

Aug-11-1981

FILE: MINUTES

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, AUGUST 11, 1981
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 8:37 a.m. The meeting was recessed by Deputy Mayor Mitchell at 11:09 a.m.

The meeting was reconvened by Deputy Mayor Mitchell at 11:21 a.m. with Councilmember Cleator not present. The meeting was recessed by Deputy Mayor Mitchell at 11:33 a.m. and immediately convened as the Special Joint Council Meeting with the Redevelopment Agency.

The meeting was reconvened by Deputy Mayor Mitchell at 2:11 p.m. with Councilmember Williams and Mayor Wilson not present. The meeting was recessed by Deputy Mayor Mitchell at 2:15 p.m. The meeting was reconvened by Mayor Wilson at 2:16 p.m. as the Special Joint Council Meeting with the Redevelopment Agency. The meeting was adjourned by Mayor Wilson at 2:44 p.m. and immediately reconvened as the Council. The meeting was recessed by Mayor Wilson at 3:24 p.m. The meeting was reconvened by Deputy Mayor Mitchell at 3:42 p.m. with Councilmember Williams and Mayor Wilson not present. The meeting was adjourned by Deputy Mayor Mitchell at 4:47 p.m. into Closed Session on pending litigation in the Twelfth Floor Conference Room.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Wilson-present.
 - (1) Councilmember Mitchell-present.
 - (2) Councilmember Cleator-present.
 - (3) Councilmember Golding-present.
 - (4) Councilmember Williams-present.
 - (5) Councilmember Schnaubelt-present.
 - (6) Councilmember Gotch-present.
 - (7) Councilmember Murphy-present.
 - (8) Councilmember Killea-present.
- Clerk-Abdelnour (mp/jb)

Aug-11-1981 ITEM-1:

FILE: MINUTES

DESCRIPTION:

Clerk Abdelnour called the roll:

Mayor Wilson-present.

Councilmember Mitchell-not present.

Councilmember Cleator-present.
Councilmember Golding-present.
Councilmember Williams-not present.
Councilmember Schnaubelt-present.
Councilmember Gotch-present.
Councilmember Murphy-present.
Councilmember Killea-present.

Aug-11-1981 ITEM-204:

DESCRIPTION: (R-82-146) Authorizing the CITY MANAGER to execute a SPECIAL US PERMIT for a CONCERT by the BEACH BOYS to be held on FIESTA ISLAND on September 26, 1981.

FILE: MEET

COUNCIL ACTION:

(Tape location: A081-360).

Deny the permit and file the resolution.

MOTION BY MURPHY TO DENY THE REQUEST FOR A PERMIT. Second by Killea.
Passed

by the following vote: Mitchell-yea. Cleator-yea. Golding-yea.

Williams-yea. Schnaubelt-nay. Gotch-yea. Murphy-yea. Killea-yea. Mayor
Wilson-nay.

Aug-11-1981 ITEM-310:

DESCRIPTION: Welcoming a group of Japanese citizens from various cities in Japan. This group is in San Diego to attend a seminar on Intercultural Communications sponsored by the United Nations Association. The visitors from Yokohama will present a letter from Mayor Saigo.

FILE: MEET

COUNCIL ACTION:

(Tape location: F006-067).

Welcomed.

Aug-11-1981 ITEM-330:

DESCRIPTION: (Continued from the Meeting of July 14, 1981 at Councilmember Golding's request.) 1. Amend the Municipal Code of The City of San Diego by Adding Chapter X, Article 3, Division 7, The Golden Hill Planned District Regulations; 2. Apply the provisions of Chapter X, Article 3, Division 7, The Golden Hill Planned District Regulations to the Greater Golden Hill Community Planning Area; and 3. Repeal the existing land use zones within the subject Golden Hill Planned District. (DISTRICT-8.)

Subitem-A: (R-81-2310)

Adoption of a RESOLUTION certifying that the information contained in

ENVIRONMENTAL IMPACT REPORT EIR-76-11-04.1 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-81-262)

INTRODUCTION of an ORDINANCE amending the Municipal Code.

Subitem-C: (R-81-2313)

Adoption of a RESOLUTION approving the Golden Hill Design Criteria and Guidelines.

Subitem-D: (R-81-)

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-76-11-04.1.

FILE: LAND The Golden Hill Planned District

COUNCIL ACTION:

(Tape location: A361-D290;D300-405)

Subitem-A adopted as Resolution R-254795.

Subitem-B introduced as amended, to be adopted August 24, 1981.

Subitem-C adopted as Resolution R-254796.

Subitem-D adopted as Resolution R-254797.

