

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, JANUARY 12, 1988  
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 10:06 a.m. The meeting was recessed by Mayor O'Connor at 11:33 a.m. to meet in Closed Session in the twelfth floor conference room on pending litigation and reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor McColl at 2:04 p.m. with Mayor O'Connor not present. Mayor O'Connor adjourned the meeting at 5:25 p.m. to immediately meet in Closed Session in the twelfth floor conference room to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
  - (1) Council Member Wolfsheimer-present
  - (2) Council Member Roberts-present
  - (3) Council Member McColl-present
  - (4) Council Member Pratt-present
  - (5) Council Member Struiksma-present
  - (6) Council Member Henderson-present
  - (7) Council Member McCarty-present
  - (8) Council Member Filner-present
- Clerk-Abdelnour (eb, rb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-116: (R-88-1368) ADOPTED AS RESOLUTION R-270094

Authorizing the execution of an agreement with Associated

American, Ltd., dba The Kelly Group, for providing a health/wellness newsletter to City employees, during the 1988 Calendar Year; authorizing the expenditure of an amount not to exceed \$35,000 from the Risk Management Department (084), Fund 50061 for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: The City's Wellness Program (of health/risk assessment and educational lectures) initially reached approximately 600 City employees. As a follow-up to this initial phase and to continue the City's efforts to improve the health and physical condition of employees, the next phase would involve mailing wellness newsletters to employees' homes. The objective of this Wellness Program is to encourage a higher level of fitness and health for City employees which may lead to reduced Worker's Compensation and sick leave costs. Through the Request for Proposal process Kelly Communications was selected to provide six issues of Health Action in Calendar Year 1988 which is designed to:

1. Improve the "health style" of employees and dependents through its focus on stress management, nutrition, fitness and better health practices;
2. Increase the level of health knowledge regarding early detection of health problems and the health risks of current lifestyles;
3. Improve employee's medical decisions by providing specific, usable information to increase medical self-care behavior and appropriate use of health benefits.

Kelly Communications was selected from several proposals because of their excellent format and quality of information.

Aud. Cert. 8800601.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A023-047.)

MOTION BY McCOLL TO ADOPT AND DIRECT THE CITY MANAGER TO MAKE DISTRIBUTION OF THE NEWSLETTER TO CITY EMPLOYEES WITH PAYCHECKS IN ORDER TO SAVE MONEY AND NOT GIVE OUT ADDRESSES OF CITY EMPLOYEES. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-212: (O-88-110) APPROVED FIRST HEARING

First public hearing in the matter of:  
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 adding to the personnel authorization of Council District 7 (027) one Council Representative II position; exempting said Council Representative II position from the Classified Service; establishing a salary rate for said position; authorizing the Auditor and Comptroller to transfer the sum of \$21,994 within the General Fund 100 from the Unallocated Reserve (605) to Council District 7 (027) for the above position, allocating \$16,664 to Personnel Services, \$3,830 to Fringe Benefits, and \$1,500 to Non-Personnel Expense.

Aud. Cert. 8800606.

NOTE: See Item 338 on the docket of Tuesday, January 12, 1988, for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A050-060.)

MOTION BY McCARTY TO APPROVE THE FIRST HEARING. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-330:

Two actions relative to establishing the Catalina Boulevard (Canon Street to Orchard Street) Underground Utility District:  
(Peninsula Community Area. District-2.)

Subitem-A: (R-88-840) ADOPTED AS RESOLUTION R-270134  
Establishing an Underground Utility District to be known and denominated as the Catalina Boulevard (Canon Street to Orchard Street) Underground Utility District.

Subitem-B: (R-88-841) ADOPTED AS RESOLUTION R-270135  
Authorizing the expenditure of an amount not to exceed \$7,500 from CIP-37-028, Federal Revenue Sharing Fund 18014, for the purpose of administering the Catalina Boulevard (Canon Street to Orchard Street) 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 Catalina Boulevard between Canon Street and Orchard Street. This is a scheduled project in the Calendar Year 1989 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 21, of which 19 are single-family residential properties, and 2 are commercial or multi-family properties. A typical cost range for a licensed contractor to perform this conversion work on residential private property is \$700 to \$1,200. Conversion costs on commercial properties may vary from \$700 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. 8800395.

FILE LOCATION: STRT K-180

COUNCIL ACTION: (Tape location: A168-174.)

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

MOTION BY ROBERTS TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331:

Two actions relative to establishing the Hotel Circle North (Hotel Circle Place to Camino de la Reina) Underground Utility District:  
(Mission Valley Community Area. District-5.)

