

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, SEPTEMBER 20, 1973
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Johnson, O'Connor, Landt, Williams, Morrow,
Bates, and Mayor Wilson.
Absent--Councilmen Martinet and Hitch.
Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 9:42 a.m.

Councilman Martinet entered the Chamber.

(Item 1)

The Purchasing Agent reported on all bids opened Wednesday, September 19, 1973, for paving and otherwise improving Mango Drive; three bids received.

Finding was made on motion of Councilman Johnson, that bids had been opened and declared as reported. By the same motion, report was referred to the City Manager and City Attorney for recommendation.

By common consent, the Council agreed to consider Item 111 out of order.

(Item 111)

A proposed Resolution, supporting in concept the idea of a reorganization of local governments in order to more effectively deal with the problems of the San Diego region and particularly of the urban area; supporting in given order of priority the following sources of funding to carry out such a study: (a) 701 Planning Grant from the Federal Department of Housing and Urban Development; or (b) an allocation of funds from AB 835; or (c) a one-year, one-cent increase in the County property tax; and urging all local governmental entities within the County to join forces and cooperate in this endeavor, was presented.

Jack Walsh, County Board of Supervisors, appeared to speak in favor of the proposed Resolution.

RESOLUTION 208851, supporting in concept the idea of a reorganization of local governments in order to more effectively deal with the problems of the San Diego region and particularly of the urban area; supporting in given order of priority the following sources of funding to carry out such a study: (a) 701 Planning Grant from the Federal Department of Housing and Urban Development; or (b) an allocation of funds from AB 835; or (c) a one-year, one-cent increase in the County property tax; and urging all local governmental entities within the County to join forces and cooperate in this endeavor, was adopted on motion of Councilman Morrow.

(Item 2)

A communication from the Purchasing Agent reporting on the sale of 35 vehicles from Equipment Division, 28 vehicles from the Police Department, and 1 vehicle from the Stadium Operations Department; the \$34,768 from this sale has been deposited with the City Treasurer and credited to the following accounts: Central Garage and Machine Shop Working Capital (Fund 522), General Fund (Fund 100), and Stadium Operation Fund (Fund 256), was presented.

On motion of Councilman Landt, said communication was noted and filed.

The Council considered requests for continuances: Items 113 and 108.

(Item 113)

A proposed Resolution, denying the transfer of 16 Certificates of Public Convenience and Necessity to operate taxicabs from Bell, Jackson and Lyons, Inc., dba San Diego Cab Company, to Pleasureline Products, Inc., dba ABC Cab Company, was continued for one week to Thursday, September 27, 1973, for further review, on motion of Councilman Williams.

(Item 108)

A proposed Resolution, authorizing and directing the City Auditor and Comptroller to transfer \$38,000 from the Public Transportation Reserve Fund 2571 to Bayside Settlement House Fund to be created solely and exclusively to operate a Dial-A-Bus system in Linda Vista; directing the City Attorney to prepare the necessary agreements and documents to implement said system within 30 days of the adoption of this Resolution, was presented.

City Manager Moore answered questions directed by the Council.

Alfreda Jackson appeared to speak regarding the proposed system.

The motion of Councilman Morrow to adopt the concept of the experimental program and direct the City Manager to start negotiations and evaluations, died for lack of a second.

Councilman Williams left the Chamber.

Councilman Williams entered the Chamber.

On motion of Councilwoman O'Connor the matter was continued to Tuesday, October 16, 1973, 11:00 a.m., Time Certain, and also referred to the Coalition for the Aging and Ad-Hoc Committee for a report regarding the operation of Dial-A-Bus, and the City Manager was directed to consult with the General Manager of the Transit Corporation.

The motion of Councilman Bates to adopt in concept a pilot program of Dial-A-Bus to utilize Transportation Reserve Funds failed for lack of

(Item 108 - Continued)

five affirmative votes, by the following vote: Yeas-Councilmen Johnson, Williams, Morrow, and Bates. Nays-Councilmen O'Connor, Landt, Martinet, and Mayor Wilson. Absent-Councilman Hitch.

Councilman Bates withdrew his consent to a Unanimous Consent item, and by common consent, the Council agreed to consider a proposed Resolution authorizing Mayor Wilson to appear before the Deddeh Subcommittee on San Diego Metropolitan Transportation on September 26, 1973 in order to testify and enumerating three points to be included in said testimony.

