

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, APRIL 4, 1974 IN
THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Mayor Wilson called the Regular Meeting to order at 9:47 a.m.

(Item 1)
Roll call was taken.

Mayor Wilson introduced students from Clairemont Adult
School, accompanied by Marilyn Smith.
Councilman Martinet addressed the group.

Councilman Bates entered the Chambers.

(Item 3)
Miss New Zealand, Carolyn Swendlehurst, made a brief presenta-
tion to the Mayor and Council. She presented the Mayor with a
Kiwi pin.
Mayor Wilson thanked her and welcomed her to San Diego.

There were no requests for continuances.

The Council considered the Consent Agenda, which consisted
of Items 7, 12, 13a, 13b, 13d, 14, 100, 101, 104, 107, 108, 109,
110, 111, 112, 113, 114 and 119.

The following Ordinance was introduced at the Meeting of
March 21, 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 its passage, a written or
printed copy of said Ordinance.

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

(Item 7 - CASE NO. 48-74-1)

ORDINANCE 11291 (New Series), incorporating Lots A-114, A-115 and A-116, San Ysidro Addition No. 1 into CR Zone, as defined by Section 101.0421.1 of the San Diego Municipal Code, and repealing Ordinance No. 10862 (New Series), adopted June 29, 1972, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 12)

The following Resolutions relative to Sorrento Valley Road, were adopted on motion of Councilman Hubbard:

RESOLUTION 210295, amending Resolution No. 209608 adopted January 8, 1974 which approved plans and specifications - Document No. 745435 to authorize the approval of amended plans and specifications - Document No. 746661 issued on January 9, 1974 for improvement of Sorrento Valley Road; awarding a contract to Griffith Company in the sum of \$80,877.50 for said purpose; authorizing the expenditure of \$80,000 out of Gas Tax Fund 220 for said purpose and related costs; and

RESOLUTION 210296, authorizing an agreement with Collins Development Company and Cal-Sorrento Limited for landscape improvements of seven planter areas located within the Sorrento Valley Road center parkway.

(Item 13)

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

RESOLUTION 210297, Motorola Communications and Electronics, Inc., General Electric Co., and Varda for purchase and lease purchase option of 15 8-frequency mobile radios, sixteen transmitter receiver units, and twenty-two silent radio alarms for an actual cost of \$64,182.35, including tax and terms;

RESOLUTION 210298, V. R. Dennis Construction Company for resurfacing of City Streets - group M for an actual cost of \$877,442.85, subject to escalation not to exceed 22.7% of bid prices; and

RESOLUTION 210299, John C. Henberger Company for reflective glass spheres as may be required for one year ending March 31, 1975 for an estimated cost of \$11,919.70, including tax and terms.

(Item 14)

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

RESOLUTION 210300, Valley Crest Nursery for the purchase of

(Item 14 - Continued)

one each atlas cedar tree (*Cedrus Atlantica*) for an actual cost of \$2,014, including tax and terms; authorizing the expenditure of \$2,014 out of Park and Recreation Bond Fund No. 725 for said purpose; and

RESOLUTION 210301, Albro Fire Equipment for the purchase of eight rescue saws for an actual cost of \$2,775.97 including tax and terms.

(Item 100)

The following Resolutions relative to the final subdivision map of The Alameda, were adopted on motion of Councilman Hubbard:

RESOLUTION 210302, authorizing an agreement with Avco Community Developers, Inc. for completion of improvements in The Alameda, a 1-lot subdivision located on the northeasterly corner of Rancho Bernardo Road and Pomerado Road;

RESOLUTION 210303, authorizing an agreement with Avco Community Developers, Inc., providing for a surety bond in lieu of cash payment for park fees; and

RESOLUTION 210304, approving the final map of The Alameda Subdivision.

(Item 101)

RESOLUTION 210305, accepting the work done and authorizing a notice of completion in Oaks North Unit 2 subdivision, was adopted on motion of Councilman Hubbard.

(Item 104)

RESOLUTION 210306, authorizing an agreement with the Regents of the University of California whereby City provides lifeguard services on the beach adjacent to the University of California, Scripps Institute of Oceanography, for the period April 6 through October 27, 1974, for consideration of \$11,231.64 to be paid to City, was adopted on motion of Councilman Hubbard.

