

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO  
FOR THE SPECIAL MEETING OF TUESDAY, OCTOBER 2, 1979  
IN THE CHAMBERS OF THE COUNCIL AT 8:30 A.M.

ATTENDANCE:

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

NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL

TO: Councilmembers Mitchell, O'Connor, Lowery, Williams, Schnaubelt, Gade,  
Stirling, Killea, members of the City Council of The City of San Diego  
California.

A SPECIAL MEETING of the City Council and the Redevelopment Agency is hereby  
called to be held in the Council Chambers, City Administration Building, 202  
'C' Street, San Diego, California, on Tuesday, October 2, 1979, at the hour of  
8:30 a.m.

Said meeting will be held for the purpose of considering jointly the Lease  
Agreement and Reimbursement Agreement for the parking facilities in the  
Horton Plaza retail center.

Dated September 28, 1979

PETE WILSON  
MAYOR

Meeting was called to order at 9:54 a.m. by Deputy Mayor Gade.

ITEM 600: Roll call.  
Present-Councilmembers Mitchell, Lowery, Williams, Schnaubelt,  
Gade, Stirling, and Killea.  
Not present-Mayor Wilson and Councilmember O'Connor.

ITEM 601: Adopted as Ordinance O-15032 (New Series).  
(067 - 110)

(O-80-42 Rev.) Approving a Lease Agreement between the City and the Redevelopment Agency relating to the lease of certain property within the Horton Plaza Redevelopment Project, located in the general area of E, F and G Streets between First and Fourth Avenues for the purpose of CONSTRUCTION AND OPERATION of PUBLIC PARKING FACILITIES.

Motion by Mitchell to dispense with the reading and adopt.  
Second by Williams.  
Passed. Yeas-1,3,4,6,7,8. Nay-5.  
Not present-2,M.

ITEM 602: Two Resolutions relative to the HORTON PLAZA REDEVELOPMENT PROJECT:

Subitem a: Adopted as Resolution R-250339.

Approving the LEASE of CERTAIN PROPERTIES in the above area by the Redevelopment Agency to the City; and making certain findings with respect to such lease; and

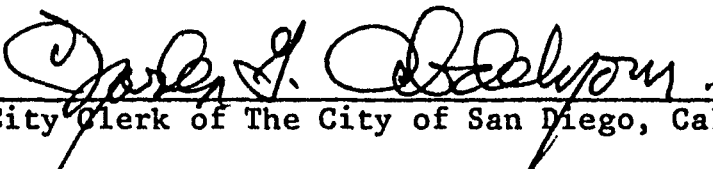
Motion by Killea to adopt.  
Second by Lowery.  
Passed. Yeas-1,3,4,7,8,6. Nay-5  
Not present-2,M.

Subitem b: Adopted as Resolution R-250340.

Approving and authorizing the execution of a REIMBURSEMENT AGREEMENT with respect to the lease of certain public parking facilities in the above project.

Motion by Killea to adopt.  
Second by Stirling.  
Passed. Yeas-1,3,4,6,7,8. Nay-5.  
Not present-2,M.

ADJOURNMENT: Meeting adjourned at 10:46 a.m. by Deputy Mayor Gade.

  
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City Clerk of The City of San Diego, California

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO  
FOR THE REGULAR MEETING OF TUESDAY, OCTOBER 2, 1979  
IN THE CHAMBERS OF THE COUNCIL AT 8:30 A.M.

ATTENDANCE:

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

Meeting was called to order at 8:47 a.m. by Deputy Mayor Gade.

Meeting recessed at 9:53 a.m. by Deputy Mayor Gade to meet as the City Council and the Redevelopment Agency.

Meeting reconvened at 10:46 a.m. by Deputy Mayor Gade with Mayor Wilson and Councilmembers O'Connor and Lowery not present.

ITEM 200: To be Reconsidered this Afternoon. (179 - 181)

(O-80-17 Rev. 2) Amending Chapter VI, Article 4, of the San Diego Municipal Code by AMENDING SECTIONS 64.32 AND 64.35 relating to SEWER SERVICE AND CAPACITY CHARGES.

(Introduced as amended 9-17-79. Council voted 5-2. Districts 4 and 8 voted nay. Districts 1 and 2 not present.)

Motion by Stirling to reconsider this afternoon at Blair's request.  
Second by Schnaubelt.  
Passed unanimously. Not present-2,3,M.

ITEM 214: Continued to October 23, 1979, 8:30 a.m. (110 - 124)

(R-80-539) Approving the 1980 HOUSING ASSISTANCE PLAN and authorizing the CITY MANAGER to SUBMIT THE PLAN to the U. S. Department of Housing and Urban Development (HUD) as part of the City of San Diego's Community Development Block Grant application.

ITEM 214: Continued.

Hearing began 10:46 a.m.  
Hearing halted 11:00 a.m.

Motion by Killea to adopt.  
Second by Williams.  
Motion withdrawn by Killea and  
Williams.

Motion by Killea to continue to  
October 23, 1979, 8:30 a.m. a joint City  
Council and Housing Commission Meeting,  
when Montijo will be available to answer  
questions from the City Council and for  
the Council to submit questions in writing  
to the Housing Commission by that date.  
Second by Williams.  
Passed unanimously. Not present-2,M.

ITEM 215: Three Items relative to TAX ANTICIPATION NOTES FOR FISCAL 1979  
and AMENDING THE ANNUAL APPROPRIATION ORDINANCE AND FISCAL 1980  
BUDGET: (002 - 008)

Subitem a: Adopted as Resolution R-250327.

(R-80-554) Authorizing the Employment of BOND COUNSEL to review  
the proceedings leading up to the issuance of Tax Anticipation  
Notes for Fiscal 1979 in the amount of \$16,500,000.

Subitem b: (R-80-555) Authorizing ADVERTISEMENTS INVITING BIDS on Tax  
Anticipation Notes and setting terms and conditions for the  
notes.

Subitem c: Introduced, to be Adopted October 15, 1979.

(0-80-77) Amending the ANNUAL APPROPRIATION AND FISCAL 1980  
ANNUAL BUDGET, appropriating \$779,000 GENERAL FUND  
UNAPPROPRIATED REVENUE to the GENERAL FUND NONDEPARTMENT  
EXPENDITURES, TAX ANTICIPATION NOTE PROGRAM 60115 to cover the  
cost of INTEREST EXPENSE, BOND COUNSEL, PAYING AGENT,  
ADVERTISING and MISCELLANEOUS EXPENSES.

Subitems (a) and (b) were combined into one resolution by the  
Attorney's Office.

ITEM 215: Continued.

Motion by Stirling to adopt the resolution  
and introduce the ordinance.  
Second by Schnaubelt.  
Passed unanimously. Not present-2,3,4,M.

ITEM 216: Referred to Rules Committee. (150 - 152)

Two Items relative to COMPENSATION FOR OFFICERS AND EMPLOYEES OF  
THE CITY:

Subitem a: (O-80-53) Amending Ordinance No. 12666 (New Series), as  
amended, entitled "AN ORDINANCE ESTABLISHING A SCHEDULE OF  
COMPENSATION FOR OFFICERS AND EMPLOYEES OF THE CITY OF SAN DIEGO  
FOR FISCAL YEAR 1979-80," by AMENDING EXHIBITS A AND B THERETO to  
create the classified positions of BUILDING INSPECTION  
TECHNICIAN I, BUILDING INSPECTION TECHNICIAN II, BUILDING  
INSPECTION TECHNICIAN III, HARBOR PATROL OFFICER, HARBOR PATROL  
SERGEANT, HARBOR PATROL LIEUTENANT, and HARBOR PATROL CAPTAIN  
and ESTABLISH A SCHEDULE OF COMPENSATION therefor.

