

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, FEBRUARY 29, 1972
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

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

Deputy Mayor Morrow called the Regular Meeting to order at
9:36 a.m.

(Item 1)

Deputy Mayor Morrow introduced Reverend Victor Uboldi,
Associate Pastor of St. Jude's Shrine, who gave the Invocation.

(Item 2)

Councilman Johnson led the Pledge of Allegiance.

(Item 3)

Service Awards, in recognition of service with the City, were
presented to the following: Mr. William M. Davis, Jr., Assistant
Parks and Public Buildings Director, Parks and Public Buildings
Department, 25 years, by Councilman Hitch; Mr. Julian Robles,
Utilityman II, Water Utilities/Systems Department, 25 years, by
Councilman Landt; Mr. Kenneth A. Baker, Fire Captain, Fire
Department, 25 years, by Councilman Johnson; and Mr. Charles W.
Throp, Battalion Chief, Fire Department, 35 years, by Councilman
Martinet.

(Items 4 through 107)

Considered after Item 108.

(Item 109)

RESOLUTION 204987, authorizing the Auditor and Comptroller
to transfer \$1,925 from the Unallocated Reserve (Fund 100, Dept.
53.30) to the Civil Service Department for providing funds
to provide a dinner to honor employees reaching their 25th, 30th,
35th, etc., anniversary with the City, was adopted on motion of
Councilman Johnson.

(Item 108)

A proposed Resolution, authorizing the Auditor and Comptroller to transfer \$1,375 from the Unallocated Reserve (Fund 100, Dept. 53.30) to the Civil Service Department for providing funds to mail a "quality" birthday card to each City employee on his birthday, was filed on motion of Councilman Hitch.

Deputy Mayor Morrow welcomed a group of new employees.

(Item 4)

Minutes of the Regular Council Meeting of Tuesday, February 1, 1972, were presented by the City Clerk. On motion of Councilman Hitch, said Minutes were approved without reading, after which they were signed.

(Items 5 through 13)

Considered after Item 100.

(Item 100)

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

RESOLUTION 204988, approving the final map of Hidden Valley Addition, a five-lot subdivision located westerly of Caminito Prado;

RESOLUTION 204989, authorizing an Agreement with San Carlos Associates for completion of improvements in The Knolls of Del Cerro Unit 3, a 153-lot subdivision located northerly of Fontaine Street, on both sides of Margerum Avenue;

RESOLUTION 204990, approving the final map of The Knolls of Del Cerro Unit 3;

RESOLUTION 204991, authorizing an Agreement with Mira Mesa Shopping Center for completion of improvements in Mira Mesa Shopping Center Unit 3, a one-lot subdivision located at the intersection of Mira Mesa Boulevard and Camino Ruiz;

RESOLUTION 204992, approving the final map of Mira Mesa Shopping Center Unit 3;

RESOLUTION 204993, authorizing an Agreement with The Christiana Companies, Inc., for completion of improvements in Villa Monserate Unit 6, a ten-lot subdivision located northerly of Tierrasanta Boulevard, easterly of Escondido Freeway; and

RESOLUTION 204994, approving the final map of Villa Monserate Unit 6.

(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 and January 18, 1972, at applicant's request, 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

(Item 5 Continued)

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. It was reported that no written protests had been received.

No one appeared to be heard.

On motion of Councilman Hitch, said hearing was continued to April 25, 1972, at applicant's request.

(Item 6)

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 Larwin Properties Corporation, by Theodore Rhodes, president, from the decision of the Planning Commission denying its application as owner, and Standard Oil Corporation of California, Inc., permittee, under Conditional Use Permit Case No. 326-PC, to construct and operate a service station facility, located on the northwest corner of Mira Mesa Boulevard and Black Mountain Road, between Mira Mesa Boulevard and Gemini Avenue, being a portion of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 31, Township 14 South, Range 2 West, S.B.B.M., in the Interim A-1-1 Zone. It was reported that no written protests had been received.

No one appeared to be heard.

On motion of Councilman Hitch, said hearing was continued to April 11, 1972, at applicant's request.

(Item 7)

By common consent, this item was continued to later in the Meeting.

(Considered after Item 113.)

The following Ordinances were introduced at the Meeting of February 15, 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 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 8)

ORDINANCE 10789 (New Series), 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; and

(Item 9)

ORDINANCE 10790 (New Series), 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.

