

ADJOURNED SPECIAL MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, OCTOBER 2, 1974
HELD THURSDAY, OCTOBER 3, 1974
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Absent--Councilmen Morrow and Bates.

Clerk---LaVerne E. Miller.

The Adjourned Special Meeting was called to order by Mayor Wilson at
8:38 a.m.

It was reported that this Meeting had been adjourned from Wednesday,
October 2, 1974, to this time by order of the Council.

The Clerk reported that copies of the Order of Adjournment covering the
adjournment of this Meeting from Wednesday, October 2, 1974, to 8:00 a.m.,
Thursday, October 3, 1974, had been posted as required by law, and the Order
of Adjournment had been mailed as required by law, and that the proper
Certificates of Posting and Mailing are on file.

Mayor Wilson recessed the Meeting at 8:39 a.m. to reconvene at 9:00 a.m.

Upon reconvening at 9:00 a.m., the Roll Call showed all present.

John P. Goheene, Vice President, Otay Mesa Homeowners Association,
Charles H. Schick, William Howard, Eileen Deeley, CRASH, and Pat Ricon, CRASH,
appeared to speak regarding the matter.

Mayor Wilson welcomed forty-five students from Patrick Henry High School
accompanied by Mr. Polk, who were present in the Chambers.
Councilman Ellis addressed the group.

Mayor Wilson recessed the Meeting at 9:49 a.m. Upon reconvening at
10:05 p.m., the Roll Call showed Councilmen Williams and Morrow absent.

Helen L. Tyler appeared to speak regarding the matter.

Councilman Morrow entered the Chambers.

(Item 1 - Continued)

Mrs. (William) Joan Gauss appeared to speak regarding the matter.

Councilman Williams entered the Chambers.

Arleen Vanderwettering, Richard Eastman, Joseph St. John, Lluan W. Reed, Joy Frye, Rev. Robert W. McClellen and Al Smith appeared to speak regarding the matter.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

Mickie Madigan, Charles Trombley and Ardetta Steiner appeared to speak regarding the matter.

City Manager Moore answered questions directed by the Council.

On motion of Councilman Morrow, the legislative hearing was closed.

The motion of Councilwoman O'Connor to endorse the location of a regional airport at a place other than Lindbergh Field received no vote at this time.

On motion of Councilman Bates, the motion of Councilwoman O'Connor to endorse the location of a regional airport at a place other than Lindbergh Field was ruled out of order, by the following vote: Yeas-Councilmen Johnson, Hubbard, Martinet, Ellis and Bates. Nays-Councilmen O'Connor, Williams, Morrow and Mayor Wilson. Absent-None.

Mayor Wilson recessed the Meeting at 12:23 p.m. to reconvene at 1:30 p.m.

Upon reconvening at 1:52 p.m., the Roll Call showed Councilman Bates absent.

Councilman Bates entered the Chambers.

The motion of Councilman Ellis to retain Lindbergh Field as the primary commercial airport and the City Council endorse the Port District plans to expand terminal facilities and parking to provide air transport service and that the City of San Diego recommends that the Port District proceed as rapidly as possible to take all measures technically possible to reduce noise and assure the high level of safety is maintained, and to go on record with the Department of Defense as desiring the use of Miramar at such time as Miramar is made available, received no vote at this time.

On motion of Councilwoman O'Connor, the motion of Councilman Ellis was divided, as follows, (a) Retention of Lindbergh Field and (b) City expressing a desire to go to Miramar when available, by the following vote: Yeas-Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Bates and Mayor Wilson. Nays-Councilman Ellis. Absent-None.

(Item 1 - Continued)

The vote was then taken on the first portion of Councilman Ellis' motion to retain Lindbergh Field as the primary commercial airport and the City Council endorse the Port District plans to expand terminal facilities and parking to provide air transport service and that the City of San Diego recommend that the Port District proceed as rapidly as possible to take all measures technically possible to reduce noise and assure the high level of safety is maintained, which failed due to the lack of five affirmative votes, by the following vote: Yeas-Councilmen Johnson, Hubbard, Martinet and Ellis. Yeas-Councilmen O'Connor, Williams, Morrow, Bates and Mayor Wilson. Absent-None.

The vote was then taken on the second portion of Councilman Ellis' motion to communicate to the Department of Defense the desire of the City of San Diego to share as a joint military-civil airport, Miramar Naval Air Station at such time as the Department concurs in that use, which passed by the following vote: Yeas-Councilmen Johnson, Hubbard, Martinet, Ellis and Bates. Nays-Councilmen O'Connor, Williams, Morrow and Mayor Wilson. Absent-None.

