

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

TUESDAY, MAY 2, 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 10:23 a.m. The meeting was recessed by Mayor O'Connor at 12:19 p.m. to reconvene into Closed Session at 2:00 p.m. in the twelfth floor conference room to discuss pending litigation and to reconvene the meeting thereafter.

The meeting was reconvened by Mayor O'Connor at 2:41 p.m. with Council Members Wolfsheimer, Struiksma, and Deputy Mayor McCarty not present. The meeting was recessed by Mayor O'Connor at 4:15 p.m. to meet as the Redevelopment Agency and the Industrial Development Authority. The meeting was reconvened by Mayor O'Connor at 4:16 p.m. Deputy Mayor McCarty adjourned the meeting at 6:43 p.m. to meet as the Redevelopment Agency, the Industrial Development Authority, and the Housing Authority.

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, Fishkin (tm;eb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

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

- (7) Council Member McCarty-present
- (8) Council Member Filner-present

May-2-1989

ITEM-310: WELCOMED

Welcoming a group of approximately 35 students from Boone Elementary School, accompanied by their Student Council Advisor, Gaye Ames. This group will arrive at approximately 10:30 a.m.

(District-4.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A065-078.)

ITEM-330: CONTINUED TO JUNE 13, 1989 AT 10:00 A.M.

(Continued from the meeting of January 31, 1989, Item 331, at the request of Councilmember Henderson, to settle the issue of Commercial Zones in the Commercial District for City beaches before resolving this item.)

Proposal to adopt the following:

- 1) Application of the Pedestrian Commercial Overlay Zone (PCOZ) to commercial areas in Pacific Beach as shown on the map on file in the Planning Department and as described below; and
- 2) An amendment to the Local Coastal Program implementing ordinances to apply the Pedestrian Commercial Overlay Zone to those properties within the Coastal Zone. PCOZ would apply criteria and standards for the placement and design of new and redeveloped commercial buildings and parking to preserve and enhance the pedestrian orientation of commercial areas. PCOZ requires buildings to be located near sidewalks and has standards for parking and vehicles to be arranged so as to minimize conflicts between pedestrians and vehicles.

The subject properties are generally located along Turquoise Street between La Jolla Boulevard and Cass Street; along Garnet Avenue from Mission Boulevard to Ingraham Street; along Grand Avenue from Mission Boulevard to Cass Street; and in the area bounded by Diamond Street, Ocean Boulevard, Pacific Beach Drive and Mission Boulevard. (Case-88-0450. District-6.)

Subitem-A: (R-89-1231)

Adoption of a Resolution approving the application of the

Pedestrian/Commercial Overlay Zone in Pacific Beach and authorizing the Planning Director to submit the application to the Coastal Commission as an amendment to the Local Coastal Program.

Subitem-B: (O-89-140)

Introduction of an Ordinance to apply the Pedestrian/Commercial Overlay Zone to commercial properties in Pacific Beach.

FILE LOCATION: ZONE Ord. No.

COUNCIL ACTION: (Tape location: A006-033.)

MOTION BY HENDERSON TO CONTINUE TO JUNE 13, 1989 AT THE REQUEST OF THE PACIFIC BEACH COMMUNITY PLANNING GROUP FOR THEIR REVIEW.

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-331:

Request to construct a 40-foot high microwave communication tower on top of an existing three-story office building. The subject property (approximately 10.95 acres) is located at 5159 Federal Boulevard, in Zone CA-RR (community and regional shopping center/residential restriction), in the Mid-City Community Plan area, and is further described as Parcel 1 of Parcel Map PM-12192 and Parcel 2 of Parcel Map PM-14250.

(CUP-88-1145. District-3.)

19890502

Subitem-A: (R-89-1759) ADOPTED AS RESOLUTION R-273361

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-1145 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-89-1760 Rev.1) ADOPTED AS RESOLUTION R-273362

Adoption of a Resolution approving the permit.

FILE LOCATION: PERM - CUP-88-1145

COUNCIL ACTION: (Tape location: A033-065.)

Hearing began at 10:27 a.m. and halted at 10:30 a.m.

