

ADJOURNED REGULAR MEETING OF THE COUNCIL OF THE  
CITY OF SAN DIEGO, CALIFORNIA  
FRIDAY, JANUARY 26, 1973, HELD IN LIEU OF THURSDAY, JANUARY 25, 1973  
IN MEMORIAM FOR FORMER PRESIDENT LYNDON BAINES JOHNSON  
HELD TUESDAY, JANUARY 30, 1973  
- AND -  
REGULAR MEETING OF TUESDAY, JANUARY 30, 1973  
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 Adjourned Regular Meeting of Friday,  
January 26, 1973 and the Regular Meeting of Tuesday, January 30, 1973,  
to order at 9:39 a.m.

It was reported that this Adjourned Regular Meeting of Friday,  
January 26, 1973 had been adjourned to this time by the City Clerk.

The Clerk reported that copies of the Notice of Adjournment  
covering adjournment of this Meeting from Friday, January 26, 1973,  
to 9:30 a.m., Tuesday, January 30, 1973, had been posted as required  
by law, and the Notices of Adjournment had been mailed as required  
by law, and that the proper Certificates of Posting and Mailing  
are on file.

(Item 1 - docket of Tuesday, January 30, 1973)

Mayor Wilson introduced Reverend Frederick Gorka, OFM Conv.,  
St. Didacus Church, who gave the Invocation.

(Item 2 - docket of Tuesday, January 30, 1973)

Councilman Morrow led the Pledge of Allegiance.

The Council at this time considered the docket for Thursday,  
January 25, 1973.

(Item 1)

Thirty-five students from Memorial Adult School, accompanied by  
Mr. Claude Baker, were unable to attend the Meeting.

(Item 2)

A communication from Sarah M. Persley, requesting approval of a Resolution to declare June 12, 1973 to July 3, 1973 as Philippine Independence Celebration, and the use of Balboa Park facilities for the celebration, was presented. (Filipino American Organizations Coalition Delfin Labao, President of the Philippine-American Community of San Diego County, Inc., appeared to speak regarding said communication. On motion of Councilman Hitch, said communication was referred to the City Manager for a report back to the Filipino American Organizations Coalition and to the Council.

There were no requests for continuances.

(Item 102)

A proposed Resolution, continued from the Meeting of January 18, 1973, for further review, directing the Planning Commission to conduct a public hearing on a proposed revision of Municipal Code Section 101.0701 to eliminate identification of real estate brokers by name, address or telephone number on any sign displayed in the R-1 and R-2 Zones of the area covered by the aforementioned Municipal Code Section, was filed on motion of Councilman Johnson.

(Item 108)

A proposed Resolution, removing certain parking prohibitions at various street locations within the City; rescinding Resolutions 149612, 172032, and 179268, was presented. A motion made by Councilman Landt to amend the Resolution by deleting reference to Balboa Drive passed unanimously.

The Council considered the Consent Agenda, which consisted of Items 7, 8, 100, 101, 104, 105, 106, 107, 108, and 109.

(Item 7)

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

RESOLUTION 207262, Mr. Z Landscape for the construction of Vista Terrace Park - Multipurpose Sports Field, for the sum of \$29,269, including the base bid and Additive Alternates "A", "B" and "C"; authorizing the expenditure of \$38,000 out of Capital Outlay Fund (245) for said purpose and related costs;

RESOLUTION 207263, Electric Supplies Distributing Co. for the purchase of lamps as may be required for a period of one year ending December 31, 1973 at a discount of 60% from list price on "large lamps" and a 59% discount from list price on "photo lamps", the estimated cost to the City of \$70,000, including tax and terms. Joint Bid by City, County and Port District;

(Item 7 Continued)

RESOLUTION 207264, Dixieline Lumber Co. and C. H. Benton, Inc. for the purchase of paints and thinners as may be required for a period of one year ending December 31, 1973 for an actual estimated cost of \$14,101.90.

(Item 8)

RESOLUTION 207265, inviting bids for furnishing Group Life Insurance for the Employees of the City for the period of one year commencing March 30, 1973, in accordance with Specifications Document No. 742433, was adopted on motion of Councilman Landt.

