

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, AUGUST 7, 1975
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Deputy Mayor Johnson called the Regular Meeting to order at 8:35 a.m.

(Item 1)

Roll Call was taken.

(Item 2)

Deputy Mayor Johnson introduced Pastor Roland F. Laiva, Assistant Pastor of
the First Lutheran Church, who gave the Invocation.

(Item 3)

Councilwoman O'Connor led the Pledge of Allegiance.

(Item 4)

Deputy Mayor Johnson welcomed a group of forty students from O'Farrell
Junior High School and Taft Junior High School accompanied by Mr. Roger Strasner.
Councilman Williams addressed the group.

(Item 5)

Forty students from Hale Junior High School and Gompers Junior High School
did not appear.

At this time Deputy Mayor Johnson welcomed Deputy Mayor Neal Balkan of
Oklahoma City, Oklahoma.

(Item 7)

A communication from Mr. Roger Strasner, representing O'Farrell and Taft
Junior High Schools, requesting permission to address the Council, regarding the
current problems existing in the vicinity of the two schools, was presented.

Becky Kinder, Toi Blake, and Victor Gutierrez appeared to speak.

(Item 6)

The Purchasing Agent reported on all bids opened Wednesday, August 6, 1975 for paving and otherwise improving the Alleys, Blocks 3 and 4, Las Alturas No. 2; Alley adjacent to Lot 21, Block 13, Normal Heights; and Alley Block 1, Corella Tract - four bids received.

Finding was made on motion of Councilman Williams that bids had been opened and declared as reported. By the same motion, report was referred to the City Manager and the City Attorney for recommendation.

The Council at this time considered requests for continuances: Items 20, 22, and 21.

(Item 20 - PRD NO. 78)

NOTICED HEARINGS: (Continued from the Meetings of January 24, and 31, July 25, 1974, and July 24, 1975.) Appeal of Marian R. Bear from the decision of the Planning Commission in granting the application of A. J. Hall Corporation, owner/permittee, under Planned Residential Development Permit No. 78, to construct and operate a planned residential development consisting of 291 residential units, 3 recreation areas, an 18-hole golf course with clubhouse and driving range, offstreet parking, and incidental accessory uses, located south of Mt. Acadia Boulevard, between Cowley Way and Via Alcazar, more particularly described as portion of unnumbered Pueblo Lot bounded by Pueblo Lots 1194, 1195, 1206 and 1207, known as Fos Addition; portions of Pueblo Lots 1191, 1195, 1206; Block "J", Wells and Lanes' Tecolote Heights; and Lot "C", Resub. of Portion of Lot "J", Tecolote Heights, in the R-1-15 (LC) Zone. (PRD NO. 78)

Norman Seltzer appeared to speak for a continuance.

The motion of Councilwoman O'Connor to continue the matter to August 5, 1976 to await outcome of condemnation action by City for park purposes, received no vote at this time.

Marian Bear appeared to speak in opposition to the continuance.

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

On motion of Councilwoman O'Connor, the matter was continued to August 5, 1976 to await outcome of condemnation action by City for park purpose.

(Item 22 - T.M. 73-17)

NOTICED HEARINGS: Application of Valley Meadows North, by Robert E. Mann, for special permission to waive underground utility requirements in connection with the Subdivision Map of Valley Meadows North, located easterly of Mission Gorge Road, northerly of Zion Avenue in the R-3 Zone.

Assistant City Manager Graham appeared to speak for a continuance.

On motion of Councilwoman O'Connor, the matter was continued to 8:30 a.m., October 9, 1975, at applicant's request for completion of Manager's study on undergrounding.

(Item 21 - CASE NO. 60-75-8)

NOTICED HEARINGS: Matter of rezoning a portion of the East one-half of Section 25, Township, 14 South, Range 3 West, S.B.B.M., located on the north side of Capricorn Way between Kelowna Road and Westonhill Drive, in the Mira Mesa Area, from Zone A-1-10 to Zone R-1-5.

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

John Butler, representing Pardee Construction Co., appeared to speak in opposition of the continuance.

Discussion followed.

John Butler appeared to speak.

Discussion followed.

The motion of Councilman Ellis to continue the matter until there is a determination of the judicial matter before the Courts, received no vote at this time.

Mayor Wilson assumed the Chair.

Deputy City Attorney Avery answered questions directed by the Council.

Charles Kurtsch appeared to speak in opposition to the continuance.

