

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, MARCH 8, 1973
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Johnson, Morrow, Hitch, Bates, and Deputy Mayor
Martinet.

Absent--Councilmen O'Connor, Landt, Williams and Mayor Wilson.
Clerk---Edward Nielsen.

Deputy Mayor Martinet called the Regular Meeting to order at
9:34 a.m.

(Item 1)

Deputy Mayor Martinet welcomed thirty-five students from Morse
High School, accompanied by Mr. Arthur Patoff.
Councilman Bates addressed the group.

Councilman Williams entered the Chamber.

The Council at this time considered requests for continuances:
Items 4, 5, 6, and 14.

(Item 4 - CASE NO. 48-72-11, portion - Drawing No. C-379.1)
ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH
THE READING AND ADOPTION - Incorporating Lot 1, Bridge View Unit 1,
into R-2 Zone, located on the north side of Coronado Avenue, east of
19th Street (Area 8).

On motion of Councilman Morrow, said matter was continued for two
weeks to March 22, 1973, at the request of the Planning Department.

(Item 5 - CASE NO. 48-72-11, portion - Drawing No. C-379.1)
ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH
THE READING AND ADOPTION - Incorporating Lot 2, Socosite Tract Unit 1,
into R-2 Zone, located on the north side of Coronado Avenue, east of
19th Street (Area 8).

On motion of Councilman Morrow, said matter was continued for
two weeks to March 22, 1973, at the request of the Planning Department.

(Item 6 - CASE NO. 48-72-11, portion - Drawing No. C-379.1.)
ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION - Incorporating portion of Section 28, Township 18 South, Range 2 West, into R-2 Zone, located on the north side of Coronado Avenue, east of 19th Street (Area 8).

On motion of Councilman Morrow, said matter was continued for two weeks to March 22, 1973, at the request of the Planning Department.

(Item 14 - CASE NO. 48-72-11, portion - Drawing No. C-379.1)
ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION - Incorporating Lot 255, Pacifica Hills Unit 6; Lot 260, Pacifica Hills Unit 9; Lot 261; Pacifica Hills Unit 10; Lots 161-166, Royal Park Unit 2; and Lot 1, Diamond Park, into R-2 Zone, located on both sides of Beyer Way, south of Palm Avenue, north of Arey Drive (Area 19).

On motion of Councilman Morrow, said matter was continued four weeks to April 5, 1973, at developer's request for review of plans.

Councilwoman O'Connor entered the Chamber.

The Council considered the Consent Agenda, which consisted of Items 3, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 100, 101, 102, 103, 104, 105, and 106.

The following Ordinances were introduced at the Meeting of February 22, 1973.

Reading in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and there was available for the consideration of each member of the Council and the public prior to the day of their passage written or printed copies of said Ordinances.

The following Ordinances were adopted on motion of Councilman Williams, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Hitch, Bates, and Deputy Mayor Martinet. Nays-None. Absent-Councilman Landt and Mayor Wilson.