(Item 100)

The following Resolutions, relative to the final subdivision map of Bahia Vista Terrace, were adopted on motion of Councilman Landt:

RESOLUTION 207266, authorizing an agreement with C & G Homes, Inc. for completion of improvements in Bahia Vista Terrace, a 120-lot subdivision located easterly of Euclid Avenue, between Plaza Boulevard and Alleghany Street, at the southerly terminus of Olive Avenue;

RESOLUTION 207267, approving the final map of Bahia Vista Terrace; and

RESOLUTION 207268, authorizing an agreement with C & G Homes, Inc. for completion of improvements on Reo Drive, within the limits of said subdivision, and to provide for reimbursement by the City out of Gas Tax Funds, in an amount not to exceed \$11,062.

(Item 101)

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 207269, Altamont Unit 1;

RESOLUTION 207270, Diamond Point Unit 2; and

RESOLUTION 207271, Mira Mesa Verde Unit 2.

(Item 104)

RESOLUTION 207272, authorizing an agreement with Stanford Research Institute for consultant services in connection with the design phase of the Comprehensive Management Planning Project for a period of three months ending April, 1973, was adopted on motion of Councilman Landt.

(Item 105)

RESOLUTION 207273, authorizing an agreement with the State of California, Business and Transportation Agency, Office of Traffic Safety, for upgrading of the Police Ambulance Program; authorizing the City Auditor and Comptroller to transfer from Unallocated Reserve (53.30) to the Police Department (15.21) the sum of \$7,700 for said purpose, was adopted on motion of Councilman Landt.

(Item 106)

RESOLUTION 207274, authorizing an agreement with Christiana Community Builders, Inc. providing for City to collect charges and reimburse said builders for their cost in excess of their pro rata share for the offsite trunk sewer which said builder must install to serve their development as well as adjacent areas, was adopted on motion of Councilman Landt.

(Item 107)

RESOLUTION 207275, authorizing a Seventh Amendment to Agreement among the cities of Chula Vista and San Diego, the Montgomery Sanitation District, and the County of San Diego for the construction, operation and use of sewers, was adopted on motion of Councilman Landt.

(Item 108)

Previously amended earlier in the Meeting.

RESOLUTION 207276, removing certain parking prohibitions at various street locations within the City; rescinding Resolutions 149612, 172032, and 179268 was adopted, as amended, on motion of Councilman Landt.

(Item 109)

RESOLUTION 207277, approving the revised Resident Employment Plan; authorizing the City Manager to submit said plan to the Department of Housing and Urban Development, was adopted on motion of Councilman Landt.

(Item 3 - CASE NO. 42-72-18)

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 Lot 4, Friars Road Subdivision, located on the east side of Mission Center Road, south of Mission Center Court, from Zone CA to Zone CO. It was reported that no written protests had been received.

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

Donald Sammis appeared to speak in favor of the proposed rezoning. The hearing was closed on motion of Councilman Landt.

A proposed Ordinance, incorporating a portion of Lot 4, Friars Road Subdivision, into CO Zone, as defined by Section 101.0423 of the San Diego

(Item 3 Continued)

Municipal Code, and repealing Ordinance No. 10578 (New Series), adopted May 13, 1971, 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, and Mayor Wilson. Nays-Councilman Bates. Absent-None.

(Item 4 - CASE NO. 33-72-5)

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 Lots 2 through 20, Block 13, Grantville, located on the south side of Ranier Avenue, between Riverdale Street and Mission Gorge Road, from Zones C and M-1 to Zones C-1S, M-1B, M-1A, or any combination thereof. 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 Hitch.

A proposed Ordinance, incorporating Lots 2 through 20, Block 13, Grantville, into C-1S and M-1B Zones, as defined by Sections 101.0430 and 101.0435.2, respectively, of the San Diego Municipal Code, and repealing Ordinance No. 7226 (New Series), adopted December 27, 1956, of the Ordinances of The City of San Diego insofar as the same conflicts herewith, was introduced on motion of Councilman Hitch, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-None.