(Item 107)

RESOLUTION 210307, authorizing an agreement with the County of San Diego, County Health Care Agency, for the purpose of implementing the Model Cities Comprehensive Health Care Project, was adopted on motion of Councilman Hubbard.

(Item 108)

RESOLUTION 210308, authorizing a modification to the Women's Civic League Agreement, providing for additional funds for a heating and air conditioning unit, was adopted on motion of Councilman Hubbard.

(Item 109)

RESOLUTION 210309, authorizing a Memorandum of Agreement with the County of San Diego to provide for the transfer of \$6,769.15 from the Human Care Services Revenue Sharing Trust Fund to the City as compensation for personnel services costs of certain limited-status employees continued pending execution of agreements with community agencies, was adopted on motion of Councilman Hubbard.

(Item 110)

RESOLUTION 210310, authorizing a Contract Modification/Letter of Extension with the Young Women's Christian Association of Southeast San Diego for the extension of the Model Cities Third Action Year Community Movie and Cultural Arts Project from January 1, 1974 to June 30, 1974, was adopted on motion of Councilman Hubbard.

(Item 111)

RESOLUTION 210311, establishing a parking time limit of two hours, between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on both sides of Emerald Street, between Mission Boulevard and 100 feet east of Mission Boulevard, and east side of Mission Boulevard, between Emerald Street and the alley north of Emerald Street, was adopted on motion of Councilman Hubbard.

(Item 112)

RESOLUTION 210312, authorizing the City Manager to file an Application with the Public Utilities Commission of the State of California for an order to reconstruct the Harbor Drive Bridge at Switzer Slough crossing over the tracks of the Atchinson, Topeka and Santa Fe Railway Company, was adopted on motion of Councilman Hubbard.

(Item 113)

RESOLUTION 210313, assuming full responsibility, operating through the Public Works Department, Engineering Division, under the direction of the City Manager, for the streets and alleys project of the San Diego Model Cities Program, in accordance with the grant agreement between the City and the Department of Housing and Urban Development (HUD); determining the operation of said project and costs incurred thereto shall be no more liberal than policies, procedures and practices applied uniformly to both Federally assisted and other activities of the City; authorizing the City Manager to initiate appropriate revisions to the Public Works Department's budget in the event said project is not being reasonably maintained in accordance with its work schedule and

(Item 113 - Continued)

budget expenditures; authorizing the City Auditor and Comptroller to transfer the sum of \$156,200 from Model Cities Third Action Year Fund 2903 and the sum of \$100,000 from Gas Tax Fund 219 to Public Works Department Fund 2552 for said project, was adopted on motion of Councilman Hubbard.

(Item 114)

RESOLUTION 201314, renaming Lance Street, northeasterly of College Avenue, Camino Rico, was adopted on motion of Councilman Hubbard.

(Item 119)

RESOLUTION 210315, authorizing Charles Paul, Assistant Vets Project Director for the Human Resources Department to attend three seminars called by the National League of Cities/U.S. Conference of Mayors for the Veterans Outreach Program, the first of which is to be held in Hollywood, California, from April 8 through April 11, 1974, times and places of the other two seminars to be announced by the League; authorizing the expenditure of \$1,000 out of Vets Program Fund 2519 for said purpose, was adopted on motion of Councilman Hubbard.

(Item 4 - CASE NO. 35-73-5 - 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 all that R-3 zoned property, (approximately 4.95 acres), in the Kearny Vista Community, located on both sides of Glidden Street at the intersection of Linda Vista Road and Glidden Street, from Zone R-3 to Zones R-2A, R-2, R-1-5, or any combination thereof. It was reported that no written protests had been received.

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

Woodrow W. Twyman appeared to speak in favor of retaining R-3 Zoning.

The Planning Commission had voted 5-0 to retain R-3 Zoning. By common consent, the Council agreed to retain R-3 Zoning.

(Item 5 - CASE NO. 35-73-3 - 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 property in the Kearny Vista Community described below from Zones R-4 and R-3 to Zones R-3A, R-3, R-2A, R-2, R-1-5, or any combination thereof:

(Item 5 - Continued)

Area 1 - Subarea A:

The R-4 zoned, City-owned land separated from the Kearny Vista Community by Genesee Avenue (approximately 1.66 acres). It was reported that no written protests had been received.

