

MINUTES OF THE COUNCIL OF THE CITY OF SAN DIEGO
FOR THE REGULAR MEETING OF TUESDAY, NOVEMBER 6, 1979
IN THE CHAMBERS OF THE COUNCIL AT 8:30 A.M.

ATTENDANCE:

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

Not present: Councilmember Gade (6).

Clerk: Abdelnour.

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

Meeting recessed at 9:17 a.m. by Mayor Wilson into Executive Session on pending litigation in the conference room on the west side of the 11th floor.

Meeting reconvened at 9:35 a.m. by Mayor Wilson with Councilmember Gade not present.

Meeting recessed at 10:13 a.m. by Mayor Wilson.

Meeting reconvened at 10:47 a.m. by Deputy Mayor Gade with Mayor Wilson and Councilmembers Lowery, Schnaubelt, and Stirling not present.

Meeting recessed at 10:50 a.m. by Deputy Mayor Gade to meet as the Redevelopment Agency.

Meeting reconvened at 10:55 a.m. by Deputy Mayor Gade with Mayor Wilson and Councilmembers Lowery and Stirling not present.

ITEM 206: Adopted as Resolution R-250587. (024 - 035)

(R-80-760) Authorizing the CITY AUDITOR and COMPTROLLER to TRANSFER the sum of \$187,476 from the Unallocated Reserve Program to the Allocated Reserve Program within the Special Environmental Growth Fund for the purpose of PAYING MISCELLANEOUS OPEN SPACE MAINTENANCE EXPENDITURES.

Motion by O'Connor to adopt.

Second by Stirling.

Passed unanimously. Not present-6.

ITEM 206: Continued.

Councilmember Stirling requested that Financial Management prepare a report indicating whether the property owners in the Navajo Canyon area or if the Palisades Presbyterian Church will have to pay the assessment next year or if they will receive a reimbursement.

Due to the anticipated absence of the Mayor and Councilmember O'Connor, it was O'Connor's request that Item 331, Loma Palisades, on the docket for Tuesday, November 13, 1979, 2:00 p.m., be continued to Monday, November 19, 1979, 2:00 p.m., Time Certain. For the general public's information this item was continued today but formal action will be taken on November 13, 1979, 2:00 p.m.

ITEM 207: (Continued from the Meetings of September 10 and October 2 and 23, 1979 at Mrs. Quinn's request.)

Two Resolutions relative to Radio Canyon-Chollas Open Space Park Program:

Subitem a: Adopted as Resolution R-250588. (002 - 004)

(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 207: Continued.

Subitem b: Action on this Subitem was taken on Monday, November 5, 1979.

(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 Willams to adopt (a).

Second by Killea.

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

Not present-6.

ITEM 330: (Continued from the Meetings of June 19, July 10 and 31, September 11 and October 2 and 23, 1979 at appellant'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.

(005 - 011)

(079 - 148)

(HRP NO. 126)

Today's action is:

Subitem a: Adopted as Resolution R-250589.

(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: Grant the Appeal as Resolution R-250590.

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

ITEM 330: Continued.

Subitem c: Adopted as Resolution R-250591.

(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.

Hearing began 8:51 a.m.
Hearing halted 8:57 p.m.

Mr. Campbell requested this item be trailed for Councilmember Gade's presence.

Hearing began 10:55 a.m.
Hearing halted 12:04 a.m.

Testimony by Karen Park.

Testimony in favor by Dick Livett and Leon Campbell.

Testimony in opposition by Mrs. Hughes and Patrick Clark.

Motion by Mitchell to close the hearing, deny the appeal, adopt (a) and (b), and approve the Planning Department's findings.
Second by O'Connor.
Failed. Yeas-1,2,4. Nays-3,5,6,7,8.
Not present-M.

Motion by Schnaubelt to close the hearing, grant the appeal, and adopt the resolutions necessary to conform.
Second by Lowery.
Passed. Yeas-3,5,6,7,8. Nays-1,2,4.
Not present-M.

ITEM 331: Matter of REZONING LOTS D through H and portions of LOTS I through L and R through T, ORCUTT'S SUBDIVISION, MAP NO. 1012 (approximately 4.4 acres), located on the south side of Othello Street between I-805 and Dellwood Street, in the Serra Mesa Community Plan area, from ZONE R-1-20 to ZONE M-1B.
(011 - 013)

(CASE NO. 43-79-6)

Today's action is:

Subitem a: Adopted as Resolution R-250592.

(R-80-710) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-05-42 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 November 20, 1979.

(O-80-115) INTRODUCTION of an ORDINANCE for M-1B Zoning.

Hearing began 8:57 a.m.
Hearing halted 8:59 a.m.

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

Second by Lowery.

Passed unanimously. Not present-6.

ITEM 332: Matter of REZONING a portion of SECTION 27, TOWNSHIP 18 SOUTH, RANGE 2 WEST, S.B.B.M. (approximately 4.5 acres), located on the west side of Beyer Boulevard between Palm Avenue and Madden Avenue, in the Otay-Nestor Community Plan area, from ZONE R-1-20 to ZONE R-2.
(013 - 024)

(CASE NO. 48-79-1)

Today's action is:

ITEM 332: Continued.