(Item 5)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the proposed Amendment to the Mira Mesa Community Plan to provide for a phased development plan and financing program, and also a more clear identification of plan goals and objectives, exclusion of land use proposals for areas of the community lying within Sound Zone 3 of the Miramar Naval Air Station flight pattern, expansion of areas in the plan designated for open space particularly within the western portion, and inclusion of a more balanced transportation system which recommends consideration of transit and a bikeway circulation system. The Community Plan encompasses approximately 10,700 acres lying easterly of I-5 and southerly of Los Penasquitos Canyon; the study area is bounded on the east by I-15, and on the south by Miramar Road and University City. It was reported that written protests had been received. Planning Director Goff and John Fowler, Community Development Department, answered questions directed by the Council.

Councilman Martinet left the Chamber.

Councilman Martinet entered the Chamber.

(Item 5 Continued)

Harold Culver appeared to speak regarding said proposed Amendment. Attorney Norman Seltzer, Mrs. Jenkins, and Attorney Donald Worley appeared to speak in opposition to said proposed Amendment.

Councilman Bates left the Chamber.

Councilman Bates entered the Chamber.

Mayor Wilson recessed the Meeting at 10:37 a.m. Upon reconvening at 10:56 a.m., the roll call showed all present.

(Item 5 Continued)

Attorney John Leppert, Attorney John Butler, George Pardee, and Attorney Alexander MacDonald appeared to speak in opposition to said proposed Amendment.

Mayor Wilson recessed the Meeting at 12:05 p.m. to reconvene at 1:30 p.m.

Upon reconvening at 1:44 p.m., the roll call showed Councilmen O'Connor, Morrow, and Hitch absent.

(Item 5 Continued)

Carl Bossard, Ed Dias, and Harry Johnson appeared to speak in opposition to said proposed Amendment.

Councilman Hitch entered the Chamber.

Councilman Morrow entered the Chamber.

Councilwoman O'Connor entered the Chamber.

(Item 5 Continued)

Mr. Alexander appeared to speak in opposition to said proposed Amendment.

Councilwoman O'Connor left the Chamber.

(Item 5 Continued)

On motion of Councilman Landt, said hearing was continued for one

(Item 5 Continued)

week, to Tuesday, February 6, 1973, 2:00 p.m., Time Certain, for further testimony.

Mayor Wilson recessed the Meeting at 2:50 p.m. Upon reconvening at 4:15 p.m., the roll call showed Councilman Morrow absent.

(Item 6)

A proposed Ordinance, continued from the Meetings of December 28, 1972 held January 2, 1973, January 4, 1973, January 11, 1973, and January 18, 1973, for report from Legislative Analyst, introduced at the Meeting of December 14, 1972, amending Ordinance No. 10873 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1972-73 and Appropriating the Necessary Money to Operate The City of San Diego for Said Fiscal Year" by amending Document No. 739786, as adopted and amended therein, relating to the Position and Salary Schedule for Fund 100, Department 09.00, was presented.

Councilman Morrow entered the Chamber.

(Item 6 Continued)

Chief Deputy City Attorney Katz and Deputy City Attorney Kintner answered questions directed by the Council.

A new revised Ordinance was presented.

A proposed Ordinance, amending Ordinance No. 10873 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1972-73 and Appropriating the Necessary Money to Operate The City of San Diego for Said Fiscal Year" by amending Document No. 739786, as adopted and amended therein, relating to the Position and Salary Schedule for Fund 100, Department 09.00, was re-introduced, as amended, on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, and Mayor Wilson. Nays-Councilmen Morrow, Martinet, Hitch, and Bates. Absent-None.

(Item 103)

A proposed Resolution, continued from the Meeting of January 11, 1973, for report from Liaison Committee, authorizing the City Manager to submit to the Department of Housing and Urban Development the San Diego Model Cities Comprehensive Demonstration Plan for the Third Action Year, was presented.

City Manager Moore, Deputy City Manager Dominguez, and James Lester, City Manager's Office, answered questions directed by the Council.

Eddie Wooten appeared to speak regarding said proposed Resolution.

