

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, DECEMBER 7, 1982

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 9:34 a.m. The meeting was recessed by Mayor Wilson at 9:35 a.m. to meet in Closed Session in the twelfth floor conference room on pending litigation and to reconvene at 2:00 p.m. The meeting was reconvened by Chairperson Mitchell at 2:15 p.m. with Council Member Cleator and Mayor Wilson not present. Chairperson Mitchell adjourned the meeting at 4:37 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Wilson-present.
- (1) Council Member Mitchell-present.
- (2) Council Member Cleator-present.
- (3) Council Member Golding-present.
- (4) Council Member Williams-present.
- (5) Council Member Struiksma-present.
- (6) Council Member Gotch-present.
- (7) Council Member Murphy-present.
- (8) Vacant.
Clerk-Abdelnour (eb a.m.; mp p.m.)

FILE LOCATION:

MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:
Mayor Wilson-present.
Council Member Mitchell-present.
Council Member Cleator-present.
Council Member Golding-present.
Council Member Williams-present.
Council Member Struiksma-present.
Council Member Gotch-present.
Council Member Murphy-present.
District 8 - vacant.

ITEM-206: (R-83-838) ADOPTED AS RESOLUTION R-257602

Authorizing the execution of a fifty-year lease agreement
with the County of San Diego, pursuant to which the County will

operate and maintain an Adult Detention Camp on approximately 30 acres of City-owned land adjacent to Barrett Lake, with an initial rent to the City of \$200 per month.

(See City Manager Report CMR-82-499. Barrett Lake Community Area.)

FILE LOCATION:

LEAS County of San Diego (Barrett Lake)

COUNCIL ACTION: (Tape location: F122-131).

MOTION BY MURPHY TO ADOPT. Second by Struiksma. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, District 8-vacant, Mayor Wilson-not present.

ITEM-330:

19821207

(Continued from the meetings of September 28 and October 12, 1982; last continued at the Planning Department's request.)

Matter of rezoning a portion of Lot 1, Fordsville Subdivision Map-5472 (a 0.5 acre site), located on the northwest corner of Market Street and Euclid Avenue, in the Southeast San Diego Community Plan Area, from Zone M-1B to Zone M-1A.

(Case-82-0348. District-4.)

Subitem-A: (R-83-265) ADOPTED AS RESOLUTION R-257603

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-82-0348 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-83-51) INTRODUCED, TO BE ADOPTED JANUARY 3, 1983

Introduction of an Ordinance for M-1A Zoning.

FILE LOCATION:

ZONE 12/7/82

COUNCIL ACTION: (Tape location: C017-068).

Hearing began at 2:15 p.m. and halted at 2:19 p.m.

MOTION BY WILLIAMS TO CLOSE THE HEARING, ADOPT THE RESOLUTION, AND INTRODUCE THE ORDINANCE. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-not present, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, District 8-vacant, Mayor Wilson-not present.

ITEM-331:

19821207

(Continued from the meetings of October 26 and November 23, 1982; last continued at Council Member Murphy's request.)

Matters of:

1) Proposed amendment to the Navajo Community Plan. The proposed amendment would include incorporating the Mission Trails Regional Park; the Mission Trails Design District controls on development; updating open space designations to reflect the application of the HR regulations and acquisitions and deletions of open space; designating more specific density ranges for inclusion into the residential element text and map; updating designations for school and park sites and sand and gravel areas; incorporating the Mission Gorge annexation, the Mobilehome Park Overlay Zone for application to existing mobilehome parks, text and maps, current data necessary to bring various elements up to date (commercial, industrial, circulation and community facilities) and the Geologic Hazard Overlay category, adopted by City Council Resolution R-254954 on August 31, 1981.

2) 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 Navajo Community Plan.

3) Rezoning a portion of Lot 70, Rancho Mission (approximately 17.8 acres), located east of Robles Drive and north of Highwood Drive, from Zone A1-10 (portions Hillside Review) to Zone R-2.

4) Two appeals of Navajo Community Planners, Inc., by Henry Wilson, from the decision of the Planning Commission in approving: 1) Planned Residential Development PRD-82-0002, an amendment to PRD-20-141-0 to add 146 units; and 2) Tentative Map TM-82-0002, which proposes a 12-lot subdivision (Cowles Mountain Village Units 4 through 7) on the above described real property.

(Case 82-0002, PRD-82-0002 and TM-82-0002. District-7.)

Subitem-A: (R-83-504) ADOPTED AS RESOLUTION R-257604

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-82-0002 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-83-503) ADOPTED AS RESOLUTION R-257605

Adoption of a Resolution certifying that the information contained in Environmental Negative Declarations END-73-3-19C and END-80-03-33 have been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declarations have been reviewed and considered by the Council.

Subitem-C: (R-83-502) ADOPTED AS RESOLUTION R-257606

Adoption of a Resolution approving the community plan, to be effective when the amendment to the General Plan Map is adopted after a hearing on or about December 14, 1982.

