

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, MAY 2, 1974
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

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

Absent--None.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 8:50 a.m.

(Item 1)

Roll Call was taken.

(Item 2)

Mayor Wilson introduced Mr. Vernon Yoshioka, Lay Leader of the Ocean View United Church of Christ, who gave the Invocation.

(Item 3)

Councilman Williams led the Pledge of Allegiance.

(Item 4)

The students were not present in the Chamber.

(Item 5)

Minutes of the Regular Council Meetings of Tuesday, February 5, 1974 and Tuesday, February 26, 1974 were presented by the City Clerk.

On motion of Councilwoman O'Connor, said Minutes were approved without reading, after which they were signed.

(Item 6)

A communication from Ruby Zellman, representing the Kearny Vista Planners, requesting permission to address the Council regarding updating the Kearny Vista Community Plan, was continued indefinitely on the suggestion of the Mayor.

(Item 7)

A communication from L. R. Burzell, General Manager and Chief Engineer of the San Diego County Water Authority, requesting permission to address the Council regarding studies of treated water service within San Diego County Water Authority service area, was presented.

L. R. Burzell appeared to speak regarding said communication.

On motion of Councilman Morrow, the communication was referred to the City Manager and to the Committee on Rules, Legislation and Intergovernmental Relations for referral to the appropriate committee.

The Council considered the Consent Agenda, which consisted of Items 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, and 34.

The following Ordinance was introduced at the Meeting of April 18, 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 Martinet, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-None.

(Item 10)

ORDINANCE 11312 (New Series) amending Chapter VI, Article 2, of the San Diego Municipal Code by adding Division 9 thereto, relating to newsracks on public rights-of-way.

(Item 11)

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

RESOLUTION 210474, Laguna Landscape for furnishing complete landscape maintenance for 13 selected sites for a period of 14 months ending June 30, 1975, with option to renew the contract for two additional one-year periods, subject to price escalation not to exceed 3% for first option year and not to exceed 5% for second option year, for an estimated cost of \$29,866.62 for whole contract and \$4,266.66 for 1974 Fiscal two months;

RESOLUTION 210475, APW-Evans Automotive for the purchase of Internal automotive engine parts as may be required for a period of one year ending May 31, 1975, with option to renew for an additional one-year period, for an actual estimated cost, including tax and terms, of \$30,000; and

RESOLUTION 210476, Halprin Supply Co. for the purchase of six each smoke ejectors for an actual cost, including terms and tax, of \$2,512.20.

(Item 12)

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

RESOLUTION 210477, Whited Cemetery Service for Section 11 for the purchase of burial enclosures as may be required for the period of one year ending March 31, 1975, with an option to renew for an additional year subject to price escalation not to exceed 10% of bid price, for an actual estimated cost, including tax and terms, of \$18,862.97;

(Item 12 - Continued)

RESOLUTION 210478, Ray-Way Concrete Products for the purchase of reinforced concrete picnic tables as may be required for the period of one year ending April 30, 1975, with escalation not to exceed 2-1/2%, for a total estimated cost, including tax and terms, of \$22,830.75;

RESOLUTION 210479, Ameron Pipe Products Group for the purchase of concrete manhole components as may be required for a period of one year ending April 30, 1975, for a total actual estimated cost, including tax and terms, of \$10,000; and

RESOLUTION 210480, Nixon-Egli Equipment Co. of Southern California, Inc. for the purchase of one mobile hydraulic hammer for an estimated cost, including cash discount and sales tax, of \$20,321.26.

(Item 13)

The following Resolutions relative to inviting bids were adopted on motion of Councilwoman O'Connor:

RESOLUTION 210481, furnishing liquid aluminum sulfate as may be required for a period of one year ending June 30, 1975, in accordance with Specifications Document No. 747061;

RESOLUTION 210482, furnishing bulk quicklime as may be required for a period of one year ending June 30, 1975, in accordance with Specifications Document No. 747062; and

RESOLUTION 210483, furnishing laboratory glassware, laboratory chemicals, and miscellaneous laboratory supplies, as may be required for the period of one year ending June 30, 1975, in accordance with Specifications Document No. 747063.

(Item 14)

The following Resolutions relative to inviting bids were adopted on motion of Councilwoman O'Connor:

RESOLUTION 210484, construction of metal beam guard rail on Pershing Drive north of Florida Drive, in accordance with Specifications Document No. 747064; and

RESOLUTION 210485, construction of Memorial Park and Recreation Center - Safety Lighting, Model Cities Area III, in accordance with Specifications Document No. 747065.

