

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, FEBRUARY 27, 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 Regular Meeting to order at 9:40 a.m.

(Item 1)

Mayor Wilson introduced Reverend Ronald Buchmiller, Associate
Pastor of St. Vincent de Paul Church, who gave the Invocation.

(Item 2)

Councilman Landt led the Pledge of Allegiance.

Mayor Wilson welcomed 45 students from School of the Madeleine,
accompanied by Miss Patricia Walsh.

Councilman Johnson addressed the group.

(Item 3)

Minutes of the Regular Council Meetings of Tuesday, February 6,
Tuesday, February 13, and Thursday, February 15, 1973, were presented
by the City Clerk. On motion of Councilman Landt, said Minutes were
approved without reading, after which they were signed.

(Item 4)

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

(Item 5)

A communication from Marian Bear, Clairemont Mesa Development
Committee, requesting permission to address the Council regarding
rezoning of a presently zoned CA area to CN, according to adopted
Community Plan, was presented.

Marian Bear appeared to speak regarding said communication.

On motion of Councilman Martinet, said communication was referred
to the Planning Department for report back to Council.

There were no requests for continuances.

The Council considered the Consent Agenda, which consisted of Items 11, 12, 100, 101, 104, and 105.

The following Ordinance was introduced at the Meeting of February 13, 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 Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-None:

(Item 11)

ORDINANCE 10997 (New Series), amending Chapter X, Article 2, Division 2, of the San Diego Municipal Code, by amending Section 102.0206, relating to Suspension of Requirements - Variance.

(Item 12)

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

RESOLUTION 207421, Olin Corporation for the purchase of fuses as may be required, for a period of one year ending March 31, 1974, for an actual estimated cost of \$21,013.13, with an option to renew for an additional one-year period;

RESOLUTION 207422, Atlantic Richfield Company for furnishing and delivering diesel oil as may be required, for a period of three months ending May 15, 1973, for an estimated cost of \$16,400, excluding taxes; and

RESOLUTION 207423, Chas. Myers Industrial Trucks for the purchase of one towable lift truck, for an actual cost of \$8,710.33, including tax, terms, and trade-in; authorizing the City Auditor to transfer \$8,710.33 within the Sewer Revenue Fund 506 from Unallocated Reserve (68.91-3495) to Equipment Outlay (62.91-4540) for said purpose.

(Item 100)

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

RESOLUTION 207424, authorizing an agreement with Rohr Industries, Inc. for completion of improvements in Miramar Industrial Tract Unit 8, a one-lot subdivision located on the north side of Miramar Road;

RESOLUTION 207425, approving the final map of Miramar Industrial Tract Unit 8;

(Item 100 Continued)

RESOLUTION 207426, authorizing an agreement with the Christiana Companies, Inc. for the completion of improvements in Villa Trinidad Unit 2, a 157-lot subdivision located between Clairemont Mesa Boulevard and Tierrasanta Boulevard, easterly of Santo Drive;

RESOLUTION 207427, approving the final map of Villa Trinidad Unit 2; and

RESOLUTION 207428, approving the final map of Waltz Subdivision, a two-lot subdivision located on the southwesterly side of La Jolla Scenic Drive.

(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 207429, Del Mar Hills Unit 7; and

RESOLUTION 207430, Westwood Unit 1.

(Item 104)

RESOLUTION 207431, authorizing the City Auditor and Comptroller to transfer \$10,000 from Capital Outlay Fund 245, \$5,000 to go to Brown Field Special Aviation Fund 239 and \$5,000 to go to Montgomery Field Aviation Fund 240, for the purpose of providing matching funds for State contributions to airports, was adopted on motion of Councilman Landt.

(Item 105)

RESOLUTION 207432, authorizing a representative of the City's Veterans Outreach Program to attend the National Training Seminar sponsored by the Veterans Education and Training Service of the National League of Cities/U.S. Conference of Mayors, to be held at Indianapolis, Indiana, February 27 through March 2, 1973, 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, continued from the Meetings of May 9, 16, and 30, 1972, and January 16, 1973, at applicant's request, on the application of Nasland Engineering, by Roger D. Simpson, for special permission to waive underground electrical line requirements in connection with the tentative subdivision map of Montgomery Industrial Park Unit 2, located on the westerly side of National Avenue, northerly of Iris Street, in the South San Diego area, in the Interim A-1-1 (proposed M-1A) Zone. It was reported that no written protests had been received.

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

No one appeared to be heard.

The hearing was closed and the following Resolution adopted on

(Item 6 Continued)

motion of Councilman Morrow:

RESOLUTION 207433, denying the application of Nasland Engineering, by Roger D. Simpson, for waiver of undergrounding of electrical line requirements in connection with the tentative subdivision map of Montgomery Industrial Park Unit No. 2.

(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 Amalfi Street Assessment District - removal of existing overhead electric and communication facilities and replacement thereof by construction of underground facilities in portions of public rights of way of Amalfi Street and Torrey Lane, and in private lots and parcels adjoining and near the above-described streets - on the Investigation Report prepared pursuant to Resolution 206299, and approved by Resolution 207260, pursuant to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

James McLaughlin, Community Development Department and City Manager Moore answered questions directed by the Council.