Subitem b: (R-80-512) Approving the classifications of personnel in the  
classified service of the City eligible for premium or regular  
rate overtime, effective upon the passage of this resolution  
through June 30, 1980.

Motion by Stirling to refer the communication  
dated September 25th from the Surf Life  
Saving Association to the Rules Committee  
for initial consideration and to determine  
which, if not both PF&R and PS&S, this item  
should appear before and to refer to the  
City Manager for his review and comments on  
each of the issues raised in the communication.  
Second by Williams.  
Passed unanimously. Not present-2,M.

ITEM 330: Matter of REZONING LOT 1, OLIVE GROVE TRACT, and a portion of SECTION 12, TOWNSHIP 14 SOUTH, RANGE 3 WEST, S.B.B.M. (approximately 50 acres), located east of Orange Grove Avenue and north of Magnolia Drive, in the Penasquitos East Community area, from ZONE A-1-10 to ZONE R-1-5. (009 - 021)

(CASE NO. 60-79-12)

Subitem a: Adopted as Resolution R-250328..

(R-80-500) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 79-05-06 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 October 15, 1979.

(O-80-48) INTRODUCTION of an ORDINANCE for R-1-5 Zoning; and

Subitem c: Adopted as Resolution R-250329.

(R-80- ) 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. 79-05-06.

Hearing began 8:57 a.m.  
Hearing halted 9:09 a.m.

Motion by Stirling to refer to Planning for a report using gross figures projecting the water demand of the City of San Diego over the next 5 years versus the water supply, the air pollution issuance of the present, and projected growth into the sewer demand capacity over the next 5 years. Also comment on whether presumptions on the rack system are being met. Report back to T&LU Committee in two weeks with information and copies to Council.  
Second by Killea.  
Passed unanimously. Not present-2,4,M.

ITEM 330: Continued.

Motion by Stirling to adopt (a) and (c)  
and introduce (b).  
Second by Killea.  
Passed unanimously. Not present-2,4,M.

Motion by Stirling to provide copies of  
referrals to the moving Councilmember and  
instruct the City Manager, City Attorney  
and departments to provide a date in which  
they will be able to respond, four weeks  
as a maximum. If they are unable to respond  
in four weeks for them to state when they  
will be able to.  
Second by Schnaubelt.  
Passed unanimously. Not present-2,4,M..

ITEM 331: Matter of REZONING a portion of SECTION 12, TOWNSHIP 15 SOUTH,  
RANGE 3 WEST, S.B.B.M. (approximately 11.7 acres), located on  
the north side of Miramar Road between Empire Street and Carroll  
Road, in the Mira Mesa Community Plan area, from ZONE A-1-10 to  
ZONE M-1B. (021 - 066)

(CASE NO. 60-79-13)

Subitem a: Adopted as Resolution R-250330.

(R-80-497) Adoption of a RESOLUTION certifying that the  
information contained in ENVIRONMENTAL IMPACT REPORT NO. 79-05-  
11 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;



ITEM 331: Continued.

Subitem b: Introduced, to be Adopted October 15, 1979.

(O-80-51) INTRODUCTION of an ORDINANCE for M-1B Zoning; and

Subitem c: Adopted as Resolution R-250331.

(R-80- ) Adoption of a RESOLUTION containing the appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT NO. 79-05-11.

Hearing began 9:09 a.m.  
Hearing halted 9:52 a.m.

Testimony by Mr. Gleason and  
Mr. Dawson.

Motion by Mitchell to close the hearing,  
adopt (a) and (c), and introduce (b).  
Second by Lowery.  
No vote.

Motion by Lowery to refer to Planning for  
a proposed legislative package for the Rules  
Committee for consideration and action with  
a recommendation from the City Manager and  
Planning Director on a course of action to  
avoid unilaterally imposition of single  
purpose rules and regulations that do not  
take into account other impacts on the  
communities such as safety and economic health.  
Second by Stirling.  
Passed unanimously. Not present-2,4,M.

Motion by Lowery to close the hearing  
introduce (b), and adopt (a) and (c) with  
the condition the applicant not disturb  
any of the vernal pools on the subject  
property until the vernal pool preservation  
program is implemented.  
Second by Stirling.  
Passed unanimously. Not present-2,M.



ITEM 333: Continued.

Subitem a: Adopted as Resolution R-250333.

(R-80-496) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 78-08-10 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 October 15, 1979.

(O-80-52) INTRODUCTION of an ORDINANCE for CO Zoning; and

Subitem c: Adopted as Resolution R-250334.

(R-80- ) 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. 78-08-10.

Hearing began 11:18 a.m.  
Hearing halted 11:25 a.m.

Motion by Schnaubelt to Close the hearing,  
adopt (a) and (c), and introduce (b).  
Second by Lowery.  
Passed unanimously. Not present-2,M.

ITEM 334: Matter of REZONING a portion of the NORTHWEST 1/4 of the NORTHWEST 1/4 of SECTION 7, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M. (approximately 40 acres), located west of Black Mountain Road and north of Stargaze Avenue, in the Penasquitos East Community Plan area, from ZONE A-1-10 to ZONE R-1-5.  
(185 - 187)

(CASE NO. 45-79-4)

Subitem a: Adopted as Resolution R-250335.

(R-80-498) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 79-04-48 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;

ITEM 334: Continued.

Subitem b: Introduced, to be Adopted October 15, 1979.

(O-80-50) INTRODUCTION of an ORDINANCE for R-1-5 Zoning; and

Subitem c: Adopted as Resolution R-250336.

(R-80- ) 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. 79-04-48.

Hearing began 12:00 p.m.

Hearing halted 12:03 p.m.

Motion by Schnaubelt to close the hearing, adopt (a) and (c), and introduce (b).

Second by Stirling.

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

ITEM S-400: Adopted as Resolution R-250337. (124 - 129)

(R-80-611) Directing the CITY MANAGER to expedite the design and processing of the SAN DIEGO RIVER PILOT CHANNEL PROJECT; execute the referenced MEMORANDUM AGREEMENT OF UNDERSTANDING with property owners and lessees; and ACCEPT the CASH CONTRIBUTION from property owners and lessees and deposit in a Trust Fund Account for the purpose of constructing a pilot channel in this reach of the San Diego River; authorizing the ADDITION of CIP 12-022, SAN DIEGO RIVER PILOT CHANNEL, to the FY 1980 CAPITAL IMPROVEMENT BUDGET; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$46,500 from the FLOOD CONTROL AND DRAIN BOND FUND UNALLOCATED RESERVE CIP 90727 to new CIP 12-022; authorizing the EXPENDITURE of \$46,500 from CIP 12-022 for the purpose of providing funds for design, construction and related costs of the above-mentioned project; authorizing the CITY MANAGER to ADVERTISE FOR BIDS on said project.

ITEM S-400: Continued.

Motion by Schnaubelt to adopt.  
Second by Killea.  
Passed unanimously. Not present-2,M.