(Item 15)

The following Resolutions relative to inviting bids were adopted on motion of Councilwoman O'Connor:

RESOLUTION 210486, addition to Building No. 264 Chollas Operation Center, in accordance with Specifications Document No. 747066; and

RESOLUTION 210487, construction of safety lighting systems on Mission Boulevard between El Carmel Place and Pacific Beach Drive, in accordance with Specifications Document No. 747067.

(Item 16)

RESOLUTION 210488, inviting bids for construction of safety lighting systems and traffic signal service modifications for Washington Street Underground Utility District (3rd Avenue to 9th Avenue), in accordance with Specifications Document No. 747068, was adopted on motion of Councilwoman O'Connor.

(Item 17)

RESOLUTION 210489, declaring San Diego Products Co. to be in default of the agreement relating to improvement of Potter Tract Subdivision; authorizing the City Attorney to give notice of said default; instructing the City Manager to complete, or cause to be completed, said improvements, was adopted on motion of Councilwoman O'Connor.

(Item 18)

The following Resolutions, relative to an exchange of sewer easement interests, affecting a portion of Lot 2, Mission Gardens Annex, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 210490, authorizing the execution of a quitclaim deed, quitclaiming to Mission Gorge Associates an unneeded existing easement; and

RESOLUTION 210491, approving the acceptance by the City Manager of a deed of Mission Gorge Associates for an easement for sewer purposes affecting said lot.

(Item 19)

The following Resolutions authorizing the execution of deeds, conveying easement interests to San Diego Gas & Electric Company, affecting a portion of Lot 26, La Mesa Colony, were adopted on motion of Councilwoman O'Connor:

RESOLUTION 210492, conveying an easement for underground facilities to provide electrical service to Montezuma Water Pumping Plant; and

RESOLUTION 210493, conveying an easement for overhead electrical facilities to said Plant.

(Item 20)

RESOLUTION 210494, authorizing the divestment of City's fee title interest by negotiated sale for the sum of \$300, of a portion of Lot 47, Coral Reef Estates Unit No. 2; authorizing the execution of a grant deed, granting to Anthony K. and Alice Sue Mason said land acquired for utility purposes, and now declared surplus, was adopted on motion of Councilwoman O'Connor.

(Item 21)

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

RESOLUTION 210495, approving the acceptance by the City Manager of deed of Miramar Development Company (street purposes) - ACTIVITY ROAD;

RESOLUTION 210496, approving the acceptance by the City Manager of deed of Miramar Development Company (street purposes) - ACTIVITY ROAD; and

RESOLUTION 210497, certifying that the information contained in Environmental Negative Declaration No. 73-4-1023P has been reviewed and considered.

(Item 22)

RESOLUTION 210498, approving the acceptance by the City Manager of deed of Marina S. Cuenca (street purposes) - ALVERSON ROAD; rescinding Resolution No. 206624, adopted October 3, 1972, was adopted on motion of Councilwoman O'Connor.

(Item 23)

The following Resolutions relative to conversion of existing overhead electric and communication facilities to underground locations under 1913 Municipal Improvement Act (Amalfi Street Assessment District), were adopted on motion of Councilwoman O'Connor:

RESOLUTION 210499, declaring intention to order certain improvements within the City pursuant to said Act; stating intention to enter into agreements for the conversion of existing overhead electric and communication facilities to underground locations; describing the district to be benefited by said improvements and to be assessed to pay the cost and expense thereof; determining and declaring that bonds shall be issued under the Improvement Act of 1911 to represent unpaid assessments; providing for the use of any surplus amount remaining in the Improvement Fund after completion of the improvement; and referring the proposed improvement to the City Manager to make and file a written report;

RESOLUTION 210500, approving a report prepared pursuant to the Municipal Improvement Act of 1913; and fixing the time and place for hearing protests and objections to the improvements, diagram and assessment described and contained in said report; giving notice thereof; and

RESOLUTION 210501, directing the City Clerk to give notices inviting sealed bids for the purchase of improvement bonds and for the conversion of existing overhead electric and communication facilities to underground locations.

(Item 24)

RESOLUTION 210502, granting the petition for improvements in the Alley, Block 254, Pacific Beach, under the Improvement Act of 1911; directing the City Manager to furnish description and plat of the district, was adopted on motion of Councilwoman O'Connor.

(Item 25)

RESOLUTION 210503, designating July 1, 1974 as the date upon which all property in that portion of the Mission Boulevard Underground Utility District between Pacific Beach Drive and El Carmel Place must be ready to receive underground service and October 30, 1974 as the date for the removal of all overhead utility facilities, was adopted on motion of Councilwoman O'Connor.

