

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, FEBRUARY 26, 1991
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 10:34 a.m. The meeting was recessed by Mayor O'Connor at 11:55 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:00 p.m. without a quorum. A quorum was present at 2:09 p.m. with Council Members Wolfsheimer, Roberts, Hartley, and Pratt not present. Mayor O'Connor recessed the meeting at 4:01 p.m. to convene the Special Council Meeting in the matter of the Drought State of Emergency and then the Housing Authority. Mayor O'Connor reconvened the Regular Meeting at 5:48 p.m. with Council Members Pratt and McCarty not present. Mayor O'Connor adjourned the meeting at 6:09 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-not present
 - (5) Council Member Bernhardt-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (so/rb)

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-not 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

ITEM-153: (R-91-1224) ADOPTED AS RESOLUTION R-277429

Authorizing the execution of an Amendment No. 7 to the agreement of March 22, 1988 with James M. Montgomery Consulting Engineers, Inc., for professional services in connection with program management services and predesign work for modification and enlargement of the Metropolitan Sewerage System; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$7,010,000 within the Clean Water Program Revenue Fund (41509), consisting of \$5,620,000 from CIP-45-910.3, Planning and Studies Activities, and \$1,390,000 from CIP-40-910.0, Mission Valley Reclaimed Water Pipeline, to CIP-45-910.2, Clean Water Program Management and Administration;

Authorizing the expenditure of an amount not to exceed \$20,000,000 from Clean Water Program Revenue Fund (41509) CIP-45-910.3, Clean Water Program Management and Administration, for the purpose of providing funds for the above project; authorizing the City Manager to finance or refinance this agreement with tax exempt securities, if circumstances so warrant.

COMMITTEE ACTION: This item will be reviewed by the Public Services and Safety Committee on February 20, 1991.

Aud. Cert. 9100579.

WU-CWP-91-123.

FILE LOCATION: MEET CCONT-FY 91-1

COUNCIL ACTION: (Tape location: A040-052.)

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

ITEM-200: (R-91-1412) CONTINUED TO MARCH 5, 1991

Confirming the following appointments and reappointments by the Mayor to serve as members of the Citizen's Equal Opportunity Commission, representing minority groups, for terms ending January 1, 1993:

(See memorandum from Mayor O'Connor dated 2/13/91.)

Name	Minority Group
Dennis Magee (To replace Randlett R. Edmonds, whose term has expired.)	American-Indian
Tai Danh Doan (Reappointment.)	Asian/Oriental
Porfirio Q. Ambrosio (Reappointment.)	Filipino
Carlos D. Molina (Reappointment.)	Mexican-American
Khalada Salaam-Alaji (Reappointment.)	Black

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A052-A064.)

MOTION BY ROBERTS TO CONTINUE TO MARCH 5, 1991 TO ALLOW COUNCIL MEMBER PRATT AN OPPORTUNITY TO BE PRESENT TO VOTE ON

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

ITEM-330: (R-91-1388) ADOPTED AS RESOLUTION R-277432

Amending Resolution No. R-277076 adopted December 11, 1990, which determined and declared that the public interest, convenience and necessity of the City of San Diego require the construction, operation and maintenance of a public street, together with earth excavations or embankments, slopes, and storm drains for Alternate 8-A/Scripps North Parkway, affecting a portion of the Northeast Quarter and that portion of the Northeast Quarter of the Northwest Quarter of Section 27, Township 14 South, Range 2 West, San Bernardino Meridian; and that the public interest, convenience and necessity demand the acquisition of fee title to and easements in said property; declaring the intention of the City of San Diego to acquire said property and easements under eminent domain proceedings; and directing the City Attorney of the City of San Diego, and/or his designated representatives, 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 and easements.

(See City Manager Report CMR-91-103. Scripps Ranch Community Area. District-6.)

Aud. Cert. 9100431.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C167-215.)

Hearing began at 2:21 p.m. and halted at 2:24 p.m.

MOTION BY ROBERTS TO ADOPT ITEM 330, INTRODUCE ITEMS 335 AND 336. Second by Bernhardt. 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-331: (O-91-129) INTRODUCED AS AMENDED, TO BE
ADOPTED MARCH 18, 1991

Introduction of an Ordinance amending Ordinance O-17562, adopted on December 10, 1990, to provide an exemption from the provisions of said Ordinance for modifications or additions to existing single family dwellings and accessory structures located within the North City Future Urbanizing Area.

(See Legislative Specialist Analysis TLU-91-4.)

COMMITTEE ACTION: Initiated by TLU on 1/28/91. Recommendation to approve amendments to the Future Urbanizing Interim Ordinance to exempt existing single family modifications/additions if so requested prior to November 19, 1991. Districts 1, 4 and 5 voted yea. Districts 3 and 8 not present.

