

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, APRIL 11, 1974
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

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

Acting Mayor Martinet called the Regular Meeting to order at 8:40 a.m.

(Item 1)

Roll Call was taken.

(Item 2)

Councilman Hubbard gave the Invocation.

(Item 3)

Councilwoman O'Connor led the Pledge of Allegiance.

The Council considered that portion of the Consent Agenda dealing with Ordinances introduced at a previous meeting, ready for dispensing with the reading and adoption: Items 4 and 5.

The following Ordinances were introduced at the Meeting of March 28, 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 Bates, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Ellis, Bates, and Acting Mayor Martinet. Nays-None. Absent-Councilmen Johnson, Williams, Morrow, and Mayor Wilson.

(Item 4 - CASE NO. 11-73-1)

ORDINANCE 11292 (New Series), 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.

(Item 5)

ORDINANCE 11293 (New Series), amending Chapter X, Article 1, Division 2, of the San Diego Municipal Code by amending Section 101.0204 relating to Zoning Fees.

The Council considered Item 16 out of order.

(Item 16)

RESOLUTIONS: Authorizing two representatives of the Police Department and one representative of Personnel Department to travel to Menlo Park, California, during the period April 17 through 19, 1974, for the purpose of attending the Project MORE Seminar, addressing equal employment practices in the field of law enforcement; authorizing the expenditure of \$225 from the General Purpose Revolving Fund (534) for said purpose; determining that the total cost of said travel, excluding salaries, shall be reimbursed to City by Golden Gate University, pursuant to letter of invitation from the Commission of Peace Officer Standards and Training (POST), was presented.

On motion of Councilwoman O'Connor, the proposed resolution was returned to the City Manager at his request.

The Council considered the Resolutions portion of the Consent Agenda: Items 6, 7, 8, 9, 10, 11, 12, 14, and 15.

(Item 6)

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

RESOLUTION 210333, Camera Mart for the purchase of Camera Equipment (Alternate #2) for an actual cost of \$10,029.51, including tax and terms; and

RESOLUTION 210334, Austin Office Interiors for the purchase of 33 chairs for an actual cost, including tax and terms, of \$2,984.80.

(Item 7)

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

RESOLUTION 210335, furnishing prebinding of library books for a one-year period ending June 30, 1975, in accordance with Specifications Document No. 746851; and

RESOLUTION 210336, furnishing small tools for a one-year period ending June 30, 1975, in accordance with Specifications Document No. 746852.

(Item 8)

The following Resolutions, relative to the following final subdivision maps, were adopted on motion of Councilman Ellis:

RESOLUTION 210337, authorizing an agreement with Colwell-Windsor Development Co. for completion of improvements in Del Cerro Heights Unit 2, a one-lot subdivision located on the west side of Pasatiempo Avenue between Rockhurst Ct. and Camino Rico;

RESOLUTION 210338, approving the final map of Del Cerro Heights Unit 2;

RESOLUTION 210339, authorizing an agreement with Colwell-Windsor Development Co. for completion of improvements in Del Cerro Heights Unit 4, a one-lot subdivision located on the west side of Pasatiempo Avenue between Rockhurst Court and Camino Rico; and

RESOLUTION 210340, approving the final map of Del Cerro Heights Unit 4.

(Item 9)

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

RESOLUTION 210341, authorizing an agreement with Larwin-San Diego, Inc., for completion of improvements in Larwin Square West Unit 1, a two-lot subdivision located on the north side of Mira Mesa Boulevard, west of Black Mountain Road; and

RESOLUTION 210342, approving the final map of Larwin Square West Unit 1.

(Item 10)

RESOLUTION 210343, amending an agreement with Sixth Avenue Investment and Development Company providing for the installation and completion of certain public improvements in Balboa Park Terrace Subdivision by substituting Bond No. 80564519, in the amount of \$13,415, for Exhibit C, which bond has been executed by the subdivider and by Federal Insurance Company for the faithful performance of said agreement; releasing Time Certificate Nos. 26512 and 26516 issued by United California Bank, La Jolla, was adopted on motion of Councilman Ellis.

