

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

TUESDAY, NOVEMBER 24, 1987

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor McColl at 10:05 a.m.

The meeting was recessed by Mayor O'Connor at 11:58 a.m.

The meeting was reconvened by Mayor O'Connor at 2:05 p.m. with Council Members Cleator, McColl, Struiksma, and McCarty not present.

Mayor O'Connor recessed into the Redevelopment Agency at 3:10 p.m.

The meeting was reconvened at 3:15 p.m. Mayor O'Connor adjourned into the Redevelopment Agency at 5:53 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) Vacant
  - (5) Council Member Struiksma-present
  - (6) Council Member Gotch-present
  - (7) Council Member McCarty-present
  - (8) Council Member Ballesteros-present
- Clerk-Abdelnour (jb;rb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-present
- (4) Vacant
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member McCarty-present
- (8) Council Member Ballesteros-present

ITEM-201: (R-88-986 Rev.1) ADOPTED AS AMENDED AS RESOLUTION  
R-269816

19871124

Authorizing the City Manager to enter into an agreement with the City of Escondido concerning certain City of San Diego-owned properties that are within the jurisdiction of the City of Escondido; authorizing the sale to the City of Escondido of two of the parcels; authorizing the Mayor and City Clerk to execute a grant deed to the City of Escondido affecting the two sale parcels; authorizing the City Manager to enter into a second amendment to the agreement with the City of Escondido concerning the right to acquire an additional 300,000 gallons per day of Sewer Capacity in the Escondido Sewer System.

FILE LOCATION: MEET & DEED F-4246  
DEEDFY88-1;CONTFY88-2

COUNCIL ACTION: (Tape location: A250-B475.)

Motion by Wolfsheimer to deny the sale of parcels 1 and 2 to the City Escondido, and any other deal with the other parcels. Also to not authorize the City Manager to enter into a second amendment to the agreement regarding the Sewer Capacity. Second by Gotch. Failed: Yeas-1,6,M. Nays-2,3,5,7,8. Vacant-4.

MOTION BY CLEATOR TO APPROVE THE SALE OF LAND TO THE CITY OF ESCONDIDO FOR ITEMS 1, 2 and 3. Second by Struiksma. Passed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-nay, McCarty-yea, Ballesteros-yea, Mayor O'Connor-nay.

MOTION BY CLEATOR TO APPROVE ITEM NO. 4 FOR THE SEWER CAPACITY WITH THE AMENDMENT BY COUNCIL MEMBER WOLFSHEIMER TO REQUIRE THE CITY OF ESCONDIDO TO REIMBURSE THE CITY OF SAN DIEGO FOR THE SEWER CAPACITY RIGHTS THAT WAS PURCHASED FROM THEM FOR \$4,000,000, AND THE WATER CONNECTION RIGHTS FOR \$4,000,000.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator, yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-204: CONTINUED TO TUESDAY, DECEMBER 1, 1987  
A.M.

(Trailed as Unfinished Business from the meeting of September 22, 1987, Item 333; Continued from the meetings of September 28, 1987, Item S411 and October 20, 1987, Item 331; Trailed as Unfinished Business from the meeting of October 27, 1987, Item S500; Continued from the meeting of November 2, 1987, Item S407; and Continued from the meeting of November 11, 1987, Item S406; last continued at Council Member Ballesteros' request for further review.)

Rezoning Lots 12, 14, 29, 31 and 33 of Block 22 of Lexington Park, Map-1696, excepting therefrom the westerly

125 feet, from Zone MR-3000 to Zone MR-1500 and amending the San Diego Municipal Code relating to the Mid-City Planned District. The subject property (.347 acres) is located at 2412 Fairmount Avenue, in the Mid-City Community Plan area.  
(Case-87-0243. District-8.)

Subitem-A: (R-87-2483)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-87-0243 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-87-217)

Introduction of an Ordinance for MR-1500 Zoning.

Subitem-C: (O-88-21)

Introduction of an Ordinance amending the San Diego Municipal Code relating to the Mid-City Planned District.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: H451-629.)

MOTION BY BALLESTEROS TO CONTINUE TO TUESDAY, DECEMBER 1, 1987 A.M. FOR FURTHER REVIEW. Second by McCARTY. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-330: (R-88-734) ADOPTED AS RESOLUTION R-269817

Considering the protests and determining that is in the public interest to acquire 180.68 acres of Rancho Mission Canyon for the San Diego Open Space Park Facilities District No.1, under Resolution of Intention R-269549, adopted October 26, 1987; authorizing the expenditure of not to exceed \$1 million 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.

