

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, MARCH 28, 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 9:38 a.m.

(Item 1)

Mayor Wilson introduced Father Jerry Sims, St. Jude's Shrine,  
who gave the Invocation.

(Item 2)

Councilman Hitch led the Pledge of Allegiance.

(Item 3)

Mayor Wilson welcomed a group of teachers from West Germany,  
accompanied by Professor and Mrs. William Westervelt. Councilman  
Landt addressed the group.

(Item 4)

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

(Item 5)

Minutes of the Regular Council Meetings of Thursday, March 9 and  
Thursday, March 16, 1972, were presented by the City Clerk. On  
motion of Councilman Bates, said Minutes were approved without  
reading, after which they were signed.

(Item 6)

Considered after Item 8.

(Item 7)

A communication from a representative of Area Four Consumer's  
Protection Council requesting permission to address the Council.

(Item 7 Continued)

relative to strengthening the Building Code, was presented.

Albert McCain, Arthur James Brown, Judith Williams, and Esther Mae Hicks appeared to speak regarding this communication.

On motion of Councilman Williams, said communication was referred to Council Conference on Tuesday, April 25, 1972, and to the City Manager to make report and recommendations as to future alleviation of problems described in the communication.

(Item 8)

A communication from Lucia Smalheer, President, League of Women Voters of San Diego, requesting permission to address the Council regarding availability and access to public information and requesting formulation of a Council policy defining such procedures, was presented.

Lucia Smalheer appeared to speak regarding this communication.

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

Councilman Bates made a motion to direct the City Manager to present a summary of facts on the Gateway Estates hearing and report to Council within one week, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-Councilman Landt. Absent-None.

(Item 9)

Considered after Item 13.

(Item 6)

This being the time and place fixed for the opening of bids for the \$4,665,000 CITY OF SAN DIEGO 1966 MUNICIPAL IMPROVEMENT BONDS, SERIES 6, consisting of 933 bonds of the denomination of \$5,000 each, the City Clerk announced that ten bids had been received on or before 10:00 a.m., and one bid had been received at 10:05 a.m.

On motion of Councilman Morrow, the Council voted to allow the late bid of Harris, Upham & Co., Inc. and Tecott, Jackson, Wilson, White and Co. to be opened along with the other bids by the following vote: Yeas-Councilmen Johnson, Williams, Morrow, Martinet, Hitch, and Bates. Nays-Councilmen O'Connor, Landt, and Mayor Wilson.

The following bids received pursuant to the notice of sale were publicly opened, examined, and read.

All bidders bid par, accrued interest to date of delivery, for bonds bearing interest payable annually the first year and semi-annually thereafter at rates specified in the bids on file in the

(Item 6 Continued)

office of the City Clerk. Each bid was accompanied by a good faith check in the amount of \$50,000.

<u>NAMES &amp; ADDRESS</u>	<u>PREMIUM</u>	<u>NET INT. COST</u>	<u>%</u>
1 - Crocker National Bank Harris Trust & Savings Bank, Joint Managers, Post Office Box 38006, San Francisco, Ca. 94138 (later corrected to:	\$43,312	\$2,516,636.00 \$3,013,063.00	4.9873% 5.039%)
2 - Smith, Barney & Co. Inc. Bankers Trust Company and Associates 20 Broad Street, New York, N. Y. 10005	\$916.15	\$2,963,818.85	4.957048%
3 - The Bank of California, N.A. and Associates 400 California Street, San Francisco, Ca. 94120	\$0.00	\$2,975,632.50	4.9768%
4 - United California Bank Morgan Guaranty Trust Company BankNorthWest Union Bank Box 3666, Los Angeles, Ca. 90051	\$393.00	\$2,947,647.00	4.930%
5 - Security Pacific National Bank Blyth & Co., Inc. P. O. Box 2097, Terminal Annex, Los Angeles, Ca. 90051	\$636.70	\$2,955,485.80	4.943111%
6 - Halsey, Stuart & Co. Inc. Phelps, Fenn & Co. and Associates 123 South LaSalle Street, Chicago, Ill. 60690	\$0.00	\$2,954,970.00	4.9422%

(Item 6 Continued)

