

19901002

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, OCTOBER 2, 1990
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 10:24 a.m.
MOTION BY WOLFSHEIMER TO DIRECT THE CITY CLERK TO ANNOUNCE THAT
THE
SPECIAL COUNCIL MEETING SCHEDULED FOR TUESDAY, OCTOBER 2, 1990 at
1:30 P.M. WOULD NOT BE HELD DUE TO LACK OF A QUORUM AND THAT THE
MATTER OF A DISCUSSION ON DOCKETING PROCEDURES WOULD BE CONTINUED
TO
OCTOBER 8, 1990 AT 2:00 P.M. AT THE MAYOR'S REQUEST FOR FURTHER
REVIEW. Second by Henderson. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present,
Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea. The meeting was recessed by Mayor O'Connor at 12:02
p.m. to reconvene in Closed Session at 2:00 p.m. in the twelfth
floor conference room on pending litigation regarding the
Redevelopment Agency.
The meeting was reconvened by Mayor O'Connor at 2:18 p.m. The
meeting was recessed by Mayor O'Connor at 2:40 p.m. to convene the
Redevelopment Agency. The meeting was reconvened by Mayor O'Connor
at 3:55 p.m. with Council member Pratt not present. The meeting was
adjourned by Mayor O'Connor at 3:58 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-excused by R-276775
(ill)
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Clerk-Abdelnour (eb,11)
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 Hartley-present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Oct-2-1990

ITEM-310: (R-91-573) ADOPTED AS RESOLUTION R-276648

Proclaiming October 1 through 5, 1990, to be "Disability Awareness Network Week" in San Diego, and commending the Disability Awareness Week Network for its effort in bringing this to public attention, and for its efforts to dramatize the importance of understanding the world of those persons with disabilities.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A024-051.)

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

ITEM-330:

Rezoning a 2.86 acre parcel located on the east side of Westview Parkway, north of Galvin Avenue and west of I-15, in the Mira Mesa Community Plan area, from Zone A-1-10 to Zone R-1000. The subject property is more particularly described as portions of the southeast quarter of the

southeast quarter of Section 30 and the southwest quarter of the southwest quarter of Section 29, and Meridian and Galvin and Samoa Avenues as vacated, Township 14 South, Range 2 West, S.B.B.M.
(Case-90-0201. District-5.)

Subitem-A: (R-91-342) ADOPTED AS RESOLUTION R-276647

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-90-0201 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-91-42) INTRODUCED, TO BE ADOPTED OCTOBER 15, 1990

Introduction of an Ordinance for R-1000 Zoning.

FILE LOCATION: Subitem-A ZONE ORD. NO., Subitem-B --

COUNCIL ACTION: (Tape location: A160-230.)

Hearing began 10:37 a.m. and halted 10:42 a.m.

Testimony in favor by David Poole.

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

Oct-2-1990

ITEM-331: CONTINUED TO OCTOBER 9, 1990, 10:00 A.M.

Matters of:

1) Appeals of The Baldwin Company, by JoAnn Shannon, from the decision of the Planning Commission in approving with modifications Tentative Map and Planned Development Permit TM and PD-89-1305 (Carmel Del Mar Neighborhood 4 South), the description of the subject properties is included in the legal description below; and

2) The proposed amendments to the North City West Community Plan, the North City West Neighborhoods 1, 4, 5 and 6 Precise Plans, the North City West Planned District Ordinance, and the North City Local Coastal Program Land Use Plan. The amendments would:

Redesignate Site No. 1 from a 1.25-acre mini park to seven single- family residential home sites.

Redesignate Site No. 2 from a neighborhood commercial center to a 5-acre mini park and relocate the neighborhood commercial center to Site No. 3.

Relocate the elementary school/neighborhood park complex from Site No. 4 to Site No. 5 and designate Site No. 4 for 68 single-family detached units.

Add 46 attached residential units to Site No. 6 for a total of 205 units.

Redesignate Site No. 7 from 278 single-family detached residences to 225 detached single-family residences.

The subject properties are bounded by Del Mar Heights Road, Carmel Country Road, Carmel Valley Road and the easterly boundary of the North City West community. The properties are legally described as Lots 1-7, Carmel Valley Neighborhood 1, Unit 9, Map-11895; Parcel 1, Parcel Map PM-11877; Parcels 9-13, Parcel Map PM-14460; Parcel 5, Parcel Map PM-15370; Parcel 1, Parcel Map PM-15370; and Lots 1-91, Carmel Valley Neighborhood 1, Unit 3, Map-12564, within the North City West community.