(Item 10)

A proposed Ordinance, amending Ordinance No. 4019 (New Series) which granted to the Richfield Oil Corporation (now the Atlantic Richfield Company, formerly the Atlantic Refining Company, successor to Richfield Oil Corporation by merger) and to its successors and assigns a Franchise and authority to lay, construct, operate, maintain, renew and remove pipelines in, under, along and across Sicard Street by substituting a new Section 3, paragraph 7 therein, relating to consideration to be paid for said Franchise, was introduced 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 11)

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

RESOLUTION 204995, V. E. Posey for the construction of California Street Drain for the sum of \$22,654; authorizing the City Manager to execute a License Agreement with The Atchison, Topeka and Santa Fe Railway Company for that portion of work in California Street that lies within the railway company's right-of-way; authorizing the expenditure of \$27,500 out of Storm Drain and Flood Control Bond Fund (727) for said purpose and related costs; and

RESOLUTION 204996, Fischer Office Interiors, Inc., and Finley's Colonial House Carpet for the purchase of draperies and office furniture for a total actual cost of \$12,142.49, including tax and terms.

(Item 12)

A proposed Resolution, awarding a contract to Hackett Interior Systems, Inc., was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 204997, awarding a contract to Hackett Interior Systems, Inc. for the purchase and installation of movable partitions for a total cost of \$1,926, including tax and terms; authorizing the appropriation of \$1,926 from the General Fund (100), Dept. 53.30, unallocated reserve, and transferring this amount to the General Fund (100), Dept. 38.32 for above purpose, was adopted on motion of Councilman Landt.

(Item 13)

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

RESOLUTION 204998, furnishing lawn sprinklers and sprinkler parts for a period of one year ending April 30, 1973, in accordance with Specifications Document No. 739077; and

RESOLUTION 204999, construction of Del Sol Boulevard between National Avenue and Beyer Way, in accordance with Specifications Document No. 739078.

(Item 100)

Considered after Item 4.

(Item 101)

RESOLUTION 205000, authorizing the execution of a Deed conveying to the San Diego Gas and Electric Company an easement for underground electrical facilities affecting a portion of Lot A, Del Cerro Unit 1, for City water pumping station, was adopted on motion of Councilman Hitch.

(Item 102)

The following Resolutions, relative to exchange of sewer easements in Pueblo Lots 1326 and 1327, were adopted on motion of Councilman Martinet:

RESOLUTION 205001, authorizing the execution of a Quitclaim Deed, quitclaiming to Gulf Oil Corporation easements for sewer purposes affecting said property; and

RESOLUTION 205002, approving the acceptance by the City Manager of a Deed of Gulf Oil Corporation, conveying to City said portions of land for sewer purposes.

(Item 103)

The following Resolutions, relative to exchange of easements for electrical purposes affecting portions of Pueblo Lots 1316, 1317 and 1321 and portions of Lots "C" and "D" of Acre Lots 32 and 33, Sorrento, were adopted on motion of Councilman Johnson:

RESOLUTION 205003, authorizing the Mayor and City Clerk to execute a Deed conveying to San Diego Gas and Electric Company an easement in a portion of said property; and

RESOLUTION 205004, approving the acceptance by the City Manager of a Deed from San Diego Gas and Electric Company for an electrical easement.

(Item 104)

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

RESOLUTION 205005, The Atchison, Topeka and Santa Fe Railway Company (street purposes) - MILCH ROAD;

RESOLUTION 205006, Avco Community Developers, Inc., dba Rancho Bernardo, Inc. (street purposes) - UTOPIA ROAD;

RESOLUTION 205007, Bruce Farley Corporation (alley purposes) - Lots 17-20, Block 5, McLaren's "H" Street Addition;

RESOLUTION 205008, Pardee Construction Company (street purposes) - KELOWNA ROAD;

RESOLUTION 205009, Maurice and Myna Perlstein (street purposes) - HILLSIDE DRIVE;

RESOLUTION 205010, San Diego Unified School District (street purposes) - WHEATLEY STREET; and

RESOLUTION 205011, Scripps Miramar Development Company (street purposes) - POMERADO ROAD.

(Item 105)

RESOLUTION 205012, authorizing an Agreement with Coneer Engineering for professional services required in connection with the development of Bonita Coverarea of Mission Bay Park; authorizing the expenditure of \$76,000 from Park and Recreation Bond Fund 725 for said purpose and related design and construction costs, was adopted on motion of Councilman Martinet.

(Item 106)

RESOLUTION 205013, authorizing an Agreement with Kodmur Service Agency for full maintenance service for the air conditioning and mechanical equipment in Casa del Prado; authorizing the expenditure of \$4,337 from General Fund 100 for said purpose and related costs, was adopted on motion of Councilman Martinet.

(Item 107)

RESOLUTION 205014, approving the final plans and specifications for construction of the swimming pool at Camp Cuyamaca, was adopted on motion of Councilman Hitch.