The Council discussed the item at length.

On motion of Councilman Martinet, the matter was placed on the Supplemental Docket for Tuesday, September 25, 1973.

The Council considered Item 15 from the Consent Agenda.

The following Ordinance was introduced at the Meeting of September 6, 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 its passage, a written or printed copy of said Ordinance.

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

(Item 15 - DRAWING NO. C-37)

ORDINANCE 11124 (New Series), amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by adding Section 101.0452.16, relating to The Height Limitation Zone - Middletown.

By common consent, the Council agreed to consider Item 116 out of order.

(Item 116)

A proposed Resolution, excusing Councilman Jim Bates from Council Meetings of October 2 and 4, 1973, was presented.

Marian Bear appeared to speak regarding the proposed Resolution.

RESOLUTION 208852, excusing Councilman Jim Bates from Council Meetings of October 2 and 4, 1973, was adopted on motion of Councilwoman O'Connor, and the Council extended their congratulations on his forthcoming marriage.

The Council considered the Consent Agenda, which consisted of Items 16, 17, 100, 101, 102, 103, 104, 105, 106, 114, and 115.

(Item 16)

RESOLUTION 208853, awarding a contract to Adams-Sullivan, Inc., for the purchase of four submersible trash pumps, for a total cost of \$2,376.52, including tax and terms, was adopted on motion of Councilman Martinet.

(Item 17)

RESOLUTION 208854, inviting bids for furnishing fire and extended coverage insurance for five years commencing November 1, 1973, in accordance with Specifications Document No. 744863, was adopted on motion of Councilman Martinet.

(Item 100)

The following Resolutions, relative to an exchange of easements, were adopted on motion of Councilman Martinet:

RESOLUTION 208855, approving the acceptance by the City Manager of deed of Alta Vista Acres, quitclaiming to The City a strip of land 60.00 feet in width over a portion of Oaks Tract; and

RESOLUTION 208856, authorizing the execution of a deed conveying to the County of San Diego an easement for County highway purposes, of a strip of land 60.00 feet in width over a portion of Oaks Tract.

(Item 101)

RESOLUTION 208857, authorizing an agreement with Purcell + Noppe + Associates, Inc. for professional services in connection with the Community Concourse Theatre Sound System; authorizing the expenditure of \$4,000 out of Capital Outlay Fund 245 for said purpose, was adopted on motion of Councilman Martinet.

(Item 102)

RESOLUTION 208858, authorizing an agreement with San Diego County Junior Golf Association to conduct the annual San Diego Junior World Golf Championship to be held in the summer of 1974; authorizing the expenditure of \$8,445 from Transient Occupancy Tax Fund 223 for said purpose, was adopted on motion of Councilman Martinet.

(Item 103)

RESOLUTION 208859, authorizing an agreement with the San Diego County Safety Council to conduct programs in the City designed to educate and inform the public with regard to accident prevention on the streets and highways, in the home, and in recreational and leisure activities, was adopted on motion of Councilman Martinet.

(Item 104)

The following Resolutions, relative to the Economic Opportunity Commission of San Diego County, Inc. Community Action Program entitled "Bridges to Business", were adopted on motion of Councilman Martinet:

RESOLUTION 208860, authorizing an agreement with said Commission to act as delegate for said program; and

RESOLUTION 208861, authorizing an agreement with San Diego State University Foundation to develop, operate and provide Fiscal Management for said Commission sponsored program.

(Item 105)

RESOLUTION 208862, authorizing an agreement with San Diego Hall of Champions, Inc. for the continued operation and management of public exhibits and educational programs for a period of one year ending June 30, 1974; authorizing the expenditure of a sum not to exceed \$15,788 from General Fund 100 for said purpose, was adopted on motion of Councilman Martinet.

(Item 106)

RESOLUTION 208863, authorizing an agreement with the Mexican Civic Association of San Ysidro to produce and conduct a celebration of Mexican Independence to be held in San Ysidro on September 14, 15 and 16, 1973; authorizing the City Auditor and Comptroller to transfer within the 224 Fund the sum of \$3,200 from Contingency Reserve Account (52.99) to Mexican Independence Celebration Account (52.64), for expenses incurred in this celebration, was adopted on motion of Councilman Martinet.

