

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, NOVEMBER 15, 1973
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

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

Absent--None.

Clerk---Edward Nielsen.

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

(Item 1)

Roll Call was taken.

Councilman Hitch introduced Councilman-elect Jim Ellis, who was present in the Chamber.

(Item 2)

Mayor Wilson welcomed thirty-six students from Cabrillo Elementary School, accompanied by Miss Mary Viera.

Councilwoman O'Connor addressed the group.

(Item 3)

Mayor Wilson welcomed thirty students from Madison High School, accompanied by Mr. F. J. Kilcoyne.

Councilman Morrow addressed the group.

Mayor Wilson announced that Item 9, set for 2:00 p.m., Time Certain, would probably be continued at that time. The Council discussed the proposed continuance.

There were no requests for continuances.

The Council considered the Consent Agenda, which consisted of Items 11b, 11c, 12, 13, 14, 100, 101, and 102.

(Items 11b and 11c)

The following Resolutions, relative to awarding contracts, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 209255, Southwest Processors, Inc., for the removal of scum from the Point Loma Waste Water Treatment Plant for a period of three years beginning November 1, 1973, for revenue of \$1,200 per year; and

RESOLUTION 209256, Moore Business Forms, Inc., for the purchase of 500,000 original utility bills, 60,000 first overdue bills, and 30,000 second overdue bills for an actual cost of \$4,598.69, including tax and terms.

(Item 12)

The following Resolutions, relative to awarding contracts, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 209257, Contractor Supply for the purchase of 150 2" gate valves for an actual cost of \$4,567.50, including tax and terms; and

RESOLUTION 209258, accepting the offer of San Diego Gas & Electric Company for installation of an underground electrical service to the East Wing, Fine Arts Gallery, Balboa Park, for an estimated cost of \$6,713; authorizing the expenditure of \$6,713 out of Park & Recreational Bond Fund (725) for said purpose and related costs.

(Item 13)

RESOLUTION 209259, inviting bids for construction of pedestrian undercrossing at Grand Avenue and Rose Creek Channel, in accordance with Specifications Document No. 745390, was adopted on motion of Councilwoman O'Connor.

(Item 14)

RESOLUTION 209260, inviting bids for improvement of Bonita Cove, in accordance with Specifications Document No. 745389, was adopted on motion of Councilwoman O'Connor.

(Item 100)

RESOLUTION 209261, authorizing the cancellation of two Mission Bay Park Capital Improvement Projects, CIP No. 22-417, Quivira Basin-Alley and Parking - \$25,000, and CIP No. 22-211 Crown Point Shores-East Beach - \$67,000; approving the transfer of their funds to the Park and Recreation Bond Fund No. 725 Reserve for the purpose of supplementing the budgets of other fiscal year 1974 Mission Bay Park projects, was adopted on motion of Councilwoman O'Connor.

(Item 101)

RESOLUTION 209262, authorizing an agreement between the City and San Diego County Water Authority for joint use of facilities in connection with the storage and use of water delivered to the Water Authority by the Metropolitan Water District of Southern California, was adopted on motion of Councilwoman O'Connor.

(Item 102)

RESOLUTION 209263, authorizing an agreement with Charles A. Paul to act as Project Director for the Veterans Outreach Program which is funded under a National League of Cities/U. S. Conference of Mayors Grant, was adopted on motion of Councilwoman O'Connor.

(Item 4 - CASE NO. 1-73-1 - City-initiated)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of October 4, and November 1, 7, and 8, 1973; due to lack of time, on the matter of rezoning all that land in the "Crescent Bay" area in Pacific Beach generally bounded by Pacific Beach Drive on the north, Riviera Drive on the east, and Moorland Drive on the south, and Mission Bay and Dawes Street on the west, from Zone R-4 to Zone R-3A, R-3, R-2A, or any combination thereof. It was reported that two letters in favor and three letters in opposition had been received.

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

The motion of Councilman Martinet to close the hearing and introduce an Ordinance for R-3 Zoning, received no vote at this time.

On motion of Councilman Hitch, Councilman Martinet accepted an amendment to his motion to include a clause in the Ordinance that no building permits inconsistent with R-3 Zoning shall be issued after November 15, 1973.

The vote was then taken on Councilman Martinet's motion to close the hearing and introduce the following Ordinance as amended for R-3 Zoning and to include a clause that no building permits inconsistent with R-3 Zoning shall be issued after November 15, 1973, and the following Ordinance was introduced by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-None.

Incorporating all that land in the "Crescent Bay" area in Pacific Beach, generally bounded by Pacific Beach Drive on the north, Riviera Drive on the east, and Mooreland Drive on the south and Mission Bay and Dawes Street on the west, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code and repealing Ordinance No. 119 (New Series), adopted January 3, 1933, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 5 - CASE NO. 1-73-2)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of October 4, November 1 and November 7, 1973, to prepare R-3 Zoning Ordinance, on the appeal of Max A. Treece from the decision of the Planning Commission in denying the City-initiated request to rezone a portion of Pueblo Lot 1783 "Park La Jolla Area," located on the east side of La Jolla Boulevard, between Bird Rock Elementary School and Turquoise Street, from Zone R-4 to Zone R-3A, R-3, R-2A, or any combination thereof.

