

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, MARCH 30, 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 9:40 a.m.

(Item 1)

A communication from Mrs. Charles Bubb presenting to the Council a book for children of all ages, titled, "The Wonderful World of San Diego", authored by Anne Gray was presented.

Mrs. Charles Bubb appeared to speak regarding this communication.

On motion of Councilman Martinet, said communication was referred to the City Manager for recommendation.

(Item 2)

A communication from Melisa Moriarty, representing San Diego taxpayers, requesting permission to speak regarding the examination of municipal subsidies to the arts in San Diego being exploited for partisan political activities was presented.

Melisa Moriarty appeared to speak regarding this communication.

On motion of Councilman Hitch, said communication was referred to the City Attorney and City Manager for report to Council within two weeks, by April 13, 1972.

(Item 3 - CASE NO. 42-72-3)

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 2, 1972, for RV Zoning Ordinance, on the appeal of Jonathan Manor, Inc., by Jonathan W. Sapp, Vice President, from the decision of the Planning Commission in denying its application to rezone a portion of Reiner's Subdivision of Pueblo Lot 1103, located on the north side of Friars Road, between Goshen Street and Fashion Valley Road, from Zone R-1-40 to Zone CA. 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 Johnson.

(Item 3 Continued)

A proposed Ordinance, incorporating a portion of Reiner's Subdivision of Pueblo Lot 1103, into RV Zone, as defined by Section 101.0414 of the San Diego Municipal Code and repealing Ordinance No. 1947 (New Series), adopted on October 1, 1940, of the Ordinances of The City of San Diego insofar as the same conflicts 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 4 - CASE NO. 4-72-1)

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 Lot 68, Ex-Mission Lands, located west of 43rd Street, between Alpha Street and Keeler Avenue, from Zone R-4 to Zone R-1-5. 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 Landt.

A proposed Ordinance, incorporating a portion of Lot 68, Ex-Mission Lands, 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 on November 14, 1932, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith, 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 5 - CASE NO. 27-72-1)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the matters of: a - Appeal of Perry D. Edson, Inc., et al, by Paul A. Peterson, attorney, from the decision of the Planning Commission in denying their application to rezone a portion of Lot 29, Horton's Purchase of Ex-Mission Lands (portion of Wright Brothers Secondary School), located on the southwest corner of Euclid Avenue and State Highway 94, from Zone R-1-5 to Zone CO, b - Appeal of Perry D. Edson, Inc., by Paul A. Peterson, attorney, from the decision of the Planning Commission denying the application of Perry D. Edson, Henry L. and Sylvia Wilson, and Agnes Synek, owners, and Shell Oil Company, permittee, under Conditional Use Permit Case No. 331-PC, to construct and operate a service station with accessory sales, located on the west side of Euclid Avenue, between State Highway 94 and Hilltop Drive, on a portion of Lot 29, Horton's Purchase of Ex-Mission Lands, in the R-1-5 (proposed CO) Zone. It was reported that no written protests had been received.

Ken Klein, Planning Department, and John Fowler, Community Development Department, answered questions directed by the Council.

(Item 5 Continued)

Attorney Paul Peterson, representing appellant, Ellsworth Pryor, and Sam Miller appeared to speak in favor of the appeal.

A motion made by Councilman Martinet to close the hearing, grant the appeal, overruling the Planning Commission, introduce the Ordinance for CO Zoning, and continue Item 5b for one week, to April 6, 1972, for Planning Department's recommendation failed by the following vote: Yeas-Councilmen Morrow, Martinet, and Hitch. Nays-Councilmen Johnson, O'Connor, Landt, Williams, Bates, and Mayor Wilson. Absent-None.

Due to the fact that the Council were unable to obtain the five votes necessary to introduce an Ordinance for CO Zoning, the Planning Commission's decision to deny CO Zoning took priority.

