

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, DECEMBER 18, 1979
AT 8:30 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Wilson at 8:50 a.m. A recess was called by Mayor Wilson at 8:51 a.m. to meet as the Redevelopment Agency.

The meeting reconvened at 2:25 p.m. by Mayor Wilson with Councilmember Stirling not present. A recess was called by Mayor Wilson at 2:31 p.m. to meet as the Redevelopment Agency. Mayor Wilson reconvened the meeting at 3:36 p.m. with Councilmember Stirling not present. Mayor Wilson adjourned the meeting at 7:03 p.m. to meet in Executive Session at 10:30 a.m., Wednesday, December 19, 1979 in the 11th floor conference room on pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Wilson-present.
- (1) Councilmember Mitchell-present.
- (2) Councilmember Cleator-present.
- (3) Councilmember Lowery-present.
- (4) Councilmember Williams-present.
- (5) Councilmember Schnaubelt-present.
- (6) Councilmember Gotch-present.
- (7) Councilmember Stirling-not present.
- (8) Councilmember Killea-present.

Clerk-Mutascio (kb,eb)

CITY COUNCIL AGENDA:

ITEM-300: Assistant City Clerk Mutascio called the roll:

Mayor Wilson-present.
Councilmember Mitchell-present.
Councilmember Cleator-present.
Councilmember Lowery-present.
Councilmember Williams-present.
Councilmember Schnaubelt-present.
Councilmember Gotch-present.
Councilmember Stirling-not present.
Councilmember Killea-present.

ITEM-152: (0-80-166)

Amending Chapter II, Article 6 of the San Diego Municipal Code by ADDING SECTION 26.17 relating to the CREATION of an AGRICULTURAL COMMISSION.

(Initiated by the PUBLIC FACILITIES AND RECREATION COMMITTEE on 11-1-79. Recommendation to INTRODUCE. Districts 1, 5, 7 and 8 voted yea. District 6 not present.)

CITY COUNCIL ACTION: (Tape location: 218)

Continued to January 7, 1979.

MOTION BY SCHNAUBELT TO CONTINUE TO JANUARY 7, 1980, DUE TO LACK OF TIME. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator- yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-203: Two Resolutions relative to the FINAL SUBDIVISION MAP of MAYBERRY TRACT, a one-lot subdivision located northeast of Clairemont Drive and Hartford Street:

(DISTRICT-6)

Subitem-A: (R-80-461)

Authorizing the CITY MANAGER to execute an AGREEMENT with Meridian Financial, for the installation and completion of improvements; and

Subitem-B: (R-80-460)

APPROVING THE FINAL MAP.

CITY COUNCIL ACTION: (Tape location: 140 - 162)

Subitem-A adopted as Resolution R-250871.

Subitem-B adopted as Resolution R-250872.

MOTION BY SCHNAUBELT TO ADOPT ITEMS 203 AND 204. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-nay. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-204: (R-80-526)

(Continued from the Meetings of October 1 and November 19, 1979 at the applicant's request.)

VACATING a portion of ILLION STREET, GESNER STREET, and ALLEY in BLOCK 116 of MAP-809.

(A subdivision map is required. Morena Community Area. DISTRICT-6.)

CITY COUNCIL ACTION: (Tape location: 005 and 140 - 162)

Adopted as Resolution R-250873.

MOTION BY SCHNAUBELT TO ADOPT ITEMS 203 AND 204. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-nay. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-206: (R-80-1031)

Authorizing the Executive Director of the Housing Commission to execute an AGREEMENT with the San Ysidro Urban Council pursuant to which the Commission shall loan not to exceed \$12,500 to the Urban Council for the purpose of SECURING an option to purchase a privately-owned 1.66 acre parcel adjacent to the City-owned site at Coronado and Beyer Boulevard, and pursuant to which agreement the Urban Council shall be GRANTED not to exceed \$7,500 for the purpose of SECURING preliminary ENGINEERING and ARCHITECTURAL SERVICES for the DEVELOPMENT of a low-income housing project on the property at Coronado and Beyer Boulevard; authorizing the TRANSFER of \$20,000 from FUND 18513 CDBG Third Year for the purposes of said agreement.

(San Ysidro Community Area. DISTRICT-8.)

NOTE: See Housing Commission Report HCR-79-012CC.

