

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

TUESDAY, JANUARY 7, 1986
AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Struiksma at 10:00 a.m. Deputy Mayor Struiksma adjourned the meeting at 10:39 a.m.

ATTENDANCE DURING THE MEETING:

- (M) Vacant
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Cleator-present
 - (3) Council Member McColl-present
 - (4) Council Member Jones-present
 - (5) Council Member Struiksma-present
 - (6) Council Member Gotch-present
 - (7) Council Member McCarty-present
 - (8) Council Member Martinez-present
- Clerk-Abdelnour (eb)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Vacant
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-not present
- (3) Council Member McColl-present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-present

ITEM-330: CONTINUED TO FEBRUARY 4, 1986, 10:00 A.M.

An amendment to the Carmel Mountain Ranch Special Sign District to construct an information center and erect five temporary community marketing signs (on approximately 1,500 acres), located on the east side of I-15, between the Rancho Bernardo and Sabre Springs communities, in Zone A-1-10, in the Carmel Mountain Ranch Community Plan area.

The subject property is further described as a portion of Rancho de los Penasquitos and a portion of Pompeii Subdivision, Map-1738.
(Case-84-0771.1. District-1.)

Subitem-A: (R-86-1176)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-85-0664 (addendum to END-84-0222) 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-86-109)

Introduction of an Ordinance adopting an amendment to the Carmel Mountain Ranch Special Sign District.

FILE: --

COUNCIL ACTION: (Tape location: A037-272.)

Hearing began 10:02 a.m. and halted 10:20 a.m.

Council Member Cleator entered 10:08 a.m.

Testimony in favor by Brian Milich.

Motion by Gotch to approve the amendment with the deletion of the freeway-oriented marketing sign. Second by Cleator. Motion withdrawn.

MOTION BY WOLFSHEIMER TO CONTINUE TO FEBRUARY 4, 1986, AT BRIAN MILICH'S REQUEST TO MEET WITH PLANNING DEPARTMENT STAFF AND COUNCIL MEMBER WOLFSHEIMER TO REACH A COMPROMISE REGARDING THE FREEWAY SIGN. Second by Gotch. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-331: (O-86-92) INTRODUCED, TO BE ADOPTED JANUARY 21, 1986

Rezoning a 4.36-acre site located on the east side of Murphy Canyon Road between Clairemont Mesa Boulevard and Balboa Avenue, in the Serra Mesa Community Plan area, from Zone M-1A to Zone M-1B. The subject property is further described as Lots 2 and 3, Murphy Canyon Business Park, Map-10605.

(Case-85-0594. District-5.)

Introduction of an Ordinance for M-1B Zoning.

FILE: --

COUNCIL ACTION: (Tape location: A275-293.)

Hearing began 10:20 a.m. and halted 10:21 a.m.

MOTION BY MARTINEZ TO INTRODUCE. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-332: (R-86-) CONTINUED TO FEBRUARY 4, 1986, 10:00 A.M.

(Continued from the meetings of April 15, 1985, May 14, 1985, July 30, 1985, October 1, 1985 and October 29, 1985; last continued at Council Member Jones' request.)

Matter of:

A request for public hearing, pursuant to Section 101.0205.2 of the San Diego Municipal Code, to allow development of a 16-unit apartment addition to an existing 8-unit apartment development (Greentree Plaza Complex) in the R-1500 Zone without requiring a discretionary permit incorporating design review. The site is located on the east side of 47th Street between Logan Avenue and T Street (811 South 47th).

The subject property is located in the Southeast San Diego Community Plan area and is more particularly described as a portion of Lot 55, Horton's Purchase, Map-283.

This project requests a waiver from Emergency Ordinance O-16332 N.S. which establishes permit processing and design review on all multiple family residentially zoned properties located in the Southeast San Diego community. (Case-85-0269. District-4.)

Adoption of a Resolution granting or denying the waiver from Emergency Ordinance O-16332 N.S.

FILE: --

COUNCIL ACTION: (Tape location: A030-037.)

MOTION BY JONES TO CONTINUE TO FEBRUARY 4, 1986, AT THE REQUEST OF THE PLANNING DEPARTMENT. Second by Martinez. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-333: CONTINUED TO JANUARY 14, 1986

Six actions relative to the improvement of City and Normal Heights Alley, Street, Water and Sewer Replacement - Contract No. 5 under the provisions of the San Diego Municipal Code and the Improvement Act of 1911: (East San Diego and Normal Heights Community Areas.

District-3.)

Subitem-A: (R-86-810)

Adoption of a Resolution determining the feasibility of the proposed improvements pursuant to Resolution of Intention R-264508, adopted on November 25, 1985.

Subitem-B: (R-86-811)

Adoption of a Resolution ordering the work.

Subitem-C: (R-86-812)

Adopting plans and specifications.

Subitem-D: (R-86-855)

Approving the City Engineer's Report.

Subitem-E: (R-86-813)

Inviting sealed proposals for bids.