ITEM S-401: Adopted as Resolution R-250338. (129 - 136)

Matter of authorizing the Police Department to implement a pilot comprehensive STRESS MANAGEMENT and CARDIOVASCULAR HEALTH ASSESSMENT PROGRAM for 30 volunteer sworn officers and accepting the GENEROUS DONATION of \$15,000 from Mike Turk to finance this program.

Motion by Mitchell to adopt.  
Second by Stirling.  
Passed unanimously. Not present-2,M.

SPECIAL ORDER  
OF BUSINESS:

Welcomed.

Thirty-five students from Lewis Jr. High School attended this Meeting accompanied by Mr. Jack Dray.  
(District 7.)

Meeting recessed at 12:03 p.m. by Deputy Mayor Gade to reconvene at 2:00 p.m.

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO  
FOR THE REGULAR MEETING OF TUESDAY, OCTOBER 2, 1979  
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ATTENDANCE:

Present: Councilmembers Mitchell (1), O'Connor (2), Williams (4), Schnaubelt (5), Gade (6), Stirling (7), and Killea (8).

Not present: Mayor Wilson (M) and Councilmember Lowery (3).

Clerk: Abdelnour.

Meeting called to order at 2:12 p.m. by Deputy Mayor Gade with Mayor Wilson and Councilmembers Lowery, Williams, and Stirling not present.

ITEM 200: Adopted as Ordinance 0-15033 (New Series).

(Tape Loc. 011 - 015)  
(0-80-17 Rev. 2) Amending Chapter VI, Article 4, of the San Diego Municipal Code by AMENDING SECTIONS 64.32 AND 64.35 relating to SEWER SERVICE AND CAPACITY CHARGES.

(Introduced as amended 9-17-79. Council voted 5-2. Districts 4 and 8 voted nay. Districts 1 and 2 not present.)

Motion by Stirling to adopt.

Second by Killea.

Passed unanimously. Not present-3,M.

ITEM 332: Matters of:

a - Proposed submittal of the OCEAN BEACH PRECISE PLAN to the SAN DIEGO COAST REGIONAL COMMISSION and the CALIFORNIA COASTAL COMMISSION, for their certification as the land use portion of the local coastal program; and

b - Proposed submittal of the MISSION BEACH PRECISE PLAN and MISSION BEACH PLANNED DISTRICT to the SAN DIEGO COAST REGIONAL COMMISSION and the CALIFORNIA COASTAL COMMISSION, for their certification as the land use portion and the implementation portion of the local coastal program.

(Tape Loc. 006 - 010)

Subitem a: Adopted at A.M. Meeting.

(R-80-459) Adoption of a RESOLUTION approving the submittal of the Ocean Beach Precise Plan to the Coastal Commissions; and

ITEM 332: Continued.

Subitem b: Adopted as Resolution R-250341.

(R-80-242) Adoption of a RESOLUTION approving the submittal of the Mission Beach Precise Plan and the Mission Beach Planned District to the Coastal Commissions.

Motion by Killea to adopt (b).  
Second by Mitchell.  
Passed. Yeas-1,2,5,6,8. Nay-7.  
Not present-3,4,M.

Motion by Stirling to direct staff to get information on resurfacing of South Mission Boulevard and report back to Council.  
Second by Gade.  
Passed unanimously. Not present-3,M.

ITEM 335: Matter of REZONING portions of LOTS 12 and 13, TIBBETTS TRACT AMENDED MAP 24 (approximately 10.34 acres), located on the west side of Oro Vista Road (I-5) between Grove Avenue and Iris Avenue, in the Otay Mesa-Nestor Community Plan area, from ZONES A-1-1 and A-1-5 to ZONE R-2A.

(Tape Loc. 015 - 020)

(CASE NO. 48-79-8)

Subitem a: Adopted as Resolution R-250342.

(R-80-499) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-03-57 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 October 15, 1979.

(O-80-49) INTRODUCTION of an ORDINANCE for R-2 Zoning.

Hearing began 2:26 p.m.  
Hearing halted 2:31 p.m.

Motion by Killea to close the hearing, adopt (a) and introduce (b).  
Second by Stirling.  
Passed unanimously. Not present-3,M.

ITEM 336:

(Continued from the Meeting of September 18, 1979 at Steven Tourney's request. APPEAL of W.L. MACKENROT from the decision of the PLANNING COMMISSION in DENYING his application to construct 10 townhouse dwellings with swimming pool, recreation area, parking and landscaping on a 1.5 acre site in the R-1-5 ZONE. The subject property is located east of Altadena Avenue and south of the Loris Street junction and is more particularly described as LOT 9, RIDGEVIEW HEIGHTS RESUBDIVISION, MAP. NO. 5912.

(Tape Loc. 020 - 085)

(PRD. NO. 154)

Subitem a: Adopted as Resolution R-250351.

(R-80- ) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-03-05 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 denied as Resolution R-250352.

(R-80- ) Adoption of a RESOLUTION granting or denying the appeal and the permit.

Testimony in favor of the appeal by  
Michael Witty.

Testimony in opposition to the  
appeal by Earl Davis, Jr., David Wadsworth,  
and James W. O'Connor.

Motion by Williams to file.  
Second by Mitchell.  
Withdrawn.

Motion by Williams to deny the appeal  
and the permit.  
Second by Mitchell.  
No vote.

Motion by Williams to deny and grant  
a waiver and come back with a new  
project.  
Second by Killea.  
Failed. Yeas-2,4,6,8. Nays-1,7.  
Not present-3,5,M.



ITEM 336: Continued:

Motion by Mitchell to deny the project.  
Second by Stirling.  
Passed. Yeas-1,2,4,7,8. Nay-6.  
Not present-3,5,M.

ITEM 337: Continued to October 23, 1979, 8:30 a.m., Time Certain.

(Continued from the Meetings of June 19, July 10, July 31 and September 11, 1979 at Leon Campbell's request.) 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 (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.

(Tape Loc. 086 - 100)

(HRP NO. 126)

Subitem a: (R-80- ) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 74-8-030 and the FIRST, SECOND (Revised), and THIRD AMENDMENTS, thereto, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report and first, second (revised), and third amendments, thereto have been reviewed and considered by the Council;

Subitem b: (R-80- ) Adoption of a RESOLUTION granting or denying the appeal and the permit with appropriate findings to support Council action; and

Subitem c: (R-80- ) 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. 74-8-030 and the FIRST, SECOND (Revised), and THIRD AMENDMENTS, thereto.

Motion by Stirling to continue to  
October 23, 1979, 8:30 a.m., Time  
Certain, at Leon Campbell's request.  
Second by Killea.  
Passed unanimously. Not present-3,5,M.

ITEM 338: Continued to October 16, 1979, 10:30 a.m.

APPEAL of FRANK PATRICK O'DWYER, from the decision of the PLANNING COMMISSION in DENYING PRELIMINARY PARCEL MAP 79-130 which proposes a two-lot division of LOTS 6 and 7, BLOCK 5, GOLDEN PARK, MAP 958. The subject property is located on the south side of Martinez Street, between Talbot Street and Harbor View Drive in the R-1-5 ZONE, and within the boundaries of the Peninsula Community Plan.

(Tape Loc. 101 - 103)

(P.M. 79-130)

Subitem a: (R-80- ) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-05-41 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-80- ) Adoption of a RESOLUTION granting or denying the appeal and the preliminary map with appropriate findings to support Council action.