(Item 26)

RESOLUTION 210504, authorizing an agreement with the Redevelopment Agency of The City of San Diego to provide administrative services for the San Diego City College Redevelopment Project, was adopted on motion of Councilwoman O'Connor.

(Item 27)

RESOLUTION 210505, authorizing an agreement with the Geological Survey, United States Department of the Interior, continuing the City's cooperative agreement for the investigation of water resources of the Santa Ysabel Creek near Ramona, for the sum of \$2,140 for the period ending June 30, 1975, was adopted on motion of Councilwoman O'Connor.

(Item 28)

RESOLUTION 210506, authorizing an agreement with the State of California for the construction of a bicycle lane from West Mission Bay Drive to Quivira Road, was adopted on motion of Councilwoman O'Connor.

(Item 29)

RESOLUTION 210507, approving Change Order No. 1, issued in connection with the contract with T. B. Penick & Sons, Inc., for construction of Oak Park, granting an extension of time of 90 days, to and including June 9, 1974, was adopted on motion of Councilwoman O'Connor.

(Item 30)

RESOLUTION 210508, approving Change Order No. 1, issued in connection with the contract with Perry Electric, for construction of traffic signal and safety lighting systems at Genesee Avenue and Mt. Etna Drive, granting an extension of time of 15 days, to and including April 11, 1974, was adopted on motion of Councilwoman O'Connor.

(Item 31)

RESOLUTION 210509, authorizing a modification of the contract with Model Ex-Offenders, Inc., for the purpose of maintaining a full staff and providing programatic services through June 30, 1974 for the Model Cities Third Action Year Rehabilitation of Ex-Offenders Project; authorizing the expenditure of \$11,400 out of Model Cities Third Action Year Fund (2903) for said purpose, was adopted on motion of Councilwoman O'Connor.

(Item 32)

RESOLUTION 210510, authorizing modifications to six Model Cities Third Action Year contracts to allow for continued operations through June 30, 1974, as follows, was adopted on motion of Councilwoman O'Connor:

<u>Program</u>	<u>Agency</u>
Barrio Station	San Diego State University Foundation
Business Outreach	San Diego Urban League
Child Care	County of San Diego, Welfare Department
Division of Employee Development Program	University of California, San Diego
Senior Citizens	City of San Diego, Recreation Department
Supplemental Transportation	City of San Diego, Human Resources Department

(Item 34)

RESOLUTION 210511, confirming the following appointments to the Board of Directors of the San Diego Transit Corporation as representatives of the public agencies listed, for one-year terms ending April 17, 1975, was adopted on motion of Councilwoman O'Connor:

<u>Name</u>	<u>Agency</u>
Harry F. Scheidle (Reappointment)	County of San Diego
Louis C. Sothras	National City
Hal Lawson	Imperial Beach
Gregory Cox	Chula Vista

The Council considered Item 113 out of order.

(Item 113)

A proposed Resolution, authorizing a lease agreement with James C. Pagni and John T. Worcester for a term of 25 years commencing May 2, 1974 for the San Carlos Golf Course, was presented.

Assistant City Manager Graham answered questions directed by the Council.

Councilman Williams requested a report from the City Manager's office on the condition and operation of the San Carlos Golf Course when it is re-leased.

On motion of Councilman Ellis, the proposed Resolution was continued two weeks to Thursday, May 16, 1974, at the request of the City Attorney.

(Item 8 - CASE NO. 35-73-6 - City-initiated)

A proposed Ordinance, introduced as amended at the Meeting of April 18, 1974, incorporating that property in the Kearny Vista Community presently occupied by the University of San Diego, Diocese of San Diego Education and Welfare Corp. (University High School), San Diego Gas & Electric right-of-way and several single-family residences on the north side of Linda Vista Road opposite Colusa Street, into R-1-5 and R-2 Zones (Area 3, Subarea B), was presented.

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

Attorney James Webb spoke in favor of the proposed rezoning.

Reading in full of the following Ordinance 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.

ORDINANCE 11313 (New Series), incorporating that property in the Kearny Vista Community presently occupied by the University of San Diego, Diocese of San Diego Education and Welfare Corp. (University High School), San Diego Gas & Electric right-of-way and several single-family residences on the north side of Linda Vista Road opposite Colusa Street, into R-1-5 and R-2 Zones, as defined by Sections 101.0407 and 101.0409, respectively, of the San Diego Municipal Code, and repealing Ordinance No. 3038 (New Series), adopted July 17, 1945, and Ordinance No. 8637 (New Series), adopted May 10, 1962, of the Ordinances of The City of San Diego, insofar as they conflict herewith, was adopted 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.

