

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

TUESDAY, DECEMBER 13, 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 10:14 a.m. Mayor Hedgecock announced that as a result of Closed Session held prior to the Council meeting that there will be a resolution presented to the Council later in the day which will declare January 16, 1984, as Martin Luther King Day in San Diego and will declare it an official holiday for City employees and for the city. The meeting was recessed by Mayor Hedgecock at 12:00 noon to reconvene at 2:00 p.m. The meeting was reconvened by Mayor Hedgecock at 2:05 p.m. The meeting was recessed by Mayor Hedgecock at 2:49 p.m. to convene as the Redevelopment Agency and the Special Joint Council meeting with the Redevelopment Agency. The meeting was reconvened by Mayor Hedgecock at 3:00 p.m. The meeting was recessed by Mayor Hedgecock at 5:45 p.m. into Closed Session in the twelfth floor conference room regarding pending litigation. The meeting was reconvened by Mayor Hedgecock at 6:30 p.m. and immediately recessed to reconvene at 11:30 a.m. on Wednesday, December 14, 1983. The meeting was reconvened by Mayor Hedgecock at 11:34 a.m. on Wednesday, December 14, 1984. Mayor Hedgecock adjourned the meeting at 12:35 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-Abdelnour (mp a.m.; jb p.m.)

FILE LOCATION:

MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:
Mayor Hedgecock-present.
Council Member Mitchell-present.
Council Member Cleator-not present.
Council Member McColl-present.

Council Member Jones-present.
Council Member Struiksma-present.
Council Member Gotch-present.
Council Member Murphy-present.
Council Member Martinez- present.

ITEM-330: CONTINUED TO APRIL 10, 1984, 10:00 A.M.

19831213

(Continued from the meetings of June 7, 1983 and September 13, 1983 at World Evangelism Inc's request.)

Two actions relative to Mira Mesa Community Plan:
Subitem-A: (R-84-1049)

Matter of a proposal to revise the Mira Mesa Community Plan regarding a third community park site between Black Mountain Road and I-15, north of Mira Mesa Boulevard. (District-5.)
Subitem-B: (R-83-1820)

Adoption of Resolution certifying that the information contained in Environmental Negative Declaration END-83-0112 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.

FILE LOCATION: LAND Mira Mesa Community Plan

COUNCIL ACTION: (Tape location: A132-243).

Hearing began at 10:24 a.m. and halted at 10:33 a.m.

MOTION BY STRUIKSMA TO CONTINUE FOR 120 DAYS AT MR. JAMES MARTIN'S REQUEST WITH THE UNDERSTANDING THAT THIS WOULD BE THE LAST

CONTINUANCE AND THAT STAFF BE PREPARED WITH A RECOMMENDATION AT THAT

TIME. STAFF IS ALSO DIRECTED TO RETAIN THE THIRD PARK SITE IN THE GENERAL AREA AND THAT IT WOULD BE UP TO THE DEVELOPERS TO FIND,

IF

IT IS NOT SPECIFICALLY ON THEIR PROPERTY, A PIECE OF PROPERTY THAT WOULD BE ACCEPTABLE TO THE COMMUNITY AS WELL AS TO THE

DIFFERENT

DEVELOPERS INVOLVED. Second by Martinez. 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-331: REPORT PRESENTED

(Referred from the Council meeting of October 18, 1983.)

The matter of a report on the North City West Neighborhood Seven Precise Plan to address possible solutions to the alignment and financing of the improvements to El Camino Real; plans for establishing a recognized community planning group for North City West; and the inclusion of equestrian trails within and adjacent to North City West.

(See Planning Department Report PDR-83-576. North City West Community Area. District-1.)

NOTE: See Item 332.

FILE LOCATION:

LAND North City West Neighborhood Seven Precise Plan

COUNCIL ACTION: (Tape location: A244-303;A322-B434).

MOTION BY MITCHELL TO DIRECT THE PLANNING DEPARTMENT STAFF TO WORK WITH MR. GERST AND PARDEE CONSTRUCTION AND INTERESTED PARTIES

INVOLVED UP TO THIS POINT TO COMMENCE ADVANCE PLANNING WITH RESPECT

TO THE ROUTE OF THE EQUESTRIAN TRAILS AND TO COME BACK WITH A REPORT

OF WHAT IS NECESSARY. IT WAS SUGGESTED BY MAYOR HEDGECOCK THAT THE

PRECISE PLAN PROCESS BE USED FROM CARMEL VALLEY SOUTH TO THE PENASQUITOS PRESERVE. 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.

MOTION BY MITCHELL TO DIRECT STAFF TO ESTABLISH A COMMUNITY PLANNING GROUP CONSISTING OF A CROSS SECTION OF PEOPLE AND COME BACK

WITH A REPORT. Second by Martinez. 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: (R-84-866) ADOPTED AS RESOLUTION R-259838

Authorizing the execution of an agreement with Pardee Construction Company for the construction of El Camino Real. (District-1.)