Subitem-A: (R-88-923) ADOPTED AS RESOLUTION R-270136

Establishing an Underground Utility District to be known and denominated as the Hotel Circle North (Hotel Circle Place to Camino de la Reina) Underground Utility District.

Subitem-B: (R-88-924) ADOPTED AS RESOLUTION R-270137

Authorizing the expenditure of an amount not to exceed \$8,000 from CIP-37-028, Federal Revenue Sharing Fund 18014, for the purpose of administering the Hotel Circle North (Hotel Circle Place to Camino de la Reina) 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 Hotel Circle

North between Hotel Circle Place and Camino de la Reina. This is a scheduled project in the Calendar Year 1989 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 12, all of which are commercial properties. Conversion costs on commercial properties may vary from \$700 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. 8800412.

FILE LOCATION: STRT K-179

COUNCIL ACTION: (Tape location: A177-183.)

Hearing began 10:21 a.m. and halted 10:22 a.m.

MOTION BY STRUIKSMA TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332:

Matters of:

- 1) Application of the Community Plan Implementation Overlay Zone (CPIOZ) - Type B to various areas and properties. This will replace the existing Type "A" overlay which is currently applied to these properties. Both the Type "A" and "B" overlay zones require that a permit be obtained to insure that issues identified in the community plan are addressed. The Type "A" permit requires ministerial review by the Planning Department, while the Type "B" permit requires discretionary review and a noticed public hearing.
- 2) Application of the Institutional (I) Overlay Zone to the publicly-owned school, library and fire and police station sites and to the City-owned Water Utilities site on the north side of Governor Drive, west of I-805. This overlay zone is intended to be applied to publicly-owned lands to assure public input for any proposals involving a change of use on these sites.
- 3) Rezoning the City- and State-owned park sites to the Open Space (OS) Zone. This zone is intended to be

applied to public lands designated for park and/or open space purposes to insure public input for any proposals involving change of the existing park use.

- 4) Incorporating development guidelines into the University Community Plan for the areas where the CPIOZ "B" Overlay Zone is proposed to be applied.

The above described actions are proposed to implement the University Community Plan and Local Coastal Program Land Use Plan as adopted by the City Council on July 7, 1987.  
(Case-87-0856. District-1.)

Subitem-A: (O-88-105 Rev. 1) INTRODUCED, TO BE ADOPTED  
JANUARY 25, 1988  
Introduction of an Ordinance for CPIO Zoning.

Subitem-B: (R-88-1290 Rev. 1) ADOPTED AS RESOLUTION  
R-270138  
Adoption of a Resolution amending the Community Plan.

Subitem-C: (O-88-106) FILED DUE TO INTRODUCTION OF THE  
ALTERNATE ORDINANCE  
Introduction of an Ordinance for CPIO Zoning.

Subitem-D: (R-88-1289) FILED DUE TO THE ADOPTION OF THE  
ALTERNATE RESOLUTION  
Adoption of a Resolution amending the Community Plan.

NOTE: If Council approves the Planning Department's recommendation only

Subitems A and B are to be introduced and adopted. If Council approves the Planning Commission's recommendation only

Subitems C and D are to be introduced and adopted.

FILE LOCATION:

Subitem-A --,

Subitem-B LAND University  
Community Plan,

Subitem-C --,

Subitem D LAND

University Community Plan

COUNCIL ACTION: (Tape location: A184-262.)

Hearing began 10:22 a.m. and halted 10:27 a.m.

MOTION BY WOLFSHEIMER TO INTRODUCE THE ORDINANCE FOR SUBITEM-A, ADOPT RESOLUTION FOR SUBITEM-B, AND FILE SUBITEMS C AND D.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-333: FILED AS A RESULT OF THE ZONING BEING DENIED

(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 meetings of November 2, 1987, Item S407 and November 9, 1987, Item S406; Continued from the meeting of November 24, 1987, Item 204; Continued from the meeting of December 1, 1987, Item S501, at Council Member Ballesteros' request.)

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: ZONE ORD NO.

COUNCIL ACTION: (Tape location: A264-292.)

Hearing began 10:27 a.m. and halted 10:29 a.m.

MOTION BY McCOLL TO DENY THE ZONING. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-334:

(Continued from the meeting of December 8, 1987, Item 335, at Council Member Wolfsheimer's request, for information from the Environmental Quality Division.)

Appeal of Carmel Valley Evangelical Presbyterian Church, by Ruth Gunther, from the decision of the Planning Commission in denying (by failure of a lack of four affirmative votes) North City West Planned Development Plan Permit PD-86-0761, proposing the development of a 7,904-square-foot church with a 63-space parking lot. The subject property is located on the west side of Carmel County Road, south of Carmel Valley Road in the Special Use Zone and Floodway Zone and within the Neighborhood 8 Precise Plan area of the North City West Community Plan. The subject property is further described as a portion of Section 20, Township 14 South, Range 3 West, SBBM. (PD-86-0761. District-1.)

