

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

TUESDAY, DECEMBER 16, 1986

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 9:54 a.m. Mayor O'Connor presented Council Member Struiksma with a plaque from the Council expressing their sincere appreciation for his services while serving as the Deputy Mayor of the City of San Diego during 1986. The meeting was recessed by Mayor O'Connor at 12:01 p.m. The meeting was reconvened by Mayor O'Connor at 2:07 p.m. with Council Members Cleator, McColl, Jones, and Ballesteros not present. The meeting was recessed by Mayor O'Connor at 2:13 p.m. to convene as the Housing Authority. The meeting was reconvened by Mayor O'Connor at 3:05 p.m. with Council Members Jones and Ballesteros not present. Mayor O'Connor adjourned the meeting at 4:05 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (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 Ballesteros-present
- Clerk-Abdelnour (mp;bb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (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 Ballesteros-present

ITEM-200: (O-87-95 Rev. 3) ADOPTED AS ORDINANCE O-16783 (New Series)

19861216

19861216

Amending Chapter X, Article 3, Division 11, of the San Diego Municipal Code, by repealing Sections 103.1104.3 and 103.1106, by renumbering and amending Sections 103.1102, 103.1104, 103.1104.1, 103.1104.2, 103.1104.4, 103.1108, 103.1108.1, 103.1108.2, 103.1108.3, 103.1108.4, 103.1110 and 103.1112, and by adding Sections 103.1105, 103.1106, and 103.1109 relating to the Otay Mesa Development District, to provide a development permit procedure that will allow the majority of proposed projects to be processed ministerially. (Otay Mesa Community Area. District-8. Introduced as amended on 11/3/86. Council voted 9-0. Reintroduced as amended on 11/24/86. Council voted 8-0. District 8 vacant.)

NOTE: Although this item was docketed for adoption on 11/24/86, according to the Attorney, Council's action on that date was to reintroduce the Ordinance to incorporate changes requested by Council. Today's action is the adoption of the Ordinance.

FILE LOCATION: LAND - Otay Mesa Development District

COUNCIL ACTION: (Tape location: A216-286.)

MOTION BY BALLESTEROS TO ADOPT THE ORDINANCE AND TO DIRECT PLANNING DEPARTMENT TO REPORT QUARTERLY TO THE TRANSPORTATION AND LAND USE COMMITTEE WITH THE FOLLOWING INFORMATION: (1) NUMBER OF TENTATIVE MAPS FILED IN THE PREVIOUS PERIOD; (2) NUMBER OF TENTATIVE MAPS APPROVED; AND (3) NUMBER OF BUILDING PERMITS ISSUED AND DESCRIPTION OF TYPES OF USES BEING APPROVED.

Second by Cleator. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-310: (R-87-1088) ADOPTED AS RESOLUTION R-267354

Authorizing suggestion awards and making a presentation to the following employees:

Danny Lenz - General Services - \$4,976.27.

Shevawn McGee - Attorney's Office - \$2,500.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A013-019.)

MOTION BY GOTCH TO ADOPT ITEM-310 AND ITEM-311. Second by McColl. Passed by the following vote: Wolfsheimer-yea,

Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,
McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-311:

Two actions relative to authorizing suggestion awards to
the following employees:

Subitem-A: (R-87-1089) ADOPTED AS RESOLUTION R-267355

Linda Logan - Attorney's Office - \$320.
Evelyn Leinen - Attorney's Office - \$280.
Vicky Romero - Auditor's Office - \$163.33.
Mary Connolly - Attorney's Office - \$160.

Subitem-B: (R-87-1090) ADOPTED AS RESOLUTION R-267356

Richard Leap - Fire Department - \$160.
Elsie Goodman - Fire Department - \$160.
John Coggins - Purchasing - \$45.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A013-019.)

MOTION BY GOTCH TO ADOPT ITEM-310 AND ITEM-311. Second by
McColl. Passed by the following vote: Wolfsheimer-yea,
Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea,
McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-312: WELCOMED BY COUNCIL MEMBER McCARTY AND MAYOR
O'CONNOR

Welcoming a group of 30 students from Farb Middle School,
who will attend this meeting accompanied by Vickie
Fitzgerald. This group will arrive at approximately 10:00
a.m.

(District-7.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A020-027.)