(Item 11)

RESOLUTION 210344, amending an agreement with Sixth Avenue Investment and Development Company providing for the installation and completion of certain public improvements in Balboa Park Towers Subdivision by substituting Bond No. 80564518, in the amount of \$38,188, for Exhibit C, which bond has been executed by the subdivider and by Federal Insurance Company for the faithful performance of said agreement; releasing Time Certificate Nos. 26514 and 26515 issued by United California Bank, La Jolla, was adopted on motion of Councilman Ellis.

(Item 12)

RESOLUTION 210345, accepting the work done and authorizing a Notice of Completion in North Miramar Ranch Unit 3 Subdivision, was adopted on motion of Councilman Ellis.

(Item 14)

The following Resolutions, approving the acceptance by the City Manager of deeds, were adopted on motion of Councilman Ellis:

RESOLUTION 210346, State of California, Department of Transportation - street purposes - 47TH STREET; and

RESOLUTION 210347, San Carlos Associates - street purposes and general utilities - MARGERUM AVENUE.

(Item 15)

RESOLUTION 210348, authorizing the City Treasurer to issue a new bond to Isabel Bedford to replace Street Improvement Bond No. 87, Series 2666, which has been lost, mislaid, stolen or destroyed, was adopted on motion of Councilman Ellis.

(Item 21)

Five proposed Resolutions, relative to intention to order changes and modifications in the work proposed to be done under Resolution of Intention No. 205383 - Paving and otherwise improving Los Altos Road between Collingwood Drive and Los Altos Way - under Resolution of Intention to Make Change 209961, were presented.

Pat Agostino spoke regarding a proposed continuance.

Councilman Morrow entered the Chamber.

The motion of Councilwoman O'Connor to continue the matter two weeks to April 25, 1974, received no vote at this time.

Mayor Wilson entered the Chamber.

Councilwoman O'Connor withdrew the motion to continue the matter two weeks when it was determined that Mr. Agostino was actually speaking in opposition to Item 20.

By common consent, the Council agreed to consider Item 13 out of order.

(Item 13)

The following Resolutions, relative to paving and otherwise improving the alleys in Blocks 1 and 10, Silver Terrace; Alley in Block D, Silver Terrace Addition; and the Alleys in Block 16, Mission Bay Park Tract, were adopted on motion of Councilman Bates:

RESOLUTION 210349, approving the Plans, Specifications and Plat No. 3873 of the Assessment District; and

RESOLUTION OF INTENTION 210350, setting the time and place for hearing.

(Item 17 - CASE NO. 61-73-3)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of February 14, 1974, on the matter of rezoning Parcel B of Lot 2, Scripps Village Center Unit 2, (approximately 9.9 acres), located north of Pomerado Road between Scripps Ranch Boulevard and Aviary Drive, from Zone CA to Zone R-2A.

Ken Klein, Planning Department, Planning Director Goff, and City Manager Moore answered questions directed by the Council.

The motion of Councilman Martinet to close the hearing, introduce the proposed Ordinance for R-2A Zoning, and adopt the Environmental Impact Report received no vote at this time.

Attorney Frank Asaro appeared to speak in favor of the proposed Ordinance.

R. A. Cesina appeared to speak in opposition to the proposed Ordinance.

On motion of Councilman Hubbard, the matter was continued one week to April 18, 1974 for the purpose of allowing the developer and the Planning Department to resolve questions relating to the area involved.

Councilman Morrow asked the Planning Department for a copy of the agreement between the School District and Leadership Homes.

Councilman Ellis asked for an elaboration from the City Manager on the noise and potential noise problems, including a statement from Naval Air Station Miramar.

On motion of Councilman Hubbard, the Informational Report of the Planning Department and City Manager, dated April 1, 1974, entitled "I-15 Corridor Traffic Analysis," was referred to the Rules Committee.

(Item 18 - CASE NO. 35-73-3 - portion - City-initiated)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meeting of Thursday, April 4, 1974, on the matter of rezoning property in the Kearny Vista Community from Zones R-4 and R-3 to Zones R-3A, R-3, R-2A, R-2, R-1-5, or any combination thereof.

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 generally bounded by Tait Street and Coolidge Street on the south, Linda Vista Road, Comstock Street and Ulric Street on the west, Fleetwood Street on the north, and West Dunlop Street and Burroughs Street on the east, into R-3 and R-3A Zones, as defined by Sections 101.0411 and 101.0412, respectively, 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 they conflict herewith (AREA I, SUBAREA H), was introduced on motion of Councilman Morrow, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson and Williams.