The proposed plan amendment and rezone also constitute an amendment to the City of San Diego's Local Coastal Program. If approved by the City Council, the proposed LCP must be submitted to the California Coastal Commission for review and final approval. The proposed Local Coastal Program amendment would not become effective until after approval by the California Coastal Commission.

(District-1.)

Subitem-A: (R-91-493)

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration EMND-89-1305 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and adopting the mitigation measures and monitoring program, and that said declaration has been reviewed and considered by the Council and adopting the Mitigation Monitoring and Reporting Program.

Subitem-B: (R-91-)

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

Subitem-C: (R-91-)

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

Subitem-D: (R-91-494)

Adoption of a Resolution approving amendments to the North City West Community Plan, North City West Neighborhoods 1, 4, 5 and 6 Precise Plans and North City Local Coastal Program Land Use Plan.

Subitem-E: (O-91-56)

Introduction of an Ordinance amending the planned district ordinance.

FILE LOCATION: Subitem-A LAND-North City West Planned District, Subitem-B SUBD-Carmel Del Mar Neighborhood 4 South, Subitem-C PERM NCW PDP-89-1305, Subitem-D LAND-North City West Community Plan, North City West Neighborhoods 1, 4, 5 and 6 Precise Plans, & North City Local Coastal Program Land Use Plan, Subitem-E --

COUNCIL ACTION: (Tape location: A234-C150.)

Hearing began 10:43 a.m. and halted 11:59 a.m.

Testimony in favor by Rob Cameron.

Council Member Henderson left 10:50 a.m.

Testimony in favor by Paul Peterson, Deirdre Alpert, Ed Vasil, and Ruth Foley.

Council Member Bernhardt left 11:01 a.m.

Testimony in opposition by Dr. James Munce, Jim Votaw, Cathy Cabulio, Dr. David Adamic, Charles Pope, and David Robbin.

Motion by Wolfsheimer to grant the appeal, accept the recommendations of the Planning Department, Planning Commission, and the Community Planning Group, and direct the City Attorney to clarify the language for conditions 25 and 30. Direct Planning Department if commercial uses go in, to add conditions to require landscape consisting of trees and shrubbery to accomplish an attractive year round view for the home owners and to limit commercial use to quiet neighborhood use. Second by Filner. Failed. Yeas-1,3,7,8; Nays-2,M; Not present-4,5,6.

MOTION BY WOLFSHEIMER TO CONTINUE TO OCTOBER 9, 1990, 10:00 A.M.

FOR COUNCIL MEMBERS PRATT, BERNHARDT, AND HENDERSON TO LISTEN TO THE TAPES OF THE TESTIMONY. Second by Mayor O'Connor. Passed

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

ITEM-332: (R-91-269) CONTINUED TO OCTOBER 9, 1990

(Continued from the meetings of August 6, 1990, Item S423, and September 18, 1990, Item 336; last continued at Councilmember Henderson's request, to bring forward nominees.)

Confirming the following appointments by the Mayor to serve as trustees of the Housing Trust Fund, to represent categories as shown, for terms to expire as indicated:

| Name | Category | Term Expires |
|------------------------|----------------------------------|----------------|
| Linda Lopez | Business & Industry | August 5, 1993 |
| Jerold H. Goldberg | Business & Industry | August 5, 1993 |
| Alice Smith | Labor - minimum wage worker | August 5, 1993 |
| Sister RayMonda DuVall | Nonprofit/Community Organization | August 5, 1993 |
| Rev. Walter G. Wells | Nonprofit/Community Organization | August 5, 1993 |
| Mark P. Kronos | Business & Industry | August 5, 1992 |
| Kathy Recordon | Business & Industry | August 5, 1992 |
| Nick Hernandez | Labor | August 5, 1992 |
| James Ridley | Nonprofit/Community Organization | August 5, 1992 |
| Jean E. Porter | Nonprofit/Community Organization | August 5, 1992 |
| James Mitsuo Cua | Nonprofit/Community Organization | August 5, 1992 |

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A018-024.)

MOTION BY WOLFSHEIMER TO CONTINUE TO OCTOBER 9, 1990 AT THE REQUEST OF COUNCIL MEMBER PRATT FOR HIM TO BE PRESENT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-333: (R-91-502) ADOPTED AS RESOLUTION R-276649

Authorizing the City Council to select recommended boundaries for the North Park Redevelopment Project Area. (See City Manager Report CMR-90-408. Greater North Park Community Area. District-3.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D132-217.)

