

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, JANUARY 25, 1972
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

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

Mayor Wilson called the Regular Meeting to order at 9:34 a.m.

(Item 1)

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

(Item 2)

Councilman Martinet led the Pledge of Allegiance.

(Item 3)

Service Awards, in recognition of service with the City, were
presented to the following: Ronald M. Lambert, Senior Property
Agent, Property Department, 25 years, by Councilman Landt; Julian
Robles, Utilityman II, Water Utilities/Systems, 25 years, was not
present due to illness; Enar F. Olson, Senior Cashier, City
Treasurer, 30 years, by Councilman Williams.

(Item 4)

Rodney G. Stone and Dale T. Farlow, Public Works Department,
received \$525 as a Suggestion Award, presented by Councilman Hitch.
RESOLUTION 204710, approving Suggestion Awards to Rodney G.
Stone and Dale T. Farlow - Public Works Department - \$525, was
adopted on motion of Councilman Johnson.

(Item 5)

Mayor Wilson welcomed a group of students from San Diego High
School taking a course in Black Studies, accompanied by Mr. Tinsley,
a teacher. Councilmen Williams and Bates addressed the group.

(Item 6)

Mayor Wilson welcomed D. Robert Thomas, of Rotary International, presenting the Group Study Exchange team that will be leaving for a two-month tour of Southeast Asia, January 29, 1972.

(Item 7)

Mayor Wilson welcomed a group of new employees, who were present in the Chamber.

(Item 8)

Minutes of the Regular Council Meetings of Thursday, December 9, 1971, Tuesday, January 4, and Thursday, January 6, 1972, were presented by the City Clerk. On motion of Councilman Landt, said Minutes were approved without reading, after which they were signed.

(Item 9)

A communication from Ken Kellogg, Mission Beach Precise Planning and Implementation Organization, requesting permission to address the Council regarding initiating proceedings to amend the C Zone Ordinance that would require residential use on C zoned property to meet the new increased offstreet parking regulations, was presented.

Ken Kellogg appeared to speak regarding this communication.

On motion of Councilman Landt, said communication was referred to the Planning Commission.

(Item 10)

A communication from James A. Grogan, San Diego County and Municipal Employees Union, requesting permission to address the Council regarding payment of retroactive step increases and new wage schedules adopted prior to August 15, 1971, was presented.

James A. Grogan appeared to speak regarding this communication.

On motion of Councilman Landt, said communication was referred to the City Attorney and City Auditor.

(Item 11)

A communication from La Jolla Town Council, Inc., requesting permission to address the Council regarding a change in the Ordinance regulating height in La Jolla, Section 101.0452.1, was presented.

Karl ZoBell appeared to speak regarding this communication.

On motion of Councilman Johnson, said communication was referred to the Planning Commission.

Mayor Wilson welcomed a group of students from Midway Day Adult High School, accompanied by Mrs. Hancock, a teacher.

(Items 12 through 14)
Considered after Item 15.

(Item 15)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the Appeal of Mobil Oil Corporation and Rinker Development Company, by Gerald M. Dawson, attorney, from a condition in the decision of the Planning Commission approving its application under Conditional Use Permit Case No. 321-PC to construct and operate a service station with accessory sales, located on the northeast corner of the intersection of 47th Street and Imperial Avenue, more particularly described as Lots 1 through 11, Sunshine Gardens, in the C and R-4 Zones. Applicant requests a freestanding identification sign. It was reported that no written protests had been received.

No one appeared to be heard.

On motion of Councilman Landt, said hearing was continued for four weeks to February 22, 1972, at applicant's request.

(Item 12)

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 January 11, 1972, for confirmation of assessment and awarding maintenance contract, on Scripps Miramar Open Space Maintenance District - on the formation of the district, the maintenance to be performed, and the assessments to be levied - for a period ending on June 30, 1973. It was reported that written protests had been received.

The hearing was closed at the Meeting of Tuesday, January 11, 1972.

RESOLUTION 204711, confirming and approving the assessments described in Resolution of Intention No. 204386, adopted December 9, 1971, for the Scripps Miramar Open Space Maintenance District, was adopted on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Morrow. Councilman Martinet was excused from voting, as he was absent when testimony was taken on January 11, 1972.

