

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, NOVEMBER 9, 1993
AT 10:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:04 a.m. Mayor Golding announced that the National League of Cities Board of Directors awarded the City of San Diego with a plaque and a check in the amount of \$2,000 for entering the competition for the James C. Howland Award for Urban Enrichment. The check will be donated to the non-profit community organization designated by the elected leadership in San Diego. The meeting was recessed by Mayor Golding at 12:26 p.m.

The meeting was reconvened by Mayor Golding at 2:07 p.m. with Council Members Roberts, Hartley, Stallings, and McCarty not present. Mayor Golding announced that the award for urban enrichment was presented to the City of San Diego for its Senior RSVP Program in Rancho Bernardo and that the check for \$2,000.00 from the National League of Cities will go to that non-profit program. Mayor Golding adjourned the meeting at 6:39 p.m. to meet immediately in Closed Session in the twelfth floor conference room to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-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 Vargas-present
- Clerk-Abdelnour/Fishkin (mc/mp)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-not present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-not present
- (8) Council Member Vargas-present

PUBLIC COMMENT:

None.

COUNCIL COMMENT:

None.

ITEM-152:

SUBJECT: Police Assessment Districts.

Trailed as Unfinished Business from the meeting of
October 26, 1993, Item 162.)

(See City Manager Report CMR-93-201, and City
Attorney's Memorandum of Law dated 6/25/93.)

PUBLIC SERVICES AND SAFETY COMMITTEE'S RECOMMENDATION:

On 6/30/93, PS&S voted 4-0 to recommend introduction of the
following ordinance: (Councilmembers Wolfsheimer, Roberts,
Hartley and Stevens voted yea; Councilmember Vargas not
present):

(O-94-163) NOTED AND FILED

Introduction of an ordinance amending Chapter VI, Article 1, of the San Diego Municipal Code by adding Division 25, Sections 61.2501 - 61.2524, relating to the San Diego Public Safety and Supplementary Crime Suppression District Procedural Ordinance.

OTHER RECOMMENDATIONS:

City Manager's Recommendation to PS&S:

Do not adopt a policy which would allow the formation of special assessment districts for the purpose of funding supplemental police services for such districts. Encourage communities which desire supplemental police services to investigate the possibility of contracting the services of private security companies.

NOTE: On 10/26/93 Council voted 4-4 on the motion by Councilmember Wolfsheimer to Introduce and to include the amendment on Page 5 of 12, first paragraph to read ..."the number of calls required for crime suppression on that property, type of liability insurance required, a structure's use, the number of dwelling units..." (Yeas-1,2,3,4; Nays-5,6,7,8; Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F096-428.)

Motion by Wolfsheimer to accept the ordinance as presented which came with some minor changes from PS&S. Second by Hartley. SUBSTITUTE MOTION BY BEHR TO NOTE AND FILE THIS MATTER. Second by Stevens. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-nay, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-310:

SUBJECT: Alex G. Spanos Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-744) ADOPTED AS RESOLUTION R-282961

Recognizing the superior efforts of Alex G. Spanos in the City's endeavor to host Super Bowl XXXII by proclaiming November 9, 1993 to be "Alex G. Spanos Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A017-060.)
MOTION BY COMMON CONSENT TO ADOPT. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-311:

SUBJECT: San Diego Super Bowl Task Force Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-745) ADOPTED AS RESOLUTION R-282962

Recognizing the perseverance of the San Diego Super Bowl Task Force in its campaign to bring the NFL championship game to San Diego for the second time in 10 years by proclaiming November 9, 1993 to be "San Diego Super Bowl Task Force Day."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A062-122; A173-177.)

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

ITEM-330: RETURNED TO CITY MANAGER

SUBJECT: Amending the Montgomery Field Airport Master Plan and the Kearny Mesa Community Plan; requesting that the San Diego Association of Governments (SANDAG) initiate an amendment to the Montgomery Field Comprehensive Land Use Plan (CLUP); Appeal by San Diego Hawthorne Ltd. of the denial of a building permit.
(Continued from the meeting of October 26, 1993, Item

333, at Rebecca Michael's request, for further review.)
(Kearny Mesa Community. Districts-5 & 6.)

