdictions affected by the proposed Circulation Element; authorizing CITY STAFF to pursue through both local and regional channels the DEVELOPMENT of a coordinated NORTH COUNTY CIRCULATION SYSTEM that will equitably serve all directly affected agencies and populations.

Motion by Gade to continue to December 19, 1978 due to lack of time.
Second by Killea.
Passed unanimously. Not present-1,2,3,M.

UNANIMOUS
CONSENT NO. 4:

Adopted as amended as Resolution Nos. 222408 and 222409.

(R-79-857 Rev.) Authorizing the City Manager to submit an application to the Federal Aid Urban Advisory Committee for funding eight street improvement projects within the City of San Diego under the Federal Aid Urban Program for fiscal years 1979-1982. The eight recommended projects to be submitted are listed in City Manager's Report No. 78-171, a copy of which is attached as Exhibit "A." The City Manager is further directed to submit additional applications to the Federal Aid Urban Advisory Committee for one CALTRANS Freeway and one Transit Assist Project as follows:

UNANIMOUS
CONSENT #4 - Continued:

1. SD 52 (Santo Road to State 67) Route Adoption -
FAU Funding Requested - \$1000,000.
2. Santa Fe Depot - Transit Terminal
FAU Funding Requested - \$1,404,800.

By common consent the question was divided.

Motion by Stirling to approving 8 street projects and
SD 52 .

Second by Killea.

Passed unanimously. Not present-2,3,M.

Motion by Stirling to approve Santa Fe Depot. Second
by Killea.

Passed. Yeas-1,4,6,7,8. Nays-5. Not present-2,3,M.

UNANIMOUS
CONSENT NO. 5: Adopted as Resolution 222410.

(R-79-1081) Directing the Management Team to "meet and confer" with the recognized employee organizations of the City for the purpose of amending existing Memoranda of Understanding to provide for The City of San Diego to pay an amount equal to not more than 3% of base salary into the City's Retirement System, thereby reducing employees' retirement contributions by that amount. This shall be in addition to the 2 1/2% base pay which is currently being paid into the Retirement System on behalf of each employee; further declaring that such contribution on the part of the City, upon being implemented, shall be for the balance of the current fiscal year ending June 30, 1979.

Motion by Stirling to adopt.

Second by Williams.

Passed unanimously. Not present-2,3.

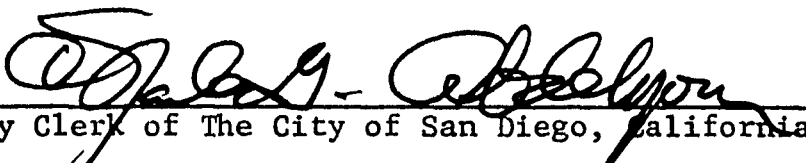
ADJOURNMENT:

Motion by Gade to adjourn in memory of Pat Lussa.

Second by Killea.

Passed unanimously. Not present-1,2,3,M.

Meeting adjourned at 5:20 p.m.


City Clerk of The City of San Diego, California