

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - THURSDAY, MARCH 21, 1974  
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING  
COMMUNITY CONCOURSE

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

Mayor Wilson called the Regular Meeting to order at 9:40 a.m.

(Item 1)  
Roll Call was taken.

(Item 2)  
Mayor Wilson welcomed thirty-five students from Madison High  
School, accompanied by Mr. Kilcoyne.  
Councilman Morrow addressed the group.

Councilman Bates entered the Chamber.

(Item 3)  
Mayor Wilson welcomed six Israeli High School students, sponsored  
by the Community Relations Committee of the United Jewish Federation  
of San Diego, accompanied by Mr. Schraag.  
Mayor Wilson presented keys to the City to each of the students.

Mayor Wilson welcomed thirty-nine students from Penn Elementary  
School, accompanied by Vice-Principal Evans.  
Councilman Williams addressed the group and also presented to  
the Mayor letters from some of the students.

Mayor Wilson welcomed twenty-one visitors, including seventeen  
Vietnamese, from the Internal Revenue Service sponsored seminar in  
San Diego on middle management in tax, accompanied by Mr. Mangan of  
the Washington, D.C. Internal Revenue Service.

(Item 4)

A communication from Tom Hom, President of the Gaslamp Quarter Association, requesting permission to address the Council and present petitions regarding the formation of a Planned District.

Tom Hom appeared to speak regarding said communication.

On motion of Councilman Bates, the communication was referred to the Planning Department, City Manager, and City Attorney.

The Council considered requests for continuances: Item 7.

(Item 7)

ORDINANCES TO BE INTRODUCED: (Continued from the Meetings of July 26, August 28, September 4, October 30, and November 20, 1973, January 10 and February 14, 1974 for further review.) Amending Chapter II, Article 2, of the San Diego Municipal Code by adding Division 23, Sections 22.2301 through 22.2303 establishing a financial disclosure by City officials ordinance; and (b) (City Attorney's version) Amending Chapter II, Article 2, of the San Diego Municipal Code by adding Division 23, Sections 22.2301 through 22.2306 establishing a financial disclosure by City officials ordinance.

On motion of Councilman Bates, the proposed Ordinances were returned to the City Attorney, at his request, for completion of the final draft.

The Council considered the Consent Agenda, which consisted of Items 9, 10, 100, 102, 103, 104, and 106.

(Item 9)

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

RESOLUTION 210176, International Harvester Company for the purchase of 2 bulldozers, one with guaranteed total parts for first 6000 hours at \$15,000, guaranteed repurchase price at the end of 2000 hours or 1 year, whichever occurs first, of \$53,000, guaranteed repurchase price at the end of 6000 hours or 3 years, whichever comes first, of \$41,000; the other with guaranteed total parts cost for first 6000 hours of \$15,000, repurchase price at the end of 2000 hours or one year, whichever comes first, of \$60,000, and a repurchase price at the end of 6000 hours or 3 years, whichever occurs first, of \$48,220, for an estimated cost including sales tax and trade-in allowance of \$183,075; Conexco, Inc. for the purchase of 1 motor grader for an estimated cost of \$25,859.15, including sales tax and trade-in allowance;

(Item 9 - Continued)

RESOLUTION 210177, McNaughton Book Service for the period of 1 year ending March 31, 1975, with option to renew for 4 additional 1 year periods, prices firm for the first option year and subject to 10% escalation for each of the 3 successive years, for an actual cost, including tax and terms, of \$7,198.88; and

RESOLUTION 210178, Pacific Pipe & Tool Co. for the purchase of 4,000 pounds of steel spring rod for an estimated cost, including tax, terms and freight, of \$4,777.

(Item 10)

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

RESOLUTION 210179, furnishing auto safety glass as may be required for a period of 1 year ending April 30, 1975, in accordance with Specifications Document No. 746636;

RESOLUTION 210180, furnishing fusees as may be required for a period of 1 year ending March 31, 1975, in accordance with Specifications Document No. 746637; and

RESOLUTION 210181, addition to Fabrication Building 263, in accordance with Specifications Document No. 746638.