OPTION 1:

CITY MANAGER'S RECOMMENDATION:

Adopt Subitems A, B,C, and D (Five votes required):

Subitem-A: (R-94-555)

Adoption of a Resolution amending the Montgomery Field
Airport Master Plan.

Subitem-B: (R-94-557)

Adoption of a Resolution requesting SANDAG to initiate
an amendment to the Comprehensive Land Use Plan for
Montgomery Field Airport.

Subitem-C: (R-94-556)

Adoption of a Resolution to modify the Kearny Mesa
Community Plan.

Subitem-D: (R-94-558)

Adoption of a Resolution granting the appeal filed for
San Diego Hawthorne, Ltd.

OR

OPTION 2:

Subitem-E: (R-94-)

A motion to override the decision of the regional
Airport Land Use Commission and maintain the current
land use designations in the Kearny Mesa Community Plan
and Progress Guide and General Plan;
making specific findings as stated in City Manager
Report P-93-082.

(A two-thirds vote of six votes and specific findings
required to override the regional Airport Land Use
Commission's decision of plan inconsistency.)

SUPPORTING INFORMATION:

OPTION 1:

1. Amending the Montgomery Field Airport Master Plan to make certain changes, including changing the length of the western Flight Activity Zone (FAZ) for Runway 10L from 1,700 feet to 1,000 feet which would, if approved, remove the FAZ from private properties on the west side of State Route 163.
2. Requesting that the San Diego Association of Governments (SANDAG), acting as the regional Airport Land Use Commission, initiate an amendment to the Montgomery Field Comprehensive Land Use Plan (CLUP) to reflect the proposed changes to the Montgomery Field Airport Master Plan.
3. Amending the Kearny Mesa Community Plan (Figure 27) to reflect the proposed changes to the Montgomery Field Airport Master Plan, subject to the approval of the Airport Master Plan amendment and SANDAG's amendment to the Montgomery Field Comprehensive Land Use Plan.
4. Considering the denial of building permit A003427-93 involving a proposed restaurant development located at 8055 Armour Street (Lot 4, Map-4776, see Ryan Tract), and the following Findings set forth in Municipal Code section 101.0444.K, pertaining to the Airport Environs Overlay Zone:
 - a. The proposed project has minimized the public's exposure to excessive noise and safety hazards to the extent feasible;
 - b. The proposed project is consistent with the protection of the public health, safety, and welfare;
 - c. The proposed project will meet the purpose and intent of Section 21670 of the Public Utilities Code.

OPTION 2:

5. Overriding a previous action by the regional Airport Land Use Commission, which stated that the Kearny Mesa Community Plan land use recommendations for properties lying within the area of the western Flight Activity Zone of the airport are inconsistent with the Montgomery Field Comprehensive Land Use Plan.

LEGAL DESCRIPTION: Lot 4, Map-4776, see Ryan Tract.

ENVIRONMENTAL IMPACT:

The proposed changes to the Montgomery Field Airport Master Plan are exempt from the California Environmental Quality Act (CEQA) pursuant to State Guidelines, Section 15061(b)(3). In reference to the proposed Kearny Mesa Community Plan amendment and building permit appeal, the Council should review and consider the previously prepared Kearny Mesa Environmental Impact Report (DEP-87-0626) and Supplemental Environmental Impact Report

(DEP-91-0844) with Findings and Statement of Overriding Considerations, certified by the Council on October 6, 1992 by Resolution No. R-280820.

FILE LOCATION: Subitems A,B&D: LAND - Montgomery Field Airport; Subitem C&E: LAND - Kearny Mesa Community Plan

COUNCIL ACTION: (Tape location: B398-D309;G304-571.)

Hearing began at 11:19 a.m. and recessed at 12:25 p.m.

Testimony in opposition by Kathy Gaustad, David Bieber, Frank Schulz, Bill Sanders, Mark Carroll, Jack Kearley, and Maurice Booth.

Testimony in favor by Rebecca Michael, Jerry Dallas, Jim Zimsky, Buzz Gibbs and Rod Nussbaum.