CITY MANAGER REPORT:

At Council direction, staff has met with representatives of Pardee Construction Company regarding the construction of a relocated El Camino Real.

Pardee has agreed to enter into a binding agreement with the City for the construction of a relocated El Camino Real from the North City West Community Plan north boundary to the southside of the San Dieguito River at no cost to the City.

The agreement requires Pardee to bear all costs and to prepare all plans, secure all permits and environmental clearances, acquire necessary right-of-way, and to grade and construct 40 feet of paved roadway for an ultimate four lane primary arterial in a 98 foot right-of-way approximately 4700 feet in length. The developer also agrees to have the project under construction before the issuance of more than 700 building permits in Development Unit Seven or when the average daily traffic on the existing El Camino Real reaches 3400 as determined by the City Engineer, whichever occurs first. In any case, the project will be under construction within five years of the date of the agreement.

Pardee has also agreed to file a security bond or other security acceptable to the City in the amount of \$2,000,000 guaranteeing the performance of its obligation under the agreement.

The agreement provides that the City will: (1) adopt a "route location"; (2) utilize its power of eminent domain to acquire such right-of-way as is necessary and appropriate to allow construction of the project; (3) accept and process an application from Pardee for the establishment of a "reimbursement district" under the provisions of the Subdivision Map Act.

NOTE: See Item 331.

FILE LOCATION:

LAND North City West Neighborhood Seven Precise Plan
COUNCIL ACTION: (Tape location: B435-C050).

MOTION BY MITCHELL TO ADOPT THE RESOLUTION APPROVING THE AGREEMENT BUT TO REQUIRE PARDEE TO START IMMEDIATELY TO PREPARE FOR THE CONSTRUCTION OF EL CAMINO REAL, AND TO COMMENCE GRADING OF THE ULTIMATE 98 FT. RIGHT-OF-WAY, THE PAVED ROADWAY--40 FT./4700 FT. LENGTH, WHEN THE ATD REACHES 3400, OR THE EXISTING CRITERIA OF 700/3400 IS MET, OR FIVE YEARS, WHICHEVER COMES FIRST. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-333: (R-84-1007) ADOPTED AS RESOLUTION R-259840

Matters of:

A. Incorporating previously adopted and/or amended community plans, precise plans, specific plans, and/or local coastal plans into the Progress Guide and General Plan. These plans

were approved by Planning Commission and adopted by City Council and environmental reports on these plans were certified by Council Resolution:

- 1) Tia Juana River Valley Community Plan (Merritt & Pacific Lands), amended January 18, 1983, Resolution R-257814. EIR-82-0055, certified by Resolution R-257812. END-82-0534, certified by Resolution R-257813. (District-8)
- 2) Otay Mesa-Nestor Community Plan (Krentz Kamp), amended January 18, 1983 Resolution R-257817. EQD-82-0426, certified by Resolution R-257816. (District-8)
- 3) Otay Mesa-Nestor Community Plan (Playa Blanca), amended April 19, 1983, Resolution R-258293. END-82-0510, certified by Resolution R-258293. (District-8)
- 4) Tecolote Canyon Natural Park Master Plan, adopted May 24, 1983, Resolution R-258518. EQD-82-00-64, certified by Resolution R-256603. (District-7)
- 5) University Community Plan, adopted June 21, 1983, Resolution R-258713. EQD-81-08-10C, certified by Resolution R-258712. (District-1)
- 6) Linda Vista Community Plan, amended July 12, 1983, Resolution R-258875. EQD-81-11-10, certified by Resolution R-258874. (District-5)
- 7) First San Diego River Improvement Project 6, amended July 19, 1983, Resolution R-258911. EQD-83-0092, certified by Resolution R-258910. (District-5)
- 8) Mira Mesa Community Plan, amended September 13, 1983, Resolution R-259239. EIR-80-12-30, certified by Resolution R-259237. (District-5)
- 9) North City West Community Plan (Employment Center), amended September 13, 1983, Resolution R-259235. EQD-80-05-35, certified by Resolution R-255423. (District-1)
- 10) North City West Community Plan (Neighborhood 7), amended October 18, 1983, Resolution R-259454. EIR-82-0714, certified by Resolution R-259453. (District-1)

B. Incorporating previously approved annexations, boundary adjustments and/or detachments of land lying within The City of San Diego. These actions were reviewed by the Planning Commission and approved by City Council, and environmental reports were certified by Council Resolution:

- 1) Fairbanks Country Club Annexation, approved January 11, 1983, Resolution R-257785. EQD-81-04-01, certified by Resolution R-256122. Effective February 1, 1983. (District-1)
- 2) Hillsborough East Annexation, approved February 14, 1983, Resolution R-257980. EQD-80-06-61, certified by Resolution R-256931. Effective March 15, 1983. (District-4)

3) Mission Gorge No. 2 Annexation (Geddes), approved July 11, 1982, Resolution R-258862. EQD-78-08015C, certified by Resolution R-223163. Effective August 11, 1983.