The motion of Councilman Martinet to recall the question on the previous motion to obtain a unanimous vote was withdrawn.

The motion of Councilman Bates to call for the weighted vote at the upcoming scheduled meeting of the Comprehensive Planning Organization passed by the following vote: Yeas-Councilmen Johnson, Hubbard, Martinet, Ellis and Bates. Nays-Councilmen O'Connor, Williams, Morrow and Mayor Wilson. Absent-None.

RESOLUTION 211699, directing the City of San Diego to communicate to the Department of Defense the desire of The City of San Diego to share Miramar Naval Air Station as a joint military-civil airport at such time as the Department of Defense concurs in that use; instructing the City of San Diego's delegate to the Comprehensive Planning Organization ("CPO") to call for a weighted vote in connection with any vote on the location of a regional airport and vote said weighted vote in accordance with this resolution, was adopted on motions of Councilmen Ellis and Bates, by the following votes: Yeas-Councilmen Johnson, Hubbard, Martinet, Ellis and Bates. Nays-Councilmen O'Connor, Williams, Morrow and Mayor Wilson. Absent-None.

The motion of Councilman Johnson to direct the staff to come back with a ballot proposition that would provide the voters a choice of locations and put the proposition on the next ballot, failed due to lack of five affirmative votes by the following vote: Yeas-Councilmen Johnson, Hubbard, Ellis and Bates. Nays-Councilmen O'Connor, Williams, Morrow, Martinet and Mayor Wilson. Absent-None.

The motion of Councilman Martinet to send a three member delegation of Councilmen Johnson, O'Connor and Martinet to the Department of Defense to negotiate a joint use of Miramar Naval Air Station and report back within three months received no vote at this time.

The motion of Councilman Hubbard to amend to within 15 years died for lack of a second.

The vote was then taken on the motion of Councilman Martinet to send a three member delegation of Councilmen Johnson, O'Connor and Martinet to the Department of Defense to negotiate a joint use of Miramar Naval Air Station and report back within three months, which passed, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Ellis and Bates. Nays-Councilman Hubbard and Mayor Wilson. Absent-None.

(Item 1 - Continued)

There being no further business to come before the Council at this time, the Adjourned Special Meeting was adjourned at 3:58 p.m. on motion of Councilman Hubbard.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Edward G. Gierke

City Clerk of The City of San Diego, California

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, OCTOBER 3, 1974
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Absent--Councilmen Morrow and Bates.

Clerk---LaVerne Miller.

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

(Item 1)

Roll Call was taken.

(Item 2)

City Attorney, John Witt, gave the Invocation.

(Item 3)

Councilman Martinet led the Pledge of Allegiance.

(Item 4)

Minutes of the Regular Council Meeting of March 23 and June 6, 1974, were presented by the City Clerk. On motion of Councilman Martinet, said Minutes were approved without reading, after which they were signed.

Councilman Bates entered the Chambers.

(Item 5)

A communication from Raymond E. Peters, representing National Afro-American Historical Society - and - New World Aviation Academy, requesting permission to address the Council regarding Minority Americans in Aviation and Aerospace, was presented.

Raymond E. Peters appeared to speak regarding said communication.

On motion of Councilman Williams, the communication was referred to the City Manager for a report back to the Council and Mr. Peters in one week.

(Item 6)

A communication from Ms. Virginia Taylor, representing Informed Citizen's Union, requesting permission to address the Council relative to an appropriation of money for an independent outside attorney to pursue an injunction to prohibit the County of San Diego and State of California from pursuing a program concerning the application of chemicals, was presented.

(Item 6 - Continued)

Laura Tallan appeared to speak for Ms. Virginia Taylor regarding said communication.

Councilman Morrow entered the Chambers.

On motion of Councilman Hubbard, the communication was referred to Executive Session for discussion, to trail the Regular Meeting today.

The Council considered Requests for Continuances: Item 119.

(Item 119)

OTHER RESOLUTIONS: Inviting bids for police towing privilege for a period of three years ending November 30, 1977, Specifications Document No. 748729.

On motion of Councilwoman O'Connor the item was continued to October 10, 1974, at the request of San Diego Towing Contractors.

The Council considered the Consent Agenda, Ordinances introduced at a previous meeting, ready for dispensing with the reading and adoption: Items 7, 8, and 9.

The following Ordinances were introduced at the Meeting of September 19, 1974.

