

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, DECEMBER 12, 1972
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Johnson, O'Connor, Landt, Williams, Hitch, and
Mayor Wilson.

Absent--Councilmen Morrow, Martinet, and Bates.

Clerk---Edward Nielsen.

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

Councilman Bates entered the Chamber.

(Item 1)

Mayor Wilson introduced Bishop Kenneth B. Batson, 8th Ward of the
Church of Jesus Christ of the Latter Day Saints, who gave the Invocation.

(Item 2)

Councilwoman O'Connor led the Pledge of Allegiance.

(Item 3)

Mayor Wilson welcomed twenty students from La Jolla Country Day
School, accompanied by Mrs. Moreen Fielden.

Councilman Johnson addressed the group.

(Item 4)

Mayor Wilson welcomed forty-five students from Christian High School
of San Diego, accompanied by Mr. Todd Zickert.

Councilman Landt addressed the group.

(Item 5)

Minutes of the Adjourned Regular Meetings of Friday, November 24,
Tuesday, November 28, and Thursday, November 30, 1972, to December 5 were
presented by the City Clerk.

On motion of Councilman Johnson, said Minutes were approved without
reading, after which they were signed.

(Item 6)

A communication from Hoyt Ray, City Retired Employees, requesting
permission to address the Council regarding reconsideration of petition
of May 31, 1972, relative to pension increase of general retirees,
was presented.

(Item 6 Continued)

Hoyt Ray appeared to speak regarding said communication.

On motion of Councilman Hitch, said communication was referred to the Retirement Board and the City Auditor for report and recommendation back to Council.

(Item 7)

A communication from Herbert L. Hayes requesting permission to address the Council regarding unfair employment practices of the City in administering U.S. Department of Housing and Urban Development Programs, was presented.

Herbert L. Hayes and Attorney David Kroll appeared to speak regarding said communication.

On motion of Councilman Hitch, said communication was referred to the City Manager and Personnel Director for report back to Council within one week.

There were no requests for continuances.

The Council considered the Consent Agenda, which consisted of Items 15, 16, 17, 18, 100, 103, 104, 105, 106, 108, and 109.

(Item 15)

RESOLUTION 207029, awarding a contract to H & H Contractors, Inc. for the construction of compressed air system extension, operations kiosk and miscellaneous remodeling for the sum of \$15,150; authorizing the expenditure of \$17,000 out of Transit Central Operating Facility Fund 2572 for said purpose and related costs, was adopted on motion of Councilman Landt.

(Item 16)

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

RESOLUTION 207030, Management Science America, Inc. for the purchase of an inventory control and purchasing system software for an actual cost of \$12,600, including terms; authorizing the City Auditor and Comptroller to allocate \$12,600 from Stores Revolving Fund 520 for this purpose;

RESOLUTION 207031, Krasne's, Inc. for the purchase of 90 police revolvers, for an actual cost of \$5,323.22, including tax and terms;

RESOLUTION 207032, Shanks & Wright, Inc. for the purchase of radio tube requirements as may be required for a period of one year ending November 30, 1973, at an estimated cost of \$4,800, with option to renew contract for an additional year; and

(Item 16 Continued)

RESOLUTION 207033, San Diego Pipe & Supply Co. for the purchase of 4,800 feet of 3/4" copper tubing, for an actual cost of \$4,194.06, including tax and terms.

(Item 17)

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

RESOLUTION 207034, furnishing Balboa Park signs, in accordance with Specifications Document No. 742060; and

RESOLUTION 207035, construction of street lighting systems on Sunset Cliffs Boulevard between Del Mar Avenue and Bermuda Avenue, in accordance with Specifications Document No. 742061.

(Item 18)

RESOLUTION 207036, authorizing the Purchasing Agent to advertise for sale and sell 10 vehicles from Fire Department and 60 vehicles from Public Works Department no longer needed or desirable for use by the City, was adopted on motion of Councilman Landt.

(Item 100)

The following Resolutions, accepting the work done and authorizing a Notice of Completion in the following subdivisions, were adopted on motion of Councilman Landt:

RESOLUTION 207037, Paradise Dell; and

RESOLUTION 207038, Vista de Miguel Unit 4.

(Item 103)

RESOLUTION 207039, setting aside an easement for drainage purposes affecting a portion of Pueblo Lot 1190, was adopted on motion of Councilman Landt.