PLANNING DIRECTOR SUPPORTING INFORMATION: On December 10, 1990, Council adopted Ordinance Number O-17562 imposing a moratorium for up to one year on the approval of development applications within the North City Future Urbanizing Area which require approval from the City. The purpose of the ordinance is to allow for mapping and delineation of the North City Environmental Tier prior to development within the area. In a communication to the City Council on January 10, 1991, and the Council Committee on Transportation and Land Use on January 14, 1991, Mr. and Mrs. Raymond T. Stewart requested an amendment to the interim ordinance exempting single family home expansions which require a discretionary permit. The Stewart's have a pending application for a Hillside Review Permit (Case No. 90-0839) for construction of an addition to their existing single family residence within the North City Future Urbanizing Area. The permit cannot be issued while the present interim ordinance remains in effect. The Transportation and Land Use Committee considered the Stewart's request on January 28, 1991, and recommended approval of a limited exemption for modifications or additions to an existing single family dwelling on a pre-existing recorded lot in a separate ownership prior to January 9, 1991, (the effective date of the interim ordinance) provided that an application for such development was submitted prior to November 19, 1990 (the date the interim ordinance was introduced.) The Stewart Residence is the only permit application that would be exempted under the proposed ordinance amendment. Therefore, the Planning Department recommends the amendment be approved by Council.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A064-167.)

Hearing began at 10:38 a.m. and halted at 10:47 a.m.

Testimony in favor by Stewart Ray and Jack Reclit.

MOTION BY McCARTY TO INTRODUCE AS AMENDED TO EXEMPT VETERINARY HOSPITALS AND SINGLE FAMILY RESIDENCES WITH APPLICATIONS ALREADY ON FILE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332:

A proposal for the regulation of land uses to ensure compatibility between proposed land uses and the noise contours, accident potential zones, and other standards of the Comprehensive Land Use Plan for Brown Field, Montgomery Field and NAS Miramar by amending the San Diego Municipal Code to:

- 1) Apply an airport overlay zone to the areas identified as being within the airport environs of Brown Field, Montgomery Field and NAS Miramar;
- 2) Regulate land use to ensure compliance with the noise contours, accident potential zones, and other land use standards of the Comprehensive Land Use Plan prior to the issuance of building, ministerial, administrative, or discretionary permits; and
- 3) Ensure that future property owners are informed as to airport operations by requiring an aviation easement.

(Citywide.)

Subitem-A: (R-91-356) ADOPTED AS RESOLUTION R-277430

Adoption of a Resolution approving an amendment to the Local Coastal Program (LCP) Implementation Plan.

Subitem-B: (O-91-44) INTRODUCED, TO BE ADOPTED MARCH 18, 1991

Introduction of an Ordinance amending the Municipal Code to create the Airport Environs Overlay Zone.

Subitem-C: (O-91-45) INTRODUCED, TO BE ADOPTED MARCH 18,
1991

Introduction of an Ordinance applying the Airport
Environs Overlay Zone to areas identified in Maps
C-803, C-804 and C-805.

FILE LOCATION: LAND - Brown Field, Montgomery Field, NAS
Miramar

COUNCIL ACTION: (Tape location: A167-B545.)

Hearing began at 10:47 a.m. and halted at 11:55 a.m.

Council Member Hartley entered at 11:15 a.m.

Testimony in favor by Michael Finnerty, Capt. Larry Pearson,
Ruth Schneider.

Testimony in opposition by Willis Fehlman, Jon Crabtree,
Phil Bennett, Kay Inhof, Audrey White, Patricia Brault,
Richard Akemann, Nancy Hayne, Dave Cleary, Lee Leichtling.

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-333: TRAILED TO MARCH 4, 1991 DUE
TO LACK OF FIVE VOTES

Request of Robinhood Homes, Inc., by Donald R. Worley
of Worley, Schwartz, Garfield & Rice, for approval of
the following:

1. The Robinhood Ridge Precise Plan as shown on Map
C-778.
2. An amendment to the Otay Mesa Community Plan to a)
Relocate a proposed elementary school and
neighborhood park site; and b) Change the land
use designation of a 4.6-acre site from
neighborhood commercial and low density
residential to industrial.
3. A Vesting Tentative Map and Planned Residential
Development Permit to subdivide 204 acres into 224
lots for the development of 849 dwelling units

(191 single-family detached units and 658 attached multi-family dwellings).

The multi dwellings will be developed at a later time with an amendment to this Planned Residential Development Permit.