The hearing was closed and the following Resolution adopted on motion of Councilman Martinet, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Bates, and Mayor Wilson. Nays-Councilmen Martinet and Hitch. Absent-None:

RESOLUTION 205232, denying the appeal of Perry D. Edson, Inc., by Paul A. Peterson, attorney, and upholding the decision of the Planning Commission denying Conditional Use Permit No. 331-PC.

Mayor Wilson recessed the Meeting at 10:42 a.m. Upon reconvening at 11:05 a.m., the roll call showed Councilmen Williams and Morrow absent.

Councilmen Williams and Morrow entered the Chamber.

(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 Home Owners-Laurie Lane, Laurel Street, 44th Street and Highland Avenue, by Terry J. Barrett, from the decision of the Planning Commission in approving the application of C & W Properties, owner/permittee, under Land Conservation Permit No. 6, to develop property located on the west side of Laurie Lane, between Laurel Street and Home Avenue, more particularly described as Lots 13 through 16, Block 19, Swan's Addition, in the R-4 (IC Overlay) Zone. It was reported that no written protests had been received.

Ken Klein, Planning Department, Chief Deputy City Attorney Conrad, and John Fowler, Community Development Department, answered questions directed by the Council.

Mrs. Reed appeared to speak in favor of the appeal.

Councilman Williams left the Chamber.

(Item 6 Continued)

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

RESOLUTION 205233, denying the appeal of Home Owners-Laurie Lane, Laurel Street, 44th Street and Highland Avenue, by Terry J. Barrett, and granting to C & W Properties, Permittee, Land Conservation Permit No. 6.

On motion of Councilman Bates, the Planning Department was directed to investigate rezoning R-4 properties to a lower density in the area bounded by Fairmount, Maple, and Home, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Morrow, Martinet, Bates, and Mayor Wilson. Nays-Councilman Hitch. Absent-Councilman Williams.

(Items 7 through 103)

Considered after Item 106.

(Item 104)

A proposed Resolution, accepting the petition and initiating the formation of San Diego Park District No. 5 (Standley Park) pursuant to the San Diego Park District Procedural Ordinance of 1969; directing the City Manager to prepare the necessary plans, plat and estimates, was continued for two weeks, to April 13, 1972, at City Manager's request, on motion of Councilman Johnson.

(Item 105)

Considered after Item 103.

(Item 106)

Considered after Item 107.

(Item 107)

A proposed Resolution, authorizing an Agreement with Lykos and Goldhammer for professional services in connection with the construction of Standley Park Recreation Center; authorizing the expenditure of \$33,100 from Park and Recreation Bond Fund 725 for said purpose and related costs, was continued for two weeks, to April 13, 1972, at City Manager's request, on motion of Councilman Johnson.

(Item 106)

A proposed Resolution, continued from the Meetings of February 3 and March 2, 1972, at City Manager's request, authorizing an Agreement with The Regents of The University of California for the leasing of approximately 800 acres of submerged lands adjoining San Diego-

(Item 106 Continued)

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 one week, to April 6, 1972, at City Manager's request, on motion of Councilman Johnson.

Mayor Wilson recessed the Meeting at 11:56 a.m., into executive session on possible litigation to reconvene at 2:00 p.m.

Upon reconvening at 2:08 p.m., the roll call show Councilman Williams absent.

(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 the appeals of Kathleen M. Massa, Barbara R. Jones, and others, from the decision of the Planning Commission which granted the appeal of Mr. and Mrs. Willie C. Harvison, owners, and overruled the decision of the Planning Director in denying the Preliminary Parcel Map for a two-parcel division of Lot 29, Vista Bahia Unit 1, located on the north side of the intersection of Morena Boulevard and McGraw Street. It was reported that no written protests had been received.

Chief Deputy City Attorney Conrad, Ken Klein, Planning Department, and John Fowler, Community Development Department, answered questions directed by the Council.

Attorney Alex Harper, representing Mr. and Mrs. Harvison, appeared to speak in opposition to the appeals.