19880112

Subitem-A: (R-88-1491) ADOPTED AS RESOLUTION R-270139

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-86-0761 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-88-1492) ADOPTED AS RESOLUTION R-270140  
GRANTING 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 PD 86-0761

COUNCIL ACTION: (Tape location: A292-369.)

Hearing began 10:30 a.m. and halted 10:34 a.m.

MOTION BY WOLFSHEIMER TO ADOPT THE EMND RESOLUTION FOR SUBITEM-A  
AND ADOPT THE RESOLUTION FOR SUBITEM-B GRANTING THE APPEAL AND



THE PERMIT WITH THE LANGUAGE ON THE MAP TO STATE THAT IT IS A SANCTUARY. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-335: (O-88-55 Rev.1) INTRODUCED AS AMENDED TO BE ADOPTED JANUARY 25, 1988

(Continued from the meeting of December 1, 1987, Item 339, at Council Member Struiksma's request, due to lack of time.)

Introduction of an Ordinance amending the San Diego Municipal Code (Chapter X, Article 2 - Subdivision Regulations) to establish processing and filing requirements for Vesting Tentative Maps and Vesting Tentative Parcel Maps.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A366-C055.)

Hearing began 10:34 a.m. and halted 11:33 a.m.

Testimony in favor by Chris Calkins and Kathy Giles.

Testimony in opposition by Lance Burris and Bret Vedder.

MOTION BY McCARTY TO AMEND THE ORDINANCE TO EXTEND THE TIME FOR SECURING VESTED DEVELOPMENT RIGHTS FROM "ONE YEAR" TO "TWO YEARS." Second by McColl. Passed by the following vote:

Wolfsheimer-nay, Roberts-nay, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-nay.

MOTION BY WOLFSHEIMER TO INTRODUCE THE ORDINANCE AS AMENDED WITH

THE FOLLOWING AMENDMENTS TO THE INFORMATION TO BE SUBMITTED BY THE APPLICANT: 1) ARCHITECTURAL ELEVATIONS - "ROOFING DETAILS" CHANGED TO "ROOF DESIGN TREATMENT" AND "ALL" TO "MAJOR EXTERIOR" BUILDING MATERIALS, 2) LANDSCAPE PLANS - THE WORD "COMPLETE" CHANGED TO "PRELIMINARY," DELETE "IRRIGATION PLANS" AND CHANGE TO "PLANS THAT SPECIFY NUMBERS, SIZE, AND TYPES OF ALL PLANT MATERIAL," AND THE AMENDMENT TO EXTEND THE TIME FOR SECURING VESTED DEVELOPMENT RIGHTS TO TWO YEARS. Second by Roberts.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-336: (O-88-94) CONTINUED TO FEBRUARY 2, 1988

(Continued from the meeting of December 1, 1987, Item 340, at Council Member Struiksma's request, due to lack of

time.)

Introduction of an Ordinance amending the IDO (Interim Development Ordinance) by establishing a process and developing standards for "released projects."

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D014-219.)

MOTION BY McCOLL TO CONTINUE TO FEBRUARY 2, 1988 FOR FURTHER REVIEW. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-337:

Two actions relative to IDO amendments to establish a Cost Recovery Program, Zone Compliance Checks, Variance Filing/Timing Requirements and Released Projects:

Subitem-A: (O-88-113) INTRODUCED, TO BE ADOPTED ON JANUARY 25, 1988

Introduction of an Ordinance amending Ordinance No. O-16908 (NS) and Ordinance No. O-16940 (NS) regulating for an interim period development in the Urbanized, Planned Urbanizing and Future Urbanizing areas of the City as defined in the Progress Guide and General Plan (adopted February 26, 1979) by adding a new section 7, 10, 11; Sections 1, 2, 3, 4, 5, and 6 remain the same; and Sections 7, 8, 9, 10, and 11 are renumbered to Sections 8, 9, 10, 13, and 14.

Subitem-B: (R-88-1395) ADOPTED AS RESOLUTION R-270143 Adoption of a Resolution establishing deposits and fees for processing requests made pursuant to the Interim Development Ordinance (IDO).

FILE LOCATION:

Subitem A: --;

Subitem B: MEET

COUNCIL ACTION: (Tape location: E043-E084.)

Hearing began at 2:50 p.m. and halted at 2:54 p.m.