4. Related zoning from the A-1-10 and Hillside Review Overlay zones to R-1-5000, R-1750, R-3000, CN and Hillside Review Overlay zones as indicated in Map C-778.

The project site is located on the north side of Otay Mesa Road and east of I-805, in the Otay Mesa Community Plan area, and is further described as the southeast quarter of the southeast quarter of Section 19 and a portion of the north half of Section 29, Township 18 South, Range 1 West, SBBM.

Subitem-A: (R-91-)

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-86-1014 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-91-)

Introduction of an Ordinance applying various zonings.

Subitem-C: (R-91-)

Adoption of a Resolution approving or denying the Robinhood Ridge Precise Plan and amendments to the Otay Mesa Community Plan.

Subitem-D: (R-91-)

Adoption of a Resolution approving or denying Vesting Tentative Map.

Subitem-E: (R-91-)

Adoption of a Resolution approving or denying Planned

Residential Development Permit.

FILE LOCATION: SUBITEM-A&E: PERM- PRD 86-1014; SUBITEM-B:
--; SUBITEM-C: LAND - Robinhood Ridge Precise
Plan, Otay Mesa Community Plan; SUBITEM-D:
SUBD - Robinhood Ridge

COUNCIL ACTION: (Tape location: C032-E433.)

Hearing began at 2:10 p.m and recessed at 2:16 p.m.

Council Member Wolfsheimer entered at 2:10 p.m.

Council Member Roberts entered at 2:15 p.m.

Hearing resumed at 2:24 p.m. and halted at 4:01 p.m.

Testimony in favor by Donald Worley, Randi Coopersmith,
Berry Ross, and Jeff Wissler.

Testimony in opposition by Stephen Porter, Linda Michael,
and Nancy Palmtag.

Motion by Roberts to continue the matter for six months.
Second by McCarty. Failed. Yeas: 2,5,7,M. Nays: 1,3,6,8.
Not present: 4.

MOTION BY FILNER TO CERTIFY THE E.I.R.; ADOPT THE ATTACHED
FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS; TO
APPROVE THE ROBBINHOOD RIDGE PRECISE PLAN, THE AMENDMENTS TO
THE OTAY MESA COMMUNITY PLAN, THE APPEAL OF THE SUBDIVISION
REVIEW BOARD'S DENIAL OF THE VESTING TENTATIVE MAP, THE
REZONE, AND THE APPEAL OF THE PLANNING DIRECTOR'S DENIAL OF
THE PLANNED RESIDENTIAL PERMIT WITH THE STIPULATION THAT THE
FINAL MAP NOT BE RECORDED AND THAT BUILDING PERMITS NOT BE
ISSUED UNTIL THE SCHOOL SITE ISSUE HAS BEEN SETTLED. Second
by Henderson. Failed by the following vote:
Wolfsheimer-yea, Roberts-nay, Hartley-yea, Pratt-not
present, Bernhardt-nay, Henderson-yea, McCarty-nay,
Filner-yea, Mayor O'Connor-nay.

ITEM-334: (R-91-1371) ADOPTED AS RESOLUTION R-277433

Expressing special thanks to Marjorie McLaughlin for
serving San Diego and its people on many important
organizations and in pursuing many civic endeavors.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C129-166.)

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-not present, Mayor O'Connor-yea.

ITEM-335: (O-91-136) INTRODUCED, TO BE ADOPTED MARCH 18, 1991

A proposed amendment to Chapter X, Article 1, Division 4 of the San Diego Municipal Code establishing space allocation storage standards for trash and recyclable materials. The proposed ordinance identifies minimum standards, applicable City-wide to all new ministerial and discretionary permits, for the location and size of storage areas for recyclables and trash.

LOCAL COASTAL PROGRAM: Because the proposed ordinance will apply City-wide, including all areas of the coastal zone, it also constitutes an amendment to the City of San Diego's Local Coastal Program. To become effective, in the coastal zone, the ordinance must also be approved by the California Coastal Commission.

(City-wide.)

Introduction of an Ordinance amending the San Diego Municipal Code.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C167-215.)

Hearing began at 2:21 p.m. and halted at 2:24 p.m.

Council Member McCarty requested a review of the matter in one year.

MOTION BY ROBERTS TO ADOPT ITEM 330, INTRODUCE ITEMS 335 AND 336. Second by Bernhardt. 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-336:

Proposal to adopt a special sign district ordinance amending Chapter X, Article 4 of the San Diego Municipal Code by adding Division 6, entitled the Ocean Beach Sign Enhancement District, for the Newport Commercial Center in the Ocean Beach planning area. The proposed ordinance is intended to maintain, preserve, and promote the distinctive commercial signage of the area, including promotion of design elements from the Ocean Beach of the 1920s through the 1940s.

