

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, OCTOBER 20, 1992  
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 10:21 a.m. The meeting was recessed by Mayor O'Connor at 12:29 p.m. to reconvene at 2:00 p.m. The meeting was reconvened by Deputy Mayor Roberts at 2:11 p.m. The meeting was recessed by Mayor O'Connor at 7:06 p.m. to convene the Redevelopment Agency. Mayor O'Connor reconvened the meeting at 8:05 p.m. with all members present. Mayor O'Connor adjourned the meeting at 8:24 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 Stevens-present
  - (5) Council Member Behr-present
  - (6) Council Member Stallings-present
  - (7) Council Member McCarty-present
  - (8) Council Member Filner-present
- Clerk-Fishkin/Abdelnour (ll/mc)

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 Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-3: REFERRED TO CITY MANAGER

Comment by Joel Tracey on parking restrictions impacting students and the general public to allow beach access from the Greentree Lane area near UCSD.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A145-182.)

ITEM-PC-4: REFERRED TO CITY MANAGER

Comment by Donna Tisdale on protecting Lake Morena and the siting of the La Posta Hazardous waste incinerator.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A182-237.)

COUNCIL COMMENT:

None.

ITEM-54:

Two actions relative to the North City Future  
Urbanizing Area Framework Plan and Implementation  
Program:  
(District-1.)

Subitem-A: (O-93-34 Rev.1) ADOPTED AS ORDINANCE O-17854  
(New Series)

Amending Chapter X, Article 1, Division 9, of the San  
Diego Municipal Code by amending Section 101.0901  
relating to Planned Residential Developments.  
(Introduced as amended on 10/01/92. Council voted 6-0.  
Districts 1, 3 and Mayor not present.)

Subitem-B: (O-93-35) NOTED AND FILED

Amending Chapter X, Article 1, Division 4, of the San  
Diego Municipal Code by amending Section 101.0404  
relating to A-1 Zones -- (Agricultural).  
(Introduced on 10/01/92. Council voted 5-1. District  
6 voted nay. Districts 1, 3 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E136-F172.)

Motion by Wolfsheimer to delete the pipeline provision in  
the PRD Ordinance on Page 7 of 7 which states:

"This Section 101.0901(E) (7) (g) shall not apply to any  
project which has had an application which has been  
deemed complete on or before October 1, 1992; provided,  
however, that any such project shall fully participate  
in the Public Facilities Financing Plan, Interim Fees  
and the School Master Plan."

Second by Hartley. No vote.

Substitute Motion by Filner to change the language of the  
pipeline provision in the PRD Ordinance on Page 7 of 7 to  
read:

"This Section 101.0901(E) (7) (g) shall not apply to any

project which includes a golf course open to the public and has an application which has been deemed complete on or before December 10, 1990; provided, however, that any such project shall fully participate in the Public Facilities Financing Plan, Interim Fees and the School Master Plan."

This would only apply to the projects Council originally thought they were voting on and would also include the requirement of a development agreement with the City. Second by Wolfsheimer. No vote.

MOTION BY WOLFSHEIMER TO ADOPT SUBITEM A AS AMENDED DELETING THE PIPELINE PROVISION. DIRECT THE CITY ATTORNEY TO BRING BACK AS A NOTICED HEARING ON NOVEMBER 10, 1992, A NEW PIPELINE PROVISION WHICH EXEMPTS PROJECTS THAT HAVE AN APPLICATION THAT HAS BEEN PREVIOUSLY APPROVED, PROVIDED THEY PROVIDE A PUBLIC GOLF COURSE, AND THAT A DEVELOPMENT AGREEMENT BE REQUIRED. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-nay, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

BY COMMON CONSENT SUBITEM B WAS NOTED AND FILED.

ITEM-310: (R-93-617) ADOPTED AS RESOLUTION R-280909

Proclaiming October 18-25, 1992, to be "Charles Hatfield Week" in San Diego, and commending the Mountain Empire Historical Society for their key role in the preservation of this piece of our regional history.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A030-097.)

