

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, AUGUST 9, 1983  
AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Hedgecock at 9:27 a.m. The meeting was recessed by Mayor Hedgecock at 11:08 a.m. to convene as the Redevelopment Agency. The meeting was reconvened by Mayor Hedgecock at 11:18 a.m. and immediately recessed into Closed Session in the twelfth floor conference room regarding pending litigation to reconvene at 2:00 p.m.

The meeting was reconvened by Chairperson Gotch at 2:07 p.m. with Mayor Hedgecock and Council Members Cleator and Jones not present. The meeting was recessed by Mayor Hedgecock at 2:19 p.m. to convene as the Housing Authority. The meeting was reconvened by Mayor Hedgecock at 2:24 p.m. with all Council members present. The meeting was recessed by Mayor Hedgecock at 2:34 p.m. to reconvene as the Housing Authority. The meeting was reconvened by Mayor Hedgecock at 2:35 p.m. with all Council members present. Mayor Hedgecock adjourned the meeting at 3:27 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present.
  - (1) Council Member Mitchell-present.
  - (2) Council Member Cleator-present.
  - (3) Council Member McColl-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 (jb a.m.; bb p.m.)

FILE LOCATION:  
MINUTES

ITEM-300: ROLL CALL

Clerk Mutascio called the roll:  
Mayor Hedgecock-present.  
Council Member Mitchell-present.  
Council Member Cleator-present.  
Council Member McColl-present.  
Council Member Jones-present.  
Council Member Struiksmma-present.  
Council Member Gotch- present.

Council Member Murphy-present.  
Council Member Martinez- present.

\* ITEM-108: (R-84-151) ADOPTED AS RESOLUTION R-259054

Authorizing the Mayor to accept the grant deed from the Housing Authority conveying to the City of San Diego all of the Housing Authority's interest in two parcels of property in the area of West Point Loma and Nimitz Boulevards, consisting of approximately 13.5 acres.

(See San Diego Housing Commission Report HCR-83-012CC. District-2.)

FILE LOCATION:

DEED F-2014

COUNCIL ACTION: (Tape location: D160-182).

MOTION BY CLEATOR TO ADOPT WITH THE CONDITION THAT THE PUBLIC FACILITIES AND RECREATION COMMITTEE IS TO REVIEW FOR FUTURE DISPOSITION OF PROPERTY. Second by Struiksmas. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmas-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-330:  
19830809

(Continued from the meetings of March 17, 1981, September 29, 1981, June 1, 1982 and June 7, 1983; last continued at Council Member Murphy's request.)

Matters set forth below which affect the following real property:

Lot 190, Collwood Park Unit No. 2, Map-2495 and a portion of Montezuma Road Closed (approximately .16 acres), located on the south side of Montezuma Road between Rockford Drive and 63rd Street, in the State University Community Plan area.

1) Rezoning the above described real property from Zone R-2 to Zone R-3.

(Case-5-80-101.)

2) Appeal of Patricia J. Hannum, from the decision of the Planning Commission in approving Conditional Use Permit CUP-10-622-0 to provide a fraternity residence and meeting place within a close proximity to the university campus, with parking and landscaping located on the above described real property.

(CUP-10-622-0. District-7.)

Subitem-A: (R-81-1481) ADOPTED AS RESOLUTION R-259047

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-80-11-08 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-81-186) INTRODUCED, TO BE ADOPTED AUGUST 22, 1983

Introduction of an Ordinance for R-3 Zoning.

Subitem-C: (R-84-266) GRANTED APPEAL AND PERMIT AS AMENDED, ADOPTED AS RESOLUTION R-259048

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-84-267) ADOPTED AS RESOLUTION R-259049

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-80-11-08.

FILE LOCATION: PERM CUP-10-622-0

COUNCIL ACTION: (Tape location: B389-420).

Hearing began at 10:38 a.m. and halted at 10:40 a.m.

