

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, FEBRUARY 15, 1972  
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING  
COMMUNITY CONCOURSE

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

Mayor Wilson called the Regular Meeting to order at 9:38 a.m.

(Item 1)

Mayor Wilson introduced Reverend Marsha Hessey of Chula Vista Christian Church who gave the Invocation.

(Item 2)

Councilman Williams led the Pledge of Allegiance.

(Item 3)

Mayor Wilson welcomed forty-five Junior and Senior High Journalism students from Grossmont Union High School accompanied by Mrs. Marian Bench.

Mayor Wilson welcomed a group of students from Collier Junior High School accompanied by Mr. Cardoza.  
Councilwoman O'Connor addressed the group.

Mayor Wilson welcomed a group of students from Midway Adult School accompanied by Colonel Riley.

(Item 4)

Minutes of the Regular Council Meeting of Thursday, January 20, 1972, were presented by the City Clerk. On motion of Councilman Johnson, said Minutes were approved without reading, after which they were signed.

(Item 5)

A communication from A. F. Leondis, Chairman of Voters Organized to Think Environment, requesting permission to speak regarding some aspects of the current environment, was presented.

A. F. Leondis appeared to speak regarding this communication.

On motion of Councilman Bates, said communication was referred to the City Manager.

(Item 6)

A communication from Douglas C. Crone requesting permission to speak regarding the return of Francis W. Parker School option monies pertaining to City-owned property in the Tecolote Canyon area, was presented.

Douglas C. Crone appeared to speak regarding this communication.

On motion of Councilman Johnson, said communication was referred to the City Manager and City Attorney for report and recommendation to the Council.

(Item 7)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on paving and otherwise improving Upas Street and Jackdaw Street on Assessment Roll 3809. It was reported that no written appeals had been received.

No one appeared to be heard.

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

RESOLUTION 204859, confirming and approving the Street Superintendent's modified and corrected Assessment No. 3809, covering the cost of paving and otherwise improving Upas Street and Jackdaw Street; authorizing said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; said warrant and diagram and assessment to be recorded in the office of said Street Superintendent, and with the County Recorder.

(Item 8)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on paving and otherwise improving the Alley, Block B, Point Loma Heights on Assessment Roll 3819. It was reported that no written protests had been received.

No one appeared to be heard.

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

RESOLUTION 204860, confirming and approving the Street Superintendent's Assessment No. 3819, covering the cost of paving and otherwise improving the Alley, Block B, Point Loma Heights; authorizing said Street Superintendent to attach his warrant thereto and issue the same in the manner and form provided by law; said warrant and diagram and assessment to be recorded in the office of said Street Superintendent, and with the County Recorder.

(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 proposal to impose a Height Limitation Zone of not less than 30-feet for a period of not more than two years, over the whole or any part of the Mission Hills area, generally bounded by Old San Diego on the west, the southerly rim of Mission Valley on the north, Dove Street, Lewis Street, Hawk Street and Washington Street on the east and southeast, Interstate 5 (San Diego Freeway) on the southwest. It was reported that no written protests had been received.

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

Mayor Wilson recessed the Meeting at 10:03 a.m. Upon reconvening at 10:13 a.m., the roll call showed Councilman Landt absent.

(Item 9 Continued)

Mifflin Ward, Mrs. Joseph Olsen, William Rudd, Lucia Fisher, Betty Houch, Sam Collins, Mrs. Charles W. Graham, John Watson, Lee Gerlach, and Joyce Beers appeared to speak in favor of the proposed Height Limitation Zone.

Carl Patlaf, Robert Whitelaw, Bayard Bunson, Mrs. Albert Gabbs, Robert Angelo, Charles Bahde, Mr. De Sola, Mrs. Klekan, and Charles Carroll appeared to speak in opposition to the proposed Height Limitation Zone.

Councilman Bates made a motion to close the hearing and introduce the Ordinance. No vote was taken at this time.

A motion made by Councilman Bates to amend the Ordinance to expire in two years failed by the following vote: Yeas-Councilman Bates. Nays-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Hitch, and Mayor Wilson. Absent-Councilman Landt.