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

ITEM-332:

Six actions relative to Assessment District No. 4029, Sorrento Valley Road - Sorrento Valley Boulevard to I-805 (1913 Improvement Act):  
(Torrey Pines Community Area. District-1.)

Subitem-A: (R-89-1941) ADOPTED AS RESOLUTION R-273363  
Adoption of a Resolution finding and determining that the public convenience and necessity require the proposed acquisitions and improvements.

Subitem-B: (R-89-1938) ADOPTED AS RESOLUTION R-273364  
Adoption of a Resolution overruling protests, confirming the assessments and the annual assessment for administrative costs, and ordering the proposed improvement.

Subitem-C: (R-89-1936) ADOPTED AS RESOLUTION R-273365  
Adoption of a Resolution awarding the construction contract for improvements.

Subitem-D: (R-89-1939) ADOPTED AS RESOLUTION R-273366  
Adoption of a Resolution authorizing expenditures for the purpose of paying assessments for City-owned property, making general contributions to Assessment District No. 4029, paying assessments for Water Utility-owned property, and making a contribution to the Assessment District for construction of sewer work.

Subitem-E: (R-89-1940) ADOPTED AS RESOLUTION R-273367  
Adoption of a Resolution calling for bids on the sale of bonds, approving the official notice of sale and official statement, and authorizing and directing certain actions with respect thereto.

Subitem-F: (R-89-1937) ADOPTED AS RESOLUTION R-273368  
Adoption of a Resolution ordering changes in proceedings taken pursuant to the Municipal Improvement Act of 1913, Division 12, of the Streets and Highways Code.

FILE LOCATION: STRT - D-2234

COUNCIL ACTION: (Tape location: A078-258.)

Hearing began at 10:31 a.m. and halted at 10:45 a.m.

Testimony in favor by James Gill.

MOTION BY WOLFSHEIMER TO ADOPT. Second by Pratt. 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-333: (R-89-942) ADOPTED AS RESOLUTION R-273369

Proposal to revise Council Policy 600-24 concerning: 1) term of service limits; 2) election procedures; 3) vacancies; 4) notice of activities; 5) training; 6) membership eligibility; and 7) administrative procedures.

(City-wide.)

Adoption of a Resolution amending Council Policy 600-24 regarding standard operating procedures and responsibilities of recognized community planning committees.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A314-C419.)

Hearing began at 10:50 a.m. and halted at 12:19 p.m.

Testimony in favor by Dee Dee McClure, Clifton Blevens, Charles Nichols, Carol Lansman, Priscilla McCoy, Ruth Taylor, Linda Martin, Esther Robertson, Curtis Moring, Doug Case, Reynaldo Pisano, Barbara Cornist, Abdur-Rahim Hameed, Reverend W. E. Manley, Donna Dyrol-Reis, Arthur Deutsch and Verna Quinn.

Testimony in opposition by Anna Major and Opal Trueblood.

MOTION BY McCARTY TO APPROVE WITH TWO CHANGES: (1) TO STRIKE THE LAST SENTENCE OF THE LAST PARAGRAPH OF ARTICLE THREE, SECTION THREE; AND (2) TO ACCEPT IN CONCEPT THE CLERICAL POSITION AND REFER IT TO THE BUDGET PROCESS. Second by

Wolfsheimer. 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.

MOTION BY WOLFSHEIMER TO ALLOW FOR TERMS LONGER THAN EIGHT TO NINE YEARS BY A TWO THIRD VOTE EXCEPTION. Second by McColl.

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

ITEM-334:

Matters of:

Approval of the College Area Community Plan which includes the following:

1. Rescission of the currently adopted 1974 State University Area Plan and adoption of an update to the State University Area Plan, entitled "College Area Community Plan", which will replace the 1974 plan.
2. Approval of the name change of the community and the plan from "State University Area" to "College Area Community".
3. An amendment to the Mid-City Community Plan (1986) to adjust the eastern boundary between the College Area Community Plan and the Mid-City Community Plan to include within the College Area Community Plan the area north of El Cajon Boulevard and south of I-8, between Reservoir Drive and the eastern City limits.
4. An amendment to the Progress Guide and General Plan to reflect changes proposed by the College Area Community Plan.
5. Rezoning of various properties within the College Area Community Plan.
6. Application of the Community Plan Implementation Overlay Zone (CPIOZ) to various properties within the College Area Community Plan.
7. Application of the Hillside Review Overlay Zone (HR) to various properties within the College Area Community Plan.
8. Application of the Institutional Overlay Zone (IOZ) to certain properties within the College Area Community Plan.

