

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, JANUARY 4, 1972
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Johnson, O'Connor, Landt, Williams, Morrow,
Martinet, Hitch, Bates, and Mayor Wilson.
Absent--None.
Clerk---Edward Nielsen.

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

(Item 1)

In the absence of a Clergyman, City Attorney Witt gave the
Invocation.

(Item 2)

Councilman Landt led the Pledge of Allegiance.

Mayor Wilson left the Chamber and Deputy Mayor Morrow took the
Chair.

(Item 3)

A communication from Lou Ridgeway requesting permission to
distribute a study on restructuring the tax base for education,
was presented.

Mr. Ridgeway appeared to speak regarding this communication.

On motion of Councilman Williams, said communication was
referred to the Legislative Committee and Ad Hoc Committee on
Education.

(Item 4)

The hour of 9:30 a.m. having arrived, the Deputy Mayor announced
this was the time and place set for the hearing, continued from the
Meetings of November 18 and December 14, 1971, at applicant's request,
on the Appeal of Atlantic Richfield Company, from certain conditions
in the decision of the Planning Commission approving their appli-
cation under Conditional Use Permit Case No. 310-PC to remove an
existing service station, permit one freestanding sign and con-
struct and operate a new station, located on the northwest corner
of Coronado Avenue and Hollister Street, more particularly des-
cribed as the easterly 25 feet of Lot 1 and Lot 2, Nestor Acres,

(Item 4 Continued)

Resubdivision No. 1 in the CA Zone. It was reported that no written protests had been received.

Attorney Gerald Dawson and Mr. Clyde Petit appeared to speak in favor of the appeal.

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

A motion made by Councilman Hitch to close the hearing, grant the appeal and approve the Conditional Use Permit, with the exception the existing freestanding sign be permitted, was deemed denied due to a lack of five affirmative votes, by the following vote: Yeas-Councilmen Johnson, Landt, Martinet, and Hitch. Nays-Councilmen O'Connor, Williams, Bates, and Deputy Mayor Morrow. Absent-Mayor Wilson.

(Item 5)

The hour of 9:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing, continued from the Meeting of December 7, 1971, at applicant's request, on the application of McKeon Construction, by Glenn Eubank, for special permission to waive underground electrical line requirements in connection with the tentative subdivision map of Iris Gardens, located on the easterly side of San Ysidro Boulevard, between Iris Avenue and proposed Interstate 75, in the A-1-5 Interim Zone (proposed R-2A Zone). It was reported that no written protests had been received and that applicant desired to withdraw request for waiver.

No one appeared to be heard.

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

RESOLUTION 204568, granting the request of McKeon Construction, by Glenn Eubank, to withdraw their application for special permission to waive underground electrical line requirements in connection with the tentative subdivision map of Iris Gardens, located on the easterly side of San Ysidro Boulevard, between Iris Avenue and proposed Interstate 75, in the A-1-5 Interim Zone (proposed R-2A Zone) and filing said application.

Deputy Mayor Morrow recessed the Meeting at 10:44 a.m. Upon reconvening at 10:55 a.m., the roll call showed Mayor Wilson absent.

(Item 6)

The hour of 9:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on vacating 52nd

(Item 6 Continued)

Street, adjacent to Lots 5 and 6, Wadsworth's Olive Grove - on Resolution of Intention 204389. It was reported that no written protests had been received.

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

No one appeared to be heard.

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

RESOLUTION 204569, vacating 52nd Street, adjacent to Lots 5 and 6, Wadsworth's Olive Grove.

(Items 7 through 100d)

Considered after Item 100e.

(Item 100e)

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

RESOLUTION 204570, authorizing an Agreement with Jo-Van Homes, Inc., and Sun Kist Plaza for completion of improvements in Ryan Manor, a two-lot subdivision located on the westerly side of 54th Street, southerly of University Avenue, northerly of Federal Boulevard; and

RESOLUTION 204571, approving the final map of Ryan Manor Subdivision.

(Item 7 - CASE NO. 18-71-8)

The hour of 9:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on the proposal to apply LC (Land Conservation) Overlay Zone over the whole or any part of the area described as that canyon area lying northerly of La Jolla Corona Drive and La Canada, southerly of Muirlands Vista Way, easterly of Waverly Avenue and Folsom Drive, and westerly of Havenhurst Drive and Terryhill Drive. It was reported that no written protests had been received.