(District-7)

C. Revision of the Phased Development Areas Map to reflect current plan area boundaries and names, and phased development area boundaries as approved pursuant to City Council Policies Nos. 600-5, 600-24 and 600-30.

D. Revision of Tables 1 through 4 of the General Plan dealing with Population and Housing Projections and Land Use to reflect current date.

FILE LOCATION:

LAND Progress Guide and General Plan

COUNCIL ACTION: (Tape location: D004-014).

Hearing began at 4:30 p.m. and halted at 4:32 p.m.

MOTION BY MARTINEZ TO CLOSE THE HEARING AND ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-334: (R-84-782) ADOPTED AS AMENDED AS RESOLUTION R-259841

(Continued from the meetings of October 11, 1983 and November 15, 1983; last continued at Council Member Gotch's request.)

A proposal to approve the recommendations and land use designation of the Park La Jolla site contained in the Pacific Beach Community Plan update.

(District-6.)

FILE LOCATION:

LAND Pacific Beach Community Plan

COUNCIL ACTION: (Tape location: C078-246;).

Hearing began at 11:47 a.m. and recessed at 12:00 noon.

Hearing resumed at 2:10 p.m. and halted at 2:48 p.m.

Testimony in favor by John Thelan.

Testimony in opposition by Kathy Stroud.

Testimony by William Fell and Lloyd Ball.

Further testimony in opposition by Karen Clark, Maurice Boldnac, P.A. Rhodes, Patrick Loo, Helen Henkel, Emma Albano, and Dolph Campbell.

Motion by Gotch to redesignate to 29 units per acre. Second by Mayor Hedgecock. Failed: Yeas-1,6,M. Nays-2,3,4,5,7,8.

MOTION BY CLEATOR TO CLOSE THE HEARING AND ADOPT AS AMENDED

BY

APPROVING THE PLANNING DEPARTMENT'S RECOMMENDATION, WHICH PROPOSES A

DENSITY OF 43 DUA IN THE PLAN FOR THE PARK LA JOLLA APARTMENTS
COMPLEX, PROVIDED THAT THE PLANNING DEPARTMENT SHALL DEVELOP
AND
PROPOSE FOR ADOPTION BY THE CITY COUNCIL A DEVELOPMENT
OVERLAY
ZONING ORDINANCE, WHICH SHALL PROVIDE FOR THE PROCESSING OF A
PERMIT
APPLICATION IN CONNECTION WITH REDEVELOPMENT OF THE PROPERTY
FOR
PURPOSES OF IMPLEMENTING THE URBAN DESIGN ELEMENT OF THE
COMMUNITY
PLAN. UPON ADOPTION OF THE OVERLAY ZONING ORDINANCE, NOTICED
PUBLIC
HEARINGS SHALL BE HELD TO APPLY THE ORDINANCE TO THE PARK LA
JOLLA
APARTMENTS COMPLEX. Second by Jones. Passed by the following vote:
Mitchell-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea,
Gotch-nay, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-335: DENIED APPEAL

19831213

(Continued from the meeting of 10/11/83 at Council Member
Martinez's request.)

Matter of the appeals of Chilcote, Inc., by David P.
Cunning, from the decision of the Planning Commission in
denying:

1) Planned Residential Development Permit PRD-82-0589 which
proposes construction of 62 dwelling units.

(PRD-82-0589.)

2) Tentative Map TM-82-0589 which proposes a 17-lot
subdivision (Friedrick Manor).

(TM-82-0589.)

The subject property is described as Lots 1-21, Friedrick
Manor, Map-9197 and is located north and west of the
intersection of Whaley Avenue and Friedrick Drive in Zone R-1-5
(HR), in the Park North-East Community Plan and Greater
Golden Hill Precise Plan areas.

(District-8.)