Subitem-E adopted as Resolution R-254965 (R-82-286) Directing the Planning Department to prepare and present to the Council an in-depth study of implementation of the plan at the end of five years.

Hearing began at 9:05 a.m. and halted at 11:09 a.m. Hearing resumed at 11:21

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Testimony in favor by W. R. Effinger, Michael Sterns, and John McCarthy.

Testimony in opposition by Jim Williams, W. R. Effinger, and Marshall Ward.

Councilmember Williams entered at 9:07 a.m.

Motion by Cleator to grant Mr. Effinger ten additional minutes for testimony in opposition. Second by Murphy. Passed by the following vote: Yeas-1, 2, 3, 4, 5, 6, 7, 8. Nays-None. Not present-M.

MOTION BY KILLEA TO CLOSE THE HEARING, ADOPT SUBITEMS A, C, AND D, INTRODUCE

SUBITEM-B, AND DIRECT THE PLANNING DEPARTMENT BY WAY OF A RESOLUTION TO

PREPARE AND PRESENT TO THE COUNCIL AN IN-DEPTH STUDY OF

IMPLEMENTATION OF THE
PLAN AT THE END OF FIVE YEARS AND TO PROVIDE THE COUNCIL AT THAT TIME
WITH

AMPLE TIME FOR REVIEW AND EVALUATION. Second by Gotch. Passed by the
following vote: Mitchell-yea. Cleator-nay. Golding-yea. Williams-yea.
Schnaubelt-nay. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not
present.

MOTION BY KILLEA TO RECONSIDER ITEM 330 AT MR. EFFINGER'S REQUEST.

Second by

Golding. Passed by the following vote: Mitchell-yea. Cleator-not present.

Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea.

Killea-

yea. Mayor Wilson-not present.

MOTION BY KILLEA TO AMEND SECTION 2., PAGE 35, OF THE ORDINANCE BY
REPLACING

JULY 28, 1981, WITH JULY 29, 1981. Second by Golding. Passed by the
following vote: Mitchell-yea. Cleator-not present. Golding-yea.

Williams-

yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor

Wilson-

not present.

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Aug-11-1981 ITEM-331:

DESCRIPTION: (Continued from the Meeting of July 28, 1981 at Councilmember
Murphy's request.) REZONING LOTS G through L, BLOCK 353, HORTON'S ADDITION
LOCKLING and a portion of REDWOOD STREET CLOSED (approximately 34,000 sq.
ft.), located on the west side of Fourth Avenue between Spruce and Quince
Streets, in the Uptown Community Plan area, from ZONE R-4 to ZONES R-1-40 and
CO or ZONES R-1-40 and R-3A. (Case-5-81-030 - City-initiated. DISTRICT-8.)

Subitem-A: (R-82-1)

Adoption of a RESOLUTION certifying that the information contained in
ENVIRONMENTAL NEGATIVE DECLARATION END-81-03-47C 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.

Subitem-B: (O-82-2)

INTRODUCTION of an ORDINANCE for R-1-40 and CO Zoning.

FILE: ZONE 8/11/81

COUNCIL ACTION:

(Tape location: A035-080)

Continued to August 18, 1981.

MOTION BY KILLEA TO CONTINUE TO AUGUST 18, 1981, IN THE AFTERNOON AT

JOYCE

BEER'S REQUEST. Second by Gotch. Passed by the following vote:
Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea.
Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-yea.

Aug-11-1981 ITEM-332:

DESCRIPTION: Two PROPOSALS relative to the OTAY MESA-NESTOR COMMUNITY PLAN:

FILE:

DESCRIPTION:

a - Proposal to adopt the amendment to the OTAY MESA-NESTOR COMMUNITY PLAN.

The proposed amendment includes the following: 1) Revision of the study area boundaries by extending the southerly boundary located westerly of I-5 to a line approximately 1,000 feet north of Sunset Avenue. The present boundary is Leon Street. 2) Redesignation of the 18-acre area located between I-5 and the railroad and south of Palm Avenue from light industrial to medium-density (15-30 dwelling units per acre) residential use. The number of overall dwelling units is increased by approximately 360. 3) Redesignation of proposed land use of the 10-acre area located north of Palm Avenue between Hollister Street and I-5 from low-density residential to convenience commercial use (CN). 4) Redesignation of three areas totalling 17 acres and located north and south of Palm Avenue and easterly of the railroad from low-density residential use (R-1-5) to low-medium density residential use (R-2). b

- Proposal to amend the Progress Guide and General Plan for the City of San Diego - to amend the Map concerning those portions covered by the proposed amendments to the Otay Mesa-Nestor Community Plan. (DISTRICT-8.)

