

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

OF  
TUESDAY, MAY 20, 1986  
AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairperson Gotch at 10:02 a.m. Deputy Mayor Struiksma adjourned the meeting at 11:30 a.m. to convene as the Redevelopment Agency, into the Housing Authority thereafter, and to meet as the Committee of the Whole for Budget deliberations at 2:00 p.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 (jb)

FILE: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (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-not present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Martinez-present

ITEM-330: (R-86-1754) ADOPTED AS RESOLUTION R-265749

Considering the protests and determining that it is in public interest to acquire 0.58 acres of Switzer Canyon (Balboa Terrace Parcel) for the San Diego Open Space Park

Facilities District No. 1, under Resolution of Intention R-265502, adopted on April 21, 1986; authorizing the City Manager to offer to purchase said property; authorizing the expenditure of not to exceed \$190,000 as payment for said property and related costs from Open Space Park District Bond Fund 79103; authorizing the City Manager to accept the deed to said property without further Council action.  
(See City Manager Report CMR-86-132. Park Northeast Community Area. District-8.)  
Aud. Cert. 86796.

FILE: STRT OS-9

COUNCIL ACTION: (Tape location: A077-133.)

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

Testimony in favor by Nick Pantell.

MOTION BY MARTINEZ TO CLOSE THE HEARING AND ADOPT. DIRECT THE TRAFFIC SECTION OF THE ENGINEERING AND DEVELOPMENT DEPARTMENT TO

INFORM HIS OFFICE ON WHAT THE RELATIONSHIP IS BETWEEN THE 25 M.P.H. SPEED LIMIT ON 30TH STREET (BETWEEN PALM AND LAUREL STREETS) AND THE BALBOA TERRACE PROJECT. IF THERE IS A RELATIONSHIP, MAKE A STUDY OF THAT SPEED LIMIT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struikisma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-331: (R-86-1757 Rev.1) ADOPTED AS AMENDED AS RESOLUTION R-265750

19860520

Considering the protests and determining that it is in the public interest to acquire 2.09 acres of Mission Valley Hillside D for the San Diego Open Space Park Facilities District No. 1, under Resolution of Intention R-265520, adopted April 21, 1986; authorizing the expenditure of an amount not to exceed \$50,000 as payment for said property and related costs from Open Space Park District Bond Fund 79103; authorizing the City Manager to accept the deed of the property without further Council action.

(Mid-City Community Area. District-3.)

CITY MANAGER REPORT: Mission Valley Hillside D is the number 42 priority, in Category B, on the Council's adopted open space retention list. This land, which consists of one parcel totalling 2.09 acres, is located to the east of I-805 and south of Camino del Rio South. On November 21, 1983, Council adopted Resolution R-259663, approving an acquisition plan which

included allotting up to \$5 million for Council District 3 parcels, along with funds to have them appraised for purposes of acquisition for open space. The specific acquisition plan including this canyon land was approved by the Public Facilities and Recreation Committee on October 17, 1984. This request is for \$50,000 which would provide funds to acquire this parcel at fair market value and to cover title, escrow, appraisal, miscellaneous and contingency costs.

Aud. Cert. 86795.

FILE: STRT OS-1

COUNCIL ACTION: (Tape location: A110-150.)

Hearing began at 10:11 a.m. and halted at 10:12 a.m.

MOTION BY McCOLL TO CLOSE THE HEARING AND ADOPT AS AMENDED WITH THE CONDITION THAT ANY FUNDS LEFT OVER FROM THE \$50,000 EXPENDITURE WOULD GO INTO THE OPEN SPACE PARK DISTRICT FUND FOR DISTRICT 3. Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-332:

Two actions relative to the Marina "G" Blocks (Harbor Drive to Market Street, Union Street to 4th Avenue) Underground Utility District:  
(Centre City Community Area. District-8.)

Subitem-A: (R-86-1912) ADOPTED AS RESOLUTION R-265751  
Establishing the Marina "G" Blocks (Harbor Drive to Market Street, Union Street to 4th Avenue) Underground Utility District.

Subitem-B: (R-86-1913) ADOPTED AS RESOLUTION R-265752  
Authorizing the expenditure of an amount not to exceed \$6,500 from CIP-37-028, Federal Revenue Sharing Fund 18013 for the purpose of administering the Underground Utility District, minor City Force work and other related work.