MOTION BY HARTLEY TO ACCEPT THE CITY MANAGER'S RECOMMENDATION OF

SELECTED BOUNDARIES FOR THE NORTH PARK REDEVELOPMENT PROJECT AREA, AS INDICATED IN CMR 90-408, ATTACHMENT B. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-334: (R-91-) CONTINUED TO OCTOBER 9, 1990 TIME CERTAIN

(Continued from the meetings of July 24, 1990, Item 343, and September 18, 1990, Item 340; last continued at Councilmember Henderson's request, to allow time for the report from the Planning Department regarding lot splits.) Appeal of Randy Bixler from the decision of the Planning Commission in approving Tentative Map TM-89-0966 (Jordan's Parcel Map) which would subdivide a 0.985 acre site into four parcels for single-family development (three units exist on the property). The applicant is also requesting that the requirements of Council Policy 600-25, which requires that overhead utilities be placed underground, be waived. The subject property is located at the southwest corner of Loring and Collingwood Streets and is described as Lot 28 of Soledad Terrace, Map-1618; a portion of Tuna Lane, Vacated and closed to public use; Lots 153 and 154, Congress Heights Addition, Map-1627. The R1-5000 Zoned site is within the Pacific Beach Community Plan area. (TM-89-0966. District-6.) Adoption of a Resolution granting or denying the appeal and granting or denying the map, with appropriate findings to support Council action.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D024-129.)

Hearing began at 2:23 p.m. and halted at 2:40 p.m.

MOTION BY HENDERSON TO CONTINUE ITEM TO OCTOBER 9, 1990 TO ALLOW THOSE COUNCIL MEMBERS NOT PRESENT AT THE SEPTEMBER 18, 1990 MEETING TO LISTEN TO THE TAPES FROM THAT MEETING. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S406: (R-91-465) ADOPTED AS RESOLUTION R-276644

(Continued from the meeting of September 24, 1990, Item 110, at Councilmember Filner's request, to add to the item the appointment of the Board of Directors.)

Approving the amended Articles of Incorporation of the San Ysidro Revitalization Project; authorizing the City Attorney to file the amended Articles of Incorporation with the appropriate state and federal agencies.

(San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The original Articles of Incorporation (Articles) were adopted by Council on May 1, 1989, R-273354. Recently, the Internal Revenue Service (IRS) advised SYRP Director that there was a concern that the Articles were vague for 501(c)(3) non-profit status consideration. The revised articles have been reviewed by IRS and are acceptable for 501(c)(3) non-profit status. The City of San Diego is the sole member of SYRP and therefore revisions must be approved by Council prior to formal consideration by IRS.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A084-098.)

MOTION BY FILNER TO ADOPT ITEMS S406 and 408. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: (R-91-495) ADOPTED AS RESOLUTION R-276645

Authorizing the execution of an agreement with the International Boundary and Water Commission, the Environmental Protection Agency and the State Water Resources Control Board, for the design of the South Bay Land Outfall Extension and Ocean Outfall, together with any reasonably necessary modifications or amendments which do not increase the project's scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of this project and agreement; authorizing the expenditure of an amount not to exceed \$4,461,600 from the Sewerage Utility Revenue Fund No. 41509, CIP-40-910.1, South Bay Outfall Extension, for the purpose of providing funds for the City's share of design work on the above project; authorizing the City Manager to finance or refinance this project with tax exempt securities, if circumstances so warrant.

(See City Manager Report CMR-90-415. San Ysidro and

Tijuana River Valley Community Areas. District-8.)
Aud. Cert. 9100270.
WU-CWP-91-036.

FILE LOCATION: MEET CONFY91-3

COUNCIL ACTION: (Tape location: A099-156.)

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

ITEM-S408: (R-91-515) ADOPTED AS RESOLUTION R-276646

Appointing the following persons to the Board of Directors of the San Ysidro Revitalization Project, for terms to expire as indicated, and in categories specified:

| NAME | CATEGORY | TERM EXPIRES |
|--------------------|--------------------|-------------------|
| Sister Nora Murphy | Community Resident | September 1, 1991 |
| Tony Gomez | Business | September 1, 1991 |
| Irene Stallard | Business | September 1, 1991 |
| Alberto Perez | Community Resident | September 1, 1992 |
| Victor M. Estrada | Community Resident | September 1, 1992 |
| Robert Colvin | Business | September 1, 1992 |
| Michael Freedman | Community Resident | September 1, 1993 |
| Manuel Paul | Community Resident | September 1, 1993 |
| Bruce Tabb | Business | September 1, 1993 |

NOTE: This item is to be taken with Item S406.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A084-098.)

MOTION BY FILNER TO ADOPT ITEMS S406 and 408. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 3:58 p.m. in memory of Ben Huntington.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: C199-200, F165-168.)