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

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating that property in the Kearny Vista Community located westerly of Linda Vista Road, on the north side of Genesee Avenue, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 3729 (New Series), adopted May 4, 1948, 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, Hubbard, Williams, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-None. Absent-None.

Area 1 - Subarea B:

The R-4 zoned property generally north of Levant Street, and including Linda Vista Park, the County Adoption Center and Barton Elementary School (approximately 18.1 acres). It was reported that no written protests had been received.

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

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating that property in the Kearny Vista Community located generally north of Levant Street, and including Linda Vista Park, the County Adoption Center and Barton Elementary School, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 3729 (New Series), adopted May 4, 1948, 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, Hubbard, Williams, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-None. Absent-None.

Area 1 - Subarea C:

The R-4 zoned property bounded by Linda Vista Road on the east, Fulton Street on the south, Ulric Street on the west, and Osler Street and Linda Vista Park on the north (approximately 20.45 acres). It was reported that no written protests had been received.

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

Bill Moshier, Bernard Lewis, Charles Lane, Fred Meyer and John Shea appeared to speak in opposition of R-2A Zoning.

Ruby Zellman appeared to speak in favor of R-2A Zoning.

(Item 5 - Area 1 - Subarea C - Continued)

The motion of Councilman Morrow, to close the hearing and introduce the Ordinance for R-2A Zoning, received no vote at this time.

Mayor Wilson recessed the Meeting at 10:50 a.m. Upon reconvening at 11:07 a.m., the roll call showed all present.

(Item 5 - Area 1 - Subarea C - Continued)

The motion of Councilman Ellis to continue for Planning Department and Mr. Love to study proposed plans for New Garden apartments, failed for lack of five affirmative votes by the following vote: Yeas-Councilmen Johnson, Hubbard and Ellis. Nays-Councilmen O'Connor, Williams, Morrow, Martinet, Bates and Mayor Wilson. Absent-None.

The motion of Councilman Morrow to amend the proposed Ordinance to R-2A Zoning, passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Bates and Mayor Wilson. Nays-Councilmen Hubbard and Ellis. Absent-None.

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating that property in the Kearny Vista Community bounded by Linda Vista Road on the east, Fulton Street on the south, Ulric Street on the west, and Osler Street and Linda Vista Park on the north, in The City of San Diego, California, into R-2A Zone, as defined by Section 101.0410 of the San Diego Municipal Code, and repealing Ordinance No. 3729 (New Series), adopted May 4, 1948, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced as amended, on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Bates and Mayor Wilson. Nays-Councilmen Hubbard and Ellis. Absent-None.

By common consent the Council considered Item 2.

(Item 2)

Mayor Wilson welcomed ten Asian College Students from Republic of China-Taiwan, Indonesia, Japan, Malaysia, Papua New Guinea, Philippines, Singapore, Republic of Korea/South Korea, Thailand, and Tonga, accompanied by Mr. David Faust with the Experiment in International Living.

(Item 5 - Area 1 - Subarea D)

The R-4 zoned property bounded on the west by Ulric, East Jewett and Lanston Streets, on the north by Fulton Street, and on the south and east by Linda Vista Road (approximately 19.66 acres). It was reported that no written protests had been received.

(Item 5 - Area 1 - Subarea D - Continued)

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

Charles Lane and Bernard Lewis appeared to speak on the proposed zoning.

The motion of Councilman Morrow to amend the proposed Ordinance to R-3 Zoning passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Bates and Mayor Wilson. Nays-Councilmen Hubbard and Ellis. Absent-None.

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating that property in the Kearny Vista Community bounded on the west by Ulric and East Jewett Streets, on the north by Fulton Street, and on the south and east by Linda Vista Road, in The City of San Diego, California, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 3729 (New Series), adopted May 4, 1948, of the Ordinances of The City of San Diego insofar as it conflicts herewith, was introduced as amended, on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Bates, and Mayor Wilson. Nays-Councilmen Hubbard and Ellis. Absent-None.

Area 1 - Subarea E

The R-4 zoned property occupied by Montgomery Junior High School and the Linda Vista Boys' Club (approximately 15.85 acres). It was reported that no written protests had been received.

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

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating that property in the Kearny Vista Community occupied by Montgomery Junior High School and the Linda Vista Boys' Club, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 3729 (New Series), adopted May 4, 1948, 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, Hubbard, Williams, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-None.