Subitem-A: (R-84-) FILED

Adoption of a Resolution certifying that the information
contained in Environmental Negative Declaration END-82-0589 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-84-1079) ADOPTED AS RESOLUTION R-259842,
DENYING APPEAL AND PERMIT

Adoption of a Resolution granting or denying the appeal and
the permit with appropriate findings to support Council action.
Subitem-C: (R-84-1080) ADOPTED AS RESOLUTION R-259843,
DENYING APPEAL AND MAP

Adoption of a Resolution granting or denying the appeal and
the map with appropriate findings to support Council action.
FILE LOCATION: Subitem-A and B PERM PRD-82-0589;

Subitem-C SUBD - Friedrich Manor
COUNCIL ACTION: (Tape location: E134-293).
Hearing began at 3:04 p.m. and halted at 3:15 p.m.
Testimony in favor by David Cunning.
Testimony in opposition by M. Kemer Thompson.
MOTION BY MARTINEZ TO CLOSE THE HEARING AND DENY THE APPEAL.
Second by Jones. 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: (O-84-100) INTRODUCED, TO BE ADOPTED JANUARY 3, 1984

Matter of rezoning a portion of Lot 6 of Section 25,
Township 14 South, Range 4 West, SBBM, and portions of Lots 2,
3 and 4 of Section 30, Township 14 South, Range 4 West, SBBM,
approximately 119.8 acres, located east of I-5, between Carmel
Valley Road and Sorrento Valley Boulevard, in the Sorrento
Hills Community Plan area, from Zone A-1-1 (portion HR) to
Zones CO and M-IP.

(Case-82-0380. District-1.)

FILE LOCATION:

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COUNCIL ACTION: (Tape location: D004-014).
Hearing began at 4:30 p.m. and halted at 4:32 p.m.
MOTION BY MARTINEZ TO INTRODUCE THE ORDINANCE. Second by Jones.
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-337: CONTINUED TO JANUARY 10, 1984, AT 10:00 A.M.

19831213

Matter of rezoning Lots 3 and 4, Midway Estates Unit No. 1, Map-3937, approximately 1.01 acres, located on the south side of Midway Drive between Fordham and Wing Streets, in the Midway Community Plan area, from Zones C and CP to Zone CA. (Case-83-0527. District-2.)
Subitem-A: (R-84-682)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-83-0527 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-84-78)

Introduction of an Ordinance for CA Zoning.
FILE LOCATION: Subitem-A ZONE 12/13/83; Subitem-B - -
COUNCIL ACTION: (Tape location: D070-090).

MOTION BY JONES TO CONTINUE TO JANUARY 10, 1984, AT 10:00 A.M., AT ERIC GELLER'S REQUEST. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-338:

19831213

Matter of rezoning Parcel 4, Parcel Map PM-10518, an 8.55-acre site, located at the northwest corner of the intersection of Regents Road and Arriba Street, in the University Community Plan area, from Zone R-1-5 to Zone CN. (Case-83-0556. District-1.)
Subitem-A: (R-84-904) ADOPTED AS RESOLUTION R-259844

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-83-0556 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-84-99) INTRODUCED, TO BE ADOPTED JANUARY 3,
1984

Introduction of an Ordinance for CN Zoning.
FILE LOCATION: Subitem-A ZONE 12/13/83; Subitem-B - -
COUNCIL ACTION: (Tape location: D004-014).

Hearing began at 4:30 p.m. and halted at 4:32 p.m.

MOTION BY MARTINEZ TO CLOSE THE HEARING, ADOPT SUBITEM-A, AND
INTRODUCE SUBITEM-B. Second by Jones. 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-339: (R-84-671) ADOPTED AS RESOLUTION R-259845

Declaring that "L" Street between 16th and 17th Streets,
referred to in Resolution of Intention R-259646, adopted
November 21, 1983, is unnecessary for present or prospective
public street purposes; ordering the vacation of "L" Street.

(Centre City Community Area. District-8.)

CITY MANAGER REPORT:

"L" Street to be vacated was dedicated by subdivision in 1899.
The abutting property owner has petitioned for the closing to
facilitate the loading and unloading of trucks for his commercial
laundry operation on the adjacent property.

The 80-foot-wide right-of-way to be vacated is fully improved
and contains sewer, water, telephone, gas, and electric facilities.
A general utility easement has been reserved over the entire closure
to service and maintain these facilities. The petitioner has bonded
for and obtained an Engineering Permit for the public improvements
necessary to accommodate this street vacation.

"L" Street does not continue easterly of 17th Street due to
Interstate Highway 5. On the west, curb, sidewalk, and a driveway
have been installed across the public right-of-way for access to the
San Diego Transit Corporation's facilities. These improvements were
installed under an Encroachment Permit in 1968 after the Planning
Commission denied the Transit Corporation's request for a Street
Vacation to accommodate development of their headquarters and garage
facilities. The proposed closure, therefore, provides access only
to the petitioner's property and minimal local traffic circulation.

Staff has concluded that the subject right-of-way is no longer
needed for present or prospective public use and can be vacated
subject to the easement reservation and public improvements cited

above. This application was processed in accordance with Council Policy 600-15.

FILE LOCATION:

STRT J-2501 and DEED F-2218

COUNCIL ACTION: (Tape location: D004-014).