MOTION BY ROBERTS TO INTRODUCE SUBITEM-A AND TO ADOPT SUBITEM-B EXCEPT THAT THE RELEASED PROJECTS ARE TO BE CONSIDERED AT ANOTHER TIME. Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-yea.

ITEM-338:

(Continued from the meetings of November 23, 1987, Item 109 and November 30, 1987, Item S408; last continued at Council Member Struiksma's request, for further review.)

Two actions relative to the Mira Mesa Public Facilities Benefit Assessment:

(See City Manager Report CMR-87-537 and Memorandum from Council Member Struiksma dated 11/9/87. Located east of I-805 in North Central San Diego. Mira Mesa Community Area. District-5.)

Subitem-A: (R-88-966) ADOPTED AS AMENDED AS RESOLUTION R-270144

Approving the document entitled, "Mira Mesa Public Facilities Financing Plan and Facilities Benefit Assessment, October, 1987."

Subitem-B: (R-88-967) ADOPTED AS RESOLUTION R-270145

Resolution of Intention to designate an area of benefit in Mira Mesa and setting the time and place for holding a public hearing.

COMMITTEE ACTION: Reviewed by TLU on 11/9/87. Forwarded to Council with no recommendation at the request of Council Member Struiksma. Districts 1, 6, 7 and 8 voted yea.

FILE LOCATION: STRT FB-12

COUNCIL ACTION: (Tape location: D289-660.)

Hearing began at 2:35 p.m. and halted at 2:40 p.m.

MOTION BY STRUIKSMA TO ADOPT WITH AMENDMENTS TO THE FOLLOWING PROJECTS: PROJECT NUMBER 50 - MIRA MESA LIBRARY EXPANSION: CHANGE FUNDING AMOUNT FROM \$2,830,000 TO \$3.7 MILLION. INCREASE SQUARE FOOTAGE OF LIBRARY FROM 8,000 SQUARE FEET TO 20,000 SQUARE FEET. PROJECT NUMBER 65 - MIRA MESA COMMUNITY POOL LOCATED AT WINTER WOOD PARK: CHANGE FUNDING AMOUNT FROM \$1.4 MILLION TO \$2.4 MILLION TO PROVIDE ADEQUATE FUNDING FOR OLYMPIC-SIZED POOL. PROJECT NUMBER 71 - THIRD COMMUNITY PARK POOL LOCATED AT MIRAMAR COLLEGE: CHANGE FUNDING AMOUNT FROM \$1.4 MILLION TO \$2.4 MILLION FOR OLYMPIC-SIZED POOL. DIRECT STAFF TO RE-NEGOTIATE LEASE WITH COMMUNITY COLLEGE DISTRICT TO REDIRECT \$1 MILLION CURRENTLY SLATED FOR NATATORIUM INTO ADDITIONAL IMPROVEMENTS FOR NATATORIUM AND/OR FIELD HOUSE. DELETE USE OF SCRIPPS RANCH AND MIRAMAR RANCH NORTH FEES FOR FUNDING OF POOL. PROJECT NUMBER 64 - THIRD COMMUNITY PARK LOCATED AT MIRAMAR COLLEGE: ADD \$1.2 MILLION FOR REHABILITATION

OF FIELD HOUSE IN THE YEAR 2003. PROJECT NUMBER 74 - CAMINO RUIZ NEIGHBORHOOD PARK: EXPAND PARK ACREAGE TO 10 ACRES. INCREASE FUNDING FROM \$2.5 MILLION TO \$5 MILLION. PROJECT NUMBER 77 - FIRE STATION NO. 44: DIRECT THE CITY MANAGER TO REPORT BACK UPON COMPLETION OF MIRA MESA COMMUNITY PLAN UPDATE TO EXAMINE FEASIBILITY OF PUTTING FIRE STATION INTO FBA. ADD THE ACQUISITION OF BREEN ELEMENTARY SCHOOL SITE FOR USE AS A PARK: ACQUIRE 10.32 ACRES IN 1993 AT A COST OF \$4.5 MILLION. DIRECT THE CITY MANAGER TO REPORT BACK AT THE COMPLETION OF THE MIRA MESA COMMUNITY PLAN UPDATE WITH A FORMAL ACQUISITION COST. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-339: (O-88-110) CONTINUED TO JANUARY 19, 1988

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 adding to the personnel authorization of Council District 7 (027) one Council Representative II position; exempting said Council Representative II position from the Classified Service; establishing a salary rate for said position; authorizing the Auditor and Comptroller to transfer the sum of \$21,994 within the General Fund 100 from the Unallocated Reserve (605) to Council District 7 (027) for the above position, allocating \$16,664 to Personnel Services, \$3,830 to Fringe Benefits, and \$1,500 to Non-Personnel Expense. Aud. Cert. 8800606.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A060-062.)