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

Upon reconvening at 2:01 p.m., the roll call showed Councilmen O'Connor, Williams and Bates absent.

Councilwoman O'Connor entered the Chamber.

Councilman Williams entered the Chamber.

(Item 10)

A proposed Ordinance, amending Chapter V, Article 6, of the San Diego Municipal Code by adding thereto Section 56.53, relating to nudity on public lands, was presented.

Councilman Bates entered the Chambers.

City Attorney Witt, City Manager Moore and Deputy City Manager Lockwood answered questions directed by the Council.

W. S. Brown, Dick Shaw, Charles White, Vivian Pratt, Robert Bostrom, Julia Huntington, Bill Killingbeck and Marian Bear appeared to speak in favor of the proposed Ordinance.

David Irving, Al Justice, Steffen Weathers, Robert Nielsen and Rowland Reed appeared to speak in opposition to the proposed Ordinance.

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

The motion of Councilwoman O'Connor to amend the proposed Ordinance by striking the words "harmful to children and others" and replacing them with "offensive to" passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Bates and Mayor Wilson. Nays-Councilman Ellis. Absent-None.

A proposed Ordinance, amending Chapter V, Article 6, of the San Diego Municipal Code by adding thereto Section 56.53, relating to nudity on public lands, was introduced as amended, on motion of Councilwoman O'Connor by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Bates and Mayor Wilson. Nays-Councilman Ellis. Absent-None.

(Item 11)

A proposed Resolution establishing a "Swimsuit Optional Zone" was presented.

Vivian Pratt, Tom Stratton, Sheri Thomas, Elaine Brantingham, David Hollenbeck, Gary Settle, Walter Heidenberg, Mary Jessop and Mr. Schmidt appeared to speak in favor of the proposed Resolution.

Jackie Davidson and Ruby Zellman appeared to speak in opposition to the proposed Resolution.

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

Mayor Wilson recessed the Meeting at 3:16 p.m. Upon re-convening at 3:34 p.m., the roll call showed Councilmen Williams and Bates absent.

Councilman Williams entered the Chambers.

Councilman Bates entered the Chambers.

(Item 11 - Continued)

The motion of Councilman Ellis to file the proposed Resolution received no vote at this time.

The motion of Councilman Williams to amend the proposed Resolution by adding 450 feet to the beach, died for lack of a second.

The motion of Councilman Johnson to cut off debate on motion to file passed unanimously.

The motion of Councilman Ellis to file failed for lack of five affirmative votes by the following vote: Yeas-Councilmen Hubbard and Ellis. Nays-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Bates and Mayor Wilson. Absent-None.

RESOLUTION 210316, designating that area of the public beach and adjacent waters bounded on the north by the southern boundary of Pueblo Lot 1324, bounded on the east by the Cliffs, and bounded on the south by the westerly extension of the northern boundary of Lot 5, La Jolla Farms Subdivision, as a "Swimsuit Optional" zone wherein nude sunbathing shall be lawful. The City Manager shall place appropriate signs marking the limits of said area, was adopted on motion of Councilman Morrow by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Bates and Mayor Wilson. Nays-Councilmen Hubbard and Ellis. Absent-None.

The motion of Councilman Johnson to refer to the City Manager to make this a workable solution by establishing a parking lot, proper signing and a better trail and report back to Council in one month passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet and Mayor Wilson. Nays-Councilmen Ellis and Bates. Absent-None.

(Item 5 - Area 1 - Subarea F)

The steep sloping land in the LC zone adjacent to Tecolote Canyon and in the vicinity of Kelly and Tait Streets (approximately 9.08 acres). It was reported that no written protests had been received.

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

The motion of Councilman Morrow to amend the proposed Ordinance to R-1-40 Zoning passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-Councilman Hubbard. Absent-None.

(Item 5 - Area 1 - Subarea F - Continued)

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating that property in the Kearny Vista Community located adjacent to Tecolote Canyon and in the vicinity of Kelly and Tait Streets, into R-1-40 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 3729 (New Series), adopted May 4, 1948, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced as amended, on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-Councilman Hubbard. Absent-None.

