

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - THURSDAY, MARCH 28, 1974  
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING  
COMMUNITY CONCOURSE

Present-Councilmen Johnson, Hubbard, Williams, Morrow, Ellis, Bates,  
and Mayor Wilson.

Absent--Councilmen O'Connor and Martinet.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 9:40 a.m.

(Item 1)

Roll Call was taken.

(Item 2)

A communication from Alan H. Brown, President of the Mission Beach Town Council, requesting permission to address the Council regarding proposed alternative uses of Transient Occupancy revenue in beach areas, was presented.

Councilwoman O'Connor entered the Chamber.

Alan H. Brown appeared to speak regarding said communication.

On motion of Councilman Johnson, the communication was referred to the City Manager for a report back to Council and Mr. Brown, said report to include a description of the clean up procedure for the Boardwalk and the cost of a second trash pick-up.

Mayor Wilson welcomed thirty-five students from Lewis Junior High School, accompanied by Mr. Jack Dray.

Councilman Ellis addressed the group.

Mayor Wilson welcomed two visitors to San Diego, one from Tanzania and one from Indonesia, who are studying assessment practices with the County of San Diego, accompanied by Mr. E. C. Williams, County Assessor.

There were no requests for continuances.

The Council considered the consent agenda, which consisted of Items 4, 5, 6, 7, 10, 11, 12, 13, 14, 100, 101, 102, 104, 105, 106, 107, 109, 110, and 111.

The following Ordinances were introduced at the Meeting of March 14, 1974.

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, a written or printed copy of each Ordinance.

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

(Item 4 - CASE NO. 60-74-2 - City-initiated)

ORDINANCE 11271 (New Series), incorporating Lots 1-4, Via Miramar, into C-1S Zone as defined by Section 101.0430 of the San Diego Municipal Code and repealing Ordinance No. 10480 (New Series), adopted January 14, 1971 of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 5 - CASE NO. 48-72-9)

ORDINANCE 11272 (New Series), incorporating a portion of the North-east 1/4, Section 1, Township 19 South, Range 2 West, and a portion of the Northwest 1/4, Section 6, Township 19 South, Range 1 West, into M-1B Zone, as defined by Section 101.0435.2 of the San Diego Municipal Code and repealing Ordinance No. 8028 (New Series), adopted December 18, 1958, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 6 - CASE NO. 60-74-1 - City-initiated)

ORDINANCE 11273 (New Series), incorporating portions of Lots 1 and 2, G-W Industrial Park Unit 1, into C-1S Zone as defined by Section 101.0430 of the San Diego Municipal Code and repealing Ordinance No. 10446 (New Series), adopted December 1, 1970 of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 7)

ORDINANCE 11274 (New Series), amending Ordinance No. 11254 (New Series) to amend Paragraphs A.3, A.6, B.3 and B.6, Rule 9 under Section 22.0101 of Chapter II, Article 2, Division 1 of the San Diego Municipal Code clarifying provisions of said rule.

(Item 10)

RESOLUTION 210238, awarding a contract to Griffith Company for improvement of Linda Vista Road, Via Las Cumbres to Tait Street, including Alternate A, for the sum of \$200,416.50; authorizing the expenditure of \$159,100 out of Gas Tax Fund (220) and \$2,000 out of Capital Outlay Fund (245) for said purpose and related costs, was adopted on motion of Councilman Hubbard.

(Item 11)

The following Resolutions, relative to awarding contracts, were adopted on motion of Councilman Hubbard:

RESOLUTION 210239, J. W. Renzulli, Inc. for the construction of Buildings Division Paint Spray Booth for the sum of \$9,769; authorizing the expenditure of \$11,000 out of Capital Outlay Fund (245) for said purpose and related costs;

RESOLUTION 210240, Wm. Reynolds Const. Co. for interconnect diesel fuel storage tanks, City Operations Building, for the sum of \$2,889; authorizing the expenditure of \$4,300 out of Capital Outlay Fund (245) for said purpose and related costs; and

RESOLUTION 210241, County of San Diego for Automated Want/Warrant System services for a monthly cost of \$2,210.42, cost balance of FY 1974 of \$14,367.73, and annual cost of \$26,525.04, commencing December 16, 1973.