ITEM-330: (R-87-978 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-267357

19861216

Matter of a proposal to approve a Council Policy for the
processing of community plan amendments. The proposed
policy recommends that community plan amendment requests be
consolidated for purposes of analysis and public hearings,
and provides the procedures for processing community plan
amendments.

(Planning Department recommended approval of the Council Policy; was opposition. Planning Commission voted 6-0 to approve the Council Policy with modifications.)

(Reviewed by Rules Committee on 11/3/86. Recommendation to accept the Planning Department recommendation with the following provisions: 1) That there be no more than two hearings for those areas identified as having "increased activity" absent a demonstrated hardship; and 2) That a clearer definition of "unique hardship" for purposes of the policy be forthcoming prior to Council consideration of the item. Districts 2, 3, 5, 8 and Mayor voted yea.)

(The CPC (Community Planning Committee) has recommended approval of this item.)

Today's action is:

Adoption of a Resolution establishing Council Policy 600-35 regarding Processing Community Plan Amendments.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C099-617.)

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

MOTION BY GOTCH TO CLOSE THE HEARING AND TO ADOPT THE RESOLUTION AS AMENDED BY REMOVING THE THREE-YEAR PERIOD, DELETING ITEMS 3e AND 4e, AND REVIEWING THE POLICY AT THE END OF ONE YEAR. THE REVIEW SHOULD ALSO INCLUDE WHETHER OR NOT THE POLICY IS BEING APPLIED EQUALLY TO ALL CONCERNED. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-331: (R-87-833) ADOPTED AS RESOLUTION R-267358

Ordering the area designated as the "Otay Valley/Palm Avenue Reorganization" detached from the San Diego Open Space Park Facilities District No. 1, pursuant to Resolution R-265938, adopted 6/10/86.

(Otay Mesa Community Area. District-8.)

CITY MANAGER REPORT: The Otay Valley/Palm Avenue Reorganization, initiated by the City of Chula Vista, detaches approximately 242 acres from the City of San Diego. By Resolution R-265938, adopted June 10, 1986, the San Diego City Council agreed with the City of Chula Vista on the apportionment of property tax revenues related to this reorganization.

Subsequently on August 5, 1986, the City of Chula Vista, acting as the conducting authority, approved the reorganization. It is appropriate to detach this territory from the San Diego Open Space Park Facilities District No. 1, as the district's boundaries are coterminous with those of the City of San Diego.

FILE LOCATION: ANNX - Otay Valley/Palm Avenue
Reorganization

COUNCIL ACTION: (Tape location: C069-076.)

Hearing began at 11:21 a.m. and halted at 11:22 a.m.

MOTION BY GOTCH TO CLOSE THE HEARING AND TO ADOPT THE
RESOLUTION. Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,
Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor
O'Connor-yea.

ITEM-332: (R-87-835) ADOPTED AS RESOLUTION R-267359

Ordering the area designated as the "Palomar/Bay Boulevard
Reorganization" detached from the San Diego Open Space Park
Facilities District No. 1, pursuant to Resolution R-265939,
adopted 6/10/86.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER REPORT: The Palomar/Bay Boulevard
Reorganization, initiated by the City of Chula Vista, detaches
approximately 63 acres from the City of San Diego. By
Resolution R-265939, adopted June 10, 1986, the San Diego City
Council agreed with the City of Chula Vista on the apportionment
of property tax revenues related to this reorganization.

Subsequently on August 5, 1986, the City of Chula Vista, acting
as the conducting authority, approved the reorganization. It is
appropriate to detach this territory from the San Diego Open
Space Park Facilities District No. 1, as the district's
boundaries are coterminous with those of the City of San Diego.

FILE LOCATION: ANNX - Palomar/Bay Boulevard Reorganization

COUNCIL ACTION: (Tape location: C077-083.)

Hearing began at 11:22 a.m. and halted at 11:23 a.m.

MOTION BY McCOLL TO CLOSE THE HEARING AND TO ADOPT THE
RESOLUTION. Second by Jones. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea,
Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor
O'Connor-yea.

ITEM-333: (R-87-818) ADOPTED AS RESOLUTION R-267360

Considering the protests and determining that it is in the
public interest to acquire 4.67 acres of River Ridge in
34th Street Canyon for the San Diego Open Space Park
Facilities District No. 1, under Resolution of Intention
R-267010, adopted November 10, 1986; authorizing the
expenditure of not to exceed \$425,000 as payment for said
property and related costs from Open Space Park District

Bond Fund 79104; authorizing the City Manager to accept the deed to said property without further Council action.