(Item 9 - CASE NO. 35-73-6 - City-initiated)

A proposed Ordinance, reintroduced as amended at the Meeting of April 18, 1974, 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 (Area 3, Subarea C), was presented.

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

Reading in full of the following Ordinance 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.

ORDINANCE 11314 (New Series), 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 adopted 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.

(Item 33)

A proposed Resolution, excusing Councilman Bob Martinet from City Council and Committee Meetings during the period May 9 to May 19, 1974, was presented.

The motion of Councilman Martinet to adopt the proposed Resolution, amended by interlineation to designate Councilman Martinet as the official representative to Leon, Mexico for the purpose of participation in the Sister City trip to that City from May 9 to 19, 1974 and to expend all necessary expenses; and authorizing the City Auditor and Comptroller to transfer \$600 from the Unallocated Reserve 5229 to D/A 5216, received no vote at this time.

The Council discussed the item.

The motion of Councilman Martinet to adopt an amendment to the proposed Resolution, designating Councilman Martinet as the official representative to Leon, Mexico for the purpose of participation in the Sister City trip to that City from May 9 to 19, 1974 and to expend all necessary expenses; and authorizing the City Auditor and Comptroller to transfer \$600 from the Unallocated Reserve 5229 to D/A 5216, received no vote at this time.

The Council continued to discuss the item.

The motion of Councilman Morrow to cut off debate on the item passed unanimously.

The vote was then taken on Councilman Martinet's motion to amend the proposed Resolution to designate Councilman Martinet as the official representative to Leon, Mexico for the purpose of participation in the Sister City trip to that City from May 9 to 19, 1974 and to expend all necessary expenses; and authorizing the City Auditor and Comptroller to transfer \$600 from the Unallocated Reserve 5229 to D/A 5216 passed by the following vote: Yeas-Councilmen Hubbard, Williams, Morrow, Martinet, Ellis, and Mayor Wilson. Nays-Councilmen Johnson, O'Connor, and Bates. Absent-None.

RESOLUTION 210512, designating Councilman Bob Martinet as the official representative of the City and authorizing travel to Leon, Mexico for the purpose of participating in the Sister City trip to that City from May 9 to 19, 1974, and to expend all necessary expenses; authorizing the City Auditor and Comptroller to transfer \$600 from the Unallocated Reserve 5229 to D/A 5216 for the purpose of defraying the cost of said trip; excusing Councilman Bob Martinet from the Council meetings of May 9 and May 16, 1974, was adopted as amended on motion of Councilman Martinet, by the following vote: Yeas-Councilmen Hubbard, Williams, Morrow, Martinet, Ellis, and Mayor Wilson. Nays-Councilmen Johnson, O'Connor, and Bates. Absent-None.

(Item 101 - 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 Meetings of February 14, April 11, and April 18, 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. It was reported that no written protests had been received.

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

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

The motion of Councilman Hubbard to close the hearing, introduce the Ordinance for R-2A Zoning and adopt the resolution certifying consideration of Environmental Impact Report No. 73-8-1029P, received no vote at this time.

The Council discussed the item.

Councilman Williams excused himself from the Chamber as he had not heard the tapes of the previous meetings.

The vote was then taken on Councilman Hubbard's motion to close the hearing

(Item 101 - Continued)

and introduce the proposed Ordinance, incorporating Parcel B of Lot 2, Scripps Village Center Unit 2, into R-2A Zone as defined by Section 101.0410 of the San Diego Municipal Code, and repealing Ordinance No. 10038 (New Series), adopted May 8, 1969 of the Ordinances of The City of San Diego insofar as the same conflicts herewith, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Martinet, and Ellis. Nays-Councilmen Morrow, Bates, and Mayor Wilson. Excused-Councilman Williams.

RESOLUTION 210513, certifying that Environmental Impact Report No. 73-8-1029P has been reviewed and considered, was adopted on motion of Councilman Hubbard by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Martinet, and Ellis. Nays-Councilmen Morrow, Bates, and Mayor Wilson. Excused-Councilman Williams.

Mayor Wilson recessed the meeting at 10:00 a.m. Upon reconvening at 10:20 a.m., the roll call showed Councilmen Williams and Bates absent.