(Item 104)

RESOLUTION 207040, authorizing the sale by negotiation of Lots 3 through 7, Block 85 of City Heights to Henry H. and Norma J. King for the sum of \$35; authorizing the execution of a Quitclaim Deed, quitclaiming to Henry H. and Norma J. King said property for sewer purposes, was adopted on motion of Councilman Landt.

(Item 105)

RESOLUTION 207041, approving the acceptance by the City Manager of a deed from Title Insurance and Trust Company (street purposes) MIRAMAR ROAD, was adopted on motion of Councilman Landt.

(Item 106)

RESOLUTION 207042, approving the acceptance by the City Manager of a deed from Locdel, Inc. (street purposes) NORSTAD STREET; authorizing the expenditure of \$50 from Capital Outlay Fund 245 for providing funds to cover all acquisition costs necessary to acquire said property, was adopted on motion of Councilman Landt.

(Item 108)

RESOLUTION 207043, authorizing a First Amendment to Agreement with Alfredo Larin, AIA, Architect, for providing professional services in the design and construction of Silverwing Park; authorizing the expenditure of \$9,300 from Capital Outlay Fund 245 for said services and related expenses, was adopted on motion of Councilman Landt.

(Item 109)

RESOLUTION 207044, authorizing a First Amendment to Agreement with Linesch and Associates, Landscape Architects and Environmental Planners, for architectural and engineering services in connection with Balboa Park Improvements III (Omni III); authorizing the expenditure of \$18,000 from Park and Recreation Bond Fund 725 for said services and related expenses, was adopted on motion of Councilman Landt.

(Item 8)

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 June 22, September 21, October 5, and December 5, 1972, for notification of appellant, on the appeal of Park North-East Association from the decision of the Planning Commission approving the application of C & G Homes, owner/permittee, under Planned Residential Development Permit No. 50, to construct and operate a 54-unit planned residential development on a 9.6 acre site, located north of Cedar Street, between Whaley Avenue and Gregory Street, in portions of Pueblo Lots 1139 and 1140; Lots 1, 2 and 3, Block 8, Lots 1 through 7, Block 9, Lots 1, 2 and 3, Block 10, Lots 1 and 2, Block 11, Ravena Park No. 1, in the R-2 (LC Overlay) Zone. It was reported that one communication in favor had been received.

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

No one appeared to be heard.

On motion of Councilman Bates, said hearing was continued for three months, to Tuesday, March 13, 1973, for E.I.R.

(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 Mrs. Elaine C. Bradley from the decision of the Planning Commission in approving the application of Standard Oil Company of California, owner/permittee, for

(Item 11 Continued)

a Conditional Use Permit Case No. 369-PC, to construct and operate a gasoline service station with car wash and accessory sales, located on the north side of El Cajon Boulevard, between 54th and Berting Streets, being a portion of Lot 1, Lemon Villa, in the C Zone. It was reported that one protest had been received.

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

Dr. Norman Mann and Tom Thatcher appeared to speak regarding a continuance.

On motion of Councilman Johnson, said hearing was continued for two months, to Tuesday, February 6, 1973, for E.I.R.

(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 vacating Road Survey 1129 (Main Street), between East Olive Avenue and I-805, and the Alley adjacent to Lot L and Lots 82 through 86, San Ysidro - Resolution of Intention 206950. It was reported that no written protests had been received.

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

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

RESOLUTION 207045, vacating Road Survey 1129 (Main Street), between East Olive Avenue and I-805, and the Alley adjacent to Lot L and Lots 82 through 86, San Ysidro.

(Item 101)

RESOLUTION 207046, authorizing an agreement with Pacific Southwest Realty Company in which City relinquishes a sewer main in a vacated street (Road Survey 1129 - Main Street), sewer main to be maintained at said company's expense in the future, was adopted on motion of Councilman Landt.

Mayor Wilson recessed the Meeting at 10:39 a.m. Upon reconvening at 10:56 a.m., the roll call showed Councilmen Morrow and Martinet absent.

(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 College Avenue (El Cajon Boulevard to University Avenue) Underground Utility District. It was reported that no written protests had been received.

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

Dr. Harold Tower appeared to speak in opposition to establishment of said Underground Utility District.

