

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

TUESDAY, FEBRUARY 14, 1989

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 10:13 a.m. The meeting was recessed by Mayor O'Connor at 11:54 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:05 p.m. with Council Members Roberts, Pratt, Struiksma and McCarty not present. Council Member Henderson announced that Fumio Niwa of Yokohama is attempting to take the world's first flight by balloon from San Diego's Sister City of Yokohama, Japan, and is expected to land in San Diego in the near future bearing a letter and greetings from the Mayor of Yokohama in celebration of the opening of the Yokohama Exhibition that he and Mayor O'Connor will be attending on April 18. Mayor O'Connor adjourned the meeting at 3:30 p.m.

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-Fishkin (eb,jb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

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

ITEM-330: (R-89-1456) CONTINUED TO FEBRUARY 21, 1989

Rescinding Resolution of Intention R-271066, adopted on May 31, 1988, to close the dirt portion of Old Black Mountain Road from Via Abertura to Donaker Street.

(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On May 31, 1988, the City Council approved a Resolution of Intention to temporarily close the dirt portion of Old Black Mountain Road between Via Abertura and Donaker Street. The Council elected to proceed in making the temporary closure under the provisions of the "Public Streets, Highways, and Service Easements Vacation Law," California Streets and Highways Code Section 8300. An environmental analysis studying the various aspects in the operation of the road versus the temporary closure of this section of Black Mountain Road is being prepared. The environmental analysis is not complete at this time. Public hearings will follow the completion of the environmental analysis report. These will not be completed by February 14, 1989 and an alternate date is not known at this time.

Therefore, the City Council is requested to rescind the previous Resolution which specified February 14, 1989 as the time, and the City Council Chambers as the place, for hearing all persons interested in or objecting to the proposed temporary closure.

FILE LOCATION: STRT J-2684

COUNCIL ACTION: (Tape location: A015-018.)

MOTION BY WOLFSHEIMER TO CONTINUE TO FEBRUARY 21, 1989, AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331:

Three actions relative to the Floodplain Management Ordinance:

(See Transportation and Land Use amended Council Policy 600-14; Committee Consultant Analysis TLU-89-03; City Manager Report CMR-89-05.)

Subitem-A: (R-89-1205) ADOPTED AS RESOLUTION R-272880
Adoption of a Resolution amending Council Policy 600-14 entitled, "Development Within Areas of Special Flood Hazard".

Subitem-B: (O-89-125) INTRODUCED, TO BE ADOPTED FEBRUARY 27, 1989

Introduction of an Ordinance amending Chapter IX, Article 1, Division 1, of the San Diego Municipal Code, by adding Section 91.01.0001, by adding a new provision that defines the term "areas of special flood hazard" using the same language as the Federal Emergency Management Agency; the ordinance also prohibits construction within areas of special flood hazard except under certain circumstances.

Subitem-C: (O-89-126) INTRODUCED, TO BE ADOPTED FEBRUARY 27, 1989

Introduction of an Ordinance amending Chapter VI, Article 2, Division 4, of the San Diego Municipal Code, by adding Section 62.0421, to establish areas of special flood hazard in accordance with the standards of the Federal Emergency Management Agency; the new section would also prohibit work within the areas of special flood hazard except under certain circumstances.

COMMITTEE ACTION: Reviewed by TLU on 1/23/89. Recommendation to approve the proposed ordinance and Council Policy 600-14 subject to modifications to the background sections, reference to environmental and sensitive lands requirements, and reference to the Land Development Ordinance appeal process. Districts 1, 2 and 5 voted yea. Districts 4 and 8 not present.

FILE LOCATION:

Subitem-A MEET,

Subitems B and C --

COUNCIL ACTION: (Tape location: A032-044.)

MOTION BY WOLFSHEIMER TO ADOPT SUBITEM-A AND INTRODUCE THE ORDINANCES FOR SUBITEMS B AND C. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-332:

Matters relating to the Sunburst Woodman project:

1. Request to subdivide a 9.1-acre site into 39 lots for residential development, located at the northeast corner of Woodman Street and Skyline Drive. The subject property is further described as portions of Lots 43, 45-60, 63-78, 80-93, and a portion of Lot 161 of Encima de San Diego, Map-1546, in Zone R1-5000 of

- the Skyline Paradise Hills Community Plan area.
2. A proposal to vacate Henrietta Drive and Margaritta Drive, as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the tentative map for Sunburst Woodman (TM-88-0860).
(TM-88-0860. District-4.)