(Item 100)

The hour of 10:00 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of January 17 and February 12, 1974 for reports, on the matters of (a) Proposed North City West Community Plan encompassing approximately 4,286 acres generally bounded on the west by Interstate 5, on the north by Gonzales Canyon, on the east by Bell Valley and portions of Shaw Valley, and on the south by the Penasquitos Rancho. The Plan contains six basic elements: Housing and Residential; Commercial; Industrial; Park, Recreation and Open Space; Circulation; and Public Services and Facilities. The plan is designed to allow urbanization with minimal impact on the environment and to provide a guide for the development of a new community; (b) Proposed repeal of the Carmel Valley Development Plan which comprises about 700 acres on the north side of Carmel Valley Road, east of Interstate 5; (c) Proposed amendment to the Progress Guide and General Plan for The City of San Diego - to amend the Map concerning that portion covered by the proposed North City West Community Plan; and (d) Certifying that Environmental Impact Report No. 73-6-003C has been considered and reviewed.

Planning Director Goff answered questions directed by the Council.

Councilman Williams entered the Chamber.

Councilman Bates entered the Chamber.

Chief Deputy City Attorney Conrad answered questions directed by the Council. Attorney William Kronberger, Dale Levander, Phil Walling, Bernie McCuen, John Butler, and John Buss appeared to speak in favor of the proposed North City West Community Plan.

The motion of Councilman Hubbard to suspend Council rules to allow additional time for public testimony passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, Ellis, Bates, and Mayor Wilson. Nays-Councilman Morrow. Absent-None.

(Item 100 - Continued)

James Baldwin appeared to speak in favor of the proposed North City West Community Plan.

Clarence Bender, Richard Rypinski, Tom Shephard, Don Marsh, Marco Mandri, and James Grossberg appeared to speak in opposition to the proposed North City West Community Plan.

On motion of Councilman Johnson, Council rules were suspended to allow additional time for public testimony.

Attorney Leon Campbell, Desmond Muirhead, Andrew Wilson, Mary Kelly, and Marian Bear appeared to speak in opposition to the proposed North City West Community Plan.

Helen Fane appeared to speak in favor of the proposed North City West Community Plan.

Mrs. Betty Boone, Deputy County Counsel, appeared to speak regarding the proposed Plan.

The Council discussed the item at length.

The motion of Councilman Hubbard to close the hearing and adopt Items a through d received no vote at this time.

Councilman Williams asked the City Attorney for a ruling on whether he could vote as he had been absent from the Council Conference on said subject, and was advised by Chief Deputy City Attorney Conrad that he could vote if he felt he had sufficient information.

Councilman Hubbard withdrew his motion to close the hearing and adopt Items a through d.

The motion of Councilman Hubbard to continue the matter six months for the purpose of looking into a schedule of implementation of the Plan and proposals for growth strategy, failed for lack of five affirmative votes, by the following vote: Yeas-Councilmen Johnson, Hubbard, Martinet, and Ellis. Nays-Councilmen O'Connor, Williams, Morrow, Bates, and Mayor Wilson. Absent-None.

On motion of Councilman Morrow the matter was referred to the Planning Commission and Planning Department with the specific direction that they apply Council Policy 600-18 to this area as it relates to the entire City.

Councilman Johnson asked that the matter of the golf course in Shaw Valley also be looked into.

Mayor Wilson recessed the Meeting at 12:20 p.m., to reconvene at 2:00 p.m.

Upon reconvening at 2:14 p.m., the roll call showed Mayor Wilson absent.

(Item 102 - FAREP NO. 11)

The hour of 8:30 a.m. having arrived, Deputy Mayor Williams announced this was the time and place set for the hearing, continued from the Meeting of March 28, 1974, for further review, on the 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 north-east corner of Fourth and Walnut Avenues, more particularly described as Lots 6 through 10, Block 3, Loma Grande.

(Item 102 - Continued)

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

The hearing was closed on motion of Councilwoman O'Connor and the following Resolutions were adopted:

RESOLUTION 210514, denying the appeal of Melvin Shapiro, by a vote of 8 to 0 and granting to Panorama Properties Company and Loma Grande Company, Floor Area Ration Exception Permit No. 11, with conditions; and

RESOLUTION 210515, certifying that the information contained in Environmental Impact Report No. 73-5-1013P has been reviewed and considered.

Mayor Wilson entered the Chamber.

(Item 109)

Two proposed Resolutions relative to Sunset Cliffs safety fencing - westerly terminus of Coronado Avenue and Del Mar Avenue: (a) Inviting bids; and (b) Certifying that Environmental Impact Report No. 73-8-010C, as amended, has been reviewed and considered, were presented.

Assistant City Manager Graham answered questions directed by the Council.
The Council discussed the item.