MOTION BY MURPHY TO CLOSE THE HEARING, ADOPT SUBITEM-A, INTRODUCE

SUBITEM-B, ADOPT SUBITEM-C, GRANTING THE APPEAL AND PERMIT AS AMENDED BY INCLUDING THE MODIFICATIONS DETAILED IN THE PROPOSED

CONDITIONS NOS. 10 AND 11 OF THE CONDITIONAL USE PERMIT, AND ADOPT

SUBITEM-D. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-331:  
19830809

Matters of:

- 1) A proposal to amend the State University Area Plan regarding the issue of fraternities and sororities.
- 2) A proposal to amend the San Diego Municipal Code by amending Chapter X, Article 1, Division 5, Section 101.0506 regarding the location of fraternity houses, sorority houses and student dormitories.

(District-7.)

Subitem-A: (R-83-2082) ADOPTED AS RESOLUTION R-259050

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-82-0615 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-83-2083) ADOPTED AS RESOLUTION R-259051

Adoption of a Resolution approving the amendment to the community plan.

Subitem-C: (O-83-257) INTRODUCED, TO BE ADOPTED AUGUST 22, 1983

Introduction of an Ordinance amending the San Diego Municipal Code.

FILE LOCATION: LAND State University Area Plan

COUNCIL ACTION: (Tape location: A025-B388).

Hearing began at 9:30 a.m. and halted at 10:38 a.m.

Testimony in favor by Robert Craig, Brian Bennett, Timothy Hallahan, Helen Trevey, Jean P. Muhue, Sue Gardner, Judith Hopps, Leanore Lapp, John Coleman, Raymond Hall, Frederic Seitz, Ruth Rowe and Patricia Hannum.

Testimony in opposition by Jim Corridan, Mike Hctor, Chuck Johnson, Chris Wakeman, Douglas Case and Gershon Greenblatt.

MOTION BY MURPHY TO CLOSE THE HEARING, ADOPT SUBITEMS-A AND B,

AND INTRODUCE SUBITEM-C. REFER BACK TO THE PLANNING DEPARTMENT AND

THE COLLEGE AREA COMMUNITY COUNCIL THE QUESTION OF WHETHER OR NOT

THE RESIDENTS WOULD PREFER AN IMPLEMENTING ORDINANCE AS OPPOSED TO A

CUP (CONDITIONAL USE PERMIT) PROCESS. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-332: CONTINUED TO SEPTEMBER 27, 1983, AT 10:00 A.M.  
19830809

(Continued from the meetings of April 19, 1983 and June 28, 1983; last continued at the Planning Department's request.)

Matter of the appeal of Thomas P. Whisler from the decision of the Planning Commission in denying Tentative Map TM-82-0646,

which proposes a two-lot division of Lot 2, Princess View Gardens, Unit No. 1, Map-5200. The subject property is located on the west side of Princess View Drive, between Waring Road and Mission Gorge Road, in the R-1-5 Zone and within the boundaries of the Navajo Community Plan.

(TM-82-0646. District-7.)

(R-83- )

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

FILE LOCATION: SUBD Lot 2, Princess View Gardens, Unit No. 1, Map-5200

COUNCIL ACTION: (Tape location: A009-024).

MOTION BY MURPHY TO CONTINUE TO SEPTEMBER 27, 1983, AT 10:00 A.M., AT PLANNING DEPARTMENT'S REQUEST. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-333: (R-84-180) ADOPTED AS AMENDED AS RESOLUTION R-259052, AREAS  
1  
AND 2 CONTINUED 6 MONTHS

(Continued from the meeting of July 26, 1983 at Council Member Jones's request.)

Considering the protests, confirming the assessment, approving the modified map, and ordering the proposed maintenance, in the matter of the Bay Terraces Landscape Maintenance District, under Resolution of Intention R-258756, adopted June 27, 1983.

(Paradise Hills Community Area. District-4.)

CITY MANAGER REPORT:

In December, 1982 the City Council established the Bay Terraces Landscape Maintenance District consisting of two areas. Subsequently, in April, 1983 a third area was added to the district. Areas 1 and 2 consist of open space "greenbelts" which contain lawn areas, trees and shrubs, while Area 5 contains a partially landscaped open space parcel. The estimated cost of providing maintenance services in the three areas is as follows:

	AREA 1	AREA 2	AREA 5	
Contractual Maintenance		\$20,349	\$13,910	\$ 1,765
Water	2,838	1,462	1,100	
Incidentals	5,253	2,975	1,779	
Reserves	2,844	1,835	516	
Total Maintenance Cost	\$31,284	\$20,182		\$ 5,160

Less City Cont. (Open Space)	50	33	50
Total Assessed to Area	\$31,234	\$20,149	\$ 5,110
Unit Assessment (Approximate)	\$ 103	\$ 73	\$ 59

The proposed assessments approximate the assessment information given to property owners at the time the district was formed.