19890214

Subitem-A: (R-89-1340) ADOPTED AS RESOLUTION R-272872
Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-88-0860 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-89-1339) ADOPTED AS RESOLUTION R-272873
Adoption of a Resolution authorizing the vacation of Henrietta Drive and Margaritta Drive as provided for under Section 66499.20-1/2 of the State Map Act.

Subitem-C: (R-89-1880) ADOPTED AS RESOLUTION R-272874,
GRANTED MAP
Adoption of a Resolution granting or denying the map, with appropriate findings to support Council action.

FILE LOCATION:

Subitems A STRT J-2711;

Subitem B STRT J-2711; DEED F-4827;

Subitem C SUBD -

Sunburst Woodman DEEDFY89-1

COUNCIL ACTION: (Tape location: A321-326,E496-590.)

MOTION BY McCOLL TO TRAIL TO 2:00 P.M. AT THE REQUEST OF COUNCIL MEMBER PRATT SO THAT HE COULD BE PRESENT. Second by McCarty. Passed by the following vote:

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

Hearing began at 3:24 p.m. and halted at 3:27 p.m.

Testimony in favor by Sam Safino.

MOTION BY PRATT TO ACCEPT THE VACATION OF THE TWO STREETS AND SUBDIVISION OF THE TWO LOTS. Second by Roberts.

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

ITEM-333:

(Continued from the meeting of January 17, 1989, Item 337, at Verna Quinn's request, for additional information.)

Proposal to 1) Amend San Diego Municipal Code Section 101.0503 to render the decision of the Board of Zoning Appeals (BZA) final for all variances and all conditional use permits with the exception of three conditional use permits which continue to be appealable to the City Council; and 2) Amend San Diego Municipal Code Section 101.0204 to delete the sunset clause on the appeal fee waiver of recognized community planning groups. The waiver of appeal fees was instituted for a specified time period. The amendment would allow the fee waiver to continue.

(City-wide.)

Subitem-A: (O-89-66 Rev.1) REFERRED TO RULES COMMITTEE
Introduction of an Ordinance amending San Diego Municipal Code Section 101.0503.

Subitem-B: (O-89-65) INTRODUCED, TO BE ADOPTED FEBRUARY 27, 1989

Introduction of an Ordinance amending San Diego Municipal Code Section 101.0204.

FILE LOCATION:

Subitems A and B --

COUNCIL ACTION: (Tape location: A054-332.)

Hearing began 10:18 a.m. and halted 10:39 a.m.

Testimony in opposition by Carol Landsman.

Motion by Henderson to deny the amendment regarding hearing the appeals and approve the deletion of the sunset clause of the appeal fee waiver. Second by McCarty.

Council Member McCarty withdrew the second. Council Member McColl seconded the motion. No vote was taken.

MOTION BY HENDERSON TO AMEND HIS MOTION TO REFER SUBITEM-A TO THE RULES COMMITTEE FOR REVIEW, DIRECT THE PLANNING COMMISSION TO LOOK AT THE MATTER PRIOR TO THE REVIEW AT RULES COMMITTEE AND TO NOTIFY THE COMMUNITY PLANNING GROUPS OF THE REVIEW, AND INTRODUCE THE ORDINANCE FOR SUBITEM-B. Second by Roberts.

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

ITEM-334:

(Continued from the meeting of January 24, 1989, Item 335, at Mayor O'Connor's request, for further review and analysis of the issues; Continued from the meeting of January 31, 1989, Item S502,

Subitems A, E, F, and H, for

the purpose of conforming to the motions made on 1/31/89, relative to Growth Management.)

Four actions relative to Growth Management Amendments:

Subitem-A: (O-89-161) INTRODUCED AS AMENDED, TO BE ADOPTED FEBRUARY 27, 1989

Introduction of an Ordinance amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by amending Section 101.0462, relating to the Resource Protection Overlay Zone, to add biologically sensitive lands, significant prehistoric and historic resources, unmapped wetlands, and other related changes.