<u>NAMES &amp; ADDRESS</u>	<u>PREMIUM</u>	<u>NET INT. COST</u>	<u>%</u>
7 - First National City Bank First National City Bank of Chicago Eastman Dillon Union Securities & Co. Kuhn, Loeb & Co. First Western Bank & Trust Co. Dominick & Dominick, Inc. Fidelity Union Trust Co. E. F. Hutton & Company, Inc. Rand & Co., Inc. First National Bank of Atlanta Taylor and Company Roberts, Scott & Co., Inc. 95 Wall Street, New York, N. Y. 10015	\$0.00	\$2,949,615.00	4.9332%
8 - The Chase Manhattan Bank, N.A. Donaldson, Lufkin & Jenrette, Inc. 1 Chase Manhattan Plaza, New York, N. Y. 10015	\$150.00	\$2,978,947.50	4.9823%
9 - Bank of America N.T. & S.A. and Associates P. O. Box 37003 San Francisco, Ca. 94137	\$560.00	\$2,952,835.00	4.9386%
10- Salomon Brothers and Associates One New York Plaza New York, N. Y. 10004	\$0.00	\$2,946,270.00	4.92769%
11- Harris, Upham & Co. Incorporated Tecott, Jackson, Wilson, White & Co. 340 A Street San Diego, Ca. 92101	\$1,866.00	\$2,995,859.00	5.0106%

All bids were then referred to the Bond Committee for checking and computation, a report thereon to be given to the Council later in this Meeting.

Considered after Item 112.

(Item 12)

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 E. N. and Gladys DeJonge, by A. Lee Estep, attorney, from the decision of the Board of Zoning Appeals which denied their appeal (Zoning Administrator Case No. 10883) to maintain a 16' x 20'6" family room addition to an existing single family dwelling; addition observes a 9' rear yard, where 20' is required. Subject property is located on Lot 166, Bellaire Terrace Unit 3, at 5024 Ovid Place, between Caywood and Appleton Streets of Clairemont, in Zone R-1-5. It was reported that no written protests had been received.

No one appeared to be heard.

Zoning Administrator Beights answered questions directed by the Council.

On motion of Councilman Morrow, said hearing was continued to Tuesday, May 2, 1972, at appellant's request.

(Item 13)

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 the Appeal of Gerard H. and Janice I. Verkaaik, by A. Lee Estep, attorney, from the decision of the Board of Zoning Appeals which denied their appeal (Zoning Administrator Case No. 10884) to convert an existing 16'3" x 23'6" patio to family room attached to existing single family dwelling; family room to observe 12' rear yard, where 20' is required. Subject property is located on Lot 168, Bellaire Terrace Unit 3, at 5060 Ovid Place, between Appleton and Caywood Streets of Clairemont, in Zone R-1-5. It was reported that no written protests had been received.

No one appeared to be heard.

On motion of Councilman Morrow, said hearing was continued to Tuesday, May 2, 1972, at appellant's request.

(Item 14 - CASE NO. 11-69-4)

Considered after Item 11.

(Item 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 Meeting of March 14, 1972, at applicant's request, on the Appeal of Merle W. Porter, by David H. R. Pain, Attorney, from the decision of the Hearing Officer in upholding the decision of the Police Department denying his application for a Card Room License at 5069½ Logan Avenue. It was reported that one written protest had been received.

(Item 9 Continued)

Robert Pitman, Gene Gordon, Lt. Hoolihan, and Raymond Albright appeared to speak regarding the Appeal.

City Attorney Witt answered questions directed by the Council.

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

RESOLUTION 205202, denying the application of Mr. Merle W. Porter for a cardroom license at 5069½ Logan Avenue, San Diego.

(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 establishing an Underground Utility District to be known and denominated as the La Jolla Scenic Drive North Underground Utility District. 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 Johnson:

RESOLUTION 205203, establishing an Underground Utility District to be known and denominated as the La Jolla Scenic Drive North Underground Utility District.

(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 Application of Mrs. Frances M. Gaska for special permission to waive Underground Electrical Line Requirements in connection with the tentative subdivision map of Buena Crest Home, located northerly of the terminus of Calle Serena, southerly of Alleghany Street and easterly of Rancho Hills Drive, in the R-1-5 Zone. It was reported that no written protests had been received.

No one appeared to be heard.

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

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

RESOLUTION 205204, denying the application of Mrs. Frances M. Gaska for special permission to waive underground electrical line requirements in connection with the tentative subdivision map of Buena Crest Home.

(Item 12)

Considered after Item 6.

The following Ordinances were introduced at the Meeting of March 14, 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, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-None.

(Item 14 - CASE NO. 11-69-4)

ORDINANCE 10804 (New Series), amending Section 1 of Ordinance No. 10040 (New Series), adopted May 8, 1969, incorporating Lots 6 through 9, Block 242, University Heights into R-3 Zone as defined by Section 101.0411 of the San Diego Municipal Code.

(Item 15)

ORDINANCE 10805 (New Series), amending Chapter X, Article 1, of the San Diego Municipal Code by adding Section 101.0901 relating to restriction on reapplication for a Planned Residential Development Permit.

(Item 16)

ORDINANCE 10806 (New Series), establishing a new Parking Meter Zone, on the north side of Logan Avenue between Beardsley Street and 175 feet east of Beardsley Street. A parking time limit of two hours shall be in effect at said location between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted.