MOTION BY McCARTY TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-311: (R-93-609) ADOPTED AS RESOLUTION R-280910

Proclaiming October 19 - October 24, 1992, to be "Crime Stoppers Appreciation Week," and the night of Saturday, October 24, 1992, to be "Crime Stoppers Light the Night Against Crime Night" in San Diego; recognizing Crime Stoppers for its contributions and commending the organization and its members for their important accomplishments in fighting crime throughout San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A097-140.)

MOTION BY McCARTY TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-312: CONTINUED TO OCTOBER 27, 1992

Welcoming a group of approximately 70 students from Alcott Elementary School, accompanied by teachers Debra Huggins and Fari Akbarian. The group will arrive at approximately 10:30 a.m.  
(District-6.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A140-145.)

BY COMMON CONSENT ITEM WAS CONTINUED TO OCTOBER 27, 1992.

ITEM-313: WELCOMED

Welcoming a group of approximately 25 International students from the Navy Amphibious School (Coronado), accompanied by Fred Zierau.  
This group will arrive at approximately 10:30 a.m.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A339-344.)

ITEM-330: (R-93-296)

ADOPTED AS AMENDED AS RESOLUTION R-280911

(Continued from the meeting of October 6, 1992, Item S506, at the request of Tim Kelley, of Nielsen Construction Co., for full Council.)

Rejecting all bids received on July 17, 1992 and inviting bids for Point Loma Wastewater Treatment Plant South Effluent Outfall Connection on Work Order No. 170864; authorizing the City Manager to execute a contract with the lowest responsible bidder; authorizing the transfer of \$2,590,000 from Sewer Revenue Fund 41506, CIP-44-001, Annual Allocation - Sewer Main Replacement Program, to CIP-46-134.0, Point Loma Sedimentation Basins 11 and 12; authorizing the additional expenditure of \$2,590,000 from Sewer Revenue Fund 41506, CIP-46-134.0, Point Loma Sedimentation Basins 11 and 12 and Effluent Channel Modifications, to supplement the funding authorized by Resolution R-280005, adopted on May 26, 1992, for the purpose of executing these contracts.  
(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Bids for the construction of the Point Loma South Effluent Outfall Connection project were opened on July 17, 1992. Of the 178 bid packages issued, 6 prime contractors responded to the bid call with the bids ranging from \$11,499,000 to \$14,999,000. The apparent low bid of \$11,499,000, submitted by Nielsen Construction Company, did not satisfy the Equal Opportunity Contract Program Requirement. Therefore, the City Manager recommends rejecting all bids and re-advertising. Prior to re-advertising, an addendum will be issued to reflect modifications to the plans and specifications.

Aud. Cert. 9300340

WU-P-93-012.

FILE LOCATION: W.O. 170864 CONT-Nielsen Construction Co. CONT FY93-1

COUNCIL ACTION: (Tape location: A244-D002.)

MOTION BY BEHR TO ADOPT AS AMENDED AND AWARD THE CONTRACT TO

NIELSEN CONSTRUCTION COMPANY AND DIRECT STAFF TO SET UP AN MBE/WBE PROGRAM THAT IS EFFECTIVE AND ONE THAT CREATES A LEVEL PLAYING FIELD WHICH ALLOWS COMPETITION AND PARTICIPATION, BUT ALSO ALLOWS FLEXIBILITY AND DISCRETION FOR STAFF'S PURPOSES SO THESE "REJECTING BIDS" ISSUES BECOMES A CITY MANAGER/STAFF RESPONSIBILITY AND WON'T COME BEFORE COUNCIL; TO ACCEPT MAYOR O'CONNOR'S REQUEST TO TIM KELLEY OF NIELSEN CONSTRUCTION TO PROVIDE THE CITY WITH A LETTER INDICATING HOW MANY MINORITIES WILL BE WORKING ON THIS PROJECT IN THEIR FIRM, AS WELL AS THEIR SUB-CONTRACTORS, AND HOW THEY WENT ABOUT SECURING THIS WORK FORCE. THIS LETTER TO BE PROVIDED TO COUNCIL THE WEEK OF OCTOBER 26, 1992. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-nay, Stevens-nay, Behr-yea, Stallings-nay, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: (0-93- ) RETURNED TO CITY MANAGER

Introduction of an Ordinance with proposed pipeline provisions for Ordinance O-17838 (Tandem Parking).