MOTION BY McCARTY TO CONTINUE TO JANUARY 19, 1988, AS THE FIRST PUBLIC HEARING OF THIS ORDINANCE WAS HELD ON TUESDAY, JANUARY 12, 1988, ITEM-212. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-340: (R-88-1558) ADOPTED AS RESOLUTION R-270146,  
GRANTING THE VARIANCE

19880112

Matter of a non-accelerated variance request from the Interim Development Ordinance (IDO) to construct a 162 unit project where 78 existing units are being replaced and an additional 84 units are being requested. The subject property is located at Cowley Way and is described as Parcels A and B, Map-768, Parcel 2, and a portion of Parcel 1, Map-14786. The R-1000 zoned site is within the Clairemont Mesa Community Plan.

(Case-87-2237. District-6.)

Adoption of a Resolution granting or denying the variance request for Case-87-2237 with appropriate findings to support Council action.

FILE LOCATION: ZONE IDO VARIANCE NO. 87-2237

COUNCIL ACTION: (Tape location: E130-F240.)

Hearing began at 3:00 p.m and halted at 3:49 p.m.

Testimony in favor by Mr. Milch and Tim Graves.

MOTION BY HENDERSON TO GRANT THE VARIANCE AND TO ADOPT THE FINDINGS OF THE CITY ATTORNEY'S REPORT ON HARDSHIP GUIDELINES; THE CITY ATTORNEY IS ALSO TO ADD SPECIFIC LANGUAGE RELATIVE TO "THE LIFE OF THE IDO"; STAFF IS DIRECTED TO REPORT TO COUNCIL IN TWO WEEKS WITH OPTIONS TO ASSEMBLE THE NEEDED 84 UNITS CITY WIDE, CONDITIONED UPON OBTAINING FROM THE DEVELOPER A WRITTEN, RECORDED ABANDONMENT OF THE PRD AND AN AGREEMENT TO A MAXIMUM OF 1,170 UNITS ON THE 56 ACRES INVOLVED IN THE ENTIRE PROJECT; THE BUILDING DEPARTMENT IS AUTHORIZED TO START PROCESSING THE IDO TYPE UNITS. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-341:

Matters of the following non-accelerated variance requests from the Interim Development Ordinance (IDO):

- a) A variance request from the Interim Development Ordinance (IDO) to construct a 32 unit residential project. The subject property is located at 125 Averil Road and is described as Assessor Parcel No. 638-080-48. The R-1500 zoned site is within the San Ysidro Community Plan.  
Case-87-2080 (Non-accelerated) (District-8.)
- b) A variance request from the Interim Development Ordinance (IDO) to construct a 15 unit multi-family apartment. The subject property is located at 2313 East Beyer Blvd., and is described as Assessor Parcel No. 638-162-19. The R-1500 zoned site is within the San

Ysidro Community Plan.

Case-87-2263 (Non-accelerated) (District-8.)

- c) A variance request from the Interim Development Ordinance (IDO) to construct an 18 unit residential project. The subject property is located at 1051-75 Madden Avenue and is described as Lot 1, Coronado Glen, Unit 2, Map-6573. The R-3000 zoned site is within the Otay-Nestor Community Plan.

Case-87-2095 (Non-accelerated) (District-8.)

- d) A variance request from the Interim Development Ordinance (IDO) to construct 26 units. The subject property is located at 5726 through 5740 La Jolla Boulevard and is described as Lots 20, 21, 22, 23, 24, & 25, Block 17, Bird Rock City by the Sea, Map-975, filed on March 13, 1906. The site is within Zone 4 of the La Jolla Planned District.

Case-87-2063 (Non-accelerated) (District-1.)

- e) A variance request from the Interim Development Ordinance (IDO) to construct 15 units, mixed use. The subject property is located at 5530 La Jolla Boulevard and is described as Lots 21, 22, 23, & 24, Block 16, Bird Rock Addition, Map-1083, Assessor Parcel No. 357-531-06. The site is within Zone 4 of the La Jolla Planned District.

Case-87-2009 (Non-accelerated) (District-1.)

- f) A variance request from the Interim Development Ordinance (IDO) to construct 10 condominiums. The subject property is located at 7555 and 7559 La Jolla Blvd., and is described as Lots 2 and 3, Block 13, La Jolla Park, Map No. 352. The site is within Zone 4 of the La Jolla Planned District.

Case-87-2028 (Non-accelerated) (District-1.)

