

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - THURSDAY, SEPTEMBER 28, 1972  
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING  
COMMUNITY CONCOURSE

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

Mayor Wilson called the Regular Meeting to order at 9:42 a.m.

(Item 1)

Mayor Wilson welcomed twenty students from Memorial Adult School,  
accompanied by Marsha Korobkin.

Councilman Williams addressed the group.

Twelve visitors from Cub Scout Den 2 of Pack 249, accompanied  
by Mrs. Deane Martinez, were unable to attend the Meeting.

Mayor Wilson welcomed August Felando and party commemorating  
Cabrillo Festival Week.

Councilwoman O'Connor addressed the group.

(Item 2)

A communication from Philip R. Shafer, Pacific Beach Planners,  
requesting permission to address the Council regarding rezoning of  
R-4 lands in Pacific Beach (Crescent Bay and Park La Jolla areas)  
to a lower density, was presented.

Philip R. Shafer appeared to speak regarding said communication.

On motion of Councilman Landt, said communication was referred  
to the Planning Department for report back to Council.

The Council at this time considered requests for continuances:  
Item 102.

(Item 102)

Three proposed Resolutions, relative to the Tijuana River Valley  
area, a - Accepting a Preliminary Plan Concept; b - Requesting  
International Boundary and Water Commission to request Army Corps of  
Engineers to study alternative designs; and c - urging the State of

(Item 102 Continued)

California to explore funding alternatives for acquisition and preservation of the Estuary, were presented.

Planning Director Goff answered questions directed by the Council.

Dr. T. G. Lambron, Mary Forsythe, and Mr. DeVore appeared to speak in favor of a continuance.

On motion of Councilman Bates, said proposed Resolutions were continued for three weeks, to Thursday, October 19, 1972, to permit study of Preliminary Plan Concept.

(Items 3 through 5)

Considered after the Consent Agenda, which ended with Item 103.

(Item 6)

Considered after Item 7.

(Item 7)

Considered after Item 5.

(Item 8)

Considered after Item 6.

The Council considered the Consent Agenda, which consisted of Items 9, 10, 11, 12, 13, 100, 101, and 103.

The following Ordinances were introduced at the Meeting of September 14, 1972.

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 written or printed copies of said Ordinances.

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

(Item 9)

ORDINANCE 10931 (New Series), amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by adding Section 101.0410.1 relating to the R-2B Zone.

(Item 10)

ORDINANCE 10932 (New Series), amending Chapter X, Article 1, of the San Diego Municipal Code by amending Section 101.0454, relating to the LC Zone.

(Item 11)

RESOLUTION 206599, awarding a contract to Cash Lewis Company, R. W. Winn Business Machine Company, Bell & Howell Company, Lanier Business Products, 3M Business Products Sales Inc., Monroe International, Inc., Olivetti Underwood Corp., Remington Rand Office Machines, Smith Corona Marchant, and Victor Comptometer Corp. for office machine maintenance service for a period of one year ending June 30, 1973, for an actual estimated cost of \$18,882.10, was adopted on motion of Councilman Williams.

(Item 12)

RESOLUTION 206600, inviting bids for rental of computer equipment for a period of five years ending October 31, 1977, in accordance with Specifications Document No. 741381, was adopted on motion of Councilman Williams.

(Item 13)

RESOLUTION 206601, rejecting all bids heretofore received on August 17, 1972 for traffic channelization and modification of traffic signal system at North Harbor Drive and Ryan Main Gate, dip correction at 35th Street and Adams Avenue, and metal beam guard rail on Riviera Drive, Zoo Place, and Quince Drive; authorizing the Purchasing Agent to readvertise for bids for traffic channelization and modification of traffic signal at North Harbor Drive and Ryan Main Gate, in accordance with Specifications Document No. 741382, was adopted on motion of Councilman Williams.

(Item 100)

RESOLUTION 206602, authorizing the City Manager to execute a Third Amendment to Agreement with St. Stephen's Church of God in Christ to amend the maximum number of meals prepared by St. Stephen's Church of God in Christ from 100 to 200 meals per day, was adopted on motion of Councilman Williams.