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: F187-G281.)

MOTION BY FILNER TO RETURN TO THE CITY MANAGER TO BE REDOCKETED BY THE CITY MANAGER IN LATE NOVEMBER IN CONTEXT WITH THE INCLUSIONARY HOUSING PROGRAM. DIRECT STAFF TO PLACE ORDINANCE O-17838 (TANDEM PARKING) ON THE DOCKET FOR RECONSIDERATION ON OCTOBER 27, 1992. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-332:

(Trailed as Unfinished Business from the meeting of September 29, 1992, Item S404, and continued from the meeting of October 5, 1992, Item S402, at Councilmember Stallings' request, for additional time to have all information available for a decision.)

Two actions relative to Centre City Waterfront Planning

Issues:

(Centre City Community Area. District-2.)

Subitem-A: (R-93-542) ADOPTED AS RESOLUTION R-280913

Finding that the Central Bayfront Design Principles, Centre City Community Plan and implementing ordinances, as adopted, establish appropriate comprehensive and cohesive land use and development goals, policies and implementation mechanisms for the Centre City Waterfront Area.

Subitem-B: (R-93-541) ADOPTED AS RESOLUTION R-280914

Authorizing the execution of a Memorandum of Understanding with the Board of Port Commissioners of the San Diego Unified Port District.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: G428-I265.)

MOTION BY ROBERTS TO ADOPT THE PLAN AND MOU. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

MOTION BY ROBERTS TO ADD THE FOLLOWING LANGUAGE TO THE BEGINNING OF PAGE 3 OF THE MOU: "PORT AND CITY AGREE TO COOPERATE IN DESIGN AND IMPLEMENTATION OF A CENTER FOR CULTURE, COMMERCE AND TECHNOLOGY TO INCLUDE LIBRARY, MUSEUM AND TRADE-RELATED COMPONENTS ON THE PROPERTY ADJACENT TO THE PROPOSED PUBLIC PLAZA AT THE FOOT OF BROADWAY (LANE FIELD)." Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

MOTION BY ROBERTS TO CHANGE THE LANGUAGE ON PAGE 3 OF THE MOU FROM "PORT AGREES TO GIVE CONSIDERATION TO THE OTHER PROVISIONS OF THE 'CENTRAL BAYFRONT DESIGN PRINCIPLES'...." TO "PORT AGREES TO COMPLY WITH THE OTHER PROVISIONS OF THE 'CENTRAL BAYFRONT DESIGN PRINCIPLES'" Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.



ITEM-333:

Two actions relative to a Development Plan and Urban Design Guidelines for the Redevelopment of the Navy Broadway Complex:

(See memorandum from CCDC dated 10/2/92. Centre City Community Area. District-2.)

Subitem-A: (R-93-594) ADOPTED AS RESOLUTION R-280915

Adoption of a Resolution certifying the Final Environmental Impact Report for the Navy Broadway Complex; certifying that the City Council has reviewed and considered information contained in the Final Environmental Impact Report and in the Final MEIR for the Centre City Redevelopment Project; making certain findings regarding the environmental impacts of the proposed redevelopment of the Navy Broadway Complex; adopting a reporting and monitoring program; adopting a statement of overriding considerations.

Subitem-B: (O-93-57) INTRODUCED, TO BE ADOPTED NOVEMBER 2, 1992

Introduction of an Ordinance an agreement with the United States Navy adopting a Development Plan and Urban Design Guidelines for the redevelopment of the Navy Broadway Complex.

FILE LOCATION: Subitem A: MEET; Subitem B: --

COUNCIL ACTION: (Tape location: I240-267.)