Reading in full was dispensed with by a vote of not less than a majority of the members elected to the Council and there was available for the consideration of each member of the Council and the public prior to the day of their passage, a written or printed copy of each Ordinance.

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

(Item 7)

ORDINANCE 11402 (New Series), setting aside and dedicating a certain portion of Ex-Mission Lands of San Diego, for a public park and naming said park "Gomper's Park."

(Item 8)

ORDINANCE 11403 (New Series), setting aside and dedicating a portion of Mira Mesa Verde Unit No. 11, for a public park and naming said park "Mesa Verde Park."

(Item 9)

ORDINANCE 11404 (New Series), setting aside and dedicating a portion of Section 26, Township 18 South, Range 2 West, for a public park and naming said park "Silverwing Park."

The Council considered the Consent Agenda, Resolutions, which consisted of Items 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 23.

(Item 10)

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

RESOLUTION 211673, Brem Landscape Company for furnishing complete landscape maintenance for 2 open space areas within Tierrasanta Maintenance District No. 1, for a period of 10 months ending July 31, 1975, for a total actual cost of \$12,110;

RESOLUTION 211674, Form Sales and Manufacturing, Inc., for the purchase of 25 each contour benches for an actual contract cost, including tax and terms, of \$1,987.50;

RESOLUTION 211675, Miracle Playground Equipment Co., for the purchase of miscellaneous playground equipment, for an actual contract cost, including tax and terms, of \$2,177.24;

RESOLUTION 211676, Triangle Steel and Supply for the purchase of various items of chain link fence for an actual cost, including tax and terms, of \$5,122.02;

RESOLUTION 211677, T. H. Creears Corp. for the purchase of miscellaneous pump parts for an actual cost, including tax, terms and freight of \$5,609.17; subject to price escalation; and

RESOLUTION 211678, Utility Trailer Sales Co. for furnishing Heil Repair Parts for a period of one year ending October 31, 1975, for an actual estimated cost, including tax and terms of \$20,000, with an option to renew contract for an additional 1-year period.

(Item 11)

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

RESOLUTION 211679, furnishing 1 traffic signal controller for the intersection of Bernardo Center Drive and Rancho Bernardo Road, in accordance with Specifications Document No. 748681;

RESOLUTION 211680, furnishing paper products as may be required for the period of 1 year ending November 30, 1975, in accordance with Specifications Document No. 748682;

RESOLUTION 211681, furnishing 1,000 bus stop signs, in accordance with Specifications Document No. 748683;

RESOLUTION 211682, furnishing 20,000 pounds of caulking lead, in accordance with Specifications Document No. 748684;

RESOLUTION 211683, furnishing 40,000 pounds of gutter broom wire, in accordance with Specifications Document No. 748685;

RESOLUTION 211684, furnishing miscellaneous street sweeper elevator parts, in accordance with Specifications Document No. 748686; and

RESOLUTION 211685, furnishing 4,000 each aluminum posts, in accordance with Specifications Document No. 748688.

(Item 12)

RESOLUTION 211686, authorizing an Agreement with Kaiser Aetna for the collection of charges by City and reimbursement to Kaiser Aetna for cost in excess of their pro rata share of the offsite sewer main which was required for Kearny Industrial Park Units 5 and 6, was adopted on motion of Councilman Hubbard.

(Item 13)

RESOLUTION 211687, designating December 1, 1974, as the date upon which all property in the Washington Street (3rd Avenue to 9th Avenue) Underground Utility District must be ready to receive underground service and May 1, 1975 as the date for the removal of all overhead utility facilities, was adopted on motion of Councilman Hubbard.

(Item 14)

RESOLUTION 211688, authorizing an Agreement with the State of California for installation of separate safety lighting conduit in conjunction with the installation of traffic signals and safety lighting on Mira Mesa Boulevard and Poway Road - Penasquitos Boulevard; authorizing the expenditure of \$8,800 out of Gas Tax Fund 220 for the purpose of providing funds for the City's estimated construction costs for installation of said conduit, was adopted on motion of Councilman Hubbard.

(Item 15)

RESOLUTION 211689, approving Change Order No. 1, issued in connection with the contract between The City of San Diego and Ameron, Inc., for mortar lining the University Avenue Pipeline; said change amounting to an increase in the contract price of \$1,196.51, was adopted on motion of Councilman Hubbard.

(Item 16)

RESOLUTION 211690, establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the north side of Silver Street, between Draper Avenue and Eads Avenue; authorizing the installation of the necessary signs and markings, was adopted on motion of Councilman Hubbard.

