

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, FEBRUARY 3, 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 9:37 a.m.

(Item 1)

Mayor Wilson welcomed fourteen Foreign Officers from nine different countries, who are here to take part in the 15th Annual Amphibious Warfare Training Course for Senior Foreign Officers, accompanied by Commandore Zipse, Naval Amphibious School.

(Item 2)

Considered after Item 5.

(Item 3)

The Purchasing Agent reported on bids opened Wednesday, February 2, 1972, for Ornamental Street Lighting and Street Tree Planting on 30th, 31st, 32nd, J, K Streets and Island Avenue; four bids received.

Finding was made on motion of Councilman Landt, that bids had been opened and declared as reported. By the same motion, report was referred to the City Manager and the City Attorney for recommendation.

(Item 4)

A communication from John D. Butler, attorney representing Pardee Construction Company, requesting permission to address the Council regarding Resolution No. 204708 - Proposed Mira Mesa Building Moratorium, was presented.

Attorney John Butler appeared to speak regarding this communication.

On motion of Councilman Hitch, said communication was referred to the City Attorney and City Manager for early report to Council and Mr. Butler.

(Item 5)

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 November 9, 1971 and January 27, 1972, for further study, on the appeal of Pacific Bay Development Corporation by Stacey Sullivan, Jr., from the decision of the Planning Commission denying their application under Planned Residential Development Permit No. 26, to construct and operate a planned residential development, located on the east side of Imperial Avenue, between Lisbon Street and the San Diego City Limits, in the R-1-5 and C (Proposed R-2) Zones. It was reported that no written protests had been received.

Sandie Schulman and Harold Ball appeared to speak in favor of a continuance on said hearing.

On motion of Councilman Morrow, said hearing was continued for two weeks, to February 17, 1972, time certain 10:00 a.m., at request of San Diego Unified School District.

(Item 2)

Mayor Wilson welcomed forty students from San Diego High School accompanied by Mr. Nick King, a teacher.

Councilmen Bates and Williams addressed the group.

(Item 6 - CASE NO. 42-72-2)

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 a portion of Pueblo Lot 1110, located on the south side of Camino Del Rio South, between Texas Street and Interstate Highway 805, from Zone R-1-40 to Zone CO. It was reported that no written protests had been received.

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

Walter Turner, applicant, appeared to speak in favor of the proposed rezoning.

The hearing was closed on motion of Councilman Hitch.

A proposed Ordinance, incorporating a portion of Pueblo Lot 1110 into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code and repealing Ordinance No. 1947 (New Series), adopted October 1, 1940, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith, was introduced on motion of Councilman Hitch, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-None.

(Item 7 - CASE NO. 21-71-2)

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 Lots 30 through 35, Boulevard Gardens, located on the southwest side of Naples Street, between Vega Street and Morena Boulevard, from Zone R-4 to Zone M-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 Martinet.

A proposed Ordinance, incorporating Lots 30 through 35, Boulevard Gardens, into M-1-A Zone, as defined by Section 101.0436 of the San Diego Municipal Code, and repealing Ordinance No. 2009 (New Series), adopted December 10, 1940, 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 Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-None.

(Item 8 - CASE NO. 27-71-2)

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 Lot 41, Horton's Purchase of Rancho Mission, located on the west side of Euclid Avenue, between Market Street and the San Diego and Arizona Eastern Railroad right-of-way, from Zone R-2 and C to Zone M-1A. It was reported that no written protests had been received.

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

Robert Carlin, applicant, appeared to speak in favor of the proposed rezoning.

The hearing was closed on motion of Councilman Johnson.

A proposed Ordinance, incorporating Lot 41, Horton's Purchase of Rancho Mission, into M-1A Zone, as defined by Section 101.0436 of the San Diego Municipal Code, and repealing Ordinance No. 35 (New Series), adopted September 12, 1932, and Ordinance No. 8803 (New Series), adopted March 21, 1963, of the Ordinances of The City of San Diego insofar as the same conflict herewith, was introduced on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-None.

(Item 9 - CASE NO. 35-71-9)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matter of rezoning Lots 215 through 223, Mesa Hills, Unit 4 and Lot 304, Resubdivision No. 1 of Mesa Hills, Unit 4, located on both sides of Cardinal Drive, between Mocking Bird Drive and Bobolink Way, from Zone R-4 to Zone R-1-5. It was reported that no written protests had been received.

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

(Item 9 Continued)

Attorney Ferdinand Fletcher appeared to speak in favor of the proposed rezoning.