FILE LOCATION:

STRT M-68

COUNCIL ACTION: (Tape location: B421-C067).

Hearing began at 10:41 a.m. and halted at 10:57 a.m.

Council Member Cleator left at 10:42 a.m.

Council Member Cleator entered at 10:45 a.m.

Testimony in favor by Randy Wilkin.

Testimony in opposition by Robert Bell.

MOTION BY JONES TO CONTINUE AREAS 1 AND 2 FOR SIX MONTHS, AT HIS REQUEST, SO THAT THE RESIDENTS CAN WORK WITH HIS OFFICE IN AN EFFORT

TO RESOLVE THEIR CONCERNS. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

MOTION BY JONES TO CLOSE THE HEARING AND ADOPT AREA 5 IN BAY TERRACES LANDSCAPE MAINTENANCE DISTRICT. Second by Martinez.

Passed by the following vote: Mitchell-yea, Cleator-nay, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-334: (R-84-265) GRANTED APPEAL AND PLANS AS AMENDED, ADOPTED AS RESOLUTION R-259053

Appeal of Conrock Company from the decision of the Planning Commission in denying building plans pursuant to Condition No. 6 of Planned Commercial Development PCD-69. The building permit application was for a single building adjacent to the San Diego River. The subject property is located on the south side of Rio San Diego Drive between Rio Bonito Way and Stadium Way and is more particularly described as Lot 2, Rio Vista Center, Map-10305.

(PCD-69. District-5.)

(R-84- )

Today's action is adoption of a Resolution granting or denying the appeal and the plans.

FILE LOCATION:

PERM PCD-69

COUNCIL ACTION: (Tape location: C080-189).

Hearing began at 10:59 a.m. and halted at 11:08 a.m.

Testimony in favor by Paul Peterson.

MOTION BY STRUIKSMA TO CLOSE THE HEARING AND GRANT THE APPEAL AND

PLANS AS AMENDED BY INCORPORATING THE RECOMMENDATIONS DETAILED IN

THE LETTER OF AUGUST 9, 1983 FROM PAUL PETERSON, INCLUDING THE SUGGESTED WORDING AT THE BOTTOM OF PAGE 3 OF THE LETTER TO BE SUBSTITUTED FOR THAT IN THE PLANNING DEPARTMENT'S REPORT. Second

by

Gotch. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-335: (R-84-189) ADOPTED AS RESOLUTION R-259055

Authorizing and directing the City Auditor to release \$127,500 from the Low Income Housing Capital Outlay Fund No. 30249 and to use said funds to reimburse the State Gas Tax Fund for the acquisition of Sites 2A, 3A and 600; directing the Housing Commission to initiate the processing required to utilize \$127,500 from its 1983 or 1984 Community Development Block Grant allocation to reimburse the Low Income Housing Capital Outlay Fund No. 30249 for its acquisition of Sites 2A, 3A, and 600; authorizing the Mayor and City Clerk to execute grant deeds conveying all of the City's interest in Sites 2A, 3A, 300, 600 and 639 to the Housing Authority of the City of San Diego for the specific purpose of the development and operation of up to 40 rental housing units by the Baker/Walsh Partnership, twenty percent of said units to be occupied by low income tenants; declaring that this conveyance is subject to a condition that the Housing Authority shall retain title to the property conveyed and that any project developed on the sites shall be pursuant to the terms of a lease agreement(s) approved by the Housing Authority; declaring that the disposition of any revenues derived by the Housing Authority through its administration of lessee on these sites shall be referred to the joint City Council/Housing Commission Task Force, and that said Task Force shall make a recommendation as to the use of such revenues to the full City Council.

(See Housing Commission Report HCR-83-013CC. District-3.)

FILE LOCATION:

DEED F-2015

COUNCIL ACTION: (Tape location: D183-365).

MOTION BY McCOLL TO ADOPT. Second by Cleator. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea,

Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-336: ADOPTED AS RESOLUTION R-259056

Matter of a report relating to the University Community Plan - adoption of land use and density for withheld portion of previously adopted community plan (subarea south of Nobel Drive).