Subitem-D: (O-83-77) ORDINANCE INTRODUCED, TO BE ADOPTED JANUARY 3, 1983

Introduction of an Ordinance for R-2 Zoning.

Subitem-E: (R-83-957) APPEAL DENIED AS RESOLUTION R-257607

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-F: (R-83-958) APPEAL DENIED AS RESOLUTION R-257608

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.

Subitem-G: (R-83-959) ADOPTED AS RESOLUTION R-257609

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-82-0002. "up to 12 ballfields" the Lake Murray Community Park. Hearing open, no testimony taken on 11/23/82.

FILE LOCATION: Subitems A, E & G PERM PRD-82-0002;

Subitems B & C LAND Navajo Comm. Plan;

Subitem D ZONE 12/7/82;

Subitem F SUBD Cowles Mtn. Village Units 4-7

COUNCIL ACTION: (Tape location: C070-D206).

Hearing began at 2:19 p.m. and halted at 3:14 p.m.

Motion by Murphy to deny the PRD, approve R-1-5 zoning, deny R-2 zoning, and amend the community plan to allow five to nine units per acre. Second by Mitchell. Failed. Yeas: 1,7. Nays: 2,3,4,5,6.

Not present: M. District 8- vacant.

Testimony in favor of Council Member Murphy's motion by Jack Kiefner, James McIntyre, Fred Thomas, Kent Smith, and Walt Ashborn.

Testimony in opposition of Council Member Murphy's motion by Julie Dillon.

MOTION BY STRUIKSMA TO CLOSE THE HEARING; ADOPT SUBITEMS A AND B;

APPROVE THE COMMUNITY PLAN AS AMENDED TO INCLUDE THOSE CHANGES

APPROVED AT THE OCTOBER 26, 1982, MEETING; INTRODUCE THE ORDINANCE

FOR R-2 ZONING WITH THE STIPULATION THAT THE PROVISION OF MONIES BY

THE DEVELOPER FOR PARK DEVELOPMENT AND THE LIMITATION OF 168 UNITS

IN THE COMMUNITY PLAN WOULD BE A CONDITION OF THE MAP; DENY THE

APPEAL AND GRANT THE PERMIT; DENY THE APPEAL AND GRANT THE MAP; AND

ADOPT SUBITEM G. Second by Williams. Passed by the following vote:

Mitchell- nay, Cleator-yea, Golding-yea, Williams-yea,

Struiksma-yea, Gotch-yea, Murphy-nay, District 8-vacant, Mayor

Wilson-not present.

ITEM-332:

19821207

Matters of:

1) Rezoning portions of Pueblo Lots 1316, 1317, 1318, 1321 and 1351, Miscellaneous Map No. 36 (approximately 233 acres), located west and adjacent to I-805, south of the AT&SF Railroad right-of-way and generally north of Eastgate Mall, in the University Community Plan area, from Zone R-1-5 (portions HR) to Zones M-LI and SR.

(Case-5-81-106. District-1.)

2) Two appeals of La Jolla Mesa Estates, Playmor La Jolla and Genesee Vista Homeowners Associations, by Norma Carey, Representative, from the decision of the Planning Commission in approving: a) Planned Industrial Development Permit PID-82-0172 which proposes a 16-lot industrial park development and b) Tentative Map TM-82-0172 which proposes the subdivision located on the above described real property.

Subitem-A: (R-83-688) REFERRED TO PLANNING AND PROPERTY DEPARTMENTS

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-81-12-31 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-83-96) REFERRED TO PLANNING AND PROPERTY DEPARTMENTS

Introduction of an Ordinance for M-LI and SR Zoning.

Subitem-C: (R-83-) REFERRED TO PLANNING AND PROPERTY DEPARTMENTS

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-D: (R-83-) REFERRED TO PLANNING AND PROPERTY DEPARTMENTS

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.

Subitem-E: (R-83-) REFERRED TO PLANNING AND PROPERTY DEPARTMENTS

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-81-12-31.

FILE LOCATION: Subitems A, C & E PERM PRD-82-0172 Eastgate Technology Park

Subitem B ZONE 12/7/82; Subitem D SUBD Eastgate Technology Park

COUNCIL ACTION: (Tape location: D210-F105).

Hearing began at 3:14 p.m. and halted at 4:33 p.m.

Motion by Gotch to extend the time allowed for testimony to twenty minutes. Second by Golding. Passed. Yeas: 1,2,3,4,5,6,7. Nays: None. Not present: M. District 8-vacant.

Testimony in favor by Max Strobl.

Council Member Williams left at 3:20 p.m. and returned at 3:25 p.m.

Motion by Murphy to extend the testimony time for an additional five minutes. Second by Gotch. Passed. Yeas: 1,2,3,5,6,7. Nays: None. Not present: 4,M. District 8-vacant.

