

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, AUGUST 1, 1974
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DALL CONCOURSE

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

Mayor Wilson called the Regular Meeting to order at 8:39 a.m.

(Item 1)

Roll call was taken.

(Item 2)

Mayor Wilson introduced the Reverend Dr. Willard Stevens, Pastor of Point Loma United Methodist Church, who gave the Invocation.

(Item 3)

Councilman Johnson led the Pledge of Allegiance.

Councilman Bates entered the Chambers.

(Item 4)

Mayor Wilson welcomed forty students from Hale and Gompers Junior High Schools, accompanied by Mr. John Lester and Mr. Gerald Fox.
Councilman Williams addressed the groups.

Mayor Wilson welcomed thirty students from O'Farrell and Taft Junior High Schools, accompanied by Mr. Roger Strassner.
Councilman Williams addressed the group.

Councilman Morrow entered the Chambers.

(Item 5)

A communication from two students from O'Farrell and Taft Junior High Schools, requesting permission to address the Council regarding land use problems in Southeast and Serra Mesa areas, was presented.

Anthony Becton from O'Farrell Junior High School and Terry Demopoulos from Taft Junior High School spoke regarding said communication.

(Item 5 - Continued)

On motion of Councilman Williams, the communication was referred to the City Manager for a report back to Council and students.

(Item 6)

A communication from Mr. Dale B. Shely, Jr. requesting permission to address the Council regarding installing a closed circuit T.V. in the supplementary auditorium room 2000, was presented.

Mr. Dale B. Shely, Jr. spoke regarding said communication.

On motion of Councilman Johnson, the communication was referred to the City Manager for a report back to Council and Mr. Shely, including the cost of installation.

The Council considered requests for continuances: Items 101 and 114.

(Item 101)

NOTICED HEARINGS: Downtown Street Tree Maintenance District of 1974 - on the formation of the district, the maintenance to be performed, and the assessments to be levied - for a period of one year ending June 30, 1975.

Mr. Frank Curran, former Mayor of San Diego, appeared to speak on a continuance of the matter.

On motion of Councilman Bates, the matter was continued to August 8, 1974 for further review.

RESOLUTION 211191, continuing the hearing on the proposed Downtown Street Tree Maintenance District of 1974 - on the formation of the district, the maintenance to be performed, and the assessments to be levied for a period of one year ending June 30, 1975, to the hour of 8:30 a.m., Thursday, August 8, 1974, was adopted on motion of Councilman Bates.

(Item 114)

OTHER RESOLUTIONS: In the matter of the location of a Regional Airport for the San Diego area.

By common consent, the matter was set for a Time Certain at 4:00 p.m. today, August 1, 1974.

The Council considered the Consent Agenda, which consisted of Items 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29 and 30.

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

(Item 7)

ORDINANCE 11358 (New Series), amending Chapter IX, Article 8 of the San Diego Municipal Code by adding Section 98.16 relating to fees for Mobile-home installation Permits.

(Item 8)

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

RESOLUTION 211192, R. S. Construction Company for construction of San Marcos Avenue Storm Drain, for the sum of \$8,411; authorizing the expenditure of \$12,000 out of Capital Outlay Fund 245 for said purpose and related costs;

RESOLUTION 211193, Western Highway Products for the purchase of Street Name Sign Blanks, for an actual cost, including tax and terms of \$2,466.62; and

RESOLUTION 211194, Addressograph-Multigraph Corporation for the purchase of One Total Copy System for a total cost of \$28,904.97, including tax, terms, and freight.

(Item 9)

RESOLUTION 211195, inviting bids for furnishing cast iron water main fittings and gate and tapping valves in accordance with Specifications Document No. 747967, was adopted on motion of Councilman Johnson.

(Item 10)

RESOLUTION 211196, vacating easement for sewer purposes, being unnecessary for present or prospective public use by the City, affecting portions of Dalbergia Street, was adopted on motion of Councilman Johnson.

(Item 11)

RESOLUTION 211197, accepting the work done and authorizing a Notice of Completion in Coronado Glen Unit No. 2, was adopted on motion of Councilman Johnson.