Subitem-B: (O-89-158 Rev.1) APPROVED IN CONCEPT AND CONTINUED TO FEBRUARY 21, 1989, AT 10:00 A.M.

Introduction and adoption of an Interim Ordinance to protect single-family neighborhoods in multi-family zoned areas from incompatible development pending the identification of such neighborhoods.

NOTE: 6 votes required.

Subitem-C: (R-89-1418) CONTINUED TO FEBRUARY 28, 1989, AT 10:00 A.M.

Establishing Council Policy 600-38 regarding Development Monitoring.

NOTE: A portion of

Subitem C was addressed by Council on

1/31/89 and referred to a future Council Workshop.

Subitem-D: (R-89-1420) CONTINUED TO FEBRUARY 27, 1989

Directing the City Manager and Planning Director to prepare the appropriate Council action to provide funds within the

Planning Department Fiscal 1989 Budget for the Growth Management work program and consultant services agreement ; directing the Planning Director to docket a resolution for the approval of the proposed agreement for Growth Management consulting services.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A018-015, A333-C225,D061-E470.)

MOTION BY McCARTY TO CONTINUE SUBITEM-D TO FEBRUARY 27, 1989, FOR FURTHER REVIEW. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksm-a-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Hearing began 10:40 a.m. and recessed 11:54 a.m.

Testimony in favor by Matt Peterson and Allen Haynie.

Testimony in opposition by Kim Kilkenny and Alan Sakarias.

MOTION BY FILNER TO INTRODUCE SUBITEM-A AS AMENDED TO INTERLINEATE IN NUMBER 7 ON PAGE 6 TO CHANGE 166 ACRES TO 178 ACRES AND TO ADD TO NUMBER 14 ON PAGE 31 "INCLUDING BUT NOT LIMITED TO PUBLIC RECREATIONAL FACILITIES, PUBLICLY-OWNED PLAYING FIELDS, AND PUBLIC-OWNED GOLF COURSES." Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-not present, Struiksm-a-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea. By common consent

Subitems B and C were trailed from the morning session to the afternoon session.

Hearing resumed at 2:12 p.m. and halted at 3:21 p.m.

Testimony in favor of

Subitem B by Hugh Stewart, Sam Marini,

Barry Gavin, Bernard Sosma, Louis Goebel and James Lester.

MOTION BY HENDERSON TO 1) APPROVE THE PROCESS SUGGESTED BY THE PLANNING DEPARTMENT, SUBJECT TO THE FACT THAT THE MAPS NOT ONLY SHOULD BE REVIEWED BY THE PLANNING COMMITTEES, OR WHATEVER OTHER

RECOGNIZED GROUPS, BUT BY THE PLANNING COMMISSION BEFORE THEY COME TO COUNCIL; 2) THAT THE APPEALS PROCESS SHOULD BE THE SAME AS THE ZONING ADMINISTRATOR, AND THAT THE COUNCIL SHOULD HAVE THE OPPORTUNITY TO REVIEW APPEALS AND DECIDE TO HEAR THEM OR NOT TO HEAR THEM; 3) THAT THE DECISION HAS TO BE MADE CASE BY CASE, RATHER THEN BLOCK BY BLOCK. THE DECISION SHOULD BE MADE AD HOC UNLESS THE MAP CLEARLY RELEASES THE ENTIRE BLOCK; 4) TO STRIKE PARAGRAPH G FROM THE ORDINANCE RELATIVE TO "EXTENDED CLEARANCE--NEIGHBORING PROPERTY; 5) THAT EARLY RELEASE REQUESTS

WILL BE APPEALABLE DIRECTLY TO THE COUNCIL AFTER THE PLANNING DIRECTOR'S DECISION; 6) TO APPROVE THE REQUEST BY COUNCIL MEMBER McCOLL THAT STAFF PROVIDE A LIST OF PROJECTS THAT ARE COMING BEFORE THE PLANNING DIRECTOR SO THAT THE COUNCIL OFFICES WILL BE ABLE TO NOTIFY THEIR COMMUNITY PLANNING GROUPS OF HAVE PLANNING STAFF NOTIFY ALL OF DISTRICT 3 GROUPS; AND 7) THAT WHEN THE ORDINANCE IS RETURNED NEXT WEEK, GIVE AN EXACT ESTIMATE FOR MAILING NOTICES. Passed by the following vote:

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

MOTION BY FILNER TO CONTINUE SUBITEM C FOR TWO WEEKS AND DIRECT THE PLANNING DIRECTOR AND THE CITY MANAGER TO COME BACK WITH AN IMPLEMENTATION POLICY THAT WOULD INCLUDE SOME KIND OF FRONT END MONITORING AT THE SUBDIVISION LEVEL. PROVIDE A REPORT BY 5:30 P.M. ON FRIDAY PRIOR TO THE RETURN DATE. Second by Wolfsheimer.

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

ITEM-335:

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

- a) A variance request from the Interim Development Ordinance (IDO) for a single unit. The subject property is located at Via Capri, east of La Jolla Scenic Drive South and is described as Lot 39 of Azura Coast Unit No. 4, Map-6662. The La Jolla Shores Planned District (single family) zoned site is within the La Jolla Shores Community Plan area.
(Case-88-6047 (Accelerated). District-1.)
- b) A variance request from the Interim Development Ordinance (IDO) for a single unit. The subject property is located at the west side of Yerba Santa Drive between Palo Verde Drive and Fremontia Lane and is described as Lot 74, Alvarado Unit No. 2, Map-2823. The R1-40000 zoned site is within the State University Community Plan area.
(Case-88-7051 (Accelerated). District-7.)
- c) A variance request from the Interim Development Ordinance (IDO) for a 2 unit project. The subject property is located at La Canada east of Folsom Drive and is described as Parcels 6 and 7 of Parcel Map PM-11405. The R1-40000 zoned site is within the La Jolla Community Plan area.
(Case-88-7064 (Accelerated). District-1.)

19890214

Subitem-A: (R-89-2642) ADOPTED AS RESOLUTION R-272875,
GRANTED VARIANCE REQUEST

Adoption of a Resolution granting or denying the variance
request for Case-88-6047 with appropriate findings to
support Council action.

Subitem-B: (R-89-2643) ADOPTED AS RESOLUTION R-272876,
GRANTED VARIANCE REQUEST

Adoption of a Resolution granting or denying the variance
request for Case-88-7051 with appropriate findings to
support Council action.

Subitem-C: (R-89-2644) ADOPTED AS RESOLUTION R-272877,
GRANTED VARIANCE REQUEST

Adoption of a Resolution granting or denying the variance
request for Case-88-7064 with appropriate findings to
support Council action.

FILE LOCATION: ZONE IDO VARIANCE -

Subitem A Case-88-6047,

Subitem B Case-88-7051,

Subitem C Case-88-7064

COUNCIL ACTION: (Tape location: D030-040;E472-495.)

Hearing began at 2:07 p.m. and recessed at 2:08 p.m.

MOTION BY WOLFSHEIMER TO APPROVE SUBITEMS A AND C, GRANTING THE
VARIANCE REQUESTS. Second by Henderson. Passed by the
following vote: Wolfsheimer-yea, Roberts-not present,
McColl-yea, Pratt-not present, Struiksmayea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

Hearing resumed at 3:22 p.m. and halted at 3:23 p.m.

MOTION BY ROBERTS TO APPROVE THE VARIANCE REQUEST FOR ONE UNIT.

Second by Henderson. Passed by the following vote:

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

ITEM-336: CONTINUED TO FEBRUARY 28, 1989, AT 2:00 P.M.

(Continued from the meeting of January 17, 1989, Item 339,
at Council Member Filner's request, to allow

Councilmembers' questions and concerns to be addressed.)

Appeal of Cheng Development, Inc., by Michael L. Krichman,

Esq., of Latham & Watkins, from the decision of the Planning Commission in denying Planned Commercial Development Permit PCD-87-1135, which proposes a 13-story, 336,102 square-foot commercial office tower and a six level subterranean parking garage (Laurel and Fifth Center). The subject 1.38-acre property is located in the block bounded by Fourth and Fifth Avenues and Laurel and Kalmia Streets and is further described as Lots A-L, Block 281 of Horton's Addition, in Zone C, in the Uptown Community Plan area.
(PCD-87-1135. District-8.)