(Park North-East Community Area. District-8.)

CITY MANAGER REPORT: River Ridge is a potential development on the southeastern edge of 34th Street Canyon. On Council's adopted Open Space Retention List, this canyon is ranked number 40, in Category B. Previous Council actions authorized the acquisition of 18.9 acres of the main canyon area and 7.5 acres of Cedar Ridge, a planned development at the southeast end of the canyon. City Manager Report CMR-86-259, dated May 27, 1986, responded to PFR's direction that staff report on the feasibility of also purchasing the River Ridge site. Subsequent to the Manager's positive recommendation, on July 7, 1986 Council approved funds to have this property appraised for purposes of acquisition as open space. This request is for \$425,000 to purchase that land which is included within the boundaries of the River Ridge Planned Residential Development, TM-84-0455, at fair market value plus funds to cover title, escrow, and other miscellaneous costs. Included within the PRD are nine assessor parcels totalling 4.67 acres.

Aud. Cert. 8700391.

FILE LOCATION: STRT OS-11

COUNCIL ACTION: (Tape location: D010-040.)

Hearing began at 11:59 a.m. and halted at 12:00 noon.

MOTION BY GOTCH TO CLOSE THE HEARINGS AND TO ADOPT ITEMS-333, -334, -339, -340, AND -S500. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-334: (R-87-884) ADOPTED AS RESOLUTION R-267361

Considering the protests and determining that it is in the public interest to acquire 187.86 acres of land in Mission Trails Regional Park for the San Diego Open Space Park Facilities District No. 1, under Resolution of Intention R-267051, adopted November 18, 1986; authorizing the expenditure of not to exceed \$2,200,000 as payment for said property and related costs from Open Space Park District Bond Fund 79104; authorizing the City Manager to accept the deed to said property without further Council action.

(Mission Trails Community Area. District-7.)

CITY MANAGER REPORT: Mission Trails Regional Park is the number two priority on the Council's adopted open space retention list. These parcels, totalling 187.86 acres, are the last privately owned lands within the park. City Manager Report

CMR-81-188, dated May 12, 1982, recommended 250 additional acres of Mission Trails Regional Park for the purchase. On December 6, 1982, Council approved an acquisition plan which included these parcels, along with funds to have them appraised. Acquisition of a 76.4 acre parcel has already been completed. Appraisal of these parcels was delayed for some time pending information on the future Highway 52 right-of-way. That roadway identifies the northern boundary of Mission Trails Regional Park. In order to proceed on these acquisitions, preliminary route right-of-way information was obtained from CalTrans. Using that information, parcels for acquisition were identified as those totally south of the proposed right-of-way or containing a significant portion of land south of the proposed right-of-way. If this highway is built at some time in the future and any portion of these lands is required for right-of-way, funds paid for that right-of-way will be returned to the bond fund. This request is for \$2,200,000 to purchase eight ownership parcels, totalling 187.86 acres, at fair market value plus funds to cover title, escrow, and other miscellaneous costs.

Aud. Cert. 8700420.

FILE LOCATION: STRT OS-4

COUNCIL ACTION: (Tape location: D010-040.)

Hearing began at 11:59 a.m. and halted at 12:00 noon.

MOTION BY GOTCH TO CLOSE THE HEARINGS AND TO ADOPT ITEMS-333, -334, -339, -340, AND -S500. Second by Struiksmma. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksmma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-335:

Two actions relative to the Nimitz Boulevard (North Harbor Drive to West Point Loma Boulevard) Underground Utility District:
(Peninsula Community Area. District-2.)

Subitem-A: (R-87-746) ADOPTED AS RESOLUTION R-267362

Establishing an Underground Utility District to be known and denominated as the Nimitz Boulevard (North Harbor Drive to West Point Loma Boulevard) Underground Utility District.

Subitem-B: (R-87-747) ADOPTED AS RESOLUTION R-267363

Authorizing the expenditure of an amount not to exceed \$9,000 from Fund 18014, Organization 106, Object Account 4114, CIP-37-028, for the purpose of administering the

Nimitz Boulevard (North Harbor Drive to West Point Loma Boulevard) Underground Utility District, minor City Force work and other related work.