It was reported that twelve letters and one petition in favor and two letters in opposition had been received.

No one appeared to be heard.

Councilman Hitch excused himself from voting because he had not heard the tapes.

The hearing was closed on motion of Councilman Martinet.

A proposed Ordinance, incorporating a portion of Pueblo Lot 1783, "Park La Jolla Area," into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code and repealing Ordinance No. 3502 (New Series), adopted August 19, 1947, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Hitch, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Bates, and Mayor Wilson. Nays-None. Excused-Councilman Hitch. Absent-None.

(Item 6 - CASE NO. 10-73-1)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of September 27, October 11, and November 1 and 7, 1973, at applicant's request, on the appeal of Sarfan Foods, Inc., by Gerald M. Dawson, attorney, from the decision of the Planning Commission in denying its application to rezone Lots 41 through 44, Block 38, resubdivision of Blocks H and I, Teralta, located on the west side of Swift Avenue, between El Cajon Boulevard and Orange Avenue, from Zone R-4 to Zone C. It was reported that no written protests had been received.

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

Councilman Bates left the Chamber.

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

Councilman Bates entered the Chamber.

(Item 6 - Continued)

Attorney Gerald Dawson appeared to speak in favor of granting the appeal.

The motion of Councilman Landt to close the hearing and introduce the Ordinance, amended for C-1S Zoning, received no vote at this time.

Councilman Landt introduced Councilman-elect Lee Hubbard, who was present in the Chamber.

(Item 6 - Continued)

The Council discussed the item at length.

Mayor Wilson recessed the Meeting at 10:47 a.m. Upon reconvening at 11:06 a.m., the roll call showed Councilmen O'Connor and Williams absent.

Councilwoman O'Connor entered the Chamber.

Councilman Williams entered the Chamber.

(Item 6 - Continued)

The Council continued to discuss the item.

Attorney Gerald Dawson agreed to present a copy of the covenants of record (deed restrictions) before the proposed Ordinance is adopted.

The vote was then taken on Councilman Landt's motion to close the hearing and introduce the Ordinance, amended for C-1S Zoning, and the following Ordinance was introduced by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Martinet, and Hitch. Nays-Councilmen Morrow, Bates, and Mayor Wilson. Absent-None.

Incorporating Lots 41 through 44, Block 38, Resubdivision of Blocks H and I, Teralta, into C-1S Zone, as defined by Section 101.0430 of the San Diego Municipal Code and repealing Ordinance No. 12989, approved October 20, 1930, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 7 - CASE NO. 43-73-6)

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 a portion of Lot 43, The Highlands, located on the north side of Vickers Street between Convoy Street and Ruffner Road, from Zone R-1-20 to Zone M-1B. It was reported that no written protests had been received.

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

No one appeared to be heard.

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance incorporating a portion of Lot 43, The Highlands, into M-1B Zone, as defined by Section 101.0435.2 of the San Diego Municipal Code, and repealing Ordinance No. 10936 (New Series), adopted October 5, 1972, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent.

(Item 8 - CASE NO. 42-73-8)

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 a portion of Pueblo Lot 1120, located on the south side of Hotel Circle South between State Highway 163 and I-5, from Zone R-1-40 to Zone CO. It was reported that no written protests had been received.

Councilwoman O'Connor left the Chamber.

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

Councilwoman O'Connor entered the Chamber.

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating a portion of Pueblo Lot 1120, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance No. 1947 (New Series), adopted October 1, 1940, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-None.

(Item 10)

A proposed Ordinance, amending Chapter X, Article 2, Division 2, of the San Diego Municipal Code by amending Section 102.0216, to increase the fee for filing a final parcel map from \$50 to \$110, was presented.

City Manager Moore answered questions directed by the Council.

A proposed Ordinance, amending Chapter X, Article 2, Division 2, of the San Diego Municipal Code by amending Section 102.0216, to increase the fee for filing a final parcel map from \$50 to \$110, was introduced on motion of Councilman Martinet, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, Bates and Mayor Wilson. Nays-None. Absent-None.

(Item 11a)

A proposed Resolution, relative to awarding a contract as follows, Wil-Sar Construction Company, Inc. for construction of Mission Point and Bayside Walk for the sum of \$399,809; authorizing the expenditure of \$473,000 out of Park and Recreation Bond Fund (725) for said purpose and related costs, was presented.

Councilman Bates left the Chamber.

City Manager Moore answered questions directed by the Council.

Councilman Bates entered the Chamber.