(Item 114)

RESOLUTION 208864, authorizing the travel of two firefighters to the United States Army Missile and Munitions Center and School, Redstone Arsenal, Huntsville, Alabama, to participate in a hazardous devices refresher training program for six days in November 1973; authorizing the expenditure of a sum not to exceed \$508 from General Fund 100 to provide funds for the transportation costs, was adopted on motion of Councilman Martinet.

(Item 115)

RESOLUTION 208865, excusing Mayor Pete Wilson from the Council Meeting of September 27, 1973 in order to travel to Kansas City, Missouri to speak before the Missouri Municipal League, was adopted on motion of Councilman Martinet.

Mayor Wilson recessed the Meeting at 10:45 a.m. Upon reconvening at 11:11 a.m., the roll call showed Councilmen Williams and Hitch absent.

By common consent, the Council agreed to discuss Item 115 from the docket of Tuesday, September 18, 1973, authorizing a first amendment to option agreement with Recreation Specialists, Inc., extending the terms of the existing option agreement for an additional 9 months commencing September 28, 1973.

Councilman Williams entered the Chamber.

Chief Deputy City Attorney Conrad answered questions directed by the Council.

Mayor Wilson relinquished the Chair to Deputy Mayor Martinet.

On motion of Mayor Wilson, the Council agreed to reconsider the proposed Resolution, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Martinet, and Mayor Wilson. Nays-Councilmen Williams, Morrow, and Bates. Absent-Councilman Hitch.

Mayor Wilson resumed the Chair.

(Item 112)

A proposed Resolution, establishing Council Policy No. 000-16 regarding appointments to the Retirement Board of Administration, was presented.

Chief Deputy City Attorney Conrad answered questions directed by the Council.

Joe Stacy, President of the City Retirement Board, spoke in favor of a continuance.

Richard Osgood, Retired Employees' Association, spoke in opposition to a continuance.

The motion of Councilman Landt to continue the matter for two weeks to Thursday, October 4, 1973, received no vote at this time.

On motion of Councilman Landt, the motion was amended to continue the matter to a Supplemental Docket for Tuesday, September 25, 1973 and the amended motion was unanimously adopted.

Councilman Williams left the Chamber.

(Item 3 - CASE NO. 38-71-34 - City Initiated)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning Lot 217, Harborview Heights Unit 7, located on the southeast corner of Morena Boulevard and Avati Drive, from Zone CA to Zone CN.

Ken Klein, Planning Department, answered questions directed by the Council.

Commander Hardy appeared to speak in favor of the proposed rezoning.

(Item 3 - Continued)

The hearing was closed on motion of Councilman Martinet.

A proposed Ordinance, incorporating Lot 217, Harborview Heights Unit 7, into CN Zone, as defined by Section 101.0426 of the San Diego Municipal Code, and repealing Ordinance No. 9201 (New Series), adopted April 22, 1965, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Martinet, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Morrow, Martinet, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Williams and Hitch.

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearings on the following matters, and that the Council had agreed by common consent to hear these matters together.

(Item 4 - CASE NO. 35-71-5 - City Initiated)

Matter of rezoning Lot 5, Clairemont Plaza Unit 2, located on the south side of Clairemont Drive, between Burgener Boulevard and Fairfield Street, from Zone C to Zone CA-S. It was reported that no written protests had been received.

(Item 5 - CASE NO. 35-71-6 - City Initiated)

Matter of rezoning Lots 1 and 4, portions of Lots 2 and 3, Clairemont Plaza, and Lots 8 and 10, Clairemont Plaza Unit 3, located on the north side of Iroquois Avenue, between Clairemont Drive and Cowley Way from Zone CA to Zone CA-S. It was reported that no written protests had been received.

(Item 6 - CASE NO. 35-71-7 - City Initiated)

Matter of rezoning Lot 1, Clairemont Plaza Unit 5 and Lot 14, portion of Lot 15 and Lots 16 through 19, Clairemont Unit 4, located on the west side of Clairemont Drive, between Iroquois Avenue and Burgener Boulevard, from Zone CA to Zone CA-S. It was reported that no written protests had been received.