Hearing began at 4:30 p.m. and halted at 4:32 p.m.

MOTION BY MARTINEZ TO CLOSE THE HEARING AND ADOPT. Second by Jones. 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-340: (84-1044) ADOPTED AS RESOLUTION R-259846

The matter of amending Council Policy 600-30 with regard to the City's Growth Management Plan.

COMMITTEE ACTION: Reviewed by RULES on 12/7/83. Recommendation to adopt the revision of Council Policy 600-30 as contained in the memorandum of David Nielsen to the City Council dated 11/16/83. Districts 5, 6, 7 and Mayor voted yea. District 8 voted nay.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: G015-H565).

Hearing began at 4:35 p.m. and halted at 5:52 p.m.

Motion by Martinez to suspend the rules and extend the time past 5:30 p.m. Second by Cleator. Passed: Yeas-1,2,3,4,5,6,7,8,M.

Testimony in favor by Joe Bradley, Mary Hanson, Kelley Gale, Jay Powell, Dennis Heinrich, Kimball Moore, Maurice Boldnac, and Rosalind Lorwin.

Testimony in opposition by James Milch, Louis Wolfsheimer, Bruce Henderson, Robert Saylor, Dr. Sylvia Shepherd, T.C. Hu, John Monk, and R. Alan Smith.

MOTION BY STRUIKSMA TO APPROVE THE MAYOR'S RECOMMENDATION TO ADOPT THE RESOLUTION AND REFER COUNCIL POLICY 600-30 TO THE PLANNING DEPARTMENT TO BE BROUGHT BACK TO COUNCIL ON JANUARY 17, 1984, WITH AN IMPLEMENTATION MEMORANDUM ON HOW IT WILL BE CARRIED OUT. ALSO TO GIVE PARTICULAR ATTENTION TO THE LA JOLLA THRESHOLD ISSUE, AND ANY OTHER PROJECT IN THE MAKING, TO ASSURE THAT ALL THE INFORMATION DEVELOPED IN THOSE APPLICATIONS WILL BE AVAILABLE TO THE COUNCIL IN A SHORT PERIOD OF TIME SO THAT A THRESHOLD DETERMINATION CAN BE MADE

BASED ON THE FACTS OF THOSE APPLICATIONS. ALLOW REPRESENTATIVES FROM THE CONSTRUCTION INDUSTRY FEDERATION (CIF), AND ALL OTHER INTERESTED PERSONS, AN OPPORTUNITY TO COMMENT ON THE IMPLEMENTATION

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

ITEM-341: (R-84-872) ADOPTED AS RESOLUTION R-259847

Considering the protests and confirming the assessment in the matter of paving and otherwise improving Fairmount Avenue between Mission Gorge Road and Twain Avenue, on Assessment Roll No. 3976, under Resolution of Intention R-255576, adopted January 4, 1982. (1911 Street Improvement Act.) (Grantville Community Area. District-7.)

CITY MANAGER REPORT:

The assessment district for the improvement of Fairmount Avenue between Mission Gorge Road and Twain Avenue was approved by Council at the Public Hearing held in March, 1982. Work has now been completed and assessments have been spread based on the final project costs and in proportion to the benefits received by each parcel. This Public Hearing will confirm the assessments and complete the proceedings for this project.

FILE LOCATION:

STRT D-2235

COUNCIL ACTION: (Tape location: D004-014).

Hearing began at 4:30 p.m. and halted at 4:32 p.m.

MOTION BY MARTINEZ TO CLOSE THE HEARING AND ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-342: (R-84-863) ADOPTED AS RESOLUTION R-259848

Considering the protests and confirming the assessment in the matter of paving and otherwise improving 58th Street between Churchward Street and Skyline Drive, on Assessment Roll No. 3963, under Resolution of Intention R- 255578, adopted January 4, 1982. (1911 Street Improvement Act.)

(Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT:

The assessment district for the improvement of 58th Street between Skyline Drive and Churchward Street was approved by Council at the Public Hearing held in March, 1982. Work has now been

completed and assessments have been spread based on the final project costs and in proportion to the benefits received by each parcel. This public hearing will confirm the assessments and complete the proceedings for this project. During construction a conflict between the approved plans and actual field conditions caused the improper installation of a driveway and a water service. As a result, it was necessary to reconstruct the driveway at a cost of \$355 and to remove the water service at a cost of \$150. Since the costs do not represent a benefit that should be assessed to the property owners, it is recommended that the City pay the \$505 cost associated with correcting those conflicts.

FILE LOCATION:

STRT D-2220

COUNCIL ACTION: (Tape location: D004-014).

Hearing began at 4:30 p.m. and halted at 4:32 p.m.

MOTION BY MARTINEZ TO CLOSE THE HEARING AND ADOPT. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-343: (R-84-764) CONTINUED TO MARCH 20, 1984, AT 10:00 A.M.