Attorney Nelson Millsberg, Mrs. Robert Steed, and Mary Alice Kraft appeared to speak in favor of the appeals.

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

RESOLUTION 205234, granting the appeals of Kathleen M. Massa, Barbara R. Jones, and others, from the decision of the Planning Commission in approving the preliminary parcel map for a two-parcel division of Lot 29, Vista Bahia Unit 1, and denying said parcel map.

The following Ordinances were introduced at the Meeting of March 16, 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, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Williams:

(Item 8 - CASE NO. 42-72-4)

ORDINANCE 10807 (New Series), incorporating a portion of Lot 31, Partition of Rancho Mission, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code and repealing Ordinance No. 8411 (New Series), adopted December 27, 1960, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith. It was reported that park fees have been paid.

(Item 9 - CASE NO. 41-71-5)

ORDINANCE 10808 (New Series), incorporating portions of Lots 23, 24, and 29, Rosedale Tract, into CA-S Zone, as defined by Section 101.0428 of the San Diego Municipal Code and repealing Ordinance No. 8129 (New Series), adopted on June 11, 1959, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith.

(Item 10 - CASE NO. 49-72-3)

ORDINANCE 10809 (New Series), incorporating a portion of Lot 1, San Carlos Church Site No. 1, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code, and repealing Ordinance No. 8129 (New Series), adopted June 11, 1959, of the Ordinances of The City of San Diego, insofar as the same conflicts herewith.

(Item 11 - CASE NO. 45-69-3)

A proposed Ordinance, amending Section 1 of Ordinance No. 10035 (New Series) adopted May 8, 1969, as amended by Ordinance No. 10658 (New Series), adopted August 17, 1971, incorporating a portion of Rancho San Bernardo, into A-1-1 Zone as defined by Section 101.0404 of the San Diego Municipal Code - extension of time to December 7, 1972, was presented.

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

On motion of Councilman Landt, said proposed Ordinance was introduced by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Williams.

(Item 12 - CASE NO. 27-66-2)

A proposed Ordinance, amending Section 1 of Ordinance No. 9551 (New Series), adopted December 8, 1966, as amended by Ordinance No. 9951 (New Series), adopted January 21, 1969, amended by Ordinance No. 10226 (New Series), adopted February 3, 1970, amended by Ordinance No. 10475 (New Series), adopted December 31, 1970, incorporating a portion of Block 19, and all of Block 20,

(Item 12 Continued)

Marilou Park, into M-1A Zone, as defined by Section 101.0436 of the San Diego Municipal Code - extension of time to January 8, 1973, was presented.

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

On motion of Councilman Landt, said proposed Ordinance was introduced by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Williams.

(Item 13)

A proposed Ordinance, allowing an extension of time from 60 days to 360 days for the commencement of construction on residential building permits previously issued in Mira Mesa, was presented.

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

Mrs. Jurene Luth, Chuck Glenn, Donna Hawn, Deanna Robinson, and Philip Henry appeared to speak in opposition to the proposed Ordinance.

Attorney Norman Seltzer appeared to speak in favor of the proposed Ordinance.

Councilman Johnson made a motion to continue said proposed Ordinance for two weeks, to April 13, 1972. No vote was taken at this time.

By common consent, this item was considered with Item 102 later in the Meeting.

(Considered after Item 113.)

Mayor Wilson recessed the Meeting at 3:47 p.m. Upon reconvening at 3:58 p.m., the roll call showed Councilman Williams absent.

(Item 14)

A proposed Ordinance, establishing a new Parking Meter Zone "B", on the south side of Adams Avenue between Idaho Street and Oregon Street, with a parking time limit of two hours to be in effect at said location between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, was introduced on motion of Councilman Landt, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Williams.

(Item 15)

A proposed Ordinance, establishing a new Parking Meter Zone "B", on the north side of Walnut Avenue between Third Avenue and alley west, with a parking time limit of two hours to be in effect at said location between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, was introduced on motion of Councilman Landt, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Morrow, Martinet, Hitch, Bates, and Mayor Wilson.