MOTION BY ROBERTS TO ADOPT SUBITEM A, CERTIFYING THE EIR AND APPROVING CITY MANAGER'S RECOMMENDATION AND TO INTRODUCE SUBITEM B. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-334:

Matter of the request for a Conditional Use Permit to make modifications to an existing cellular communications facility consisting of 12, 1-foot by 2-foot panel antennas and two, 4-feet-high whip antennas in a commercial zone. The subject property is located at 3180 University Avenue and is described as Lots 25 through 30 of Block 210 of University Heights, according to Map thereof made by G. A. D'Hemecourt. The CN-1 zoned site is within the Greater North Park Community Planning Area.  
(CUP-92-0381. District-3.)

Subitem-A: (R-93-804) ADOPTED AS RESOLUTION R-280916

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration DEP-92-0381 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 pursuant to California Public Resources Code Section 21081.

Subitem-B: (R-93-805) GRANTED PERMIT, ADOPTED AS RESOLUTION R-280917

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

FILE LOCATION: PERM - CUP-92-0381

COUNCIL ACTION: (Tape location: F173-186.)

Hearing began at 3:05 p.m. and halted at 3:09 p.m.

MOTION BY HARTLEY TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-335: (R-93-806) GRANTED APPEAL AND PERMIT, ADOPTED AS RESOLUTION R-280918

Appeal of Thomas Jensen from the decision of the Planning Commission in denying Coastal Development Permit, CDP-89-0867, for the construction of three, attached, two-story units behind an existing single-family residence. The subject property is located at 1956 Pacific Beach Drive and is more particularly described as Lots 27 and 28, Block 307, Pacific Beach Map-922 in the R-1500 Zone in the Pacific Beach Community Plan Area.  
(CDP-89-0867. District-6.)

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 - CDP-89-0867

COUNCIL ACTION: (Tape location: K360-418.)

Hearing began at 6:57 p.m. and halted at 7:01 p.m.

MOTION BY STALLINGS TO GRANT THE APPEAL AND THE PERMIT.  
Second by Roberts. Passed by the following vote:  
Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-336: CONTINUED TO OCTOBER 27, 1992 AT 2:00 P.M. TIME CERTAIN

Appeal of Maurice and Harriet Miller, et al, from the decision of the Planning Commission in approving Hillside Review Permit HRP-90-0122 for a 3,069-square-foot, single-family residence. The applicant is requesting a variance to allow a portion of the building to have a five-foot front setback where fifteen feet is required. The subject property is 7,623 square feet in size, located on Vista Street north and is described as a consolidation of Lot 24 of the Rancho Mission according to Superior Court Case No. 238 on file with the office of the San Diego County Clerk.  
The R-1-5000 and R-1-40,000 (HR) zoned site is within the Kensington Talmadge neighborhood of the Mid-City Community Plan area.  
(Case-90-0122. District-3.)

Subitem-A: (R-93- )

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration DEP-90-0122 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-93- )

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

FILE LOCATION:

COUNCIL ACTION: (Tape location: D002-010.)

MOTION BY BEHR TO CONTINUE TO OCTOBER 27, 1992 2:00 P.M. TIME CERTAIN AT THE REQUEST OF THE APPLICANT. Second by Hartley. Passed by the following vote: Wolfsheimer-not present, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-337:

(Continued from the meetings of August 11, 1992, Item 333, and September 15, 1992, Item 333; last continued at the City Manager's request, because of additional hearings to be heard by the Planning Commission in October on environmental issues.)

Matter of a Precise Plan for the Central Mesa of Balboa Park. The Central Mesa contains 193 acres and is bounded by I-5 on the south; Park Boulevard on the east; Upas Street on the north and State Route 163 on the west. Excluded from the planning area are the San Diego Zoo and Roosevelt Jr. High School. The purpose of the Plan is to guide development within the Central Mesa for the next twenty years.

(Balboa Park Community Area. District-3.)

Subitem-A: (R-93-107) ADOPTED AS RESOLUTION R-280919

Adoption of a Resolution certifying that the information contained in the Supplemental Environmental Impact Report DEP-91-0686 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: (R-93-106) ADOPTED AS RESOLUTION R-280920

Adoption of a Resolution adopting a Precise Plan to guide development within the Central Mesa Area of Balboa Park.