Motion by O'Connor to continue to  
October 16, 1979, 10:30 a.m., at  
Patrick O'Dwyer's request.  
Second by Stirling.  
Passed unanimously. Not present-1,3,5,M.

ITEM 339: Continued to October 23, 1979, 2:00 p.m., Time Certain.

(Continued from the Meeting of September 10, 1979 at Councilwoman Killea's request.) Two Resolutions relative to Radio Canyon-Chollas Open Space Park Program:

(Tape Loc. 104 - 108)

Subitem a: (R-80-366) Determining and declaring that the public interest, convenience and necessity require the development of the Radio Canyon-Chollas Open Space Program in portions of LOT 18 of the RANCHO MISSION OF SAN DIEGO, PORTIONS of LOTS 1 to 7, INCLUSIVE, of BLOCK 9 and PORTIONS of LOTS 1 to 12, INCLUSIVE, of BLOCK 10 of LARCHMONT; declaring that the public interest, convenience and necessity demand the acquisition of fee title to said property for said Radio Canyon-Chollas Open Space Program; declaring the intention to acquire said property under EMINENT DOMAIN PROCEEDINGS; directing the CITY ATTORNEY to commence action for the purpose of CONDEMNING and ACQUIRING said property; and

ITEM 339: Continued.

Subitem b: (R-80-367) Authorizing the expenditure of \$1,250,000 out of Open Space Park Facilities District No. 1, Bond Fund 79101, for the purpose of acquisition of the above property.

Motion by O'Connor to adopt.  
Second by Williams.  
No vote.

Motion by O'Connor to continue to October 23, 1979, 2:00 p.m., Time Certain, for full Council.  
Second by Williams.  
Passed unanimously. Not present-3,M.

ITEM 340: Continued to October 23, 1979, 4:00 p.m., Time Certain.

(Continued from the Meeting of September 18, 1979 at Mr. Clark's request.) APPEALS of LAURENCE CLARK, EDWARD J. SCHUETZ, et al, from the decision of the PLANNING COMMISSION in APPROVING PRELIMINARY PARCEL MAP 79-55 which proposes a two-lot division of LOTS 5 through 7, BLOCK 12, BIRD ROCK ADDITION. The subject property is located on the east side of Waverly Avenue between Forward and Midway Streets, in the R-1-5 ZONE and within the boundaries of the La Jolla Community Plan.

(Tape Loc. 111 - 135)

(P.M. 79-55)

Subitem a: (R-80- ) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-03-30 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-80- ) Adoption of a RESOLUTION granting the appeal and denying the map, or denying the appeal and granting the map with appropriate findings to support Council action.

Hearing began 4:00 p.m.  
Hearing halted 4:20 p.m.

Testimony for the appeal by Lawrence Clark, Edward Schuetz, and Ernest Clark.

Testimony in opposition to the appeal by Ken Fritz.

ITEM 340: Continued.

Motion by Mitchell to continue to  
October 23, 1979, 4:00 p.m., Time  
Certain, for full Council.  
Second by Stirling.  
Passed unanimously. Not present-2,3,M.

UNANIMOUS

CONSENT #1: Adopted as Resolution R-250343.

Subitem a: (R-80-633) Declaring 7636 Rowena Street, San Diego, California, to be a public nuisance; directing the Building Inspection Director to proceed to cause demolition of the building; charging A.L. Littlefield and Audrey L. Littlefield the cost of abating the nuisance, a sum not to exceed \$5,000.00, pursuant to Section 91.02.0203 of the San Diego Municipal Code; authorizing the City Treasurer to collect this sum in the manner provided for special assessments.

Subitem b: Adopted as Resolution R-250344.

(R-80-634) Declaring 7630 Rowena Street, San Diego, California, to be a public nuisance; directing the Building Inspection Director to proceed to cause demolition of the building; charging Aaron H. Sanchez and Alice A. Sanchez the cost of abating the nuisance, a sum not to exceed \$5,000.00, pursuant to Section 91.02.0203 of the San Diego Municipal Code; authorizing the City Treasurer to collect this sum in the manner provided for special assessments.

Subitem c: Adopted as Resolution R-250345.

(R-80-635) Declaring 7612 Rowena Street, San Diego, California, to be a public nuisance; directing the Building Inspection Director to proceed to cause demolition of the building; charging Marie T. Conboy the cost of abating the nuisance, a sum not to exceed \$5,000.00, pursuant to Section 91.02.0203 of the San Diego Municipal Code; authorizing the City Treasurer to collect this sum in the manner provided for special assessments.

Subitem d: Adopted as Resolution R-250346.

(R-80-636) Declaring 7596 Rowena Street, San Diego, California, to be a public nuisance; directing the Building Inspection Director to proceed to cause demolition of the building; charging Bessie Billay, Surviving Joint Tenant and Executrix under the wills of Clay Billay and Haydee Billiet the cost of abating the nuisance, a sum not to exceed \$5,000.00, pursuant to Section 91.02.0203 of the San Diego Municipal Code; authorizing the City Treasurer to collect this sum in the manner provided for special assessments.

UNANIMOUS  
CONSENT #1:

Continued.

Adopted as Resolution R-250347.

Subitem e:

(R-80-637) Authorizing the City Auditor and Comptroller to transfer the sum of \$6,500.00 from the Unallocated Reserve General Fund to the Allocated Reserve General Fund for the removal or demolition of the buildings located at 7596, 7612, 7630, 7636 Rowena Street, San Diego, California; said costs to be paid from the City Treasurer and levied as a special assessment against the properties, pursuant to Municipal Code Section 91.02.0203; authorizing the expenditure of of \$6,500.00 from the Allocated Reserve General Fund for the purpose of providing funds for above-mentioned buildings.

Motion by Stirling to adopt.

Second by Killea.

Passed unanimously. Not present-3,M.

UNANIMOUS  
CONSENT #2:

Adopted as Resolution R-250348.

(R-80- ) Retaining the services of two Adam 65 Police employees whose employment contract expired September 28, 1979.

Motion by Mitchell to adopt.

Second by Stirling.

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

UNANIMOUS  
CONSENT #3:

Adopted as Resolution R-250349.

(R-80- ) Excusing Councilman Bill Lowery from the afternoon session of the Council Meeting of Tuesday, October 2, 1979 and the Committee Meetings of Wednesday, October 3, 1979, for the purpose of vacation.

Motion by Killea to adopt.

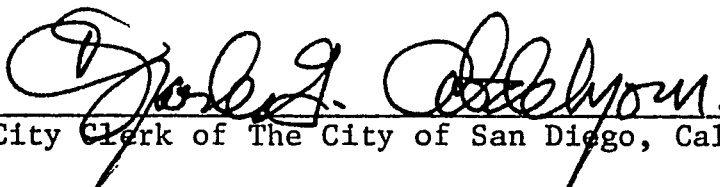
Second by Stirling.

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

EXECUTIVE  
SESSION:

Adopted as Resolution R-250350.

(R-80-630) Authorizing the City Attorney to settle that condemnation action authorized by Resolution No. 219449, adopted October 5, 1977, entitled "The City of San Diego v. Homer A. Dumas, et al.," Superior Court No. 407361, as to Parcel 11 and stipulate to a Judgment in the amount of \$183,844.64 plus interest, for a total settlement of \$200,000.00; authorizing the City Auditor and Comptroller to issue a check-warrant in the amount of \$63,500.00 to Robert D. Zumwalt, County Clerk, in full settlement of said parcel of said condemnation.