CITY MANAGER REPORT: The proposed district will underground the overhead utility facilities in the redevelopment area bounded on the south by Harbor Drive, on the north by Market Street, on the west by Union Street, and on the east by 4th Avenue. This is a scheduled project in the Calendar Year 1987 Capital Improvements Program. Implementation of this project will be scheduled in phases only as redevelopment occurs in the area. The total number of affected properties in this district

is 62, all of which are commercial properties. Conversion costs on commercial private properties may vary from \$600 to several thousand dollars or more due to differences in service size and location. However, due to the redevelopment efforts in this area, it is anticipated that a much smaller number of parcels will actually require conversion. Most underground facilities will probably be installed with new construction. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners, based upon the length of their electrical service trench. Future resolutions will establish the dates for removal of overhead utilities as each phase approaches completion.

Aud. Cert. 86837.

FILE: STRT K-162

COUNCIL ACTION: (Tape location: A151-370.)

Hearing began at 10:12 a.m. and halted at 10:29 a.m.

Testimony in opposition by Susan Fry.

MOTION BY MARTINEZ TO CLOSE THE HEARING AND ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-nay, McColl-yea, Jones-yea, Struiksmá-not present, Gotch-yea, McCarty-yea, Martínez-yea, Mayor-vacant.

ITEM-333:

Matters which affect the following real property:

All of Lots A-112 and A-113 of Addition No. 1 of San Ysidro, Map-1194, and the northerly 11 feet of Parcel 1, Parcel Map PM-13425 (approximately 2.2 acres), located on the west side of Willow Road between Calle Primero and Camino de la Plaza, in the Tia Juana River Valley Community Plan area.

1) Rezoning the above-described real property from Zone R-3000 to R-1500;

2) An amendment to the Tia Juana River Valley Community Plan, which proposes to change land use designation from "Commercial Recreation" to "Medium Density Residential" (15-30 dwelling units per acre), the Local Coastal Program and amendment of the General Plan Map on the above-described real property.

(Case-84-0924. District-8.)

Subitem-A: (R-86-2039) ADOPTED AS RESOLUTION R-265753

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-85-0868

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-86-183) INTRODUCED, TO BE ADOPTED JUNE 2, 1986

Introduction of an Ordinance for R-1500 Zoning.

Subitem-C: (R-86-2043) ADOPTED AS RESOLUTION R-265754

Adoption of a Resolution amending the Tia Juana River Valley Community Plan, Local Coastal Program, the General Plan Map (to become effective after the next omnibus hearing), and authorizing and directing the Planning Department to resubmit the amendment of the Tia Juana River Valley, Local Coastal Program to the California Coastal Commission for its review and certification.

FILE:

Subitem A ZONE ORD. NO.;

Subitem B--;

Subitem

C LAND - Tia Juana River Valley Community Plan

COUNCIL ACTION: (Tape location: A391-560.)

Hearing began at 10:31 a.m. and halted at 10:40 a.m.

Deputy Mayor Struiksma entered at 10:31 a.m.

Testimony in favor by Greg Garratt.

MOTION BY MARTINEZ TO CLOSE THE HEARING, ADOPT SUBITEMS A AND C, AND INTRODUCE SUBITEM B. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-334: CONTINUED TO JUNE 2, 1986, AT 2:00 P.M.

Matter of a request to approve Tentative Map TM-86-0127 (N.C.W. Neighborhood 7, Units 1 & 13), which proposes the division of a 32-acre site into three lots and the vacation of a portion of Black Mountain Road through the subdivision.

The subject 32-acre site is located at the northeast corner of El Camino Real and Del Mar Heights Road, and is further described as a portion of Section 18, Township 14 South, Range 3 West, SBBM. The MF-2 and MF-3 zoned site is in the North City West Community Plan area.

(TM-86-0127. District-1.)

Subitem-A: (R-86- )

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-86-0127 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: (R-86- )

Adoption of a Resolution approving or denying the map and the street vacation with appropriate findings to support Council action.

Subitem-C: (R-86- )

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-86-0127.

NOTE: See Item 335 on today's docket for a companion item.

FILE: SUBD - N.C.W. Neighborhood 7, Unit 1 & 13

COUNCIL ACTION: (Tape location: A030-076.)

MOTION BY WOLFSHEIMER TO CONTINUE FOR TWO WEEKS, AT HER REQUEST. DIRECT THE PROPERTY DEPARTMENT TO PROVIDE A STATUS REPORT AND WRITTEN MEMORANDUM TO DETERMINE WHETHER MONEY CAN BE TAKEN OUT OF

THE FACILITIES BENEFIT ASSESSMENT (FBA) FUND TO COMMENCE CONSTRUCTION ON THE CAMINO REAL STREET IMPROVEMENTS SO THAT A SUBDIVISION CAN BE PUT IN. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-335: (R-86-2099) CONTINUED TO JUNE 2, 1986, AT 2:00 P.M.