(Item 17)

RESOLUTION 211691, authorizing Building Inspection Director G. W. Curtis to travel to New Orleans, Louisiana, to attend a meeting of "30 Big City" building officials for the purpose of developing a program for local governments designed to encourage use of new construction and maintenance techniques in new and existing buildings through code enforcement, to be conducted on October 23, through 26, 1974; City to be reimbursed by Public Technology, Inc. for all expenses incurred, was adopted on motion of Councilman Hubbard.

(Item 18)

RESOLUTION 211692, authorizing Deputy City Manager John Lockwood, to travel to New Orleans, Louisiana, to attend a two-day meeting of the Urban Consortium to be conducted on October 18 and 19, 1974, and to incur all necessary expenses; authorizing City Auditor and Comptroller to expend those funds necessary for the above travel from the General Purpose Revolving Fund 534, said funds to be reimbursed to the City by Public Technology, Inc., was adopted on motion of Councilman Hubbard.

(Item 19)

The following Resolutions, accepting the work done and authorizing a Notice of Completion in the following subdivisions, were adopted on motion of Councilman Hubbard:

RESOLUTION 211693, Gatewood Hills Unit 7;
RESOLUTION 211694, Miramar Ranch Unit 3; and
RESOLUTION 211695, Mira Mesa Verde Unit 31.

(Item 23)

The following Resolutions, relative to land acquisition and improvements in San Diego Park District No. 12E (Jutland Canyon Park District), were adopted on motion of Councilman Hubbard:

RESOLUTION 211696, declaring intention to order certain acquisitions within the City pursuant to San Diego Park District Procedural Ordinance of 1969; describing the district to be benefited by said acquisition 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 City Cash Contribution; 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; and

RESOLUTION 211697, approving a report prepared pursuant to Division 8 of San Diego Park District Procedural Ordinance of 1969, as amended; and fixing the time and place for hearing protests and objections to the acquisition, diagram and assessment described and contained in the report, and whether the public convenience and necessity requires such acquisition, and giving notice of said hearing; and

RESOLUTION 211698, directing the City Clerk to give notice inviting sealed bids for the purchase of Improvement Bonds.

Mayor Wilson recessed the Meeting at 9:00 a.m. to continue discussion on the relocation of Lindbergh Field.

Upon reconvening at 3:26 p.m., the roll call showed Councilmen O'Connor, Williams and Martinet absent.

Councilwoman O'Connor entered the Chambers.

Councilman Martinet entered the Chambers.

On motion of Councilman Morrow, the Council voted to continue those items that were unfinished at 5:00 p.m. to 8:00 a.m., Tuesday, October 8, 1974.

(Item 20)

RESOLUTION 211700, authorizing an agreement with Frank L. Hope & Associates for a feasibility study of improving ingress and egress from the playing field at San Diego Stadium; authorizing the expenditure of \$7,500 out of Stadium Operating Fund 256 to provide funds for said study and related work, was adopted on motion of Councilman Bates.

(Item 21)

RESOLUTION 211701, authorizing a second amendment to joint powers agreement with the Comprehensive Planning Organization to provide that the County shall have a weighted voting power of 40 and The City of San Diego a weighted voting power of 30 in connection with 31 specific A-95 projects as approved in principle by Resolution No. 211094, adopted July 11, 1974; rescinding Resolution No. 211456, adopted August 29, 1974, was adopted on motion of Councilman Morrow.

(Item 22)

The following Resolutions, relative to land acquisition and improvements in San Diego Park District No. 12-H-2 (Padre Glen Canyon South Park District), were adopted on motion of Councilman Hubbard:

RESOLUTION 211702, declaring intention to order certain acquisitions within the City pursuant to San Diego Procedural Ordinance of 1969; describing the district to be benefited by said acquisition 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 City Cash Contribution; 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; and

RESOLUTION 211703, approving a report prepared pursuant to Division 8 of San Diego Park District Procedural Ordinance of 1969, as amended; and fixing the time and place for hearing protests and objections to the acquisition, diagram and assessment described and contained in the report, and whether the public convenience and necessity requires such acquisition, and giving notice of said hearing; and

RESOLUTION 211704, directing the City Clerk to give notice inviting sealed bids for the purchase of Improvement Bonds.