On motion of Councilman Morrow, the proposed Resolutions were continued one week to Thursday, May 9, 1974, for a report from the City Attorney relative to beach access.

(Item 103 - ZONING ADMINISTRATOR CASE NO. 12273)

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 March 26, 1974, at appellant's request, on the appeal of Joseph M. and Judith M. Casco from the decision of the Board of Zoning Appeals which denied their appeal from the decision of the Zoning Administrator in Case No. 12273 denying their request to maintain 80' of 6' high solid wood fence observing 0' setback on Jason Street where maximum 3' high fence is permitted in 10' street sideyard, and 15' is required in rear yard when property is abutting front yard of adjacent lot. Subject property is located on Lot 54, Egger Highlands No. 1, at 1465 Transite Avenue between Jason and Ionian Streets, in the R-1-5 Zone.

James Herrick, Zoning Administration, answered questions directed by the Council.
Joseph M. Casco appeared to speak in favor of granting the appeal.

Marcella Bohman and Evelyn Ponnier appeared to speak in opposition to granting the appeal.

The motion of Councilman Bates to close the hearing and deny the appeal received no vote at this time.

Ron Lochhead, Community Development Department, answered questions directed by the Council.

The vote was then taken on the motion of Councilman Bates to close the hearing and deny the appeal, and the following Resolution was adopted by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, and Bates. Nays-Councilman Ellis and Mayor Wilson. Absent-None.

(Item 103 - Continued)

RESOLUTION 210516, denying the appeal of Joseph M. and Judith M. Casco for a fence variance and upholding the decision of the Board of Zoning Appeals, by a vote of 7 to 2.

(Item 104 - CASE NO. 31-74-1)

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 Pueblo Lot 239, located northwesterly of Rosecrans Street between Midway Drive and Cauby Street, from Zone R-4 to Zone CA.

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

No one appeared to be heard.

The hearing was closed on motion of Councilwoman O'Connor.

A proposed Ordinance, incorporating a portion of Pueblo Lot 239, into CA-S Zone, as defined by Section 101.0428 of the San Diego Municipal Code, and repealing Ordinance 34 (New Series), adopted September 12, 1932, 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, Martinet, Bates, and Mayor Wilson. Nays-Councilman Ellis. Absent-None.

RESOLUTION 210517, certifying that the information contained in Environmental Negative Declaration No. 73-11-1014P has been reviewed and considered, was adopted 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 108)

A proposed Resolution, continued from the Meeting of April 18, 1974, for City Manager report, prohibiting the parking of vehicles between the hours of 7:00 a.m. and 7:00 p.m., daily on the north side of Torrey Pines Road, between Prospect Street and La Jolla Shores Drive, was presented.

Assistant City Manager Graham answered questions directed by the Council.

Mayor Wilson recessed the Meeting at 3:17 p.m. Upon reconvening at 3:37 p.m., the roll call showed Councilmen Williams and Bates absent.

(Item 108 - Continued)

Mary Jessop appeared to speak in favor of the proposed Resolution.

Councilman Williams entered the Chamber.

Councilman Bates entered the Chamber.

(Item 108 - Continued)

Pat Dahlberg, Ray Smith, and Walter Schmidt appeared to speak in favor of the proposed Resolution.

H. Cushman Dow, Mrs. Harl Garth Montgomery, and Natalie Bailey appeared to speak in opposition to the proposed Resolution.

Don Robbins, Public Works Department, answered questions directed by the Council.

On motion of Councilman Morrow, the City manager was directed to prepare a report and recommendations as to the proper speed limit on the up-hill stretch of Torrey Pines Road between La Jolla Shores and Prospect.

The motion of Councilman Johnson to amend the proposed Resolution to add an exception by interlineation to allow parking of commercial vehicles, received no vote at this time.

Chief Deputy City Attorney Katz suggested that the Resolution also spell out that daily means every day of the week and Mayor Wilson directed the staff that this be done.

The vote was then taken on Councilman Johnson's motion to amend the proposed Resolution to add an exception by interlineation to allow parking of commercial vehicles, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Bates, and Mayor Wilson. Nays-Councilmen Hubbard, Martinet, and Ellis. Absent-None.

On motion of Councilman Johnson, the following Resolution was adopted as amended and the staff was directed to paint a white passenger zone in front of Mrs. Bailey's property. The staff was also directed to review and report back in three months on the results of today's action. Further, the City Attorney was directed to prepare and bring to docket within two weeks an Ordinance to change the speed limit, leaving the numbers blank, with the numbers to be filled in based on the study requested by Councilman Morrow's motion. The vote on the motion was: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Bates, and Mayor Wilson. Nays-Councilmen Martinet and Ellis. Absent-None.