(See Planning Department Report PDR-83-353.)

FILE LOCATION:

LAND University Community Plan

COUNCIL ACTION: (Tape location: D371-E165).

Motion by Mitchell to have area as a "4" designation. Second by Gotch. Failed. Yeas: 1,2,6,M. Nays: 3,4,5,7,8.

MOTION BY MARTINEZ TO ADOPT PLANNING DEPARTMENT'S RECOMMENDATION.

Second by Gotch. Passed by the following vote: Mitchell-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock- nay.

ITEM-337: (R-84-264) ADOPTED AS RESOLUTION R-259057 GRANTING THE APPLICATION AND AMENDMENT TO THE PERMIT

Matter of the application of Regency Associates Ltd., by Robert Mosher, FAIA, to conform with California Coastal Commission action by amending Conditional Use Permit

CUP-

82-0481 (an amendment to CUP-554 PC) to permit use of the parking structure for public parking on weekends. The permit authorized construction of a 280-space underground parking structure for an existing scientific research, medical, laboratory and administrative office facility and increased the limit of employees from 450 to 589. The property is located in the 400 block (east side) of Coast Boulevard South and is more particularly described as Lots 1-2, Lots 4-26, a portion of Lot 33 and Lots 34-50, Block 17 of La Jolla Park, Map-352, located in the R-3 Zone and in the La Jolla Community Plan area.

(CUP-82-0481. District-1.)

Today's action is adoption of a Resolution granting or denying the application and the amendment to the permit with appropriate findings to support Council action.

FILE LOCATION:

PERM CUP-554 PC

COUNCIL ACTION: (Tape location: D010-150 and E166-430).

Hearing began at 2:08 p.m. and recessed at 2:19 p.m.

Council Member Jones entered at 2:17 p.m.

Hearing resumed at 3:03 p.m. and halted at 3:20 p.m.

Testimony in favor of application by Tim Cohelan and Leo R. B. Henrikson.

Testimony in opposition of the application by Leo Anderson, Mary Sommerville, Robert N. Holmer, and Marquerita Sard.

MOTION BY CLEATOR TO GRANT THE APPLICATION AND THE AMENDMENT TO

THE PERMIT. Second by Struiksma. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S400: (R-84-97) ADOPTED AS RESOLUTION R-259058

(Continued from the meeting of August 1, 1983, taken on August 2, 1983, at Council Member Murphy's request.)

Approving the recommendation in Intergovernmental Relations Department Report IRD-83-49 and expressing opposition to the proposed IRS rule change (LR- 82-82) regarding government borrowing; referring the question of the need for a general policy on tax-exempt municipal borrowing to the City Manager and City Auditor and Comptroller.

(See Intergovernmental Relations Department Report

IRD-

83-49.)

COMMITTEE ACTION: Reviewed by RULES on 7/18/83. Recommendation to adopt the Resolution. Districts 2, 5 and 7 voted yea. District 6 and Mayor voted nay.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: E431-538).

Motion by Gotch to support IRS rule change. Second by Jones. Failed. Yeas: 5,6,M. Nays: 1,2,3,4,7,8.

MOTION BY MURPHY TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-nay, Murphy-yea, Martinez-yea, Mayor Hedgecock-nay.

ITEM-S500: (R-84-67) RETURNED TO CITY MANAGER

(Continued from the meeting of August 1, 1983 at the City Manager's request, to be taken with the hearing on the Bay Terraces Landscape Maintenance District on 8/9/83.)

Awarding a contract to San Diego Turf and Irrigation for furnishing the City of San Diego with complete landscape maintenance of designated landscaped and undeveloped areas within the Bay Terraces Landscape Maintenance District, as may

be required for a period of twelve months beginning July 1, 1983 through June 30, 1984, for an estimated cost of \$9,695.27, including terms, with options to renew the contract for four additional one year periods. BID-5105

(District-4.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: C068-079).

MOTION BY STRUIKSMA TO RETURN TO THE CITY MANAGER, AT THE MANAGER'S REQUEST. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ADJOURNMENT:

By common consent the meeting was adjourned by Mayor Hedgecock at 3:27 p.m.

COUNCIL ACTION: (Tape location: E538).