(Item 100)

The following Resolutions, relative to the following final subdivision map, were adopted on motion of Councilman Johnson:

RESOLUTION 210182, authorizing an agreement with McMillin Construction Co., Inc. for completion of improvements in Cerro de Alcalá, a 1-lot subdivision located east of Rancho Mission Road, south of Friars Road; and

RESOLUTION 210183, approving the final map of Cerro de Alcalá.

(Item 102)

RESOLUTION 210184, authorizing the expenditure of \$125,577, \$19,000 and \$6,000 from Capital Outlay Fund 245, Water Revenue Fund 502 and Sewer Revenue Fund 506 for providing funds for purchasing and installation of a remote receiver system and microwave system components for the Police, Fire, Public Works and Water Utilities Departments; and authorizing the use of City Forces to do necessary work in conjunction with the installation of base station receivers, cavity resonators, antennas and microwave components, was adopted on motion of Councilman Johnson.

(Item 103)

RESOLUTION 210185, approving Change Order No. 1, issued in connection with the contract with T. B. Penick & Sons for construction of Luckie Waller Park, Phase II; said change amounting to a decrease of \$2,562, was adopted on motion of Councilman Johnson.

(Item 104)

RESOLUTION 210186, approving Change Order No. 1, issued in connection with the contract with George Taylor Construction Company for construction of South Bay Park and Recreation Center Building; said changes amounting to: (a) Increase of \$382.97; and (b) Granting an extension of time of 60 days to March 16, 1974, in which to complete said contract, was adopted on motion of Councilman Johnson.

(Item 106)

RESOLUTION 210187, authorizing a representative of the Police Department to travel to Pomona, California, during the period April 14 to April 20, 1974, for the purpose of attending the Traffic Program Management Institute; authorizing the expenditure of \$367 from General Purpose Revolving Fund (534) for said purpose; total cost of said travel, excluding salary, shall be reimbursed by the Peace Officers' Standards and Training (POST), was adopted on motion of Councilman Johnson.

(Item 5 - PRD #80)

The hour of 9:30 a.m. having arrived, Mayor Wilson announced this was the time and place set for the hearing, continued from the Meeting of February 28, 1974, at appellant's request, on the appeal of South Soledad Protective Association, by James R. Webb, attorney, from the decision of the Planning Commission in granting the application of Techbilt Construction Corporation, owner/permittee, under Planned Residential Development Permit No. 80, to construct and operate a planned residential development of 808 living units, recreational facilities, offstreet parking, and incidental accessory uses on 223 acres, located southerly of the easterly terminus of Nautilus Street, between Soledad Mountain Road and Cardeno Drive, more particularly described as portions of Pueblo Lots 1775, 1255, 1780, and 1781, and all of Block 1, Sea View Heights, in the R-1-10, R-1-10 (LC), R-1-20, R-1-20 (LC), and R-1-5 Zones. It was reported that ninety-one letters in favor and eight letters opposed to the permit had been received.

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

Mayor Wilson recessed the Meeting at 10:22 a.m. Upon reconvening at 10:40 a.m., the roll call showed Councilman Hubbard absent.

Mayor Wilson acknowledged the presence in the Chamber of the wife and parents of Councilman Ellis.

(Item 5 - Continued)

Attorney Alan Perry appeared to speak in opposition to the appeal and to make a slide presentation.

Paul Tchang and K. W. Allen appeared to speak in opposition to the appeal.

Attorney James Webb and Dr. Harvey Heiges appeared to speak in favor of the appeal and Dr. Heiges made a slide presentation.

Floyd Moore, Community Development Department, and Chief Deputy City Attorney Conrad answered questions directed by the Council.

Raymond Smith, Anna Tunnell, Henry Dalton, Penny Dalton, Janice Heiges, Louise Paffhausen, Thomas Chadwick, Mary Giammona, and Tommy Edwards appeared to speak in favor of the appeal.

Mayor Wilson recessed the Meeting at 12:03 p.m., to reconvene at 2:00 p.m.

Upon reconvening at 2:15 p.m., the roll call showed Councilman Hubbard absent.

(Item 5 - Continued)

Edward Brennan, Nell Walls, Mary Hesing (who also presented petitions), Mrs. Gerhard Trup, Sarah Male, Jean Krenn, Mike Bowers, Pat Beckman, Helene Henkle and La Donna Hatch appeared to speak in favor of the appeal.

