

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

OF

TUESDAY, FEBRUARY 8, 1983

AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Cleator at 8:37 a.m. and immediately recessed into Closed Session in the twelfth floor conference room regarding pending litigation. The meeting was reconvened by Deputy Mayor Cleator at 9:25 a.m. with Council Member Mitchell not present and immediately recessed to convene as the Redevelopment Agency. The meeting was reconvened at 10:25 a.m. by Deputy Mayor Cleator with Council Member Mitchell not present. Deputy Mayor Cleator recessed the meeting at 10:35 a.m. into Closed Session in the twelfth floor conference room regarding pending litigation, and to reconvene at 2:00 p.m.

The meeting was reconvened by Chairperson Gotch at 2:08 p.m. Chairperson Gotch adjourned the meeting at 2:38 p.m.

ATTENDANCE DURING THE MEETING:

(M) Vacant.

(1) Council Member Mitchell-excused by R-257927 (vacation).

(2) Council Member Cleator-present.

(3) Council Member Golding-present.

(4) Council Member Jones-present.

(5) Council Member Struiksmma-present.

(6) Council Member Gotch-present.

(7) Council Member Murphy-present.

(8) Council Member Martinez-present.

Clerk-Mutascio (mp a.m.; jb p.m.)

ITEM-300: ROLL CALL

Clerk Mutascio called the roll:

Mayor-vacant.

Council Member Mitchell-not present.

Council Member Cleator-present.

Council Member Golding-not present.

Council Member Jones-present.

Council Member Struiksmma-present.

Council Member Gotch- present.

Council Member Murphy-not present.

Council Member Martinez- present.

ITEM-330:

19830208

Matter of rezoning a portion of a resubdivision of Fanita Rancho, Map-1703; a portion of Lot 73, Rancho Mission San Diego, S.C.C. 348, Map-330; and a portion of Lot 70, Rancho Mission Subdivision, S.C.C. 15190 (approximately 508 acres) located northerly of Mission Gorge Road, in the Tierrasanta and Navajo Community Plan areas, from an unzoned category to Zones R-1-40 and A-1-10.

(Case-82-0663. District-7.)

Subitem-A: (R-83-1156) CONTINUED TO FEBRUARY 15, 1983

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-82-0663 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-83-143) CONTINUED TO FEBRUARY 15, 1983

Introduction of an Ordinance for A-1-10 and R-1-40 Zoning.

FILE LOCATION: ZONE 2/8/83

COUNCIL ACTION: (Tape location: B234-322).

Hearing began at 10:25 a.m. and halted at 10:32 a.m.

MOTION BY MURPHY TO CONTINUE FOR ONE WEEK AT HIS REQUEST.

Second

by Gotch. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-331:

19830208

Matter of rezoning a portion of Rancho de los Penasquitos (approximately 726.3 acres), located west of Black Mountain Road and north of Penasquitos Canyon, in the Penasquitos East Community Plan area, from Zone A-1- 10 (portions HR) to Zone R-1-5.

(Case-82-0664. District-1.)

Subitem-A: (R-83-1158) ADOPTED AS RESOLUTION R-257930

Adoption of a Resolution certifying that the information contained in Environmental Impact Reports EIR-79-07-24,

EIR-79-07-62, EIR-79-10-57, EIR-80-01-19, EIR-80-04-10, EIR-80-04-11 and EIR-80-11-13 have been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said reports have been reviewed and considered by the Council.
Subitem-B: (O-83-144) INTRODUCED, TO BE ADOPTED FEBRUARY 22, 1983

Introduction of an Ordinance for R-1-5 Zoning.
Subitem-C: (R-83-1289) ADOPTED AS RESOLUTION R-257931

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 Reports EIR-79-07-24, EIR-79-07-62, EIR-79-10-57, EIR-80-01-19, EIR-80-04-10, EIR-80-04-11 and EIR-80-11-13.

FILE LOCATION: ZONE 2/8/83

COUNCIL ACTION: (Tape location: B327-379).

Hearing began at 10:33 a.m. and halted at 10:35 a.m.

Council Member Jones left the chambers at 10:33 a.m.

MOTION BY STRUIKSMA TO CLOSE THE HEARING, ADOPT SUBITEMS A AND C,

AND INTRODUCE SUBITEM B. Second by Gotch. Passed by the following vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-not present, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-332: (R-83-1011) CONTINUED TO MARCH 29, 1983, AT 9:00 A.M.

(Continued from the meeting of 12/14/82 at Council Member Williams' request.)

Considering the protests, ordering the district formed, confirming the assessment and ordering the proposed maintenance, in the matter of the Bay Terraces Landscape Maintenance District, Area 5, under Resolution of Intention R-257512, adopted on November 22, 1982.

(Paradise Hills Community Area. District-4.)