(Item 12)

RESOLUTION 211198, dedicating and naming previously acquired street right-of-way in Block 10, Block 11, and Block 12, Grantville and Outlots together with a portion of Lincoln Avenue closed - Friars Road, was adopted on motion of Councilman Johnson.

(Item 13)

RESOLUTION 211199, authorizing the divestment of City's easement interest by negotiated sale for the sum of \$60, of a portion of Lots 1 and 6, Miramar Mesa Industrial Park Unit No. 1; authorizing the execution of a Quitclaim Deed, quitclaiming to C C & F Miramar Properties, Inc., said interest in unneeded sewer easement, was adopted on motion of Councilman Johnson.

(Item 14)

RESOLUTION 211200, authorizing the sale by negotiation of certain easements for water and drainage purposes affecting Lots 1 and 2, Mission Gardens Annex for the sum of \$100 to Mission Gorge Associates; authorizing the execution of a Quitclaim Deed, quitclaiming to Mission Gorge Associates said easements, was adopted on motion of Councilman Johnson.

(Item 15)

The following Resolutions relative to Manning Way, were adopted on motion of Councilman Johnson:

RESOLUTION 211201, approving the acceptance by the City Manager of Deed of Marie T. Kjorness (street purposes) - dedicating and naming;

RESOLUTION 211202, approving the acceptance by the City Manager of Deed of Oscar I. Lelevier, Jr. and Mary Ann Lelevier (street purposes) - dedicating and naming; and

RESOLUTION 211203, dedicating and naming a portion of offer to dedicate previously offered to City in a portion of Section 27, Township 18 south, Range 2 west, was adopted on motion of Councilman Johnson.

(Item 16)

RESOLUTION 211204, approving acceptance by the City Manager for a Director's Deed of the State of California, Department of Transportation, conveying to the City a portion of Pueblo Lot 1232 for park and recreational purposes, was adopted on motion of Councilman Johnson.

(Item 17)

The following Resolutions relative to an exchange of open space easements affecting portions of Lots 7 and 8, Oaks North Unit No. 2, were adoption on motion of Councilman Johnson:

RESOLUTION 211205, approving the acceptance of Deed of Avco Community Developers, Inc. ; and

RESOLUTION 211206, authorizing the execution of a Quitclaim Deed, quitclaiming to Avco Community Developers, Inc.

(Item 18)

RESOLUTION 211207, authorizing an agreement with Atchison, Topeka and Santa Fee Railway Company for a pipeline license to replace the water main at the 28th Street Railway Crossing; certifying that the information contained in Environmental Impact Report No. 72-12-028C has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report has been reviewed and considered by the Council, was adopted on motion of Councilman Johnson.

(Item 19)

RESOLUTION 211208, authorizing an agreement with Dr. Jack E. McKee for his services as a consulting engineer on water and sewage problems, was adopted on motion of Councilman Johnson.

(Item 20)

RESOLUTION 211209, authorizing an agreement with J. C. La Force for his services as farm manager to advise City in the acquisition and utilization of property and leasing thereof for agricultural and grazing purposes, was adoption on motion of Councilman Johnson.

(Item 21)

RESOLUTION 211210, authorizing an agreement with Gary L. Cain for project coordinating services in support of the San Diego American Revolution Bicentennial Committee, was adopted on motion of Councilman Johnson.

(Item 22)

RESOLUTION 211211, authorizing an agreement with Associated Students of San Diego State University, for partial use and occupancy of the San Diego Stadium for the sole and exclusive purpose of the exhibition of collegiate football, was adopted on motion of Councilman Johnson.

(Item 23)

RESOLUTION 211212, authorizing the City Manager to execute a letter of extension to the agreement with Edward G. Rodriguez, whereby City agrees to extend the lease of Senior Citizens Project facilities from June 30, 1974 to August 31, 1974, was adopted on motion of Councilman Johnson.

(Item 25)

The following Resolutions relative to Change Orders issued in connection with the contract with Valley Crest Landscape, Inc. for construction of improvement of Southwest Vacation Isle, were adopted on motion of Councilman Johnson.

RESOLUTION 211213, Change Order No. 1 - increase of \$2,716.26; and
RESOLUTION 211214, Change Order No. 2 - increase of \$847.35.