A proposed Ordinance, incorporating that property in the Kearny Vista Community generally bounded by Tait Street on the south, Crandall Drive, Garston Street and Flushing Drive on the east, Fleetwood Street on the north and West Dunlop and Westinghouse Streets on the west, into R-2A and R-3 Zones, as defined by Sections 101.0410 and 101.0411, respectively, of the San Diego Municipal Code, and repealing

(Item 18 - Continued)

Ordinance No. 3729 (New Series), adopted May 4, 1948, and Ordinance No. 10251 (New Series), adopted March 12, 1970 of the Ordinances of The City of San Diego insofar as the same conflict herewith (AREA I, SUBAREA I), was introduced on motion of Councilman Morrow, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson and Williams.

(Item 19 - CASE NO. 43-74-1)

The hour of 8:30 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 (approximately .59 acres), located on the south side of Vickers Street between Convoy Street and Ruffner Street, from Zone R-1-20 to Zone M-1A.

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

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 O'Connor, Hubbard, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson and Williams.

RESOLUTION 210351, certifying that the information contained in the Negative Declaration E.Q.D. No. 73-10-1006P has been reviewed and considered by this Council, was adopted on motion of Councilman Morrow.

(Item 20)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on paving and otherwise improving the Alley, Block 23, Kensington Park; alley, Block 2, University Place and Block 225-1/2, University Heights; Alley, Block 24, Sunset Cliffs, and 32nd Street, between Cedar and Beech Streets - on Resolution of Intention 210066. It was reported that two written protests had been received.

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

Pat Agostino and Ed Guzman appeared to speak regarding a proposed continuance.

RESOLUTION 210352, continuing the hearings on the proposal to pave and otherwise improve the Alley, Block 23, Kensington Park; Alley, Block 2, University Place and Block 225-1/2, University Heights; Alley, Block 24, Sunset Cliffs, and 32nd Street, between Cedar and Beech Streets, under Resolution of Intention No. 210066, adopted March 7, 1974, to the hour of 8:30 a.m., Thursday, April 18, 1974, was adopted on motion of Councilwoman O'Connor.

(Item 22 - CASE NO. 20-71-3/Eot)

A proposed Ordinance, amending Section 1 of Ordinance No. 10695, (New Series), adopted September 30, 1971, incorporating Lots 21 through 25 and portions of Lots 26 through 30 and 32 through 40, Block 1, all of Block 2, Lots 1 through 5 and 11 through 13, Block 3, all of Block 4, Lots 1 through 24 and 31 through 40, Block 5, and Lots 30 through 36 and 40 and portions of Lots 21 through 29, Block 6 and portions of that closed alley adjacent to Lots 11, 12 and 13 of Block 3 of Stephen's Addition, portion of Revere Avenue Closed, portion of Glendora Street Closed and a portion of Rosewood Street Closed, and a portion of Lots 1 and 4, Eureka Lemon Tract, into C-1S Zone, located in the Mission-Pacific Beach area - extension of time to October 30, 1974, was presented.

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

A proposed Ordinance, amending Section 1 of Ordinance No. 10695, (New Series), adopted September 30, 1971, incorporating Lots 21 through 25 and portions of Lots 26 through 30 and 32 through 40, Block 1, all of Block 2, Lots 1 through 5 and 11 through 13, Block 3, all of Block 4, Lots 1 through 24 and 31 through 40, Block 5, and Lots 30 through 36 and 40 and portions of Lots 21 through 29, Block 6 and portions of that closed alley adjacent to Lots 11, 12 and 13 of Block 3 of Stephen's Addition, portion of Revere Avenue Closed, portion of Glendora Street Closed and a portion of Rosewood Street Closed, and a portion of Lots 1 and 4, Eureka Lemon Tract, into C-1S Zone, as defined by Section 101.0430 of the San Diego Municipal Code, was introduced on motion of Councilman Martinet, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson and Williams.

RESOLUTION 210353, certifying that the information contained in Negative Declaration E.Q.D. No. 73-10-1024P has been reviewed and considered by this Council, was adopted on motion of Councilman Martinet.