(Item 12)

The following Resolutions, relative to awarding contracts, were adopted on motion of Councilman Hubbard:

RESOLUTION 210242, SCA Construction Supply for the purchase of cement base nonshrink patching mortar as required for a period of 1 year ending February 28, 1975, for an actual estimated cost, including tax and terms, of \$7,671.51;

RESOLUTION 210243, Rixon Inc. for a 1-year lease of 7 DS 2400 Data Sets, ending February 28, 1975, with option to renew for 1 additional year and option to purchase at any time during agreement, for a total cost, including tax and terms, of \$3,616.20;

RESOLUTION 210244, B. F. Goodrich Co. for the purchase of booster fire hose for an estimated cost, including tax and terms, of \$2,757.72;

RESOLUTION 210245, R. L. Polk and Company for the purchase of 43 1974 City Directories, for an estimated cost, including sales tax and terms and estimated delivery charge, of \$3,672;

RESOLUTION 210246, International Business Machines Corporation for the purchase of 500,000 original utility bills, 50,000 first overdue bills, and 30,000 second overdue bills, for an estimated cost, including sales tax and set-up charge, of \$4,629.03; and

RESOLUTION 210247, Moore Business Forms, Inc. for the purchase of 100,000 (2-part) appropriation ledger forms (DP108) and 40,000 (4-part) appropriation ledger forms (DP108), for an actual cost, including tax and terms, of \$2,684.22.

(Item 13)

The following Resolutions, relative to inviting bids, were adopted on motion of Councilman Hubbard:

RESOLUTION 210248, furnishing 2 traffic signal controllers, in accordance with Specifications Document No. 746735; and

RESOLUTION 210249, furnishing concrete manhole components as may be required for a period of 1 year ending April 30, 1975, in accordance with Specifications Document No. 746736.

(Item 14)

RESOLUTION 210250, rejecting all bids received on January 14, 1974, pursuant to publication of notice calling for furnishing turnout clothing; authorizing the Purchasing Agent to purchase approximately 200 sets of said clothing on the open market, was adopted on motion of Councilman Hubbard.

(Item 100)

RESOLUTION 210251, accepting the work done and authorizing a Notice of Completion in Villa Monserate Unit 6, was adopted on motion of Councilman Hubbard.

(Item 101)

RESOLUTION 210252, granting the petition for improvements in Congress Street from Old Town Avenue to 100 feet southerly, under the Improvement Act of 1911; directing the City Manager to furnish description and plat of the district, was adopted on motion of Councilman Hubbard.

(Item 102)

RESOLUTION 210253, granting the petition for improvements at various locations in Pacific Highlands Units 1 and 2, under the Improvement Act of 1911; directing the City Manager to furnish description and plat of the district, was adopted on motion of Councilman Hubbard.

(Item 104)

RESOLUTION 210254, authorizing the City Auditor and Comptroller to transfer \$52,000 from Federal Revenue Sharing Fund (2381) to the Capital Improvement Project 23-672(1) for construction of a field-house at Cabrillo Playground; authorizing the City Auditor and Comptroller to transfer \$52,000 from Park and Recreation Bond Fund (725) to Capital Improvement Project 23-751(4) for completion of Phase II development at Azalea Community Park, was adopted on motion of Councilman Hubbard.

(Item 105)

RESOLUTION 210255, authorizing a lease agreement with the San Diego Unified School District of San Diego County, whereby City leases approximately 10,000 square feet of the Cabrillo Elementary School Playground for construction and operation of a new 1,350 square foot addition to an existing fieldhouse and sports field for a period of five years, was adopted on motion of Councilman Hubbard.

(Item 106)

RESOLUTION 210256, authorizing an agreement with the State Department of Finance to provide to the State consultant services of a City employee for a five-month period commencing April 1, 1974; authorizing the Auditor and Comptroller to expend from the General Purpose Revolving Fund (53.40) for non-personal services an amount not to exceed \$2,500, said monies to be reimbursed to City by the State Department of Finance, was adopted on motion of Councilman Hubbard.

(Item 107)

RESOLUTION 210257, authorizing the City Manager to submit a grant application for law enforcement purposes to California Council on Criminal Justice (CCCJ), authorizing the execution of a grant award contract; agreeing to provide matching funds as may be required for said project, designated Project Wilderness; resolving that grant funds received hereunder shall not be used to supplant on-going law enforcement expenditures; authorizing the expenditure of \$1,013 out of Youth Opportunities Grant Fund 287 for said purpose, was adopted on motion of Councilman Hubbard.

(Item 109)

RESOLUTION 210258, authorizing the City Manager to submit an application to ACTION Agency for the initiation of the ACTION Program for Local Services (PLS), a voluntary service-manpower program, was adopted on motion of Councilman Hubbard.

(Item 110)

RESOLUTION 210259, co-sponsoring with the San Diego Highland Dancers Association the First Annual Highlands Games to be held in Balboa Stadium on October 13, 1974; waiving the rental fees for the aforementioned facilities, was adopted on motion of Councilman Hubbard.