(Item 26)

RESOLUTION 211215, approving Change Order No. 3, issued in connection with the contract with R. E. Hazard Contracting Company for the construction of improvement of Scott Street between Addison Street and North Harbor Drive in the vicinity of Loma Portal; said changes amounting to a decrease of \$4,085.96, was adopted on motion of Councilman Johnson.

(Item 27)

RESOLUTION 211216, authorizing the City Manager to expend \$4,400 out of Transient Occupancy Tax Fund 223, for the purpose of space and related expenses for a four page Union-Tribune insert for the 1974 America's Finest City Week Calendar of Events, was adopted on motion of Councilman Johnson.

(Item 28)

RESOLUTION 211217, authorizing the expenditure of \$99,000 from Community Buildings and Improvements Bond Fund 726 for Improving the capability and increasing the capacity of the Fire Communications Center Operations; authorizing use of City Forces to do miscellaneous improvements in conjunction with said project, at an estimated cost of \$8,000, was adopted on motion of Councilman Johnson.

(Item 29)

The following Resolutions relative to Beyer Boulevard, were adopted on motion of Councilman Johnson:

RESOLUTION 211218, certifying that the information contained in Environmental Negative Declaration No. 73-8-013-C 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; and

RESOLUTION 211219, approving the expenditure of \$20 from Gas Tax Fund 220 for the acquisition of two parcels of State Highway property, to be used for a public purpose in connection with the Improvement of Beyer Boulevard in the South Bay area.

(Item 30)

RESOLUTION 211220, excusing Councilman Hubbard from Council Committee Meetings for the period July 22 through July 26, 1974, was adopted on motion of Councilman Johnson.

By Unanimous Consent granted to Councilman Bates the hearing on North East Open Space District will be a Time Certain at 2:00 p.m. on August 8, 1974.

(Item 24)

A proposed Resolution, authorizing the City Manager to execute a Contract Modification/Letter of Extension to the agreement with Senior Citizens Federation, Inc.; whereby said agreement is extended from June 30, 1974 to August 31, 1974, was presented.

City Manager Moore and Assistant Director of Park and Recreation Department Atkinson answered questions directed by the Council.

RESOLUTION 211221, authorizing the City Manager to execute a Contract Modification/Letter of Extension to the agreement with Senior Citizens Federation, Inc.; whereby said agreement is extended from June 30, 1974 to August 31, 1974, was adopted on motion of Councilman Williams.

Councilman Bates suggested that Councilwoman O'Connor's Committee consider the whole program of Senior Citizens.

(Item 100)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on San Diego Street Lighting Maintenance District No. 1 - on the annexation of additional territory into the district, the maintenance to be performed, and the assessments to be levied - for a period of one year ending June 30, 1975. It was reported that three letters were received in opposition.

(Item 100 - Continued)

James McLaughlin, Community Development Department, answered questions directed by the Council.

The hearing was closed and the following Resolutions were adopted on motion of Councilman Johnson:

RESOLUTION 211222, considering the protests, ordering the annexation of certain additional territory into San Diego Street Lighting Maintenance District No. 1, and amending the map;

RESOLUTION 211223, considering the protests and confirming the assessments in the matter of San Diego Street Lighting Maintenance District No. 1 (including annexed territory); and m

RESOLUTION 211224, awarding a contract to the San Diego Gas & Electric Company for the furnishing of electrical energy and switching to the San Diego Street Lighting Maintenance District No. 1 (including annexed territory) for a one-year time period.

(Item 102)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on Scripps Miramar Open Space Maintenance District No. 1 - on the formation of the district, the maintenance to be performed, and the assessments to be levied - for a period of one year ending June 30, 1975. It was reported that six letters and three petitions in opposition were received.

Assistant City Attorney Teaze, City Manager Moore, James McLaughlin, Community Development Department, Robert Walters, Employee Services and David Roberts, Superintendent of Parks answered questions directed by Council.

Cynthia Huges, Dave Duffield, William L. Hoes and Bob Meanley appeared to speak in opposition to the proposed Resolution.

The hearing was closed and the following Resolution was adopted on motion of Councilman Johnson:

RESOLUTION 211225, considering the protests, ordering the district formed, confirming the assessment and ordering the proposed maintenance, in the matter of the Scripps Miramar Open Space Maintenance District No. 1.