(Item 13)

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 January 18, 1972, for the new council to review the history of the district, 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 written protests had been received.

James McLaughlin, Community Development, and City Manager Moore answered questions directed by the Council.

The hearing was closed at the Meeting of January 18, 1972.

(Item 13 Continued)

The following Resolution was adopted on motion of Councilman Bates:

RESOLUTION 204712, overruling the protests, ordering the district formed, confirming and approving the assessments and ordering the proposed maintenance to be performed, in the matter of the Downtown Street Tree Maintenance District.

Mayor Wilson recessed the Meeting at 10:44 a.m. Upon reconvening at 11:02 a.m., the roll call showed Councilman Morrow absent.

(Item 14 - CASE NO. 45-71-9)

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 December 23 and 30, 1971, for further review and Manager report on sewer problems, on the matter of rezoning a portion of Rancho San Bernardo (approximately 20.1 acres), located north of Verano Drive, between Pomerado Road and Interstate Highway 15, from Zone R-1-20 to Zone R-1-5. It was reported that written protests had been received.

Gene Moehler appeared to speak regarding this item.

City Manager Moore and Ken Klein, Planning Department, answered questions directed by the Council.

The hearing was closed on motion of Councilman Bates.

A proposed Ordinance, incorporating a portion of Rancho San Bernardo, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 8766 (New Series), adopted December 6, 1962, 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, Landt, Williams, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Morrow.

(Item 15)

Considered after Item 11.

(Item 16)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the Appeal of A. W. Coggeshall, from the decision of the Planning Commission in approving the application of J. W. Renzulli, Inc., owner, and Emergency Animal Clinic of San Diego permittee, under Conditional Use Permit Case No. 325-PC, to construct and operate an emergency animal clinic, located on the south side of Hotel Circle approximately 400 feet northeasterly of the Randolph Street Terminus, being a portion of

(Item 16 Continued)

Pueblo Lot 1120, in the R-1-40 Zone. It was reported that no written protests had been received.

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

Mayor Wilson left the Chamber and Councilman Landt took the Chair.

Will Hippen, Attorney Clifford Duke, E. M. Sims, and A. W. Coggeshall appeared to speak in opposition to the proposed clinic.

Dr. David Geiger, Dr. George Troxell, and Dr. Robert Stader appeared to speak in favor of the proposed clinic.

Councilman Johnson made a motion to close the hearing, grant the Appeal, deny the Conditional Use Permit, and overrule the Planning Commission, which was deemed denied due to a lack of five affirmative votes, by the following vote: Yeas-Councilmen Johnson, Martinet, Hitch, and Acting Mayor Landt. Nays-Councilmen O'Connor, Williams, and Bates. Absent-Councilman Morrow and Wilson.

Acting Mayor Landt recessed the Meeting at 12:05 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:09 p.m., the roll call showed Councilman Morrow absent.

(Item 17)

Considered after Item 18.

(Item 18)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the Appeal of Beulah K. Giovanazzi, by Joseph Giovanazzi, Esq., attorney, from the decision of the Board of Zoning Appeals which granted the appeal of Gaylon Duke, purchaser, and Virginia Perry, owner, (Zoning Administrator Case No. 10845) from the decision of the Zoning Administrator denying their application to develop property for use as private elementary school where residential use only is permitted. Subject property is located on Lots A, B, K and L, Block 360, Horton's Addition, at 3162 Second Avenue, between Spruce and Redwood Streets in the R-4 (A, B) and R-1-5 (K, L) Zones. It was reported that no written protests had been received.

David Sherer, attorney for the appellant, appeared to request a continuance for one week.

On motion of Councilman Johnson, said hearing was continued for one week to February 1, 1972, at applicant and appellant's request.

(Item 17)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the Appeal of Norman Company, by William Starr, from the decision of the Board of Zoning Appeals which partially granted the appeal of Yale Kahn (Zoning Administrator Case No. 10827) from the decision of the Zoning Administrator in denying the application of Yale Kahn to construct a 2,327 sq. ft. building addition to existing liquor store; existing building now observes and new addition also to observe a 6" setback from adjacent residential property to the north, where 10' is required; and to provide 11 parking spaces on lot, where 30 are required, for total building area. Subject property is located on Lot 4, Loma Riviera Townhouse No. 1, at the northwest corner of Loma Riviera Drive and West Point Loma Boulevard, in Zone CA. It was reported that written protests had been received.