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

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO  
FOR THE SPECIAL MEETING OF TUESDAY, OCTOBER 2, 1979  
IN THE CHAMBERS OF THE COUNCIL AT 8:30 A.M.

ATTENDANCE:

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

NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL

TO: Councilmembers Mitchell, O'Connor, Lowery, Williams, Schnaubelt, Gade,  
Stirling, Killea, members of the City Council of The City of San Diego  
California.

A SPECIAL MEETING of the City Council and the Redevelopment Agency is hereby  
called to be held in the Council Chambers, City Administration Building, 202  
'C' Street, San Diego, California, on Tuesday, October 2, 1979, at the hour of  
8:30 a.m.

Said meeting will be held for the purpose of considering jointly the Lease  
Agreement and Reimbursement Agreement for the parking facilities in the  
Horton Plaza retail center.

Dated September 28, 1979

PETE WILSON  
MAYOR

Meeting was called to order at 9:54 a.m. by Deputy Mayor Gade.

ITEM 600: Roll call.  
Present-Councilmembers Mitchell, Lowery, Williams, Schnaubelt,  
Gade, Stirling, and Killea.  
Not present-Mayor Wilson and Councilmember O'Connor.

ITEM 601: Adopted as Ordinance O-15032 (New Series).  
(067 - 110)  
(O-80-42 Rev.) Approving a Lease Agreement between the City and the Redevelopment Agency relating to the lease of certain property within the Horton Plaza Redevelopment Project, located in the general area of E, F and G Streets between First and Fourth Avenues for the purpose of CONSTRUCTION AND OPERATION of PUBLIC PARKING FACILITIES.

Motion by Mitchell to dispense with the reading and adopt.  
Second by Williams.  
Passed. Yeas-1,3,4,6,7,8. Nay-5.  
Not present-2,M.

ITEM 602: Two Resolutions relative to the HORTON PLAZA REDEVELOPMENT PROJECT:

Subitem a: Adopted as Resolution R-250339.

Approving the LEASE of CERTAIN PROPERTIES in the above area by the Redevelopment Agency to the City; and making certain findings with respect to such lease; and

Motion by Killea to adopt.  
Second by Lowery.  
Passed. Yeas-1,3,4,7,8,6. Nay-5  
Not present-2,M.

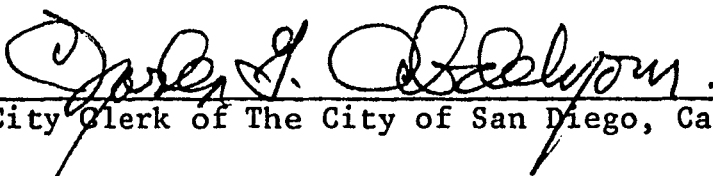
Subitem b: Adopted as Resolution R-250340.

Approving and authorizing the execution of a REIMBURSEMENT AGREEMENT with respect to the lease of certain public parking facilities in the above project.

Motion by Killea to adopt.  
Second by Stirling.  
Passed. Yeas-1,3,4,6,7,8. Nay-5.  
Not present-2,M.



ADJOURNMENT: Meeting adjourned at 10:46 a.m. by Deputy Mayor Gade.

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

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO  
FOR THE REGULAR MEETING OF TUESDAY, OCTOBER 2, 1979  
IN THE CHAMBERS OF THE COUNCIL AT 8:30 A.M.

ATTENDANCE:

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

Meeting was called to order at 8:47 a.m. by Deputy Mayor Gade.

Meeting recessed at 9:53 a.m. by Deputy Mayor Gade to meet as the City Council and the Redevelopment Agency.

Meeting reconvened at 10:46 a.m. by Deputy Mayor Gade with Mayor Wilson and Councilmembers O'Connor and Lowery not present.

ITEM 200: To be Reconsidered this Afternoon. (179 - 181)

(O-80-17 Rev. 2) Amending Chapter VI, Article 4, of the San Diego Municipal Code by AMENDING SECTIONS 64.32 AND 64.35 relating to SEWER SERVICE AND CAPACITY CHARGES.

(Introduced as amended 9-17-79. Council voted 5-2. Districts 4 and 8 voted nay. Districts 1 and 2 not present.)

Motion by Stirling to reconsider this afternoon at Blair's request.  
Second by Schnaubelt.  
Passed unanimously. Not present-2,3,M.

ITEM 214: Continued to October 23, 1979, 8:30 a.m. (110 - 124)

(R-80-539) Approving the 1980 HOUSING ASSISTANCE PLAN and authorizing the CITY MANAGER to SUBMIT THE PLAN to the U. S. Department of Housing and Urban Development (HUD) as part of the City of San Diego's Community Development Block Grant application.

ITEM 214: Continued.

Hearing began 10:46 a.m.  
Hearing halted 11:00 a.m.

Motion by Killea to adopt.  
Second by Williams.  
Motion withdrawn by Killea and  
Williams.

Motion by Killea to continue to  
October 23, 1979, 8:30 a.m. a joint City  
Council and Housing Commission Meeting,  
when Montijo will be available to answer  
questions from the City Council and for  
the Council to submit questions in writing  
to the Housing Commission by that date.  
Second by Williams.  
Passed unanimously. Not present-2,M.

ITEM 215: Three Items relative to TAX ANTICIPATION NOTES FOR FISCAL 1979  
and AMENDING THE ANNUAL APPROPRIATION ORDINANCE AND FISCAL 1980  
BUDGET: (002 - 008)

Subitem a: Adopted as Resolution R-250327.

(R-80-554) Authorizing the Employment of BOND COUNSEL to review  
the proceedings leading up to the issuance of Tax Anticipation  
Notes for Fiscal 1979 in the amount of \$16,500,000.

Subitem b: (R-80-555) Authorizing ADVERTISEMENTS INVITING BIDS on Tax  
Anticipation Notes and setting terms and conditions for the  
notes.

Subitem c: Introduced, to be Adopted October 15, 1979.

(0-80-77) Amending the ANNUAL APPROPRIATION AND FISCAL 1980  
ANNUAL BUDGET, appropriating \$779,000 GENERAL FUND  
UNAPPROPRIATED REVENUE to the GENERAL FUND NONDEPARTMENT  
EXPENDITURES, TAX ANTICIPATION NOTE PROGRAM 60115 to cover the  
cost of INTEREST EXPENSE, BOND COUNSEL, PAYING AGENT,  
ADVERTISING and MISCELLANEOUS EXPENSES.

Subitems (a) and (b) were combined into one resolution by the  
Attorney's Office.

ITEM 215: Continued.

Motion by Stirling to adopt the resolution  
and introduce the ordinance.  
Second by Schnaubelt.  
Passed unanimously. Not present-2,3,4,M.

ITEM 216: Referred to Rules Committee. (150 - 152)

Two Items relative to COMPENSATION FOR OFFICERS AND EMPLOYEES OF  
THE CITY:

Subitem a: (O-80-53) Amending Ordinance No. 12666 (New Series), as amended, entitled "AN ORDINANCE ESTABLISHING A SCHEDULE OF COMPENSATION FOR OFFICERS AND EMPLOYEES OF THE CITY OF SAN DIEGO FOR FISCAL YEAR 1979-80," by AMENDING EXHIBITS A AND B THERETO to create the classified positions of BUILDING INSPECTION TECHNICIAN I, BUILDING INSPECTION TECHNICIAN II, BUILDING INSPECTION TECHNICIAN III, HARBOR PATROL OFFICER, HARBOR PATROL SERGEANT, HARBOR PATROL LIEUTENANT, and HARBOR PATROL CAPTAIN and ESTABLISH A SCHEDULE OF COMPENSATION therefor.