CITY MANAGER REPORT: The proposed district will underground the overhead utility facilities on Nimitz Boulevard between North Harbor Drive and West Point Loma Boulevard. This is a scheduled project in the Calendar Year 1988 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 90, of which 74 are single-family residential properties, and 16 are commercial or multi-family properties. A typical cost range for a licensed contractor to perform this conversion work on residential private property is \$600 to \$1,100. Conversion costs on commercial properties may vary from \$600 to several thousand dollars or more due to differences in service size and location. 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 on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 8700322.

FILE LOCATION: STRT K-168

COUNCIL ACTION: (Tape location: C084-095.)

Hearing began at 11:23 a.m. and halted at 11:25 a.m.

MOTION BY CLEATOR TO CLOSE THE HEARING AND TO ADOPT THE RESOLUTIONS. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-336: (R-87-) CONTINUED TO JANUARY 27, 1987, 10:00 A.M.

Request for a Conditional Use Permit to install a 15-foot high steel tower for face support of two microwave dish antennas, and to maintain a microwave relay facility with a roof-mounted antenna. The subject property (approximately .399-acres) is a portion of Lot 1, Bernardo Heights, Unit 15, Map-11011, located on the east side of Avenida Venusto, in Zone A-1-10, in the Rancho Bernardo Community Plan area. (CUP-86-0676. District-1.)

Adoption of a Resolution granting or denying the permit

with appropriate findings to support Council action.

FILE LOCATION: PERM - CUP-86-0676

COUNCIL ACTION: (Tape location: A062-075.)

MOTION BY WOLFSHEIMER TO CONTINUE TO JANUARY 27, 1987, 10:00 A.M. AT THE REQUEST OF JAMES CARTER FOR TIME TO ALLOW THE NORMAL COURSE OF PLANNING BOARD REVIEW TO OCCUR. Second by McColl.

Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-337: (R-87-) APPLICATION WITHDRAWN

Appeal of George Peterson, by Karl ZoBell, of Gray, Cary, Ames & Frye, from the decision of the Planning Commission in granting La Jolla Shores Planned District Permit LJPD-8666, applying for the grading of a driveway and pad for a future single-family residence on a site described as Parcels 1 and 2 of La Jolla Hills and located at 7892 Lookout Drive, in Zone SF, in the La Jolla Shores Planned District.

(LJPD-8666. District-1.)

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 - La Jolla Shores Planning District
Permit LJPD-8666

COUNCIL ACTION: (Tape location: A076-102.)

MOTION BY WOLFSHEIMER TO APPROVE THE WITHDRAWAL OF THE APPLICATION. Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksmma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-338: CONTINUED TO JANUARY 13, 1987, 10:00 A.M.

Matter of further proceedings in the matter of the appeal of David L. Davis from the decision of the Planning Commission in approving the application of Mobil Oil for Conditional Use Permit CUP-85-0684, proposing to construct and operate a 24-hour self-service gasoline service station with a limited snack shop and car wash at the southwest corner of Paseo Montalban and Twin Trails Drive, in Zone CA, in the Penasquitos East Community Plan area. The subject property is further described as Lot 7 of Penasquitos Towne Centre, Unit 11, Map-11092. (CUP-85-0684. District-1.)

Subitem-A: (R-87-)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-85-0684 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-87-)

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-85-0684

COUNCIL ACTION: (Tape location: A103-215.)

MOTION BY WOLFSHEIMER TO CONTINUE TO JANUARY 13, 1987, 10:00 A.M. AT KATHLEEN ZAWORSKI'S REQUEST FOR TIME TO ALLOW THE PLANNING BOARD TO REVIEW MOBIL'S NEW PLAN. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-339: (O-87-126) INTRODUCED AND ADOPTED AS ORDINANCE
O-16784 (New Series)

Introduction and adoption of an Ordinance, amending Ordinance No. O-16678 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1986-87 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-16678-1 and No. 00-16678-2, as amended and adopted therein, by transferring sales tax revenue in the amount of \$140,716 from CIP-52-285 (Street, Alley, and Sidewalk Improvements in CDBG Areas) to the General Fund 100 for the Property Department; transferring \$110,000 from the Mid-City Facade Improvement Rebate Program, and \$30,716 from the Enterprise Zone Program to CIP-52-285 for purposes of street, alley and sidewalk improvements in CDBG areas.

