

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

TUESDAY, DECEMBER 18, 1984

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 10:02 a.m. Mayor Hedgecock and the Council acknowledged the many achievements in television, journalism, literature, music, theatre and mural art of Don Pedro J. Gonzalez and proclaimed December 19, 1984, to be "Don Pedro J. Gonzalez Appreciation Day". The meeting was recessed by Mayor Hedgecock at 11:05 a.m. to convene as the Redevelopment Agency. The meeting was reconvened by Mayor Hedgecock at 11:13 a.m. with all Council members present. The meeting was recessed by Mayor Hedgecock at 11:24 a.m. to reconvene at 2:00 p.m. The meeting was reconvened by Mayor Hedgecock at 2:04 p.m. with Council Member Martinez not present. Mayor Hedgecock and the Council made a special presentation to Council Member Gotch in recognition of his service as Deputy Mayor for 1984. Mayor Hedgecock adjourned the meeting at 4:50 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 (bb a.m.; jb p.m.)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Hedgecock-present
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Council Member Jones-not present
- (5) Council Member Struiksmma-present
- (6) Council Member Gotch-present

- (7) Council Member Murphy-present
- (8) Council Member Martinez-present

ITEM-330:

Matters which affect the following real property: A portion of Pueblo Lot 1118 (an 18.62-acre site owned by The County of San Diego), located on Vauclain Point, which is west of Highway 163 between I-8 and Third Avenue in the Uptown Medical Complex Plan area.

- 1) Rezoning 11.8 acres of flat developable land (slopes less than 25%) from Zones R-400 and R-1000 to Zone R-3000. The remaining 6.82 acres of slopes of 25% or greater from Zones R-400 and R-1000 to Zone R1-40000 (formerly R-1A);
- 2) A proposed amendment to the Uptown Medical Complex Plan which would include changes to the plan language, providing for residential development and/or community facilities on the above-described site for alternative uses to medical institutional expansion.
(Case-84-0717. District-2.)

Subitem-A: (R-85-805) ADOPTED AS RESOLUTION R-262214

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-84-0717 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-85-77) INTRODUCED, TO BE ADOPTED JANUARY 7, 1985

Introduction of an Ordinance for R-3000 and R1-40000 Zoning.

Subitem-C: (R-85-809) ADOPTED AS RESOLUTION R-262215

Adoption of a Resolution approving the amendments to the Uptown Medical Complex Plan.

Subitem-D: (R-85-1186) ADOPTED AS RESOLUTION R-262216

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-84-0717.

FILE LOCATION:

Subitems A and D - ZONE ORD. NO.;

Subitem B

--;

Subitem C LAND - Uptown Medical Complex
Plan

COUNCIL ACTION: (Tape location: A154-217.)

Hearing began at 10:14 a.m. and halted at 10:19 a.m.

Councilmember Jones entered the Chambers at 10:15 a.m.

MOTION BY CLEATOR TO CLOSE THE HEARING, INTRODUCE SUBITEM B,
ADOPT SUBITEMS A, C, AND D INCORPORATING ADDITIONAL LANGUAGE AS
STATED IN PLANNING REPORT 84-500, PLANNING DEPARTMENT

MEMORANDUM

DATED DECEMBER 3, 1984, AND HAVE IT CLEARLY STATED THAT THERE BE
NO ACCESS ALLOWED OFF BACKMAN CANYON OR FROM MISSION VALLEY.

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-331: (O-85-84) INTRODUCED, TO BE ADOPTED JANUARY 7, 1985

Rezoning Parcels 1-2, Parcel Map PM-4009; Portion of Lot 17,
Rancho Mission Referees Partition, Map-330; Lot 1, Crown
Subdivision, Unit 2, Map-6063; Portion Lot 1, Granz Square,
Map-5367; Parcels 1-2, Parcel Map PM-12192; Lot 1, Elizabeth
Place, Map-4780; Lot 2, McColl Subdivision, Map-6334; Parcel Map
PM-5906; Metropolitan Shopping Center Unit 1, Map-3980;
Metropolitan Shopping Center Unit 2, Map-3794; and Lots 3, 4 and
portion Lot 5, Mission Plaza, Map-10146 (approximately 38.85
acres), from Zone CA to Zone CA-RR. The area is generally
bounded by 54th Street to the north, Euclid Avenue to the west
and Highway 94 to the south in the Mid-City Community Plan area.

(Case-84-0691. District-3.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A218-265.)

Hearing began at 10:20 a.m. and halted at 10:22 a.m.

