

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, JANUARY 18, 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 9:39 a.m.

(Item 1)

Reverend Dick Duncan, Minister of the Kensington Community Church, gave the Invocation.

(Item 2)

Councilman Williams led the Pledge of Allegiance.

(Item 3)

Service Awards, in recognition of service with the City, were presented to the following: John S. Castro, Laborer II, Public Works/Street Department, 25 years, by Councilman Bates; Robert A. Lamb, Utility Foreman I, Public Works/Street Department, 25 years, by Councilman Hitch; Richard W. Darby, Assistant Civil Engineer, Public Works/Engineering Department, 25 years, by Councilman Martinet; and James O. Robinson, Heavy Truck Driver, Public Works/Sanitation, 30 years, by Councilman Johnson.

(Item 4)

Mayor Wilson welcomed a group of Government students from Madison High School, accompanied by Mr. Kilcoyne, a teacher.

(Item 5)

A communication from Mrs. James A. Martin, Loma Portal Civic Club, requesting permission to address the Council regarding a proposed amendment to Ordinance No. 10636 (New Series), Section 101.0900 regulating uses in Planned Residential Developments, Chapter X, Article 1, of the San Diego Municipal Code, was presented.

Mrs. Martin appeared to speak regarding this communication.

On motion of Councilman Hitch, said communication was referred to the Planning Department and City Attorney for a report to Council and to Mrs. Martin.

(Item 6)

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 July 23, 1970, January 21 and July 20, 1971, for review of West Mission Valley Community Plan, on the Appeal of Larry D. Hunts and Kenneth K. Hayashi, by Edward T. Butler, attorney, from the decision of the Planning Commission denying the application of Academy Of Our Lady Of Peace, Southern California Medical Laboratory, Inc., Daniel J. Green, owners, and Larry D. Hunts, permittee, for a Conditional Use Permit No. 256-PC, to construct and operate a 300-unit (request is now for 285-unit) Planned Unit Development, located southerly of Camino del Rio South, northerly of Copley and Collier Avenues and easterly of Texas Street, on Villa Lots 35, 44 through 48, and portions of Villa Lots 31, 32, 33, 42, 43, 49 and 50, University Heights; portion of Pueblo Lot 1110 and River View Street (proposed to be closed), in the R-1-40 and R-4 Zones. It was reported that no written protests had been received.

Larry Hunts and Harry Sadler appeared to speak in favor of the Appeal.

Ken Klein, Planning Department, and John Fowler, Community Development, answered questions directed by the Council.

Richard Harrison and Valerie Harrison appeared to speak in opposition to the Appeal.

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

RESOLUTION 204660, denying the appeal of Larry D. Hunts and Kenneth K. Hayashi, by Edward T. Butler, attorney, and upholding the decision of the Planning Commission denying Conditional Use Permit No. 256-PC to construct and operate said planned unit development.

Mayor Wilson recessed the Meeting at 10:46 a.m. Upon reconvening at 11:11 a.m., the roll call showed all present.

(Item 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 Meeting of December 7, 1971, for Planning Department check of revised tentative map, on the Appeal of Municipal Engineers, Inc., by Byrl D. Phelps, from the decision of the Planning Commission denying its appeal from the decision of the Subdivision Review Board denying the tentative map of a proposed subdivision known as Riel Subdivision, a two-lot subdivision of a portion of Lot 84, Mission Hills, located on the southerly side of Lyndon Road, between Bay View Court and St. James Place, in the R-1-5 Zone.

(Item 7 Continued)

It was reported that written protests had been received.

John Fowler, Community Development, answered questions directed by the Council.

No one appeared to be heard.

On motion of Councilman Landt, the hearing was continued for six weeks, to February 29, 1972, at applicant's request.

(Item 8)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearings on the installation of ornamental street lighting on Garnet Avenue, between Ocean Boulevard and Cass Street - on Resolution of Intention 204421. 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 hearings were closed and the following Resolutions adopted on motion of Councilman Martinet:

RESOLUTION 204661, installation of ornamental street lighting on Garnet Avenue, between Ocean Boulevard and Cass Street - on Resolution of Intention 204421; and

RESOLUTION 204662, ordering work to improve Garnet Avenue - on Resolution of Intention 204421.