CITY COUNCIL ACTION: (Tape location: 118)

Adopted as Resolution R-250874.

MOTION BY KILLEA TO ADOPT. Second by Lowery. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not present. Schnaubelt-nay. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-207: Four Resolutions relative to AGREEMENTS with CH2M Hill, Inc., Lowry and Associates, Boyle Engineering Corporation, John Carollo Engineers and Rick Engineering Company, in connection with the South Bay Wastewater System and related facilities:

(Various Community Areas. DISTRICT-2 and DISTRICT-8.)

Subitem-A: (R-80-925)

Authorizing the City Manager to execute an AMENDMENT to TASK ORDER NO. 4 - Point Loma Accelerated Projects design at a cost of \$40,296.

Subitem-B: (R-80-1028)

Authorizing the City Manager to proceed with a SECOND AMENDMENT to TASK ORDER NO. 4 - Point Loma Accelerated Projects designed at a cost not to exceed \$331,000.

Subitem-C: (R-80-1029)

Authorizing the City Manager to proceed with an AMENDMENT to TASK ORDER NO. 5 - to Amend the Modification of the Secondary Treatment Requirements by adding the anticipated public hearings conducted by the EPA and providing for additional funds to pay for unanticipated cost overruns that occurred in preparation of the application for the modification of the secondary treatment requirement of Public Law 92-500.

Subitem-D: (R-80-1027)

Authorizing the City Manager to proceed with TASK ORDER NO. 8 - Public Participation Program.

NOTE: See City Manager Report CMR-79-790.

CITY COUNCIL ACTION: (Tape location: 275)

Subitem-A adopted as Resolution R-250875.
Subitem-B adopted as Resolution R-250876.
Subitem-C adopted as Resolution R-250877.
Subitem-D adopted as Resolution R-250878.

MOTION BY KILLEA TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-not present. Cleator-yea. Lowery-not present. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-208: (R-80-1064)

Approving the WORK PROGRAM and BUDGET for the MARINA/COLUMBIA RESIDENTIAL PROJECT; authorizing the CITY AUDITOR to transfer the sum of \$3,680,000 from Community Development Block Grant Fund No. 18515 to the Redevelopment Agency as an advance to be repaid from tax increments or other project revenues; authorizing the Executive Director of the Agency or his designee to expend the sum of \$3,680,000 from Community Development Block Grant Fund No. 18515 for the purpose of implementing the Marina/Columbia Residential Project.

(Centre City Community Area. DISTRICT-8.)

NOTE: See City Manager Report CMR-79-793.

CITY COUNCIL ACTION: (Tape location - 276)

Adopted as Resolution R-250879.

MOTION BY KILLEA TO ADOPT. Second by Gotch. Passed by the following vote: Mitchell-not present. Cleator-yea. Lowery-not present. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-209: (R-80-1030)

Approving that plan to mitigate potential ADVERSE EFFECTS to tenants from EXCESSIVE RENTAL INCREASES which may result from the City's housing rehabilitation program.

NOTE: See Housing Commission Report HCR-79-010CC.

CITY COUNCIL ACTION: (Tape location: 277)

Adopted as Resolution R-250880.

MOTION BY KILLEA TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-not present. Cleator-yea. Lowery-not present. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-330: (Continued from the Meeting of December 4, 1979 for further review by the Planning Department at the request of Councilman Cleator.)

APPEAL of BALBOA DEVELOPMENT CO., INC., by F. E. Hollow, from the decision of the OLD SAN DIEGO PLANNED DISTRICT REVIEW BOARD in denying their application, under CASE-7917, for a building permit to construct a 40,000 square-foot condominium/office building on the property bounded by San Diego Avenue, Hortensia Street and I-5, in the Old San Diego Planned District.

(DISTRICT-2)

(CASE-OSD7917)

(Planning Department recommended APPROVAL of the application subject to Board review of the Environmental assessment; was opposition. The Old San Diego Planned District Review Board voted 6-1 to DENY the application.)

Today's action is:

Subitem-A: (R-80-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-79-09-12 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.

NOTE: Hearing open, testimony taken on 12-4-79. District 4 and Mayor not present.

CITY COUNCIL ACTION: (Tape location: 120)

Filed.