Motion by Behr to accept the first three findings in the City Manager's Report to: 1) Amend the Montgomery Field Airport Master Plan to change the length of the Flight Activity Zone of Runway 10L from 1,700 to 1,000 feet; 2) Request that SANDAG, acting as the regional Airport Land Use Commission (ALUC), amend the Montgomery Field Comprehensive Land Use Plan (CLUP) to be consistent with the Montgomery Field Airport Master Plan amendment; and 3) Amend the Kearny Mesa Community Plan to be consistent with the above referenced plans. Continue the building permit appeal until such time after SANDAG takes action. Reaffirm that the extension of the runway will be completed and that an additional 700 feet will be painted on the western end of the 10L runway. Second by Roberts. No vote.

SUBSTITUTE MOTION BY STALLINGS TO CONTINUE THE EXTENSION OF THE RUNWAY AND WHEN THAT IS COMPLETED THEN MOVE THE THRESHOLD 700 FEET AND REDUCE THE FLIGHT ACTIVITY ZONE. Second by Vargas. Passed by the following vote: Wolfsheimer-nay, Roberts-nay, Hartley-yea, Stevens-yea, Behr-nay, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

MOTION BY STEVENS TO RECONSIDER THE ITEM. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-nay, Stevens-yea, Behr-yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-yea.

Motion by Stallings to continue the extension of the runway and when that is completed then move the threshold 700 feet

and reduce the flight activity zone. Second by Vargas.
Failed. Yeas-3,6,8,M. Nays-1,2,4,5,7. Not present-none.

Motion by Behr to accept the first three findings in the City Manager's Report to: 1) Amend the Montgomery Field Airport Master Plan to change the length of the Flight Activity Zone of Runway 10L from 1,700 to 1,000 feet; 2) Request that SANDAG, acting as the regional Airport Land Use Commission (ALUC), amend the Montgomery Field Comprehensive Land Use Plan (CLUP) to be consistent with the Montgomery Field Airport Master Plan amendment; and 3) To amend the Kearny Mesa Community Plan to be consistent with the above referenced plans. Continue the building permit appeal until such time after SANDAG takes action. Reaffirm that the extension of the runway will be completed and that an additional 700 feet will be painted on the western end of the 10L runway. Second by Roberts. Failed. Yeas-2,4,5,7. Nays-1,3,6,8,M. Not present-none.

Trailed to the afternoon session.

Hearing resumed at 3:55 p.m. and halted at 4:11 p.m.

MOTION BY STALLINGS TO AFFIRM THE COUNCIL'S INTENT TO EXTEND THE MONTGOMERY FIELD RUNWAY 10L BY 1200 FT. WHEN THE RUNWAY EXTENSION IS COMPLETED, THE CITY MANAGER WILL PURSUE CENTRALLY MAKING THE WEST END OF THE RUNWAY FOR A DISPLACED THRESHOLD AS WAS PREVIOUSLY SUGGESTED. CONTINUE THE BUILDING PERMITS AND THE COMMUNITY PLANS UNTIL AFTER THE CITY HAS OBTAINED ALL THE NECESSARY PERMITS, THE CONSTRUCTION FUNDING, AND THE PLANNED APPROVALS BY COUNCIL FOR THE RUNWAY EXTENSION. AT THAT TIME THE COUNCIL CAN CONSIDER THE GRANTING OF THE BUILDING PERMIT IF IT SO DESIRES. AT THAT POINT THE AREA WOULD BE CHANGED ACCORDING TO FAA REQUIREMENTS AND THE AREA OF SAFETY WOULD STILL BE INTACT. Second by Vargas. Amendment to the motion by Behr to include a statement that by a certain date, the zone be shortened. Second by McCarty. Failed by the following vote: Yeas-2,4,5,7. Nays-1,3,6,8,M. Not present-none.

Main motion passed by the following vote: Wolfsheimer-nay, Roberts-nay, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

Motion by McCarty to override the decision of the building official and order the issuance of the permit. Second by Behr. Failed by the following vote: Yeas-2,5,7. Nays-1,3,4,6,8,M. Not present-none.

ITEM-331: CONTINUED TO JANUARY, 1994--DATE TO BE DETERMINED
BY MAYOR GOLDING AND COUNCIL MEMBER ROBERTS

SUBJECT: Appeal of James Milch, Attorney, for Manuel A. & Mary
Silva (Applicants) from the decision of the Board of
Zoning Appeals in partially approving the request to
maintain retaining walls/open fences, currently in
violation, at 1311 Plum Street, in the R1-5000 Zone,
within the Peninsula Community Plan area.
(C-21018. District-2.)