The Council directed staff to investigate the problems of restoring and re-planting slopes, investigate maintenance costs and effect the necessary improvements prior to the rainy season. They were also directed to look into possibility of taking action against the developer or whoever might have legal obligation to pay for the costs of the repair and have the City Attorney review these proposals for legality and review these proposals at a subsequent hearing in a couple of months.

Councilman Bates requested an in-dept report of how repairs are to be implemented and level of maintenance to be provided, necessary root depth, etc.

Mayor Wilson recessed the Meeting at 10:26 a.m. Upon reconvening at 10:47 a.m. the roll call showed Councilman Martinet and Mayor Wilson absent.

Deputy Mayor Williams assumed the chair.

At this time Blinko, the clown, presented the Deputy Mayor and Council with tickets to the circus. Deputy Mayor Williams and the Council thanked him for the free tickets.

(Item 103)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on Tierrasanta Open Space Maintenance District No. 1 - on the formation of the district, the maintenance to be performed, and the assessments to be levied - for a period commencing August 1, 1974 and ending June 30, 1975. It was reported that two letters were received in opposition to the proposal.

City Manager Moore, David Roberts, Superintendent of Parks and James McLaughlin, Community Development Department answered questions directed by the Council.

The hearing was closed and the following Resolution was adopted on motion of Councilman Ellis:

RESOLUTION 211226, considering the protests, ordering the district formed, confirming the assessment, and ordering the proposed maintenance in the matter of the Tierrasanta Open Space Maintenance District No. 1.

(Item 104)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on the application of Rio Land Company, by Rick Engineering Company, for special permission to waive underground utility requirements in connection with Rio Land Subdivision, located on the south side of Camino del Rio South, between Mission Center Road and Texas Street, in the R-1-40 (LC Overlay) and CR (proposed CA-S - LC Overlay) Zones. It was reported that no written protests had been received.

James McLaughlin, Community Development Department answered questions directed by the Council.

The hearing was closed and the following Resolution was adopted with the stipulation that the applicant must sign a waiver not to oppose an assessment District, on motion of Councilman Morrow:

RESOLUTION 211227, granting the application of Rio Land Company to be relieved from the obligation to underground the 12KV line on Camino del Rio South in connection with Rio Land Subdivision.

(Item 105 - CASE NO. 2-74-1 - City-initiated - Drawing C-405.1)

The hour of 8:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on the matter of rezoning property in the Southeast San Diego Community described below from Zone R-4 to Zones R-3A, R-3, R-2A, R-2, and R-1, or any combination thereof. It was reported that no written protests had been received.

Chief Deputy City Attorney Conrad and Ken Klein, Planning Department, answered questions directed by the Council.

Ellis Roper, Lionel Beaner, Ann Wilson, Latarska Graham and Jim Coffey appeared to speak on the matter.

Deputy Mayor Williams recessed the Meeting at 11:55 a.m. to 2:00 p.m.

Upon reconvening at 2:12 p.m., the roll call showed Councilmen O'Connor, Martinet and Bates absent.

Councilwoman O'Connor entered the Chambers.

Councilman Bates entered the Chambers.

(Item 105 - Continued)

AREA 1 - SUBAREA A:

The R-4 zoned land located north of Tompkins Street between Wabash Boulevard on the west, and Mt. Hope Cemetery on the east (approximately 17.4 acres). It was reported that no written protests had been received.

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

Charles W. Christinsen appeared to speak in opposition of R-2 Zoning.

The hearing was closed on motion of Councilman Williams.

A proposed Ordinance incorporating that property in the Southeast San Diego Community located north of Tompkins Street, between Wabash Boulevard on the west and Mt. Hope Cemetery on the east, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 13216, approved May 18, 1931, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Williams, by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Ellis, Bates and Mayor Wilson. Nays-Councilman Johnson and Hubbard. Absent-Councilman Martinet.

SUBAREA B:

The R-4 zoned land bounded by 35th Street on the west, Island Avenue on the north, 36th Street on the east, and "K" Street on the south (approximately 7.6 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 Williams.