(Navajo Community Area. District-7.)

CITY MANAGER REPORT: Rancho Mission Canyon (Navajo A and B) is the number 38 priority, in Category B, on the Council's adopted open space retention list. This land, which consists of 19 parcel totalling 180.68 acres, is located between Mission

Gorge Road, Jackson Drive, Navajo Road and Princess View. On November 21, 1983, Council adopted Resolution R-259663, which approved an acquisition plan including these parcels, along with funds to have them appraised for purposes of acquisition for open space. Agreement on value has already been reached with the owner of these parcels, which constitutes the majority ownership of this canyon. If this request is approved, a follow-up request will be forwarded asking for acquisition approval of other minor parcels in this canyon, totalling approximately 5.4 acres, necessary to provide continuous public access. This request is for \$1,000,000 which would provide funds to purchase these parcels at fair market value plus funds to cover title, escrow, and other miscellaneous costs.

Aud. Cert. 8800360.

FILE LOCATION: STRT OS-25

COUNCIL ACTION: (Tape location: A126-180.)

Hearing began at 10:15 a.m. and halted at 10:19 a.m.

Testimony in favor by April Boling.

MOTION BY McCARTY TO CLOSE THE HEARING AND ADOPT. Second by Ballesteros. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-331: (R-88-552) ADOPTED AS RESOLUTION R-269818

Vacating the alley in Block C of Map-45, under Resolution of Intention R-269427 adopted October 12, 1987.

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The Centre City Development Corporation (CCDC), on behalf of the Developer, has requested the alley vacation as part of the revitalization program of the Centre City Community. CCDC has acquired the properties southerly of the vacation via a purchase and order of immediate possession. The Developer owns the adjoining northerly properties. The subject alley vacation is located in the Centre City Community and within the Columbia Redevelopment area. The area of vacation totals 4,000 square feet. No change in the residential entitlement will result from the vacation since the number of residential units for the adjoining properties has been negotiated by CCDC. There are no discretionary permits required for the development of the adjoining properties. The Planning Department has no objection to the alley vacation and the Planning Commission recommended approval on April 2, 1987 by a 5-0 vote. The subject alley is improved with concrete paving and was utilized primarily as access to the service entrances of the adjoining properties.

The existing alley is not required for traffic circulation since circulation is maintained via the adjoining streets. The alley contains franchise facilities which are to be removed prior to the redevelopment of the adjoining properties and no easement reservations are required. The necessary permits for the required public improvements (including curb, gutter and sidewalk construction across the closing at State and Columbia Streets) have been issued satisfactory to the City Engineer. 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 vacated.

FILE LOCATION: STRT J-2663;DEED F-4247 DEEDFY88-1

COUNCIL ACTION: (Tape location: B476-520.)

Hearing began at 11:20 a.m. and halted at 11:22 a.m.

MOTION BY BALLESTEROS TO CLOSE THE HEARING AND ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-not present, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

19871124

ITEM-332: (R-88-537 Rev.2) ADOPTED AS RESOLUTION R-269819

Vacating the walkway on the west side of Waring Road between Greenbrier Avenue and Princess View Drive, under Resolution of Intention R-269502, adopted on October 19, 1987; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature; declaring that the easement reserved herein is in, under, over, upon, along and across the walkway on the west side of Waring Road between Greenbrier Avenue and Princess View Drive; reserving and excepting the right, from vacation and abandonment, easement, and rights of any public utility pursuant to any existing franchise or renewals thereof, to construct, maintain, operate, overhead or underground lines of pipe, conduits, cables, wires, poles, and other structures, equipment, and fixtures for the transportation and distribution of electrical or electronic energy and natural gas, and for incidental purposes including access to protect the property from all hazards; declaring that this resolution shall not become effective unless and until the final subdivision map for Lots 874, 875, 1299, and 1326 of Allied Gardens Unit No. 5, Map-3218 has been approved by Council action; directing the City Engineer to advise the

City Clerk of the approval of the aforementioned subdivision map.

(Navajo Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: The owners of the adjacent lots have requested abandonment of this walkway since its no longer required for pedestrian circulation. The walkway is improved and appears to have been used within the last five years but is no longer necessary for public purposes, and therefore, a Resolution of Intention is required. The easements were acquired at no cost to the City in April 1955. The concerned City departments have reviewed the request and concluded that there is no present or prospective public need for the easement and therefore abandonment is recommended.