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

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ITEM-332:

Appeal of H & H Properties/D. J. Findley, Inc., by Richard
R. Waite, Attorney, from the decision of the Planning
Commission in denying Conditional Use Permit CUP-84-0487,
which proposes to use an existing motel to house

undocumented aliens awaiting immigration proceedings. The subject property is located at 719 Ash Street, in Zone CBD, and is further described as Lots 1-3, portion Lot 10, all of Lots 11 and 12, Block 12, Bay View Homestead Map-1050. (CUP-84-0487. District-8.)

Subitem-A: (R-85-) FILED

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-84-0487 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-85-1185) ADOPTED AS RESOLUTION R-262218
DENYING APPEAL AND PERMIT

Adoption of a Resolution granting or denying the appeal and the permit with appropriate findings to support Council action.

FILE LOCATION: PERM CUP 84-0487

COUNCIL ACTION: (Tape location: A266-653.)

Hearing began at 10:23 a.m. and halted at 10:43 a.m.

Testimony in favor of appeal by Richard Waite and Clifton Rogers.

Testimony in opposition of appeal by Hosie Khursigarr, Philip Gildred, Alex Rigopoulos, and E. H. Taliaferro.

MOTION BY MARTINEZ TO CLOSE THE HEARING UPHOLDING THE DECISION OF THE PLANNING COMMISSION TO DENY THE APPEAL AND PERMIT.

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-333: (O-85-92) INTRODUCED, READING DISPENSED WITH AND
ADOPTED AS ORDINANCE O-16344 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-16249 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for The Fiscal Year 1984-85 and Appropriating the Necessary Money to Operate The City of San Diego for Said Fiscal Year" by amending Document No. 00-16249-1, as amended and adopted therein, by adding to the personnel authorization of Department 026, Council District 6, in General Fund 100, one Council Representative I position; exempting said position from the Classified Service, and establishing a salary rate

therefor.

(District-6.)

COUNCIL STAFF REPORT: In November 1979, the voters approved an amendment to 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 November 1, 1984, reviewed this recommendation. Their comment was in support of exempting this position from the Classified Service.

NOTE: See Item 200.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A654-677.)

MOTION BY GOTCH TO INTRODUCE, DISPENSE WITH THE READING AND 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-334:

Appeal of Burlingame Homeowners Association, by Ernest D. Smith, President, from the decision of the Planning Commission in approving the amendment, as modified, of Conditional Use Permit CUP-82-0458.1, which would allow combined law office/residential uses in a historically designated residence previously approved for studio/office uses. The subject property is located at 3004 Laurel Street in the Park Northeast Community Plan area, in Zone R1-5000, and is further described as a portion of Lot 4 and all of Lot 5, Block H, Burlingame, Map-1402.
(CUP-82-0458.1. District-8.)

Subitem-A: (R-85-) FILED

Adoption of a Resolution certifying that the information

contained in Environmental Negative Declaration END-82-0458 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-85-1187) ADOPTED AS RESOLUTION R-262222,
GRANTING APPEAL, DENYING AMENDMENT
TO PERMIT

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.

FILE LOCATION: PERM CUP 82-0458

COUNCIL ACTION: (Tape location: C059-562.)

Hearing began at 2:10 p.m. and halted at 2:42 p.m.

Testimony in favor of the appeal by Ernest Smith, Robin Dean, Frank D. Bishop, Kim Kilkenny and David Doyle.

Testimony in opposition to the appeal by Frank Balistreri.

Motion by Martinez to deny the appeal and approve staff's recommendation to grant the amendment to the permit. No second.

MOTION BY JONES TO CLOSE THE HEARING, UPHOLD THE APPEAL AND DENY THE AMENDMENT TO THE PERMIT. 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.

ITEM-335:

Matter of rezoning a portion of Pueblo Lot 1307 (approximately 5.0 acres), located east of Towne Center Drive between La Jolla Village and Executive Drives, in the University Community Plan Area, from Zones R1-5000 and R1-5000(HR) to Zones CO and CO(HR). (Case-84-0156. District-1.)

Subitem-A: (R-85-1037) ADOPTED AS RESOLUTION R-262223

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0156 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-85-96) INTRODUCED, TO BE ADOPTED JANUARY 7,
1985

Introduction of an Ordinance for CO and CO(HR) Zoning.

FILE LOCATION: ZONE ORD. NO.
COUNCIL ACTION: (Tape location: C563-D510.)

Hearing began at 2:43 p.m. and halted at 3:22 p.m.