(Continued from the meeting of November 22, 1983 at the City Manager's request.)

Considering the protests and confirming the assessment in the matter of improving Torrey Pines Road Sound Attenuator Wall, on Assessment Roll No. 3982, under Resolution of Intention R-256645, adopted June 29, 1982. (1911 Street Improvement Act.)

(District-1.)

FILE LOCATION:

STRT D-2218

COUNCIL ACTION: (Tape location: E128-133).

MOTION BY JONES TO CONTINUE TO MARCH 20, 1984, AT 10:00 A.M., AT ENGINEERING AND DEVELOPMENT DEPARTMENT'S REQUEST. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-344: CONTINUED TO JANUARY 3, 1984, AT 3:00 P.M.

19831213

(Continued from the meeting of November 22, 1983 for full Council.)

Matter of rezoning approximately 10 acres of property

located on both sides of San Diego Avenue, Kettner Boulevard and California Street between Witherby and Washington Streets, in the Uptown Community Plan area, from Zones C and M-1 to Zones CO, C-1, CN, R-1-5 and R-1000.

(Case-83-0356. District-2.)

Subitem-A: (R-84-742)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-83-0356 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-84-88)

Introduction of an Ordinance for C-1, CO and R-1000 Zoning.

FILE LOCATION: Subitem-A ZONE 12/13/83; Subitem-B - -

COUNCIL ACTION: (Tape location: H566-595).

MOTION BY MARTINEZ TO CONTINUE TO JANUARY 3, 1984, AT 3:00 P.M., AT MAYOR HEDGECK'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-S410: (R-84-969) ADOPTED AS AMENDED AS RESOLUTION R-259839

(Continued from the meetings of November 14, 1983 and December 6, 1983 at the request of Council Member McColl.)
Confirming the assessment of Parcel No. 471-622-21 in the amount of \$982.57.

(See City Manager Report CMR-83-496.)

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A025-130).

MOTION BY McCOLL TO RECONSIDER COUNCIL'S ACTION TAKEN ON MONDAY,

DECEMBER 12, 1983, BECAUSE OF A MISUNDERSTANDING OF THE HEARING DATE. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

MOTION BY McCOLL TO ADOPT AS AMENDED TO DIVIDE THE COST EQUALLY

BETWEEN MR. WALTER SWIFT AND THE CITY OF SAN DIEGO. 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-S500: (O-83-194 Rev.) DENIED REZONE

(Continued from the meetings of October 25, 1983, November 22, 1983 and December 6, 1983; last continued at the City Manager's request.)

Matter of rezoning a portion of Section 28, Township 18 South, Range 2 West, S.B.B.M. (approximately 6.2 acres), located at the southeast intersection of Palm Avenue and 19th Street from

Zone R-2 (Flood Plain Fringe Overlay) to Zone R-1500 (formerly designated Zone R-2A), in the Otay Mesa-Nestor Community Plan area.

(Case-82-0510. District-8.)

FILE LOCATION:

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COUNCIL ACTION: (Tape location: E323-F070).

MOTION BY MARTINEZ TO CLOSE THE HEARING AND DENY THE REZONE

AND,

IF ANOTHER PROJECT OF THIS NATURE COMES FORWARD, DIRECT THE CITY

ATTORNEY TO LOOK AT ALL THE POSSIBILITIES THAT THE COUNCIL MIGHT HAVE TO PROTECT THE CITY FROM LIABILITY AT THAT TIME. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-nay, McColl-yea, Jones-yea, Struiksmayea, Gotch-nay, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S501 CONTINUED TO JUNE 12, 1984, AT 2:00 P.M.

19831213

(Continued from the meeting of December 6, 1983 at Council Member Cleator's request.)

Application of Nite Lite Inns (dba Grosvenor Inn) by J. Mark Grosvenor, for a Conditional Use Permit CUP-83-0545 to operate and maintain a 15-space recreational vehicle park on a 0.38 acre site in Area B of the Midway Planned District (in the Midway Community Plan area). The property is located at 3145 Sports Arena Boulevard and is further described as a portion of Lot 3, Silver Frontier Map-6282.

(CUP-83-0545. District-2.)

Subitem-A: (R-84-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-83-0545 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-84-)

Adoption of a Resolution granting or denying the application and the permit.

FILE LOCATION: PERM CUP-83-0545

COUNCIL ACTION: (Tape location: F072-332).

Hearing began at 3:42 p.m. and halted at 4:01 p.m.

Testimony in favor by Judson Grosvenor.

Testimony in oppositon by Osborne Crews.