FILE LOCATION: STRT J-2665; DEED F-4248 DEEDFY88-1

COUNCIL ACTION: (Tape location: B521-529.)

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

MOTION BY McCARTY TO CLOSE THE HEARING AND ADOPT. Second by Cleator. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksmayea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-333:

Two actions relative to establishing the Balboa Avenue (2,700 feet east of Clairemont Drive to Mt. Everest Boulevard) Underground Utility District: (Clairemont Community Area. District-6.)

Subitem-A: (R-88-673) ADOPTED AS RESOLUTION R-269820

Establishing an Underground Utility District to be known and denominated as the Balboa Avenue (2,700 feet east of Clairemont Drive to Mt. Everest) Underground Utility District.

Subitem-B: (R-88-674) ADOPTED AS RESOLUTION R-269821

Authorizing the expenditure of an amount not to exceed \$4,000 from CIP-37-028, Federal Revenue Sharing Fund 18014, for the purpose of administering the Balboa Avenue (2,700 feet east of Clairemont Drive to Mt. Everest Boulevard) Underground Utility District, minor City Force work and other related work.

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Balboa Avenue between 2,700 feet east of Clairemont Drive and Mt. Everest Boulevard. This is a scheduled project in the Calendar

Year 1989/90 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 two, both of which are single-family residential properties. A typical cost range for a licensed contractor to perform this conversion work on residential property is \$600 to \$1,100. 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. 8800323.

FILE LOCATION: STRT K-176

COUNCIL ACTION: (Tape location: B530-550.)

Hearing began at 11:23 a.m. and halted at 11:24 a.m.

Testimony given in favor by Mr. Dingeman, John Fitch, Louis Wolfsheimer, Bill Kennedy, William Rick, William Dumka, and Alan Perry.

Testimony given in opposition by Tom Mullaney, and Kathy Giles.

MOTION BY GOTCH TO CLOSE THE HEARING AND ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-334: ADOPTED AS AMENDED AS RESOLUTION  
R-269824

Establishing guidelines and criteria to be used in determining that a community is "releasable" from the provisions of the Interim Development Ordinance (IDO).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D058-E384.)

Hearing began at 2:10 p.m. and halted at 3:10 p.m.

Testimony in favor given by Jim Whalen, Paul Peterson, and Mr. Vanderman for Ms. McKinley.

Testimony in opposition given by Kathy Giles and Tom Mullaney.

Motion by McCarty to add the words "Regional and Community Needs Analysis" to the criteria.

Motion by Wolfsheimer to add water and sewage facilities to the criteria.

MOTION BY STRUIKSMA TO ADOPT AS AMENDED THE GUIDELINES AND CRITERIA. Second by McColl. Passed by the following vote: Wolfsheimer-nay, Cleator-nay, McColl-yea, District 4-vacant,

Struiksma-yea, Gotch-not present, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-335:                TRAILED TO NOVEMBER 30, 1987, AS  
UNFINISHED BUSINESS FOR LACK OF FIVE  
VOTES

Determining that the community of Miramar Ranch North complies with the provisions of the Interim Development Ordinance (IDO) and therefore will be released from the requirements of the Ordinance.

(District-5.)

FILE LOCATION:    --

COUNCIL ACTION:    (Tape location: A010-125; E435-G125 .)

The Hearing began at 3:15 p.m. and halted at 4:35 p.m.

MOTION BY STRUIKSMA TO CONTINUE TO JANUARY 26, 1988. Second by Gotch. Failed by the following vote: Wolfsheimer-nay, Cleator-yea, McColl-nay, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-nay, Mayor O'Connor-nay.

MOTION BY BALLESTEROS TO GRANT THE RELEASE OF MIRAMAR RANCH ON THE CONDITION THAT A FINANCING PLAN, A PHASING PLAN BE DRAFTED, AND THAT NO BUILDING PERMITS WILL BE PULLED UNTIL AFTER THE LIFE OF THE INTERIM DEVELOPMENT ORDINANCE. Second by Wolfsheimer.

Failed by the following vote: Wolfsheimer-yea, Cleator-nay, McColl-yea, District 4-vacant, Struiksma-nay, Gotch-nay, McCarty-nay, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-336:

Matter of the following proposals to the PENINSULA  
COMMUNITY PLAN AREA:

- 1) Rezoning various properties within the Peninsula Community Plan area shown on Figure 1 and Zone Map Drawing No. C-745;
- 2) Applying the Institutional Overlay Zone to the publicly-owned school, library and fire station sites shown on Figure 2 and Zone Map Drawing No. C-742;
- 3) Applying the Open Space Zone to the City-owned park sites shown on Figure 3 and Zone Map Drawing No. C-743.1;
- 4) Applying the Community Plan Implementation Overlay Zone (Type B-discretionary) to the Roseville commercial area shown on Figure 4 and Zone Map Drawing No. C-744; and
- 5) Incorporating development guidelines into the Peninsula Community Plan and Local Coastal Program Land Use Plan for the area shown on Figure 4 and for the block bounded by Rosecrans, Locust, Keats and Lowell.