(Item 17)

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

RESOLUTION 205205, Nelson Construction Co., Inc., for construction of Callan Sewer Main from Science Park Sewer to the Callan Treatment Plant for the sum of \$31,377.69; authorizing the expenditure of \$38,500 out of Sewer Revenue Fund (506) for said construction and related costs;

RESOLUTION 205206, Griffith Company, for parking lot and service road improvements at Brown Field for the sum of \$11,701; authorizing the expenditure of \$15,000 out of Capital Outlay Fund (245) for said improvements and related costs; and

(Item 17 Continued)

RESOLUTION 205207, San Diego Pipe & Supply Co., Inc. for the purchase of parts for 12" check valves for an actual cost of \$3,911.52, including tax and terms.

(Item 18)

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

RESOLUTION 205208, furnishing and installing additional microwave equipment, in accordance with Specifications Document No. 739175;

RESOLUTION 205209, furnishing prebinding of library books for a period of one year ending June 30, 1973, in accordance with Specifications Document No. 739412; and

RESOLUTION 205210, furnishing electrical maintenance and repair materials for a period of one year ending June 30, 1973, in accordance with Specifications Document No. 739413.

(Item 100)

A proposed Resolution, continued from the Meeting of March 21, 1972, at developer's request, authorizing an Agreement with Christiana Community Builders, Inc., providing for the City to collect charges and reimburse Christiana Community Builders, Inc. for Christiana Community Building Inc.'s cost in excess of their pro rata share for the Offsite Trunk Sewer which Christiana constructed in Murphy Canyon, was returned to the City Manager, at his request, on motion of Councilman Landt.

(Item 101)

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

RESOLUTION 205211, authorizing an Agreement with Joseph W. and Frances M. Wrana for completion of improvements in Cypress Manor, a one-lot subdivision located on the north side of Cypress Avenue, easterly of Highway 163 and southerly of University Avenue; and

RESOLUTION 205212, approving the final map of Cypress Manor.

RESOLUTION 205213, authorizing an Agreement with Pardee Construction Company for completion of improvements in Mira Mesa South Unit 1, a 133-lot subdivision located on the east side of Westonhill Drive, between Mira Mesa Boulevard and Miramar Road; and

RESOLUTION 205214, approving the final map of Mira Mesa South Unit 1.

Mayor Wilson left the Chamber and Deputy Mayor Morrow took the Chair.

(Item 101 Continued)

Two proposed Resolutions, relative to approving the final subdivision map of Serbian Place, were presented.

City Attorney Witt, James McLaughlin, Community Development Department, and Chief Deputy City Attorney Conrad answered questions directed by the Council.

Norman Gohres appeared to speak regarding the proposed Resolutions.

The following Resolutions, relative to approving the final subdivision map of Serbian Place, were adopted on motion of Councilman Hitch, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Martinet, and Hitch. Nays-Councilman Bates and Deputy Mayor Morrow. Absent-Mayor Wilson.

RESOLUTION 205215, authorizing an Agreement with Velimir and Ljubinka Petakovich for completion of improvements in Serbian Place, a 10-lot subdivision located easterly of Morena Boulevard between the southwesterly terminus of Bonanza Avenue and Edison Street; and

RESOLUTION 205216, approving the final map of Serbian Place.

(Item 102)

RESOLUTION 205217, authorizing an Agreement with Baylor Construction Co., for the construction of improvements on Ruffin Road, within the limits of Mission Village Unit 23 Subdivision, and to provide for reimbursement by the City out of Gas Tax Fund 220, in an amount not to exceed \$19,928.57, was adopted on motion of Councilman Landt.

(Item 103)

RESOLUTION 205218, authorizing an Agreement with Avco Community Developers, Inc., for the construction of improvements on Bernardo Center Drive, within the limits of Bernardo Greens West Units 2, 3 and 4 Subdivisions, and to provide for reimbursement by the City out of Gas Tax Fund 220, in an amount not to exceed \$6,378.25, was adopted on motion of Councilman Landt.

(Item 104)

RESOLUTION 205219, Accepting the Work Done and authorizing a Notice of Completion in Fulton Corner Subdivision, was adopted on motion of Councilman Landt.

(Item 105)

RESOLUTION 205220, employing and appointing as Special Bond Counsel the law firm of Gray, Cary, Ames & Frye for giving an opinion on any bonds that may be issued to pay for the improvements to be made in the Calle Del Cielo Underground Utility District under the provisions of the Municipal Improvement Acts of 1911 and 1913, was adopted on motion of Councilman Williams.

