

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, FEBRUARY 13, 1973  
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING  
COMMUNITY CONCOURSE

Present--Councilmen O'Connor, Landt, Martinet, Hitch, Bates,  
and Mayor Wilson.

Absent--Councilmen Johnson, Williams, and Morrow.

Clerk---Edward Nielsen.

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

(Item 1)

Mayor Wilson introduced Reverend Dwane Averill, Pastor of San Carlos United Methodist Church, who gave the Invocation.

(Item 2)

Councilman Bates led the Pledge of Allegiance.

(Item 3)

School Patrol Sergeant, officers and the eleven ranking School Patrol boys were unable to attend the Meeting.

(Item 4)

Minutes of the Regular Meeting of Tuesday, December 19, 1972, Adjourned Regular Meeting of Friday, January 26, 1973 held Tuesday, January 30, 1973 and the Regular Meeting of Tuesday, January 30, 1973, were presented by the City Clerk. On motion of Councilman Landt, said minutes were approved without reading, after which they were signed.

(Item 5)

A communication from Richard A. Gant, requesting permission to address the Council regarding preservation of McCall Street Beach, was presented.

Richard A. Gant appeared to speak regarding said communication.

On motion of Councilman Landt, said communication was referred to the City Attorney and the City Manager for report back to Council as soon as possible.

There were no requests for continuances.

The Council considered the Consent Agenda, which consisted of Items 9, 10, 13, 100, 102, 103, 105, and 106.

The following Ordinances were introduced at the Meeting of January 30, 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 Bates, by the following vote: Yeas-Councilmen O'Connor, Landt, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson, Williams, and Morrow:

(Item 9 - CASE NO. 33-72-5)

ORDINANCE 10991 (New Series), 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.

(Item 10 )

ORDINANCE 10992 (New Series), amending Chapter X, Article 1, Division 4 of the San Diego Municipal Code by amending Section 101.0407 relating to the R-1 Zones.

(Item 13)

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

RESOLUTION 207351, furnishing blue-line paper as may be required for one year ending May 14, 1974, in accordance with Specifications Document No. 742606;

RESOLUTION 207352, furnishing cotton wiping rags, Class 1, as may be required for a period of one year ending April 30, 1974, in accordance with Specifications Document No. 742607; and

RESOLUTION 207353, furnishing various water service fittings, in accordance with Specifications Document No. 742608.

(Item 100)

The following Resolutions, relative to the final subdivision map of Scott Miramar Tract Unit 2, were adopted on motion of Councilman Landt:

RESOLUTION 207354, authorizing an agreement with J. T. Hawthorne for completion of improvements in Scott Miramar Tract Unit 2, a one-lot subdivision located on the northerly side of Miramar Road and the westerly side of future Black Mountain Road, westerly of Highway 163; and

RESOLUTION 207355, approving the final map of Scott Miramar Tract Unit 2.

(Item 102)

RESOLUTION 207356, authorizing a Lease Agreement with Avco Community Developers, Inc., whereby City leases certain office space and property located at 11510 Poblado Drive, for a term of one year commencing January 1, 1973, for purposes of a branch library in Rancho Bernardo, was adopted on motion of Councilman Landt.

(Item 103)

RESOLUTION 207357, authorizing a Lease Agreement with Shelter Island Hotel Corporation, whereby City leases property located at 3328 Governor Drive, for a term of one year commencing February 1, 1973, at a rental of \$725 per month, for the purpose of a branch library in the University community; authorizing the expenditure of \$5,075 from General Fund 100 for said purpose, was adopted on motion of Councilman Landt.

(Item 105)

RESOLUTION 207358, authorizing the City Auditor and Comptroller to advance tuition costs from the Unallocated Reserve (53.30) amounting to \$36,000 for 180 Sergeants and Lieutenants to attend a P.O.S.T. approved Human Relations Course presented by the University of California at San Diego; City to be reimbursed by P.O.S.T. for direct salary cost amounting to \$52,560 upon completion of course, was adopted on motion of Councilman Landt.

(Item 106)

RESOLUTION 207359, authorizing application to Secretary of the Interior to secure transfer of 177.60 acres of surplus Federal property in the Camp Elliott area for park and recreation purposes, was adopted on motion of Councilman Landt.

(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 installation of sidewalks on Upton Court, Comstock Court, Levant Street, and the easement adjacent to Lots 8 and 9, Block 59, Linda Vista Unit 4 - on Assessment Roll No. 3855.