On July 14, 1987, City Council adopted the Peninsula Community Plan and Local Coastal Program Land Use Plan and conceptually approved the plan implementation measures listed above.  
(District-2.)

Subitem-A: (R-88-645) ADOPTED AS RESOLUTION R-269822  
Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-86-0603 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-88-644) ADOPTED AS RESOLUTION R-269823  
Adoption of a Resolution adopting development guidelines to be added to the Peninsula Community Plan and Local Coastal Program Land Use Plan.

Subitem-C: (O-88-59) INTRODUCED AS AMENDED, TO BE ADOPTED  
DECEMBER 7, 1987  
Introduction of an Ordinance for incorporating various properties into the R1-10000, R1-5000, R-1000, C-1, OS-P, OS-R Institutional Overlay and Community Plan Implementation Overlay (Type B) Zones.

FILE LOCATION:

Subitems A-B LAND - Peninsula Community  
Plan;

Subitem C--

COUNCIL ACTION: (Tape location: B575-C280.)

Hearing began at 11:25 a.m. and halted at 11:40 a.m.

Testimony in favor by John Reed.

Testimony in opposition by Kay Martin.

MOTION BY CLEATOR TO APPROVE AS AMENDED BY DELETING ITEM NO. 2 IN THE PLANNING REPORT NO. 87-598, DATED NOVEMBER 17, 1987.

Second by Gotch. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant,

Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea.

MOTION BY CLEATOR TO CONTINUE ITEM NO. 2 REGARDING REZONING THE HALF BLOCK OF THE SOUTH SIDE OF NEWELL BETWEEN LOCUST AND EVERGREEN TO JANUARY 26, 1988 AT 2:00 P.M., TIME CERTAIN.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant,

Struiksmayea, Gotchyea, McCartyyea, Ballesterosyea, Mayor O'Connoryea.

ITEM-337:

(Continued from the meeting of July 14, 1987, Item 337, and August 11, 1987, Item 336; and Continued from the meeting of September 29, 1987, Item 337; last continued at the City Manager's request, so that the purchase can be worked on without the necessity of the condemnation.)

Two actions relative to the condemnation action to acquire Gonzales Canyon Sewer Main Easement, TM-85-0259 (North City West Neighborhood 7, Units 11 through 14, inclusive):  
(See City Manager Report CMR-87-331. North City West Community Area. District-1.)

Subitem-A: (R-87-2702) DENIED

FINDINGS MUST BE MADE AS A PART OF COUNCIL ADOPTION

Determining and declaring that the public interest, convenience and necessity of the City of San Diego requires the construction, operation and maintenance of a public sewer, together with the right of ingress and egress over, under, along and across portions of Sections 7 and 8, Township 14 South, Range 3 West, S.B.B.M., Parcels 1 and 3 of Parcel Map PM-5254 and Parcel 1 of Parcel Map PM-8367, and that the public interest, convenience and necessity demand the acquisition of permanent easements and temporary work easements in said property for said public sewer or sewers and all appurtenances thereto to serve Neighborhood 7 in North City West and other properties in the Gonzales Canyon Drainage Basin; declaring the intention of the City to acquire said property under eminent domain proceedings; directing the City Attorney to commence an action in the Superior Court of the State of California, in and for the County of San Diego, for the purpose of condemning and acquiring said property interests and taking immediate possession thereof.

Subitem-B: (R-87-2714) FILED

Certifying that the information contained in Environmental Mitigated Negative Declaration EMND-85-0259, issued in connection with the acquisition of the Gonzales Canyon sewer main easement, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines thereto, and that said Declaration has been reviewed and considered by the

Council.

WU-PR-87-165.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C281-335.)

Hearing began at 11:50 a.m. and halted at 11:52 a.m.

Testimony in favor by Steve Doyle.