Mayor Wilson recessed the Meeting at 10:45 a.m. Upon reconvening at 11:03 a.m., the roll call showed Councilman Bates absent.

Councilman Bates entered the Chamber.

(Item 9 Continued)

Mrs. James Clark, Bill Swanaman, and Mrs. Martinez appeared to speak in opposition to the proposed rezoning.

On motion of Councilman Morrow, said hearing was continued for one week, to February 10, 1972, time certain 10:00 a.m., for lack of time.

(Items 10 through 100)

Considered after Item 102.

(Item 101)

A proposed Resolution, continued from the Meetings of January 20 and 27, 1972, at applicant's request, directing the City Manager to refrain from issuing any Building Permits not in conformity with Section 101.0407 of Municipal Code prior to May 1, 1972, in Lots 213 through 223 Mesa Hills Unit 4, and Lot 304, Resubdivision No. 1 of Mesa Hills Unit 4 until the Council holds a public hearing, was continued for one week, to February 10, 1972, to coordinate with hearing on Item 9, on motion of Councilman Morrow.

(Item 102)

A proposed Resolution, authorizing an Agreement with The Regents of The University of California for the leasing of approximately 800 acres of submerged lands adjoining San Diego-La Jolla Underwater Park and Scripps Institute, for a term of fifty years, at a rental of fifty dollars for the term of the lease, for the purpose of scientific research and investigation consistent with those public uses which relate to commerce, navigation and fisheries, was continued for four weeks, to March 2, 1972, at request of U.C.S.D., on motion of Councilman Morrow.

Mayor Wilson recessed the Meeting at 12:04 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:10 p.m., the roll call showed all present.

(Item 10)

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 declaring Garnet Avenue, between Balboa Avenue (west intersection) and Mission Boulevard, to be a One-Way Street for westbound traffic. It was reported that written protests had been received.

Assistant City Manager Graham answered questions directed by the Council.

Mayor Wilson recessed the Meeting at 2:19 p.m. Upon reconvening at 2:32 p.m., the roll call showed all present.

(Item 10 Continued)

Planning Director Goff and Don Robbins, Public Works Department, answered questions directed by the Council.

Gerald K. Seymour, John P. Suits, Gary Benedict, Barbara Winton, William J. Elks, and Katherine Martin appeared to speak in favor of the proposed Resolution.

Bruno Giuffrida, Dave Koenig, Zelma Locker, Mrs. J. D. Pohl, Barbara Shafer, Phillip Shafer, Mrs. James Christenson, Ruth Peyton, Elsa Ford, Bill Berg, Bob Jahries, Peter Perentelli, Pat DeVore, Mrs. Caluwaert, and Robert Anaya appeared to speak in opposition to the proposed Resolution.

Mayor Wilson recessed the Meeting at 3:34 p.m. Upon reconvening at 3:44 p.m., the roll call showed all present.

(Item 10 Continued)

A motion made by Councilman Martinet to close the hearing and adopt the Resolution failed by the following vote: Yeas-Councilman Martinet. Nays-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Hitch, Bates, and Mayor Wilson. Absent-None.

The following Ordinances were introduced at the Meeting of January 20, 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, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-None:

(Item 11 - CASE NO. 33-71-7)

ORDINANCE 10775 (New Series), incorporating Lots 2 and 3, Amherst Villas, into R-2A Zone, as defined by Section 101.0410 of the San Diego

(Item 11 Continued)

Municipal Code and repealing Ordinance No. 8941 (New Series), adopted December 11, 1963, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith; and

(Item 12 - CASE NO. 4-71-3)

ORDINANCE 10776 (New Series), incorporating Parcel "A", O. D. Arnold's Bonnieview No. 2; portions of Lots 61, 62, 65, 66, 70 of Ex-Mission Lands; Lots 86 through 118, O. D. Arnold's Bonnieview No. 3; and a portion of Groff Manor, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code, and repealing Ordinance No. 78 (New Series), adopted November 14, 1932, and Ordinance No. 3821 (New Series), adopted August 10, 1948, of the Ordinances of The City of San Diego insofar as the same conflict herewith.

(Item 13)

A proposed Ordinance, providing for the issuance of 1966 Municipal Improvement Bonds, Series 6 of The City of San Diego in the principal amount of \$4,665,000 was introduced 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 14)

RESOLUTION 204804, awarding a contract to C. E. Wylie Construction Co. for the construction of Plaza De Balboa improvements in Balboa Park (Base Bid and Additive Alternates #1 and #2) for the sum of \$439,662.74; authorizing the expenditure of \$475,500 out of Park & Recreation Bond Fund 725 for said construction and related costs, was adopted on motion of Councilman Hitch.