CITY MANAGER REPORT:

At a public hearing on December 14, 1982, the City Council considered the formation of the Bay Terraces Landscape Maintenance District, consisting of six separate areas within the community for which maintenance services were to be provided through assessments to benefitting properties. Areas 1 and 2 were successfully formed as the Bay Terraces Landscape Maintenance District. Areas 3, 4 and

6 contain open-space sites and, as a result of majority protests, were abandoned. Area 5, also an open-space site, had a majority protest of 60 percent of the area. The 60 percent protest consisted of two large parcels of land, zoned for multi-family use, which were included in the proposed assessment area because of the benefit they would receive from the proposed maintenance. The other 48 parcels in the proposed assessment area are all occupied by single-family dwellings and had submitted a petition to the City Council in August, 1982 requesting the formation of the assessment area. The City Council accepted the petition which contained the signatures of the owners of 31 of the 48 parcels. While the signatures represented 62 percent of the number of parcels, it represented only 28 percent of the total area.

During the public testimony on December 14, a resident of Area 5 requested that the Council delay their decision with respect to Area 5 so that a new petition could be circulated to determine the amount of support for including Area 5 in the maintenance district. If Area 5 is included in the maintenance district, Genstar, Inc. will donate the open-space site to the City and contribute \$9,000 for its rehabilitation. The estimated FY'84 assessment for maintenance of the site is \$50.23 for single-family residences. If Area 5 is abandoned, the parcel will be subdivided into R-1-5 lots, and single-family residences would be constructed.

FILE LOCATION:

STRT M-65

COUNCIL ACTION: (Tape location: C008-192).

Hearing began at 2:08 p.m. and halted at 2:23 p.m.

Testimony in favor by James Harper and Cathy Alegria.

MOTION BY JONES TO CONTINUE TO MARCH 29, 1983, AT 9:00 A.M., AT HIS REQUEST. Second by Struiksma. Passed by the following vote: Mitchell-not present, Cleator-not present, Golding-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy- yea, Martinez-not present, Mayor-vacant.

ITEM-333: (R-83-1067) ADOPTED AS RESOLUTION R-257932

Considering the protests and confirming the assessment in the matter of paving and otherwise improving Olvera Avenue (south side from Euclid Avenue to approximately 750 feet easterly), on Assessment Roll No. 3978, under Resolution of Intention

R-255634, adopted January 11, 1982. (1911 Street Improvement Act.)

(District-4)

FILE LOCATION:

STRT D-2223

COUNCIL ACTION: (Tape location: C293-355).

Hearing began at 2:31 p.m. and halted at 2:34 p.m.

MOTION BY STRUIKSMA TO CLOSE THE HEARING AND ADOPT. Second by Golding. Passed by the following vote: Mitchell-not present, Cleator-not present, Golding-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-not present, Mayor-vacant.

ITEM-S406: (R-83-1218) ADOPTED AS RESOLUTION R-257933

Authorizing the execution of an agreement with the State Coastal Conservancy relating to the Tijuana River Estuarine Sanctuary for the acquisition of real property interests in the Tijuana Valley; approving the mechanism for acquisition, ownership and management of agricultural properties; agreeing to all conditions contained in the "List of Assurances", including any applicable federal grant conditions.

(See City Manager Report CMR-83-36. District-8.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: C356-389).

MOTION BY MARTINEZ TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-not present, Cleator-not present, Golding-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S500: (R-83-1235) ADOPTED AS RESOLUTION R-257934

The matter of the proposed Cowles Mountain Communication Facility.

(District-7.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: C193-290).

MOTION BY MURPHY TO ADOPT THE RESOLUTION RESCINDING RESOLUTION

NO. R-257651, ADOPTED ON DECEMBER 13, 1982, WHICH AUTHORIZED THE CITY MANAGER TO EXECUTE A TWELVE-MONTH OPTION WITH VIDEO SERVICE

COMPANY, TO ENTER INTO A 50-YEAR LEASE OF CERTAIN PROPERTY ON COWLES

MOUNTAIN FOR THE CONSTRUCTION AND OPERATION OF AN ELECTRONIC COMMUNICATIONS FACILITY. Second by Jones. Passed by the following vote: Mitchell-not present, Cleator-not present, Golding-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-not

present, Mayor-vacant.

ITEM-UC-2: (R-83-1286 Rev.) ADOPTED AS RESOLUTION R-257935

A Resolution presented to the City Council with UNANIMOUS
CONSENT:

Excusing Council Member Uvaldo A. Martinez, Jr. from a
portion of the afternoon Council meeting of Tuesday, February
8, 1983, for the purpose of attending to official business at
the San Diego Unified Port District.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: C390-398).

MOTION BY MARTINEZ TO ADOPT. Second by Murphy. Passed by the
following vote: Mitchell-not present, Cleator-not present,
Golding-yea, Jones-yea, Struiksma-,yea Gotch-yea, Murphy-yea,
Martinez-yea, Mayor-vacant.

ADJOURNMENT:

By common consent, the meeting was adjourned by Chairperson
Gotch at 2:38 p.m.

FILE LOCATION:

MINUTES