MOTION BY WOLFSHEIMER TO DENY THE CONDEMNATION. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-nay, McColl-yea, District 4-vacant, Struiksmay-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-338: (O-88-83) INTRODUCED AND ADOPTED AS ORDINANCE  
O-16983 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-16916-1 and No. 00-16916-2, as amended and adopted therein, by adding to the personnel authorization of the City Manager's Department (040), one (1.00) Deputy City Manager position and one (1.00) Executive Secretary position; authorizing the Auditor and Comptroller to increase the General Fund 100, City Manager's Department (040) Appropriation by the sum of \$93,368 (\$72,864 in salaries and wages, \$10,504 fringe benefits and \$10,000 in nonpersonnel expense), said funds to come from previously unanticipated reimbursement revenues from the Sewerage Utility Revenue Fund (41506), for the purpose of funding the above authorized positions, with related nonpersonnel costs, for the remainder of Fiscal Year 1988.  
(See City Manager Report CMR-87-534.)

COMMITTEE ACTION: Reviewed by RULES on 11/4/87.

Recommendation to adopt the City Manager's recommendation.

Districts 2, 3 and Mayor voted yea. District 6 not present.

Aud. Cert. 8800445.

NOTE: See Item 150 on the docket of Monday, November 23, 1987 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: C336-337.)

MOTION BY McCOLL TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Struiksmay. Passed by the following vote: Wolfsheimer-yea, Cleator-not present,

McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea,  
McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-339: (O-88-82) INTRODUCED AND ADOPTED AS ORDINANCE O-16984  
(New Series)

Introduction and adoption of an Ordinance amending Ordinance O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-16916-1 and No. 00-16916-2, as amended and adopted therein, by adding to the personnel authorization of the City Attorney's Department (045) one Deputy City Attorney position and one Legal Secretary position; authorizing the Auditor and Comptroller to increase the General Fund 100, City Attorney Department (045) Appropriation by the sum of \$67,181 (\$59,763 for salaries and wages, and \$7,418 nonpersonnel expenses) from previously unanticipated reimbursement revenues from the Water Utility Revenue Fund (41502) for the purpose of fully funding the above authorized positions, with related nonpersonnel costs, for the remainder of Fiscal Year 1988.

CITY MANAGER SUPPORTING INFORMATION: The Water Utilities Department has required a substantial amount of legal opinion and support due to the diverse nature of water and sewer rate structure, water reclamation, and secondary treatment program to comply with various legislation. This action will amend the FY 1988 Budget Ordinance by adding two positions in the City Attorney's office. The positions are one Deputy City Attorney and one Legal Secretary. They will be reimbursed by the Water Utilities Department. It is felt that the positions will provide more adequate coverage for the Water Utilities needs.  
Aud. Cert. 8800446.

WU-U-88-056.

NOTE: See Item 203 on the docket of Monday, November 23, 1987, 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: C338-339.)

MOTION BY STRUIKSMA TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-340: CONTINUED TO JANUARY 26, 1988  
AT 2:00 P.M.

Public hearing to receive testimony concerning the following provisions of the Southeast San Diego Planned District Ordinance(0-16921 N.S.) which relate to projects for which a Southeast San Diego Development Permit are required:

Municipal Code Section 101.1702, B. Southeast San Diego Development Permit, C. Discretionary Permit Design Review, and Municipal Code Section 101.1703, Residential Regulations.

The ordinance was revised at the hearing in July to require discretionary review in the form of a Southeast San Diego Development permit for all of the following projects:

1. Multi-family residential projects and mixed-use projects with four (4) or more dwelling units.
2. Projects that are located in or immediately adjacent to open space or sensitive habitat areas, including identified creeks and drainage areas.
3. All commercial projects.
4. All industrial projects.
5. Any move-on and manufactured housing structures.
6. Southeast Economic Development Corporation projects that require development review.
7. Any other project which requires a discretionary permit by City-wide standards.

Today's action is:

The Council may direct the City Attorney's office to prepare further amendments the Council deems appropriate, or the Council may find that the ordinance does not require further amendment at this time.

NOTE: At the conclusion of public testimony, the City Council may either direct that the City Attorney prepare specified amendments to the ordinance for consideration at a noticed public hearing, or find that no amendments are necessary at this time.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D020-057.)

MOTION BY McCARTY TO CONTINUE TO JANUARY 26, 1988 AT 2:00 P.M.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-not present, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-341: (R-88-1258) ADOPTED AS RESOLUTION R-269825, GRANTED

## THE APPEAL AND THE PERMIT

19871124

Appeal of Carmel Highland Golf Associates, by Thomas DiBenedetto, from the decision of the Planning Commission in denying an amendment to Conditional Use Permit CUP-5206, proposing to allow the retention of the existing Carmel Mountain Country Club identification sign which does not conform to City-wide signage regulations.