The Council returned to consideration of Item 21.

(Item 21 - Continued)

The Council discussed the item.

RESOLUTION 210354, continuing the hearing on the Intention to Order Changes and Modifications in the work proposed to be done under Resolution of Intention No. 205383 - Paving and otherwise improving Los Altos Road between Collingwood Drive and Los Altos Way - under Resolution of Intention to Make Change No. 209961, to the hour of 8:30 a.m., Thursday, April 18, 1974, was adopted on motion of Councilwoman O'Connor.

(Item 23)

A proposed Resolution, continued from the Meeting of April 4, 1974, 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.

City Manager Moore answered questions directed by the Council.

RESOLUTION 210355, 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 adopted on motion of Councilman Morrow.

(Item 24)

A proposed Resolution, awarding a contract to Ajax Maintenance Service for furnishing janitorial services for the Neighborhood Youth Corps for a period of five months ending June 30, 1974 for an actual estimated cost of \$1,616.88, including terms; and authorizing reimbursement to Cook Building Maintenance for janitorial services furnished from August 1, 1973 through January 31, 1974, for a total cost of \$1,800, including terms, was presented.

City Manager Moore answered questions directed by the Council.

Councilman Hubbard asked for a report from the City Manager on the possibility of using Neighborhood Youth Corps youths for this type of service.

RESOLUTION 210356, awarding a contract to Ajax Maintenance Service for furnishing janitorial services for the Neighborhood Youth Corps for a period of five months ending June 30, 1974 for an actual estimated cost of \$1,616.88, including terms; and authorizing reimbursement to Cook Building Maintenance for janitorial services furnished from August 1, 1973 through January 31, 1974, for a total cost of \$1,800, including terms, was adopted on motion of Councilman Morrow.

(Item 25)

RESOLUTION 210357, directing the City Clerk to set a public hearing on a proposed amendment to Section 72.21(d) of the San Diego Municipal Code providing for a rate increase for Automobiles for Hire, and to publish notice of said hearing at least one week prior to the date of hearing, was adopted on motion of Councilwoman O'Connor.

(Item 26)

Three proposed Resolutions, relative to the Final Subdivision Map of Del Cerro Heights Unit 3, a one-lot subdivision located on the west side of Pasatiempo Avenue between Rockhurst Court and Camino Rico, were presented.

City Manager Moore answered questions directed by the Council.

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

RESOLUTION 210358, authorizing an agreement with Colwell-Windsor Development Co. for the completion of improvements in Del Cerro Heights Unit 3, a one-lot subdivision located on the west side of Pasatiempo Avenue between Rockhurst Court and Camino Rico;

RESOLUTION 210359, approving the final map of Del Cerro Heights Unit 3; and

RESOLUTION 210360, authorizing the divestment of the City's easement interest through negotiated sale for the sum of \$110 of portion of Lot 67, Rancho Mission of San Diego; authorizing the execution of a quitclaim deed, quitclaiming to Colwell-Windsor Development Co. an easement for access road purposes.

(Item 27)

RESOLUTION 210361, adopting schedules for regular meetings of the standing committees of the Council for the remainder of 1974, was adopted on motion of Councilman Morrow.

(Item 28)

Two proposed Resolutions, adopting a temporary rule providing for alternate meeting dates for the Rules Committee as necessitated by holidays and conferences, were presented.

City Attorney Witt answered questions directed by the Council.

The following Resolutions were adopted on motion of Councilman Morrow:

RESOLUTION 210362, adopting an altered schedule of regular meetings of the standing committees of the Council in order to accommodate holidays and the annual conferences of the League of California Cities and National League of Cities; and

RESOLUTION 210363, rescheduling the City Council regular meeting of November 28, 1974 to November 27, 1974 at 8:30 a.m., and the regular meeting of December 5, 1974 to December 6, 1974 at 8:30 a.m.

The Referral Agenda, consisting of Items 29, 30, 31, and 32, was approved on motion of Councilman Martinet.

Councilman Morrow left the Chamber.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Bates at 10:05 a.m., and the Mayor announced there would be an Executive Session at 2:00 p.m. for the purpose of Meeting and Confering with the Management Team.



Mayor of The City of San Diego, California

ATTEST:



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