Testimony in opposition by Norma Carey, Dr. William Coulbourn, Robert Kellogg, Margo Rebar, Steve Sander, Harold Weir, and Lt. Dave Jacobson.

MOTION BY MURPHY TO APPROVE IN CONCEPT THE IDEA OF THE 100' BUFFER ZONE WITH NO PARKING, AND TO REFER THIS MATTER TO THE PLANNING AND PROPERTY DEPARTMENTS FOR FURTHER STUDY. THE DEPARTMENTS ARE TO SEE WHETHER THERE IS ANYTHING THAT CAN BE WORKED

OUT BETWEEN THE COMMUNITY AND THE CITY WITH REGARD TO THE GRADING

(ALTERNATIVE C OF THE EIR) AND THE REVERSAL OF THE SR AND M-LI ZONES. BRING THIS MATTER BACK TO COUNCIL THROUGH THE TRANSPORTATION

AND LAND USE COMMITTEE. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, District 8-vacant, Mayor Wilson-not present.

ITEM-S500: (O-83-111) ADOPTED AS O-15872 (New Series)

Amending Ordinance O-15780 (New Series), as amended, entitled "An Ordinance adopting the annual budget for the Fiscal Year 1982-83 and appropriating the necessary money to operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-15780-1 and 00-15780-2, as amended and adopted therein, by amending Section 2, Subsection II.1, "Transient Occupancy Tax Fund" to include a new program (91509) entitled

"Spirit of '76 Booster Club" and provide the sum of \$1,000 for said program.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: F110-120).

MOTION BY MURPHY TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, District 8-vacant, Mayor Wilson-not present.

ITEM-UC-1: (R-83-912) ADOPTED AS RESOLUTION R-257610

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Approving the transmittal of the General Development Plan for Mission Beach Park prepared by Wimmer, Yamada & Associates, CIP 23-101, to the Coastal Commission.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: F132-150).

MOTION BY GOTCH TO ADOPT. Second by Golding. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, District 8-vacant, Mayor Wilson-not present.

ITEM-UC-2:

19821207

Two resolutions presented to the City Council with UNANIMOUS CONSENT:

Subitem-A: (R-83-949) ADOPTED AS RESOLUTION R-257611

Adopting a resolution extending congratulations from the Mayor and City Council to Kebra Ann Denke for being selected as the 1982 School Safety Patrol Colonel for her extraordinary academic and personal achievements.

Subitem-B: (R-83-950) ADOPTED AS RESOLUTION R-257612

Adopting a resolution extending congratulations from the Mayor and City Council to Jamie Lynne Stubblefield for being selected as the 1982 School Safety Patrol Lt. Colonel for her extraordinary academic and personal achievements.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F151-170).

MOTION BY STRUIKSMA TO ADOPT. Second by Williams. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, District 8-vacant, Mayor Wilson-not present.

ITEM-CS-1: (R-83-903) ADOPTED AS RESOLUTION R-257599

A Resolution adopted by the City Council in Closed Session on December 7, 1982:

Authorizing the City Manager to pay the sum of \$9,647.43 in settlement of each and every claim against the City of San Diego, its agents and employees, resulting from the property damage to William Hasse; authorizing the City Auditor and Comptroller to issue one check in the amount of \$9,647.43 to Luth and Turley, Inc. in full settlement of all claims.

FILE LOCATION:

MEET

ITEM-CS-2: (R-83-900) ADOPTED AS RESOLUTION R-257600

A Resolution adopted by the City Council in Closed Session on December 7, 1982:

Authorizing the City Attorney to enter into a stipulation for judgment in the case of City of San Diego vs. Jacques Syracuse, San Diego Superior Ct. Case No. 444210, in the amount of \$1,375,000, including statutory interest pursuant to Section 1268.510 CCP; authorizing the City Manager to pay the total sum of \$250,000, including interest pursuant to Section 1268.510 CCP, in full settlement of the above referenced eminent domain action; authorizing the City Auditor and Comptroller to issue one check in the amount of \$250,000 to Jacques Syracuse and Daisy Syracuse and their attorney, Ronald Endeman.

FILE LOCATION:

MEET

ITEM-CS-3: (R-83-902) ADOPTED AS RESOLUTION R-257601

A Resolution adopted by the City Council in Closed Session on December 7, 1982:

Authorizing the City Manager to pay the total sum of \$7,500 in settlement of Superior Ct. Case No. 445761, Angie Serrato

vs. the City of San Diego et al, and of each and every claim against the City, its agents and employees resulting from the personal injury to Angie Serrato; authorizing the City Auditor and Comptroller to issue one check in the amount of \$7,500 to Angie Serrato and her attorney, Patricia S. Riley, in full settlement of the lawsuit and all claims.

FILE LOCATION:
MEET

ADJOURNMENT:

By common consent, the meeting was adjourned by Chairperson Mitchell at 4:37 p.m.