(Item 100 - CASE NO. 29-74-3 - City-initiated)

AREA 5

The hour of 8:30 having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of September 5 and 19, 1974, for preparation of a new Ordinance for R-2 and R-1-5 Zoning, on the matter of rezoning properties in the Southeast San Diego Community, located on the south side of Federal Boulevard between 60th Street on the west and Winnett Street on the east (approximately 8 acres), from Zones R-3 and R-2 to Zones R-2A, R-2, R-1 or any combination thereof. It was reported that no written protests had been received.

Jack Van Cleave, Planning Department, answered questions directed by the Council.

No one appeared to be heard.

(Item 100 - CASE NO. 29-74-3 - City-initiated - Continued)

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating those properties in the Southeast San Diego Community located on the south side of Federal Boulevard between 60th Street on the west and Winnett Street on the east, into R-2 and R-1-5 Zones, as defined by Sections 101.0409 and 101.0407, respectively, of the San Diego Municipal Code, and repealing Ordinance No. 9047 (New Series), adopted July 9, 1964, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Morrow by the following vote: Yeas-Councilmen Johnson, Hubbard, Morrow, Bates and Mayor Wilson. Nays-Councilman Ellis. Absent-Councilman Williams. Councilmen O'Connor and Martinet abstained as they had not listened to the tape of the Meeting of September 19, 1974.

(Item 101 - CASE NO. 4-74-2 - City-initiated)

AREA 4

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 September 5, 1974, for renoticing, on the matter of rezoning property in the Southeast San Diego Community located on the west side of 47th Street generally between Logan Avenue on the south and Franklin Street on the north (approximately 17 acres), from Zone R-4 to Zones R-3A, R-3, R-2A, R-2, R-1 or any combination thereof.

Jack Van Cleave, Planning Department, answered questions directed by the Council.

No one appeared to be heard.

The hearing was closed on motion of Councilman Hubbard.

A proposed Ordinance, incorporating that property in the Southeast San Diego Community located on the west side of 47th Street generally between Logan Avenue on the south and Franklin Street on the north, 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 City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Hubbard by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-None. Absent-Councilman Williams.

(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 paving and otherwise improving the Alleys in Block 15, Normal Heights; Block 14, North Shore Highlands, and Block 58, Pacific Beach - on Assessment Roll No. 3863. It was reported that no written appeals had been received.

No one appeared to be heard.

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 Martinet:

(Item 102 - Continued)

RESOLUTION 211705, confirming and approving the Street Superintendent's Assessment No. 3863, covering the cost of paving and otherwise improving the Alleys in Block 15, Normal Heights; Block 14, North Shore Highlands, and Block 58, Pacific Beach; authorizing said Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; said warrant, diagram, and assessment to be recorded in the office of said Street Superintendent, and in the office of the County Recorder.

(Item 103)

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 Black Mountain Road from the northerly line of Via Miramar to approximately 1,300 feet northerly of said line - on Assessment Roll No. 3865. It was reported that no written appeals had been received.

No one appeared to be heard.

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 Johnson:

RESOLUTION 211706, confirming and approving the Street Superintendent's Assessment No. 3865, covering the cost of paving and otherwise improving Black Mountain Road from the northerly line of Via Miramar to approximately 1,300 feet northerly of said line; authorizing said Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; said warrant, diagram, and assessment to be recorded in the office of said Street Superintendent, and in the office of the County Recorder.

(Item 104)

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 Streamview Drive between Lynn and Gayle Streets - on Assessment Roll No. 3868. It was reported that one written appeal had been received.

James McLaughlin, Community Development Department, City Manager Moore, and Jack Van Cleave, Planning Department, answered questions directed by the Council.

Antone Nelson appeared to speak with regard to the proposed paving and otherwise improving of said property.

RESOLUTION 211707, continuing the hearing on paving and otherwise improving Streamview Drive between Lynn and Gayle Streets - on Assessment Roll No. 3868, to the hour of 8:30 a.m., Thursday, October 10, 1974, was adopted on motion of Councilman Bates to allow Councilman Hubbard to view the property.

(Item 105 - CASE NO. 29-74-2 - portion of SUBAREA A)

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 approximately 5.4 acres of R-4 zoned property in the Southeast San Diego Community bounded on the west by 69th Street, on the south and east by Akins Avenue, and on the north by the City of San Diego boundary, from Zone R-4 to Zones R-3A, R-3, R-2A, R-2, R-1 or any combination thereof. It was reported that no written protests had been received.