Testimony in favor by John Thelan and Paul Buss.

Testimony in opposition by Norma Carey.

Motion by Mitchell to deny the rezone. No second.

MOTION BY STRUIKSMA TO CLOSE THE HEARING, APPROVE THE REZONE, AND DIRECT THE CITY MANAGER TO REPORT BACK TO THE COUNCIL ON JANUARY 14, 1985 ON THE STATUS OF WHERE THE CITY IS IN UPDATING THE 1980 TRAFFIC STUDY IN THIS AREA. Second by Jones. Passed

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

ITEM-336:

Appeal of Esther M. Svahn, John and Betty Cowan, et al, from the decision of the Planning Commission in approving modification of Conditional Use Permit CUP-84-0490, which proposes to allow tours of an historical residence. The subject property is located at 1203 Sunset Cliffs Boulevard, in Zone R1-5000 in the Peninsula Community Plan area and is more particularly described as Lots 17 and 18, Block 11, Sunset Cliffs Map-1889.
(CUP-84-0490. District-2.)

Subitem-A: (R-85-) FILED

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-84-0490 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-85-1188) ADOPTED AS RESOLUTION R-262224,
GRANTING APPEAL, DENYING PERMIT

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.

FILE LOCATION: PERM CUP 84-0490

COUNCIL ACTION: (Tape location: D511-E490.)

Hearing began at 3:23 p.m. and halted at 4:03 p.m.

Testimony in favor of the appeal by Esther M. Svahn, Joe Luther, Tom Bryan, Jorgen Rassmusen, Betty Cowan, Kingsley Boyd and D. Rhodes.

Testimony in opposition to the appeal by Dr. J.A. Ryan, Ann

Ryan, Dennis Avery, A. Lee Estep and E.H. Taliafero.
MOTION BY CLEATOR TO CLOSE THE HEARING, UPHOLD THE APPEAL AND DENY THE PERMIT. 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-337:

Matters of:

- 1) Proposal to amend the North City West Carmel Valley Neighborhoods 4, 5 and 6 Precise Plan to replace residential acreage with employment center uses, relocate retail commercial and visitor commercial uses, and transfer residential units to a reduced area, thereby increasing the density of multi-family use. The subject property is located on the north side of Carmel Valley Road between El Camino Real and Soledad Valley Road and is more particularly described as Parcels 2-10, Parcel Map PM-11045 of Section 19, Township 14 South, Range 3 West, SBM.
- 2) Proposal to amend the North City West Planned District Ordinance, North City West Community Plan and the Progress Guide and General Plan to retain consistency with the proposed precise plan amendment.
(District-1.)

Subitem-A: (R-85-994) ADOPTED AS RESOLUTION R-262225
Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-84-0594 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-85-901) ADOPTED AS RESOLUTION R-262226
Adoption of a Resolution approving the amendment to the North City West Carmel Valley Neighborhoods 4, 5 and 6 Precise Plan.

Subitem-C: (R-85-902) ADOPTED AS RESOLUTION R-262227
Adoption of a Resolution approving the amendment of the North City West Community Plan.

Subitem-D: (R-85-903) ADOPTED AS RESOLUTION R-262228
Adoption of a Resolution approving the amendment of the North City West Community Plan, by incorporation of the

amended Carmel Valley Neighborhoods 4, 5 and 6, to become effective when the amendment to the General Plan Map is adopted after a hearing on or about June 25, 1985.

Subitem-E: (O-85-88) INTRODUCED, TO BE ADOPTED JANUARY 7, 1985

Introduction of an Ordinance amending the North City West Planned District.

FILE LOCATION: LAND - North City West Carmel Valley Neighborhoods 4, 5 and 6 Precise Plan

COUNCIL ACTION: (Tape location: E491-F536.)

Testimony in favor by Jeff Lundstrom and David Autin.

Testimony in opposition by Dennis Gruber, Thomas A. Bankhead and Stephen Luse.

Council Member Martinez left at 4:10 p.m.

Motion by Struiksma to continue to January 8, 1985. No second.

Council Member Struiksma left at 4:24 p.m.

Council Cleator left at 4:37 p.m.

MOTION BY MITCHELL TO CLOSE THE HEARING AND APPROVE WITH THE CONDITION THAT NO FURTHER AMENDMENTS TO THE NORTH CITY WEST PLAN

WOULD BE ACTED UPON BY THE COUNCIL BEFORE 60 DAYS. Second by Jones. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-not present, Mayor Hedgecock-yea.