James McLaughlin, Community Development, 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 that canyon area lying northerly of La Jolla Corona Drive and La Canada, southerly of Muirlands Vista Way, easterly of Waverly Avenue and Folsom Drive and westerly of Havenhurst Drive and Terryhill Drive into LC Zone, as defined by Section 101.0454 of the San Diego Municipal Code, was introduced on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Martinet, Hitch, Bates, and Deputy Mayor Morrew. Nays-None. Absent-Mayor Wilson.

The following Ordinances were introduced at the Meeting of December 21, 1971.

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 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 Landt, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Martinet, Hitch, Bates, and Deputy Mayor Morrow. Nays-None. Absent-Mayor Wilson.

(Item 8 - CASE NO. 43-71-2)

ORDINANCE 10758 (New Series), incorporating that canyon area lying southerly of Gramercy Drive, between Greyling Drive and Mission Village Drive into LC Zone, as defined by Section 101.0454 of the San Diego Municipal Code.

(Item 9 - CASE NO. 41-71-6)

ORDINANCE 10759 (New Series), incorporating those canyon areas lying easterly of Murphy Canyon Road, between Friars and Kearny Villa Roads into LC Zone, as defined by Section 101.0454 of the San Diego Municipal Code.

(Item 10 - CASE NO. 43-71-3)

ORDINANCE 10760 (New Series), incorporating that canyon area lying westerly of Murphy Canyon Road and easterly of Mission Drive, between Aero Drive and Friars Road into LC Zone, as defined by Section 101.0454 of the San Diego Municipal Code.

(Item 11 - CASE NO. 12-71-3)

ORDINANCE 10761 (New Series), incorporating that canyon area lying southerly of Spruce Street, between Third and Fourth Avenues into LC Zone, as defined by Section 101.0454 of the San Diego Municipal Code.

(Item 12 - CASE NO. 42-71-6)

ORDINANCE 10762 (New Series), incorporating that canyon area lying easterly of the Cabrillo Freeway (State Highway 163) between Aero Drive and Friars Road into LC Zone, as defined by Section 101.0454 of the San Diego Municipal Code, was adopted on motion of Councilman Williams, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Martinet, Bates, and Deputy Mayor Morrow. Nays-Councilman Hitch. Absent-Mayor Wilson.

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

(Item 13 - CASE NO. 38-71-20)

ORDINANCE 10763 (New Series), incorporating those canyon areas lying southerly of La Jolla Scenic Drive South, between Soledad Mountain and Soledad Roads on the east and La Jolla Mesa Drive on the west into LC Zone, as defined by Section 101.0454 of the San Diego Municipal Code.

(Item 14 - CASE NO. 42-71-5A)

ORDINANCE 10764 (New Series), incorporating those canyon areas lying northerly of Friars Road, between Via Las Cumbres and the Cabrillo Freeway (State Highway 163) into LC Zone, as defined by Section 101.0454 of the San Diego Municipal Code.

(Item 15)

A proposed Ordinance, continued from the Meeting of December 28, 1971, for amendment to Ordinance, amending Chapter II, Article 2 of the San Diego Municipal Code by amending Section 22.0902.2 thereof relating to exchanges of real property, was presented.

City Manager Moore answered questions directed by the Council.

A proposed Ordinance, amending Chapter IX, Article 1 of the San Diego Municipal Code by amending Section 22.0902.2 thereof relating to exchanges of real property, was introduced on motion of Councilman Martinet, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Martinet, Hitch, Bates, and Deputy Mayor Morrow. Nays-None. Absent-Mayor Wilson.

(Item 16)

A proposed Ordinance amending Chapter IX, Article 1 of the San Diego Municipal Code by amending Section 91.01, relating to adoption of the Uniform Building Code, was presented.

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

Mr. Phillip Henry, Dorothea Edmiston, Mr. Guy Hatfield, and Mr. John Finnell appeared to speak in favor of the proposed Ordinance.

Mr. Colin Bell, Mr. Ed Manley, and Attorneys Norman Seltzer and John Butler appeared to speak in opposition to the proposed Ordinance.