Councilman Martinet left the Chamber.

Councilman Martinet entered the Chamber.

Attorney Alan Perry spoke in rebuttal.

Mayor Wilson recessed the Meeting at 2:58 p.m. Upon reconvening at 3:14 p.m., the roll call showed Councilmen Hubbard, Williams, and Bates absent.

(Item 5 - Continued)

Councilman Williams entered the Chamber.

The Council discussed the item.

Councilman Bates entered the Chamber.

(Item 5 - Continued)

The Council discussed the item at length.

The motion of Councilman Martinet to close the hearing, deny the appeal, and grant the PRD with the conditions imposed by the Planning Commission, died for lack of a second.

Councilman Williams left the Chamber.

The Council contined to discuss the item.

Councilman Williams entered the Chamber.

The motion of Councilman Johnson to close the hearing, grant the appeal, and deny the PRD, received no vote at this time.

Mayor Wilson asked Chief Deputy City Attorney Conrad if there was any way the PRD could be modified to reduce the density and was advised that the matter could be remanded to the Planning Commission.

Councilman Johnson withdrew his motion to close the hearing, grant the appeal, and deny the PRD.

The motion of Councilman Johnson to close the hearing and remand the PRD to the Planning Commission and the Planning Department for re-design and rehearing received no vote at this time.

The matter of remanding the PRD was clarified further by Chief Deputy City Attorney Conrad.

Councilman Johnson withdrew his motion to close the hearing and remand the PRD to the Planning Commission and the Planning Department for redesign and rehearing.

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

RESOLUTION 210188, granting the appeal of South Soledad Protective Association, by James R. Webb, attorney, and denying Planned Residential Development Permit No. 80; certifying that the information contained in Environmental Impact Report No. 73-5-1036P has been reviewed and considered; returning Planned Residential Development Permit No. 80 to Planning Commission and Planning Department for further consideration when requested by Applicant.

The Council expressed a desire to have the Balanced Community Task Force explore what actual costs are involved in the construction of balanced community housing.

The Council requested James Gleason, of the Environmental Quality Department, contact Dr. Culver of the San Diego Unified School District to have him present at the Planning Commission hearing to answer questions regarding attendance of the children of this project in Pacific Beach instead of La Jolla schools and also requested that he find out if, when the pre-Field Act schools are rebuilt, they can be made large enough to accommodate these children.

(Item 114)

A proposed Resolution, relating to the County's gasoline vapor recovery Ordinance, was presented.

On motion of Councilman Bates, the matter was continued to Tuesday, March 26, 1974 at 3:00 p.m., Time Certain, due to lack of time.

(Item 6 - CASE NO. 48-74-1 and CUP NO. 402-PC)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matters of (a) Re-zoning Lots A-114, A-115 and A-116, San Ysidro Addition No. 1, located on the west side of Willow Road approximately 425 feet south of I-5, from Zones R-2 and CO to Zone CR; and (b) Application of Bill Marshall, owner/permittee, for a Conditional Use Permit, Case No. 402-PC to construct and operate a 45-space travel trailer park located on the west side of Willow Road, approximately 300 feet southerly of Calle Primero in the Border Area Community, on Lots A-114 through A-116, San Ysidro Addition No. 1. It was reported that no written protests had been received.

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

No one appeared to be heard.

The hearing was closed on motion of Councilman Bates.

A proposed Ordinance, incorporating Lots A-114, A-115 and A-116, San Ysidro Addition No. 1, into CR Zone, as defined by Section 101.0421.1 of the San Diego Municipal Code, and repealing Ordinance No. 10862 (New Series), adopted June 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 Johnson, O'Connor, Williams, Morrow, Martinet, Ellis, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Hubbard.

The following Resolution was adopted on motion of Councilman Bates:

RESOLUTION 210189, granting Conditional Use Permit No. 402-PC to Bill Marshall, by a vote of 8 to 0; certifying that the information contained in Environmental Impact Report No. 73-7-1035P has been reviewed and considered.