RESOLUTION 207278, authorizing the City Manager to submit to the Department of Housing and Urban Development the San Diego Model Cities Comprehensive Demonstration Plan for the Third Action Year, was adopted on motion of Councilman Landt.

(Item 110)

RESOLUTION 207279, accepting the generous contribution of an outdoor lighting system for the Shepard House Historical Site from the National Electrical Contractors Association and Local 569 of the International Brotherhood of Electrical Workers; commending said organizations for this act of civic generosity; publicly expressing a debt of gratitude on behalf of the citizens of this City, was adopted on motion of Councilwoman O'Connor.

(Item 111)

RESOLUTION 207280, cosponsoring with the National Soccer League a benefit soccer game for earthquake victims in Managua, Nicaragua, to be held in Balboa Stadium on February 4, 1973; waiving the rental fee for the use of said stadium, was adopted on motion of Councilman Hitch.

Mayor Wilson recessed the Meeting at 5:50 p.m. Upon reconvening at 6:05 p.m., the roll call showed Councilmen O'Connor and Bates absent.

(Item 112)

Two proposed Resolutions, authorizing, approving, and ratifying settlement agreements relative to Antitrust Lawsuits; directing the City Manager to execute a final release and discharge from any and all claims and demands as they relate to said lawsuits against Union Oil Co. of Calif., Standard Oil Co. of Calif., Chevron Asphalt Co., Shell Oil Co., Douglas Oil Co. of Calif., Atlantic Richfield Co., Gulf Oil Corp, Industrial Asphalt, Inc. and Wilshire Oil Co. of Calif., which is currently on file in the Northern District Court of California, Civil Case Nos. C-69-589 and C-70-186, were presented.

Councilman Bates entered the Chamber.

Councilwoman O'Connor entered the Chamber.

(Item 112 Continued)

City Attorney Witt answered questions directed by the Council.

The following Resolutions, authorizing, approving, and ratifying settlement agreements relative to Antitrust Lawsuits; directing the City Manager to execute a final release and discharge from any and all claims and demands as they relate to said lawsuits against Union Oil Co. of Calif., Standard Oil Co. of Calif., Chevron Asphalt Co., Shell Oil Co., Douglas Oil Co. of Calif., Atlantic Richfield Co., Gulf Oil Corp., Industrial Asphalt, Inc. and Wilshire Oil Co. of Calif., which is currently on file in the Northern District Court of



(Item 112 Continued)

California, Civil Case Nos. C-69-589 and C-70-186, were adopted on motion of Councilman Johnson:

RESOLUTION 207281, Edgington Oil Company; and  
RESOLUTION 207282, Witco Chemical Corporation.

The Council at this time resumed consideration of the docket of Tuesday, January 30, 1973.

(Item 4)

A communication from Peter Merrill, requesting permission to address the Council regarding procedural failures relative to Proposition "D", was presented.

On motion of Councilman Hitch, said communication was referred to the Planning Department and the City Attorney for report.

(Item 3)

Minutes of the Adjourned Regular Council Meeting of Friday, December 29, 1972 held Tuesday, January 2, 1973 and the Regular Meeting of Tuesday, January 2, 1973, were presented by the City Clerk. On motion of Councilman Landt, said Minutes were approved without reading, after which they were signed.

There were no requests for continuances.

The Council considered the Consent Agenda, which consisted of Items 6, 7, 8, 100, and 101.

The following Ordinances were introduced at the Meeting of January 16, 1973.

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

(Item 6)

ORDINANCE 10981 (New Series), amending Chapter X, Article 1, Division 5, of the San Diego Municipal Code by amending Section 101.0506 relating to Conditional Use Permit Procedures; and

(Item 7)

ORDINANCE 10982 (New Series), amending Chapter VI, Article 4, of the San Diego Municipal Code by amending Sections 64.14, 64.32 and 64.32.2 and by adding Section 64.35 relating to Public Sewers.

(Item 8)

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

RESOLUTION 207283, Dave Martin for trucking services, for an estimated period of ten hours, at an estimated cost of \$1,775; and

RESOLUTION 207284, Crescent Wharf and Wholesale Company for the unloading of 550 tons of anthracite filter media, for an estimated period of eight hours, at an estimated cost of \$1,475.