(Item 10 Continued)

Jack Irwin appeared to speak in favor of establishment of said Underground Utility District.

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

RESOLUTION 207047, establishing an Underground Utility District to be known and denominated as the College Avenue (El Cajon Boulevard to University Avenue) Underground Utility District.

(Item 12 - P.M. 72-266)

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 Betty R. Iest from the decision of the Planning Commission in sustaining the decision of the Planning Director in denying the Preliminary Parcel Map for a two-parcel division of Lots 4 and 5, Block 2, Golden Park, located on the south side of Lucinda Street, between Golden Park Avenue and Harbor View Place, in the R-1-5 Zone. It was reported that a petition and one letter in favor had been received.

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

No one appeared to be heard.

On motion of Councilman Johnson, said hearing was filed.

(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 appeal of Vernon E. and Lucy E. Mardock from the decision of the Board of Zoning Appeals which denied their appeal (Zoning Administrator Case No. 11449) to maintain a residential patio addition to existing single family dwelling; posts observe a 2' interior side yard at closest point and eaves 1' interior side yard where a 4' interior side yard for posts and 2'6" interior side yard for eaves is required. Subject property is located on Lot 5, Block 7, Lexington Park, at 4122 Arbor Vitae Drive, in the R-2 Zone. It was reported that no written protests had been received.

Jim Herrick, Assistant Zoning Administrator, and Elwood Logan, Building Inspector, answered questions directed by the Council.

Bernard Greenberg appeared to speak in favor of the appeal.

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

RESOLUTION 207048, denying the appeal of Vernon E. and Lucy E. Mardock for a variance, upholding the decision of the Board of Zoning Appeals.

(Item 14)

The following proposed Ordinances, relative to building permits, were introduced on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Morrow and Martinet:

a - providing that building permits issued during the period August 1, 1972, through May 31, 1973, not expire until October 1, 1973, if commencement of work is delayed pending determination by the San Diego Coast Regional Commission of an application for a development permit, pursuant to Sections 27104 and 27400 of the California Public Resources Code; and

b - amending Chapter IX, Article I of the San Diego Municipal Code by amending Section 91.02.0302, relating to the 1970 Edition of the Uniform Building Code.

(Item 102)

RESOLUTION OF INTENTION 207049, electing to proceed under the provisions of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate Lee, Boundary, Louret and Anita Avenues and portions of Marian, Charles and Alamitos Avenues and fixing a time and place for hearing thereof, was adopted on motion of Councilman Landt.

(Item 107)

The following Resolution, continued from the Meeting of December 5, 1972, for further review, was adopted on motion of Councilwoman O'Connor:

RESOLUTION 207050, confirming the appointment of the following persons by the Mayor to the Model Cities Citizen Advisory Board for a term ending December 31, 1972, to fill vacancies caused by resignations:

Appointment

Charles E. Reid
Miss Sylvia Smith
Rev. Raymond E. Lynn

Member Replaced

George L. Stevens
Tom Johnson
Judge Earl Gilliam

(Item 110)

A proposed Resolution, authorizing and directing the City Auditor to transfer from General Fund 100, Unallocated Reserve, the sum of \$18,096 to the Building Department's personal expense and nonpersonal expense accounts for providing funding for the remainder of Fiscal 1973, a new program of inspecting existing buildings for structural safety, was presented.

City Manager Moore answered questions directed by the Council.

On motion of Councilman Landt, said proposed Resolution was continued for two weeks, to Tuesday, December 26, 1972, at City Manager's request.

At 11:54 a.m., Mayor Wilson recessed the Meeting into Executive Session to discuss pending Litigation, the Meeting to be resumed at 2:00 p.m.

Upon reconvening at 2:22 p.m., the roll call showed Councilmen Williams, Morrow, and Martinet absent.

(Item 111)

The Model Cities Staff Report, continued from the Meeting of December 5, 1972, due to lack of time, was presented by Clarence Pendleton, Director of Model Cities, and Richard Juarez.

Councilman Williams entered the Chamber.

(Item 111 Continued)

City Manager Moore answered questions directed by the Council. On motion of Councilman Bates, said Report was accepted.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Landt, at 3:20 p.m.

Deputy Bob Martinet

Mayor of The City of San Diego, California

ATTEST:

Edward Nielsen

City Clerk of The City of San Diego, California