MOTION BY KILLEA TO FILE SINCE APPLICANT WITHDREW APPEAL. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-331: Matter of REZONING LOT 33 and a portion of LOT 34, RANCHO MISSION OF SAN DIEGO and a portion of PUEBLO LOT 1109 of the PUEBLO LANDS OF SAN DIEGO, MISCELLANEOUS MAP-36 (approximately 50.4 acres), located on the north and south sides of Friars Road and east of I-805, in the Serra Mesa Community Plan and East Mission Valley Community Plan areas, from ZONE R-1-40 (portion in HR Zone) to ZONES R-3, CN and M-1B.

(DISTRICT-5)

(CASE-43-79-7)

(Planning Department recommended APPROVAL of M-1B Zoning on a reduced area and APPROVAL of CN and R-3 Zoning; was opposition. Planning Commission voted 5-0 to APPROVE M-1B Zoning on a reduced area and to APPROVE CN and R-3 Zoning subject to the recordation of a final subdivision map or maps within two years.)

Today's action is:

Subitem-A: (R-80-976)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT END-79-07-35 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: (0-80-177)

INTRODUCTION of an ORDINANCE for M-1B, CN and R-3 Zoning;
and

Subitem-C: (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 END-79-07- 35.

CITY COUNCIL ACTION: (Tape location: 120)

Subitem-A adopted as Resolution R-250881.
Subitem-B introduced, to be adopted January 7, 1980.
Subitem-C adopted as Resolution R-250882.

Hearing began 4:24 p.m. and halted at 4:30 p.m.

MOTION BY SCHNAUBELT TO CLOSE THE HEARING: ADOPT SUBITEM A: INTRODUCE ORDINANCE FOR M-1B, CN AND R-3 ZONING; AND ADOPT SUBITEM C WITH APPROPRIATE FINDINGS AS MADE BY THE PLANNING DEPARTMENT. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams - not present. Schnaubelt-yea. Gotch-nay. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-332: (R-80-1069)

Approving the ANNUAL REPORT and AUDIT by the REDEVELOPMENT AGENCY submitted pursuant to SECTION 33.080.1 of the State Health and Safety Code; directing the CITY MANAGER to forward a copy to the State Department of Housing and Community Development.

CITY COUNCIL ACTION: (Tape location: 073)

Adopted as Resolution R-250883.

MOTION BY LOWERY TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-333: (Continued from the Meeting of November 13, 1979 at the appellant's request.)

APPEAL of BOB and PATRICIA SCHAECHLIN, from the decision of the PLANNING COMMISSION in DENYING their application for a CONDITIONAL USE PERMIT to move three (3) designated historical site buildings to a 14,175 square foot parcel to be utilized as seven dwelling units with parking and landscaping in the R-2 ZONE. The subject property is located on the west side of La Jolla Boulevard between Dunemere Drive and Arenas Avenue and is more particularly described as LOTS 2 and 4, and a portion of LOT 6, BLOCK 10, SOUTH LA JOLLA FIRST ADDITION, MAP-891.

(DISTRICT-1)

(CUP-573-PC)

(Planning Department recommended APPROVAL of the permit; was opposition. Planning Commission voted 4-2 to DENY the permit.)

Today's action is:

Subitem-A: (R-80-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-79-04-32 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: (R-80-)

Adoption of a RESOLUTION granting or denying the appeal and the permit, with appropriate findings to support Council action.

NOTE: Hearing open, no testimony taken on 11-13-79.

CITY COUNCIL ACTION: (Tape location: 076 - 117)

Subitem-A adopted as Resolution R-250884.
Subitem-B appeal granted as Resolution R-250885.

Hearing began 3:39 p.m. and halted 4:20 p.m.

Testimony in favor by James Milch, Barbara Dawson, William Kellogg, and James Barry. Testimony in opposition by Philip Mattson, William Porter, Diane Sternbach, Marjorie McNair, Jack Frazier, Andrew Wright and Cita Barry.

MOTION BY MITCHELL TO CLOSE THE HEARING; ADOPT RESOLUTION - SUBITEM A; AND ADOPT RESOLUTION GRANTING THE APPEAL AND THE PERMIT - SUBITEM B. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

01741

ITEM-334: Two Resolutions relative to PAVING and otherwise improving LYDIA STREET between Hopkins Street (improved portion) and Hopkins Street (unimproved portion) - on Resolution of Intention R-250452: (1911 Street Improvement Act.)