A proposed Ordinance incorporating that property in the Southeast San Diego Community bounded by 35th Street on the west, Island Avenue on the north, 36th Street on the east and K Street on the south, into R-2A and R-3A Zones, as defined by Sections 101.0410 and 101.0412, respectively, of the San Diego Municipal Code, and repealing Ordinance No. 13216, approved May 18, 1931, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Williams by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Bates, Ellis and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

SUBAREA C:

The R-4 zoned land consisting of Mt. Hope Cemetery bounded by 36th Street on the west, Market Street on the north, Boundary Street (extended) on the east, and Imperial Avenue on the south (approximately 120.2 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 Williams.

(Item 105 - SUBAREA C - Continued)

A proposed Ordinance incorporating that property in the Southeast San Diego Community consisting of Mt. Hope Cemetery bounded by 36th Street on the west, Market Street on the north, Boundary Street (extended) on the east, and Imperial Avenue on the south, into R-1-40 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 13216, approved May 18, 1931, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Williams by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Bates, Ellis and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

SUBAREA D:

The R-4 zoned land generally bounded by Wabash Boulevard on the west, Gillette Street and Mt. Hope Cemetery on the north, Mountain View Park on the east, and the Alley between Logan Avenue and Florence Avenue, Otto Square Shopping Center and Logan Avenue on the south (approximately 162.2 acres). It was reported that no written protests had been received.

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

Ann Wilson and William Swain appeared to speak in opposition to the rezoning.

The hearing was closed on motion of Councilman Williams.

A proposed Ordinance incorporating that property in the Southeast San Diego Community generally bounded by Wabash Boulevard on the west, Gillette Street and Mt. Hope Cemetery on the north, Mountain View Park on the east, and the Alley between Logan Avenue and Florence Avenue, Otto Square Shopping Center and Logan Avenue on the south, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 13216, approved May 18, 1931, and Ordinance No. 9375 (New Series), adopted March 3, 1966, of the Ordinance of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Williams by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Bates, Ellis and Mayor Wilson. Nays-Councilman Johnson. Absent-Councilman Martinet.

SUBAREA E.

The R-4 zoned land bounded by 36th Street on the west, the Alley between Florence Street and Logan Avenue on the north, 41st Street on the east, and the C-Zoned Commercial Strip along National Avenue on the south (approximately 22.6 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 Williams.

A proposed Ordinance incorporating that property in the Southeast San Diego Community bounded by 36th Street on the west, the Alley between Florence Street and Logan Avenue on the north, 41st Street on the east, and the C-Zoned commercial strip along National Avenue on the south, into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 13216 approved May 18, 1931, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Williams by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Bates, Ellis and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

(Item 105 - Continued)

SUBAREA F:

The R-4 zoned land consisting of Mountain View Park, bounded on the west by 40th Street, on the east by Boundary Street, and on the south by "T" Street (approximately 13 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 Williams.

A proposed Ordinance incorporating that property in the Southeast San Diego Community consisting of Mountain View Park, bounded on the west by 40th Street, on the east by Boundary Street, and on the south by "T" Street, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 13216, approved May 18, 1931, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Williams by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Bates, Ellis and Mayor Wilson. Nays-Councilman Johnson. Absent-Councilman Martinet.

(Item 106)

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 the property in the Southeast San Diego Community, generally bounded by I-5 on the west, National Avenue on the north, 43rd Street on the east, and Division Street on the south, from Zone R-4 to Zones R-3A, R-3, R-2A, R-2, and R-1, or any combination thereof. It was reported that one letter was received in opposition to the rezoning.

Councilman Bates left the Chambers.

(Item 106 - Continued)

Chief Deputy City Attorney Conrad and Ken Klein, Planning Department, answered questions directed by the Council.

Mr. Arthur J. Brown Sr. appeared to speak in opposition to the proposed rezoning.

AREA 2 - SUBAREA A:

The R-4 zoned land which includes all of Area 2 except for Southcrest Park and a portion of frontage on the south side of National Avenue between 39th and 40th Streets (approximately 213 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 Williams.

A proposed Ordinance incorporating that property in the Southeast San Diego Community which includes all of Area 2 except for Southcrest Park and a portion of Frontage on the south side of National Avenue between 39th and 40th Streets, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code and repealing Ordinance No. 13216, approved May 18, 1931, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Williams by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Ellis and Mayor Wilson. Nays-Councilman Johnson. Absent-Councilmen Martinet and Bates.