(Item 9)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the Downtown Street Tree Maintenance District - on the formation of the district, the maintenance to be performed, and the assessments to be levied - for a period ending June 30, 1972. It was reported that six written protests had been received.

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

Robert Arnhym, James Johnson, Werner H. Petersen, Emery Willardson, Orwyn Sweetland, A. D. Olson, Albert Adatto, and George Poppoff appeared to speak in opposition to the proposed district.

Mayor Wilson recessed the Meeting at 11:55 a.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:13 p.m., the roll call showed all present.

(Item 9 Continued)

Councilman Hitch made a motion to continue for one week. No vote was taken.

(Item 9 Continued)

City Manager Moore and City Attorney Witt answered questions directed by the Council.

Councilman Hitch amended his motion to close the hearing and continue for one week to January 25, 1972, which passed unanimously.

RESOLUTION 204663, continuing the hearing on the Downtown Street Tree Maintenance District - on the formation of the district, the maintenance to be performed, and the assessments to be levied - for a period ending June 30, 1972, under Resolution of Intention No. 204482, to the hour of 9:30 a.m., Tuesday, January 25, 1972.

(Items 10 through 11)

Considered after Item 12.

(Item 12)

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.

Norman Seltzer, John Butler, Bill Stevens, and E. J. Manley appeared to speak in opposition to the proposed Ordinance.

Considered in part after Item 11.

The following Ordinances were introduced at the Meeting of January 4, 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 Landt, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-None.

(Item 10 - CASE NO. 18-71-8)

ORDINANCE 10767 (New Series), 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.

(Item 11)

ORDINANCE 10768 (New Series), amending Chapter II, Article 2 of the San Diego Municipal Code by amending Section 22.0902.2 thereof relating to exchanges of real property.

(Item 12 Continued)

Considered in part after Item 9.

City Attorney Witt answered questions directed by the Council.

Jim Freeman, Curtis Fitzpatrick, Harold Edwards, and Robert Kirkpatrick appeared to speak in opposition to the proposed Ordinance.

Janet Britt appeared to speak in favor of the proposed Ordinance.

ORDINANCE 10769 (New Series), 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 adopted on motion of Councilman Landt, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Bates, and Mayor Wilson. Nays-Councilman Hitch. Absent-None.

Mayor Wilson recessed the Meeting at 3:17 p.m. Upon reconvening at 3:39 p.m., the roll call showed all present.

(Item 13)

A proposed Ordinance, continued from the Meeting of January 11, 1972, at land developer's request, amending Chapter X, Article 1 of the San Diego Municipal Code by amending Section 101.0205, relating to Procedure For Zoning Commencement, was presented.

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

Attorney Norman Seltzer appeared to speak in opposition to the proposed Ordinance.

On motion of Councilman Williams, said proposed Ordinance was referred to Council Conference.

(Item 14)

A proposed Ordinance, continued from the Meeting of January 4, 1972, at City Manager's request, 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 presented.

City Manager Moore answered questions directed by the Council.

Robert Arnhym appeared to speak in favor of the proposed Ordinance.

(Item 14 Continued)

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

(Item 15)

A proposed Ordinance, amending Chapter X, Article 1 of the San Diego Municipal Code by repealing Section 101.0505 relating to Appeal to The City Council from decision of The Board of Zoning Appeals, was continued for three weeks to February 8, 1972, and referred to Council Conference on motion of Councilwoman O'Connor.

(Item 16)

Two proposed Resolutions, relative to awarding contracts as follows, were presented: a - Environmental Care, Inc. for complete landscapte maintenance and irrigation of the Downtown Beautification District and Centre City Way for a twelve month period beginning fifteen days after approval by Council, with an option to renew the contract for a period not to exceed an additional twelve months for an actual estimated cost of \$85,228.24. (City's share \$8,000, Assessment District \$77,228.24); authorizing the transfer of \$20,000 from the Unallocated Reserve to the Centre City Way Maintenance District Fund as an advance to initiate this contract, and b - White Glove Building Maintenance Company for furnishing complete cleaning and maintenance of Centre City Way, Item 1, Alternate "A" and Item II, Alternate "A" for a period of one year, ending January 31, 1973, with option to renew the contract for an additional one year period for an actual estimated cost of \$16,269.76. (Price subject to escalation after first year not to exceed 5% of bid price), were presented.