(Continued from the meetings of May 18, 1993, Item 332,
June 15, 1993, Item 342, and September 28, 1993, Item
330; last continued at Councilmember Roberts' request,
to allow the parties involved to work out an agreeable
solution.)

(R-94-)

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

ZONING ADMINISTRATOR'S RECOMMENDATION:

On 11/30/92 the Zoning Administrator denied the variance as
sought by the applicants, but approved a modified variance
subject to conditions.

SUPPORTING INFORMATION:

The applicants are requesting to maintain the following
combination of retaining walls and open/solid fences, currently
in violation:

- (1) a maximum 14'-0" high combination retaining wall/open
fence within the 15'-0" front yard where a maximum
combined height of 9'-0" is permitted, provided that no
single plane exceeds 6'-0" in height and that
horizontal separations are provided in compliance with
design criteria;
- (2) portions of said retaining wall/open fence within
driveway visibility area where 3'-0" is the maximum
height permitted;
- (3) a maximum 15'-2" high combination retaining wall/open
fence within the interior side yard where a maximum
combined height of 12'-0" is permitted, provided that
no single plane exceeds 6'-0" in height and that
horizontal separations are provided in compliance with
design criteria;
- (4) a maximum 9'-10" high combination retaining wall/open
fence within the 4'-0" rear yard where a maximum

- combined height of 12'-0" is permitted provided that no single plane exceeds 6'-0" in height and that horizontal separations are provided in compliance with design criteria;
- (5) a maximum 7'-2" high wrought iron gate within the 15'-0" front yard where a maximum 6'-0" high gate is permitted provided that the bottom 3'-0" is solid and the top 3'-0" is 50% open in compliance with design criteria;
 - (6) a maximum 6'-9" column with a 2'-3" light fixture on top located within the required front yard where a maximum 3'-0" height is permitted;
 - (7) said column also located within the driveway visibility area where a maximum 3'-0" height is permitted;
 - (8) a maximum 9'-0" high column located within the required front yard where a maximum height of 3'-0" is permitted;
 - (9) portion of said column located within the driveway visibility area;
 - (10) maximum 4'-0" high combination open fence/solid wall located within the driveway visibility area where a maximum 3'-0" height is permitted;
 - (11) a maximum 10'-4" high combination retaining wall and solid/open fence located within the required front yard where a maximum 9'-0" height is permitted provided that no single plane exceeds 6'-0" in height and the fence/wall meets design criteria for fences.

LEGAL DESCRIPTION:

Lots 1, 2, and 3, Block 39, Roseville, Map-305.

FILE LOCATION: ZONE - C-21018

COUNCIL ACTION: (Tape location: A146-172.)

MOTION BY BEHR TO CONTINUE TO JANUARY, 1994; DATE TO BE DETERMINED BY MAYOR GOLDING AND COUNCIL MEMBER ROBERTS. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: Two actions related to the La Jolla Shores Drive (Calle Frescota to Ruelle Monte Carlo) Underground Utility District.
(La Jolla Shores Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-476) ADOPTED AS RESOLUTION R-282963

Establishing the La Jolla Shores Drive (Calle Frescota
to Ruelle Monte Carlo) Underground Utility District.

Subitem-B: (R-94-477) ADOPTED AS RESOLUTION R-282964

Authorizing the expenditure of not to exceed \$25,000
from Annual Allocation - Undergrounding of City
Utilities, CIP-37-028.0, Capital Outlay 30245, for
administering the La Jolla Shores Drive (Calle Frescota
to Ruelle Monte Carlo) Underground Utility District,
minor City Force work and other related work.

CITY MANAGER SUPPORTING INFORMATION:

The proposed district will underground the overhead utility
facilities on La Jolla Shores Drive between Calle Frescota and
Ruelle Monte Carlo. This is a scheduled project in the Calendar
Year 1992 Capital Improvements Program. The formation of this
district will require the affected property owners to underground
the portion of their utilities on their parcel prior to removal
of the overhead utilities. Council Policy 800-2 provides for the
use of San Diego Gas & Electric Company's Annual Allocation Funds
(Case 8209) to make reimbursement payments to affected property
owners based on the length of their electrical service trench. A
future resolution will establish the date for removal of overhead
utilities as the undergrounding work approaches completion.