The requested variance would allow the sign to remain in Zone R1-5000 as a freeway-oriented sign in an area where access rights have been waived. The subject property (approximately 126.5-acres) is located on the west side of I-15, north of the Carmel Mountain Road exit and is described as Parcel 1, all that portion of Rancho Los Penasquitos according to map accompanying the patent to said Rancho recorded in Book 2, Page 385 of Patents; Parcel 2, Lot 4 of Penasquitos Unit 2 according to Map-5599; Parcel 3, Lots 5 and 6 of Penasquitos Unit 2 according to Map-5599. The site is in Zone R1-5000, in the Penasquitos East Community Plan area.

(CUP-87-0346. District-1.)

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

FILE LOCATION: PERM CUP-5206

COUNCIL ACTION: (Tape location: H106-169.)

Hearing began at 4:51 p.m. and halted at 4:57 p.m.

MOTION BY WOLFSHEIMER TO GRANT THE APPEAL AND THE PERMIT SUBJECT TO THE FOLLOWING CONDITIONS: THE EXISTING SIGN MUST BE REMOVED EITHER UPON COMPLETION OF THE NEW HOTEL AND CONFERENCE CENTER, OR COMPLETION OF A PERIOD OF NO MORE THAN 12 MONTHS FROM THE DATE OF THIS HEARING WHICHEVER OCCURS FIRST; THE NEW SIGN MUST BE OF A DESIGN SIMILAR TO (CARVED WOOD) THAT OF THE WELCOMING SIGNS AT THE ENTRANCES TO THE COMMUNITY AND LANDSCAPED IN A MANNER CONSISTENT WITH COMMUNITY STANDARDS. MOREOVER, THE BODY

OF THE SIGN SHALL HAVE ITS ENTIRE BASE ON THE GROUND AND REACH A HEIGHT AT ITS HIGHEST POINT OF NO MORE THAN EIGHT (8) FEET.

FURTHERMORE, THE SIGN SHALL BEAR ONLY THE FOLLOWING MESSAGE, "WELCOME TO RANCHO PENASQUITOS, HOME OF THE CARMEL HIGHLANDS COUNTRY CLUB", IN CARVED OR RAISED, BUT NOT PAINTED, LETTERS; THAT PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMITS FOR PART OR ALL OF THE CONFERENCE CENTER, COUNTRY CLUB, HOTEL OR ANY SUPPORT FACILITY, THAT GREAT PACIFIC HOTELS AND THE CARMEL HIGHLANDS COUNTRY CLUB BE REQUIRED TO OBTAIN FINAL APPROVAL FROM THE

RANCHO PENASQUITOS TOWN COUNCIL AND THE SAN DIEGO CITY COUNCIL  
OF THE DESIGN, LOCATION, AND INSTALLATION OF THE PERMANENT SIGN.

Second by Gotch. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, District  
4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea,  
Ballesteros-yea, Mayor O'Connor-yea.

ITEM-342: (R-88-926) DENIED

Approving the City Engineer's Report submitted in  
connection with the improvement of Archer Street from  
Fanuel Street to a point 350 feet west of Fanuel Street.  
(1931 Improvement Act).

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Approximately 150 feet  
of the northerly side of Archer Street west of Fanuel Street has  
never been improved. Because of the grading involved, a single  
property owner could not provide their frontage improvements  
without the adjacent owners also improving their portion of the  
street. In addition, the remaining 200 feet of the northerly  
side of Archer Street to Fanuel Street is missing sidewalks and,  
in some portions, curb and gutter. In the summer of 1985,  
General Services Department temporarily paved the unimproved  
portion of the street because of the potential traffic hazard.  
In late 1986, the Transportation and Land Use Committee directed  
that a 1931 Act Debt Limit Hearing be held to determine if the  
missing public improvements should be constructed through  
Assessment District proceedings. The purpose of the hearing is  
to take testimony from the property owners involved and at the  
close of the hearing, direct the Manager to prepare plans and  
specifications for those improvements which the Council  
determines are necessary. The estimated assessments to property  
owners for the full street improvements is \$210 per frontage  
foot plus the cost of driveway reconstruction. The estimated  
assessments to property owners for curb, gutter, and sidewalk  
improvements is \$80 per frontage foot plus the cost of driveway  
reconstruction. In accordance with the 1931 Act, all proposed  
assessments are less than one half of the market value of the  
parcel being assessed.