Today's action is:

Subitem-A: (R-80-)

Adoption of an 8 vote RESOLUTION OF FEASIBILITY; and

Subitem-B: (R-80-623)

Adoption of a RESOLUTION ORDERING WORK and directing NOTICE INVITING BIDS.

(Paradise Hills Community Area. DISTRICT-4.)

CITY COUNCIL ACTION: (Tape location: 198 - 202)

Filed. Proceedings abandoned by Resolution R-250899.

Hearing began 5:46 p.m. and halted 6:00 p.m.

Testimony in opposition by Donald Schroeder and Joe Thielicker.

MOTION BY WILLIAMS TO CLOSE THE HEARING AND FILE. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-335: Three Resolutions relative to PAVING and improving MIRAMAR ROAD between I- 805 and AT&SF Railway crossing and EASTGATE MALL between I-805 and Miramar Road by the installation of SEWER AND WATER MAINS - on Resolution of Intention R-250499:

(1911 Street Improvement Act.)

Today's action is:

Subitem-A: (R-80-676)

Certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-73-1-013C, as amended, 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: (R-80-)

Adoption of an 8 vote RESOLUTION OF FEASIBILITY; and

Subitem-C: (R-80-675)

Adoption of a RESOLUTION ORDERING WORK and directing NOTICE INVITING BIDS.

(Mira Mesa Community Area. DISTRICT-1.)

CITY COUNCIL ACTION: (Tape location: 181 - 195)

Subitem-A adopted as Resolution R-250886.

Subitem-B adopted as Resolution R-250887

Subitem-C adopted as Resolution R-250888

Hearing began 5:24 p.m. and halted 5:38 p.m.

MOTION BY SCHNAUBELT TO CLOSE THE HEARING AND ADOPT RESOLUTIONS - SUBITEMS A, B AND C. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-336: Matter of REZONING portions of SECTIONS 2 and 3, TOWNSHIP 15 SOUTH, RANGE 2 WEST, S.B.B.M. and portions of SECTIONS 34 and 35, TOWNSHIP 14 SOUTH, RANGE 2 WEST, S.B.B.M. (approximately 240 acres), located on the southeast side of Pomerado Road between Avenida Magnifica and Semillon Boulevard, in the Scripps Miramar Ranch Community Plan area, from ZONE R-1-40 to ZONE R-1-20.

(DISTRICT-7)

(CASE-41-79-3)

(Planning Department recommended APPROVAL of R-1-20 Zoning; no opposition. Planning Commission voted 5-0 to APPROVE R-1-20 Zoning subject to the recordation of a final subdivision map or maps within two years.)

Subitem-A: (R-80-977)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-79-04-45 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: (O-80-178)

INTRODUCTION of an ORDINANCE for R-1-20 Zoning; 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 EIR-79-04- 45.

CITY COUNCIL ACTION: (Tape location: 128-138 and 163-174)

Subitem-A adopted as Resolution R-250889.

Subitem-B introduced, to be adopted January 7, 1980.

Subitem-C adopted as Resolution R-250890.

Hearing began 4:31 p.m. Hearing recessed 4:41 p.m. and resumed 5:06 p.m. Hearing halted 5:18 p.m.

MOTION BY LOWERY TO CLOSE THE HEARING; ADOPT RESOLUTION - SUBITEM A; INTRODUCE ORDINANCE FOR R-1-20 ZONING, TO BE ADOPTED JANUARY 7, 1980 - SUBITEM B; AND ADOPT RESOLUTION - SUBITEM B; AND DIRECT STAFF TO PROVIDE FOR A TEMPORARY SIGNAL AT WILLOW CREEK ROAD AND POMERADO ROAD WITH FUNDS FROM SCRIPPS RANCH COST RECOVERY FUND. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-337: APPEAL of STEPHENIE ZINOVOY from the decision of the PLANNING COMMISSION in DENYING PRELIMINARY PARCEL MAP PM-79-436, which proposes a two-lot division of LOT 3, SORRENTO ESTATES, MAP 8735. The subject property is located on the south side of Arroyo Sorrento Road, east of Tierra Del Sur in the A-1-1 (HR) ZONE and within the boundaries of the Progress Guide and General Plan.