ITEM-S405: (R-85-1115) TRAILED TO JANUARY 7, 1985, AS UNFINISHED BUSINESS

(Continued from the meeting of December 11, 1984 at Council Member Jones' request.)

The matter of the appointment of one of the following persons to fill a vacancy on the San Diego Unified Port District, Board of Commissioners, for a term of four years, beginning January 3, 1985: Albert A. Kercheval, Ralph R. Pesqueira, and W. Daniel Larsen.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B381-573.)

The seventh ballot was taken and Clerk Abdelnour announced the tally for Round 7: Larsen-4, and Pesqueira-4. (NOTE: Council Member Jones-not present.

The eighth ballot was taken and Clerk Abdelnour announced the tally for Round 8: Larsen-4, and Pesqueira-4. (NOTE: Council Member Jones-not present.

MOTION BY MARTINEZ TO TRAIL TO 2:00 P.M. Withdrawn.

By common consent, item was trailed as unfinished business to January 7, 1985.

ITEM-S500: (R-85-1052 Rev.) ADOPTED AS RESOLUTION R-262219

Authorizing the execution of a five-year lease agreement, with a five-year option to extend, with Video Services, Inc., for a communications facility atop Cowles Mountain, at an initial annual rent of \$120,000; declaring that this authorization is conditioned upon receipt by the City from Video Services, Inc. of retroactive rents for the period November 28, 1983 through December 31, 1984 in the amount of \$47,160.

(See City Manager Report CMR-84-484. San Carlos Community Area. District-7.)

COMMITTEE ACTION: Reviewed by PFR on 12/5/84.

Recommendation to adopt the Resolution. Districts 2, 3, 4, and 7 voted yea. District 1 not present.

FILE LOCATION: LEAS - Video Services, Inc.

COUNCIL ACTION: (Tape location: A678-B166.)

MOTION BY MURPHY TO ADOPT AND DIRECT THE PUBLIC FACILITIES AND RECREATION COMMITTEE AND THE CITY/COUNTY TASK FORCE TO REVIEW VIDEO SERVICES, INC. PLAN FOR \$20,000 OF SCREENING OF FACILITY AND ALSO THE EXTENSION OF THE LEASE. 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-S501: (R-85-1120) ADOPTED AS RESOLUTION R-262220

Requesting the Metropolitan Water District Board to defer action on the annexation of 4-S Ranch to its service area pending agreement by the City of San Diego and County of San Diego on a sphere of influence study.

(See memorandum from Mayor Roger Hedgecock dated 12/7/84.)

COMMITTEE ACTION: Reviewed by RULES on 12/10/84. Recommendation to adopt the Resolution. Districts 1, 4, 8 and Mayor voted yea. District 6 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B167-241.)

MOTION BY MARTINEZ TO ADOPT AS AMENDED TO INCLUDE THE COUNTY WATER AUTHORITY. Second by Gotch. Passed by the following vote: Mitchell-yea, Cleator-not present, McColl-nay, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-UC-1: (O-85-102) INTRODUCED, TO BE ADOPTED JANUARY 7,
1985

An Ordinance presented to the City Council with UNANIMOUS
CONSENT:

Ordinance amending Emergency Ordinance adopted on November
20, 1984, to exempt from discretionary review move-on units
which are to be placed on single-family R-1 lots, and for
which a permit application was filed prior to November 20,
1984. This action will exempt 4 homes.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B242-270.)

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

ITEM-CS-1: (R-85-1116) ADOPTED AS RESOLUTION R-262229

A Ordinance adopted by the City Council in Closed Session
on December 18, 1984:

Authorizing the City Manager to pay the total sum of
\$25,000 in settlement of Superior Court Case No. 513541,
Marguerite Knowles v. City of San Diego, et al., and of
each and every claim against the City, its agents and
employees, resulting from personal injuries to Marguerite
Knowles; authorizing the City Auditor and Comptroller to
issue one check in the amount of \$25,000 to Marguerite
Knowles and her attorney, Michael London, in full
settlement of the lawsuit and of all claims.

FILE LOCATION: MEET

ADJOURNMENT:

The meeting was adjourned by Mayor Hedgecock at 4:50 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: F537-538).

MOTION BY McCOLL TO ADJOURN THE MEETING IN HONOR OF THE MEMORY
OF EVELYN BOYNTON SMITH. Second by Jones. Passed by the
following vote: Mitchell-yea, Cleator-not present, McColl-yea,
Jones-yea, Struiksmā-not present, Gotch-yea, Murphy-yea,
Martinez-not present, Mayor Hedgecock-yea.