19860520

Vacating Black Mountain Road east and west of Hartford Avenue and in conjunction with North City West Neighborhood 7 Unit 13 (TM-86-0127), under the procedure for the summary vacation of streets where a street has been superseded by relocation; declaring that this resolution shall not become effective unless and until the first final subdivision map for North City West Neighborhood 7 (TM-86-0127) has been

approved by Council action; in the event that a final subdivision map for North City West Neighborhood 7 is not approved three years after adoption of this resolution, this resolution shall become void and be of no further force or effect; directing the City Engineer to advise the City Clerk of the approval of the aforementioned subdivision map.

(North City West Community Area. District-1.)

CITY MANAGER REPORT: A portion of Black Mountain Road is being vacated in connection with the development of North City West Neighborhood 7, Unit 13 (TM-86-0127) in the North City West Community. The application has been initiated by the tentative map process. The area of vacation does not contain public or franchise utilities within the current paved traveled way. This portion of Black Mountain Road was never dedicated but is considered a traveled public way, which is assumed to have a constant width of 40 feet. The area of vacation is adjacent to City property which is a future site for a fire station. The vacation will not affect access to the fire station in that the adjacent developments are to dedicate and improve a new road system for traffic circulation throughout the area. Staff review has indicated that the right-of-way to be vacated is no longer needed for present or prospective public use and may be summarily vacated conditioned upon the recordation of the final map for North City West, Neighborhood 7, Unit 13 (TM-86-0127).

NOTE: See Item 334.

FILE LOCATION: STRT J-2609; DEED F-3401 DEEDFY86-1

COUNCIL ACTION: (Tape location: A030-076.)

MOTION BY WOLFSHEIMER TO CONTINUE FOR TWO WEEKS, AT HER REQUEST.

Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-336: (R-86-1981) ADOPTED AS RESOLUTION R-265755

Considering the protests and confirming the assessment in the matter of paving and otherwise improving Alley Block "B," Teralta Heights, Assessment Roll No. 4001, under Resolution of Intention R-263622, adopted July 8, 1985. (1911 Street Improvement Act)

(Mid-City Community Area. District-3.)

CITY MANAGER REPORT: The Assessment District for the Improvement of Alley Block "B," Teralta Heights, was approved by Council at the Public Hearing on August 12, 1985. The work has now been completed and assessments have been spread, based on the final project costs and in proportion to the benefit each parcel

receives. This Public Hearing will confirm the assessments and complete the proceeding for this project. The proposed assessments are approximately 10 percent higher than the estimated assessments which were noticed to the property owners for the Public Hearing in August, 1985. This is due to construction bids that were higher than the estimated cost.

FILE: STRT D-2250

COUNCIL ACTION: (Tape location: A371-390.)

Hearing began at 10:29 a.m. and halted at 10:30 a.m.

MOTION BY WOLFSHEIMER TO CLOSE THE HEARING AND ADOPT. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmas-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-337:

A proposal to amend the Progress Guide and General Plan for the City of San Diego to shift a 178-acre property (known as Genstar/Sorrento Hills) from Future Urbanizing to Planned Urbanizing. The proposed phase shift is part of a trade of land between The City of San Diego and Genstar Southwest Development in which the City would receive a 291-acre parcel to be included in the Los Penasquitos Preserve.

The subject property is located adjacent to I-5, immediately south of the Sorrento Hills Community Plan area, and is more particularly described as portions of Sections 31 and 32, Township 14 South, Range 3 West, SBBM.

(District-1.)

19860520

Subitem-A: (R-86-2127) ADOPTED AS RESOLUTION R-265756

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-86-0213 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: (R-86-2128 Rev.1) ADOPTED AS RESOLUTION R-265757

Adoption of a Resolution approving the amendment to the General Plan - Phase Shift.

Subitem-C: (R-86-2341) ADOPTED AS RESOLUTION R-265758

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-86-0213.

FILE: LAND - Progress Guide and General Plan

COUNCIL ACTION: (Tape location: A561-B144.)