The motion of Councilman Ellis to close the hearing and introduce an Ordinance for R-1-5 Zoning received no vote.

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

Councilman Williams called for the question on the motion to continue the matter.

Councilman Ellis withdrew his motion to continue the matter until there is a determination of the judicial matter before the Courts.

The motion of Councilman Williams to continue the matter to November 6, 1975 until the consumer fraud action by the City is resolved, received no vote at this time.

Gerry Gunnels and Maureen Schumann appeared to speak.

The motion of Councilman Williams to continue the matter to November 6, 1975, until consumer fraud action by the City is resolved, passed by the following vote: Yeas-Councilmen O'Connor, Williams, Martinet, Ellis, Haro, and Mayor Wilson. Nays-Councilmen Johnson and Hubbard. Absent-Councilman Morrow.

John Butler appeared to speak regarding setting a time certain.

By common consent, it was agreed to set the time for 9:30 a.m. Time Certain, on that date.

(Item 23)

A proposed Resolution, continued from the Meeting of July 30, 1975, at Deputy Mayor Johnson's request, commending Assistant City Manager Ralph E. (Mike) Graham for his outstanding performance as Acting City Manager during the period of December 14, 1974 through March 31, 1975, for and on behalf of the citizens of The City of San Diego; making said declaration of appreciation and commendation part of the public record, was presented.

(Item 23 - Continued)

Deputy Mayor Johnson spoke to the proposed Resolution.

RESOLUTION 213984, commending Assistant City Manager Ralph E. (Mike) Graham for his outstanding performance as Acting City Manager during the period of December 14, 1974 through March 31, 1975, for and on behalf of the citizens of The City of San Diego; making said declaration of appreciation and commendation part of the public record, was adopted on motion of Councilman Williams.

Assistant City Manager Graham addressed the Council.

By Unanimous Consent granted to Assistant City Attorney Teaze, a proposed Resolution, expressing the opposition of The City of San Diego to Senate Bill No. 563 regarding tidelands; directing the Legislative Representative to express the opposition of the City to the enactment of the bill as reflected in that letter to the Chairman of the State Assembly Resources and Land Use Committee from the City Attorney dated July 22, 1975 and that memorandum to the Rules Committee of the City from the Legislative Representative dated July 10, 1975, was presented.

Discussion followed.

City Attorney Witt answered questions directed by the Council.

RESOLUTION 213985, expressing the opposition of The City of San Diego to Senate Bill No. 563 regarding tidelands; directing the Legislative Representative to express the opposition of the City to the enactment of the bill as reflected in that letter to the Chairman of the State Assembly Resources and Land Use Committee from the City Attorney dated July 22, 1975 and that memorandum to the Rules Committee of the City from the Legislative Representative dated July 10, 1975, was adopted on motion of Councilman Martinet.

There being no further business to come before the Council at this time, the Meeting was adjourned at 9:48 a.m. on motion of Councilman Johnson, and the Mayor announced there would be an executive session immediately in the Council Conference Room, 12th Floor, City Administration Building, to discuss pending litigation.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Edward Wilson

City Clerk of The City of San Diego, California

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, AUGUST 7, 1975
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

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

Mayor Wilson called the Regular Meeting to order at 2:05 p.m.

(Item 1)

Roll Call was taken.

The Council at this time considered requests for continuances: Items 101 and 102.

(Item 101)

ORDINANCES TO BE INTRODUCED: Fixing the tax rates and levying taxes for the Fiscal Year 1975-76.

On motion of Councilman Johnson, the proposed Ordinance was continued to August 13, 1975 at the City Manager's request for information from the State by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Martinet, Ellis, and Mayor Wilson. Nays-None. Absent-Councilmen Williams, Morrow, and Haro.

(Item 102)

ORDINANCES TO BE INTRODUCED: Amending Ordinance No. 11650 (New Series) entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1975-76 and Appropriating the Necessary Money to Operate The City of San Diego for Said Fiscal Year."

On motion of Councilman Johnson, the proposed Ordinance was continued to August 13, 1975 at the City Manager's request for information from the State by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Martinet, Ellis, and Mayor Wilson. Nays-None. Absent-Councilmen Williams, Morrow, and Haro.

Councilman Williams entered the Chambers.

(Item 100 - First time)

The hour of 2:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the Matters of: a - Proposed amendments to the San Ysidro Community Plan, which encompasses approximately 1,600 acres and extends

(Item 100 - Continued)

from the International Boundary to State Route 75, and from the mesas east of I-805 to a westerly boundary approximately 1,400 feet west of I-5; and b - 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 San Ysidro Community Plan.