(Item 111)

RESOLUTION 210260, co-sponsoring with the Fraternal Order of Eagles the 27th Annual Mothers Day Program to be held in the Organ Pavilion, Balboa Park, on May 12, 1974, waiving the rental fees for the aforementioned facilities, was adopted on motion of Councilman Hubbard.

Mr. Sandies of the Highland Dancers Association appeared in the Chambers, accompanied by Pipe Major Campbell NalSmith and dancer Nan Mc Coull who performed a traditional sword dance and presented a tartan tie to the Mayor.

(Item 103)

RESOLUTION 210261, authorizing a rental agreement with Chargers Football Company for an administrative office at the San Diego Stadium, was adopted on motion of Councilman Ellis.

(Item 3 - CASE NO. 11-73-1 and FAREP NO. 11)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matters of (a) Re-zoning Lot 6 and the west half of Lots 9 and 10, Block 3, Loma Grande, located at the northeast corner of Fourth and Walnut Avenues in the Uptown Community area, from Zone CO to Zone R-4; and (b) Appeal of Melvin Shapiro from the decision of the Planning Commission in granting the application of Loma Grande Company, owner, and Panorama Properties, permittee, under Floor Area Ratio Exception Permit No. 11, to construct a multi-story residential condominium of 40 units with 96,026 square feet of floor area in the R-4 and proposed R-4 Zone, where the zone allows 60,425 square feet, and to permit yard variances on the property located on the northeast corner of Fourth and Walnut Avenues, more particularly described as Lots 6 through 10, Block 3, Loma Grande. It was reported that no written protests had been received.

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

Mayor Wilson recessed the Meeting at 10:34 a.m. Upon reconvening at 10:50 a.m., the roll call showed Councilmen O'Connor, Martinet and Bates absent.

Councilwoman O'Connor entered the Chamber.

(Item 3 - Continued)

Hal Sadler appeared to speak in favor of the proposed rezoning.

Councilman Bates entered the Chamber.

William Starr appeared to speak in favor of the proposed rezoning.

Melvin Shapiro and Frederick Meyer appeared to speak in opposition to the proposed rezoning.

A proposed Ordinance, incorporating Lot 6 and the west half of Lots 9 and 10, Block 3, Loma Grande, into R-4 Zone, as defined by Section 101.0413 of the San Diego Municipal Code, and repealing Ordinance No. 9228 (New Series), adopted May 27, 1965, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

Melvin Shapiro appeared to speak in favor of granting the appeal.

Hal Sadler appeared to speak in opposition to granting the appeal.

Frederick Meyer appeared to speak in favor of granting the appeal.

The Council discussed the item at length.

The motion of Councilwoman O'Connor to close the hearing, grant the appeal, and deny the permit received no vote at this time.

On motion of Councilman Hubbard, Item 3(b) was continued to May 2, 1974 to allow the developer and the Planning Department to study questions relating to the parking structure.

(Item 9)

A proposed Ordinance, amending Chapter X, Article 1, Division 2, of the San Diego Municipal Code by amending Section 101.0204 relating to Zoning Fees, was presented.

Assistant Planning Director Van Cleave answered questions directed by the Council.

A proposed Ordinance, amending Chapter X, Article 1, Division 2, of the San Diego Municipal Code by amending Section 101.0204 relating to Zoning Fees, was introduced on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

Councilwoman O'Connor left the Chamber.

(Item 108)

RESOLUTION 210262, assuming full responsibility for the implementation and operation of the Community Center for Student Development of the San Diego Model Cities Program; declaring that the operation of said Center shall be no more liberal than policies, procedures and practices applied uniformly to Federal and other activities of the City; authorizing the City Manager to initiate appropriate revisions to the Model Cities Department's budget in the event said project is not being reasonably maintained in accordance with its work schedule and budget expenditures, was adopted on motion of Councilman Williams.

Mayor Wilson recessed the Meeting at 12:04 p.m., to reconvene at 2:00 p.m.

Upon reconvening at 2:15 p.m., the roll call showed Councilmen Williams, Martinet and Bates absent.

(Item 3 - Supplemental Docket)

A proposed Resolution, continued from the Meeting of March 26, 1974, due to lack of time, authorizing the City Manager to submit a claim to the Comprehensive Planning Organization for the sum of \$108,600 from Local Transportation Funds, for construction of a bike-way along the surface of a middle jetty located between the San Diego River and Mission Bay entrance, from a point near Mission Bay Park headquarters west approximately 2,700 feet to the San Diego River sand plug, was presented.