MOTION BY WOLFSHEIMER TO CLOSE THE HEARING AND ADOPT WITH THE CONDITION THAT ANY CASH PROCEEDS FROM THIS LAND SWAP WOULD BE PLACED IN TRUST FOR THE CONTINUED MAINTENANCE OF THE PENASQUITOS CANYON AND ANY FUTURE CANYON LAND ACQUISITION. DIRECT THE PLANNING AND PARK AND RECREATION DEPARTMENTS TO OUTLINE THE SEQUENCE OF EVENTS THAT WOULD BE NECESSARY LEADING UP TO AN

EARLY

DEDICATION OF FUTURE OPEN SPACE LAND. REPORT BACK TO THE RULES COMMITTEE, WITH GUIDANCE BY THE CITY ATTORNEY'S OPINION, ON HOW SOON THE COUNCIL CAN TAKE THAT ACTION TO DEDICATE THE LAND.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,

Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-338: (O-86-198) INTRODUCED, TO BE ADOPTED JUNE 2, 1986

A proposal to amend Chapter X (Planning and Zoning Regulations) of the San Diego Municipal Code by continuing current process and not allowing expiration of sections which would require that a Conditional Use Permit (CUP) be received from the City Zoning Administrator for any building which was previously constructed, used, and/or occupied on a lot other than the lot on which the building is to be placed ("Move-ons") within the City of San Diego.

Introduction of an Ordinance amending the San Diego Municipal Code.

FILE: --

COUNCIL ACTION: (Tape location: AB145-550.)

Hearing began at 10:58 a.m. and halted at 11:25 a.m.

Testimony in favor by Reynaldo Pisano.

Testimony in opposition by Bill Richardson, Chet Manock and Anibelo Vallese.

MOTION BY JONES TO CLOSE THE HEARING AND INTRODUCE THE ORDINANCE. DIRECT THE PLANNING DEPARTMENT TO REPORT BACK TO THE TRANSPORTATION AND LAND USE (T&LU) COMMITTEE WITH A SEPARATE

ITEM

ADDRESSING THE REGULATIONS OF "MOVE-ONS" WHERE THERE IS ONLY ONE "MOVE-ON" INVOLVED. AT THAT TIME, PROVIDE AN OVERVIEW OF: 1) WHAT THE MARKET IS FOR SINGLE "MOVE-ONS"; 2) WHAT PROBLEMS ARE ASSOCIATED WITH SINGLE "MOVE-ONS"; 3) STAFF'S TIME THAT WOULD BE INVOLVED AND THE COST; AND 4) THE TIME FRAME ON HOW IT COULD BE PUT TOGETHER. Second by Cleator. 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: (R-86-2213) CONTINUED TO JULY 22, 1986, AT 10:00 A.M.

Adoption of a Resolution approving the request to continue the matter of the public hearing on the Street Tree List to the Appendix of the La Jolla Planned District Ordinance for the purpose of providing the community additional time in which to reach a consensus on recommended species and provide appropriate input.

(See Planning Department Report PDR-86-293. La Jolla Community Area. District-1.)

FILE: LAND - La Jolla Planned District

COUNCIL ACTION: (Tape location: A030-076.)

MOTION BY WOLFSHEIMER TO CONTINUE TO JULY 22, 1986, AT PLANNING DEPARTMENT'S REQUEST. Second by Jones. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-not present, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.

ITEM-S501: (R-86-2238) ADOPTED AS RESOLUTION R-265759

Approving the Draft Policy on Transit prepared by the Metropolitan Transit Development Board (MTDB) and the City of San Diego Planning Department.

(See Committee Consultant Analysis TLU-86-20 with a memorandum from Deputy Mayor Struiksma dated 5/7/86; Planning Department Report PDR-86-261; and letter from MTDB dated 5/1/86.)

COMMITTEE ACTION: Reviewed by TLU on 5/12/86. Recommendation to approve the policy. Districts 1, 4, 7 and 8 voted yea. District 6 not present.

FILE: MEET

COUNCIL ACTION: (Tape location: B551-629.)

MOTION BY MARTINEZ TO ADOPT. 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-CS-1: (R-86-2220) ADOPTED AS RESOLUTION R-265760

A Resolution adopted by the City Council in Closed Session on (date):

Authorizing the City Manager to pay the total sum of \$8,500

in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Michael Jones; authorizing the City Auditor and Comptroller to issue one check in the amount of \$8,500 made payable to Michael Jones and his attorney, Ernest C. Georggin, in full settlement of each and every claim.

FILE: MEET

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor Struiksma at 11:30 a.m.

FILE: MEET

COUNCIL ACTION: (Tape location: C027-028).

MOTION BY WOLFSHEIMER TO ADJOURN THE MEETING IN HONOR OF THE MEMORY OF PARK HAYS MILLER. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Martinez-yea, Mayor-vacant.