(DISTRICT-1)

(P.M. 79-436)

(Planning Department recommended DENIAL of the preliminary parcel map; no opposition. Planning Commission voted 3-2 to APPROVE the preliminary map. Due to the lack of four affirmative votes, this is deemed a DENIAL of the preliminary parcel map.)

Today's action is:

Subitem-A: (R-80-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-79-09-23 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 parcel map with appropriate findings to support Council action.

CITY COUNCIL ACTION: (Tape location: 003)

Continued to January 22, 1980.

MOTION BY CLEATOR TO CONTINUE TO JANUARY 22, 1980 AT APPLICANT'S REQUEST. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-338: (R-80-)

(Continued from the Meeting of December 4, 1979 at the appellant's request.)

APPEALS of CYNTHIA GULLICKSON and SANDRA McGOWAN from the decision of the PLANNING COMMISSION in GRANTING CONDOMINIUM CONVERSION PERMIT CCP-4, which proposes the conversion of RUF N' READY APARTMENTS to condominiums. The subject property is located on the east side of Ruffin Road between Success Avenue and Gramercy Drive, in the CO Zone and within the boundaries of the Serra Mesa Community Plan, and is more particularly described as PARCEL 1, PARCEL MAP-3876.

(DISTRICT-5)

(CCP No. 4)

(Planning Department recommended APPROVAL of the permit; was opposition. Planning Commission voted 6-0 to approve the permit.)

Today's action is adoption of a RESOLUTION granting the appeal and denying the permit, or denying the appeal and granting the permit with appropriate findings to support Council action.

Hearing open, testimony taken on 12-4-79. Districts 1, 5 and Mayor not present.

CITY COUNCIL ACTION: (Tape location: 218-253)

Appeal denied as Resolution R-250891.

Hearing began 6:01 p.m. and halted 6:36 p.m.

Testimony in favor by Sandra McGowan and Cynthia Gullickson.

Lowery out 6:26.

Testimony in opposition by Alan Perry.

MOTION BY SCHNAUBELT TO CLOSE THE HEARING AND ADOPT RESOLUTION DENYING THE APPEAL AND GRANTING THE PERMIT AND ADOPT ITEM 341. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-not present. Williams-not present. Schnaubelt-yea. Gotch-nay. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-339: Matter of REZONING portions of SECTIONS 26 and 35, TOWNSHIP 14 SOUTH, RANGE 3 WEST, S.B.B.M. (approximately 383 acres), located west of Montongo Street between Penasquitos Canyon and Mira Mesa Boulevard, in the Mira Mesa Community Plan area, from ZONE A-1-10 (portions in HR ZONE) to ZONE R-1-5 and requesting over-height slopes.

(DISTRICT-1)

(CASE-60-79-11)

(Planning Department recommended APPROVAL of R-1-5 Zoning; was opposition. Planning Commission voted 6-0 to APPROVE R-1-5 Zoning subject to the recordation of a final subdivision map or maps within two years.)

Today's action is:

Subitem-A: (R-80-978)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-79-01-28 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: (O-80-179)

INTRODUCTION of an ORDINANCE for R-1-5 Zoning; 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 EIR-79-01- 28.

CITY COUNCIL ACTION: (Tape location: 175-180)

Subitem-A adopted as Resolution R-250892.

Subitem-B introduced Ordinance, to be adopted January 7, 1980.

Subitem-C adopted as Resolution R-250893.

Hearing began 5:19 p.m. and halted 5:23 p.m.

MOTION BY SCHNAUBELT TO CLOSE THE HEARING: ADOPT RESOLUTION - SUBITEM A; INTRODUCE ORDINANCE FOR R-1-5 ZONING; AND ADOPT RESOLUTION - SUBITEM C. Second by Lowery. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-nay. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-340: APPEAL of the CITY ENGINEER, by William Schempers, Jr., from the decision of the PLANNING COMMISSION in APPROVING PRELIMINARY PARCEL MAP PM-79-318, which proposes a three-lot division of a portion of PUEBLO LOT 1288, MISCELLANEOUS MAP-36. The subject property is located at the southeast corner of Ardath Road and Hidden Valley Road in the SINGLE-FAMILY ZONE and within the boundaries of the La Jolla Shores Planned District.