The College Area Community is bounded on the north by I-8, on the south by El Cajon Boulevard, on the west by Fairmount Avenue/Montezuma Road/Collwood Boulevard, and on the east by the City of San Diego/City of La Mesa city limits.

(District-7.)

Subitem-A: (R-89-1672) ADOPTED AS RESOLUTION R-273372

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-87-0601 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-89-1673) ADOPTED AS RESOLUTION R-273373

Adoption of a Resolution approving the College Area Community Plan; rescinding the 1974 State University Area Plan; and amending the Mid-City Community Plan, to become effective on or at the next scheduled General Plan omnibus hearing.

Subitem-C: (R-89-1674) ADOPTED AS RESOLUTION R-273374

Adoption of a Resolution requesting the Board of Trustees of California State University to limit future enrollment of San Diego State University.

Subitem-D: (O-89-165) INTRODUCED AS AMENDED, TO BE ADOPTED MAY 15, 1989

Introduction of an Ordinance rezoning various properties in the College Area Community.

FILE LOCATION:

Subitems A, B, and C LAND College Area Community Plan,

Subitem-D --

COUNCIL ACTION: (Tape location: D184-E496.)

Hearing began 2:57 p.m. and halted 4:01 p.m.

Testimony in favor by Lynne Heidel, Doug Case, Brian Bennett, and John P. Mulvey.

Testimony in opposition by Jean Muhr, Alice Brand, Charles B. Christensen, Donald Sutherland, Guy Edwards, Judith Hopps, Reverend Leslie Goldman, Joe Sandy, Philip Chodut, Kevin Faulkoner, and Robert Lesa.

The hearing was closed.

MOTION BY McCARTY TO APPROVE THE COLLEGE AREA COMMUNITY PLAN, INCLUDING ITEMS 1-8 AND APPROVE SUBITEMS A, B, C, AND D, WITH THE FOLLOWING AMENDMENTS: 1) AMEND PAGE 116 OF THE PLAN TO READ "NEW FRATERNITY AND SORORITY SITES SHOULD NOT BE PERMITTED ON MONTEZUMA ROAD, EAST OF COLLEGE AVENUE, OR ON THE EAST SIDE OF COLLEGE AVENUE, SOUTH OF MONTEZUMA ROAD. FRATERNITIES AND SORORITIES IN THIS AREA SHOULD NOT EXPAND OR ENLARGE THEIR LIVE-IN BED CAPACITY AND SHOULD, AS OPPORTUNITIES ARISE, RELOCATE TO SITES WITHIN THE REMAINDER OF THE FRATERNITY/SORORITY AREA." 2) REZONE THE FIVE LOTS ON THE EAST SIDE OF 60TH STREET, NORTH OF EL CAJON BOULEVARD FROM R-3000 TO R1-5000. 3) THAT THE COLLEGE AVENUE SITE - THE VACANT LOT SOUTH OF MONTEZUMA ROAD REMAIN IN THE R1-5000 ZONE, SINGLE FAMILY RESIDENTIAL, AND APPLY THE COMMUNITY PLAN IMPLEMENTATION