Aud. Cert. 9400279.

FILE LOCATION: STRT - K-218

COUNCIL ACTION: (Tape location: B336-397.)

Hearing began at 11:15 a.m. and halted at 11:18 a.m.

Testimony in opposition by Roy Drew.

MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: Appeal of Denis Lougeay (the applicant) from the decision of the Planning Commission in conditionally approving proposed Tentative Subdivision Map (Lougeays Sundowner), Carmel Valley Planned District Development Plan Permit and Resource Protection Ordinance Permit No. 90-0136 in the Carmel Valley Community Plan area. (TM/CVPDDP/RPO-90-0136. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt Subitem A and adopt Subitems B and C to grant the map and permits, subject to conditions identified in Attachments 1 and 2 of the Planning Department Report.

Subitem-A: (R-94-) ADOPTED AS RESOLUTION R-282965

Adoption of a Resolution certifying that the information contained in Environmental Mitigated Negative Declaration DEP-90-0136 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that the declaration 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-94-) GRANTED APPEAL AND MAP, ADOPTED AS RESOLUTION R-282966

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-94-) GRANTED APPEAL AND PERMITS, ADOPTED AS RESOLUTION R-282967

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

SUPPORTING INFORMATION:

The project proposes to construct six single-family detached homes (minimum 6,000 square-foot lots) with related site landscaping, brush management, off-street parking and an open space easement over portions of the subject site. The proposed Tentative Map would subdivide the vacant two-acre site into a total six lots to accommodate each of the proposed homes and related public facilities and improvements necessary to serve the

granting the precise plan, with modifications. Approval is contingent upon the Council's decision to discontinue work on the Trans-Border Airport proposal on November 8, 1993.

Subitem-A: (R-92-149) ADOPTED AS RESOLUTION R-282968

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-88-0403 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 a statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-92-19) INTRODUCED, TO BE ADOPTED NOVEMBER 29, 1993

Introduction of an Ordinance for R-3000 (CPIOZ); R-1500 (CPIOZ); R-1500 and CN Zoning, all with existing Hillside Review Overlay.

Subitem-C: (R-92-148 Rev. 1) ADOPTED AS AMENDED AS
RESOLUTION R-282969

Adoption of a Resolution approving the precise plan, with appropriate findings to support Council action.

SUPPORTING INFORMATION:

The proposal is to establish precise land uses for 128.6 acres of vacant land in the Otay Mesa Community Plan area. In accordance with the adopted Otay Mesa Community Plan, the precise plan proposes a community park, a high school site, a 13-acre neighborhood commercial site and 591 medium density multi-family residential units. The precise plan also contains an alternative land use proposal for the high school site that would permit an additional 515 multi-family units within the planning area should the high school be deleted from this planning area. The rezonings are from Zone A-1-10 to Zone R-3000 with the Community Plan Implementation Overlay Zone (CPIOZ) Type B; R-1500 with CPIOZ Type B; R-1500; and CN as indicated in Map C-839. Existing Hillside Review Overlay Zone would remain.

LEGAL DESCRIPTION:

The subject property is located approximately one mile east of I-805 and immediately to the south of the future alignment of SR-905 within the Otay Mesa community and is more particularly described as a subdivision of portions of the northeast and southeast quarters of Section 31 and the Northwest quarter of Section 32, Township 18 South, Range 1 West, S.B.B.M.

FILE LOCATION: Subitem-A,C: LAND - OTAY MESA PRECISE
PLAN;
Subitem-B: ZONE - HR-91-0136

COUNCIL ACTION: (Tape location: F458-G206.)

Hearing began at 3:22 p.m. and halted at 3:47 p.m.

Testimony in favor by Antonio Blas and Lynne Heidel.

Testimony in opposition by David Bieber and Bill Sanders.