Subitem a: Adopted as Resolution R-250593.

(R-80-711) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 78-11-48 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 November 20, 1979.

(O-80-116) INTRODUCTION of an ORDINANCE for R-2 Zoning.

Hearing began 8:59 a.m.

Hearing halted 9:10 a.m.

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

Second by Lowery.

Passed unanimously. Not present-6.

ITEM S-411: Trailed to Tuesday, November 6, 1979, 2:00 p.m.

(Continued from the Meetings of October 23 and 30, 1979 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 1981 BUDGET.

(035 - 079)

Hearing began 9:40 a.m.

Hearing halted 10:55 a.m.

By Common Consent further action was deferred until the Council could meet in Executive Session at Mayor Wilson's request.

ITEM S-411: Continued.

Due to the anticipated absence of the Mayor and Councilmember O'Connor, it was O'Connor's request that Item 330, University City Village, on the docket for Tuesday, November 13, 1979, 10:30 a.m., be continued to Monday, November 19, 1979 3:00 p.m., Time Certain. For the general public's information this item was continued today but formal action will be taken on November 13, 1979.

EXECUTIVE
SESSION:

Adopted as Resolution R-250594.

Authorizing the City Attorney to settle 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 Parcels 43 and 44, and stipulate to a Judgment in the amount of \$105,000.00 including statutory interest; and authorizing the City Auditor and Comptroller to issue a check-warrant in the amount of \$35,400.00 to Westport, Ltd., Joseph Simons and Tia Junana Valley County Water District in full settlement of Parcels 43 and 44.

Meeting recessed at 12:04 a.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, NOVEMBER 6, 1979
IN THE CHAMBERS OF THE COUNCIL AT 2:00 P.M.

ATTENDANCE:

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

Meeting reconvened at 2:21 p.m. by Mayor Wilson.

Meeting recessed at 3:22 p.m. by Mayor Wilson.

Meeting reconvened at 3:46 p.m. by Mayor Wilson with Councilmembers Lowery, Williams, and Schnaubelt not present.

Meeting adjourned at 4:15 p.m. by Mayor Wilson to meet in executive session in the 11th floor conference room on meet and confer matters, and pending litigation.

ITEM 333: Two Resolutions relative to PAVING and otherwise improving the ALLEY IN BLOCK 14, LA MESA COLONY on Resolution of Intention No. 250294, under the 1911 Street Improvement Act.

Subitem a: Adopted as Resolution R-250595.

(R-80-494) Adoption of a RESOLUTION ORDERING WORK and directing NOTICE INVITING BIDS; and

Subitem b: Adopted as Resolution R-250596.

(R-80-493) ADOPTING the PLANS, SPECIFICATIONS, and PLAT No. 3951 of the assessment district.

Hearing began 2:22 p.m.
Hearing halted 2:30 p.m.

Testimony given in opposition by Kenneth Harvey.

Councilmembers Williams and Schnaubelt entered 2:23 p.m.

Motion by Stirling to close hearing and temporarily trail item.
Second by Mitchell.
Passed unanimously.

ITEM 333 continued:

Motion by Stirling to adopt.
Second by Mitchell.
Passed unanimously.

ITEM 334:

Matter of REZONING portions of LOTS 1 through 4, BLOCK 10, FIRST ADDITION TO PACIFIC BEACH VISTA TRACT, MAP NO. 930, and a portion of LOT 4, BLOCK 10, MONTE VILLA TRACT, MAP NO. 928 (approximately 7,500 square feet), located on the east side of Cass Street between Van Nuys Street and Archer Street, in the Mission/Pacific Beach Community Plan area, from ZONE R-1-5 to ZONE R-1-5 SMALL LOT OVERLAY.

(CASE NO. 1-79-2)

Today's action is:

Subitem a: Defeated.

(R-80-753) Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION NO. 79-02-32 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: Defeated.

(O-80-122) INTRODUCTION of an ORDINANCE for R-1-5 Small Lot Overlay Zoning.

Hearing began 2:39 p.m.
Hearing halted 3:22 p.m.

Testimony given in favor by Sarah Leeds, Pat Houston, Charles D. Crow, and Marian Goodking.

Testimony given in opposition by Jose Astorga, William Novlock, and George Potts.

Motion by Gade to close hearing, adopt (a) and introduce (b).

Second by Schnaubelt.

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

ITEM 335:

Matters of:

a - REZONING LOTS 1 through 12, BLOCK 191 and LOTS 8 and 9, BLOCK 192, MIDDLETOWN (approximately 2.28 acres), located on the northwest side of Pringle Street between Kettner Boulevard and California Street, in the Uptown Community Plan area, from ZONE C to ZONE R-2A.