(Item 3 - CASE NO. 48-72-11, portion - Drawing No. C-379.1)
ORDINANCE 11014 (New Series), incorporating Lot 1, Webb's Acres, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 9495 (New Series), adopted September 1, 1966, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 7 - CASE NO. 48-72-11, portion - Drawing No. C-379.1.)
ORDINANCE 11015 (New Series), incorporating portions of Lots 1 and 2, Bayview Drive-in Theatre Trace 2, and portions of Lots 8-15, Nestor Acres, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 8029 (New Series), adopted December 18, 1958, and Ordinance No. 10862 (New Series), adopted June 29, 1972, of the Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 8 - CASE NO. 48-72-11, portion - Drawing No. C-379.1.)
ORDINANCE 11016 (New Series), incorporating portion of Lot 1, Bayview Drive-in Theatre Tract 2, and portions of Lots 19-21, Nestor Acres, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code and repealing Ordinance No. 8029 (New Series), adopted December 18, 1958, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 9 - CASE NO. 48-72-11, portion - Drawing No. C-379.1.)
ORDINANCE 11017 (New Series), incorporating Lots 11-21 and portion of Lot 22, Palm View Tract; Lots 1-10, Moors Subdivision; portion of Section 21; and portion of Section 28, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code and repealing Ordinance No. 8029 (New Series), adopted December 18, 1958, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 10 - CASE NO. 48-72-11, portion - Drawing No. C-379.1.)
ORDINANCE 11018 (New Series), incorporating portions of Lots 24, 31, 37, 38, 39, and 40, and all of Lots 25 through 30, 32, 33, and 34, Nestor Acres, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code and repealing Ordinance No. 8029 (New Series), adopted December 18, 1958, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 11 - CASE NO. 48-72-11, portion - Drawing No. C-379.1.)
ORDINANCE 11019 (New Series), incorporating Lot 1, Coronado Terraces Unit 2, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 10100 (New Series), adopted July 13, 1969, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 12 - CASE NO. 48-72-11, portion - Drawing No. C-379.1.)
ORDINANCE 11020 (New Series), incorporating Coronado Glen Unit 2, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 9980 (New Series), adopted February 27, 1969, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 13 - CASE NO. 48-72-11, portion - Drawing No. C-379.1.)
ORDINANCE 11021 (New Series), incorporating Lot 3, Montgomery palisades Neighborhood Shopping Center, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 8292 (New Series), adopted April 28, 1960, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 15 - CASE NO. 48-72-11, portion - Drawing No. C-379.1.)
ORDINANCE 11022 (New Series), incorporating Lot 1, Rancho Caster, and Lots 258 and 259, Pacifica Hills Unit 8, into R-2 and R-2A Zones, as defined by Sections 101.0409 and 101.0410, respectively, of the San Diego Municipal Code, and repealing Ordinance No. 10061 (New Series), adopted June 5, 1969, and Ordinance No. 10248 (New Series), adopted February 26, 1970, of the Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 16 - CASE NO. 48-72-11, portion - Drawing No. C-379.1.)
ORDINANCE 11023 (New Series), incorporating Lots 1 and 2, Princess Del Sol Unit 4, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 9755 (New Series), adopted January 18, 1968, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 17 - CASE NO. 48-72-11, portion - Drawing No. C-379.1.)
ORDINANCE 11024 (New Series), incorporating Lots 1 and 2, Vista Terrace Hills, and Lot 1, Gateway Estates, into R-2A and R-2 Zones, as defined by Sections 101.0410 and 101.0409, respectively, of the San Diego Municipal Code, and repealing Ordinance No. 10069 (New Series), adopted June 19, 1969, and Ordinance No. 9807 (New Series), adopted April 25, 1968, of the Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 18 - CASE NO. 13-72-1, portion - Drawing B-2703.2.)
ORDINANCE 11025 (New Series), incorporating Lots 1-16, Block 23, Breed & Chase's Addition; Lots 1-5, 30-45, Block 38, Parish & Loomis Subdivision; Lots 16-30, Grandview Addition, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 12942, approved September 4, 1930, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 100)
RESOLUTION 207472, authorizing a First Amendment to Agreement with Boyle Engineering, Inc. for additional engineering services in connection with the City's pending grant applications for the Rancho Bernardo Interceptor Sewer System; authorizing the expenditure of \$30,000 out of Sewer Revenue Fund 506 for said purpose, was adopted on motion of Councilman Johnson.

(Item 101)

RESOLUTION 207473, authorizing an agreement with San Diego Hall of Science, Inc. for the production of Space Transit Simulator Programs for exhibition in the Reuben H. Fleet Space Theater of the San Diego Planetarium; authorizing the expenditure of \$40,000 from Planetarium Bond Fund 920 for said purpose, was adopted on motion of Councilman Johnson.

(Item 102)

RESOLUTION 207474, authorizing an amendment to agreement with the California Council on Criminal Justice to change and extend the grant period from "March 1, 1972 through March 31, 1973" to "March 1, 1972 through June 30, 1973," was adopted on motion of Councilman Johnson.

(Item 103)

Two proposed Resolutions authorizing the acceptance of offers made by the Environmental Protection Agency for grant assistance were presented.

The following revised Resolutions, relative to authorizing the Assistant City Manager Graham to accept offers made by the Environmental Protection Agency for grant assistance as follows, were adopted on motion of Councilman Johnson:

RESOLUTION 207475, \$2,287,500 to aid in the construction of Sedimentation Basins 5 and 6 at the Point Loma Wastewater Treatment Plant, Project No. C-06-744; and

RESOLUTION 207476, \$717,250 to aid in the construction of the Penasquitos Sewer Project No. C-06-745.

(Item 104)

RESOLUTION 207477, authorizing the Personnel Director to travel to Denver, Colorado, to attend a two-day Executive Board Meeting of the Organization of Municipal Personnel Officers to be conducted March 9 through March 10, 1973, and to incur all necessary expenses associated therewith, was adopted on motion of Councilman Johnson.

(Item 105)

RESOLUTION 207478, granting a revocable permit to the San Diego and Arizona Eastern Railway Company, a Nevada Corporation, for operation and maintenance of a railway spur track in Newton and 13th Streets, subject to terms and conditions, was adopted on motion of Councilman Johnson.

(Item 106)

RESOLUTION 207479, appointing Councilman Allen Hitch to serve on the City Council Budget Review Committee for a period ending January 1, 1974, was adopted on motion of Councilman Johnson.

(Item 2)

The hour of 9:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on the matter of an ordinance limiting the height of buildings in the Coastal Zone in the City of San Diego. More specifically, the ordinance shall read in part:

"Notwithstanding any section to the contrary, no building or addition to a building shall be constructed with a height in excess of thirty feet within the Coastal Zone of the City of San Diego. The words Coastal Zone, as used within this Ordinance, shall mean that land and water area of the City of San Diego from the northern city limits south to the border of the Republic of Mexico, extending seaward to the outer limit of city jurisdiction and extending inland to the location of Interstate 5 on January 1, 1971. This limitation shall not apply to that land area of the Coastal Zone bounded by National City on the south, San Diego Bay on the west and Laurel Street or the southwesterly projection of Laurel Street on the north.