MOTION BY CLEATOR TO CONTINUE TO JUNE 12, 1984, AT 2:00 P.M., AT JUDSON GROSVENOR'S REQUEST. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-S502: (R-84-1029) ADOPTED AS RESOLUTION R-259849

Inducement Resolution expressing the City's intent to proceed with the issuance of bonds for the Unitog Rental Services, Inc. subject to development of mutually acceptable terms and conditions.

(Located in the Gateway Center West Redevelopment Project at 32nd and G Streets. Southeast San Diego Community Area. District-4.)

CITY MANAGER REPORT:

Unitog Rental Services, Inc. submitted an application to the City on December 1, 1983 for up to \$2.5 million of industrial development bond financing. The planned project is an industrial uniform rental plant of approximately 28,000 square feet, to be constructed in the Gateway Center West Redevelopment Project on 1.4 acres. The Company would provide pick up and delivery as well as laundry and dry cleaning services. Land purchase and other proposed terms are in a proposed Disposition and Development Agreement (DDA), which has been negotiated by the Southeast Economic Development Corporation (SEDC). SEDC will be recommending Redevelopment Agency and City Council approval of the DDA on December 13, 1983.

Unitog Rental Services, Inc. has requested that the inducement resolution be adopted in December, 1983. Such a resolution represents tentative approval. Final decision by the City Council

would be subsequent to the City Council's consideration of a staff evaluation report and bond documentation setting forth all terms and conditions. Neither the faith and credit, nor the taxing power of the City would be pledged to the payment of principal or interest on the bonds.

NOTE: See Item S602.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D571-E127).

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

ITEM-S503: (O-84-111) INTRODUCED AND ADOPTED AS ORDINANCE O-16094 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-16007 (New Series), as amended entitled "An Ordinance adopting the annual budget for the Fiscal Year 1983-84 and appropriating the necessary money to operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16007-1, as amended and adopted therein, by exempting one Council Representative I position from the Classified service, pursuant to Charter Section 117 and establishing a salary rate therefor.

COUNCIL MEMBER REPORT:

In November 1979, the voters approved an amendment to City Charter Section 117 to allow for additional positions in the unclassified service. This Charter Section now reads, "The Unclassified Service shall include: Managerial employees having significant responsibilities for formulating or administering departmental policies and programs. Each such position shall be exempted from the Classified Service by ordinance, upon the initiation of the appropriate authority and after receiving the advisory review and comment of the Civil Service Commission and the approval of the City Council."

The requested position has significant management level responsibilities which fall well within the managerial definition contained in Charter Section 117(a) 17. Also, this position has duties and responsibilities comparable in level of difficulty and independence to those of other Council Representatives in the City, whose positions have been exempted from the Classified Service. The Civil Service Commission on December 1, 1983 reviewed this recommendation. By separate memorandum they are forwarding their comment which was in support of exempting this position from the

Classified Service.

NOTE: See Item S411.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A303-308).

MOTION BY MARTINEZ TO INTRODUCE, DISPENSE WITH THE READING,
AND

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

ITEM-S504: (O-84-103 Rev.) INTRODUCED, TO BE ADOPTED JANUARY 3, 1984

Introduction of an Ordinance amending Chapter 2, Article 6,
Section 26.05 of the San Diego Municipal Code relating to the
creation a Senior Citizen Advisory Board.

(See memorandum from Council Member McColl dated 11/21/83)

COMMITTEE ACTION: Reviewed by RULES on 12/7/83. Recommendation to introduce
the Ordinance as amended. Districts 5, 6, 7, 8 and Mayor voted yea.

FILE LOCATION:

-

COUNCIL ACTION: (Tape location: A309-320).

MOTION BY McCOLL TO INTRODUCE THE ORDINANCE. Second by Gotch.
Passed by the following vote: Mitchell-yea, Cleator-yea,
McColl-yea, Jones-yea, Struiksmay-yea, Gotch-yea, Murphy-yea,
Martinez-yea, Mayor Hedgecock-yea.

ITEM-S505:

19831213

(Continued from the meeting of December 6, 1983 at Doug

Perry's request.)

Matters of:

1) Rezoning a 4.5-acre parcel located on the north side of
Camino de la Plaza, between Willow Road and Boston Avenue, in
the Tia Juana River Valley Community Plan area, from Zone A-1-1
to Zone R-1500 (formerly R-2A). The property is further
described as Lots 1-48, Block 10, Tia Juana Map-562.

(Case-83-0609. District-8.)

2) A proposed amendment to the Tia Juana River Valley
Community Plan to incorporate the redesignation of the above
described real property from low- medium density residential
development to medium-density residential development.

3) A proposal to amend the Progress Guide and General Plan for the City of San Diego, to amend the map concerning that portion covered by the proposed amendment to the Tia Juana River Valley Community Plan.