(Item 105 - CASE NO. 29-74-2 - portion of SUBAREA A - Continued)

Jack Van Cleave, 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 Southeast San Diego Community, bounded on the west by 69th Street, on the south and east by Akins Avenue, and on the north by The City of San Diego boundary, into R-1-6 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 116 (New Series), adopted January 3, 1933, 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-Councilman Johnson. Absent-Councilman Williams.

(Item 106 - CASE NO. 42-74-5)

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 1120, Record of Survey No. 2345, (approximately 1 acre) located on the south side of Hotel Circle South between Taylor Street and Homeland Place, from Zone CR to Zone CO. It was reported that no written protests had been received.

Jack Van Cleave, Planning Department, answered questions directed by the Council.

Gerald Dawson appeared to speak in favor of the proposed rezoning.

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, incorporating a portion of Pueblo Lot 1120, Record of Survey No. 2345, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance No. 8555 (New Series), adopted December 7, 1961, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Morrow by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-None. Absent-Councilman Williams.

(Item 106 - CASE NO. 42-74-5 - Continued)

RESOLUTION 211708, certifying that the information contained in Environmental Negative Declaration No. 74-4-029P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council, was adopted on motion of Councilman Morrow.

(Item 107 - CASE NO. 29-74-1 - City-Initiated - AREA 2, SUBAREA D)

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 (approximately 37.7 acres), located on the north and south side of Market Street between 51st Street and Pitta Street, from Zone R-4 to Zones R-3A, R-3, R-2A, R-2, R-1 or any combination thereof. It was reported that no written protests had been received.

The motion of Councilman Morrow to continue the item to October 10, 1974, to see if all property owners within 300' were notified, and instruct staff to notify people in the general areas involved received no vote at this time.

Mrs. Sherman Platt, Mr. Wigganfall and Mr. George Stevens appeared to speak regarding the proposed continuance.

On motion of Councilman Morrow, the item was continued to October 10, 1974, at Councilman Williams' request and staff was instructed to see if all property owners within 300' of the subject property had been notified of the hearing.

(Item 108 - CASE NO. 45-74-4)

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 Rancho San Bernardo, Record of Survey 6081 (approximately 6.05 acres), located on the west side of Acena Drive between Hierba Road and Obispo Road, from Zone R-1-5 to Zone CA-S. It was reported that no written protests had been received.

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

No one appeared to be heard.

The hearing was closed on motion of Councilman Johnson.

A proposed Ordinance, incorporating a portion of Rancho San Bernardo, Record of Survey 6081, into CA-S Zone, as defined by Section 101.0428 of the San Diego Municipal Code, and repealing Ordinance No. 8766 (New Series), adopted December 13, 1962, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-None. Absent-Councilman Williams.

RESOLUTION 211709, certifying that the information contained in Environmental Negative Declaration No. 74-3-016P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council, was adopted on motion of Councilman Johnson.

(Item 109 - CUP NO. 412-PC)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the application of Retlaw Broadcasting Company, owner/permittee, (KOGO Radio Station) under Conditional Use Permit No. 412-PC, to construct and operate a radio broadcasting and administrative office facility located on the west side of 47th Street between Highway 94 and Beech Street, more particularly described as Lot 3, Broadcast City, Resub. No. 1 and portion Vacated Highway Right of Way, in the R-4 Zone. It was reported that no written protests had been received.

No one appeared to be heard.

(Item 109 - CUP NO. 412-PC - Continued)

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

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

RESOLUTION 211710, certifying that the information contained in Environmental Negative Declaration No. 74-4-020P has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines, and that said Declaration has been reviewed and considered by the Council; and

RESOLUTION 211711, granting to Retlaw Enterprises, Inc., Conditional Use Permit No. 412-PC in the form and with the terms and conditions as set forth in the permit.

The following Ordinance was introduced at the Meeting of September 19, 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, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-None. Absent-Councilman Williams.

(Item 110 - CASE NO. 1-73-4)

ORDINANCE 11405 (New Series), incorporating a portion of Lot 3, Block 2, Nettleship Tye Tract No. 1, and Lot 36, and portions of Lots 34-35, Block 41, Subdivision of Acre Lot 12 in Pacific Beach into C0 Zone, as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance No. 2593 (New Series), adopted December 29, 1942 of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 127)

A proposed Resolution, approving the transfer of three Certificates of Public Convenience and Necessity to operate taxicabs from Eugene G. Missler to Norris L. Lipsey, was presented.

City Manager Moore gave a report.