By common consent it was agreed to trail the matter until the Councilman from the district entered the Chambers.

The Council at this time considered unfinished business from Wednesday, August 6, 1975.

(Item 107)

A proposed Resolution, adopting in principle, those recommendation on the funding of recreational facilities and programs to which the Ad Hoc Committee on Joint Recreational Facilities agreed at their meeting on June 13, 1975, as follows: 1) construction of swimming pools, where the school district will finance the construction of the swimming pools and the City will finance the construction of any needed dressing facilities and finance the operating and maintenance costs of the pools; 2) endorsing the Mesa College Auditorium as a project, with construction costs to be provided exclusively by the San Diego Community College District on land provided by the City; 3) endorsing the use of City-owned land at Morley Field for a regulation baseball diamond, with the provision that at this time the San Diego Unified School District provides no money for this project; 4) approving future cooperation in developing turfed recreational areas on school grounds to be used by the community, with the school district or the colleges putting in the turf and the City maintaining the grounds and putting in lighting, which is to include the Educational Complex, was presented.

Assistant City Manager Graham answered questions directed by the Council. Discussion followed.

Councilman Haro entered the Chambers.

Assistant City Manager Graham answered questions directed by the Council. Discussion followed and a revised Resolution was presented.

RESOLUTION 213986, adopting in principle, those recommendations on the funding of recreational facilities and programs to which the Ad Hoc Committee on Joint Recreational Facilities agreed unanimously at their meeting on June 13, 1975, as follows: 1) construction of swimming pools, where the school district will finance the construction of the swimming pools and the City will finance any needed dressing facilities and finance the operating and maintenance costs of the pools, operating and maintenance costs to be shared by the respective jurisdictions on a prorata basis from the date in time when the construction costs borne by the School District equals the construction costs plus operating and maintenance costs borne by the City; 2) endorsing the Mesa College auditorium as a project, with construction costs to be provided exclusively by the San Diego Community College District on land provided by the City of San Diego, the City's

(Item 107 - Continued)

commitment to provide city land for this project to be dependent upon the council determining that said city land is not required for more urgent city transportation needs; 3) endorsing the use of City-owned land at Morley Field for a regulation baseball diamond, with the provision that at this time the San Diego Unified School District provides no money for this project; 4) approving future cooperation in developing turfed recreational areas on school grounds to be used by the community, with the school district or the colleges putting in the turf and the City maintaining the grounds and putting in lighting, excluding the Educational Cultural Complex which is the subject of a separate lease agreement, was adopted on motion of Councilman Ellis.

(Item 100 - Second time)

Planning Director Goff and Jim Fisk, Planning Department, answered questions directed by the Council relative to proposed amendment No. 1.

No one appeared to be heard regarding proposed amendment No. 1.

The motion of Councilman Haro to adopt proposed amendment No. 1 received no vote at this time.

Planning Director Goff answered questions directed by the Council.

The hearing was closed and amendment No. 1 was adopted on motion of Councilman Haro.

Jim Fisk, Planning Department, and Planning Director Goff answered questions directed by the Council relative to proposed amendment No. 2.

No one appeared to be heard regarding proposed amendment No. 2.

The hearing was closed and amendment No. 2 was adopted on motion of Councilman Haro by the following vote: Yeas-Councilmen O'Connor, Williams, Martinet, Ellis, Haro, and Mayor Wilson. Nays-Councilmen Johnson and Hubbard. Absent-Councilman Morrow.

Jim Fisk, Planning Department, answered questions directed by the Council regarding proposed amendment No. 3.

Juan Orendain, San Ysidro Chamber of Commerce, appeared to speak in favor of proposed amendment No. 3.

The hearing was closed and amendment No. 3 was adopted with the amendment rezoning R-2 to M-1B and C-1S, with a proviso that relocation be effected for present residents of the area, on motion of Councilman Haro. (This action was later reconsidered.)

Jim Fisk, Planning Department, answered questions directed by the Council relative to proposed amendments No. 4 and 8.

Nancy Estolano appeared to speak in opposition to proposed amendment No. 4 and in favor of proposed amendment No. 8.

Juan Orendain appeared to speak in favor of proposed amendments No. 4 and No. 8.

Duane Scott appeared to speak in opposition.