RESOLUTION 209264, Wil-Sar Construction Company, Inc. for construction of Mission Point and Bayside Walk for the sum of \$399,809; authorizing the expenditure of \$473,000 out of Park and Recreation Bond Fund (725) for said purpose and related costs, was adopted on motion of Councilman Martinet.

Councilman Johnson left the Chamber.

(Item 103)

A proposed Resolution, approving and adopting an Employees' Deferred Compensation Plan; accepting the offer of the San Diego Municipal Employees' Credit Union to act as custodian for deferred compensation funds and authorizing the City Manager to execute a Deferred Compensation Program Custodial Agreement with the Credit Union pursuant to said offer; and appointing the City Treasurer of the City as Administrator of the Deferred Compensation Plan and authorizing him to receive and invest said funds, was presented.

Councilwoman O'Connor left the Chamber.

(Item 103 - Continued)

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

Councilman Hitch's motion to adopt the proposed Resolution received no vote at this time.

City Manager Moore answered questions directed by the Council.

On motion of Councilman Morrow, the matter was continued two weeks to November 29, 1973, for clarification of the Internal Revenue Service ruling, by the following vote: Yeas-Councilmen Johnson, Williams, Morrow, Martinet, Hitch, and Bates. Nays-Councilman Landt, and Mayor Wilson. Absent-Councilwoman O'Connor.

Mayor Wilson recessed the Meeting at 12:02 p.m., to reconvene at 2:00 p.m.

Upon reconvening at 2:12 p.m., the roll call showed all present.

(Item 9 - CASE NO. 38-73-1 and PCD NO. 2)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matters of (a) Rezoning portions of Pueblo Lots 1302, 1303, 1307, 1308, located on the southeast corner of Genesee Avenue and the extension of La Jolla Village Drive, from Zones R-1-5 and R-1-5 (LC Overlay) to Zone CA; and (b) Appeals of Planning & Conservation League, Environmental Action Council, and Commanding Officer, Naval Air Station Miramar from the decision of the Planning Commission in granting the application of University Town Center Associates, owner/permittee, under Planned Commercial Development Permit No. 2, to construct and operate a planned commercial development which is proposed to contain three major department stores, 80-100 shops, commercial highrise offices, hotel, recreational and cultural facilities, and residential dwelling units totaling 3,000,000 square feet of floor area on approximately 106 acres, located on the southeast corner of Genesee Avenue and the extension of La Jolla Village Drive, on portions of Pueblo Lots 1302, 1303, 1307, and 1308, in the R-1-5 and R-1-5 (LC Overlay) (Proposed CA) Zones. It was reported that two letters in favor and three letters in opposition had been received.

Planning Director Goff, Environmental Quality Director Gleason, Chief Deputy City Attorney Conrad, and City Clerk Nielsen answered questions directed by the Council.

Morgan Gilman appeared to speak in opposition to a proposed continuance.

Ruth Peyton, Gerald Fox, Alan Friedman, Abraham Stull, Ernest Hahn, and Captain Franklin, Commander of Miramar Naval Air Station, appeared to speak in favor of a proposed continuance.

Marko Mantree appeared to speak in opposition to a proposed continuance.

Marian Bear appeared to speak regarding the proposed continuance.

(Item 9 - Continued)

On motion of Councilman Bates, the matter was continued to Wednesday, February 6, 1974, at 9:30 a.m., Time Certain, for the purpose of obtaining staff reports and the matter was referred to the Planning Department and Environmental Quality Department for staff reports on a 1.1 million square feet Planned Commercial Development Permit application.

Mayor Wilson recessed the Meeting at 2:55 p.m. Upon reconvening at 3:15 p.m., the roll call showed Councilmen Williams and Bates absent.

(Item 104)

RESOLUTION 209265, directing the Planning Commission to hold public hearings on an amendment to Section 101.0506 of the San Diego Municipal Code to permit impound storage areas and other automobile storage facilities in any agricultural zone, was adopted on motion of Councilman Martinet.

Councilman Williams entered the Chamber.

(Item 105)

A proposed Resolution, relating to the Environmental Protection Agency's recently-promulgated Transportation Control Plan for the San Diego Area Intrastate Air Quality Control Region; recommending the establishment of a local Task Force under the Comprehensive Planning Organization to examine, evaluate and provide alternative solutions to said plan, etc." was presented.

Ruth Peyton and Frank Curran appeared to speak in favor of the proposed Resolution.

RESOLUTION 209266, relating to the Environmental Protection Agency's recently-promulgated Transportation Control Plan for the San Diego Area Intrastate Air Quality Control Region; recommending the establishment of a local Task Force under the Comprehensive Planning Organization to examine, evaluate and provide alternative solutions to said plan, etc.", was adopted on motion of Councilwoman O'Connor.

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 3:22 p.m.


Mayor of The City of San Diego, California

ATTEST:


City Clerk of The City of San Diego, California