Councilman Williams entered the Chamber.

City Manager Moore, Joe Crosby, Community Development Department, and Assistant City Attorney Teaze answered questions directed by the Council.

Councilman Bates entered the Chamber.

Mary Jessop appeared to speak in opposition to the proposed Resolution.

Ken Sulzer, Comprehensive Planning Organization staff, answered questions directed by the Council.

Rochelle Cantor appeared to speak in favor of the proposed Resolution.

The Council discussed the item.



(Item 3 - Supplemental Docket - Continued)

The motion of Councilwoman O'Connor to adopt the proposed resolution and to direct the City Manager to bring back to the Council a revised proposal regarding the suggested route, received no vote at this time.

On motion of Councilman Ellis the proposed Resolution was amended to strike from the Resolution everything following the word "bikeway".

RESOLUTION 210263, authorizing the City Manager to submit a claim to the Comprehensive Planning Organization for the sum of \$108,600 from Local Transportation Funds, for construction of a bikeway, was adopted on motion of Councilwoman O'Connor and the City Manager was directed to bring back to the Council a revised proposal regarding the suggested route.

(Item 1 - Supplemental Docket)

A proposed Resolution, continued from the Meetings of February 7, February 26, and March 26, 1974, due to lack of time, supporting the passage of AB 2648, providing for the creation of the San Diego Metropolitan Transportation District in San Diego County, in substantially the form suggested by Comprehensive Planning Organization (CPO) on January 14, 1974, was presented.

Ken Sulzer, Comprehensive Planning Organization staff, answered questions directed by the Council.

The motion of Councilman Bates to adopt the proposed Resolution received no vote at this time.

The motion of Councilman Morrow that there be a vote of the people on any type of taxation as a funding source, received no vote at this time.

On motion of Councilman Bates, the matter was continued indefinitely and also referred to the Rules Committee to refer to the Committee on Transportation and Land Use to be returned to Council with a report and recommendations.

Mayor Wilson recessed the Meeting at 3:39 p.m. Upon reconvening at 4:02 p.m., the roll call showed Councilmen O'Connor, Martinet, and Bates absent.

Councilwoman O'Connor entered the Chamber.

(Item 2 - Supplemental Docket)

A proposed Resolution, continued from the Meeting of March 26, 1974, due to lack of time, directing the City's representative to the Comprehensive Planning Organization (CPO) to support the CPO Initial Coastline Plan and Amendments at CPO meetings, was presented.

The Council discussed the item.

By mutual agreement, the Council suggested that the City's representative continue to support the City's own amendment but, if necessary, the representative would be authorized to agree upon language which speaks to the protection of life and property, in accordance with a draft presented by the Mayor.

RESOLUTION 210264, directing the City's representative to the Comprehensive Planning Organization (CPO) to support the CPO Initial Coastline Plan and Amendments at CPO meetings, was adopted on motion of Councilman Ellis.

(Item 8)

A proposed Ordinance, amending Chapter II, Article 2 of the San Diego Municipal Code by amending Section 22.1801 relating to City Departments, was presented.

City Manager Moore answered questions directed by the Council.

The motion of Councilman Morrow to introduce the proposed Ordinance received no vote at this time.

Councilman Bates entered the Chamber.

Legislative Analyst Babunakis, City Attorney Witt, and Planning Director Goff answered questions directed by the Council.

Mac Strobl, San Diego Taxpayers' Association; Bill Heighwood, San Diego Chamber of Commerce, and Gerald Fox appeared to speak in favor of the proposed Ordinance.

Councilman Johnson asked Legislative Analyst Babunakis for a breakdown regarding the 20 positions suggested in the Analyst's report for elimination.

Mayor Wilson asked the City Manager for a step by step exposition of the growth of the Community Development Department from a year before its inception to the present.

On motion of Councilwoman O'Connor the matter was continued to Thursday, June 13, 1974 and both the City Manager and Legislative Analyst proposals were referred to the Rules Committee to refer in accordance with the adopted assignment of responsibilities, to be brought before the Budget Review Committee and Committee of the Whole before return to the docket, by the following vote: Yeas-Councilmen Johnson, O'Connor, Morrow, Ellis, Bates, and Mayor Wilson. Nays-Councilmen Hubbard and Williams. Absent-Councilman Martinet.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Johnson at 5:27 p.m.

*Pete Wilson*

Mayor of The City of San Diego, California

ATTEST:

*Edward Wilson*

City Clerk of The City of San Diego, California