(Item 106 - Continued)

SUBAREA B:

The R-4 zoned land on the south side of National Avenue between 39th and 40th Streets (Lots 1-8, Logan Vista Unit No. 2) (approximately 1.1 acres). It was reported that no written protests had been received.

Councilman Bates entered the Chambers.

(Item 106 - SUBAREA B - Continued)

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

The hearing was closed on motion of Councilman Williams.

A proposed Ordinance incorporating that property in the Southeast San Diego Community on the south side of National Avenue between 39th and 40th Streets (Lots 1-8, Logan Vista Unit No. 2), into R-3 Zone, as defined by Section 101.0411 of the San Diego Municipal Code, and repealing Ordinance No. 13216, approved May 18, 1931, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Williams by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis, Bates and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

SUBAREA C:

The R-4 zoned land bounded by 40th and 41st Streets on the west, National Avenue on the north, 43rd Street on the east, and Beta Street and State Highway 252 on the south (approximately 28.4 acres). It was reported that no written protests had been received.

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

Bonnie Moss, Connie Bryans and Latarska Graham appeared to speak on the proposed rezoning.

The motion of Councilman Morrow to close the hearing and introduce the Ordinance for R-1-5 zone and direct the City Attorney to prepare the Ordinance, failed due to lack of five affirmative votes by the following vote: Yeas-Councilmen Williams, Morrow, Bates and Mayor Wilson. Nays-Councilmen Johnson, O'Connor, Hubbard and Ellis. Absent-Councilman Martinet.

The hearing was closed on motion of Councilman Williams.

A proposed Ordinance incorporating that property in the Southeast San Diego Community bounded by 40th and 41st Streets on the west, National Avenue on the north, 43rd Street on the east, and Beta Street and State Highway 252 on the south, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 13216, approved May 18, 1931, and Ordinance No. 78 (New Series), adopted November 14, 1932, of the Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Williams by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Ellis, Bates and Mayor Wilson. Nays-Councilmen Johnson and Morrow. Absent-Councilman Martinet.

Mayor Wilson recessed the Meeting at 3:30 p.m. Upon reconvening at 3:48 p.m. the roll call showed Councilmen O'Connor, Morrow, Martinet and Bates absent.

Councilwoman O'Connor entered the Chambers.

Councilman Bates entered the Chambers.

(Item 107)

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 property in the Southeast San Diego Community described below from Zone R-4 to Zones R-3A, R-3, R-2A, R-2, and R-1, or any combination thereof. It was reported that one letter was received in opposition to the rezoning.

AREA 3 - SUBAREA A:

The R-4 zoned land generally bounded by 43rd and Boundary Streets on the west, Imperial Avenue (excluding the cemetery reserve) on the north, I-805 on the east, and Boston Avenue on the South (approximately 176.5 acres). It was reported that no written protests had been received.

Ken Klein, Planning Department, and Chief Deputy City Attorney Conrad answered questions directed by the Council.

The motion of Councilman Williams to close the hearing and introduce the Ordinance for R-1-5 and R-2 Zoning failed due to lack of five affirmative votes by the following vote: Yeas-Councilmen O'Connor, Williams, Bates and Mayor Wilson. Nays-Councilmen Johnson, Hubbard and Ellis. Absent-Councilmen Morrow and Martinet.

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

Councilman Morrow entered the Chambers.

(Item 107 - AREA 3 - SUBAREA A - Continued)

The motion of Councilman Morrow to reconsider the motion to close the hearing and introduce the Ordinance for R-1-5 and R-2 Zoning, received no vote at this time.

At this time the Council voted on Councilman Ellis' motion to close the hearing and introduce the Ordinance for R-2 Zoning which failed due to lack of five affirmative votes by the following vote: Yeas-Councilmen Hubbard and Ellis. Nays-Councilmen Johnson, O'Connor, Williams, Morrow, Bates and Mayor Wilson. Absent-Councilman Martinet.

At this time the Council voted on Councilman Morrow's motion to reconsider the motion to close the hearing and introduce the Ordinance for R-1-5 and R-2 Zoning, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Bates and Mayor Wilson. Nays-Councilmen Hubbard and Ellis. Absent-Councilman Martinet.