Area 1 - Subarea G:

The R-4 zoned land beginning in the north with the housing surrounding the Linda Vista Boys' Club, and generally south and west of Comstock Street, and south of Burton and Coolidge Streets (approximately 28.40 acres). One letter had been received in favor of R-3A zoning.

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

Ruby Zellman, John Cihak, Maxine Whitehead and Bernard Lewis appeared to speak in opposition of R-3A zoning.

Dr. Berrigan appeared to speak in favor of R-3A zoning.

The motion of Councilman Morrow to amend the proposed Ordinance to R-2A zoning passed by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Martinet, and Bates. Nays-Councilmen Johnson, Hubbard, Ellis and Mayor Wilson. Absent-None.

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating that property in the Kearny Vista Community beginning in the north with the housing surrounding the Linda Vista Boys' Club, and generally south and west of Comstock Street, and south of Burton and Coolidge Streets, into R-2A Zone, as defined by Section 101.0410 of the San Diego Municipal Code, and repealing Ordinance No. 13457, approved February 15, 1932, and Ordinance No. 3729 (New Series), adopted May 4, 1948, of the Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced as amended, on motion of Councilman Morrow by the following vote: Yeas- Councilmen O'Connor, Williams, Morrow, Martinet and Bates. Nays-Councilmen Johnson, Hubbard, Ellis, and Mayor Wilson. Absent-None.

(Item 5 - Area 1 - Subarea H)

The R-4 zoned property located generally east of Ulric Street and north of Coolidge and Burton Streets (approximately 19.16 acres). It was reported that no written protests had been received.

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

Bernard Lewis appeared to speak on the proposed rezoning.

The motion of Councilman Morrow to amend the proposed Ordinance to R-3 zoning received no vote at this time.

The motion of Councilman Morrow to continue for one week to April 11, 1974, for Planning Department and City Attorney to prepare an Ordinance for R-3A Zoning in designated areas and the rest to be R-3 Zoning, passed unanimously.

Area 1 - Subarea I:

The R-3 and R-4 zoned property generally between Subarea H and Crandall Drive (approximately 20.18 acres). It was reported that no written protests had been received.

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

The motion of Councilman Morrow to amend the proposed Ordinance to R-2A zoning received no vote at this time.

The motion of Councilman Morrow to continue for one week to April 11, 1974, for the Planning Department and City Attorney to prepare an Ordinance for R-3 Zoning in designated areas and the rest R-2A Zoning, passed unanimously.

RESOLUTION 210317, certifying that the information contained in the Negative Declaration No. 73-9-002C has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council, was adopted on motion of Councilman Morrow.

Mayor Wilson recessed the Meeting at 5:35 p.m. Upon re-convening at 5:54 p.m., the roll call showed Councilmen Williams, Morrow and Bates absent.

Councilman Morrow entered the Chambers.

Councilman Bates entered the Chambers.

(Item 118)

A proposed Resolution declaring the residential premises owned by Johnny B. Dapper at 335 34th Street to be a public nuisance; authorizing the City Attorney to take appropriate legal action to abate said nuisance, was presented.

On motion of Councilman Bates, the proposed Resolution was continued for one week to April 11, 1974, at Mr. Dapper's request.

(Item 6 - CASE NO. 35-73-6 - 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 properties in the Kearny Vista Community described below from Zones R-4 and R-3 to Zones R-3A, R-3, R-2A, R-2 and R-1-5 or any combination thereof:

Area 3 - Subarea A:

The R-4 zoned property generally north of the intersection of Linda Vista Road and Santa Ana Drive (approximately 10.14 acres). It was reported that no written protests had been received.

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

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating that property in the Kearny Vista Community located generally north of the intersection of Linda Vista Road and Santa Ana Drive, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 7549 (New Series), adopted August 15, 1957, 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, Hubbard, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-None. Absent-Councilman Williams.

Councilman Williams entered the Chambers.

Area 3 - Subarea B:

The R-4 zoned property, presently occupied by the University of San Diego, Diocese of San Diego Education and Welfare Corp. (University High School), San Diego Gas and Electric right-of-way and several single family residences on the north side of Linda Vista Road opposite Colusa Street (approximately 115.00 acres.) It was reported that no written protests had been received.

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

Dr. Art Hughes, Richard Pifkin, Mr. Hunt and Mrs. Rogers appeared to speak on the proposed rezoning.