(Item 106)

The following Resolutions, relative to San Diego Center Units 2 and 3 Subdivisions, were adopted on motion of Councilman Martinet:

RESOLUTION 205221, vacating San Andres Drive and a portion of Via De La Valle adjacent to said subdivisions; and abandoning slope right easements adjacent to San Andres Drive;

RESOLUTION 205222, authorizing the Mayor and City Clerk to execute a Quitclaim Deed, quitclaiming to The Owners of San Diego Center Units 2 and 3, fee title to the area of the vacated alignment of San Andres Drive and Via De La Valle, together with slope right easements adjacent to San Andres Drive; and

RESOLUTION 205223, approving the City Manager's acceptance of a Quitclaim Deed from The Owners of Record, quitclaiming to The City of San Diego, fee title to the area of the new alignment of San Andres Drive, and dedicating and naming same.

(Item 107)

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

RESOLUTION 205224, The Atchison, Topeka and Santa Fe Railway Company (street purposes) MIRAMAR ROAD; and

RESOLUTION 205225, Sherman Terry, et al. (water purposes).

(Item 108)

A proposed Resolution, continued from the Meetings of March 14 and 21, 1972, for further review on creating a Los Penasquitos Regional Park Joint City-County Citizens Advisory Committee, was continued for one week to Tuesday, April 4, 1972, for further review, on motion of Councilman Landt.

(Item 109)

RESOLUTION 205226, authorizing an Option Agreement with James P. Simpson covering the option to lease Pueblo Lots 242, 243, 259 and 311 for 18 months with right of City Manager to extend for an additional three months, for the sum of \$36,683; after all option terms have been performed and the option is exercised by the optionee, the City Manager is authorized to execute a Lease Agreement with James P. Simpson for leasing said property, for a term of 55 years for the purpose of the construction, operation and maintenance of a motel complex, was adopted on motion of Councilman Hitch.

(Item 110)

A proposed Resolution, authorizing an Option Agreement with Recreation Specialists, Inc., covering the option to lease that portion of the tidelands and submerged or filled lands of Mission Bay,

(Item 110 Continued)  
was presented.

Assistant City Manager Graham answered questions directed by the Council.

Lear Simpson and Jack Kelly appeared to speak regarding the proposed Resolution.

Councilman Johnson left the Chamber.

RESOLUTION 205227, authorizing an Option Agreement with Recreation Specialists, Inc., covering the option to lease that portion of the tidelands and submerged or filled lands of Mission Bay--formerly False Bay - and a portion of the Pueblo Lands of San Diego for one year with right of City Manager to extend for an additional six months, for the sum of \$27,500; after all option terms have been performed and the option is exercised by the optionee, the City Manager is authorized to execute a Lease Agreement with Recreation Specialists, Inc., for leasing said property, for a period of 50 years, for the purpose of the construction, operation and maintenance of a Marina Complex, was adopted on motion of Councilman Martinet.

(Item 111)

RESOLUTION 205228, authorizing an Agreement with the State of California, Department of the Youth Authority for consultant services for the purpose of conducting a survey of law enforcement programs and providing technical assistance to law enforcement agencies, was adopted on motion of Councilman Landt.

(Item 112)

Two proposed Resolutions, certifying and establishing the fair market value of land to be acquired for Encanto Heights Recreation Center and Kearny Vista Park, were presented.

Property Director MacFarlane answered questions directed by the Council.

The following Resolutions, certifying and establishing the fair market value of land to be acquired for Encanto Heights Recreation Center and Kearny Vista Park, were adopted on motion of Councilman Williams:

RESOLUTION 205229, Lot 2, Block 17, Tract 2 of Encanto Heights - \$37,250 as of April 15, 1971; vesting interest in said property is held by Robert C. Bartlett, Trustee; and

RESOLUTION 205230, portions of Pueblo Lots 1174 and 1175 - \$122,500 as of December 1, 1971; vesting interest in said property is held by William J. Cameron.

Deputy Mayor Morrow recessed the Meeting at 12:12 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:07 p.m., the roll call showed Councilmen Landt, Williams, and Morrow absent.

(Item 6 Continued)

Considered in part after Item 8.

At this time the Council received the Bond Committee's report on the bids received for the \$4,665,000 CITY OF SAN DIEGO 1966 MUNICIPAL IMPROVEMENT BONDS, SERIES 6.

The committee appointed to check and compute the bids on the bonds for which bids were opened previously during this Meeting reported that the bid of Salomon Brothers and Associates is the bid yielding the lowest net interest cost.

After considering the various bids and the report thereon, the following Resolution was adopted on motion of Councilman Hitch:

RESOLUTION 205231, entitled, "RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, AWARDING \$4,665,000 1966 MUNICIPAL IMPROVEMENT BONDS, SERIES 6 TO THE BEST RESPONSIBLE BIDDER, REJECTING ALL OTHER BIDS AND FIXING THE INTEREST RATE ON THE BONDS."

Said Resolution was adopted by the following vote: Yeas-Councilmen Johnson, O'Connor, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Landt, Williams, and Morrow.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Johnson, at 2:10 p.m.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California