Subitem-A: (R-82-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-04-17 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.

Subitem-B: (R-82-)

Adoption of a RESOLUTION approving the amendment to the Otay Mesa-Nestor Community Plan, to be effective when the amendment to the General Plan Map is adopted after a hearing on or about September 30, 1981.

FILE: LAND Otay Mesa-Nestor Community Plan

COUNCIL ACTION:

(Tape location: F499- G415)

Continued to August 25, 1981, 3:00 p.m.

Hearing began at 2:46 p.m. and halted at 3:24 p.m.

Testimony in favor by Ruth Schneider.

Testimony in opposition by Phil Walling and Humberto Ruiz.

MOTION BY KILLEA TO CONTINUE TO AUGUST 25, 1981, 3:00 P.M. AT HER REQUEST.

Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-not present. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-yea.

Aug-11-1981 ITEM-333:

FILE:

DESCRIPTION:

Matter of an APPEAL of CRESCENT KNOLL HOMEOWNERS ASSOCIATION, J. ANTHONY

MORAN, EVA LAW and CHARLES JARVIE, by McDonald, Hecht, Worley & Solberg, from the decision of the PLANNING COMMISSION in APPROVING PLANNED RESIDENTIAL DEVELOPMENT PRD-20-218-0 to construct two single-family dwelling units on 16,230 sq. ft. in the R-1-5 (HR) ZONE. The subject property is located north of Brant Street at Olive Street, within the boundaries of the Uptown Community Plan and is more particularly described as LOT 2 of PARCEL MAP PM-7006. (PRD-20-218-0. DISTRICT-8.)

Subitem-A: (R-82-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-77-08-21 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-82-)

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.

Subitem-C: (R-82-)

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-77-08-21.

FILE: PERM PRD-20-218-0

COUNCIL ACTION:

(Tape location: G417- I062)

Appeal denied.

Subitem-A adopted as Resolution R-254802.

Subitem-B adopted as Resolution R-254803.

Subitem-C adopted as Resolution R-254804.

Hearing began at 3:43 p.m. and halted at 4:45 p.m.

Testimony in favor by Don Worley, Clara Breed and Arlene Van de Wetering.

Testimony in opposition by Paul A. Peterson, Stephen McGill and Joyce Beers.

MOTION BY KILLEA TO CLOSE THE HEARING AND GRANT THE APPEAL, DENYING THE

PERMIT. Second by Cleator. Motion failed due to a lack of 5 affirmative votes. Planning Director's decision to approve the permit stands. Defeated by the following vote: Mitchell-nay. Cleator-nay. Golding-nay.

Williams-not present. Schnaubelt-nay. Gotch-nay. Murphy-nay. Killea-yea.

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Wilson-not present.

Aug-11-1981 ITEM-S500:

DESCRIPTION: (R-82-192) Declaring that the Council of the City of San Diego URGES President Reagan and members of Congress to REAUTHORIZE the VOTING RIGHTS ACT as it is presently written, including the MINORITY LANGUAGE PROVISIONS adopted by Congress in 1975.

COMMITTEE ACTION:

Reviewed by RULES on 8/3/81. Recommendation to ADOPT the Resolution.

Districts 1, 4 and 8 voted yea. District 2 and Mayor not present.

FILE: MEET

COUNCIL ACTION:

(Tape location: D300-309; 401-420).

Adopted as Resolution R-254798.

MOTION BY KILLEA TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-yea. Cleator-not present. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-not present.

Aug-11-1981 ITEM-CS-1:

DESCRIPTION:

(R-82-237) A Resolution adopted by the City Council in Closed Session on August 11, 1981:

Authorizing the City Manager to pay the total sum of \$6,000 in the settlement of each and every claim against The City of San Diego, its agents and employees (Superior Court Case No. 429970, TFL v. City, et al.) resulting from an overcharge of fees to TFL CO. Authorizing the City Auditor and Comptroller to issue one check in the total amount of \$6,000 made payable to TFL CO. and Frank A. Frye, III, his attorney of record, in full settlement of the lawsuit and of all claims. Authorizing the transfer of \$6,000 within the Sewer Revenue Fund (41506) from the Unallocated Reserve (70697) to Engineering Services-Sewer (70641).

FILE: (MEET) CITY_

COUNCIL ACTION: Adopted as Resolution R-254801.

Aug-11-1981 ADJOURNMENT:

FILE: MINUTES

DESCRIPTION:

By common consent the meeting was adjourned by Deputy Mayor Mitchell at 4:47 p.m.