The motion of Councilman Morrow to close the hearing and introduce the Ordinance for R-1-5 zoning received no vote at this time.

The motion of Councilman Hubbard to continue for two weeks to April 18, 1974, to allow time for the Planning Department to study new proposals of rezoning, passed unanimously.

Area 3 - Subarea C:

The R-4 zoned property generally bounded on the north by Linda Vista Road, on the east by Goshen and Hueneme Streets, on the south by Friars Road and on the west by Mollie Street (approximately 48.95 acres). It was reported that no written protests had been received.

(Item 6 Area 3 - Subarea C - Continued)

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

Mr. Rogers, Dillon Hunt, Lloyd Ripley and Matte Ripley appeared to speak on the proposed rezoning.

The motion of Councilman Morrow to amend the proposed Ordinance to R-3 zoning passed by the following vote: Yeas-Councilman Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Bates and Mayor Wilson. Nays-Councilman Ellis. Absent-None.

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating that property in the Kearny Vista Community generally bounded on the north by Linda Vista Road, on the east by Goshen and Hueneme Streets, on the south by Friars Road and on the west by Mollie Street, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 85 (New Series), adopted November 21, 1932, of the Ordinances of The City of San Diego insofar as it conflicts herewith, was introduced as amended, on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-None.

Area 3 - Subarea D:

The R-3 zoned property located southerly of Linda Vista Road and generally west of Via Las Cumbres (approximately 38.37 acres). It was reported that no written protests had been received.

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

Planning Commission voted 4-0 to retain R-3 Zoning.

By common consent, the Council agreed to retain R-3 Zoning.

(Item 8)

RESOLUTION 210318, authorizing the President of the Board of Administration of The City of San Diego Employees' Retirement System to execute an agreement with A. S. Hansen, Inc., to perform a financial evaluation of the Retirement System's financial position, was adopted on motion of Councilman Hubbard.

(Item 9)

A proposed Ordinance, amending Ordinance No. 11108 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for Fiscal Year 1973-74 and Appropriating the Necessary Money to Operate The City of San Diego for Said Fiscal Year" by amending Section 2, Subsection 19 thereof, relating to Allocation of funds by transferring \$43,000 to the City Retirement Department Operational Budget for the purpose of conducting a complete financial evaluation, was presented.

(Item 9 - Continued)

City Manager Moore answered questions directed by the Council.

A proposed Ordinance, amending Ordinance No. 11108 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for Fiscal Year 1973-74 and Appropriating the Necessary Money to Operate The City of San Diego for Said Fiscal Year" by amending Section 2, Subsection 19 thereof, relating to Allocation of funds by transferring \$43,000 to the City Retirement Department Operational Budget for the purpose of conducting a complete financial evaluation, was introduced on motion of Councilman Hubbard by the following vote: Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-None. Absent-None.

(Item 13 c)

A proposed Resolution, awarding a contract to Mercedes-Benz of North America, Inc. for thirty-three diesel-powered, 19-22 passenger City Transit Buses for a total cost including tax, terms and drive-away cost: Base Bid: \$727,564.20 (if paid 21 or more days after acceptance: \$732,730.20) Option: \$670,644 (if paid 21 or more days after acceptance \$675,431. Option to purchase thirty additional buses at a cost of \$21,080 plus sales tax of \$1,264.80 and a drive-away charge of \$10, was presented.

Mr. Cordy of the Transit Corporation and Mr. Pendleton of the Model Cities appeared to speak on the proposed Resolution.

RESOLUTION 210319, awarding a contract to Mercedes-Benz of North America, Inc. for thirty-three diesel-powered, 19-22 passenger City Transit Buses for a cost of \$20,790 each plus sales tax of \$1,247 and a drive-away charge of \$10 each, with an option to purchase thirty additional buses within sixty days after the award of this contract at a cost of \$21.080 each plus sales tax of \$1,264.80 and a drive-away charge of \$10, was adopted on motion of Councilman Hubbard.

Councilman Williams requested a report from the San Diego Transit Corporation within two weeks on what the Transit Corporation's plans are for the Model Cities Transportation Program, will they assume responsibility for it, and how and where they propose to utilize the 33 buses being purchased.

(Item 102)

A proposed Resolution, continued from the Meeting of March 21, 1974, for further review, amending Council Policy No. 200-3 entitled Financing Street Improvements in Older Urbanized Areas; rescinding Resolution No. 169944 adopted March 15, 1962, was presented.