(Item 101)

RESOLUTION 206603, approving the Budget of the San Diego Transit Corporation for the 1972-73 fiscal year; authorizing a sum not to exceed \$2,000,000 as a subsidy to said corporation for public

(Item 101 Continued)

transportation purposes from Department 46, Public Transportation Fund 257, said sum to include the cash advance to the San Diego Transit Corporation of \$200,000, approved by this Council on September 14, 1972 through Resolution 206534, was adopted on motion of Councilman Williams.

(Item 103)

RESOLUTION 206604, authorizing filing application for Federal Grant for Rancho-Bernardo-Escondido Water Reclamation System and providing certain assurances, was adopted on motion of Councilman Williams.

Mayor Wilson recessed the Meeting at 10:27 a.m. Upon reconvening at 10:43 a.m., the roll call showed Councilmen Johnson and Hitch absent.

(Items 104 and 105)

Considered after Item 8.

(Item 3 - CASE NO. 48-72-7)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of August 31, September 14 and 21, 1972, for further review, on the matter of rezoning a portion of the Southeast 1/4 of Section 27, Township 18 South, Range 2 West, located on the northeast corner of 27th Street and Grove Avenue southerly of the San Diego and Arizona Eastern Railroad Right-of-way, from Zone A-1-1 to Zone R-2A. It was reported that no written protests had been received.

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

Jack Whitney appeared to speak in favor of the rezoning.

Attorney Phil Crittenden appeared to speak in opposition to the rezoning.

Councilman Morrow left the Chamber.

Councilman Morrow entered the Chamber.

(Item 3 Continued)

A motion made by Councilman Landt to close the hearing and introduce the Ordinance for R-2A Zoning was deemed to have failed, due to the lack of five affirmative votes, by the following vote: Yeas-Councilmen O'Connor, Landt, Martinet, and Mayor Wilson. Nays-Councilmen Williams, Morrow, and Bates. Absent-Councilmen Johnson and Hitch.

(Item 3 Continued)

A motion made by Councilman Williams to reconsider the first motion passed unanimously.

A motion made by Councilman Williams to close the hearing and introduce the Ordinance, as amended, for R-2 Zoning, passed unanimously.

A proposed Ordinance, incorporating a portion of the Southeast 1/4 of Section 27, Township 18 South, Range 2 West, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 10862 (New Series), adopted June 15, 1972, 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, Landt, Williams, Morrow, Martinet, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson and Hitch.

(Item 4 - CASE NO. 48-72-1)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, continued from the Meetings of March 23, May 18, July 20, and September 21, 1972, for return of Councilman from District, on the appeal of Eugene Rose from the decision of the Planning Commission in denying his application to rezone Lots 23, 24, 32 and a portion of Lot 31, Aloha Tract, located north of Coronado Avenue, between 18th and 19th Streets, in South San Diego, from Zone R-1-5 to Zone CN. It was reported that no written protests had been received.

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

Stewart Bowie appeared to speak in favor of the appeal.

Russell Hudson appeared to speak regarding the appeal.

On motion of Councilman Williams, said hearing was referred back to the Planning Commission for further study and the Planning Commission was instructed to initiate hearings to rezone existing CN Zoning in South San Diego Heights to R-1-5 Zone.

(Item 5 - CASE NO. 41-72-1)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning portions of Lots 15, 25 and 29, Rosedale Tract, and portions of Lots 1, 2, 15, 16 and 17, Block 16, Resubdivision of Lots 14, 16, 18, 19 and 20, Rosedale Tract, located easterly of Santo Road, between Clairemont Mesa and Tierrasanta Boulevards, from Zone R-1-40 to Zone R-2. It was reported that no written protests had been received.

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

Carl Vernell appeared to speak in favor of the appeal.

Councilman Williams left the Chamber.

Mayor Wilson recessed the Meeting at 11:55 a.m. to reconvene at 1:30 p.m.

Upon reconvening at 1:42 p.m., the roll call showed Councilmen Johnson and Hitch absent.