- g) A variance request from the Interim Development Ordinance (IDO) to construct a 54 unit multi-family condominium. The subject property is located at 2775 First Avenue and is described as Assessor Parcel No. 452-702-10. The R-600 (HR) zoned site is within the Uptown Community Plan.

Case-87-2008 (Non-accelerated) (District-8.)

- h) A variance request from the Interim Development Ordinance (IDO) to construct a 4 unit multi-family apartment. The subject property is located at "F" Street (off alleyway) and is described as Assessor Parcel No. 539-582-10. The R-1500 zoned site is within the Golden Hills Community Plan.

Case-87-2133 (Non-accelerated) (District-4.)

i) A variance request from the Interim Development Ordinance (IDO) to construct a 4 unit residential project. The subject property is located at the west side of San Fernando Place and is described as Lots D & E, Block 60 of Mission Beach, Amended Map-19809. The VCS zoned site is within the Mission Beach Community Plan.

Case-87-2269 (Non-accelerated) (District-2.)

j) A variance request from the Interim Development Ordinance (IDO) to construct a 5 unit residential project. The subject property is located at 850 Agate Street and is described as Lot 13 and a portion of Lots 12 and 14, Block 5, Pacific Beach Vista TCT, Map-916. The R-1500 zoned site is within the Pacific Beach Community Plan.

Case-87-2152 (Non-accelerated) (District-6.)

19880112

Subitem-A: (R-88-2032) ADOPTED AS RESOLUTION R-270147,  
DENYING THE VARIANCE

Adoption of a Resolution granting or denying the variance request for Case-87-2080 with appropriate findings to support Council action.

Subitem-B: (R-88-2033) ADOPTED AS RESOLUTION R-270148,  
DENYING THE VARIANCE

Adoption of a Resolution granting or denying the variance request for Case-87-2263 with appropriate findings to support Council action.

Subitem-C: (R-88- ) REFERRED TO THE IDO ADMINISTRATOR

Adoption of a Resolution granting or denying the variance request for Case-87-2095 with appropriate findings to support Council action.

Subitem-D: (R-88-2034) ADOPTED AS RESOLUTION R-270149,  
DENYING THE VARIANCE

Adoption of a Resolution granting or denying the variance request for Case-87-2063 with appropriate findings to support Council action.

Subitem-E: (R-88- ) REFERRED TO THE IDO ADMINISTRATOR

Adoption of a Resolution granting or denying the variance request for Case-87-2009 with appropriate findings to

support Council action.

Subitem-F: (R-88-2035) ADOPTED AS RESOLUTION R-270150,  
GRANTING THE VARIANCE

Adoption of a Resolution granting or denying the variance  
request for Case-87-2028 with appropriate findings to  
support Council action.

Subitem-G: (R-88- ) CONTINUED TO FEBRUARY 23, 1988

Adoption of a Resolution granting or denying the variance  
request for Case-87-2008 with appropriate findings to  
support Council action.

Subitem-H: (R-88- ) REFERRED TO THE IDO ADMINISTRATOR

Adoption of a Resolution granting or denying the variance  
request for Case-87-2133 with appropriate findings to  
support Council action.

Subitem-I: (R-88- ) REFERRED TO THE IDO ADMINISTRATOR

Adoption of a Resolution granting or denying the variance  
request for Case-87-2269 with appropriate findings to  
support Council action.

Subitem-J: (R-88- ) CONTINUED TO FEBRUARY 23, 1988

Adoption of a Resolution granting or denying the variance  
request for Case-87-2152 with appropriate findings to  
support Council action.

FILE LOCATION:

Subitem A: ZONE IDO VARIANCE NO. 87-2080;

Subitem B: ZONE IDO VARIANCE NO. 87-2263;

Subitem C: ZONE IDO VAIRANCE NO. 87-2095;

Subitem D: ZONE IDO VARIANCE NO. 87-2063;

Subitem E: ZONE IDO VARIANCE NO. 87-2009;

Subitem F: ZONE IDO VARIANCE NO. 87-2028;

Subitem G: ZONE IDO VARIANCE NO. 87-2008;

Subitem H: ZONE IDO VARIANCE NO. 87-2133;

Subitem I: ZONE IDO VARIANCE NO. 87-2269;



Subitem J: ZONE IDO VARIANCE NO. 87-2152.

COUNCIL ACTION: (Tape location: D119-220; F241-H281.)

Hearing began at 2:16 p.m. and recessed at 2:34 p.m.

Hearing resumed at 3:50 p.m. and halted at 5:20 p.m.

Testimony in favor by Raul Rivera, George Ley, and Joe Astorga.

Testimony in opposition by Mirna Perrez and Michael Freedman.

Council Member McColl left at 4:00 p.m.