FILE LOCATION: STRT D-2268

COUNCIL ACTION: (Tape location: H170-450.)

Hearing began at 4:58 p.m. and halted at 5:25 p.m.

Testimony in opposition by Robert Cunningham, Dr. Elliott Marin,  
and Mark Hale.

Council Member Ballesteros left at 5:05 p.m.

MOTION BY GOTCH TO ABORT PROCEEDINGS. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-not present, Mayor O'Connor-yea.

ITEM-343: CONTINUED TO TUESDAY, DECEMBER 1, 1987, 10:00 A.M.

The proposed Uptown Community Plan which will update and replace the existing Uptown Community Plan (adopted May 1975) and the Uptown Medical Complex Plan (adopted December 1977). The proposed plan addresses land use, transportation, urban design, public improvements, and other issues. Recommendations include the following:

- a) Reduce permitted residential densities in specified areas.
  - b) Increase opportunities for mixed-use development in commercial areas.
  - c) Improve the design of development.
  - d) Improve the pedestrian environment.
- (Districts-2 and 8.)

Subitem-A: (R-88-911)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-87-0625 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 and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-88-912)

Adoption of a Resolution approving the Uptown Community Plan amendment, to become effective upon adoption of the amendment to the Progress Guide and General Plan at the next omnibus hearing.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G126-H105.)

MOTION BY CLEATOR TO CONTINUE TO DECEMBER 1, 1987, AT 10:00 A.M.

Second by McColl. Passed by the following vote:

Wolfsheimer-nay, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-not present, McCarty-yea, Ballesteros-yea, Mayor O'Connor-not present.



ITEM-344:

Appeal of Scripps Clinic & Research Foundation, by Richard M. Bracken, from the decision of the Planning Commission in granting, with conditions, Conditional Use Permit CUP-86-0262, to allow an 87,000-square-foot addition to the existing 744,000-square-foot Green Hospital, consisting of 23,000-square-feet for clinic uses and 64,000-square-feet for hospital uses. The subject property contains 18.38-acres and is located on the west side of Torrey Pines Road between Genesee Avenue and Science Park Road, and is further described as Parcels 1 and 2 of Parcel Map PM-11723, in Zone SR, in the University Community Plan area.  
(CUP-86-0262. District-1.)

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Subitem-A: (R-88-1651) ADOPTED AS RESOLUTION R-269826

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-87-0262 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 and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-88-1652) ADOPTED AS RESOLUTION R-269827,  
GRANTED THE APPEAL AND THE PERMIT

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

FILE LOCATION: PERM CUP-86-0262

COUNCIL ACTION: (Tape location: I200-230.)

Hearing began at 5:45 p.m. and halted at 5:47 p.m.

Testimony in favor given by Richard Bracken.

MOTION BY WOLFSHEIMER TO APPROVE THE PROJECT AND TO DIRECT THE CITY MANAGER TO EXECUTE A CONTRACT WHEREBY SCRIPPS WOULD COME UNDER THE NEW FBA. SCRIPPS WOULD SIGN A CONTRACT TO THIS EFFECT AND PAY ANY DIFFERENCES. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-not present, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S405: (R-88-1111) CONTINUED TO MONDAY, NOVEMBER 30, 1987

Approving in concept the proposal by Southwestern College for the construction and operation of an education center on the San Ysidro tragedy site; authorizing the City Manager to negotiate an appropriate lease agreement with Southwestern College for occupancy of the site.

(San Ysidro Community Area. District-8.)

COUNCIL SUPPORTING INFORMATION: Southwestern College recently presented the City with a proposal to lease the vacant site of the 1984 San Ysidro massacre for the construction and operation of a satellite campus for vocational training and academic courses. In addition, pre-college counselling, amnesty counselling and special courses in English as a Second Language will be offered. Southwestern is proposing to build a 2-story building, approximately 5,000-6,000 in size with underground parking. The College intends to incorporate a memorial on the building or site to commemorate the victims of the 1984 tragedy. At a special meeting on November 5, an ad hoc committee of community representatives established to review development proposals for the San Ysidro tragedy site heard Southwestern College's proposal and expressed unanimous approval. The presence of a post-secondary satellite will be invaluable to local youth as they seek ways to improve their education and to expand their opportunities for employment. San Ysidro is in need of college and pre-college programs. Historically, the area has been significantly underrepresented at Southwestern, due in part to the physical distance from the main campus in Chula Vista. The establishment of an extended campus serves to respond to this underrepresentation. San Ysidro residents will have a point of contact with the College via an extended campus program as well as a nearby center where they may avail themselves of programs designed specifically to meet their education needs. Finally, Southwestern's proposal provides for a unique memorial to those families who suffered the 1984 tragedy. The San Ysidro tragedy site is located at 522 West San Ysidro Boulevard. The 3/4-acre site was priced originally at \$425,000. When no bids were received at this price, a second round of RFP's were issued at a sale price of \$300,000. To date, no bids have been received. The final deadline for responses is December 4, 1987.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: H630-I199.)