FILE LOCATION: LAND - Balboa Park Central Mesa Precise Plan

COUNCIL ACTION: (Tape location: G282-332.)

Hearing began at 4:00 p.m. and halted at 4:04 p.m.

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

ITEM-338: PRESENTED

A presentation regarding the Zero Garbage Day Challenge.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E013-133.)

ITEM-339: (R-93-477) CONTINUED TO NOVEMBER 9, 1992

(Continued from the meetings of September 29, 1992, Item 205 and October 6, 1992, Item S500; last continued at Deputy Mayor Roberts' request for full Council.)

Authorizing the City Manager to increase the biennial Alarm Permit Fee from \$25 per permit to \$55 for a residential permit, and from \$50 to \$95 for a commercial permit.

(See City Manager Report CMR-92-289.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: M107-319.)

Hearing began at 8:05 p.m. and halted at 8:20 p.m.

Motion by Behr to reject the City Manager's recommendation.  
No second.

MOTION BY STEVENS TO CONTINUE TO NOVEMBER 9, 1992 FOR FURTHER REVIEW AND DIRECT THE CITY MANAGER TO COME BACK WITH A REPORT WHICH DISTRIBUTES THE \$500,000 THAT IT COSTS THE CITY TO SERVICE THE ALARM CUSTOMERS TO ALL THE ALARM COMPANIES WHOSE CUSTOMERS ARE BENEFITTING FROM THE SERVICE, BECAUSE IT IS A COST TO THE POLICE TO SERVICE BOTH ALARM COMPANIES AND THOSE CUSTOMERS. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-nay, Stevens-yea, Behr-nay, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-340:

1. Request for a Tentative Parcel Map TM-91-0804 (Hal-Spectrum Subdivision)/Hillside Review Permit HRP-91-0804 and Resource Protection Ordinance Permit RPO-91-0804 to subdivide an existing 18,470 square foot lot into two lots measuring 12,180 square feet and 6,290 square feet in a residential zone. The subject property is located at 2352 Haller Street and is described as Lot 11 of Hal-Spectrum according to Map No. 9332. The R1-5000 zoned site is within the Greater North Park Community Plan area.

2. A proposal to vacate an excess westerly portion of Haller Street, as provided for under Section 66499.20-1/2 of the State Map Act, in conjunction with the proposed Tentative Map TM-91-0804.

(TM/HRP/RPO-91-0804. District-3.)

Subitem-A: (R-93-807) ADOPTED AS RESOLUTION R-280921

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration DEP-91-0804 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration, mitigation, monitoring and reporting program have been reviewed and considered by the Council.

Subitem-B: (R-93-808) GRANTED MAP, ADOPTED AS RESOLUTION R-280922

Adoption of a Resolution granting or denying the Tentative Parcel Map TM-91-0804 within Lot 11 of Hal-Spectrum Map 9332, with appropriate findings to support Council action.

Subitem-C: (R-93-809) GRANTED PERMIT, ADOPTED AS RESOLUTION R-280923

Adoption of a Resolution granting or denying the Hillside Review Permit, with appropriate findings to support Council action.

Subitem-D: (R-93-810) GRANTED PERMIT, ADOPTED AS RESOLUTION R-280924

Adoption of a Resolution granting or denying the Resource Protection Ordinance Permit, with appropriate findings to support Council action.

Subitem-E: (R-93-811) ADOPTED AS RESOLUTION R-280925

Adoption of a Resolution authorizing the vacation of the excess westerly portion of Haller Street as provided for under Section 66499.20-1/2 of the State Map Act.

FILE LOCATION: Subitem A: PERM HRP/RPO-91-0804;  
Subitem B: SUBD - Hal-Spectrum Map;  
Subitem C: PERM HRP-91-0804; Subitem  
D: PERM RPO-91-0804; Subitem E: DEED  
F-5911 & STRT J-2779 DEEDFY93-1

COUNCIL ACTION: (Tape location: F173-186.)

Hearing began at 3:05 p.m. and halted at 3:09 p.m.

MOTION BY HARTLEY TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-341: CONTINUED TO NOVEMBER 10, 1992, AT 2:00 P.M.