(CASE NO. 14-79-1

b - APPEAL of JOSEPH and RACHEL CZARZASTY, from the decision of the PLANNING COMMISSION in GRANTING the application of D. A. GAOUILLE to construct 55 multifamily dwelling units with swimming pool, jacuzzi, parking and landscaping on a 2.28 acres site in the C (proposed R-2A) ZONE. The subject property is located on the northwest side of Pringle Street between Kettner Boulevard and California Street and is more particularly described as LOTS 1 through 12, BLOCK 191 and LOTS 8 and 9, BLOCK 192, MIDDLETOWN.

(PRD NO. 156)

Today's action is:

Subitem a: Adopted as Resolution R-250597.

(R-80-) Adoption of a RESOLUTION certifying that the information contained in SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT NO. 79-03-21 and the FIRST AMENDMENT, thereto, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said supplemental report and the first amendment, thereto, have been reviewed and considered by the Council;

Subitem b: Introduced, to be adopted November 19, 1979.

(R-80-) INTRODUCTION of an ORDINANCE for R-2A Zoning;

Subitem c: Appeal Denied as Resolution R-250598.

(R-80-) 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; and

ITEM 335 continued:

Subitem d: Adopted as Resolution R-250598.

(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 SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT NO. 79-03-21 and the FIRST AMENDMENT, thereto.

Hearing began 3:47 p.m.
Hearing halted 4:09 p.m.

Councilmember Schnaubelt entered 3:47 p.m.

Councilmember Williams entered 3:55 p.m.

Councilmember Lowery entered 3:59 p.m.

Testimony given in favor by D. A. Gaouette.

Testimony given in opposition by Marilyn Polk, and Rachel Sargastti.

Motion by O'Connor to close hearing, adopt (a), introduce (b), deny appeal and grant the permit (c), and adopt (d).
Second by Gade.
Passed unanimously.

ITEM S-405

(Continued from the Meeting of October 29, 1979 due to lack of time.) Two Resolutions relative to the CONSTRUCTION OF HORTON PLAZA INTERCEPTOR SEWER AND BROADWAY WATER MAIN REPLACEMENT:

Subitem a: Adopted as Resolution R-250600.

(R-80-739) AWARDING A CONTRACT to Ham Bros. Construction, Inc. for said construction for the sum of \$1,033,561; authorizing the EXPENDITURES of \$943,784 from the SEWER REVENUE FUND 41506 and \$341,363 from WATER REVENUE FUND 41502 for said project and related costs; authorizing the CITY AUDITOR AND COMPTROLLER to TRANSFER \$375,784 within Sewer Revenue Fund 41506 from the UNALLOCATED RESERVE (70697) to SEWER CONSTRUCTION OUTLAY (70492).

ITEM S-405 continued:

Subitem b: Adopted as Resolution R-250601.

(R-80-740) Authorizing the use of CITY FORCES to do all the work to make connections and perform operational checks as required for said project; cost of said work shall not exceed \$84,200.

Motion by Killea to adopt.
Second by Stirling.
Passed unanimously.

ITEM S-411 Filed.

(Continued from the Meetings of October 23 and 30, 1979 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 1981 BUDGET.

By common consent, Item was filed.

ITEM S-500

(Continued from the Meeting of October 30, 1979 due to lack of time.) Matter of REZONING PARCEL 3, PARCEL MPA NO.4946 (approximately 4 acres), located on the west side of Alta View Drive between Casey Street and Tooma Street, in the South Bay Terraces Community Plan area, from ZONE R-1-5 to ZONE R-2A.

(CASE NO. 32-79-2)

Subitem a: Adopted as Resolution R-250602.

(R-80-638) Adoption of a RESOLUTION certifying that the information contained in SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT NO. 76-09-49S7 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Supplemental Report has been reviewed and considered by the Council;

Subitem b: Introduced, to be adopted November 19, 1979.

(0-80-79) INTRODUCTION of an ORDINANCE for R-2A Zoning; and

ITEM S-500 continued:

Subitem c: Adopted as Resolution R-250603.

(R-80-) Adoption of a RESOLUTION containing the findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT NO. 76-09-49S7.

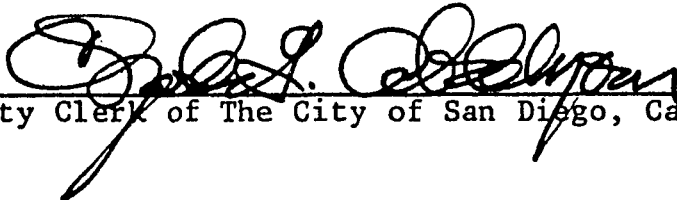
Hearing began 4:11 p.m.
Hearing halted 4:13 p.m.

No testimony given in favor or in opposition.

Motion by Williams to adopt.
Second by Schnaubelt.
Passed unanimously.

UNANIMOUS
CONSENT #4

Meeting adjourned at 4:14 p.m. by Mayor Wilson in memory of Cliff Kirk, television newscaster of KGTV, Channel 10.



City Clerk of The City of San Diego, California