(Item 15)

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

RESOLUTION 204805, furnishing the City and Unified Port District with fixed and portable radio equipment, in accordance with Specifications Document No. 738802; and

RESOLUTION 204806, projection screen/dome structure for the San Diego Hall of Science & Planetarium, Balboa Park, in accordance with Specifications Document No. 738803.

(Item 16)

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

RESOLUTION 204807, construction of Sewer and Water Main Replacements Group 9 (Nimitz Boulevard Drainage Basin - Phase 1), in accordance with Specifications Document No. 738804;

RESOLUTION 204808, construction of Essex Street Storm Drain from University Avenue to Robinson Avenue, in accordance with Specifications Document No. 738805;

RESOLUTION 204809, construction of Sewer and Water Main Replacements Group 29 (Model Cities Area), in accordance with Specifications Document No. 738806; and

RESOLUTION 204810, improvements to main lobby of the Community Concourse, in accordance with Specifications Document No. 738807.

(Item 100)

The following Resolutions, relative to the final subdivision map of Penasquitos Knolls Unit 2, were adopted on motion of Councilman Landt:

RESOLUTION 204811, authorizing an Agreement with Penasquitos, Inc., for completion of improvements in Penasquitos Knolls Unit 2, a 67-lot subdivision located at Rancho Penasquitos Boulevard and Carmel Mountain Road; and

RESOLUTION 204812, approving the final map of Penasquitos Knolls Unit 2.

(Items 101 and 102 considered after Item 9.)

(Item 103)

RESOLUTION 204813, authorizing a Utilities Agreement No. 15010-A with the State Division of Highways providing for the relocation of water facilities, was adopted on motion of Councilman Landt.

(Item 104)

RESOLUTION 204814, authorizing a Utilities Agreement No. 15011 with the State Division of Highways providing for relocation of sewer facilities, was adopted on motion of Councilman Landt.

(Item 105)

RESOLUTION 204815, approving Change Order No. 1 issued in connection with the contract with Nielsen Construction Co. for the construction of the San Diego Hall of Science and Planetarium; said changes amounting to an increase of \$15,553 and a decrease of \$11,328.69, amounting to a net increase of \$4,224.31; authorizing the expenditure of \$4,224.31 from Planetarium Bond Fund 920 for said purpose, was adopted on motion of Councilman Landt.

(Item 106)

RESOLUTION 204816, approving Change Order No. 1 issued in connection with the contract with FCM Contracting Company for the construction of Sewer Main Replacement Group 8 (Phase I, City Heights); said changes amounting an increase of \$12,000, was adopted on motion

(Item 106 Continued)
of Councilman Landt.

(Item 107)

RESOLUTION 204817, approving Change Order No. 2 issued in connection with the contract with Nielsen Construction Company for the construction of the San Diego Transit Central Operating Facility; said changes amounting to an increase of \$13,467; and granting an extension of time of 14 days, to March 5, 1972, in which to complete said contract, was adopted on motion of Councilman Landt.

(Item 108)

RESOLUTION 204818, authorizing the City Auditor and Comptroller to transfer the sum of \$52,136.22 from the 100 Fund Unallocated Reserve, Department Activity 53.30 to Capital Outlay Fund 245 in connection with the sale of a portion of Pueblo Lot 1317 and a portion of Lot 1, Prospect Acres to La Jolla Country Day School, was adopted on motion of Councilman Johnson.

(Item 109)

RESOLUTION 204819, authorizing four City Planning Commissioners, the Planning Director, one Chief Deputy City Attorney, or their alternates, to travel to San Jose, California, from February 23 to February 25, 1972 to attend the League of California Cities, Planning Commissioner's Institute, and to incur all necessary expenses; authorizing the City Auditor and Comptroller to transfer \$1,240 from the Unallocated Reserve to the non-personal funds of the Planning Department for the purpose of defraying the cost of travel and expenses involved, was adopted on motion of Councilman Landt.

(Item 110)

RESOLUTION 204820, authorizing no more than ten civilian employees of the San Diego Police Department, who are in the classification of Field Representative, to have the authority to remove vehicles from a highway or from public or private property which is located within the City of San Diego when they have reasonable grounds to believe that the vehicle has been abandoned, was adopted on motion of Councilman Martinet.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Johnson in memory of Mrs. Elizabeth Chapman Willier, at 4:18 p.m.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California