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance incorporating that property in the Southeast San Diego Community generally bounded by 43rd and Boundary Streets on the west, Imperial Avenue (excluding the Cemetery Reserve) on the north, I-805 on the east, and Boston Avenue on the south, 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. 78 (New Series), adopted November 14, 1932, 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, Williams, Morrow, Bates and Mayor Wilson. Nays-Councilmen Johnson, Hubbard and Ellis. Absent-Councilman Martinet.

(Item 107 - AREA 3 - Continued)

SUBAREA B:

The R-4 zoned land at the southwest corner of Imperial Avenue and 45th Street (approximately 43.4 acres). It was reported that no written protests had been received.

Ken Klein, Planning Department, answered questions directed by the Council. Latarska Graham appeared to speak on the proposed rezoning.

The hearing was closed on motion of Councilman Williams.

A proposed Ordinance incorporating that property in the Southeast San Diego Community at the southwest corner of Imperial Avenue and 45th Street, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 78 (New Series), adopted November 14, 1932, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Williams by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Bates and Mayor Wilson. Nays-Councilmen Johnson, Hubbard and Ellis. Absent-Councilman Martinet.

SUBAREA C:

The R-4 zoned land on the south side of Logan Avenue between 45th Street and I-805 (approximately 4.2 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 Williams.

A proposed Ordinance incorporating that property in the Southeast San Diego Community on the south side of Logan Avenue between 45th Street and I-805, into R-2A Zone, as defined by Section 101.0410 of the San Diego Municipal Code, and repealing Ordinance No. 78 (New Series), adopted November 14, 1932, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Williams by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Ellis, Bates and Mayor Wilson. Nays-None. Absent-Councilman Martinet.

SUBAREA D:

The R-4 zoned land generally bounded by 43rd Street on the west, Boston Avenue on the north, I-805 on the east, and National City on the south (approximately 37 acres). It was reported that no written protests had been received.

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

P. S. Johnson, Latarska Graham and John P. Luddy appeared to speak on the proposed rezoning.

The hearing was closed on motion of Councilman Williams.

A proposed Ordinance incorporating that property in the Southeast San Diego Community generally bounded by 43rd Street on the west, Boston Avenue on the north, I-805 on the east, and National City on the south, into R-2A and R-2 Zones, as defined by Sections 101.0410 and 101.0409, respectively, of the San Diego Municipal Code, and repealing Ordinance No. 78 (New Series), adopted November 14, 1932, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Williams by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Morrow, Ellis, Bates and Mayor Wilson. Nays-Councilman Johnson. Absent-Councilman Martinet.

(Item 105)

RESOLUTION 211228, certifying that the information contained in the Environmental Negative Declaration No. 73-11-009C has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines pursuant thereto, and that said Negative Declaration has been reviewed and considered by this Council, was adopted on motion of Councilman Williams.

Unanimous Consent:

The motion of Councilman Hubbard to reconsider Item 102 on the docket of July 5, 1974, regarding rezoning hearing, Lot 17, Rancho Mission, passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Ellis, Bates and Mayor Wilson. Nays-Councilman Morrow. Absent-Councilman Martinet.

The motion of Councilman Hubbard to have the City Clerk reset the hearing and bill the cost to the property owner, passed unanimously.

(Item 109)

A proposed Ordinance, continued from the Meeting of July 18, 1974, for further study amending Chapter 11, Article 7, of the San Diego Municipal Code by adding Section 27.2204.1 relating to the order of listing of Candidates on Ballots, was presented.

Assistant City Attorney Teaze answered questions directed by the Council.

Mr. Bob Denny from the County Registrar of voters, appeared to speak.

The motion of Councilman Bates to introduce the Ordinance died for lack of a second.

The motion of Councilman Ellis to file the proposed Ordinance, failed due to lack of five affirmative votes by the following vote: Yeas-Councilmen O'Connor, Williams, and Ellis. Nays-Councilmen Johnson, Hubbard, Morrow, Bates and Mayor Wilson. Absent-Councilman Martinet.

The motion of Councilman Bates to introduce the proposed Ordinance, as amended by changing the name Primary Municipal Election to Municipal Regular Primary Election, passed by the following vote: Yeas-Councilmen Johnson, Hubbard, Morrow, Bates and Mayor Wilson. Nays-Councilmen O'Connor, Williams and Ellis. Absent-Councilman Martinet.