MOTION BY FILNER TO DENY SUBITEM-A. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Testimony in favor by James Dunn and Del Zachay.

Testimony in opposition by Mirna Perrez.

MOTION BY FILNER TO DENY SUBITEM-B. Second by Wolfsheimer.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY FILNER TO REFER SUBITEM-C TO THE IDO ADMINISTRATOR FOR REVIEW BY THE OTAY-NESTER COMMUNITY PLANNING COMMITTEE AND TO RE-DOCKET FOR THE SPECIAL HEARING ON FEBRUARY 18, 1988. ALSO, THE CITY ATTORNEY IS TO CHECK WITH THE APPLICANTS OF SUBITEM-G and SUBITEM-J TO SEE IF THEY PREFER THAT THESE ITEMS BE HEARD ON FEBRUARY 18, RATHER THAN ON FEBRUARY 23, AS PREVIOUSLY SET.

Second by Henderson. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,

Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-yea.

Testimony in favor by Jerry Hudec.

Testimony in opposition by Dean Haskins and Bernys Borun.

MOTION BY WOLFSHEIMER TO DENY SUBITEM-D. Second by Filner.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

McColl-not present, Pratt-yea, Struiksma-yea, Henderson-nay,

McCarty-nay, Filner-yea, Mayor O'Connor-yea.

Testimony in favor by Willard Cheng.

Testimony in opposition by Bernys Borun.

MOTION BY HENDERSON TO REFER SUBITEM-E TO THE IDO ADMINISTRATOR FOR REVIEW BY THE COMMUNITY PLANNING COMMITTEE. Second by

McCarty. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, McColl-not present, Pratt-yea, Struiksma-Yea,

Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Testimony in favor by Willis Laughlin and Stan Dotts.

MOTION BY ROBERTS TO GRANT SUBITEM-F, TAKING TWO UNITS FROM THE OLD SAN DIEGO COMMUNITY AREA AND FIVE UNITS FROM THE MIDWAY COMMUNITY AREA, FOR A TOTAL OF SEVEN UNITS TO BE TRANSFERRED TO THE LA JOLLA COMMUNITY AREA. Second by Henderson. Passed by

the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not

present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Testimony by Judd Hudlenda.

MOTION BY FILNER TO CONTINUE SUBITEM-G TO FEBRUARY 23, 1988, FOR REVIEW BY THE COMMUNITY PLANNING COMMITTEE. Second by

Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl- yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

MOTION BY HENDERSON TO REFER SUBITEM-H AND SUBITEM-I TO THE IDO ADMINISTRATOR. Second by Roberts. Passed by the following

vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY HENDERSON TO CONTINUE SUBITEM-J TO FEBRUARY 23, 1988, FOR REVIEW BY THE PACIFIC BEACH COMMUNITY PLANNING COMMITTEE.

Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-not present.

ITEM-342: (R-88-1327) CONTINUED TO JANUARY 19, 1988

Approving the agreement between the City of San Diego, the Redevelopment Agency and Pacific Bell, regarding conflict of telephone conduit with street improvements.

(See the memorandum from CCDC Executive Vice President dated 12/14/87. Centre City Community Area. District-8.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G516-519.)

MOTION BY HENDERSON TO CONTINUE FOR ONE WEEK DUE TO LACK OF TIME. Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: (R-88-1397) ADOPTED AS RESOLUTION R-270141

Authorizing the execution of an agreement with James M. Montgomery Consulting Engineers, Inc., for professional consultant services to provide Early Identification of Secondary Treatment Alternatives and Schedules required for the proposed EPA Consent Decree; authorizing the expenditure of an amount not to exceed \$140,000 from CIP-46-147.0, Modified Wastewater Treatment Facilities Plan, Sewer Revenue Fund (41506), for the purpose of

providing funds for the above project; authorizing the expenditure of an amount not to exceed \$50,000 from CIP-46-147.0 Modified Wastewater Treatment Facilities Plan, Sewer Revenue Fund (41506), for the purpose of funding Outside Legal Counsel to assist the City Attorney in Consent Decree negotiations with the EPA.

(See City Manager Report CMR-88-16.)

COMMITTEE ACTION: Reviewed by PSS on 1/6/88. Recommendation to approve the City Manager's recommendation and requested the City Manager to respond to the questions in the Mayor's memo dated January 6, 1988. Districts 2, 3, 4, 6 and 7 voted yea.

Aud. Cert. 8800636.

WU-U-88-091.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: A063-150.)