RESOLUTION 211712, approving the transfer of three Certificates of Public Convenience and Necessity to operate taxicabs from Eugene G. Missler to Norris L. Lipsey, was adopted on motion of Councilman Bates.

(Item 111)

A proposed Ordinance, continued from the Meeting of September 19, 1974, for Fire Chief's testimony, amending Chapter IX, Article I, of the San Diego Municipal Code by repealing certain sections relating to Building and Building Regulation, was presented.

Fire Chief Bell answered questions directed by the Council and stated that the Building Code would be acceptable if the word "portion" was deleted from the sentence "portion from all exterior walls." Elliott Stevenson appeared to speak regarding proposed Ordinance.

Gene Meier, Assistant Building Inspection Director, answered questions directed by the Council.

City Manager Moore answered questions directed by the Council.

The motion of Councilman Hubbard to introduce the Ordinance as amended with the suggestion of Fire Chief Bell received no vote at this time.

The motion of Councilman Bates to instruct the City Attorney to draft an amendment to the Ordinance to increase the inspection fees by 10% received no vote at this time.

A proposed Ordinance, amending Chapter IX, Article I, of the San Diego Municipal Code by repealing Sections 91.02.0104, 91.02.0502, 91.02.2418, 91.02.2608, 91.02.2612, 91.02.2617, 91.02.2630, 91.02.2632, 91.02.2902, 91.02.3301, 91.02.3303, 91.02.3308, 91.02.4306, 91.02.4901, 91.02.4904 and 91.02.Table 26-D; by amending Sections 91.01, 91.02.0203, 91.02.0204, 91.02.0301, 91.02.0302, 91.02.0303, 91.02.0304, 91.02.1102, 91.02.2314, 91.02.3203, 91.02.3305, 91.02.3312 and 91.0301; and by adding Sections 91.02.0402, 91.02.0417, 91.02.0420, 91.02.0603, 91.02.0703, 91.02.0803, 91.02.0903, 91.02.1003, 91.02.1101, 91.02.1103, 91.02.1203, 91.02.1303, 91.02.1709, 91.02.2518, 91.02.2609, 91.02.2611, 91.02.2627, 91.02.2903, 91.02.3803, 91.02.3805, 91.02.5406, 91.02.Table 5-A, 91.02.Table 23-I, 91.02.Table 54-D and 91.02.Table 54-E relating to Building and Building Regulation, was introduced as amended on motion of Councilman Ellis, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis, Bates and Mayor Wilson. Nays-None. Absent-Councilman Williams

By the same motion, they continued the matter to October 10, 1974, for a report on the proposed 10% increase in fees.

(Item 120)

Two proposed Resolutions, relative to the construction of a neighborhood park for District 214 (Winterwood Lane) in Mira Mesa were presented.

City Manager Moore answered questions directed by the Council.

The following Resolutions, relative to the construction of a neighborhood park for District 214 (Winterwood Lane) in Mira Mesa, were adopted on motion of Councilman Johnson:

RESOLUTION 211713, certifying that the information contained in Environmental Impact Report No. 73-5-021C 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; and

RESOLUTION 211714, authorizing an agreement with the Pardee Construction Company for the construction of a neighborhood park for District 214 (Winterwood Land) in Mira Mesa.

(Item 122)

RESOLUTION 211715, authorizing the transfer of an amount of Unallocated Reserve to provide funds needed to defray the expenses involved in defending Superior Court Case No. 358163, L.R. "Lee" Hubbard, Jr. v. City of San Diego et al., under that letter of agreement from the law firm of Knutson, Tobin & Meyer, by Leroy W. Knutson, on file in the office of the City Clerk, was adopted on motion of Councilman Johnson. Councilman Hubbard was excused from voting.

By Unanimous Consent granted to Councilman Hubbard, a proposed Resolution authorizing the City Manager to immediately open negotiations with the owner of the proposed Kensington Canyon Park Site for acquisition of the property for the appraisal value of \$1,300,000, was presented.

Property Director MacFarlane answered questions directed by the Council.

City Manager Moore read a report stating that the cost was approximately \$1,300,000 and the lack of funds would not allow the acquisition of the Canyon.

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

Councilman Morrow left the Chambers.

Henry Landt, Margie Adams, Elisa Wiggins, Mary Gray, Susan Davis, Canola Aulick, Barbara Wiggins, Jerome Toots, Marilyn Marshall, August Pfeifer, Luke Corbett, Betty Doria and Marian Bear appeared to speak regarding the proposed Resolution.