A motion made by Councilman Martinet to exclude the five points area failed by the following vote: Yeas-Councilmen Johnson, Martinet, and Hitch. Nays-Councilmen O'Connor, Williams, Morrow, Bates, and Mayor Wilson. Absent-Councilman Landt.

The hearing was closed on motion of Councilman Bates.

A proposed Ordinance, amending Chapter X, Article 1, of the San Diego Municipal Code by amending Section 101.0452.4 relating to the Height Limitation Zone - Mission Hills, was introduced on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Landt.

Mayor Wilson recessed the Meeting at 11:33 a.m. into executive session for advice from the City Attorney on possible litigation. Upon reconvening at 12:03 p.m., the roll call showed Councilmen Landt, Williams, and Martinet absent.

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

Upon reconvening at 2:08 p.m., the roll call showed Councilmen Landt and Williams absent.

Councilman Williams entered the Chamber.

(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 appeal of Darcon Corporation, by Jerome J. Speh, president, from the decision of the Board of Zoning Appeals which failed to approve its appeal (Zoning Administrator Case No. 10838) to maintain for a period not to exceed six months, an existing contractor's storage yard and field office in connection with development of R-3 zoned property adjacent to west and south. Subject property is located on Lots 3 and 4, College Ranch No. 5, at 8704 and 8700 Lake Ashmere Drive, in Zone R-1-5. It was reported that no written protests had been received.

Zoning Administrator Beights answered questions directed by the Council.

Robert G. Converse appeared to speak in opposition to the appeal.

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

RESOLUTION 204861, denying the appeal of Darcon Corporation, by Jerome J. Speh, for a variance, upholding the decision of the Board of Zoning Appeals.

(Item 11)

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 Charles T. and Julie L. Fitch, from the decision of the Board of Zoning Appeals which denied their appeal (Zoning Administrator Case No. 10839) for a yard variance to construct a two-story, 25 ft. x 52 ft. addition (first floor - family room, shop, and wine cellar, second floor - three bedrooms, one bath) to existing single family dwelling; addition to observe 0' rear yard where 20 ft. is required. Subject property is located on portions of Lots 3 and 5, all of Lots 7, 9, and 11, Block 11, First Addition to South La Jolla, at 7231 Monte Vista Avenue, in Zone R-1-5. It was reported that no written protests had been received and applicant requested withdrawal of appeal.

No one appeared to be heard.

(Item 11 Continued)

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

RESOLUTION 204862, denying the appeal of Charles T. and Julie L. Fitch for a variance, upholding the decision of the Board of Zoning Appeals.

The following Ordinances were introduced at the Meeting of February 1, 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, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Landt:

(Item 12 - CASE NO. 28-69-6)

ORDINANCE 10779 (New Series), amending Section 1 of Ordinance No. 10132 (New Series), adopted September 11, 1969, incorporating a portion of Lot 25, Wadsworth's Olive Grove Addition, a portion of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 33, Township 16 South, Range 2 West, S.B.B.M.; and a portion of Quince Street (Closed), into R-3 Zone as defined by Section 101.0411 of the San Diego Municipal Code;

(Item 13 - CASE NO. 48-69-23)

ORDINANCE 10780 (New Series), amending Section 1 of Ordinance No. 10134 (New Series), adopted September 11, 1969, incorporating a portion of Lot 5 and all of Lot 6, Tibbetts Tract, into R-2A as defined by Section 101.0410 of the San Diego Municipal Code;

(Item 14 - CASE NO. 61-69-5)

ORDINANCE 10781 (New Series), amending Section 1 of Ordinance No. 10197 (New Series), adopted December 2, 1969, incorporating a portion of the Northwest  $\frac{1}{4}$  of Section 32, Township 14 South, Range 2 West, S.B.B.M., into A-1-1 Zone, as defined by Section 101.0404 (C-1A upon recordation of map or maps, as defined by Section 101.0431) of the San Diego Municipal Code; and

(Item 15 - CASE NO. 61-69-7)

ORDINANCE 10782 (New Series), amending Section 1 of Ordinance No. 10222 (New Series), adopted January 29, 1970, incorporating

(Item 15 Continued)

a portion of the Northwest  $\frac{1}{4}$  of Section 32, Township 14 South, Range 2 West, S.B.B.M, (Miramar Reservoir Tract No. 4 Annexation), into A-1-1 Zone, as defined by Section 101.0404 (C-1A upon recordation of map or maps, as defined by Section 101.0431) of the San Diego Municipal Code.