(Item 102 - Continued)

The motion of Councilman Morrow to amend the proposed Resolution by adding "the primary consideration shall be owner-occupied residential areas", passed unanimously.

RESOLUTION 210320, amending Council Policy No. 200-3 entitled Financing Street Improvements In Older Urbanized Areas; rescinding Resolution No. 169944 adopted March 15, 1962, was adopted, as amended on motion of Councilman Morrow.

Councilman Williams left the Chamber.

(Item 116)

A proposed Resolution approving and adopting the City Manager's recommendations in connection with the draft Environmental Impact Statement for the proposed Federal Youth Correctional Facility to be located adjacent to the Tierrasanta Community within the City, was presented.

James Gleason, Environmental Quality Department, answered questions directed by the Council.

RESOLUTION 210321, approving and adopting the City Manager's recommendations in connection with the draft environmental impact statement for the proposed Federal Youth Correctional Facility to be located adjacent to the Tierrasanta Community within the City, was adopted on motion of Councilman Ellis.

(Item 117)

RESOLUTION 210322, declaring the City's opposition to the site location of the proposed Tierrasanta Federal Youth Correctional Facility, was adopted on motion of Councilman Ellis.

Councilman Williams entered the Chamber.

(Item 103)

RESOLUTION 210323, authorizing an agreement with Campbell & Atkinson to provide architectural-engineering services in connection with the design and construction of a pedestrian overpass bridging Torrey Pines Road in the vicinity of its intersection with La Jolla Shores Drive; authorizing the expenditure of \$22,900 out of Capital Improvement Construction Fund 244 for said purpose and related expenses; certifying that the information contained in Environmental Impact Report No. 73-7-006C, dated September 6, 1973 has been reviewed and considered by this Council, was adopted on motion of Councilman Johnson.

(Item 105)

A proposed Resolution authorizing agreements with George M. Graves, M.A.I. and Emmett J. McKanna, Jr., M.A.I. for the preparation of two independent appraisals of the Santa Fe Depot property; authorizing the expenditure of \$18,000 out of Capital Outlay Fund 245 for said purpose and related items, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 210324, authorizing agreements with George M. Graves, M.A.I. and Emmett J. McKanna, Jr., M.A.I. for the preparation of two independent appraisals of the Santa Fe Depot property; authorizing the expenditure of \$18,000 out of Capital Outlay Fund 245 for said purpose and related items, was adopted on motion of Councilman Bates.

(Item 106)

A proposed Resolution authorizing an agreement with San Diego Community College District for the purpose of implementing the Model Cities Educational/Cultural Complex Project, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 210325, authorizing an agreement with San Diego Community College District for the purpose of implementing the Model Cities Educational/Cultural Complex Project, was adopted on motion of Councilman Williams.

(Item 115)

A proposed Resolution, strongly endorsing Senate Constitutional Amendment No. 15, (Diversion of 25% of the motor vehicle fuel tax, registration and license fees for construction of public mass transit guideways and related facilities) Proposition 5 on the June 4 Primary Ballot, was presented.

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

RESOLUTION 210326, strongly endorsing Senate Constitutional Amendment No. 15, (Diversion of 25% of the motor vehicle fuel tax, registration and license fees for construction of public mass transit guideways and related facilities) Proposition 5 on the June 4 Primary Ballot, was adopted on motion of Councilman Morrow.

(Item 120)

The following Resolutions relative to the Centre City Major Activity Center (MAC) Transportation Study, were adopted on motion of Councilman Bates:

RESOLUTION 210327, authorizing the City Manager to execute an agreement with Comprehensive Planning Organization to carry out said study for an amount not to exceed \$115,640 to be reimbursed by CPO; and

(Item 120 - Continued)

RESOLUTION 210328, ratifying contracts with BRH Mobility services in the amount of \$95,200 to provide transportation consulting services (executed February 27, 1974); BRH Mobility Services in the amount of \$14,000 (executed February 20, 1974) to carry out Phase I of said study; Wallen Associates in the amount of \$13,000 (executed September 12, 1973 and January 8, 1974 to provide support for City staff; and Rockrise, Odermatt, Mountjoy and Amis (ROMA) (executed February 20, 1974) in the amount of \$12,500; authorizing the expenditure of up to \$52,000 from the Public Transportation Reserve Fund 2571 in support of the Centre City Transportation Planning Program for defraying cost of said contracts and to meet cash flow requirements.