Voyd Beights, Zoning Administrator, answered questions directed by the Council.

Attorney Gary Stevenson, William Starr, Florence Gustafson, Earl Zellman, and Carl Goebel appeared to speak in favor of the appeal.

Attorney Norman Seltzer, Joe Harman, and Alice Wellman appeared to speak in opposition to the appeal.

Councilman Martinet made a motion to close the hearing, deny the appeal, and support the Board of Zoning Appeals' partial grant, which failed by the following vote: Yeas-Councilmen Johnson, Martinet, and Hitch. Nays-Councilmen O'Connor, Landt, Williams, Bates, and Mayor Wilson. Absent-Councilman Morrow.

The hearing was closed and the following Resolution adopted on motion of Councilman Landt, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Bates, and Mayor Wilson. Nays-Councilmen Martinet and Hitch. Absent-Councilman Morrow.

RESOLUTION 204713, granting the appeal of the Norman Company, by William Starr, and denying the application of Yale Kahn for a zone variance under Zoning Administrator Case No. 10827.

Mayor Wilson recessed the Meeting at 3:40 p.m. Upon reconvening at 3:56 p.m., the roll call showed Councilman Morrow absent.

(Item 18)

Considered after Item 16.

The following Ordinances were introduced at the Meeting of January 11, 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 Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Morrow.

(Item 19)

ORDINANCE 10771 (New Series), amending Chapter X, Article 1, of the San Diego Municipal Code by amending Section 101.0101.35 relating to Lot Coverage.

(Item 20)

ORDINANCE 10772 (New Series), amending Chapter X, Article 2 of the San Diego Municipal Code, by adding Division 4, Legalization of Parcels which are not Legal Lots, and Section 102.0400, Legalization of Parcels In Assessment Districts.

(Item 21)

ORDINANCE 10773 (New Series), amending Chapter II, Article 6 of the San Diego Municipal Code by adding thereto a new section to be known as and numbered Section 26.33, establishing a Model Cities Citizen Advisory Board.

(Item 22)

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

RESOLUTION 204714, Environmental Care, Inc. for complete landscape 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

RESOLUTION 204715, White Glove Building Maintenance Company for furnishing complete cleaning and maintenance of Centre City Way, Item I, 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.

(Item 23)

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

RESOLUTION 204716, Leadership Housing Systems, Inc. for complete landscape maintenance five Natural Open Space Park Sites for a twelve month period beginning fifteen days after approval by the Council, with an option to renew the contract for a period not to exceed an additional twelve months for a total estimated cost of \$21,600; authorizing the transfer of \$3,600 from Unallocated Reserve to the Scripps Miramar Maintenance District Fund as an advance to initiate this contract;

RESOLUTION 204717, Viewland Investment Co., Inc. for the Animal Shelter-Cold Storage Facility for a total project cost of \$18,851, including Base Bid and Additive Alternate Nos. 1 and 2; authorizing the expenditure of \$18,851 out of Capital Outlay Fund 245 for said purpose; and

RESOLUTION 204718, Cummins Service & Sales for the purchase of one diesel engine for a total cost of \$3,440.22, including tax and freight charge.

(Item 24)

RESOLUTION 204719, approving the assignment of Contractual Rights under the Police Towing Agreement, dated November 19, 1969 for District No. 1 by Otto C. and Blanche Buysman dba Mission Garage to Marshall Bruce, Jr. dba Mission Garage, was adopted on motion of Councilman Hitch.

(Item 25)

RESOLUTION 204720, inviting bids for furnishing and delivering miscellaneous petroleum products, including gasoline, diesel oil, fuel oil, kerosene and lubricating oils and greases for the period of one year ending February 15, 1973, in accordance with Specifications Document No. 738705, was adopted on motion of Councilman Landt.