(Item 16)

A proposed Ordinance, amending Chapter II, Article 2, of the San Diego Municipal Code by adding Division 19, Section 22.1901, relating to the Department of Legislative Representation, was introduced on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Landt.

(Items 17 through 116)

Considered after Item 117.

(Item 117)

RESOLUTION 204863, amending Resolution 196944 relating to the Committee on Legislation and Intergovernmental Affairs, was adopted on motion of Councilman Morrow.

(Item 17)

A proposed Resolution, continued from the Meeting of February 1, 1972, at City Manager's request, inviting bids for improvement of Scott Street between Addison Street and North Harbor Drive in the vicinity of Loma Portal, in accordance with Specifications Document No. 738775, was presented.

Assistant City Manager Graham and James McLaughlin, Community Development Department, answered questions directed by the Council.

David Warren and Jack Kelly appeared to speak in opposition to the proposed Resolution.

Donald Hartley appeared to speak in favor of the proposed Resolution.

On motion of Councilman Hitch, said improvement of Scott Street was referred to the City Manager to post no parking on either side of Scott Street between North Harbor Drive and Shelter Island Drive, delay advertising for bids on improvement of Scott Street until late August or early September, coordinate undergrounding with improvement of Scott Street, and change effective dates of undergrounding on Scott Street.

\* RESOLUTION 205111, inviting bids for the improvement of Scott Street, between Addison Street and North Harbor Drive, in the vicinity of Loma Portal, in accordance with Specifications Document No. 738775, was adopted on motion of Councilman Hitch.

(Item 18)

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

RESOLUTION 204864, Standard Oil Company of California, Western Operations, Inc., Barnicle Oil Co., Pepper Oil Company, Inc., and Union Oil Company of California for the purchase of 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, for an actual estimated cost of \$422,497.80, including tax and terms;

RESOLUTION 204865, Uarco Incorp. for the purchase of 75,000 sets of parking complaint forms for an actual cost of \$2,397.15, including tax and terms;

RESOLUTION 204866, Acme Tool and Supply for the purchase of one metal lathe and accessories for an actual cost of \$4,708.05, including tax and terms; and

RESOLUTION 204867, F. H. Barth Co., Inc., for the purchase of fifty fire alarm pedestals for an actual cost of \$4,252.50, including tax and terms.

(Item 19)

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

RESOLUTION 204868, furnishing aluminum posts, in accordance with Specifications Document No. 738936;

RESOLUTION 204869, construction of Fern Street Storm Drain, in accordance with Specifications Document No. 738937; and

RESOLUTION 204870, construction of parking lot and service road improvements at Brown Field, in accordance with Specifications Document No. 738938.

(Item 100)

By common consent, this item was considered later in the Meeting. (Considered after Item 118.)

(Item 101)

A proposed Resolution, authorizing the Mayor and City Clerk to execute the certificate of ownership on the parcel map, TM 71-224 of a Division of Lot 21, City of San Diego Industrial Park Unit 4, was presented.

Assistant City Manager Graham and Property Director MacFarlane answered questions directed by the Council.

RESOLUTION 204871, authorizing the Mayor and City Clerk to execute the certificate of ownership on the parcel map, TM 71-224 of a Division of Lot 21, City of San Diego Industrial Park Unit 4, was adopted on motion of Councilman Hitch.

(Item 102)

A proposed Resolution, calling a public hearing to determine whether the public health, safety or general welfare require the formation of an Underground Utility District to be known and denominated as the Kearny Mesa Park - Highland Landis Park Underground Utility District, was presented.

Assistant City Manager Graham answered questions directed by the Council.