Subitem b: (R-80-512) Approving the classifications of personnel in the classified service of the City eligible for premium or regular rate overtime, effective upon the passage of this resolution through June 30, 1980.

Motion by Stirling to refer the communication dated September 25th from the Surf Life Saving Association to the Rules Committee for initial consideration and to determine which, if not both PF&R and PS&S, this item should appear before and to refer to the City Manager for his review and comments on each of the issues raised in the communication.  
Second by Williams.  
Passed unanimously. Not present-2,M.

ITEM 330: Matter of REZONING LOT 1, OLIVE GROVE TRACT, and a portion of SECTION 12, TOWNSHIP 14 SOUTH, RANGE 3 WEST, S.B.B.M. (approximately 50 acres), located east of Orange Grove Avenue and north of Magnolia Drive, in the Penasquitos East Community area, from ZONE A-1-10 to ZONE R-1-5. (009 - 021)

(CASE NO. 60-79-12)

Subitem a: Adopted as Resolution R-250328..

(R-80-500) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 79-05-06 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 October 15, 1979.

(0-80-48) INTRODUCTION of an ORDINANCE for R-1-5 Zoning; and

Subitem c: Adopted as Resolution R-250329.

(R-80- ) 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. 79-05-06.

Hearing began 8:57 a.m.

Hearing halted 9:09 a.m.

Motion by Stirling to refer to Planning for a report using gross figures projecting the water demand of the City of San Diego over the next 5 years versus the water supply, the air pollution issuance of the present, and projected growth into the sewer demand capacity over the next 5 years. Also comment on whether presumptions on the rack system are being met. Report back to T&LU Committee in two weeks with information and copies to Council.

Second by Killea.

Passed unanimously. Not present-2,4,M.

ITEM 330: Continued.

Motion by Stirling to adopt (a) and (c)  
and introduce (b).  
Second by Killea.  
Passed unanimously. Not present-2,4,M.

Motion by Stirling to provide copies of  
referrals to the moving Councilmember and  
instruct the City Manager, City Attorney  
and departments to provide a date in which  
they will be able to respond, four weeks  
as a maximum. If they are unable to respond  
in four weeks for them to state when they  
will be able to.  
Second by Schnaubelt.  
Passed unanimously. Not present-2,4,M..

ITEM 331: Matter of REZONING a portion of SECTION 12, TOWNSHIP 15 SOUTH,  
RANGE 3 WEST, S.B.B.M. (approximately 11.7 acres), located on  
the north side of Miramar Road between Empire Street and Carroll  
Road, in the Mira Mesa Community Plan area, from ZONE A-1-10 to  
ZONE M-1B. (021 - 066)

(CASE NO. 60-79-13)

Subitem a: Adopted as Resolution R-250330.

(R-80-497) Adoption of a RESOLUTION certifying that the  
information contained in ENVIRONMENTAL IMPACT REPORT NO. 79-05-  
11 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;

ITEM 331: Continued.

Subitem b: Introduced, to be Adopted October 15, 1979.

(O-80-51) INTRODUCTION of an ORDINANCE for M-1B Zoning; and

Subitem c: Adopted as Resolution R-250331.

(R-80- ) Adoption of a RESOLUTION containing the appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT NO. 79-05-11.

Hearing began 9:09 a.m.  
Hearing halted 9:52 a.m.

Testimony by Mr. Gleason and  
Mr. Dawson.

Motion by Mitchell to close the hearing,  
adopt (a) and (c), and introduce (b).  
Second by Lowery.  
No vote.

Motion by Lowery to refer to Planning for  
a proposed legislative package for the Rules  
Committee for consideration and action with  
a recommendation from the City Manager and  
Planning Director on a course of action to  
avoid unilaterally imposition of single  
purpose rules and regulations that do not  
take into account other impacts on the  
communities such as safety and economic health.  
Second by Stirling.  
Passed unanimously. Not present-2,4,M.

Motion by Lowery to close the hearing  
introduce (b), and adopt (a) and (c) with  
the condition the applicant not disturb  
any of the vernal pools on the subject  
property until the vernal pool preservation  
program is implemented.  
Second by Stirling.  
Passed unanimously. Not present-2,M.





ITEM 333: Continued.

Subitem a: Adopted as Resolution R-250333.

(R-80-496) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 78-08-10 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 October 15, 1979.

(O-80-52) INTRODUCTION of an ORDINANCE for CO Zoning; and

Subitem c: Adopted as Resolution R-250334.

(R-80- ) 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. 78-08-10.

Hearing began 11:18 a.m.  
Hearing halted 11:25 a.m.

Motion by Schnaubelt to Close the hearing,  
adopt (a) and (c), and introduce (b).  
Second by Lowery.  
Passed unanimously. Not present-2,M.

ITEM 334: Matter of REZONING a portion of the NORTHWEST 1/4 of the NORTHWEST 1/4 of SECTION 7, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M. (approximately 40 acres), located west of Black Mountain Road and north of Stargaze Avenue, in the Penasquitos East Community Plan area, from ZONE A-1-10 to ZONE R-1-5.  
(185 - 187)

(CASE NO. 45-79-4)

Subitem a: Adopted as Resolution R-250335.

(R-80-498) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 79-04-48 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;

ITEM 334: Continued.

Subitem b: Introduced, to be Adopted October 15, 1979.

(O-80-50) INTRODUCTION of an ORDINANCE for R-1-5 Zoning; and

Subitem c: Adopted as Resolution R-250336.

(R-80- ) 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. 79-04-48.

Hearing began 12:00 p.m.  
Hearing halted 12:03 p.m.

Motion by Schnaubelt to close the hearing,  
adopt (a) and (c), and introduce (b).  
Second by Stirling.  
Passed unanimously. Not present-1,2,3,M.

ITEM S-400: Adopted as Resolution R-250337. (124 - 129)

(R-80-611) Directing the CITY MANAGER to expedite the design and processing of the SAN DIEGO RIVER PILOT CHANNEL PROJECT; execute the referenced MEMORANDUM AGREEMENT OF UNDERSTANDING with property owners and lessees; and ACCEPT the CASH CONTRIBUTION from property owners and lessees and deposit in a Trust Fund Account for the purpose of constructing a pilot channel in this reach of the San Diego River; authorizing the ADDITION of CIP 12-022, SAN DIEGO RIVER PILOT CHANNEL, to the FY 1980 CAPITAL IMPROVEMENT BUDGET; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$46,500 from the FLOOD CONTROL AND DRAIN BOND FUND UNALLOCATED RESERVE CIP 90727 to new CIP 12-022; authorizing the EXPENDITURE of \$46,500 from CIP 12-022 for the purpose of providing funds for design, construction and related costs of the above-mentioned project; authorizing the CITY MANAGER to ADVERTISE FOR BIDS on said project.

ITEM S-400: Continued.

Motion by Schnaubelt to adopt.  
Second by Killea.  
Passed unanimously. Not present-2,M.