On motion of Councilman Hubbard, the Resolution authorizing the City Manager to open negotiations for acquisition of Kensington Canyon Park Site for acquisition of the property for the appraisal value of \$1,300,000 was filed.

(Item 121)

RESOLUTION 211716, authorizing an agreement with the Unified School District to operate a Senior Citizens Meals Program at three schools during the remaining portion of FY-75; providing \$104,000 from General Purpose Revolving Fund 534 for said purpose; and providing for reimbursement of \$104,000 to Fund 534 from Federal Revenue Sharing funds, was adopted on motion of Councilwoman O'Connor.

Councilman Bates left the Chambers.

(Item 116)

RESOLUTION 211717, extending that certain Consultant Agreement, as amended, with Michael Babunakis, from September 30, to October 31, 1974, under the same terms and conditions as contained in the original agreement, as amended, was adopted on motion of Councilwoman O'Connor by the following vote: Yeas-Councilmen Johnson, O'Connor, Martinet, Ellis and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilmen Williams, Morrow and Bates.

By Unanimous Consent granted to City Manager Moore, a proposed Resolution authorizing a grant agreement with the Urban Mass Transportation Administration (UMTA) in the amount of \$2,765,815 for the purchase of 25 new 49-53 passenger buses; 30 new 19-22 passenger buses; 91 registering fareboxes; 55 mobile transmitters; one sign truck; one 3/4-ton pickup truck; 3 road supervisor cars; and numerous supportive equipment, furniture, and remodeling of existing shop facilities; authorizing the City Auditor and Comptroller to transfer the sum of \$114,164 from Public Transportation Reserve Fund 2571 to Transit System Purchase 55 Buses Fund 2576 of which \$88,184 will be used as part of the local share contribution and \$25,980 to cover the 1% City sales tax requirement, was presented.

(Unanimous Consent - Continued)

City Manager Moore answered questions directed by the Council.

RESOLUTION 211718, authorizing a grant agreement with the Urban Mass Transportation Administration (UMTA) in the amount of \$2,765,815 for the purchase of 25 new 49-53 passenger buses; 30 new 19-22 passenger buses; 91 registering fareboxes; 55 mobile transmitters; one sign truck; one 3/4-ton pickup truck; 3 road supervisor cars; and numerous supportive equipment, furniture, and remodeling of existing shop facilities; authorizing the City Auditor and Comptroller to transfer the sum of \$114,164 from Public Transportation Reserve Fund 2571 to Transit System Purchase 55 Buses Fund 2576 of which \$88,184 will be used as part of the local share contribution and \$25,980 to cover the 1% City sales tax requirement, was adopted on motion of Councilman Martinet.

(Item 118)

A proposed Resolution, granting or denying the request of James O. Buckles to file a new application with the Planning Commission pursuant to Section 101.0901 of the San Diego Municipal Code for a Planned Residential Development Permit (PRD No. 76) on a portion of Lot 2, Pacific Beach, located on Fanuel Street, north of Archer Street, in the R-1-5 Zone, was presented.

Jack Van Cleave, Planning Department, answered questions directed by the Council.

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

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

RESOLUTION 211719, granting the request of James O. Buckles to file a new application with the Planning Commission for a planned residential permit (PRD No. 76) on a portion of Lot 2, Pacific Beach, located on Fanuel Street, north of Archer Street, in the R-1-5 Zone, was adopted on motion of Councilman Martinet.

At 5:51 p.m., on motion of Councilman Hubbard, the balance of the items on the October 3, 1974, agenda, consisting of:

- Item 112 - Ordinance amending the Salary Ordinance relative to Overtime compensation;
- Item 113 - Resolution rescinding Council Policy 300-2;
- Item 114 - Ordinance relating to the Community Relations Board;
- Item 115 - Resolution regarding "CP" mileage authorization;
- Item 117 - Resolution regarding Claim of Pacific Telephone and Telegraph Company;
- Item 123 - Resolution authorizing transfer of funds regarding National Bicentennial Celebration;
- Item 124 - Three Resolutions relative to CATV Rate Regulation;
- Item 125 - Directing City's representative to CPO to support Fiscal Year 1975 projects, etc.; and
- Item 126 - Resolution directing City Manager to take all steps necessary to discontinue operation of, etc, the recorded Telephone Message System;

were continued due to lack of time and this Meeting was adjourned until the hour of 8:00 a.m., Tuesday, October 8, 1974, in the Council Chambers, City Administration Building, 202 C Street.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Eleanor Wilson

Assistant City Clerk of The City of San Diego, California