(COUNCIL DISTRICT 1)

(P.M. 79-318)

(Planning Department recommended APPROVAL of the preliminary parcel map; no opposition. Planning Commission voted 6-0 to APPROVE the preliminary parcel map with changes.)

Today's action is:

Subitem-A: (R-80-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-79-07-23 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 preliminary parcel map, or denying the appeal and granting the preliminary parcel map with appropriate findings to support Council action.

CITY COUNCIL ACTION: (Tape location: 254-274)

Continued to January 7, 1980, 2:00 p.m. Time Certain.

Hearing began 6:38 p.m. and halted 6:58 p.m.

Testimony in favor by William Schempers, Jr.

MOTION BY WILLIAMS TO CONTINUE TO JANUARY 7, 1980, 2:00 P.M. TIME CERTAIN AT HIS REQUEST. Second by Cleator. Passed by the following vote: Mitchell- not present. Cleator-yea. Lowery-not present. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-341: (R-80-1063)

APPROVING THE FINAL MAP of RUF N' READY CONDOMINIUMS, a subdivision
of PARCEL 1 of PARCEL MAP-3876.

CITY COUNCIL ACTION: (Tape location: 218-253)

Adopted as Resolution R-250894.

MOTION BY SCHNAUBELT TO CLOSE THE HEARING (ITEM 338); ADOPT RESOLUTION
DENYING THE APPEAL; AND ADOPT RESOLUTION - ITEM 341, APPROVING THE
FINAL MAP. Second by Cleator. Passed by the following vote: Mitchell-yea.
Cleator-yea. Lowery-not present. Williams-not present. Schnaubelt-yea.
Gotch-nay. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-342: Two Resolutions relative to portions of PUEBLO LOTS 1303 and 1307:

Subitem-A: (R-80-1000)

FINDINGS MUST BE MADE PRIOR TO COUNCIL ADOPTION.

Determining and declaring that the public interest, convenience and necessity require the construction, operation and maintenance of a PUBLIC SEWER OR SEWERS and all appurtenances thereto; and that the public interest, convenience and necessity demand the acquisition of easements in said property for said PUBLIC SEWER OR SEWERS and all appurtenances thereto, and declaring the intention to acquire said easements under EMINENT DOMAIN PROCEEDINGS; directing the CITY ATTORNEY to commence action for the purpose of CONDEMNING and ACQUIRING said easements; and

(Six votes required.)

Subitem-B: (R-80-1001)

Authorizing the EXPENDITURE of \$47,250 out of CIP FUND 58-002 for the purpose of ACQUIRING said EASEMENTS required for SEWER and DRAINAGE purposes.

NOTE: See City Manager Report CMR-79-782.

CITY COUNCIL ACTION: (Tape location: 195 and 202)

Subitem-A adopted as Resolution R-250895.

Subitem-B adopted as Resolution R-250896

Accepting Deed of H. L. Summers, Inc. adopted as Resolution R-250897.

MOTION BY SCHNAUBELT TO ADOPT RESOLUTIONS - SUBITEMS A AND B. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

MOTION BY SCHNAUBELT TO ADOPT RESOLUTION ACCEPTING THE DEED OF H.L. SUMMERS, INC. FOR PORTION OF PUEBLO LOT 1303 FOR SEWER EASEMENT. Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-not present. Lowery-not present. Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ITEM-S400: (R-80-886)

(Continued from the meeting of December 10, 1979, at Councilman Stirling's request.)

AWARDING A CONTRACT to Environmental Care, Inc. for COMPLETE LANDSCAPE MAINTENANCE OF TWO CITY COMMUNITY PARKS as may be required for a period ending November 30, 1980, for the total cost, including terms, of \$81,087.45, with an option to renew for two additional one-year periods.

CITY COUNCIL ACTION: (Tape location: 278)

Adopted as Resolution R-250900.

MOTION BY GOTCH TO ADOPT. Second by Killea. Passed by the following vote: Mitchell-not present. Cleator-yea. Lowery-not present. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

ADJOURNMENT:

Adjourned by Mayor Wilson at 7:03 p.m. to meet in Executive Session at 10:30 a.m., Wednesday, December 19, 1979 in the 11th floor conference room on pending litigation.



City Clerk of the City of San Diego, California