RESOLUTION 210518, prohibiting the parking of vehicles between the hours of 7:00 a.m. and 7:00 p.m., seven days per week, commercial vehicles excepted, on the north side of Torrey Pines Road, between Prospect Street and La Jolla Shores Drive.

On motion of Councilman Bates, the above Resolution was continued to the docket of May 16, 1974 in order that the Ordinance changing the speed limit would be brought to the same docket, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Bates, and Mayor Wilson. Nays-Councilmen Martinet and Ellis. Absent-None.

(Item 105)

A proposed Ordinance, amending Section 2 of Ordinance No. 10802 (New Series), adopted March 16, 1972, incorporating Lots 24 through 37, Block 212; Lots 21 through 37, Block 213; Lots 21 through 36, Block 214; and Lots 5 through 20, Block 239, all in Pacific Beach, into CO Zone - extension of time to April 15, 1975, was presented.

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

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

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

The Council directed the Planning Department to send out letters to the involved property owners indicating concern about filing maps and alternatives available.

(Item 105 - Continued)

The vote was then taken on Councilman Morrow's motion to introduce the proposed Ordinance, and the following Ordinance, amending Section 2 of Ordinance No. 10802 (New Series), adopted March 16, 1972, Incorporating Lots 24 through 37, Block 212; Lots 21 through 37, Block 213; Lots 21 through 36, Block 214; and Lots 5 through 20, Block 239, all in Pacific Beach, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code, was introduced by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-None.

(Item 106)

A proposed Ordinance, amending Chapter VII, Article 2 of the San Diego Municipal Code by amending Section 72.01, relating to Taxicab Certificates of Public Convenience and Necessity, was introduced on motion of Councilman Bates by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, Ellis, Bates, and Mayor Wilson. Nays-Councilman Morrow. Absent-None.

(Item 107- Continued from the Meetings of February 26 and 28 and April 18, 1974.)

RESOLUTION 210519, approving Alternative No. 7 of the summary of alternative proposals to the proposed Fire Facility Relocation-Consolidation plan presented to the City Council on February 28, 1974 relating to said plan as outlined in the City Council informational report dated January 24, 1974, was adopted on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Hubbard, Williams, Morrow, Martinet, and Ellis. Nays-Councilmen Johnson, O'Connor, Bates, and Mayor Wilson.

(Item 110)

A proposed Resolution, awarding a contract to Valley Crest Landscape, Inc. for landscape development of Mission Bay interchange, for the sum of \$783,739; authorizing the expenditure of \$630,000 out of Gas Tax Fund (220) and \$240,000 out of Park and Recreation Bond Fund (725) for said purpose and related costs, was presented.

Assistant City Manager Graham answered questions directed by the Council.

RESOLUTION 210520, awarding a contract to Valley Crest Landscape, Inc., for landscape development of Mission Bay interchange, for the sum of \$783,739; authorizing the expenditure of \$630,000 out of Gas Tax Fund (220) and \$240,000 out of Park and Recreation Bond Fund (725) for said purpose and related costs, was adopted on motion of Councilman Martinet.

(Item 111)

RESOLUTION 210521, authorizing an agreement with the San Dieguito Union High School District to jointly finance the offsite sewers for the District's new Torrey Pines High School and to share in related reimbursements; authorizing the City Auditor and Comptroller to transfer \$204,851.71 within Sewer Revenue Fund 506 from Unallocated Reserve (Activity 68.91 - 3495) to Construction (Activity 68.58 - 3299), and authorizing the expenditure of said funds for City's share of financing; certifying that the information contained in Environmental Impact Report No. 73-1-029C has been reviewed and considered, was adopted on motion of Councilman Ellis, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, Ellis, and Mayor Wilson. Nays-Councilmen Morrow and Bates. Absent-None.

(Item 112)

A proposed Resolution, prohibiting the parking of vehicles at all times on both sides of University Avenue, between Falcon and Front Streets, was presented.

Assistant City Manager Graham answered questions directed by the Council.

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

Mayor Wilson recessed the Meeting at 5:30 p.m. Upon reconvening at 5:42 p.m., the roll call showed Councilmen Williams, Morrow, and Bates absent.

Councilman Williams entered the Chamber.

Councilman Morrow entered the Chamber.

(Item 112 - Continued)

Charles Strong, Community Development Department, answered questions directed by the Council.

Councilman Bates entered the Chamber.