(Item 100)

RESOLUTION 207285, approving the acceptance by the City Manager of a revised Deed of Robert C. Bartlett as trustee pursuant to Declaration of Trust dated April 24, 1970, known as the Ernest L. Bartlett Family Trust; and Robert C. Bartlett as trustee under the Ernest C. Bartlett Family Trust dated November 1, 1967, executed in favor of The City of San Diego, bearing date of September 11, 1972, conveying to said City Lot 2 in Block 17 of Tract No. 2 of Encanto Heights, according to Map thereof No. 1100, as more particularly described in said Deed, and with the condition that the property may not be sold, leased or otherwise transferred by The City of San Diego without prior written approval of the Secretary of Housing and Urban Development; rescinding that portion of Resolution No. 206622, adopted October 3, 1972, accepting the Deed of Robert C. Bartlett as Trustee, was adopted on motion of Councilman Williams.

(Item 101)

RESOLUTION 207286, authorizing the City Manager to execute Consent of Lessor, whereby City consents to the assignment of lease by Lester T. Morgan to San Diego City Lake Concessions Co., Inc., covering the reservoir concessions at the various City lakes; authorizing the City Manager to execute a First Amendment to Lease whereby Section (D) 31 is added to said lease agreement to provide for control by lessee to the extent that the corporation named therein shall be owned and controlled by Lester T. Morgan at least to the extent of 51% of the issued stock of said corporation, was adopted on motion of Councilman Williams.

(Item 5)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on the proposed amendment of Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0407 - R-1 Zones by increasing the off-street parking requirement from one space per dwelling unit to two spaces for each dwelling unit. It was reported that no written protests had

(Item 5 Continued)  
been received.

City Attorney Witt and Chief Deputy City Attorney Conrad answered questions directed by the Council.

No one appeared to be heard.

A motion made by Councilman Hitch to amend Section 2 of the Ordinance by inserting the words, "No application for building permits inconsistent with the provisions of this Ordinance shall be approved unless application therefore has been made prior to the effective date of this Ordinance," passed unanimously.

The hearing was closed on motion of Councilman Hitch.

A proposed Ordinance, amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0407 relating to the R-1 Zones was introduced, as amended, on motion of Councilman Hitch, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-None.

(Item 102)

A proposed Resolution, authorizing the City Manager to enter into a standard contract with the U.S. Army Corps of Engineers participating in a dredging contract referenced DACW09-73-B-0018 providing for the selection by the U.S. Corps of Engineers of Additive Alternate 4 on page B-3 of said referenced document so that 200,000 cubic yards of dredged material may be placed in Pacific Beach between Pacific Beach Drive and Law Street for the improvement of the public beach in that location and authorizing the expenditure of \$130,000 from Capital Outlay Fund 245 for said purpose, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 207287, authorizing the City Manager to enter into a standard contract with the U.S. Army Corps of Engineers participating in a dredging contract referenced DACW09-73-B-0018 providing for the selection by the U.S. Corps of Engineers of Additive Alternate 4 on page B-3 of said referenced document so that 200,000 cubic yards of dredged material may be placed in Pacific Beach between Pacific Beach Drive and Law Street for the improvement of the public beach in that location and authorizing the expenditure of \$130,000 from Capital Outlay Fund 245 for said purpose, was adopted on motion of Councilman Martinet.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilmen Landt, Johnson, and O'Connor, the Adjourned Regular Council Meeting of Friday, January 26, 1973 and the Regular Meeting of Tuesday, January 30, 1973, were adjourned in memory of Milton Lancaster, former Planning Commission member, Mrs. Beatrice Fricker Austin, wife of former County Superintendent DeGraff Austin, and Murray D. Goodrich, member of the Board of Zoning Appeals, on motion of Councilman Hitch, at 6:22 p.m.

*Pete Wilson*

Mayor of The City of San Diego, California

ATTEST:

*Edward Nielsen*

City Clerk of The City of San Diego, California