Subitem-A: (R-89-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-87-1135 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-89-)

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

FILE LOCATION: PERM PCD-87-1135

COUNCIL ACTION: (Tape location: D010-029.)

MOTION BY FILNER TO CONTINUE FOR TWO WEEKS, AT HIS REQUEST, UNTIL THE PLANNING COMMISSION ACTS ON THE NEW PDO (PLANNED DISTRICT ORDINANCE). Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-337: CONTINUED TO FEBRUARY 28, 1989, AT 2:00 P.M.

(Continued from the meetings of November 15, 1988, Item 330, January 10, 1989, Item 333 and January 23, 1989, Item 204; last continued at the City Manager's request for further review.)

Approval of the proposed Sorrento Hills Development Agreement Case-88-0590 between the City of San Diego and American Newland Associates et al. The agreement would apply to approximately 557 acres in the Sorrento Hills community. The development agreement is being proposed to meet a condition placed on an approved tentative

subdivision map for the property. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with Sorrento Hills Community Plan; Zones M-IP, M-1B, R-1500 and A-1-1; PRD, PID and Tentative Map TM-84-0570; PRD-84-0518; Tentative Map TM-84-0519; HRP-183; and HRP and Tentative Map TM-83-0167 for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The subject property is located on the east side of I-5 and I-805 between Carmel Valley and Rancho de Los Penasquitos Canyon. A brief legal description is as follows: portions of Sections 29, 30, 31, 32, 24 and 25, Township 14 South, Range 3 West, SBBM; Map Nos. 433, 36 and others and Record of Survey Maps. The specific legal description is on file in the City Planning Department.
(Case-88-0590. District-1.)

Subitem-A: (R-89-947)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-81-12-33 (Sorrento Hills) has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-89-923)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-82-0380, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to 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-C: (R-89-921)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-83-0167, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to 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-D: (R-89-922)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-85-0101, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to 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-E: (R-89-610)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-88-0590, an Addendum to EIR-81-12-33, SCH No. 82022406, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said addendum to report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-F: (R-89-924)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0518, an Addendum to EIR-81-12-33, SCH No. 82022406, 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 and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant

to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-G: (R-89-925)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0519, an Addendum to EIR-81-12-33, SCH No. 82022406, 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 and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-H: (R-89-926)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-84-0520, an Addendum to EIR-81-12-33, SCH No. 82022406, 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 and adopting appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-I: (O-89-55)

Introduction of an Ordinance approving the development agreement.

FILE LOCATION:

Subitems A-H DEVL - Sorrento Hills
Development Agreement;

Subitem I--

COUNCIL ACTION: (Tape location: D010-029.)

MOTION BY WOLFSHEIMER TO CONTINUE TO FEBRUARY 28, 1989, AT HER REQUEST, TO BE HEARD WITH THE NORTH CITY WEST TRANSPORTATION PHASING PLAN. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, McColl-yea, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S500: (R-89-1501) ADOPTED AS RESOLUTION R-272878

Approving and amending the recommendation contained in Intergovernmental Relations Department Report IRD-89-11, dated February 1, 1989 relating to amendments to Council Policy 000-19 entitled "Legislative Policy Guidelines." (See Intergovernmental Relations Department Reports IRD-89-11, IRD-89-8.)

COMMITTEE ACTION: Reviewed by RULES on 2/1/89.

Recommendation to adopt the Intergovernmental Relations Department's recommendations, with amendments. Districts 2, 3, 6 and 7 voted yea. District 4 and Mayor not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E595-625.)

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

NON-DOCKET ITEMS:

ITEM-ND-1: (R-89-1604) ADOPTED AS RESOLUTION R-272879

Authorizing the City Manager to pay a total sum of \$1 million in settlement of every claim against the City - Superior Court Case No. 577322 McMillin v. City of San Diego, et al.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E628-645.)

BY COMMON CONSENT, THE COUNCIL ACCEPTED THE ITEM FOR CONSIDERATION.

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

COUNCIL COMMENT:

ITEM-CC-1:

None.

PUBLIC COMMENT:

ITEM-PC-2:

Comment by Dave Rheubottom honoring the Council Members for their efforts to do a good job for the citizens of this city.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E683-686.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor in honor of the memory of Sheridan Hegland.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E648-682).