Subitem-F: (R-86-814)

Waiving the collection of advance incidental expenses and acquisition costs for the proposed contract, pursuant to Section 20429 of the Public Contracts Code.

CITY MANAGER REPORT: The City and Normal Heights Alley, Street, Water and Sewer Replacement - Contract No. 5 is the fifth project in the City Heights area to be considered by Council under the CDBG-Assessment District cost sharing concept. The cost sharing concept is based on CDBG funds being used to finance 50 percent of the alley improvements regardless of the income or residency status of the benefitting property owners. The remaining 50 percent of the alley improvement cost will be assessed to the benefitting parcels with CDBG funds being utilized to pay the assessments for owner-occupants who meet HUD income guidelines. Property owners who do not qualify may pay the remaining 50 percent over a period of ten years.

The proposed improvements to the nine alleys included in this contract consist of clearing, grubbing, grading, paving, curb, retaining wall, storm drain, water and sewer main replacement improvements. There are 161 parcels involved and 89 of them are owner-occupied. All property owners have been notified of the proposed improvement and given information regarding the assessment payment program. The cost of water and sewer main replacements will be paid from Water Utility Department Water and Sewer Annual Allocation funds.

WU-M-85-341.

FILE: --

COUNCIL ACTION: (Tape location: A295-589.)

Hearing began 10:22 a.m. and halted 10:38 a.m.

Testimony in favor by Leon McMahon.

Testimony in opposition by Terry Copeland, Terry Eddins, Sue Castellano, Moline Nelson and Clyde Webb.

MOTION BY McCOLL TO APPROVE THE PROJECT TENTATIVELY WITH THE EXCEPTION OF THE CASTELLANO PROPERTY AND CONTINUE TO JANUARY 14, 1986, FOR A REPORT FROM THE CITY MANAGER ON THE CASTELLANO

PROPERTY. Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-S500: (O-86-104) INTRODUCED AND ADOPTED AS ORDINANCE
O-16575 (New Series)

Introduction and Adoption of an Ordinance amending Ordinance O-16475 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1985-86 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-16475-1 and No. 00-16475-2, as amended and adopted therein, by adding to the Personnel authorization of the Planning Department (065), 1 Intermediate Typist position, 1 Zoning Representative, and 1 Building Inspector II position; transferring the sum of \$51,851 within the General Fund 100, from Unallocated Reserve (605) to the Planning Department (065) for the purpose of fully funding the above authorized position and related non-personnel expenditures for the remainder of Fiscal Year 1986.

(See Planning Department Report PDR-85-602.)

PLANNING DIRECTOR REPORT: On October 16, 1985, the Transportation and Land Use Committee reviewed Sign Code Administration Staffing levels and directed the Planning Department to proceed with a mid-year staffing adjustment. The Committee approved the Department report recommending 3 additional positions based on workload resulting from higher than anticipated activity in field investigation and enforcement, plan checking, field inspection and customer service. Activity in each of these areas in the First Quarter of Fiscal Year 1986 more than doubled the experience in the First Quarter of Fiscal Year 1985. These significant increases are directly attributable to an increased public awareness of City Sign Regulations and a vigorous enforcement effort resulting in

a notable increase in applications for permits by the sign using public. The Department projects an increase in Sign Permit revenue recovery of approximately \$30,00 per year. This activity is not a "project" and therefore exempt from CEQA pursuant to State CEQA Guidelines Section 17378. Aud. Cert. 86540.

NOTE: See Item S401.

FILE: MEET

COUNCIL ACTION: (Tape location: A589-609.)

MOTION BY MARTINEZ TO INTRODUCE, DISPENSE WITH THE READING, AND ADOPT. Second by Gotch. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-CS-1: (R-86-1142) ADOPTED AS RESOLUTION R-264831

A Resolution adopted by the City Council in Closed Session on January 7, 1986:

Authorizing and empowering the City Manager to pay the sum of \$10,000 in the settlement of each and every claim against The City of San Diego, its agents and employees resulting from the personal injuries to Henrietta Kaye Babb; authorizing the City Auditor and Comptroller to issue one check in the amount of \$10,000 made payable to Henrietta Kaye Babb and her attorney Byron R. Halling in full settlement of this claim.

FILE: MEET

ITEM-CS-2: (R-86-1254) ADOPTED AS RESOLUTION R-264832

A Resolution adopted by the City Council in Closed Session on January 7, 1986:

Authorizing and empowering the City Manager to pay the sum of \$13,500 in the settlement of each and every claim against The City of San Diego, its agents and employees, Superior Court Case No. 539766, Martha Diaz v. City of San Diego, et al., resulting from the personal injuries to Martha Diaz; authorizing the City Auditor and Comptroller to issue one check in the amount of \$13,500 made payable to Martha Diaz, a minor, by Jose Jesus Diaz, her Guardian ad Litem, and Pierre Pfeffer, her attorney, in full settlement of all claims.

FILE: MEET

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Struiksma at
10:39 a.m.

FILE: MEET

COUNCIL ACTION: (Tape location: A609).