(Mid-City, Southeast San Diego, Barrio Logan and Centre City Community Areas. Districts-3, 4 and 8.)

CITY MANAGER REPORT: In previous actions, the City Council has allocated Community Development Block Grant Funds for the Mid-City Facade Improvement Rebate Program and the Southeast/Barrio Logan Enterprise Zone Program. Both of these programs contain provisions for reimbursing business or property owners for certain costs involved in improving or developing

their property. The Council has also allocated sales tax revenues to the Capital Outlay Fund for improving streets, alleys, and sidewalks in CDBG eligible areas. The City has encountered difficulties in finding merchants willing to take advantage of the facade improvement rebates because of administrative burdens which impose increased costs on the merchants' projects. The fee reimbursements which are a part of the City's Enterprise Zone incentives are also affected by these administrative requirements. In many cases, the costs imposed by these requirements exceeds the financial incentives being offered. This ordinance would withdraw use of CDBG funds for rebate or reimbursement programs and instead place those funds into CIP-52-285 (Street, Alley, and Sidewalk Improvements in CDBG Areas). Thus, there is no net reduction in the use of CDBG money for CDBG projects. The City will use its sales tax revenues to accomplish the Mid-City Facade improvement and Enterprise Zone fee reimbursement goals.

Aud. Cert. 8700449.

NOTE: See Item 209 on the Docket of Monday, December 15, 1986 for the first public hearing. Today's action is the second public hearing for introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D010-040.)

MOTION BY GOTCH TO CLOSE THE HEARING AND INTRODUCE, DISPENSE WITH THE READING, AND ADOPT THE ORDINANCE. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-340: (O-87-125) INTRODUCED AND ADOPTED AS ORDINANCE
O-16785 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-16678 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1986-87 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16678-1, as amended and adopted therein, by amending the Personnel Authorization of the Fire Department (120), in General Fund 100, by adding one Fire Shift Commander Position and deleting 1 Fire Battalion Chief Position in the Fire Operations Program (12040); exempting said Fire Shift Commander Position from the Classified Service; and establishing a salary rate therefor.

CITY MANAGER REPORT: In November, 1979, the voters approved an amendment to Charter 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 position proposed for the Unclassified Service is that of one Fire Shift Commander, to replace one Fire Battalion Chief position in the Classified Service. This restructuring of duties will create a fourth Shift Commander. Due to the emergency response requirements of this position whenever one of the current three shift commanders is on leave the position is filled through out-of-class assignments. A lack of administrative continuity has developed at this unclassified position because of constantly rotating persons. This new position will fill the relief needs and be available to the Fire Chief for other non-emergency managerial and special project assignments. These duties and responsibilities are comparable to those of the other three Shift Commanders positions, which have been placed in the Unclassified Service. The request to remove this position from the Classified Service was made by the Fire Chief through the City Manager's Office on September 24, 1986. It was favorably reviewed by the Civil Service Commission on November 6, 1986. NOTE: See Item 210 on the Docket of Monday, December 15, 1986 for the first public hearing. Today's action is the second public hearing for introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D010-040.)

MOTION BY GOTCH TO CLOSE THE HEARING AND INTRODUCE, DISPENSE WITH THE READING, AND ADOPT THE ORDINANCE. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ADDITIONAL BUSINESS: PRESENTED

19861216

During consideration of regular business items, the following action was taken:

A presentation to David Thompson, Executive Director of the San Diego County Safety Council declaring December 14-20, 1986, as "National Drunk and Drunk Driving Awareness Week".

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E013-067.)

MOTION BY McCOLL TO APPROVE. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-not present, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-341:

1) Rezoning a portion of Section 26, 27, and 30, Township 15 South, Range 2 West, SBBM; a portion of Bowlin Subdivision, Map-3570; and a portion of Lots 72 and 78, Rancho Mission Referees Partition, CC 348 (Map-330) (approximately 151 acres), located south of future State Route 52, in the Serra Mesa Community Plan area, from Zones A-1-10 and M-1A to Zone M-1B.

861216

2) A proposal to amend the Serra Mesa Community Plan to restrict the permitted uses in certain industrially designated areas to preclude commercial office and retail uses, except as accessory uses.