The base of measurement of the height shall be in accordance with the Uniform Building Code of 1970.

Notwithstanding any section to the contrary, there shall be no exception to the provisions of this Ordinance." It was reported that written protests had been received.

City Attorney Witt, Planning Director Goff, Chief Deputy City Attorney Conrad, and Deputy City Attorney Detisch answered questions directed by the Council.

Deputy Mayor Martinet recessed the Meeting at 10:30 a.m. Upon reconvening at 10:45 a.m., the roll call showed Councilman Landt and Mayor Wilson absent.

Item 2 - Continued

Alex Leondis, Attorney James Webb, Max Treece, Philip R. Shafer, Al Rossi, Edward Labadie, Harold Tiemroth, and Betty Jean Bish appeared to speak in favor of the proposed ordinance.

Deputy Mayor Martinet recessed the Meeting at 11:29 a.m. Upon reconvening at 11:36 a.m., the roll call showed Councilmen O'Connor, Landt, and Williams and Mayor Wilson absent.

Item 2 - Continued

Daniel Salerno appeared to speak in opposition to the proposed ordinance.

Councilwoman O'Connor entered the Chamber.

Councilman Williams entered the Chamber.

Item 2 - Continued

Attorney William Kronberger, Don Scholl and R. H. Hamstra appeared to speak in opposition to the proposed Ordinance.

Deputy Mayor Martinet recessed the Meeting at 12:02 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:07 p.m., the roll call showed Mayor Wilson absent.

Item 2 - Continued

Debbie Horn and Richard F. Ridenour appeared to speak in favor of the proposed Ordinance.

Councilman Johnson left the Chamber.

Item 2 - Continued

Lucia Smalheer appeared to speak in favor of the proposed Ordinance.

Councilman Johnson entered the Chamber.

Item 2 - Continued

Helen Scantlin, Dolores Frank, Peter Merrill, Robert Zukor, Ann Merrill, William Rielly, and Barbara Shafer appeared to speak in favor of the proposed Ordinance.

Deputy Mayor Martinet recessed the Meeting at 2:58 p.m. Upon reconvening at 3:10 p.m., the roll call showed Councilmen O'Connor, Williams and Mayor Wilson absent.

Item 2 - Continued

Dr. Ewart Wyle and Pete Fletcher appeared to speak in opposition to the proposed Ordinance.

Councilman Williams entered the Chamber.

Item 2 - Continued

James Swim appeared to speak in opposition to the proposed Ordinance.

Councilwoman O'Connor entered the Chamber.

Item 2 - Continued

Lee Grisson, Paul Knoff, Bob Biron, Frazer Armbruster, Robert Dalton, Roland W. Reed, Patricia Carter, Tanya Holm-Hansen, Attorney Joseph Zerwekh, Attorney H. Cushman Dow, Dr. Edward Burns, J. Patrick Flemming, and Richard Fernandes appeared to speak in opposition to the proposed Ordinance.

Ruth G. Peyton and Ruth Cigledy appeared to speak in favor of the proposed Ordinance.

A motion made by Councilman Bates to leave the hearing open and introduce the Ordinance, incorporating the one year period for the section to remain in force and effect, received no vote.

Councilman Williams left the Chamber.

Councilman Williams entered the Chamber.

Item 2 - Continued

A motion made by Councilman Hitch to amend the proposed Ordinance to require a standard exception clause to the 30' height be inserted, was deemed to have failed due to the lack of five affirmative votes, by the following vote: Yeas-Councilmen Landt and Hitch, and Deputy Mayor Martinet. Nays-Councilmen Johnson, O'Connor, Williams, Morrow, and Bates. Absent-Mayor Wilson.

A vote was then taken on the motion of Councilman Bates to introduce the Ordinance as amended, which motion passed by the following vote: Yeas-Councilman Johnson, O'Connor, Landt, Williams, Morrow, Hitch, Bates, and Deputy Mayor Martinet. Nays-None. Absent-Mayor Wilson.

A motion by Councilman Morrow to direct the City Manager and Planning Department to develop an Environmental Impact Report prior to final adoption of the Ordinance passed unanimously.

(Item 19)

A proposed Ordinance, amending Ordinance No. 10845 (New Series), as amended, to create the unclassified position of Council Executive Secretary and establish a schedule of compensation therefor, and to amend Schedule C of Ordinance No. 10845 (New Series), as amended, to establish a new general category of Council Executive Services, was introduced on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch, Bates, and Deputy Mayor Martinet. Nays-None. Absent-Mayor Wilson.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilwoman O'Connor at 5:09 p.m.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Edward Wilson

City Clerk of The City of San Diego, California