Mayor Wilson entered the Chamber and took the Chair.

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

Upon reconvening at 2:12 p.m., the roll call showed all present.

(Item 16 Continued)

Attorneys Norman Seltzer and John Butler appeared to speak in opposition to the proposed Ordinance.

Mayor Wilson recessed the Meeting at 2:46 p.m. Upon reconvening at 3:16 p.m., the roll call showed all present.

(Item 16 Continued)

Councilman Morrow made a motion to amend the proposed Ordinance to change the word two days to five days and "shall include a copy of the proposed Ordinance", which passed unanimously.

Councilman Morrow made a motion to introduce the Ordinance as amended. No vote was taken.

Mr. A. D. Kessler, Mr. Fred Digs, Mr. Guy Hatfield, and Mr. George Pardee appeared to speak in opposition to the proposed Ordinance.

Mr. John Finnell appeared to speak in favor of the proposed Ordinance.

The hearing was closed on motion of Councilman Morrow.

A proposed Ordinance, amending Chapter IX, Article 1 of the San Diego Municipal Code by amending Section 91.01, relating to Adoption of The Uniform Building Code, was introduced on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Bates, and Mayor Wilson. Nays-Councilman Hitch. Absent-None.

(Item 17)

A proposed Ordinance, amending Ordinance No. 10450 (New Series), adopted December 1, 1970, entitled "An Ordinance of The Council of The City of San Diego Establishing a Parking and Business Improvement Area and Levying an Additional Business License Tax Therein For Upgrading and Promoting The Area", was continued for two weeks to January 18, 1972, at City Manager's request, on motion of Councilman Bates.

(Item 18)

A proposed Resolution, awarding a contract to Imperial West Chemical Co. for the purchase of ferric chloride, was presented.

(Item 18 Continued)

City Manager Moore and Assistant City Manager Graham answered questions directed by the Council.

RESOLUTION 204572, awarding a contract to Imperial West Chemical Co. for the purchase of ferric chloride for the period of one year ending December 31, 1972, for an actual estimated cost of \$25,350, was adopted on motion of Councilman Hitch and the Rancho Bernardo Fact Sheet was referred to the City Manager for a report.

(Item 100)

The following Resolutions, relative to the final subdivision maps of Carmel Corner, Erickson Subdivision, La Jolla Alta Unit 4, and Mira Mesa Verde Unit 19, were adopted on motion of Councilman Hitch:

RESOLUTION 204573, authorizing an Agreement with Velma Shackelford and Standard Oil Company of California for completion of improvements in Carmel Corner, a one-lot subdivision located southeasterly of Interstate 5 and Carmel Valley Road on El Camino Real;

RESOLUTION 204574, approving the final map of Carmel Corner;

RESOLUTION 204575, authorizing an Agreement with Bernard A. and Luella M. Erickson for completion of improvements in Erickson Subdivision, a 3-lot subdivision located on the north side of Miramar Road, between Interstate Hwy. 5 and Hwy. 163;

RESOLUTION 204576, approving the Final map of Erickson;

RESOLUTION 204577, authorizing an Agreement with Bernard A. and Luella M. Erickson, for the construction of improvements on Miramar Road, within the limits of Erickson Subdivision, and to provide for reimbursement by the City out of Gas Tax Fund 220, in an amount not to exceed \$1,760.65;

RESOLUTION 204578, authorizing an Agreement with Techbilt Construction Corp. for completion of improvements in La Jolla Alta Unit 4, a 65-lot subdivision located northerly of the terminus of Calle Miramar, northerly of Turquoise Street;

RESOLUTION 204579, approving the final map of La Jolla Alta Unit 4;

RESOLUTION 204580, authorizing an Agreement with Pardee Construction Co. for completion of improvements in Mira Mesa Verde Unit 19, a 258-lot subdivision located northerly of Miramar Road, on both sides of Mira Mesa Boulevard; and

RESOLUTION 204581, approving the final map of Mira Mesa Verde Unit 19.