(Item 15 Continued)

Nays-None. Absent-Councilman Williams.

(Item 16)

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

RESOLUTION 205235, Farmac Pipeline, Inc., for the construction of Sewer & Water Main Replacement - Group 9, Nimitz Boulevard Drainage Basin - Phase I, for the sum of \$198,845.20; authorizing the expenditure of \$36,000 out of Water Revenue Fund (502) and \$224,000 out of Sewer Revenue Fund (506) for said construction and related costs;

RESOLUTION 205236, authorizing the use of City forces to do all the work of placing highline and make necessary connections where required in connection with the construction of Sewer & Water Main Replacement - Group 9, Nimitz Boulevard Drainage Basin - Phase I;

RESOLUTION 205237, Ballard Williams for the construction of Fern Street Storm Drain for the sum of \$26,820; authorizing the expenditure of \$31,500 out of Flood Control and Storm Drain Bond Fund (727) for said construction and related costs; and

RESOLUTION 205238, Spitz Laboratories, Inc., for the design, fabrication, and installation of the Projection Screen/Dome Structure Option A (1) for the San Diego Hall of Science & Planetarium Balboa Park, for the sum of \$106,100; authorizing the expenditure of \$116,710 out of Planetarium Bond Fund (920) for said purpose and related costs.

(Item 17)

RESOLUTION 205239, awarding a contract to Ameron Pipe Products for the purchase of centrifugally spun reinforced concrete pipe and manhold components for a period of one year, ending March 31, 1973, for an actual cost of \$33,800, including tax and terms, was adopted on motion of Councilman Landt.

(Item 18)

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

RESOLUTION 205240, furnishing cotton wiping rags, Class 1, mixed colors, for a period of one year, ending April 30, 1973, in accordance with Specifications Document No. 739442;

RESOLUTION 205241, construction of safety lighting system on University Avenue between College Avenue and 69th Street, in accordance with Specifications Document No. 739443;

RESOLUTION 205242, construction of Academy Street Storm Drain, in accordance with Specifications Document No. 739444;

RESOLUTION 205243, landscape development of North Torrey Pines Road between Genesee Avenue and La Jolla Village Drive, in accordance with Specifications Document No. 739445; and

RESOLUTION 205244, construction of Water Main Replacement Group 188 - North Park area, in accordance with Specifications Document No. 739446.

(Item 100)

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

RESOLUTION 205245, authorizing an Agreement with Robert O. and Audrey D. Curran, Robert E. and Hazel M. Delaval, Thomas P. and Jane Golden, John J. and Marian Wells, and Hodge Bros. for completion of improvements in International Industrial Park, a one-lot subdivision located on the south side of Interstate 5, westerly of Cottonwood Road;

RESOLUTION 205246, approving the final map of International Industrial Park;

RESOLUTION 205247, authorizing an Agreement with Saratoga Development Corporation, Joe G. Binswanger, and Arthur and Berneice J. Burgess for the completion of improvements in Mission Gardens Annex, a two-lot subdivision located southerly of Mission Gorge Road at the termination of Princess View Drive;

RESOLUTION 205248, approving the final map of Mission Gardens Annex;

RESOLUTION 205249, authorizing an Agreement with Penasquitos, Inc., for completion of improvements in University Village Unit 10, an 87-lot subdivision located northerly of Gullstrand Street, easterly of Governor Drive; and

RESOLUTION 205250, approving the final map of University Village Unit 10.

(Item 101)

RESOLUTION 205251, accepting the work done and authorizing a Notice of Completion in Alcala Knolls Unit 3 subdivision, was adopted on motion of Councilman Hitch.

(Item 102)

Considered after second part of Item 13.

(Item 103)

RESOLUTION 205252, instructing the Planning Commission to conduct public hearings, at the earliest practicable time, aimed at formulating appropriate ratios between the mass of structures and site size, was adopted on motion of Councilman Landt.