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

On motion of Councilman Hitch, said proposed Resolutions were continued for one week to January 25, 1972, to coordinate with hearing on Downtown Street Tree Maintenance District.

(Item 17)

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

(Item 17 Continued)

RESOLUTION 204664, San Diego Pipe and Supply Co. for bronze water service fittings for Group 1 for an actual total cost of \$3,035.04, including tax and terms; and Contractor Supply for bronze water service fittings Group II, III, IV and V for an actual total cost of \$43,990.78, including tax and terms; and

RESOLUTION 204665, International Business Machines for the purchase of 500,000 original utility bills, 60,000 first overdue bills, and 30,000 second overdue bills for an actual cost of \$4,829.37, including tax, terms and charges.

(Item 18)

RESOLUTION 204666, awarding a contract to Center City Ford for the purchase of one 4-door passenger sedan for an actual cost of \$3,856.65, including tax and terms; authorizing the expenditure and transfer of \$3,856.65 from 100 Fund Unallocated Reserve to 522 Fund, Central Garage Working Capital Fund for said purpose, was adopted on motion of Councilwoman O'Connor.

(Item 19)

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

RESOLUTION 204667, construction of California Street Drain, in accordance with Specifications Document No. 738642;

RESOLUTION 204668, rehabilitation and reconstruction of the Villa Montezuma Historical Site, in accordance with Specifications Document No. 738643;

RESOLUTION 204669, authorizing the expenditure of \$8,645 out of Capital Outlay Fund 245 and supplementing Resolution 204232 in this amount for reconstruction costs and related expenses of the Villa Montezuma Historical Site;

RESOLUTION 204670, Civic Theatre air-conditioning improvements, in accordance with Specifications Document No. 738644; and

RESOLUTION 204671, construction of traffic signal and safety lighting systems, and street widening at Park Boulevard and University Avenue, in accordance with Specifications Document No. 738645.

(Item 100)

The following Resolutions, relative to final subdivision maps, were adopted on motion of Councilman Hitch:

RESOLUTION 204672, approving the final map of Bond-Riley Subdivision, a one-lot subdivision located northerly of Riverview Street;

RESOLUTION 204673, authorizing an Agreement with Alfred M. Lewis Properties, Inc., for completion of improvements in Alfred

(Item 100 Continued)

M. Lewis Distribution Center Unit 1, a one-lot subdivision located northwesterly of Miramar Road;

RESOLUTION 204674, approving the final map of Alfred M. Lewis Distribution Center Unit 1;

RESOLUTION 204675, authorizing an Agreement with Leadership Housing Systems, Inc. and Nackey S. Meanley for completion of improvements in North Miramar Ranch Unit 3, a 79-lot subdivision located north of the proposed Scripps Ranch Boulevard; and

RESOLUTION 204676, approving the final map of North Miramar Ranch Unit 3.

(Item 101)

A proposed Resolution, authorizing the Sale by Negotiation to R. E. Hazard Contracting Co., of a portion of Lot 70 of the Partition of Rancho Mission of San Diego, was presented.

Mr. Bruce Hazard appeared to speak regarding the proposed Resolution.

City Manager Moore answered questions directed by the Council.

RESOLUTION 204677, authorizing the Sale by Negotiation to R. E. Hazard Contracting Co., of a portion of Lot 70 of the Partition of Rancho Mission of San Diego for the sum of \$80,000; authorizing the Mayor and City Clerk to execute a Grant Deed to R. E. Hazard Contracting Co., of said property, but reserving easements to the City for street and slope purposes, was adopted on motion of Councilman Landt, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Martinet, Hitch, Bates, and Mayor Wilson. Nays-Councilman Morrow. Absent-None.

(Item 102)

A proposed Resolution, authorizing the execution of a Quitclaim Deed, quitclaiming to The Owners In Fee Simple of Record of existing easements for sewer purposes affecting portions of Pueblo Lots 1326, 1327 and 1329, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 204678, authorizing the execution of a Quitclaim Deed, quitclaiming to The Owners In Fee Simple of Record of existing easements for sewer purposes affecting portions of Pueblo Lots 1326, 1327 and 1329, was adopted on motion of Councilman Landt.