MOTION BY ROBERTS TO ADOPT AND DIRECT THE CITY MANAGER TO LOOK INTO INCLUDING INFORMATION REGARDING THE MATTER WITH THE SEWER BILLS. Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S401: (R-88-1387) ADOPTED AS RESOLUTION R-270142

Authorizing the execution of an amendment to the agreement with Coffeen Anderson Fricke and Associates, Inc. to provide additional professional services for the San Diego Jack Murphy Stadium Sound System Improvements Project, CIP-34-106; authorizing the expenditure of an amount not to exceed \$26,850 from the San Diego Jack Murphy Stadium Operations Fund (10330), for the purpose of providing funds for the above project.

(Mission Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On May 4, 1987, per Resolution R-268268, the City entered into an agreement with Coffeen Anderson Fricke and Associates, Inc. to provide professional services in conjunction with improving the sound system at San Diego Jack Murphy Stadium. The services include: making recommendations; preparing plans and specifications; evaluating bids; and inspecting, testing, and balancing the system. The compensation for these services is \$35,000, plus \$3,000 is allocated for contingencies. The agreement states that if a new central loudspeaker is to be constructed, additional compensation will be discussed with the consultant. The Sound System Project is underway, CIP-34-106, and it includes the addition of a new central loudspeaker and 476

speakers on the Plaza, Loge and Press Levels. Per the agreement, the consultant has requested an amount not to exceed \$29,850 for the inspection, testing and balancing of the system. This phase is most critical as it will ensure that the system is operating properly and at an optimum level, and that the contractor has fulfilled the requirements of the contract. When compared to inspection costs of other Capital Improvement Program projects, this is a reasonable expense. Therefore, it is recommended that the amendment be approved.

Aud. Cert. 8800635.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: A152-160.)

MOTION BY McCOLL TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S500: (O-88-109) APPROVED FIRST HEARING

First public hearing in the matter of:

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 and adding to the Personnel Authorization of the Planning Department (065) Program Element 06572, 0.58 Senior Planner and 1.74 Associate Planner Positions; authorizing the Auditor and Comptroller to transfer the sum of \$109,818 within the General Fund 100 from the Allocated Reserve (605) to the Planning Department (065) for the above positions; allocating \$97,928 to Personnel Services and \$11,890 to Non-Personnel Expense.

Aud. Cert. 8800544.

NOTE: See Item 337 on the regular docket of 1/12/88 for a companion item.

See the docket of Tuesday, January 19, 1988, for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E087-100.)

MOTION BY STRUIKSMA TO APPROVE THE FIRST HEARING. Second by Henderson. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S501: CONTINUED TO MARCH 22, 1988, AT 2:00 P.M.

(Continued from the meetings of September 22, 1987, Item 330; October 13, 1987, Item 330 and November 10, 1987, Item 338; last continued at the request of Council Member Ballesteros, to allow CCDC to work with the owner and the Chinese Community to resolve the problem and report back to Council in 60 days. Planning Department was directed not to issue any demolition permits.)

Matters of:

- 1) Appeal of Goodwill Industries by Michael S. Rowan from the decision of the Historical Site Board to designate the Regal/Anita (RAID) Hotels as part of the Chinese/Asian Thematic Historic District. The subject property is located at 416-422 Fourth Avenue.
- 2) Appeal of Charles P. Tyson by Maria Burke Lia, attorney, from the decision of the Historical Site Board to designate the Chinese Mission Building as a part of the Chinese/Asian Thematic Historic District. The subject property is located at 643-645 First Avenue.  
(District-8.)

Subitem-A: (R-88- )

Adoption of a Resolution approving or denying the appeal and the historical designation for the Regal/Anita (RAID) Hotels with appropriate findings to support Council action.

Subitem-B: (R-88- )

Adoption of a Resolution approving or denying the appeal and the historical designation for the Chinese Mission Building with appropriate findings to support Council action.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: E101-129.)

MOTION BY FILNER TO CONTINUE TO MARCH 22, 1988, AT 2:00 P.M., AT THE REQUEST OF CITY MANAGER LOCKWOOD IN ORDER TO GIVE CENTER CITY DEVELOPMENT CORPORATION TIME TO REVIEW. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEM:

ITEM-ND-1: (R-88-1552) ADOPTED AS RESOLUTION R-270151

19880112

That the City Council observe a moment of silence dedicated

to the recovery of Officer Jerry Hartless, a San Diego Police Officer, who was critically wounded in the line of duty.

FILE LOCATION: MEET

PUBLIC COMMENT ITEM:

ITEM-PC-1: REFERRED TO THE PLANNING DIRECTOR

Comments by Matt Peterson regarding the Release of County Island from the Interium Development Ordinance.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H282-309.)

ADJOURNMENT:

By common consent Mayor O'Connor adjourned the meeting at 5:25 p.m.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: H331-335).