(Item 101)

The following Resolutions, Accepting the Offer to Dedicate to public use for future street purposes, were adopted on motion of

(Item 101 Continued)

Councilman Landt:

RESOLUTION 204582, Robert J. and Dorothy M. Augustine, and Kenneth F. and Mary Jane Augustine a portion of Lot 16, Country Paradise for future street purposes; City reserving the right to dedicate at a future time; and

RESOLUTION 204583, Russell H. and Stephanie Segel a portion of Lot 1, Country Paradise for future street purposes; City reserving the right to dedicate at a future time.

(Item 102)

The following proposed Resolutions, relative to authorizing a Preferential Nonexclusive Use and Occupancy Permit in Casa Del Prado, Balboa Park, for a period of seven months ending July 15, 1972, were presented.

City Manager Moore answered questions directed by the Council.

The following Resolutions were adopted on motion of Councilman Johnson:

RESOLUTION 204584, San Diego Floral Association to use and occupy those certain premises known as the southwest office in Room 105 (La Sala), for the purpose of general office functions and preparation of California Garden Magazine; and

RESOLUTION 204585, San Diego Botanical Foundation to use and occupy those certain premises known as Room 104 (Cartagena) and northwest office in Room 105 (La Sala), for the purpose of general office functions and operation of botanical library with appropriate sales.

(Item 103)

RESOLUTION 204586, authorizing an Agreement with Campbell & Atkinson for architectural and engineering services in connection with improvements to Oak Park; authorizing the expenditure of \$5,600 from Park and Recreation Bond Fund 725 for said purpose and related costs, was adopted on motion of Councilman Landt.

(Item 104)

A proposed Resolution, authorizing an Agreement with Carol Jane Bentley to perform services as the Host Coordinator for the "Host Program" for the period January 1, 1972 through June 30, 1972, was returned to the City Manager at his request, on motion of Councilman Landt.

(Item 105)

RESOLUTION 204587, authorizing an Agreement with the State of California, Department of Public Works, Division of Highways, covering participation by the State and the City in the construction of traffic signals and safety lighting at the intersection of Alvarado Canyon Road and the westbound off-ramp from Route 8 with

(Item 105 Continued)

Fairmount Avenue; authorizing the expenditure of \$25,000 from Gas Tax Fund 220 for said purpose and related costs, was adopted on motion of Councilman Landt.

(Item 106)

RESOLUTION 204588, authorizing an Agreement with the State of California, Department of Public Works, Division of Highways, covering maintenance responsibilities on State Route 109 between Mission Bay Drive and Interstate Route 5, was adopted on motion of Councilman Landt.

(Item 107)

Considered after Item 108.

(Item 108)

RESOLUTION 204589, authorizing the expenditure of \$1,000 from Capital Outlay Fund 245 for the purpose of providing funds for the purchase and installation of ten park benches at the Municipal Fishing Pier at Ocean Beach, was adopted on motion of Councilwoman O'Connor.

(Item 107)

RESOLUTION 204590, authorizing an Agreement with the State of California, Department of Public Works, Division of Highways, covering maintenance responsibilities on State Route 805 between Ralene Street Overcrossing and Adams Avenue Overcrossing, was adopted on motion of Councilman Landt.

(Item 109)

A proposed Resolution, authorizing the transfer of \$20,000 for the purpose of providing funds to hire structural plan checking services by private structural engineering firms, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 204591, authorizing the transfer of \$20,000 from the Unallocated Reserve (100/53.30) to the Non-Personal Services Account of the Inspection Department (100/17.02/329/3295) for the purpose of providing funds to hire structural plan checking services by private structural engineering firms, was adopted on motion of Councilman Martinet.

(Item 110)

RESOLUTION 204592, cosponsoring with the Congress of History of San Diego County their Eighth Annual Conference to be held in the main auditorium in the Casa Del Prado, Balboa Park, on March 3 and 4,

(Item 110 Continued)

1972, and waiving the rental fee for the use of the Balboa Park facilities, was adopted on motion of Councilman Hitch.

(Item 111)

A proposed Resolution, rescinding Resolution 203950, adopted October 12, 1971, urging the California Highway Commission to adopt a conventional six-lane highway connecting Interstate 5 at Route 75, to the International Border near the ocean, into the State Highway System, was referred to Council Conference, on motion of Councilman Landt.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Landt, at 4:30 p.m.

Pete Wilson

Mayor of The City of San Diego, California.

ATTEST:

Edward Wilson

City Clerk of The City of San Diego, California