The City of San Diego and the United States Navy are in the process of executing a Land Exchange Agreement. One action of the agreement is the rezoning and amendment to the Serra Mesa Community Plan for the Navy-owned land.

(Case-86-0928. District-5.)

Subitem-A: (R-87-1104) ADOPTED AS RESOLUTION R-267364

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-86-0914 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-87-123) INTRODUCED, TO BE ADOPTED JANUARY 12, 1987

Introduction of an Ordinance for M-1B Zoning.

Subitem-C: (R-87-1191 Rev.1) ADOPTED AS RESOLUTION R-267365

Adoption of a Resolution approving the Community Plan Amendment.

FILE LOCATION:

Subitem A ZONE ORD NO.;

Subitem B --;

Subitem C LAND Serra Mesa Community Plan
COUNCIL ACTION: (Tape location: F205-620.)

Hearing began at 3:06 p.m. and halted at 3:31 p.m.

Council Member Jones entered at 3:08 p.m.

Council Member Ballesteros entered at 3:09 p.m.

Testimony in opposition by Lynn Benn and Robert Glaser.

MOTION BY STRUIKSMA TO ADOPT SUBITEM A, INTRODUCE SUBITEM B, AND ADOPT AS AMENDED SUBITEM C ADDING THE FOLLOWING LANGUAGE TO THE COMMUNITY PLAN AMENDMENT: "DEVELOPMENT OF AN AUTO PARK UNDER

A

PLANNED INDUSTRIAL DEVELOPMENT PERMIT CAN BE CONSIDERED IN THIS AREA. ANY SUCH AUTO PARK WOULD NEED TO PROVIDE A COMPREHENSIVE DEVELOPMENT PROGRAM RATHER THAN "PIECE-MEAL" DEVELOPMENT OF AUTOMOBILE FACILITIES." Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S410: (O-87-132) DENIED

Introduction and adoption of an Emergency Ordinance imposing a temporary prohibition of the filing of tentative subdivision maps in the Otay Mesa Community Area.

(Otay Mesa Community Area. District-8.)

FILE LOCATION: LAND - Otay Mesa Community Plan

COUNCIL ACTION: (Tape location: A293-B063.)

MOTION BY BALLESTEROS TO REJECT THE MORATORIUM AND TO DIRECT STAFF AND THE T&LU COMMITTEE TO DO THE FOLLOWING: (1) REVIEW THE OTAY MESA DEVELOPMENT PLAN AND COME UP WITH SOME CREATIVE SOLUTIONS TO THE PROBLEMS; (2) DEAL WITH THE COUNTY AND THE CITY OF CHULA VISTA TO CHANGE THE LAND USE IF, IN FACT, THE TRAFFIC STUDIES ARE ACCURATE; (3) IMPLEMENT A TASK FORCE TO INSURE THAT THE PROPOSED HIGHWAY SYSTEM BECOMES A REALITY; (4) CONDUCT A TRAFFIC GENERATION STUDY USING THE MIRAMAR MANUFACTURING AREA

AS

A STUDY AREA; AND (5) INQUIRE OF THE FEDERAL GOVERNMENT EXACTLY WHAT THE PROBLEM IS WITH RESPECT TO PATROLLING THE BORDER. ALSO INQUIRE ABOUT THE POSSIBILITY OF EXTRACTING SOME OF THE FUNDS BEING SENT TO WASHINGTON. THE POLICY COMMITTEE IS REQUESTED TO MEET IN FEBRUARY AND THE T&LU COMMITTEE IS REQUESTED TO MEET IN MARCH. Second by McCarty. Passed by the following vote:

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

Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S500: (O-87-133) INTRODUCED AND ADOPTED AS ORDINANCE

O-16786 (New Series)

Introduction and Adoption of an Ordinance amending Ordinance O-16678 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1986-87 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-16678-1 and No. 00-16678-2, as amended and adopted therein, by transferring the sum of \$2,108,125 from the unappropriated fund balance of the Sewerage Utility Revenue Fund (41506); amending Section 2, Subsection VI, Item 3, entitled "Sewerage Utility Revenue Fund (41506)" to increase non-personal expenses and total by said \$2,108,125; and directing the Auditor and Comptroller to set aside, transfer and allocate the \$2,108,125 appropriated above to the Wastewater Construction Engineering Program (70892), CIP-46-055.0, Sludge Disposal Facilities.