(Item 100)

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

RESOLUTION 204721, approving the final map of Friars Village Unit 4, a 154-lot subdivision located on the south side of Linda Vista Road, northerly of Friars Road;

RESOLUTION 204722, authorizing an Agreement with Robert M. Golden and Dorothy Golden for completion of improvements in Andrade Park, a two-lot subdivision located southerly of Friars Road and at the southerly terminus of Colusa, Donahue, Eureka and Fresno Streets;

RESOLUTION 204723, approving the final map of Andrade Park; and
RESOLUTION 204724, vacating Benicia Street, Colusa Street,

(Item 100 Continued)

Donahue Street, Eureka Street and Fresno Street southerly of Friars Road.

(Item 101)

RESOLUTION 204725, authorizing the City Manager to execute an Agreement with Amantea, Hill and Timmins for completion of improvements in Clairemont Plaza Unit 3, guaranteed by Bond No. 1-508-023; terminating the subdivision improvement agreement with Clairemont Rental Properties and releasing Bond No. 621503, issued by General Insurance Company of America, was adopted on motion of Councilman Landt.

(Item 102)

RESOLUTION 204726, declaring Triangle Maintenance Corporation to be in default relating to the construction of Mesa Verde Park; directing the City Clerk to give notice of default to Triangle Maintenance Corporation and Pacific Employers Insurance Company; authorizing the City Manager to cause public work and improvements to be completed, was adopted on motion of Councilman Johnson.

(Item 103)

The following Resolutions, accepting the work done and authorizing a Notice of Completion in the following subdivisions, were adopted on motion of Councilman Landt:

RESOLUTION 204727, La Jolla Shores Heights Unit 3; and
RESOLUTION 204728, Penasquitos Unit 4.

(Item 104)

RESOLUTION 204729, granting the petition for undergrounding existing overhead and communication facilities of Calle Del Cielo, adjacent to Lots 29 through 35, La Jolla Del Norte; directing the City Manager to furnish description and plat of the district, was adopted on motion of Councilman Johnson.

(Item 105)

RESOLUTION 204730, authorizing the execution of a Quitclaim Deed, quitclaiming to The Owners In Fee Simple of Record an easement for slope purposes across portions of Lots 92 and 93, Genesee Gardens, was adopted on motion of Councilman Landt.

(Item 106)

RESOLUTION 204731, authorizing the sale by negotiation to The Owners In Fee Simple of Record of portions of Lots 16, 17 and 18 in Block 10, University Heights for the sum of \$300; authorizing the

(Item 106 Continued)

execution of a Quitclaim Deed, quitclaiming to The Owners In Fee Simple of Record easements for sewer purposes across portions of said property, was adopted on motion of Councilman Landt.

(Item 107)

RESOLUTION 204732, authorizing the execution of a deed conveying to the San Diego Gas & Electric Company an easement for power line purposes affecting a portion of Oaks Tract of Rancho San Bernardo, was adopted on motion of Councilman Landt.

(Item 108)

RESOLUTION 204733, authorizing a Lease Agreement with William Rae leasing property located at 4010 University Avenue to provide the Police Department with a branch office to administer its Community Relations Program, was adopted on motion of Councilman Landt.

(Item 109)

The following Resolutions, authorizing Lease Agreements with youth baseball organizations for a period of one year, ending December 15, 1972, with a 30-day cancellation clause, for a rental of \$1 each, were adopted on motion of Councilman Williams:

- RESOLUTION 204734, Black Mountain Pony League;
- RESOLUTION 204735, Cowles Mountain/San Carlos Little Leagues;
- RESOLUTION 204736, Del Cerro Little League;
- RESOLUTION 204737, La Jolla Youth, Inc.;
- RESOLUTION 204738, Loma Portal Little League;
- RESOLUTION 204739, Luckie Waller Little League;
- RESOLUTION 204740, Mission Village Little League;
- RESOLUTION 204741, Morley Field Youth Sports, Inc.;
- RESOLUTION 204742, North Clairemont Little League;
- RESOLUTION 204743, Oak Park Little League;
- RESOLUTION 204744, Ocean Beach Little League;
- RESOLUTION 204745, Peninsula Bobby Sox League;
- RESOLUTION 204746, Point Loma Little League;
- RESOLUTION 204747, Presidio Little League;
- RESOLUTION 204748, Redwood Village Little League;
- RESOLUTION 204749, San Diego Youth Baseball Council, Inc; and
- RESOLUTION 204750, Sunshine Little League.