Mary Jessop and Katherina Hepburn appeared to speak in favor of the proposed Resolution.

Brawley Pyle, Leona Nash, Bernice Wright, and Elton Nash appeared to speak in opposition to the proposed Resolution.

Councilman Morrow left the Chamber.

On motion of Councilman Bates, the proposed Resolution was amended by interlineation to extend the parking limit on the south side of University to 50 feet easterly of Albatross Street and the following Resolution was adopted as amended:

RESOLUTION 210522, prohibiting the parking of vehicles at all times on and along both sides of University Avenue, between Falcon Street and a point 50 feet east of the intersection of University Avenue and Albatross Street.

(Item 114)

A proposed Resolution, amending Council Policy No. 400-6 regarding replacement, betterment and expansion of water facilities and sewer facilities in previously developed areas; rescinding Resolution 207207, adopted January 16, 1973, was presented.

Assistant City Manager Graham answered questions directed by the Council.

RESOLUTION 210523, amending Council Policy No. 400-6 regarding replacement, betterment and expansion of water facilities and sewer facilities in previously developed areas; rescinding Resolution 207207, adopted January 16, 1973, was adopted on motion of Councilman Williams.

(Item 115)

A proposed Resolution, approving and adopting the recommendation of the independent investment counsel as the policy of the Council in relation to investment of funds of the Retirement System, was presented.

Retirement Officer Logan answered questions directed by the Council.

RESOLUTION 210524, approving and adopting the recommendation of the independent investment counsel as the policy of the Council in relation to investment of funds of the Retirement System, was adopted on motion of Councilman Williams.

(Item 116)

RESOLUTION 210525, expressing the Council's opposition to the proposed phase out of the Federal Impact Aid Program for school districts; urging the San Diego congressional delegation to vigorously oppose the proposed phase out of the program, was adopted on motion of Councilman Bates.

(Item 117)

RESOLUTION 210526, endorsing Propositions X, Y and Z, which have been placed on the June 4, 1974 State Primary Election Ballot for the purpose of providing essential funds to meet the critical facilities and equipment needs of the San Diego Unified School District, was adopted on motion of Councilman Johnson.

(Item 118)

RESOLUTION 210527, confirming the following appointments by the Mayor to the Land Development Advisory Board for terms expiring March 1, 1976: Victoria M. Greensmith (representative of a recognized citizen planning group), Philip H. Benton (reappointment), Harrison Waite (reappointment), and Roy H. Potter (reappointment), was adopted on motion of Councilwoman O'Connor.

(Item 119)

RESOLUTION 210528, confirming the following appointments by the Mayor to the San Diego-La Jolla Underwater Park Advisory Committee for terms expiring March 1, 1976: Jack L. Taylor (representing the San Diego Council of Diving Clubs), Gordon Heck (reappointment), and Dr. William A. Nierenberg, Chairman (reappointment), was adopted on motion of Councilwoman O'Connor.

(Item 120)

RESOLUTION 210529, confirming the following appointments by the Mayor to the Board of Building Appeals and Advisors for terms expiring March 1, 1976: Curtis H. Lee, James W. Bird, Chairman (reappointment), Albert Bodinger (reappointment), Ray L. Huffman (reappointment), and Cassatt D. Griffin (reappointment), was adopted on motion of Councilwoman O'Connor.

(Item 121)

RESOLUTION 210530, cosponsoring the 1974 "Orange Crate Derby" with Anthony Hodges and appropriating \$300 from Fund 224, Account 5.299 for the purpose of paying the appropriate rental for the parking lot area used; such rental to be paid by the City on a one-time basis only, was adopted on motion of Councilman Hubbard.

The Referral Agenda, consisting of Items 122, 123, and 124, was approved on motion of Councilman Johnson.

By Unanimous Consent granted to Councilman Williams, a proposed Resolution eliminating any and all age limitation above 18 years of age as a criteria for qualification for the City's Administrative Intern Program, was presented.

Councilman Bates left the Chamber.

Chief Deputy City Attorney Katz answered questions directed by the Council.
George Monk appeared to speak in favor of the proposed Resolution.

RESOLUTION 210531, eliminating any and all age limitation above 18 years of age as a criteria for qualification for the City's Administrative Intern Program, was adopted on motion of Councilman Williams.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Martinet, the Regular Meeting was adjourned at 6:32 p.m. in memory of Clair Brady and the Mayor announced there would be an Executive Session immediately following for the purpose of meeting and conferring with the Management Team on the subject of Employer-Employee Relations.



Mayor of The City of San Diego, California

ATTEST:


City Clerk of The City of San Diego, California