## OVERLAY

ZONE (CPIOZ) TO AVOID MINI-DORMS. 4) AMEND PAGE 61 1. C. OF THE COMMUNITY PLAN TO DESIGNATE THE BICYCLE LANE AS CLASS III ALONG ALVARADO ROAD FROM COLLEGE AVENUE TO 70TH STREET, DELETE 1. d. AND RENUMBER THE SECTIONS ACCORDINGLY TO REFLECT THIS CHANGE. 5) ADOPT LANGUAGE THAT WOULD EXEMPT DEVELOPMENT OF THE SDSU FOUNDATION MASTER PLAN FROM PROVISIONS OF THE COUNCIL POLICY REGARDING COMMUNITY PLAN AMENDMENT CONSOLIDATION. 6) REFER TO THE RULES COMMITTEE THE MATTER OF SUPPORT FOR AB 1999 (FARR) WHICH CALLS FOR THE STATE TO REIMBURSE UNIVERSITY COMMUNITIES FOR UNRECOVERABLE COSTS AND DIRECTS UNIVERSITIES TO MAKE A GOOD FAITH EFFORT TO HONOR LOCAL PLANNING CONCERNS AND PRIORITIES.

Second by Struiksma. 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:

Matters of:

A) Proposed amendments to the Uptown Community Plan and the rezoning of areas within the Uptown Community Plan to those zones shown on Map No.

C-780.1 on file with the Planning Department. The purpose of these rezonings is to implement the recently adopted Uptown Community Plan.

No changes to the existing boundaries of the Hillside Review Overlay Zone or Airport Approach Overlay Zone are proposed.

Other related actions to be considered are as follows:

1. Various amendments to the Uptown Community Plan Map and text, including boundary adjustments, corrections and density reductions.
2. Various amendments to the Mid-City Communities Planned District Ordinance adding new zones for Uptown and refining existing development regulations.
3. Repealing various interim ordinances now in effect in Uptown. Most provisions of these interim ordinances have been incorporated into the proposed planned district ordinance.

B) Proposed amendment to the Mid-City Communities Planned District Ordinance affecting multifamily and commercially zoned property. There will be no changes to single family (R1) zoned property.

These amendments may affect the zoning development standards which are applied to property, such as design

standards for new development. These proposed amendments will not affect the permitted uses of the property or the permitted density of future development. These amendments may also affect the procedure for obtaining a demolition permit.

The City Council will not be considering the rezoning of property within the Mid-City, State University or Greater North Park Community Plan areas in conjunction with this hearing.

(Districts-2 and 8.)

19890502

Subitem-A: (R-89-1926) ADOPTED AS RESOLUTION R-273375

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-87-0625 and Addendum EIR-88-0762 have been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report and addendum have 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: (O-89-212) INTRODUCED AS AMENDED, TO BE ADOPTED MAY 16, 1989

Introduction of an Ordinance for various zonings.

Subitem-C: (O-89-211) CONTINUED TO MAY 16, 1989, 2:00 P.M.

Introduction of an Ordinance amending the Mid-City Planned District Ordinance.

Subitem-D: (R-89-1925 Rev.1) ADOPTED AS AMENDED AS RESOLUTION R-273376

Adoption of a Resolution amending the Uptown Community Plan.

FILE LOCATION:

Subitems A and D LAND-Uptown Community Plan,

Subitem-B --, Subitem-C LAND-Mid-City Planned District  
COUNCIL ACTION: (Tape location: F147-I080.)

By common consent the Council divided the hearing to consider

matters referring to the Uptown and the Mid-City areas separately.

The hearing began for the Uptown Community Plan at 4:19 p.m. and halted 5:51 p.m.

Testimony in opposition by Hamilton Marston, Matt Peterson, Donald Morse, Allan Lieb, Robert McAllister, John Braehler, Ronald Davis, Fred Blecksmith, Daniel Mannix, Mark Krasner, Richard Gwinn, Susan Richardson, F. T. Fletcher, Dr. Manuel Oscar, Gregg Garrett, H. Mundkowski, Allan Haymie, Leonard Dale, Grace Thackery, John H. Jones, David Mannix, and Jim Lusasch.

Testimony in favor by Lynne Heidel, Eric Naslund, Jim Milch, and Jim Whalen.

Council Members Struiksma and Henderson left at 5:30 p.m.