(Continued from the meeting of September 15, 1992, Item 336, at Councilmember Wolfsheimer's request, on behalf of Matt Peterson, for additional time to prepare for the hearing.)

Appeal of Luis E. Garcia, from the decision of the Planning Commission in denying a Tentative Map, Hillside Review and Resource Protection Ordinance Permit (TM/HRP/RPO-90-0834), proposing a two-lot subdivision and the construction of a 2,270-square-foot single-family home, on a site with an existing single-family home. The subject property, a 1.22-acre site, is located at 3230 Welmer Place in the R1-5000 (Single-Family Residential - minimum lot size of 5,000 square feet) Zone and within the boundaries of the University Community Plan Area. The legal description of the site is The Bluffs, Lot 27 of Unit 1, Map-6208. (TM/HRP/RPO-90-0834. District-1.)

Subitem-A: (R-93- )

Adoption of a Resolution certifying that the information contained in Mitigated Negative Declaration DEP-90-0834 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-93- )

Adoption of a Resolution granting or denying the appeal and granting or denying the Hillside Review Permit and the Resource Protection Ordinance Permit with appropriate findings to support Council action.

Subitem-C: (R-93- )



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: I269-300.)

MOTION BY WOLFSHEIMER TO CONTINUE TO NOVEMBER 10, 1992, AT 2:00 P.M. AT THE REQUEST OF A CONSTITUENT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-342:

Matter of:

1. The request to subdivide TRW Rancho Carmel, a 42.65-acre lot, into ten separate lots ranging in size from 2.25 acres to 10.5 acres;
2. Rezoning of proposed Lots 1, 2, 4, 8, 9, and 10 from M-LI (Manufacturing-Light Industrial) to M-1B (Light Industrial-Limited Commercial);
3. A Planned Industrial Development Permit (PID) to allow the future development of 100,000 square feet of medical uses, 183,583 square feet of light industrial uses, and retain 425,417 square feet of industrial uses and associated parking.
4. A Conditional Use Permit is proposed in order to develop a 95,000-square-foot medical clinic with overnight patient care on two of the newly created lots.

The subject property is a 42.65 acre site located between Innovation Drive and Avenue of Science, north of Rancho Carmel Drive, and is described as Lot 1 of TRW-Rancho Carmel Division Unit No. 1, Map No. 10417, within the Carmel Mountain Ranch Community Plan Area. (TM/RZ/CUP/PID-91-0700. District-5.)

Subitem-A: (R-93-812) ADOPTED AS RESOLUTION R-280926

Adoption of a Resolution certifying that the

information contained in Environmental Mitigated Negative Declaration DEP-91-0700 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, pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-93- ) INTRODUCED, AS AMENDED; TO BE REINTRODUCED ON NOVEMBER 2, 1992

Introduction of an Ordinance for M-1B Zoning.

Subitem-C: (R-93-813) GRANTED MAP, ADOPTED AS RESOLUTION R-280927

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

Subitem-D: (R-93-814) GRANTED PERMIT, ADOPTED AS RESOLUTION R-280928

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

Subitem-E: (R-93-815) GRANTED PERMIT, ADOPTED AS RESOLUTION R-280929

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

FILE LOCATION: Subitem A & E: PERM CUP-91-0700;  
Subitem B: --; Subitem C: SUBD - TRW  
Rancho Carmel; Subitem D: PERM PID-91-  
0700

COUNCIL ACTION: (Tape location: I302-347.)

Hearing began at 5:28 p.m. and halted at 5:31 p.m.

MOTION BY BEHR TO ADOPT THE CITY MANAGER'S RECOMMENDATION AS AMENDED TO: 1) WAIVE IMPOSITION OF ADDITIONAL STREET LIGHTING TO PROPERTY THAT IS NOT OCCUPIED AT NIGHT; AND 2) DIRECT STAFF TO EXAMINE THE EXISTING POLICY WHICH REQUIRES

THIS ADDITIONAL STREET LIGHTING, AND MODIFY TO ALLOW STAFF TO USE DISCRETION AND COMMON SENSE IN THE APPLICATION FOR PROVIDING STANDARDS FOR SITUATIONS LIKE THIS SO THAT IT WOULD NOT HAVE TO SURFACE AT COUNCIL. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (O-93-61) INTRODUCED, TO BE ADOPTED NOVEMBER 2, 1992

Introduction of an Ordinance amending Chapter II, Article 4, Division 10, of the San Diego Municipal Code by adding Section 24.1013 relating to Early Retirement Incentive Program.