(Item 103)

RESOLUTION 204679, authorizing the execution of a Quitclaim Deed, quitclaiming to The Owners In Fee Simple of Record of an existing easement for water purposes affecting a portion of Lot 1 of Friar Gardens, was adopted on motion of Councilman Hitch.

(Item 104)

RESOLUTION 204680, authorizing a Lease Agreement with Browning Manufacturing Company leasing portions of Buildings 13, 50, 70, 82, 131, 133 and 138, and 19,000 square feet of vacant land area lying northerly of Building 13, at Brown Field, for a term of one year ending November 30, 1972, at a rental of \$1,345 per month, for the purpose of manufacturing of bows and arrows, flat fiberglass sheet for bow backing, finishing rod handles and wrapping line guides for fishing rods, was adopted on motion of Councilman Morrow.

(Item 105)

RESOLUTION 204681, authorizing the City Manager to execute a Consent to Assignment by which the City consents to San Diego Trust & Savings Bank assigning to U. S. Mortgage all its right, title and interest in the Lease Agreement covering premises in Mission Bay Park known as Dana Inn, was adopted on motion of Councilman Morrow.

(Item 106)

RESOLUTION 204682, authorizing the City Manager to execute an Agreement with James R. Libby & Associates for professional services required in connection with a proposed bridge and park roads in Balboa Park; authorizing the expenditure of \$53,000 from Park and Recreation Bond Fund 725 for said purpose and related costs, and supplementing Resolution 202266 in said amount, was adopted on motion of Councilman Morrow.

(Item 107)

RESOLUTION 204683, authorizing the use of City Forces to relocate traffic signal service and to convert series street lighting to multiple at North Harbor Drive and Nimitz Boulevard and to install new safety light to replace existing overhead at North Harbor Drive and Scott Street; authorizing the expenditure of \$3,200 from Capital Outlay Fund 245 for said purpose and related costs was adopted on motion of Councilman Morrow.

(Item 108)

RESOLUTION 204684, approving Change Order No. 1 issued in connection with the Contract with Strecker Construction Company for the construction of Carmel Valley Trunk Sewer; said changes amounting to an increase of \$28,050, was adopted on motion of Councilman Morrow.

(Item 109)

RESOLUTION 204685, approving Change Order No. 3 issued in connection with the Contract with Vido Artukovich and Son, Inc., for the construction of Carroll Canyon Trunk Sewer; said changes amounting to an increase of \$16,268, was adopted on motion of Councilman Morrow.

(Item 110)

RESOLUTION 204686, authorizing the City Auditor and Comptroller to transfer \$448,595.64 out of Capital Outlay Fund 246, Water Purposes of The City of San Diego for transfer to Water Department Operating Fund 500, Revenue Account 79182, to reimburse the Utilities Department for costs incurred on said projects, was adopted on motion of Councilman Landt.

(Item 111)

A proposed Resolution, authorizing the City Manager to submit to the County Board of Supervisors a list of projects for evaluation by the City-County Thoroughfare Committee for financing under the City-County Thoroughfare System Program, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 204687, authorizing the City Manager to submit to the County Board of Supervisors a list of projects for evaluation by the City-County Thoroughfare Committee for financing under the City-County Thoroughfare System Program, was adopted on motion of Councilman Martinet.

(Item 112)

RESOLUTION 204688, authorizing the City Manager to make application to the California Council on Criminal Justice as a sponsor for the San Diego State College project entitled "Criminal Justice Teaching Position", was adopted on motion of Councilman Landt.

(Item 113)

RESOLUTION 204689, authorizing two representatives of the Data Processing Department to travel to El Segundo, California, to attend a programming/software training course for the Communications Center Computer System for the period February 2 through February 22, 1972, and incur all necessary expenses, was adopted on motion of Councilman Landt.

(Item 114)

RESOLUTION 204690, authorizing a representative of the Fire Department to travel to Las Vegas, Nevada, to participate as a member of a panel research group, Urban Science & Technology Clearinghouse Project of International City Management Association during the period January 19-22, 1972, was adopted 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 Councilwoman O'Connor, at 4:38 p.m.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Edward Nielsen

City Clerk of The City of San Diego, California