MOTION BY ROBERTS TO APPROVE THE STAFF RECOMMENDATIONS FOR THE UPTOWN COMMUNITY PLAN AMENDMENTS, EXCEPT FOR THE SITE ON WEST LEWIS STREET, AND WITH THE AMENDMENTS TO KEEP THE DESIGNATION FOR THE PROPERTIES ON BROOKES AT MR-800, KEEP LOTS D THROUGH K, BLOCK 376, HORTON'S ADDITION AS R1-5000, INCLUDE THE LANGUAGE SUBMITTED BY LYNNE HEIDEL REGARDING THE SRO HOTEL AND HISTORICAL DESIGNATION USE, AND THE CHANGES IN THE PLANNING DEPARTMENT MEMORANDUM REGARDING ARCHITECTURAL STANDARDS. Second by Filner.

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

MOTION BY McCOLL TO EXTEND THE TIME OF THE COUNCIL MEETING PAST 5:30 P.M. Second by Roberts. Passed by the following vote:

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

Hearing began on the Mid-City area at 5:52 p.m. and halted at 6:23 p.m.

Council Member Roberts left at 6:00 p.m.

Testimony by Tom Fox, Jim Merriken, and Douglas Rushfeld.

MOTION BY McCOLL TO CONTINUE MID-CITY TO MAY 16, 1989, 2:00 P.M. AND DIRECT THE PLANNING DEPARTMENT TO REPORT BACK ON THE PROPOSED CHANGES AND THEIR EFFECT, SPECIFICALLY STREET ACCESS AND LANDSCAPING, FOR REVIEW BY THE COMMUNITY. Second by Pratt.

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

ITEM-336: FILED

Matters of:

- 1) Rezoning the west half of Lots 13 through 16, Block 9, Fifth Street Addition, Map-577 (approximately 10,800 square feet) from Zone R-400 (multi-family residential) to CO (Commercial Office). The subject property is located on the north west corner of Fourth Avenue and Lewis Street in the Uptown Community Plan area; and
2. Amending the Uptown Community Plan for the purpose of changing from high density residential to office/residential for the above described real property.  
(Case-88-0774. District-2.)

Subitem-A: (R-89-1784)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-0774 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-89-190)

Introduction of an Ordinance for CO Zoning.

Subitem-C: (R-89-2014)

Adoption of a Resolution approving the amendment to the Uptown Community Plan.

FILE LOCATION:

Subitems A and B ZONE ORD NO.,

Subitem-C

LAND Uptown Community Plan.

COUNCIL ACTION: (Tape location: I080-084.)

Hearing began 6:24 p.m. and halted 6:25 p.m.

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

ITEM-337:

(Continued from the meetings of November 15, 1988, Item 330, January 10, 1989, Item 333, January 23, 1989, Item 204 February 14, 1989, Item 337, February 28, 1989, Item 340, March 7, 1989, Item S505 and March 20, 1989, Item 211; last

continued at Allen Perry'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) ADOPTED AS RESOLUTION R-273377**

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) ADOPTED AS RESOLUTION R-273378**

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) ADOPTED AS RESOLUTION R-273379**

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) ADOPTED AS RESOLUTION R-273380**

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) ADOPTED AS RESOLUTION R-273381**

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) ADOPTED AS RESOLUTION R-273382

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) ADOPTED AS RESOLUTION R-273383

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) ADOPTED AS RESOLUTION R-273384

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) INTRODUCED, TO BE ADOPTED MAY 15,  
1989

Introduction of an Ordinance approving the development agreement.

FILE LOCATION:

Subitems A, B, C, D, E, F, G, and H  
DEVL-Sorrento Hills Development Agreement,

Subitem-I --

COUNCIL ACTION: (Tape location: I092-324.)

Hearing began 6:25 p.m. and halted 6:42 p.m.

Testimony in favor by Alan Perry.

**MOTION BY HENDERSON TO APPROVE THE DEVELOPMENT AGREEMENT.**

Second by Pratt. Passed by the following vote:

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

ITEM-S404: (R-89-2103) ADOPTED AS RESOLUTION R-273385

(Continued from the meetings of April 17, 1989, Item 202,  
and April 24, 1989, Item S404, at Council Member Pratt's  
request, to allow the Manager to coordinate with the  
contractor to cross check the list and get more  
information.)

Rejecting the bids for the Point Loma Wastewater Treatment  
Plant - Chemical Feed System Upgrade (BID-0208/89).