(Item 7 - CASE NO. 38-71-28 - City Initiated)

Matter of rezoning Lot 1, Diane Center, Lot 2, Resubdivision of Lot 2, Diane Center, and Lot 10, Diane Village, located on the north side of Clairemont Mesa Boulevard, between Diane and Frink Avenues, from Zone CA to Zone CA-S. It was reported that no written protests had been received.

(Item 8 - CASE NO. 38-71-29 - City Initiated)

Matter of Rezoning Lot 1, Big Bear Subdivision, located on the south side of Clairemont Mesa Boulevard, between Limerick Avenue and Longford Street, from Zone CA to Zone CA-S. It was reported that no written protests had been received.

(Item 9 - CASE NO. 38-71-30 - City Initiated)

Matter of Rezoning Lot 1, Clairedon Subdivision, and Lots 1 through 3, Inland Center, located on Clairemont Mesa Boulevard, between Doliva Drive and Interstate 805, from Zone CA to Zone CA-S. It was reported that no written protests had been received.

(Item 10 - CASE NO. 38-71-31 - City Initiated)

Matter of Rezoning Lot 1, Balboa Shopping Center, Lots 1, 2 and 3, Genesee Plaza Subdivision, and Lots 5, 6, 8, 9, 12 and 25, Balboa Shopping Center Resubdivision No. 1, located on the north side of Balboa Avenue, between Genesee and Mt. Abernathy Avenues, from Zone CA to Zone CA-S. It was reported that no written protests had been received.

(Item 11 - CASE NO. 38-71-32 - City Initiated)

Matter of rezoning a portion of Lot 1959, East Clairemont Unit 12, located on the north side of Balboa Avenue, between Genesee Avenue and Mt. Everest Boulevard, from Zone CA to Zone CA-S. It was reported that no written protests had been received.

(Item 12 - CASE NO. 38-71-33 - City Initiated)

Matter of rezoning Lot 3, Balboa Towers Resubdivision No. 1, Lots 1 through 5, Balboa Towers Commercial Site, Lot 1, Balboa Towers No. 1, Lot 2, Balboa Annex Unit 2, and Lots 2 and 3, Balboa Crest Unit 2, located east of Genesee Avenue, between Balboa Avenue and Mt. Alifan Drive, from Zone CA to Zone CA-S. It was reported that one written protest had been received.

(Item 13 - CASE NO. 38-71-35 - City Initiated)

Matter of rezoning Lot 3386, Clairemont Unit 16, located on the west side of Moraga Avenue, between Geddes Drive and Kamloop Avenue, from Zone CA to Zone CA-S. It was reported that no written protests had been received.

(Item 14 - CASE NO. 38-71-36 - City Initiated)

Matter of rezoning Lots 2 and 3, North Clairemont Plaza and Lot 1, Clairemont Regional Business Center Unit 1, located between Clairemont Drive and Clairemont Mesa Boulevard, from Zone CA to Zone CA-S. It was reported that no written protests had been received.

Marion Bear, Mary Chipps, and William A. Thompson appeared to speak in favor of the proposed rezonings.

Paul A. Peterson, Victor Stark, Dave Fullwiler, Ray Powell, and Attorney Raymond Keep appeared to speak in opposition to the proposed rezonings.

Mayor Wilson 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 Councilmen Williams, Martinet and Hitch absent.

Councilman Martinet entered the Chamber.

(Items 4 through 14 - Continued)

The Council discussed the items at length.

Councilman Landt left the Chamber.

Councilman Landt entered the Chamber.

The Council requested the City Manager to check on possible violation of signs at an automobile agency at Balboa and Genesee.

The motion of Councilman Bates to continue the Items 4 through 14 to January 3, 1974 and refer to the City Attorney to bring back to Council an ordinance amending the Municipal Code regarding the CA-S Zone to provide that any sign that is brought into conformity with the City-wide sign ordinance prior to the imposition of the CA-S Zone be exempted from the provisions of the CA-S Zone and refer to the Planning Commission to hold public hearings on the proposed amendment, received no vote at this time.

The motion of Councilman Morrow to close the hearings and introduce the ordinances died for lack of a second.

The motion of Councilman Morrow to continue Items 4 through 14 to the date of the La Jolla Ordinance hearing died for lack of a second.

On motion of Councilwoman O'Connor, the Council directed that the proposed amendment to the Municipal Code is to be heard by the Council before January 3, 1974.