(Item 5 Continued)

William Tool appeared to speak in opposition to the appeal.

A motion made by Councilman Landt to continue the hearing to Thursday, November 2, 1972, was deemed to have failed, due to the lack of five affirmative votes, by the following vote: Yeas-Councilmen O'Connor, Landt, Martinet, and Mayor Wilson. Nays-Councilmen Williams, Morrow, and Bates. Absent-Councilmen Johnson and Hitch.

A motion made by Councilman Martinet to continue the hearing to Thursday, November 2, 1972, was deemed to have failed, due to the lack of five affirmative votes, by the following vote: Yeas-Councilmen O'Connor, Landt, Martinet, and Mayor Wilson. Nays-Councilmen Williams, Morrow, and Bates. Absent-Councilmen Johnson and Hitch.

The hearing was closed on motion of Councilman Bates.

A proposed Ordinance, incorporating portions of Lots 15, 25 and 29, Rosedale Tract, and portions of Lots 1, 2, 15, 16 and 17, Block 16, Resubdivision of Lots 14, 16, 18, 19 and 20, Rosedale Tract, into R-2 Zone, as defined by Section 101.0409 of the San Diego Municipal Code, and repealing Ordinance No. 10864 (New Series), adopted July 29, 1972, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Bates, by the following vote: Yeas-Councilmen O'Connor, Landt, Williams, Martinet, and Mayor Wilson. Nays-Councilmen Morrow and Bates. Absent-Councilmen Johnson and Hitch.

(Item 7 - CASE NO. 1-72-2, portion.)

The hour of 1:30 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning portions of the Pacific Beach area - commercial portion:

- a - Those portions of the subject area presently zoned C are proposed to be rezoned to CS, C-1, C-1S, CA, CA-S, CN, CO, CR, CP, R-4C, RV, R-4, R-3A, R-3, R-2A, R-2, or R-1-5, or any combination thereof;
- b - Those portions of the subject area presently zoned CA are proposed to be rezoned to CA-S, CN, CO, CR, CP, R-4C, RV, R-4, R-3A, R-3, R-2A, R-2, or R-1-5, or any combination thereof;
- c - Those portions of the subject area presently zoned CO are proposed to be rezoned to CR, CP, R-4C, RV, R-4, R-3A, R-3, R-2A, R-2, or R-1-5, or any combination thereof;

(Item 7 Continued)

d - Those portions of the subject area presently zoned CP are proposed to be rezoned to R-4C, RV, R-4, R-3A, R-3, R-2A, R-2, or R-1-5, or any combination thereof. 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.

J. Patrick Fleming, Attorney Norman Seltzer, Philip Shafer, Attorney Alex Harper, Ruth Peyton, Betty Vincent, and Bill Martin appeared to speak in favor of a continuance.

Councilman Bates left the Chamber.

Councilman Bates entered the Chamber.

(Item 7 Continued)

On motion of Councilman Morrow, said hearing was continued to Thursday, January 4, 1973, to evaluate in light of probable amendments to C Zone provisions.

Mayor Wilson recessed the Meeting at 3:25 p.m. Upon reconvening at 3:40 p.m., the roll call showed Councilmen Johnson and Hitch absent.

(Item 6 - CASE NO. 20-72-2)

The hour of 4:30 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning Lots 5 through 8, and a portion of Lot 4, Block 16, Mission Bay Park Tract, located on the south side of Garnet Avenue, between Bond Street and Rose Creek Flood Channel, from Zone R-4 to Zone C-1. 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 Martinet.

A proposed Ordinance, incorporating Lots 5 through 8, and a portion of Lot 4, Block 16, Mission Bay Park Tract, into C-1S Zone, as defined by Section 101.0430.1 of the San Diego Municipal Code, and repealing Ordinance No. 100 (New Series), adopted December 12, 1932, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith, was introduced on motion of Councilman Martinet, by the following vote: Yeas-Councilmen O'Connor, Landt, Williams, Morrow, Martinet, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson and Hitch.

(Item 8)

The following Ordinance was introduced at the Meeting of September 14, 1972.