Subitem-A: (R-84-847) ADOPTED AS RESOLUTION R-259850

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-83-0609 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-84-95) INTRODUCED, TO BE ADOPTED JANUARY 3, 1984

Introduction of an Ordinance for R-1500 Zoning.

Subitem-C: (R-84-856) ADOPTED AS RESOLUTION R-259851

Adoption of a Resolution approving the community plan amendment to become effective when the amendment to the General Plan Map is adopted after a hearing on or about December 13, 1983.

FILE LOCATION:

Subitems-A and C LAND Tia Juana River Valley Community Plan;

Subitem-B - -

COUNCIL ACTION: (Tape location: F333-656).

Hearing began at 4:02 p.m. and halted at 4:18 p.m.

Testimony in favor by Jack Walsh.

Testimony in opposition by Douglas Perry.

MOTION BY MARTINEZ TO CLOSE THE HEARING, ADOPT SUBITEM-A, INTRODUCE SUBITEM-B, AND ADOPT SUBITEM-C. 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-UC-4: (R-84-1058) ADOPTED AS RESOLUTION R-259836

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Declaring an emergency and requesting State and Federal assistance in locating and disposing of live ordnance in and around the former Camp Elliott area.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: D004-069).

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

ITEM-UC-5: (R-84-977) ADOPTED AS RESOLUTION R-259857

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Declaring a fixed holiday for City employees on January 16, 1984, in memory of Dr. Martin Luther King, Jr.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: E295-322).

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

ITEM-UC-6: (R-84-975) ADOPTED AS RESOLUTION R-259837

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Commending Deputy City Attorney Vincent P. Di Figilia for his service to the City of San Diego since 1970 upon his departure to enter private practice.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: H615-625).

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

MOTION BY STRUIKSMA TO RECESS THE MEETING OF TUESDAY, DECEMBER

13, 1983 TO WEDNESDAY, DECEMBER 14, 1983 AT 11:30 A.M. Second by McColl. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-UC-7: (R-84-0000) REFERRED TO THE CITY MANAGER ON WEDNESDAY, DECEMBER 14, 1983

An item presented to the City Council with UNANIMOUS
CONSENT:

A report from the City Manager regarding the Police
Department Administration and Technical Center.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: I416-J115).

MOTION BY JONES TO DIRECT THE CITY MANAGER TO BEGIN
NEGOTIATIONS

WITH THE JOHN P. STARKEY COMPANY TO CONSTRUCT A POLICE
ADMINISTRATIVE AND TECHNICAL CENTER, AND BRING THE ISSUE
REGARDING

THE EMPLOYMENT AND APPROPRIATENESS OF A CONSULTANT BEFORE
THE TOTAL

COUNCIL ON JANUARY 3, 1984. AT THAT TIME, THE COUNCIL CAN
AUTHORIZE

THE MANAGER TO ENTER INTO A CONTRACT IF IT DECIDES THAT A
CONSULTANT

IS NEEDED. ALSO, AUTHORIZE THE CITY MANAGER TO HIRE A
CONSULTANT TO

EVALUATE MR. STRUIKSMA'S PROPOSAL FOR A CONSOLIDATED LAW
CENTER, AND

BRING A WRITTEN RECOMMENDATION WITH A SUMMARY OF THE HISTORY
OF THIS

PROPOSAL BACK TO THE COUNCIL ON JANUARY 3, 1984. Second by
Mitchell. Passed by the following vote: Mitchell-yea,
Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,
Murphy-yea, Martinez-not present, Mayor Hedgecock-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Hedgecock at 12:35 p.m.
on Wednesday, December 14, 1983

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: H596-614).

MOTION BY MITCHELL TO ADJOURN THE COUNCIL MEETING OF
TUESDAY,

DECEMBER 13, 1983 IN HONOR OF THE MEMORY OF BILL DENNIS. 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.

ADDITIONAL BUSINESS: (O-83-118) INTRODUCED AND ADOPTED AS
ORDINANCE O-16095 (New
Series) on WEDNESDAY,

DECEMBER 14, 1983

Emergency Ordinance pursuant to Section 17 of the City Charter limiting issuance of building permits and commencement of construction in planned urbanizing communities unless and until provisions for public facilities have been made.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H615-625.)

MOTION BY GOTCH TO INTRODUCE AND ADOPT THE ORDINANCE. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

MOTION BY McCOLL TO DIRECT THE CITY MANAGER AND PLANNING DEPARTMENT TO LOOK AT THE IMPOSITION OF FEES TO PROVIDE FUNDS FOR IMPROVING THE PUBLIC FACILITIES IN THE ESTABLISHED URBANIZED AREAS OF THE CITY, AND REPORT THE FINDINGS BACK TO THE PUBLIC FACILITIES AND RECREATION COMMITTEE WITHIN TWO MONTHS. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-not present, Mayor Hedgecock-yea.