MOTION BY STRUIKSMA TO EXTEND THE COUNCIL MEETING. Second by McColl. Passed by the following vote: Ballesteros-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

MOTION BY BALLESTEROS TO CONTINUE TO MONDAY, NOVEMBER 30, 1987, FOR FURTHER REVIEW. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-not present, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S500: (O-88-80) INTRODUCED AND ADOPTED AS ORDINANCE O-16985  
(New Series)

Introduction and adoption of an Ordinance amending Ordinance O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16916-1, as amended and adopted therein, by amending the personnel authorization of the City Clerk (035), in General Fund 100, by adding one Legislative Recorder and one Deputy City Clerk I position; authorizing the Auditor and Comptroller to transfer within the General Fund (100) the sum of \$43,563 within the General Fund 100, Unallocated Reserve (605), Org. 100, Obj. Acct. 4903, Job Order 60531, to the City Clerk's Department (035) General Fund 100 for the purpose of funding the positions, with related non-personnel costs, for the remainder of Fiscal Year 1988.

(See City Clerk Report CC-87-13.)

Aud. Cert. 8800488.

NOTE: The first public hearing of this Ordinance was held on Monday, November 23, 1987, Item S406. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C340-345.)

MOTION BY STRUIKSMA TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Ballesteros. Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S501: (O-88-81) CONTINUED TO TUESDAY, DECEMBER 1,  
1987

NOTE: See Item 343 on the regular docket of November 24, 1987 for a companion item.

Introduction and adoption of an Ordinance amending Sections 1 and 3 and repealing Section 5, of Ordinance O-16855 (New

Series), adopted May 4, 1987, limiting issuance of demolition permits, building permits and commencement of construction in portions of the Uptown Community Area.

(Uptown Community Area. District-2.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G126-H105.)

Testimony by Ms. Michaels regarding the Chan matter.

MOTION BY BALLESTEROS TO CONTINUE THE ITEM IN ORDER TO HAVE AN EMERGENCY ORDINANCE DRAFTED AND PLACE THE MATTER ON THE DOCKET OF TUESDAY, DECEMBER 1, 1987, AT 10:00 A.M. Second by McColl.

Passed by the following vote: Wolfsheimer-yea, Cleator-not present, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

ITEM-S502: (O-88-88) INTRODUCED AND ADOPTED AS ORDINANCE  
O-16986 (New Series)

Introduction and adoption of an Emergency Ordinance amending and implementing the Mid-City Community Plan by incorporating the area generally bounded by Interstate 805 and State Route 15 on the west, State Route 94 on the south, the City of La Mesa on the east, the south slopes of Mission Valley and the State University area on the north into the Mid-City Communities Planned District Zones.

(District-3.)

FILE LOCATION: LAND - Mid-City Community Plan

COUNCIL ACTION: (Tape location: A220-248.)

MOTION BY McCOLL TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Gotch. Passed by the following vote:

Wolfsheimer-yea, Cleator-yea, McColl-yea, District 4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea, Ballesteros-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

PUBLIC COMMENT:

ITEM-PC-2: PRESENTED

Presentation by Bob Payne, Chairman of the Super Bowl Task Force.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A181-210.)

ITEM-PC-3: REFERRED TO LYNN UNDERWOOD FOR CONTACT BY MAIL TO SET UP AN APPOINTMENT.

Comments by Lula M. Baker regarding Item 340 of  
November 24, 1987.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A181-210.)

ADJOURNMENT:

Mayor O'Connor adjourned the meeting at 5:53 p.m.

FILE LOCATION:

COUNCIL ACTION: (Tape location: C346-360; I300-305).

MOTION BY McCOLL TO ADJOURN IN HONOR OF THE MEMORY OF THOMAS W.

FLETCHER. Second by Gotch. Passed by the following vote:

Wolfsheimer-yea, Cleator-not present, McColl-yea, District

4-vacant, Struiksma-yea, Gotch-yea, McCarty-yea,

Ballesteros-yea, Mayor O'Connor-yea.