(Item 108)

Considered after Item 109.

(Item 109)

Considered after Item 3.

(Item 110)

A proposed Resolution, commencing March 1, 1972, each member of the City Council, the City Attorney, and the City Manager shall receive \$189.90 per month reimbursement for expenses necessarily incurred in the operation of their personal automobiles in the performance of official duties, automatically increasing this sum to \$216 per month or such lesser amount as may be approved when and if the President's Pay Board approves said increase; or as an alternate, each member of the Council, the City Attorney and the City Manager in lieu of said sums shall received \$50 per month and shall have placed at his disposal a City-owned or leased automobile to be used in the performance of his official duties; rescinding Resolution 196032, passed and adopted February 11, 1969, was presented.

City Manager Moore answered questions directed by the Council.

On motion of Councilman Bates, the following Resolution was adopted as amended by including a 5.5% increase in the \$50 per month for Councilmen using City-owned vehicle, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Martinet, Hitch, Bates, and Deputy Mayor Morrow. Nays-Councilman Landt. Absent-Mayor Wilson:

RESOLUTION 205015, commencing March 1, 1972, each member of the City Council, the City Attorney, and the City Manager shall receive \$189.90 per month reimbursement for expenses necessarily incurred in the operation of their personal automobiles in the performance of official duties, automatically increasing this sum to \$216 per month or such lesser amount as may be approved when and if the President's Pay Board approves said increase; or as an alternate, each member of the Council, the City Attorney, and the City Manager in lieu of said sums shall receive \$52.75 per month and shall have placed at his disposal a City-owned or leased automobile to be used in the performance of his official duties; rescinding Resolution 196032, passed and adopted February 11, 1969.

(Item 111)

RESOLUTION 205016, confirming the appointment by the Mayor of Mrs. LaDonna Hatch to the Civil Service Commission for a term to expire January 9, 1977, was adopted on motion of Councilman Landt.

(Item 112)

RESOLUTION 205017, accepting the generous contribution of \$1,000 from the Rotary Club of Pacific Beach, directing that said contribution be deposited in Capital Outlay Fund 245 and thereafter matched by an additional \$1,000 from the City to be used for the purpose of purchasing picnic tables for Kate Sessions Park; authorizing the expenditure of \$2,000 from Capital Outlay Fund 245 for said purpose and related costs; commending the Rotary Club for this act of civic generosity, was adopted on motion of Councilman Martinet.

(Item 113)

A proposed Resolution, permitting the Civic Host Committee to use the Seal of the City for the Republican National Convention in promoting the City, was presented.

Councilman Landt made a motion to file the proposed Resolution. No vote was taken at this time.

A motion made by Councilman Williams to continue said proposed Resolution to March 2, 1972 was withdrawn.

A motion made by Councilman Landt to file said proposed Resolution failed by the following vote: Yeas-Councilmen Landt and Bates. Nays-Councilmen Johnson, O'Connor, Williams, Martinet, Hitch, and Deputy Mayor Morrow. Absent-Mayor Wilson.

RESOLUTION 205018, permitting the Civic Host Committee to use the Seal of the City for the Republican National Convention in promoting the City, was adopted on motion of Councilman Hitch, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Martinet, Hitch, and Deputy Mayor Morrow. Nays-Councilmen Landt and Bates. Absent-Mayor Wilson.

Deputy Mayor Morrow recessed the Meeting at 10:34 a.m. Upon reconvening at 10:47 a.m., the roll call showed Councilwoman O'Connor and Mayor Wilson absent.

(Item 7)

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 appeal of Earl R. Shantz from the decision of the Board of Zoning Appeals which denied his appeal (Zoning Administrator Case No. 10941) to maintain approximately 44' of 6' high pine wood fence observing a 0' street side yard on Markab Drive where a maximum 3' high fence is permitted in a required 10' street side yard. Subject property is located on Lot 804, Larwin Mesa View No. 8, at 8524 Aquarius Drive, between Markab and Acrux Drives, in Zone R-1-5. It was reported that no written protests had been received.

Zoning Administrator Beights answered questions directed by the Council.

Councilwoman O'Connor entered the Chamber.

(Item 7 Continued)

Attorney Robert Laswell, representing the appellant, and Earl Shantz, appellant, appeared to speak in favor of the appeal.

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

RESOLUTION 205019, upholding the decision of the Board of Zoning Appeals and denying the appeal of Earl R. Shantz for a variance.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Landt to Council Conference for the purpose of discussing ballot measures, at 11:13 a.m.

F. Morrow
Deputy - Mayor of The City of San Diego, California

ATTEST:

Edward Nilson
City Clerk of The City of San Diego, California