ITEM S-401: Adopted as Resolution R-250338. (129 - 136)

Matter of authorizing the Police Department to implement a pilot comprehensive STRESS MANAGEMENT and CARDIOVASCULAR HEALTH ASSESSMENT PROGRAM for 30 volunteer sworn officers and accepting the GENEROUS DONATION of \$15,000 from Mike Turk to finance this program.

Motion by Mitchell to adopt.  
Second by Stirling.  
Passed unanimously. Not present-2,M.

SPECIAL ORDER  
OF BUSINESS:

Welcomed.

Thirty-five students from Lewis Jr. High School attended this Meeting accompanied by Mr. Jack Dray.  
(District 7.)

Meeting recessed at 12:03 p.m. by Deputy Mayor Gade to reconvene at 2:00 p.m.

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO  
FOR THE REGULAR MEETING OF TUESDAY, OCTOBER 2, 1979  
IN THE CHAMBERS OF THE COUNCIL AT 2:00 P.M.

ATTENDANCE:

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

Meeting called to order at 2:12 p.m. by Deputy Mayor Gade with Mayor Wilson and Councilmembers Lowery, Williams, and Stirling not present.

ITEM 200: Adopted as Ordinance O-15033 (New Series). (Tape Loc. 011 - 015)  
(O-80-17 Rev. 2) Amending Chapter VI, Article 4, of the San Diego Municipal Code by AMENDING SECTIONS 64.32 AND 64.35 relating to SEWER SERVICE AND CAPACITY CHARGES.  
  
(Introduced as amended 9-17-79. Council voted 5-2. Districts 4 and 8 voted nay. Districts 1 and 2 not present.)

Motion by Stirling to adopt.  
Second by Killea.  
Passed unanimously. Not present-3,M.

ITEM 332: Matters of:

a - Proposed submittal of the OCEAN BEACH PRECISE PLAN to the SAN DIEGO COAST REGIONAL COMMISSION and the CALIFORNIA COASTAL COMMISSION, for their certification as the land use portion of the local coastal program; and

b - Proposed submittal of the MISSION BEACH PRECISE PLAN and MISSION BEACH PLANNED DISTRICT to the SAN DIEGO COAST REGIONAL COMMISSION and the CALIFORNIA COASTAL COMMISSION, for their certification as the land use portion and the implementation portion of the local coastal program.

(Tape Loc. 006 - 010)

Subitem a: Adopted at A.M. Meeting.

(R-80-459) Adoption of a RESOLUTION approving the submittal of the Ocean Beach Precise Plan to the Coastal Commissions; and

ITEM 332: Continued.

Subitem b: Adopted as Resolution R-250341.

(R-80-242) Adoption of a RESOLUTION approving the submittal of the Mission Beach Precise Plan and the Mission Beach Planned District to the Coastal Commissions.

Motion by Killea to adopt (b).  
Second by Mitchell.  
Passed. Yeas-1,2,5,6,8. Nay-7.  
Not present-3,4,M.

Motion by Stirling to direct staff to get information on resurfacing of South Mission Boulevard and report back to Council.  
Second by Gade.  
Passed unanimously. Not present-3,M.

ITEM 335: Matter of REZONING portions of LOTS 12 and 13, TIBBETTS TRACT AMENDED MAP 24 (approximately 10.34 acres), located on the west side of Oro Vista Road (I-5) between Grove Avenue and Iris Avenue, in the Otay Mesa-Nestor Community Plan area, from ZONES A-1-1 and A-1-5 to ZONE R-2A.

(Tape Loc. 015 - 020)

(CASE NO. 48-79-8)

Subitem a: Adopted as Resolution R-250342.

(R-80-499) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-03-57 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 October 15, 1979.

(O-80-49) INTRODUCTION of an ORDINANCE for R-2 Zoning.

Hearing began 2:26 p.m.  
Hearing halted 2:31 p.m.

Motion by Killea to close the hearing, adopt (a) and introduce (b).  
Second by Stirling.  
Passed unanimously. Not present-3,M.

ITEM 336: (Continued from the Meeting of September 18, 1979 at Steven Tourney's request. APPEAL of W.L. MACKENROT from the decision of the PLANNING COMMISSION in DENYING his application to construct 10 townhouse dwellings with swimming pool, recreation area, parking and landscaping on a 1.5 acre site in the R-1-5 ZONE. The subject property is located east of Altadena Avenue and south of the Loris Street junction and is more particularly described as LOT 9, RIDGEVIEW HEIGHTS RESUBDIVISION, MAP. NO. 5912.

(Tape Loc. 020 - 085)

(PRD. NO. 154)

Subitem a: Adopted as Resolution R-250351.

(R-80- ) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-03-05 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 denied as Resolution R-250352.

(R-80- ) Adoption of a RESOLUTION granting or denying the appeal and the permit.

Testimony in favor of the appeal by  
Michael Witty.

Testimony in opposition to the  
appeal by Earl Davis, Jr., David Wadsworth,  
and James W. O'Connor.

Motion by Williams to file.  
Second by Mitchell.  
Withdrawn.

Motion by Williams to deny the appeal  
and the permit.  
Second by Mitchell.  
No vote.

Motion by Williams to deny and grant  
a waiver and come back with a new  
project.  
Second by Killea.  
Failed. Yeas-2,4,6,8. Nays-1,7.  
Not present-3,5,M.

ITEM 336: Continued:

Motion by Mitchell to deny the project.  
Second by Stirling.  
Passed. Yeas-1,2,4,7,8. Nay-6.  
Not present-3,5,M.

ITEM 337: Continued to October 23, 1979, 8:30 a.m., Time Certain.

(Continued from the Meetings of June 19, July 10, July 31 and September 11, 1979 at Leon Campbell's request.) 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 (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.

(Tape Loc. 086 - 100)

(HRP NO. 126)

Subitem a: (R-80- ) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT NO. 74-8-030 and the FIRST, SECOND (Revised), and THIRD AMENDMENTS, thereto, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report and first, second (revised), and third amendments, thereto have been reviewed and considered by the Council;

Subitem b: (R-80- ) Adoption of a RESOLUTION granting or denying the appeal and the permit with appropriate findings to support Council action; and

Subitem c: (R-80- ) 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. 74-8-030 and the FIRST, SECOND (Revised), and THIRD AMENDMENTS, thereto.

Motion by Stirling to continue to  
October 23, 1979, 8:30 a.m., Time  
Certain, at Leon Campbell's request.  
Second by Killea.  
Passed unanimously. Not present-3,5,M.

ITEM 338: Continued to October 16, 1979, 10:30 a.m.

APPEAL of FRANK PATRICK O'DWYER, from the decision of the PLANNING COMMISSION in DENYING PRELIMINARY PARCEL MAP 79-130 which proposes a two-lot division of LOTS 6 and 7, BLOCK 5, GOLDEN PARK, MAP 958. The subject property is located on the south side of Martinez Street, between Talbot Street and Harbor View Drive in the R-1-5 ZONE, and within the boundaries of the Peninsula Community Plan.

(Tape Loc. 101 - 103)

(P.M. 79-130)

Subitem a: (R-80- ) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-05-41 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-80- ) Adoption of a RESOLUTION granting or denying the appeal and the preliminary map with appropriate findings to support Council action.

Motion by O'Connor to continue to  
October 16, 1979, 10:30 a.m., at  
Patrick O'Dwyer's request.

Second by Stirling.

Passed unanimously. Not present-1,3,5,M.