MOTION BY VARGAS TO APPROVE THE CITY MANAGER'S
RECOMMENDATION TO ADOPT WITH THE SLIGHT CHANGE ASKED FOR BY
THE DEVELOPER AS FOLLOWS: "PRIOR TO THE RECORDATION OF A
FINAL MAP, A SCHOOL MITIGATION AGREEMENT, WHICH PROVIDES FOR
SCHOOL FACILITIES, SHALL BE ENTERED INTO AND APPROVED BY THE
AFFECTED SCHOOL DISTRICTS AND THE SUBDIVIDER. DOCUMENTATION
OF THE AGREEMENT SHALL BE PROVIDED TO THE CITY." Second by
McCarty. Passed by the following vote: Wolfsheimer-yea,
Roberts-not present, Hartley-not present, Stevens-yea,
Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor
Golding-yea.

ITEM-335:

SUBJECT: Matters of a Precise Plan; an amendment to the Otay
Mesa Community Plan and the General Plan; a Vesting
Tentative Map (Dennerly Ranch) and Planned Residential
Development Permit 88-0785; Hillside Review/Resource
Protection Overlay Zone Permit and Rezone.
(Continued from the meeting of July 6, 1993, Item 341,
at Councilmember Roberts' request, to review all of the
City's options and continue with the efforts of a new
airport in this region.)
(PP/CP & GP/VTM/PRD/RZ/HR/RPO 88-0785. District-8.)

CITY MANAGER'S RECOMMENDATION:

If Council votes to discontinue work on the Trans-border
airport proposal on Monday, November 8, 1993, the
recommendation is to adopt Subitem A, adopt Subitems C, D,
and E granting the plans, permits, and map; and to introduce
Subitem B. Otherwise Note & File Subitem A, adopt Subitem
C, D, & E denying the plans, permits, and map; and do not
introduce Subitem B:

Subitem-A: (R-93-2057) ADOPTED AS RESOLUTION R-282970

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-88-0785 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-93-198) INTRODUCED, TO BE ADOPTED NOVEMBER
29, 1993

Introduction of an Ordinance for A-1-1, R1-5000, and
R-1750 zones.

Subitem-C: (R-93-2056 Rev. 1) ADOPTED AS AMENDED AS
RESOLUTION R-282971
GRANTING PRECISE PLAN

Adoption of a Resolution granting or denying the
Precise Plan and accompanying community plan and
general plan amendments.

Subitem-D: (R-94-904) ADOPTED AS AMENDED AS RESOLUTION
R-282974 GRANTING PERMITS

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

Subitem-E: (R-94-905) ADOPTED AS AMENDED AS RESOLUTION
R-282975 GRANTING THE MAP

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

SUPPORTING INFORMATION:

The Dennery Ranch project consists of:

1. A Precise Plan for the development of 150 net acres of residential use (464 single-family units and 1039 multi-family units), 63 net acres of open space, a 5-net-acre neighborhood park and a 10-net-acre elementary school;
2. An Amendment to the Otay Mesa Community Plan and the General Plan to modify the location for proposed single-family, multi-family, and open space uses; relocate a neighborhood park and elementary school site; and update the circulation

- element;
3. A Vesting Tentative Map and Planned Residential Development Permit 88-0785;
 4. A Hillside Review/Resource Protection Overlay Zone Permit 88-0785; and
 5. A Rezone from A-1-10, A-1-10/HR to A-1-1, R1-5000, and R-1750 (see Rezoning Map C-854).
 - 6.

LEGAL DESCRIPTION:

The Dennery Ranch (a 245-gross-acre site) located east of Interstate 805 and north of the future extension of Palm Avenue in the Otay Mesa Community Plan Area.

FILE LOCATION: Subitem-A: LAND-Otay Mesa Community Plan;
 Subitem-B: ZONE - RZ Ord. No.;;
 Subitem-C: LAND-Dennery Ranch Precise
 Plan;
 Subitem-D: PERM-PRD/HR/RPO 88-0785;
 Subitem-E: SUBD-Dennery Ranch

COUNCIL ACTION: (Tape location: G210-297.)

Testimony in opposition by David Bieder and Bill Sanders.

Testimony in favor by Gregg Smith.

Hearing began at 3:48 p.m. and halted at 3:54 p.m.