The vote was then taken on Councilman Bates' motion to continue Items 4 through 14 to January 3, 1974 and refer to the City Attorney to bring back to Council an ordinance amending the Municipal Code regarding the CA-S Zone to provide that any sign that is brought into conformity with the City-wide sign ordinance prior to the imposition of the CA-S Zone be exempted from the provisions of the CA-S Zone and refer to the Planning Commission to hold public hearings on the proposed amendment, which passed unanimously.

Mayor Wilson recessed the Meeting at 4:12 p.m. Upon reconvening at 4:26 p.m., the roll call showed Councilmen Williams and Hitch absent.

By common consent, the Council returned to reconsideration of Item 115 from the docket of Tuesday, September 18, 1973.

The Council directed the City Manager to do a study on Mission Bay land leases and land use for a report back to Council within two weeks.

On motion of Councilwoman O'Connor, the following Resolution was adopted by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Martinet, Bates, and Mayor Wilson. Nays-Councilman Morrow. Absent-Councilmen Williams and Hitch.

(Reconsideration of Item 115 from Docket of September 18, 1973-Continued)
RESOLUTION 208866, authorizing a first amendment to Option Agreement with Recreation Specialists, Inc., extending the terms of the existing Option Agreement for an additional 9 months commencing September 28, 1973.

(Item 107)

A proposed Resolution, granting or denying the request of Richard K. Livett to file a new application to redesign PRD #63 with the Planning Commission pursuant to Section 101.0901 of the San Diego Municipal Code, was presented.

Ken Klein, Planning Department, and Chief Deputy City Attorney Conrad answered questions directed by the Council.

Richard K. Livett appeared to speak in favor of granting the request.

RESOLUTION 208867, granting the request of Richard K. Livett to file a new application with the Planning Commission to redesign the proposed development under Planned Residential Development Permit No. 63, was adopted on motion of Councilman Johnson.

(Item 109)

A proposed Resolution, authorizing the City Manager to submit to the City-County Thoroughfare Advisory Committee 11 project applications and requesting the Committee to consider the projects for funding under the City-County Thoroughfare Program for Fiscal Year 1974-75, was presented.

Assistant Community Development Director Fowler and City Manager Moore answered questions directed by the Council.

The motion of Councilman Martinet to adopt received no vote.

Councilman Morrow moved to delete Item 6 of the new CIP Program, amending the Resolution to authorize the submission of 10 project applications, and the following amended Resolution was adopted:

RESOLUTION 208868, authorizing the City Manager to submit to the City-County Thoroughfare Advisory Committee 10 project applications and requesting the Committee to consider the projects for funding under the City-County Thoroughfare Program for Fiscal Year 1974-75.

(Item 110)

RESOLUTION 208869, declaring September 24 through 30, 1973 as "Traffic Safety Week" and requesting that every citizen work together to bring about safer traffic conditions within The City, was adopted on motion of Councilman Bates.

By Unanimous Consent granted to Mayor Wilson, a proposed Resolution authorizing the Mayor to appear before the Deddeh Subcommittee to testify on behalf of The City was presented.

RESOLUTION 208870, authorizing the Mayor to appear before the Deddeh Subcommittee on San Diego Metropolitan Transportation on September 26, 1973, in order to testify on behalf of The City of San Diego, was adopted on motion of Councilwoman O'Connor.

By common consent, the City Attorney was directed to place on the Supplemental Docket of Tuesday, September 25, 1973 a Resolution authorizing the use of San Diego Transit Corporation and City of San Diego staffs in conjunction with the County of San Diego and the Comprehensive Planning Organization staff in developing regional land use and transit alternatives; forwarding to the Comprehensive Planning Organization the alternative proposed by the San Diego Transit Corporation for their consideration and analysis.

By Unanimous Consent granted to Councilman Bates, a proposed Resolution concerning aircraft noise at Lindberg Field, was presented.

RESOLUTION 208871, urging the United States Senate Committee on Public Works and Commerce to adopt effective noise emission standards which will reduce present aircraft and airport noise levels in and around urban areas, was adopted on motion of Councilman Bates.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Martinet, the Regular Meeting was adjourned in memory of Mr. Walter Schirra, Sr., of San Diego, father of Astronaut Walter Schirra, Jr., at 5:15 p.m.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California