(See City Manager Report CMR-89-158 and Equal Opportunity  
Report EOC-9.)

FILE LOCATION: W.O. 170811

COUNCIL ACTION: (Tape location: D162-184.)

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

ITEM-S500: (R-89-1032) ADOPTED AS RESOLUTION R-273370

**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 require  
the construction, realignment, operation and maintenance of  
a public street or streets, permanent easements and  
right-of-ways for earth excavation or embankment, slope or  
slopes, drainage, and storm drain or drains, together with  
temporary construction easements and working strips, with  
the right of ingress and egress over, under, upon, along  
and across portions of Sorrento Valley Road affecting Lots  
12 and 13 in Block 16 of Townsite of Sorrento, Map-362 and

483; Lot 11, Block 17 of Townsite of Sorrento, Map-362; portion of acre Lot 8, Sorrento Lands and Townsite, Map-483, portion of acre Lot 6, Sorrento Lands and Townsite Map-483; portion of Acre Lots 5 and 6, Sorrento Lands and Townsite, Map-483, Parcel 2 of Parcel Map-13591, portion of Acre Lot 6, and that the public interest, convenience and necessity demand the acquisition of fee title to said property for said public street or streets; 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.

(See City Manager Report CMR-89-197. Sorrento Valley Community Area. District-1.)

NOTE: See Item 332 on the regular docket of Tuesday, May 2, 1989 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A258-314.)

Hearing began at 10:45 a.m. and halted at 10:50 a.m.

Testimony in opposition by Larry Eskildsen.

MOTION BY WOLFSHEIMER TO ADOPT. Second by Pratt. 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-S501: PRESENTATION MADE

In the matter of a presentation by Mr. Herb Klein regarding the 1989 Holiday Bowl in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D019-162.)

PRESENTATION MADE BY MR. KLEIN.

ITEM-CS-1: (R-89-2120) ADOPTED AS RESOLUTION R-273371

A Resolution adopted by the City Council in Closed Session on May 2, 1989:

Authorizing and empowering the City Manager to execute the stipulation for entry of judgment and the promissory note in the case, Ogden Environmental Services, Inc. v. City of San Diego, et al., U.S. District Court, Southern District of California, Case No. 88-0252-K(M) and to pay the sum of \$1,250,000.00 to Ogden Environmental Services, Inc. in settlement of the claims in said lawsuit, authorizing the

City Auditor and Comptroller to issue three checks in the amounts of \$250,000.00, \$500,000.00 and \$500,000.00 on the dates specified and pursuant to the stipulation for entry of judgment , payable to Ogden Environmental Services, Inc. and their attorneys, Latham and Watkins.

FILE LOCATION: MEET  
Aud. Cert. 8900935

NON-DOCKET ITEMS:

ITEM-ND-2: (R-89-2135) ADOPTED AS RESOLUTION R-273386

Requesting out of concern for the safety of its citizens, for and on behalf of all citizens, that San Onofre Unit # 1 Reactor not be permitted to resume operations until all questions regarding its safety have been resolved; directing City's congressional delegation be requested to intervene as may be necessary and appropriate to assure that the safety of the City's citizens is not jeopardized.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E496-F089.)

MOTION BY STRUIKSMA TO ACCEPT THE ITEM FOR CONSIDERATION.

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.

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-ND-3: (R-89-2132) ADOPTED AS RESOLUTION R-273387

Recognizing the accomplishments of John Witt and commends him for his important contributions to The City of San Diego, designating Tuesday, May 2, 1989, as JOHN WITT APPRECIATION DAY in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F095-127.)

MOTION BY ROBERTS TO ACCEPT THE ITEM FOR CONSIDERATION. 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.

MOTION BY ROBERTS TO ADOPT. 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.

**COUNCIL COMMENT:**

None.

**PUBLIC COMMENT:**

None.

**ADJOURNMENT:**

The meeting was adjourned by Deputy Mayor McCarty at 6:43  
p.m.

**FILE LOCATION: MEET**

**COUNCIL ACTION:** (Tape location: I324).