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 written or printed copies of said Ordinance.

The following Ordinance was adopted on motion of Councilman Morrow, by the following vote: Yeas-Councilmen O'Connor, Landt, Williams, Morrow, Martinet, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson and Hitch:

(Item 8 - CASE NO. 48-72-8)

ORDINANCE 10933 (New Series), incorporating a portion of the North  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$ , Section 27, Township 18 South, Range 2 West, into R-1-6 Zone, as defined by Section 101.0407 of the San Diego Municipal Code and repealing Ordinance No. 7606 (New Series), adopted September 26, 1957, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 104)

A proposed Resolution, declaring building owned by Samuel H. Perlmutter at 601 Market Street, Lot A, Block 97, Horton's Addition, to be a public nuisance; directing the City Attorney to take action to abate said nuisance, was presented.

Chief Deputy City Attorney Conrad, Assistant City Manager Graham, and E. A. Meier, Inspection Department, answered questions directed by the Council.

Attorney James Stiven appeared to speak in opposition to the proposed Resolution.

RESOLUTION 206605, declaring building owned by Samuel H. Perlmutter at 601 Market Street, Lot A, Block 97, Horton's Addition, to be a public nuisance, was adopted on motion of Councilman Martinet.

The City Manager was directed to prepare a report on the cost of implementing a review of all commercial structures in the area bounded on the north by Broadway, on the east by 12th Avenue, and on the west by the Bay.

(Item 105)

RESOLUTION 206606, authorizing the City Manager to negotiate appropriate purchase options on any residual acreage which may become available on the U.S.I.U. Cal Western Campus property for retention as an open space park subject to prior determination by the Planning Commission to modify the existing Conditional Use Permit, was adopted on motion of Councilwoman O'Connor.

By common consent, the Council at this time took up the memo sent by the City Attorney regarding the Resolution authorizing Councilman Hitch's trip to Cavite, the Philippines, and Yokohama, Japan, as the Resolution did not state the official trip being the one to Yokohama, Japan.



Councilman Bates left the Chamber.

Councilman Bates entered the Chamber.

Councilman Morrow left the Chamber.

Councilman Morrow entered the Chamber.

A motion made by Councilman Landt to reconsider the Resolution authorizing Councilman Hitch's trip, was deemed to have failed, due to the lack of five affirmative votes, by the following vote: Yeas-Councilmen O'Connor, Landt, and Mayor Wilson. Nays-Councilmen Williams, Morrow, Martinet, and Bates. Absent-Councilmen Johnson and Hitch.

A motion made by Councilman Martinet to reconsider the Resolution authorizing the Yokohama, Japan trip, passed by the following vote, Yeas-Councilmen Landt, Williams, Morrow, Martinet, and Mayor Wilson. Nays-Councilmen O'Connor and Bates. Absent-Councilmen Johnson and Hitch.

A motion made by Councilman Morrow to approve the Yokohama, Japan trip, and sending Councilman Landt as the City's representative, was deemed to have failed, due to the lack of five affirmative votes, by the following vote: Yeas-Councilmen Landt, Williams, and Morrow. Nays-Councilmen O'Connor, Martinet, Bates, and Mayor Wilson. Absent-Councilmen Johnson and Hitch.

Councilman Morrow left the Chamber.

A motion made by Councilman Bates to direct the City Attorney to prepare a Resolution authorizing Councilman Hitch to serve as the official City representative in Yokohama, Japan, was deemed to have failed, due to the lack of five affirmative votes, by the following vote: Yeas-Councilmen Williams, Martinet, Bates, and Mayor Wilson. Nays-Councilmen O'Connor and Landt. Absent-Councilmen Johnson, Morrow, and Hitch.

It was decided that the matter of authorizing Councilman Hitch as the City's official representative to Yokohama, Japan, would be taken up at the next regular Meeting of Tuesday, October 3, 1972.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Johnson, at 4:57 p.m.

*Pete Wilson*

Mayor of The City of San Diego, California

ATTEST:

*Edward Wilson*

City Clerk of The City of San Diego, California