CITY MANAGER REPORT: In January, 1981, the State Coastal Commission required the City, as one of the conditions of the coastal development permit for its Fiesta Island sludge drying facility, to "diligently pursue relocation for the entire sludge operation...outside Mission Bay Park within six years." The City therefore requested the consulting firm of Metcalf and Eddy to evaluate the sludge management options available in the San Diego area. This report is now complete. On May 16, 1986, the Coastal Commission reviewed the study's preliminary recommendations and indicated it would consider an amendment revising the date of relocation, pending City Council action on financing and implementation of a relocation based on the results of the Metcalf and Eddy report. It is therefore recommended that Metcalf and Eddy perform the consultant services in accordance with Council Policy 300-7. George Nolte, as a sub-consultant, is a San Diego based firm responsible for 24 percent of the tasks, while the five remaining sub-consultants, all MBE or WBE firms, are responsible for an additional 12 percent of the work. Details of the recommended relocation plan are given in the consultant's report and in City Manager Report CMR-86-394 presented to the PS&S Committee on August 15, 1986. As part of this action, it is also requested that the Council authorize the acquisition of a waste discharge permit for this site.

Aud. Cert. 8700432.

WU-U-87-047.

NOTE: See Item S419 on the Docket of Monday, December 15, 1986 for the first public hearing. Today's action is the second

public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D010-040.)

MOTION BY GOTCH TO CLOSE THE HEARING AND TO INTRODUCE, DISPENSE WITH THE READING, AND ADOPT THE ORDINANCE. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-S501: (R-87-1481) ADOPTED AS RESOLUTION R-267366
19861216

(Carried over as unfinished business from the meeting of December 8, 1986, Item 153; continued from the meeting of December 9, 1986, Item 153, at Councilmember Wolfsheimer's request.)

The matter of the proposed Automotive Museum in Balboa Park.

(See City Manager Report CMR-86-572; Environmental Impact Report EIR-85-0297; memorandum from the PFR Committee Consultant dated 11/25/86. Balboa Park Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 11/12/86. Forwarded to full Council on December 8, 1986 and requested additional information as follows: 1) rationale for tile floor; 2) alternative sites for car museum; 3) analysis of the Car Museum financing plan; 4) status of Balboa Park Master Plan and EIR; 5) effect of the proposed Bond Issue; 6) detailed schedule and relocation plan; 7) impact on Car Museum users of the Conference Building if action were delayed until the Bond Issue election. Districts 1, 2, 5 and 7 voted yea. District 6 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F621-G450.)

MOTION BY CLEATOR TO ADOPT CITY MANAGER RECOMMENDATIONS WITH THE

FOLLOWING CONDITIONS: 1) THAT THE LEASE NOT BECOME EFFECTIVE UNTIL JANUARY 1988; 2) THAT THE CONTRACT INCLUDE PROVISIONS FOR THE IMPROVEMENTS OF THE BALBOA PARK CLUB WHICH IS TO BE PAID FOR BY THE SPONSORS OF THE AUTOMOTIVE MUSEUM; 3) THAT THE DESIGN OF THE MUNICIPAL GYM BE ACCELERATED AND REFERRED TO THE PUBLIC FACILITIES AND RECREATION COMMITTEE FOR REVIEW; AND 4) THAT THE CITY MANAGER RE-EVALUATE AND ACCELERATE THE RELOCATION OF ACTIVITIES THAT ARE NOW BEING HELD AT THE CONFERENCE BUILDING WITH NO IMPACTS ON ANY OF THE PRESENT USERS UNTIL JANUARY 1988

AS THE EARLIEST DATE. Second by Gotch. Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-nay, Ballesteros-nay, Mayor O'Connor-nay.

ITEM-UC-3: (R-87-1254) ADOPTED AS RESOLUTION R-267367

19861216

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Declaring December 30, 1986 as "San Diego State University Aztecs Return to Glory Day" in the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G451-456)

MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-UC-4: (R-87-1280) ADOPTED AS RESOLUTION R-267368

19861216

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Excusing Mayor O'Connor from a portion of the Monday, December 15, 1986 Council and Redevelopment meetings due to personal business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G457-462.)

MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, Jones-yea, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ADJOURNMENT:

By common consent the meeting was adjourned by Mayor O'Connor at 4:05 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G463).

Charles G. Abdelnour, City Clerk

City of San Diego