MOTION BY VARGAS TO APPROVE THE CITY MANAGER'S RECOMMENDATION TO ADOPT GRANTING THE PLANS, PERMITS, AND MAP WITH THE SLIGHT ALTERATION FOR THE SCHOOL MITIGATION MEASURE AS REQUESTED BY GREGG SMITH, AS FOLLOWS: "CONDITIONS NO. 46 AND 47 OF THE PRD PERMIT AND NO. 51 OF THE TM SHOULD BE DELETED IN THEIR ENTIRETY AND IN THEIR PLACE THE FOLLOWING LANGUAGE INSERTED: 'PRIOR TO THE RECORDATION OF A FINAL MAP A SCHOOL MITIGATION AGREEMENT WHICH PROVIDES FOR SCHOOL FACILITIES, SHALL BE ENTERED INTO AND APPROVED BY THE AFFECTED SCHOOL DISTRICTS AND THE SUBDIVIDER. DOCUMENTATION OF THE AGREEMENT SHALL BE PROVIDED TO THE CITY'." Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-336: RETURNED TO CITY MANAGER

SUBJECT: Hidden Trails Precise Plan; an amendment to the Otay Mesa Community Plan; Vesting Tentative Map; Resource Protection Ordinance/Hillside Review Permit; and

related Rezoning.
(VTM/PRD/RPO/HR/RZ-89-0739. Otay Mesa Community Area.
District-8.)

CITY MANAGER'S RECOMMENDATION:

Return this item to the City Manager. The applicant has
filed a request to have the item withdrawn from today's
agenda to be rescheduled and noticed at a future date.

FILE LOCATION: LAND - Otay Mesa Community Plan

COUNCIL ACTION: (Tape location: A177-280.)

ITEM-337:

SUBJECT: Creation of The Centre for Organization Effectiveness.
(Continued from the meetings of September 27, 1993,
Item 201, October 11, 1993, Item 203, and October 26,
1993, Item 335; last continued at Mayor Golding's
request, for further review.)
(See memorandum from the City Manager dated 10/7/93,
City Manager Report CMR-93-275, and Report from the
City Attorney dated 9/24/93.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-396) ADOPTED AS RESOLUTION R-282972

- 1) Authorizing the City Manager to establish The
Centre for Organization Effectiveness for the purpose
of developing, marketing, and distributing organization
development, management development, training, and
other products and services, which may include
publishing related materials;
- 2) Authorizing the Auditor and Comptroller to
establish The Centre for Organization Effectiveness
Fund (The Centre Fund);
- 3 (a) Authorizing the transfer of not to exceed
\$75,000 from the Entrepreneurial Program and not
to exceed \$15,000 from the Special Training Fund
into The Centre Fund for the start up costs for
this new venture;
(b) Authorizing the appropriation of \$90,000 from
the above two sources, plus any additional
revenue, including interest, and receivables
generated by The Centre, and any other monies

received by The Centre for The Centre's Fiscal
Year 1994 Budget;

(c) Authorizing the Auditor and Comptroller to
reimburse the Entrepreneurial Program for not to
exceed \$75,000 and to reimburse the Special
Training Fund for not to exceed \$15,000 from The
Centre Fund by the end of Fiscal Year 1997 as
follows: 1) an annual amount to be transferred
from The Centre Fund to the Entrepreneurial
Program and Special Training Fund, in an amount to
be determined by the Financial Management
Department; and 2) any excess carryover monies
from the prior year including interest earned by
The Centre Fund may be appropriated and expended
for the purposes for which the Fund was created
or, upon direction of the Financial Management
Department, may be transferred by the Auditor and
Comptroller to the General Fund;

4) Authorizing the City Manager to establish fees to
charge for services provided by The Centre, as outlined
in Attachment B of the City Manager's Report;

5) Authorizing the City Manager to execute contractual
obligations for not to exceed \$50,000 per contract as
necessary for The Centre to deliver services requested;

6) Authorizing the City Manager to apply for, accept
and expend, and authorizing the Auditor and Comptroller
to appropriate, grants and other contributions for The
Centre.

Aud. Cert. 9400298.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G585-H608.)

MOTION BY VARGAS TO APPROVE THE CITY MANAGER'S
RECOMMENDATION TO ADOPT. Second by Stevens. Passed by the
following vote: Wolfsheimer-nay, Roberts-nay, Hartley-yea,
Stevens-yea, Behr-nay, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

ITEM-338:

SUBJECT: Balboa Park/Mission Bay Park Capital Improvements
Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-616) ADOPTED AS RESOLUTION R-282973

Awarding City of San Diego 1993 Certificates of Participation for not to exceed \$30,000,000, issued to fund the Balboa Park/Mission Bay Park Capital Improvements Program, based on the best bid (lowest true interest cost) received at 10:00 a.m. on November 9, 1993.