No written appeals were received and 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 Hitch:

RESOLUTION 207360, confirming and approving the Street Superintendent's Assessment No. 3855, covering the cost of installation of sidewalks on Upton Court, Comstock Court, Levant Street, and the easement adjacent to Lots 8 and 9, Block 59, Linda Vista Unit 4, under Resolution of Intention No. 205324, adopted April 11, 1972, as amended by Resolution No. 205536, adopted May 9, 1972; authorizing said Superintendent to attach his warrant thereto and issue the same in the manner and

(Item 6 Continued)

form provided by law; said warrant, diagram, and assessment to be recorded in the office of said Street Superintendent, and in the office of the County Recorder.

(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 appeal of Robert E. Gregoire from the decision of the Chief of Police in denying his application for a Private Street Patrolman License, under the provisions of Section 33.0207 of the San Diego Municipal Code. It was reported that no written protests had been received.

City Attorney Witt and Gene Gordon, Legal Assistance, Police Department, answered questions directed by the Council.

On motion of Councilman Landt, the appeal was continued for 30 days, to Thursday, March 15, 1973, to permit state law to become effective.

The following Ordinance was introduced at the Meeting of January 30, 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 its passage written or printed copies of said Ordinance.

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

(Item 8 - CASE NO. 42-72-18)

ORDINANCE 10993 (New Series), incorporating a portion of Lot 4, Friars Road Subdivision, into CO Zone, as defined by Section 101.0423 of the San Diego 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.

(Item 11)

By common consent, this item was continued to the end of the docket.

(Item 12)

A proposed Ordinance, amending Chapter X, Article 2, Division 2, of the San Diego Municipal Code, by amending Section 102.0206, relating to Suspension of Requirements - Variance, was introduced on motion of Councilman Landt, by the following vote: Yeas- Councilmen O'Connor, Landt, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson, Williams and Morrow.

(Item 101)

A proposed Resolution, continued from the Meeting of February 6, 1973, at City Manager's request, authorizing the City Manager to negotiate with the Mariner's Point Yacht Club for the purpose of entering into an option agreement covering City-owned land in Mission Bay Park for

(Item 101 Continued)

construction, operation, and maintenance of a nonprofit yacht club in compliance with Council Policy 700-9, was presented.

A revised Resolution was presented.

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

Don Laub appeared to speak in favor of the proposed Resolution.

Harvey Furgatch appeared to speak in opposition to the proposed Resolution.

RESOLUTION 207361, authorizing the City Manager to negotiate for the purpose of entering into an option agreement covering City-owned land in Mission Bay Park for construction, operation, and maintenance of a nonprofit yacht club in compliance with Council Policy 700-9, was adopted on motion of Councilman Landt.

Mayor Wilson recessed the Meeting at 10:41 a.m. Upon reconvening at 10:56 a.m., the roll call showed Councilmen Johnson, Morrow, and Martinet absent.

(Item 104)

A proposed Resolution, authorizing an Amendment to a Contract Agreement with the California Council on Criminal Justice, by changing the duration of the project from "December 1, 1970 to June 30, 1972" to "December 1, 1970 to July 31, 1972," was presented.

A revised Resolution was presented.

RESOLUTION 207362, authorizing a second amendment to agreement with the California Council on Criminal Justice, under CCCJ Project No. 0270, Contract A-261-70, providing grant funds for The City of San Diego Municipal Command and Control System, by providing a thirty (30) day extension thereto by changing the Duration of Project from "December 1, 1970 to June 30, 1972" to "December 1, 1970 to July 31, 1972", was adopted on motion of Councilman Hitch.

(Item 11)

A proposed Ordinance, reintroduced January 30, 1973, 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 Martinet entered the Chamber.

(Item 11 Continued)

On motion of Councilwoman O'Connor, said proposed Ordinance was continued for one week, to Tuesday, February 20, 1973, for all Councilmen to be present.

(Item 107)

The Model Cities Staff Report, continued from the Meeting of

(Item 107 Continued)

February 6, 1973, at City Manager's request, was given by Clarence Pendleton, Director of Model Cities.

Clarence Pendleton, Director of Model Cities, and City Manager Moore answered questions directed by the Council.

A motion made by Councilman Martinet to direct the City Attorney and the City Manager to work together to draft a Resolution indicating Council support for Model Cities Programs passed unanimously.

A motion made by Councilwoman O'Connor to accept the report passed unanimously.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilwoman O'Connor, at 11:26 a.m.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California