FILE LOCATION:

COUNCIL ACTION: (Tape location: F173-186.)

MOTION BY HARTLEY TO INTRODUCE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S500: (R-93-652) ADOPTED AS RESOLUTION R-280930

Saluting the leadership of Terry Curren in service to the City by proclaiming October 20, 1992 to be "Terry Curren Day" in San Diego; applauding all those who worked diligently with Terry Curren in placing The Center for Social Services building in operation and who selflessly carry out the important HIV/AIDS social services functions that the facility was intended to provide.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G343-423.)

MOTION BY HARTLEY TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-

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

ITEM-S501: REPORT ACCEPTED

An informational report regarding the Operating Agreement between the Southeast Economic Development Corporation and the San Diego Incubator Corporation. (See memorandum from SEDC dated 10/20/92.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: K497-504.)

MOTION BY FILNER TO ACCEPT REPORT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S502: (O-93-60) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17855 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-17807 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1992-93 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year," by directing the Auditor and Comptroller to increase the appropriations to the General Fund 100 by \$40,000 by amending the Fiscal Year 1993 appropriation for the Communications and Electrical Division, Program Element 53522, Object Account 1400, with the funds to come from Sewer Revenue Fund 41506, Unallocated Reserve, and Water Revenue Fund 41502, Unallocated Reserve, to recognize additional revenue to the General Fund 100 from the Sewer and Water Funds as reimbursement of its expenses for the purpose of designing and overseeing the installation of the 900 MHZ System.

NOTE: See Item S401 (B) on the Supplemental docket of Monday, 10/19/92 for the first public hearing.

CITY MANAGER SUPPORTING INFORMATION: In October of 1991, the City of San Diego, through the Clean Water Program, applied for

and was issued five individual licenses (i. e. frequencies) from the Federal Communications Commission (FCC) in the Multiple Address System (MAS) 900 MHz frequency band. The City intends to operate these frequencies from five locations (Cowles Mountain, Black Mountain, Mt. Soledad, Mt. Woodson and San Ysidro View Park) referred to as Master Stations. The Master Stations will receive and transmit data to and from various sewer and water pumping stations and water reservoirs that have been instrumented with radio systems called Remote Terminal Units (RTUs). The Master Station and RTU combination serve as the communication backbone for a computer based control structure designated as a Supervisory Control and Data Acquisition System (SCADA). The Water Utilities Department will be installing RTUs at a minimum of 180 sites over the next several years. The City must activate these licenses by December 10, 1992 or the FCC will pull the licenses. The FCC requires that to activate each license, each Master Station must have a minimum of four RTU locations on the air (i.e. transmitting information). In an effort to comply with the FCC's minimum requirement to activate these licenses by December 10, 1992, the Communications & Electrical Division of General Services will coordinate this project and San Diego Data Processing Corporation (SDDPC) will perform the procurement function.

Aud. Cert. 9300339.

WU-U-93-038.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: K429-468.)

MOTION BY BEHR TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-CS-1: (R-92-680) ADOPTED AS RESOLUTION R-280912

A Resolution adopted by the City Council in Closed Session on Tuesday, October 20, 1992:

Authorizing the City Manager to pay the total sum of

\$270,000 in the settlement of each and every claim against the City, its agents and employees, resulting from property damage to Marc and Monica Johnson as a result of the movement of soil at or near 5629 Desert View in San Diego, CA. Authorizing the City Auditor and Comptroller to issue one check in the amount of \$270,000 made payable to Marc and Monica Johnson, and Daniel Perwich, their attorney of record.

Aud. Cert. 9300401.

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 8:24 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: M320.)