(Item 115)

A proposed Resolution, directing the Planning Commission to hold public hearings on rezoning, from the existing R-1-5 Zone to the R-1-20 Zone, Lots 17-49, La Jolla Farms Subdivision, was presented.

Vivian Pratt appeared to speak in favor of the proposed Resolution.

RESOLUTION 210190, directing the Planning Commission to hold public hearings on rezoning, from the existing R-1-5 Zone to the R-1-20 Zone, Lots 17-49, La Jolla Farms Subdivision, was adopted on motion of Councilman Johnson.

Councilwoman O'Connor left the Chamber.

(Item 8 - This proposed Resolution was continued from the Meeting of March 14, 1974 for City Manager report.)

RESOLUTION 210191, awarding a contract to Sapper Construction Company for construction of Mission Bay Athletic Area - additional tennis courts, for the sum of \$41,960; authorizing the expenditure of \$23,500 out of Capital Outlay Fund (245) Cooperative Park Projects of The City of San Diego for said purpose and related costs; accepting the contribution of \$1,500 (total contribution to date - \$23,500) from the Pacific Beach Tennis Club for said purpose, was adopted on motion of Councilman Martinet.

(Item 101)

RESOLUTION OF INTENTION 210192, electing to proceed under the provisions of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate a portion of Grove Street adjacent to Lot 31, Nestor Acres; fixing the time and place for hearing thereof, was adopted on motion of Councilman Bates.

(Item 105)

RESOLUTION 210193, approving the fee schedule - Mt. Hope Cemetery, effective July 1, 1974; rescinding Resolution No. 200567 adopted August 18, 1970, was adopted on motion of Councilman Morrow.

(Item 107)

RESOLUTION 210194, establishing Council Policy No. 300-7 regarding hiring of consultants, was adopted on motion of Councilman Bates.

(Item 108)

A proposed Resolution, amending Council Policy No. 200-3 entitled Financing Street Improvements in Older Urbanized Areas; rescinding Resolution No. 169944 adopted March 15, 1962, was presented.

On motion of Councilman Morrow, the proposed Resolution was continued two weeks to Thursday, April 4, 1974, for further review.



(Item 109)

RESOLUTION 210195, authorizing the expenditure of \$70,000 from Federal Revenue Sharing Fund 2383 for surfacing of unimproved streets in the older areas of the City, was adopted on motion of Councilman Bates.

(Item 110)

A proposed Resolution, requesting the City Attorney and City Manager to take immediate steps to rectify a problem caused by a lack of maintenance by the San Diego and Arizona Eastern Railway Company of the street along its tracks in southeast San Diego from 25th Street to 32nd Street and, if necessary, to set a hearing before the Council to declare the same to be a public nuisance, was presented.

Assistant City Manager Graham answered questions directed by the Council.

RESOLUTION 210196, requesting the City Attorney and City Manager to take immediate steps to rectify a problem caused by a lack of maintenance by the San Diego and Arizona Eastern Railway Company of the street along its tracks in southeast San Diego from 25th Street to 32nd Street and, if necessary, to set a hearing before the Council to declare the same to be a public nuisance, was adopted on motion of Councilman Martinet.

(Item 111)

RESOLUTION 210197, appointing Philip del Campo and Deborah Mazzanti and reappointing Ivor de Kirby to the San Diego Stadium Authority Governing Board for terms expiring on December 31, 1977, was adopted on motion of Councilman Bates.

(Item 112)

RESOLUTION 210198, appointing Joyce Beers and reappointing John B. Slaughter to the Board of Directors of the San Diego Transit Corporation for terms expiring on December 31, 1977, was adopted on motion of Councilman Williams.

(Item 113)

RESOLUTION 210199, determining that failure of the part of any cab operator to comply with requirements of Resolution No. 210013 may result in the suspension or revocation of that particular cab operator's certificate of public convenience and necessity; any cab operator found to have submitted information pursuant to Resolution No. 210013 which is intentionally false or misleading shall be subject to having said certificate of public convenience and necessity revoked, was adopted on motion of Councilman Bates.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Bates at 5:14 p.m.

*Pat Wilson*

Mayor of The City of San Diego, California

ATTEST:

*Edward Wilson*

City Clerk of The City of San Diego, California