RESOLUTION 204872, calling a public hearing to determine whether the public health, safety or general welfare require the formation of an Underground Utility District to be known and denominated as the Kearny Mesa Park - Highland Landis Park Underground Utility District, was adopted on motion of Councilman Martinet.

Mayor Wilson recessed the Meeting at 3:19 p.m. Upon reconvening at 3:35 p.m., the roll call showed Councilman Landt absent.

(Item 103)

RESOLUTION 204873, setting aside and dedicating an easement for the purpose of a right-of-way for a public street and incidents thereto across portions of Lots 1, 2 and 8, Block 4, Rosedale; naming the same RUFFIN ROAD, was adopted on motion of Councilman Martinet.

(Item 104)

RESOLUTION 204874, authorizing the execution of a Quitclaim Deed, quitclaiming to The Owners In Fee Simple of Record an easement for sewer purposes affecting a portion of the North Half of the Northeast Quarter of Lot 62, Horton's Purchase, exchange of easements, was adopted on motion of Councilman Williams.

(Item 105)

RESOLUTION 204875, authorizing the sale by negotiation to Joan Demby Fauquier, a portion of Quarter Section 83 of Rancho de la Nacion for the sum of \$575; authorizing the execution of a Grant Deed, granting to Joan Demby Fauquier said property but reserving an easement for pipeline purposes, was adopted on motion of Councilman Hitch.

(Item 106)

RESOLUTION 204876, authorizing the execution of a Deed, conveying to the San Diego Gas & Electric Company, an easement for the purpose of underground electrical facilities across a portion of Pueblo Lot 1101, was adopted on motion of Councilman Johnson.

(Item 107)

The following Resolutions, approving the acceptance by the City Manager of Deeds, were adopted on motion of Councilman Johnson:

204872 - 204876  
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(Item 107 Continued)

RESOLUTION 204877, John H. Tappenden and Maureen Peggy Tappenden - sewer purposes; and  
RESOLUTION 204878, Pardee Construction Company - street purposes - WORTHING AVENUE and NEW SALEM STREET.

(Item 108)

The following Resolutions, continued from the Meeting of February 1, 1972, to coordinate with Item 17, relative to the acquisition of rights-of-way for improvement of Scott Street, were adopted on motion of Councilman Hitch:

RESOLUTION 204879, authorizing the City Attorney to commence action in Superior Court to acquire, under Eminent Domain Proceedings, portions of Lot 1, Block 26, Lot 6, Block 25, Lot 7, Block 62 of Roseville for rights-of-way for a public street; and

RESOLUTION 204880, authorizing the expenditure of \$6,500 out of Gas Tax Fund 220 for said purpose.

(Item 109)

A proposed Resolution, authorizing an Agreement with Touche Ross & Co. for the purpose of providing the Audits necessary for the Model Cities First Action Year operating agencies, was continued to February 17, 1972, for further study.

(Item 110)

RESOLUTION 204881, approving a proposed Amendatory Contract, designated First Amendatory Contract Amending Grant Contract for Code Enforcement Program No. Calif. E-10(G) to aid in financing Rehabilitation Grants to low-income property owners in the existing Linda Vista and Stockton School Chirp projects; amendment reflects an increase of \$78,325 in the Federal Grant, was adopted on motion of Councilman Williams.

(Item 111)

RESOLUTION 204882, authorizing a Sub-Grant Agreement with the Inter-Tribal Council of California, Inc., Area V (San Diego County) in the sum of \$175,000 pursuant to the Public Employment Program (Emergency Employment Act of 1971), was adopted on motion of Councilman Johnson.

Don Andrade appeared to speak in favor of the proposed Resolution.

(Item 112)

RESOLUTION 204883, authorizing an Agreement with South Bay Union School District which stipulates that the City collect charges and reimburse South Bay Union School District for the cost in excess of their pro rata share of the offsite sewer main constructed by South Bay Union School District, was adopted on motion of Councilman Bates.

(Item 113)

RESOLUTION 204884, authorizing the expenditure of \$20,000 out of Capital Outlay Fund 245, for the purpose of providing funds for incidental costs associated with Gas Tax Projects which are not eligible for financing out of Gas Tax Funds, and supplementing Resolution 183994 in this amount, was adopted on motion of Councilman Johnson.