CITY MANAGER SUPPORTING INFORMATION:

In August, 1993, the City Council authorized the issuance of Certificates of Participation (COPs) in an amount not to exceed \$30 million to fund the Balboa Park/Mission Bay Park Capital Improvements Program. On November 9, 1993, City staff will receive competitive bids from bond underwriters for these bonds.

City staff will recommend to the City Council the lowest true interest cost bid at the November 9, 1993 meeting.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: H610-I044.)

MOTION BY BEHR TO ADOPT THE RESOLUTION AND TO AWARD TO SMITH BARNEY SHEARSON, INC., AS RECOMMENDED BY THE CITY MANAGER. CONTINUE TO WORK WITH THE SAN DIEGO ART INSTITUTE AND OTHERS FOR SPACE PRIOR TO THE 30TH OF NOVEMBER AND REPORT BACK TO COUNCIL ON THAT DATE AS A COMPANION ITEM WITH THE TENANCY MATTER WHICH WILL BE DOCKETED BY MAYOR GOLDING. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-339:

SUBJECT: Inclusionary Housing Ordinance.
(See Housing Commission Report.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-93-204) RETURNED TO MAYOR GOLDING FOR REDOCKETING

Amending Chapter X, Article 1, of the San Diego Municipal Code, by adding Division 14, entitled "Inclusionary Housing Law," Sections 101.1401 through

101.0414, relating to the requirement of providing affordable housing in new housing developments. The proposed amendment also constitutes an amendment to the City of San Diego's Local Coastal Program. If approved by City Council, the proposed Local Coastal Program amendment would not become effective until after approval by the California Coastal Commission.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E009-F089;I059-K227.)

Testimony in favor of a continuance by Mark Riedy, Bill Miller, Bob McGill, Ed Owen, Marsha Ingersoll, Rich Juarez, Bethany Porter, and Matt Peterson.

Testimony in opposition of a continuance by Jim Varnadore, Ramona Salisbury, Majorie Larson, Martha Fort, Ann Fathy, Phil Wallings, Steve Corey, and Sue Reynolds.

Motion by McCarty to return the item for redocketing as requested by the City Manager. Second by Behr. Failed by the following vote: Yeas-2,5,7,M. Nays-1,3,4,6,8. Not present-none.

Hearing began at 5:00 p.m. and halted at 6:39 p.m.

Testimony in favor by Ramona Salisbury, Jim Varnadore, Raymond Uzeta, Ruth Merrill John Lomac, Jeanne Ertle, Ann Fathy, Nico Calavita, Debra Brady-Davis, Susan Reynolds, Phil Brown, Bethany Porter, Jim Bleisner, Reynaldo Pisano, and Robert Ito.

Testimony in opposition by Mike Madigan, Tracey Morgan, Rebecca Michael, Cary Iseman, Bill Miller, Louis Wolfsheimer, Tom Sheffer, Steven Corey, and Paul Tryon.

Motion by Wolfsheimer to introduce the ordinance. Second by Hartley. Amendment to the motion by Roberts to amend the language with respect to Future Urbanizing so that those lands when moved into planned urbanizing will fall within the rules of planned urbanizing. Second by Vargas. No vote.

MOTION BY ROBERTS TO CONTINUE THE ITEM AND TO HAVE IT REDOCKETED BY MAYOR GOLDING. IN THE INTERIM, THE CITY MANAGER IS DIRECTED TO MEET WITH THE ORIGINAL TASK FORCE, RIEDY GROUP, AND OTHER INTERESTED GROUPS TO REVIEW ALL OF THE ISSUES BROUGHT BEFORE COUNCIL, INCLUDING TODAY'S MEETING. DIRECT CITY MANAGER, PRIOR TO THE NEXT COUNCIL

MEETING ON THIS MATTER, PROVIDE COUNCIL WITH A GRAPH WHICH SHOWS THE VARIOUS DRAFTS, STARTING WITH THE FIRST DRAFT, SO THAT COUNCIL MAY BE ABLE TO SEE CLEARLY WHAT EACH DRAFT CONTAINS. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 6:39 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: K230).