(Item 104)

Considered after Item 6.

(Item 105)

The following Resolutions, relative to Weed and Litter Abatement, were adopted on motion of Councilman Morrow:

RESOLUTION 205253, declaring that there are weeds, rubbish, refuse and dirt existing upon certain streets, sidewalks and private property in The City of San Diego which constitute a public nuisance and declaring the intention of the Council to order the abatement

(Item 105 Continued)
of same; and

RESOLUTION 205254, inviting bids for Weed and Litter Abatement, in accordance with Specifications Document No. 739414.

(Item 106)

Considered after Item 107.

(Item 107)

Considered after Item 104.

(Item 108)

RESOLUTION 205255, authorizing a Service Contract with Dr. Rolfe Schulze for providing 60 hours of training for Police Officers on the subject of socio-economic causes of unrest at \$30 per hour, was adopted on motion of Councilman Bates.

(Item 109)

RESOLUTION 205256, authorizing a Service Contract with Dr. Javad Imami for providing 80 hours of training in psychology for Police Officers at \$25 per hour, was adopted on motion of Councilman Johnson.

(Item 110)

A proposed Resolution, authorizing the City Manager to file an application with the Department of Housing and Urban Development for a Grant of \$569,350 under the Open Space Land Program (Legacy of Parks) for the acquisition and development of open space lands for park purposes; this application covers the acquisition and development of twelve sites, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 205257, authorizing the City Manager to file an application with the Department of Housing and Urban Development for a Grant of \$569,350 under the Open Space Land Program (Legacy of Parks) for the acquisition and development of open space lands for park purposes; this application covers the acquisition and development of twelve sites, was adopted on motion of Councilman Landt.

(Item 111)

RESOLUTION 205258, authorizing the use of City forces to do the necessary work for protection work and dredging to preserve the shoreline of Mission Bay, pursuant to City Manager's recommendation and submission of estimates; authorizing the expenditure of \$66,000 out of Capital Outlay Fund 245 for said purpose, and supplementing Resolution 203794 in this amount, was adopted on motion of Councilman Hitch.

(Item 112)

RESOLUTION 205259, authorizing the City Auditor and Comptroller to transfer within the 100 Fund \$42,958, consisting of \$19,900 from the Unallocated Reserve (53.30) and \$23,058 from Youth Employment Program (44.19), to the Human Resources Department (05.00) for the purpose of establishing an operating budget for the Human Resources Department for the balance of the fiscal year 1971-72, was adopted on motion of Councilman Johnson.

(Item 113)

The following Resolution was adopted as amended by striking the dates 28 and 30, on motion of Councilman Johnson:

RESOLUTION 205260, excusing Councilman Leon L. Williams from Council meetings of March 9, 16, 22 and 23, 1972.

(Item 13)

Considered in part after Item 12.

City Manager Moore and Gene Meier, Inspection Department, answered questions directed by the Council.

A motion made by Councilman Johnson to continue said proposed Ordinance for two weeks, to April 13, 1972, failed by the following vote: Yeas-Councilmen Johnson and Morrow. Nays-Councilmen O'Connor, Landt, Martinet, Hitch, Bates, and Mayor Wilson. Absent-Councilman Williams.

The following Ordinance was passed on the day of its introduction, to-wit, March 30, 1972, said Ordinance being of the kind and character authorized for passage on introduction by Section 16 of the Charter.

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 its passage a written or printed copy of said Ordinance.

ORDINANCE 10810 (New Series), temporarily allowing an extension of time, from 60 days to one year, for the commencement of construction on residential buildings covered by building permits issued in Mira Mesa since January 1, 1972, was adopted on motion of Councilman Hitch, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Williams.

(Item 102)

RESOLUTION 205261, directing the Planning Commission to review and update the Mira Mesa Community Plan, and to incorporate and establish a phased implementation plan and financing program which will insure adequate public facilities and services at time of their need, 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 Bates, at 4:25 p.m.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California