Dr. Colegrove appeared to speak in favor of the proposed amendments.

Wally Van Buren and Joyce Hettich appeared to speak in opposition.

The motion of Councilman Haro to adopt amendment No. 4 as approved by Planning Department and Planning Group, retain low medium residential and remove the provision that this be reviewed in five years, and file amendment No. 8, received no vote.

(Item 100 - Second time - Continued)

Planning Director Goff and Assistant City Manager Graham answered questions directed by the Council.

Dr. Colegrove, Joyce Hettich, and Juan Orendain appeared to speak.

Jim Fisk, Planning Department, and Planning Director Goff answered questions directed by the Council.

The motion of Councilman Ellis to close the hearing and continue proposed amendments No. 4 and No. 8 to August 14, 1975 for an opinion from the City Attorney regarding a possible conflict of interest received no vote at this time.

Juan Orendain, Joyce Hettich, and Dr. Colegrove appeared to speak.

The motion of Councilman Ellis to reconsider the vote on proposed amendment No. 3 received no vote at this time.

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

The hearing was closed and proposed amendments No. 4 and No. 8 were continued to August 14, 1975 for an opinion from the City Attorney regarding possible conflict of interest, on motion of Councilman Ellis.

Amendment No. 3 was reconsidered by the Council on motion of Councilman Ellis.

The hearing was closed and the proposed amendment No. 3 was continued to August 14, 1975, 2:00 p.m., for an opinion from the City Attorney relative to a possible conflict of interest, on motion of Councilman Ellis.

Jim Fisk, Planning Department, answered questions directed by the Council relative to proposed amendment No. 9.

No one appeared to be heard.

Planning Director Goff answered questions directed by the Council.

The hearing was closed and proposed amendment No. 9 was continued to August 14, 1975, 2:00 p.m., for an opinion from the City Attorney relative to a possible conflict of interest, on motion of Councilman Haro.

Jim Fisk, Planning Department, answered questions directed by the Council relative to proposed amendment No. 5.

No one appeared to be heard.

The motion of Councilman Haro to close the hearing and file proposed amendment No. 5 received no vote at this time.

Planning Director Goff answered questions directed by the Council.

Bertha Gonzales and Joyce Hettich appeared to speak.

Planning Director Goff answered questions directed by the Council.

The hearing was closed and proposed amendment No. 5 was filed on motion of Councilman Haro.

Jim Fisk, Planning Department, answered questions directed by the Council relative to proposed amendment No. 6.

No one appeared to be heard.

The hearing was closed and proposed amendment No. 6 was filed on motion of Councilman Haro.

Jim Fisk, Planning Department, and Assistant City Manager Graham answered questions directed by the Council relative to proposed amendment No. 7.

(Item 100 - Second time - Continued)

Planning Director Goff answered questions directed by the Council relative to proposed amendment No. 10.

No one appeared to be heard.

The hearing was closed and amendment No. 10 was filed on motion of Councilman Haro.

Jim Fisk, Planning Department, and Planning Director Goff answered questions directed by the Council relative to proposed amendment No. 11.

Juan Orendain and Joyce Hettich appeared to speak.

Planning Director Goff answered questions directed by the Council.

The hearing was closed and amendment No. 11 was filed on motion of Councilman Haro.

The Resolutions relative to the EIR and certain amendments to the San Ysidro Community Plan were continued to August 14, 1975, 2:00 p.m. for City Attorney to give opinion on possible conflict of interest, on motion of Councilman Haro.

(Item 1 - Supplemental Docket)

The matter of the refusal of the General Services Administration to require A-95 review in connection with the relocation of federal agencies, was presented. Discussion followed.

Mayor Wilson recessed the Meeting at 4:17 p.m. Upon reconvening at 4:35 p.m., the Roll Call showed Councilman Morrow absent.

Deputy City Attorney Poyner answered questions directed by the Council.

The matter of the refusal of the General Services Administration to require A-95 review in connection with the relocation of federal agencies was continued to August 13, 1975 for further review; on motion of Councilman Haro.

There being no further business to come before the Council, by Unanimous Consent granted to Councilman Martinet and Mayor Wilson, the Regular Meeting was adjourned at 5:05 p.m. in memory of Karel J. Bossart who passed away on August 3, 1975 and Col. George A. Walk who passed away on August 1, 1975, on motion of Councilman Martinet.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Elaine Nelson

City Clerk of The City of San Diego, California