The subject properties affected by the proposed ordinance are within the Ocean Beach community. The location of the proposed Ocean Beach Sign Enhancement District includes the commercially zoned properties roughly bounded by Abbott Street to the west, the unnamed alley behind Santa Monica Avenue to the north, Sunset Cliffs Boulevard to the east and Niagara Avenue to the south. The boundaries of the proposed ordinance are set forth on Map Nos. C-747 and C-772 (A and B) and in Document No. 769627 and 272788 in the City Clerk's office.

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

(District-2.)

Subitem-A: (O-91-101) INTRODUCED, TO BE ADOPTED
MARCH 18, 1991

Introduction of an Ordinance amending the Municipal Code.

Subitem-B: (O-91-102) INTRODUCED, TO BE ADOPTED
MARCH 18, 1991

Introduction of an Ordinance incorporating commercial zoned areas in the Newport Center Commercial District into the Ocean Beach Sign Enhancement District.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C167-215.)

Hearing began at 2:21 and halted at 2:24 p.m.

MOTION BY ROBERTS TO ADOPT ITEM 330, INTRODUCE ITEMS 335 AND 336. Second by Bernhardt. 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-S409: DISCUSSION HELD

In the matter of the FY 1991 Budget Status.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H201-440.)

ITEM-S413: (O-91-142) HEARING HELD

Amending Ordinance No. O-17504 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. OO-17504-1 and No. OO-17504-2, as amended and adopted therein, by transferring the sum of \$23,230 from the General Fund 100, Unallocated Reserve (605) to the General Services Fund 302191, for the purpose of purchasing and installing drug free school zone signs.

NOTE: See Item S500 on the docket of Tuesday, February 26, 1991 for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: H444-484.)

MOTION BY FILNER TO ALLOCATE \$46,460 FOR TWO SIGNS AT EACH SCHOOL. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S500: (O-91-142) CONTINUED TO MARCH 4, 1991

Introduction and adoption of an Ordinance amending Ordinance No. O-17504 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1990-91 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. OO-17504-1 and No. OO-17504-2, as amended and adopted therein, by transferring the sum of \$23,230 from the General Fund 100, Unallocated Reserve (605) to the General Services Fund 302191, for the purpose of purchasing and installing drug free school zone signs.

NOTE: See Item S413 on the docket of Monday, February 25, 1991 for the first public hearing. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A024-036.)

MOTION BY ROBERTS TO CONTINUE TO MARCH 4, 1991 TO COINCIDE WITH THE INTRODUCTION OF THE CONTINUED ORDINANCE. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S501: (R-91-1439) ADOPTED AS RESOLUTION R-277431

Declaring March 1, 1991 as Affordable Housing Day; urging public officials, representatives from the community and the housing industry to join together in the search to find ways to create more livable communities where all San Diegans can afford to live and work.

HOUSING COMMISSION SUPPORTING INFORMATION: Request that the San Diego City Council declare March 1, 1991 as Affordable Housing Day; and urge public officials, representatives from the community and the housing industry to join together in the search to find ways to create more livable communities where all San Diegans can afford to live and work. The 1989 Affordable Housing Conference was successful in drawing attention to the housing crisis. It helped spur the search for creative solutions and

resulted in several new initiatives. However, the problem is even greater today. The supply of affordable housing is woefully inadequate and located far from where most new jobs are being created. A second Affordable Housing Conference, "Affordable Housing: Creating More Livable Communities", has been scheduled for Friday, March 1, 1991. A major focus of the conference will be the lack of balance between jobs and housing in San Diego, and the way this impacts other social, environmental and economic problems, such as traffic congestion and air pollution. Other issues that the conference will address include: - linking air quality, transportation and housing goals - meeting environmental and neighborhood concerns - increasing affordable housing production - creative public sector programs - alternative lending sources for affordable housing - new community reinvestment ratings - development transitional housing programs This conference will combine education about the housing program, exploration of new approaches, promotion of local initiatives and recognition of those individuals who have helped expand affordable housing opportunities in San Diego. Private sector groups, industry organizations, nonprofits, public agencies and religious organizations have participated in organizing the conference. The event is expected to bring together a diverse group of people representing all aspects of housing - lenders, developers, nonprofits, community groups, support service providers, public officials and agencies. After the conference a report will be written, outlining innovative ideas and suggestions for future directions, which will be widely distributed throughout the City.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A575-586.)

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

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

ITEM-CC-1:

Comments by Council Member Henderson regarding planning
a welcome home parade honoring the Desert Storm Troops.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: H484-505.)

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 6:09
p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: H506).