(Item 110)

RESOLUTION 204751, authorizing an Agreement with Mitchell, Webb and Associates for engineering services in connection with the installation of an additional pump at Metropolitan Sewerage System

(Item 110 Continued)

Pump Station No. 1, was adopted on motion of Councilman Bates.

(Item 111)

RESOLUTION 204752, authorizing an Agreement with Development Associates, Inc., to provide management assistance to the Model Cities Program, was adopted on motion of Councilman Johnson.

(Item 112)

RESOLUTION 204753, authorizing the use of City Forces for the installation of an asphalt pavement on existing dirt roads at the Chollas Nursery Site; authorizing the expenditure of \$7,100 from the Community Buildings and Improvements Bond Fund 726 for said purpose and related costs, was adopted on motion of Councilman Landt.

(Item 113)

RESOLUTION 204754, authorizing the expenditure of \$14,050 out of Storm Drain and Flood Control Bond Fund 727 for the purpose of providing funds for the City's share of costs in connection with the construction of a storm drain in Ravina Street, was adopted on motion of Councilman Johnson.

(Item 114)

The following Resolutions, relative to Mesa Verde Park, were adopted on motion of Councilman Johnson:

RESOLUTION 204755, authorizing the City Manager to accept the generous contribution of four hundred dollars from the Mira Mesa Town Council and directing said contribution to be deposited in Capital Outlay Fund 245 and be matched by an additional four hundred dollars from the City for the purpose of purchasing playground equipment for said park; commending Mira Mesa Town Council for this act of civic generosity and publicly expressing a debt of gratitude to said Council; and

RESOLUTION 204756, authorizing the City Manager to accept the generous contribution of six hundred dollars from Colonel Irving Salomon and directing said contribution to be deposited in Capital Outlay Fund 245 and be matched by an additional six hundred dollars from the City for the purpose of purchasing playground equipment for said park; commending Colonel Irving Salomon for this act of civic generosity and publicly expressing a debt of gratitude to Colonel Irving Salomon; and

RESOLUTION 204757, authorizing the expenditure of \$2,000 from Capital Outlay Fund 245 for the purpose of providing funds for the purchase and installation of playground equipment for said park.

(Item 115)

A proposed Resolution, authorizing the City Manager and City Attorney to prepare an Ordinance for submission for approval to the State Department of Public Works, pursuant to California Vehicle Code, Section 35702, which would prohibit commercial vehicles with a load limit of one ton or more from using Route 163 southerly of Interstate 8 and through Balboa Park effective with the opening of Interstate 805; designating the alternate routes required under the provisions of said Section 35702 to be Interstate 5 and Interstate 805, was presented.

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

Taylor Elliott and Paul DeGood appeared to speak in opposition to the proposed Resolution.

RESOLUTION 204758, authorizing the City Manager and City Attorney to prepare an Ordinance for submission for approval to the State Department of Public Works, pursuant to California Vehicle Code, Section 35702, which would prohibit commercial vehicles with a load limit of one ton or more from using Route 163 southerly of Interstate 8 and through Balboa Park effective with the opening of Interstate 805; designating the alternate routes required under the provisions of said Section 35702 to be Interstate 5 and Interstate 805, was adopted on motion of Councilman Bates.

(Item 116)

RESOLUTION 204759, authorizing suggestion awards to the following employees: Thomas J. Olson and John D. McNamara - Public Works Department - \$90; Thomas L. Miller - Public Works Department - \$65; Mary M. Barta - Water Utilities Department - \$60; Gunnar R. Swanson - Public Works Department - \$20; Bernice F. Webber - Auditor & Comptroller - \$20; and Charles B. Simon - Fire Department - \$20, was adopted on motion of Councilman Johnson.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Johnson, at 4:47 p.m.



Mayor of The City of San Diego, California

ATTEST:


City Clerk of The City of San Diego, California