(Item 121)

A proposed Resolution changing Mayor Pete Wilson's name to Padre Pete MacWilson for the opening day of the 1974 baseball season in San Diego on April 9, 1974, was presented.

A motion by Councilman Martinet to amend the Resolution to one week instead of one day and change the date from April 9 to April 8 to April 14, 1974, passed unanimously.

RESOLUTION 210329, changing Mayor Pete Wilson's name for this opening week, April 8 to April 14, 1974, of the 1974 baseball season in San Diego to Padre Pete MacWilson, was adopted, as amended, on motion of Councilman Martinet.

By Unanimous Consent granted to Deputy City Manager Lockwood, a proposed Resolution directing City Manager to proceed with the development of Bonita Basin as previously approved by City Council per Resolution No. 209665 dated January 17, 1974, (which awarded the contract), was presented.

City Manager Moore and Deputy City Manager Lockwood answered questions directed by the Council.

Mr. McDougal appeared to speak in favor of the proposed Resolution.

RESOLUTION 210330, authorizing and directing the City Manager to cause the improvement of the South parking lots to be omitted from the improvement of Bonita Basin as approved on January 17, 1974 by Resolution No. 209665, was adopted on motion of Councilwoman O'Connor by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis, Bates and Mayor Wilson. Nays-Councilman Martinet. Absent-None.

Councilman Morrow left the Chambers.

(Supplemental Docket - Item 1)

A proposed Ordinance, continued from the Meeting of April 2, 1974, for City Attorney to redraft Ordinance, amending Chapter VI, Article 7, of the San Diego Municipal Code by adding Section 67.72 relating to the Water System, was presented.

(Supplemental Docket - Item 1 - Continued)

A proposed Ordinance, amending Chapter VI, Article 7, of the San Diego Municipal Code by adding Section 67.72 relating to the Water System, was reintroduced, as amended, on motion of Councilman Bates by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, Ellis, Bates and Mayor Wilson. Nays-None. Absent-Councilman Morrow.

(Supplemental Docket - Item 2)

A proposed Resolution, continued from the Meeting of April 2, 1974, for Stadium Board Report, authorizing an agreement with Asteroid Corporation for the operation and maintenance of the San Diego Stadium scoreboard display and control equipment from March 12, 1974 through December 31, 1974, was presented.

Deputy City Manager Blair answered questions directed by the Council.

Councilman Williams left the Chambers.

RESOLUTION 210331, authorizing an agreement with Asteroid Corporation for the maintenance and operation of the San Diego Stadium Scoreboard; authorizing the expenditure of \$8,000 from 256 Fund, Fiscal 74 and \$14,000 from 256 Fund, Fiscal 75, for said purpose; authorizing the execution of Stadium Scoreboard and/or Display Panel Advertising Agreements with advertisers, and approving the rate schedule for and the maximum term of advertising agreements; authorizing the City Auditor and Comptroller to transfer 15% of Stadium advertising revenues from the San Diego Stadium Operation Fund 256 to Convention and Performing Arts Center Fund 254 for advertising promotion and to transfer \$8,737.50 from Reimbursable Advertising Services Expense for Fiscal 74, Fund 256, was adopted on motion of Councilman Ellis.

(Supplemental Docket - Item 3)

RESOLUTION 210332, authorizing the Otay Mesa Community Planning Group to represent the Otay Mesa Community, and work with the City Manager's office and Planning Department in the development of a long-range community plan, consistent with community goals and objectives, and be responsible for its presentation as well as the coordination of community support for its adoption and effectuation; directing the Planning Department to provide the requested assistance in developing a Community Plan for the Otay Mesa Community; and requesting the Planning Commission to include the Otay Mesa Community Plan in the Department's fiscal 1975 work program, was adopted on motion of Councilman Bates.

Minutes of the Regular Meetings of Thursday, January 1, Tuesday, February 12 and Tuesday, March 12, 1974 were presented by the City Clerk. On motion of Councilman Bates, said minutes were approved without reading, after which they were signed.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Bates, at 8:05 p.m.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

LaVerne E. Miller

Asst. City Clerk of The City of San Diego, California