ITEM 339: Continued to October 23, 1979, 2:00 p.m., Time Certain.

(Continued from the Meeting of September 10, 1979 at Councilwoman Killea's request.) Two Resolutions relative to Radio Canyon-Chollas Open Space Park Program:

(Tape Loc. 104 - 108)

Subitem a: (R-80-366) Determining and declaring that the public interest, convenience and necessity require the development of the Radio Canyon-Chollas Open Space Program in portions of LOT 18 of the RANCHO MISSION OF SAN DIEGO, PORTIONS of LOTS 1 to 7, INCLUSIVE, of BLOCK 9 and PORTIONS of LOTS 1 to 12, INCLUSIVE, of BLOCK 10 of LARCHMONT; declaring that the public interest, convenience and necessity demand the acquisition of fee title to said property for said Radio Canyon-Chollas Open Space Program; declaring the intention to acquire said property under EMINENT DOMAIN PROCEEDINGS; directing the CITY ATTORNEY to commence action for the purpose of CONDEMNING and ACQUIRING said property; and



ITEM 339: Continued.

Subitem b: (R-80-367) Authorizing the expenditure of \$1,250,000 out of Open Space Park Facilities District No. 1, Bond Fund 79101, for the purpose of acquisition of the above property.

Motion by O'Connor to adopt.  
Second by Williams.  
No vote.

Motion by O'Connor to continue to  
October 23, 1979, 2:00 p.m., Time  
Certain, for full Council.  
Second by Williams.  
Passed unanimously. Not present-3,M.

ITEM 340: Continued to October 23, 1979, 4:00 p.m., Time Certain.

(Continued from the Meeting of September 18, 1979 at Mr. Clark's request.) APPEALS of LAURENCE CLARK, EDWARD J. SCHUETZ, et al, from the decision of the PLANNING COMMISSION in APPROVING PRELIMINARY PARCEL MAP 79-55 which proposes a two-lot division of LOTS 5 through 7, BLOCK 12, BIRD ROCK ADDITION. The subject property is located on the east side of Waverly Avenue between Forward and Midway Streets, in the R-1-5 ZONE and within the boundaries of the La Jolla Community Plan.

(Tape Loc. 111 - 135)

(P.M. 79-55)

Subitem a: (R-80- ) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-03-30 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-80- ) Adoption of a RESOLUTION granting the appeal and denying the map, or denying the appeal and granting the map with appropriate findings to support Council action.

Hearing began 4:00 p.m.  
Hearing halted 4:20 p.m.

Testimony for the appeal by Lawrence  
Clark, Edward Schuetz, and Ernest Clark.

Testimony in opposition to the appeal  
by Ken Fritz.

ITEM 340: Continued.

Motion by Mitchell to continue to  
October 23, 1979, 4:00 p.m., Time  
Certain, for full Council.  
Second by Stirling.  
Passed unanimously. Not present-2,3,M.

UNANIMOUS

CONSENT #1: Adopted as Resolution R-250343.

Subitem a: (R-80-633) Declaring 7636 Rowena Street, San Diego, California, to be a public nuisance; directing the Building Inspection Director to proceed to cause demolition of the building; charging A.L. Littlefield and Audrey L. Littlefield the cost of abating the nuisance, a sum not to exceed \$5,000.00, pursuant to Section 91.02.0203 of the San Diego Municipal Code; authorizing the City Treasurer to collect this sum in the manner provided for special assessments.

Subitem b: Adopted as Resolution R-250344.

(R-80-634) Declaring 7630 Rowena Street, San Diego, California, to be a public nuisance; directing the Building Inspection Director to proceed to cause demolition of the building; charging Aaron H. Sanchez and Alice A. Sanchez the cost of abating the nuisance, a sum not to exceed \$5,000.00, pursuant to Section 91.02.0203 of the San Diego Municipal Code; authorizing the City Treasurer to collect this sum in the manner provided for special assessments.

Subitem c: Adopted as Resolution R-250345.

(R-80-635) Declaring 7612 Rowena Street, San Diego, California, to be a public nuisance; directing the Building Inspection Director to proceed to cause demolition of the building; charging Marie T. Conboy the cost of abating the nuisance, a sum not to exceed \$5,000.00, pursuant to Section 91.02.0203 of the San Diego Municipal Code; authorizing the City Treasurer to collect this sum in the manner provided for special assessments.

Subitem d: Adopted as Resolution R-250346.

(R-80-636) Declaring 7596 Rowena Street, San Diego, California, to be a public nuisance; directing the Building Inspection Director to proceed to cause demolition of the building; charging Bessie Billay, Surviving Joint Tenant and Executrix under the wills of Clay Billay and Haydee Billiet the cost of abating the nuisance, a sum not to exceed \$5,000.00, pursuant to Section 91.02.0203 of the San Diego Municipal Code; authorizing the City Treasurer to collect this sum in the manner provided for special assessments.

UNANIMOUS  
CONSENT #1:

Continued.

Adopted as Resolution R-250347.

Subitem e:

(R-80-637) Authorizing the City Auditor and Comptroller to transfer the sum of \$6,500.00 from the Unallocated Reserve General Fund to the Allocated Reserve General Fund for the removal or demolition of the buildings located at 7596, 7612, 7630, 7636 Rowena Street, San Diego, California; said costs to be paid from the City Treasurer and levied as a special assessment against the properties, pursuant to Municipal Code Section 91.02.0203; authorizing the expenditure of of \$6,500.00 from the Allocated Reserve General Fund for the purpose of providing funds for above-mentioned buildings.

Motion by Stirling to adopt.

Second by Killea.

Passed unanimously. Not present-3,M.

UNANIMOUS  
CONSENT #2:

Adopted as Resolution R-250348.

(R-80- ) Retaining the services of two Adam 65 Police employees whose employment contract expired September 28, 1979.

Motion by Mitchell to adopt.

Second by Stirling.

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

UNANIMOUS  
CONSENT #3:

Adopted as Resolution R-250349.

(R-80- ) Excusing Councilman Bill Lowery from the afternoon session of the Council Meeting of Tuesday, October 2, 1979 and the Committee Meetings of Wednesday, October 3, 1979, for the purpose of vacation.

Motion by Killea to adopt.

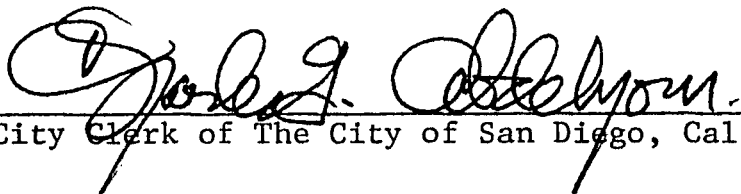
Second by Stirling.

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

EXECUTIVE  
SESSION:

Adopted as Resolution R-250350.

(R-80-630) Authorizing the City Attorney to settle that condemnation action authorized by Resolution No. 219449, adopted October 5, 1977, entitled "The City of San Diego v. Homer A. Dumas, et al.," Superior Court No. 407361, as to Parcel 11 and stipulate to a Judgment in the amount of \$183,844.64 plus interest, for a total settlement of \$200,000.00; authorizing the City Auditor and Comptroller to issue a check-warrant in the amount of \$63,500.00 to Robert D. Zumwalt, County Clerk, in full settlement of said parcel of said condemnation.

  
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City Clerk of The City of San Diego, California