(Item 114)

A proposed Resolution, declaring the building owned by Jack Fackler at 725 Fourth Avenue, Lot D, Block 69, Horton's Addition, to be a public nuisance; directing the City Attorney to take action to abate said nuisance, was presented.

Assistant City Manager Graham answered questions directed by the Council.

RESOLUTION 204885, declaring the building owned by Jack Fackler at 725 Fourth Avenue, Lot D, Block 69, Horton's Addition, to be a public nuisance; directing the City Attorney to take action to abate said nuisance, was adopted on motion of Councilman Hitch.

(Item 115)

RESOLUTION 204886, authorizing two representatives of the Public Works -- City Engineer Department to travel to Scottsdale, Arizona, to review mechanized refuse collection equipment utilized by the City of Scottsdale, and to incur all necessary expenses, at an estimated cost of \$213, was adopted on motion of Councilman Martinet.

(Item 116)

A proposed Resolution, setting March 7, 1972 as the date for public hearings to establish just and reasonable rates for hire of taxicabs within the City; establishing February 25, 1972, 5:00 p.m., as the deadline for the submission of written reports, statistical analysis, and other written material concerning such rates with the City Clerk, was presented.

A motion made by Councilman Morrow to amend the proposed Resolution to change the hearing date to March 9, 1972, time certain 2:00 p.m. passed unanimously.

RESOLUTION 204887, setting March 9, 1972, at 2:00 p.m., as the date for public hearings to establish just and reasonable rates for hire of taxicabs within the City; establishing February 25, 1972, 5:00 p.m., as the deadline for the submission of written reports, statistical analysis, and other written material concerning such rates with the City Clerk, was adopted as amended on motion of Councilman Martinet.

(Item 117)

Considered after Item 16.

(Item 118)

A proposed Resolution, supporting the construction of bicycle paths in the City of San Diego, and directing the City Manager to make a study of the placement and possibility of construction of bicycle paths, was presented.

George Brown appeared to speak in favor of the proposed Resolution.

RESOLUTION 204888, supporting the construction of bicycle paths in the City of San Diego, and directing the City Manager to make a study of the placement and possibility of construction of bicycle paths, was adopted on motion of Councilman Bates.

(Item 100)

Six proposed Resolutions, relative to the final subdivision maps of Prod Subdivision, Tennis La Jolla, and Westwood Unit 8, were presented.

James McLaughlin answered questions directed by the Council on the final subdivision map of Westwood Unit 8.

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

RESOLUTION 204889, authorizing an Agreement with Prod Development Company for completion of improvements in Prod Subdivision, a 3-lot subdivision of the NE  $\frac{1}{4}$ , Lot 42, Rancho Mission, located on the west side of Euclid Avenue, between Castana Street and Groveland Drive;

RESOLUTION 204890, approving the final map of Prod Subdivision;

RESOLUTION 204891, authorizing an Agreement with Peter W. Bethea and Mary D. Bethea for completion of improvements in Tennis La Jolla, a one-lot subdivision located on the east side of La Jolla Scenic Drive, between Soledad Mountain Road and Hillside Drive;

RESOLUTION 204892, approving the final map of Tennis La Jolla;

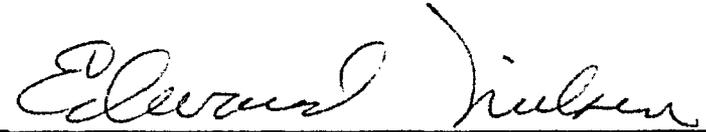
RESOLUTION 204893, authorizing an Agreement with Avco Community Developers, Inc., for completion of improvements in Westwood Unit 8, a 62-lot subdivision located westerly of Highway 163; and

RESOLUTION 204894, approving the final map of Westwood Unit 8.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Hitch, at 3:53 p.m.

  
Deputy - Mayor of The City of San Diego, California

ATTEST:

  
City Clerk of The City of San Diego, California