(Item 114 - 2nd time)

A proposed Resolution in the matter of the location of a Regional Airport for the San Diego Area, for a 4:00 p.m. Time Certain, was presented.

Councilman Bates left the Chambers.

Councilman Bates entered the Chambers.

Councilman Morrow left the Chambers.

(Item 144 - Continued)

Councilwoman O'Connor left the Chambers.

Councilwoman O'Connor entered the Chambers.

Assistant to the Mayor Madigan answered questions directed by the Council. Ken Salzar, Walt Gillfillan, Capt. Franklin, Rupert Arbyo, Frank Curran, Mrs. Ruth Schneider and Hal Williams appeared to speak on the proposal.

On motion of Councilman Ellis the matter was continued to August 8, 1974, at 4:00 p.m. Time Certain, for further review.

(Item 115)

RESOLUTION 211229, endorsing and supporting the enactment of A.B. 3638 relative to clarifying anomalies and inconsistencies of present public school facilities lease and lease/purchase law and to simplify and unify the present statutory approach to the lease and lease/purchase of all public school facilities, was adopted on motion of Councilwoman O'Connor.

(Item 108)

A proposed Ordinance amending Chapter VI, Article 7, of the San Diego Municipal Code, by amending Section 67.32, relating to regulation of the Water System, was presented.

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

The motion of Councilman Ellis to dispense with the reading and adopt the proposed Ordinance received no vote at this time.

On motion of Councilman Williams the proposed Ordinance was continued to August 15, 1974, for the City Attorney's opinion regarding collection on tax bill and refer to City Attorney for an opinion, if service charges for turning water off and on can be declared a lien on property and collected and included on tax bills.

(Item 110)

RESOLUTION 211230, amending Resolution No. 209211, providing for California Council on Criminal Justice funding of the "Secondary School Task Force Training Project"; authorizing the City Manager to execute any extensions or amendments to the grant application as may be required; authorizing the City Manager to submit to the CCCJ an amended application providing for a termination date of June 30, 1975; and that the City's matching funds of \$14,368 be paid from the Police Department Personal Services Accounts, was adopted on motion of Councilman Bates.

(Item 111)

RESOLUTION 211231, authorizing the City Manager to submit to the Department of Housing and Urban Development the Model Cities Revised Budget Submission #5, in which two new programs are included, the Neighborhood Development Project and the Mount Hope Park Improvements project, and to request transitional funds primarily to continue previously approved programs activities, was adopted on motion of Councilman Bates.

(Item 112)

RESOLUTION 211232, amending Council Policy 600-5 entitled "Community Plans" to read as set forth in the form of Council Policy; rescinding Resolution No. 186589, adopted March 10, 1966, was adopted on motion of Councilwoman O'Connor.

(Item 113)

A proposed Resolution authorizing the City Attorney to enter into a Settlement Agreement with Douglas Oil Company of California, and a stipulation and order pertaining to the settlement herein; and authorizing the City Manager to execute and deliver a final release and discharge of Douglas Oil Company of California from any and all claims and demands as they relate to the antitrust lawsuit against Union Oil Company of California, Standard Oil Company of California, Chevron Asphalt Company, Shell Oil Company, Atlantic Richfield Company, Gulf Oil Corporation, Industrial Asphalt, Inc., and Wilshire Oil Company of California, was presented.

Deputy City Attorney Fitzpatrick answered questions directed by the Council.

RESOLUTION 211233, authorizing the City Attorney to enter into a Settlement Agreement with Douglas Oil Company of California, and a stipulation and order pertaining to the settlement herein; and authorizing the City Manager to execute and deliver a final release and discharge of Douglas Oil Company of California from any and all claims and demands as they relate to the antitrust lawsuit against Union Oil Company of California, Standard Oil Company of California, Chevron Asphalt Company, Shell Oil Company, Atlantic Richfield Company, Gulf Oil Corporation, Industrial Asphalt, Inc., and Wilshire Oil Company of California, was adopted on motion of Councilwoman O'Connor.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Mayor Wilson, the Regular Meeting was adjourned at 6:45 p.m., in memory of Mrs. Gladys Selz,



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California