Special Counsel Richard Burt gave the Council and the audience a brief explanation of the nature, purpose and procedure for the hearing.

Mary Heilman appeared to speak in opposition to the assessment district.

Harold Vrey appeared to speak in favor of the assessment district.

The hearing was closed on motion of Councilman Johnson and the following resolution was adopted:

RESOLUTION 207433, that said report contains all the matters and things required by law, and that notice of hearing on the proposed project generally described therein has been fully and regularly given; that no written protest had been filed with the City Clerk of The City of San Diego by the owners representing one-half of the area of the property to be assessed for said proposed work or improvement, and that there is no majority protest, as provided in Section 3921 of the Streets and Highways Code, against only a portion of said proposed work and improvement; that all protests and objections be and the same hereby overruled and denied; that the public interest, convenience and necessity require the work and improvement substantially as set forth in said report; that the project for said work and improvement is feasible; that the lands to be assessed for said work and improvement will be able to carry the burden of the proposed assessment for said work and improvement and that the limitations as set forth in said Division 4 may and shall be disregarded, both with respect to the limitation on the district as a whole and as to the limitation on individual assessments; that by this Resolution, it is the intention of this City Council to make all findings, by the affirmative four-fifths vote of all members thereof, that all determinations as to necessity and feasibility be made and determined, and to disregard the limitations set forth in Division 4 as therein provided.

Mayor Wilson recessed the Meeting at 10:40 a.m. Upon reconvening at 10:57 a.m., the roll call showed Councilman Morrow absent.

Councilman Morrow entered the Chamber.

(Item 8)

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 A. P. Winter from the decision of the Planning Commission on the request of Gentry and Watts, owner/permittee, in determining that substantial construction has occurred prior to the expiration date of Conditional Use Permit No. 228-PC, which permitted the construction and operation of an 82-unit Planned Unit Development, located on the west side of La Jolla Scenic Drive, easterly of Torrey Pines Road, more particularly described as Lots 1 and 2, La Jolla Shores Heights Unit 5, in the R-1-10 Zone. It was reported that no written protests had been received.

Assistant Planning Director Van Cleave and Chief Deputy City Attorney Conrad answered questions directed by the Council.

A. P. Winter, Althea Cochrane, Mrs. Stanford Doak, Elie Shneour, and Mrs. Karole Mysets appeared to speak in favor of the appeal.

Attorney Paul Peterson appeared to speak in opposition to the appeal.

The hearing was closed and the following Resolution adopted 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:

RESOLUTION 207435, denying the appeal of A. P. Winter, upholding the decision of the Planning Commission.

Additionally, the Planning Department was directed to prepare a report back to Council regarding the status of the PUD project and whether or not the developer is living up to the terms of said PUD.

Mayor Wilson recessed the Meeting at 12:08 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:13 p.m., the roll call showed Councilmen O'Connor, Williams, and Bates absent.

(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 the intention of the City Council to enter into five freeway agreements with the State of California, Department of Public Works, Division of Highways, pertaining to the following sections of freeway in the City: a - Interstate 8/Interstate 15 Interchange Area - (Route 8 -- between 0.1 mile west of

(Item 9 Continued)

Route 15 and 0.2 mile east of Fairmount Avenue, and Route 15--between 0.5 mile south of Route 8 and 0.1 mile north of Route 8); b - Interstate 15 (through Murphy Canyon)--Route 15, between 0.4 mile north of Friars Road and 0.2 mile north of Clairemont Mesa Boulevard; c - Interstate 15 (Route 52 Interchange Area)--Route 15 from 0.2 mile north of Clairemont Mesa Boulevard to 0.7 mile north of Route 52; d - Interstate 15 (in area of Miramar Naval Air Station) and Route 163--(southerly of Interstate 15) - (Route 15--from 1.3 miles north of Clairemont Mesa Boulevard to 0.5 mile north of Miramar - Pomerado Road, and Route 163--from 1.0 mile south of Murphy Canyon Road to Route 15); and e - Interstate 15 (North of Mira Mesa)--Route 15 in the City of San Diego--between 0.5 mile north of Pomerado-Miramar Road overcrossing and 0.4 mile north of Poway-Penasquitos Boulevard overcrossing. Said agreements contemplate the closing of the following City streets or portions thereof: Camino Del Rio North for approximately 500 feet immediately west of the existing ramp connecting southbound Murphy Canyon Road and westbound I-8; Tierrasanta Boulevard from Murphy Canyon Road to a point approximately 1800 feet to the northeast; Kearny Villa Road from "Avenue H" to a point approximately 500 feet south of "Harris Plant Road"; and Kearny Mesa Road from a point approximately 800 feet south of Miramar Road to a point approximately 200 feet further south. It was reported that no written protests had been received. Charles Strong, Community Development Department, answered questions directed by the Council.

Councilmen O'Connor and Bates entered the Chamber.

(Item 9 Continued)

Jack Grasberger, Patrick Gowan, Ed Gabrielson, and Carl Vernell appeared to speak in favor of the agreements.

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

RESOLUTION 207436, authorizing the City Manager to execute five freeway agreements with the Division of Highways, Department of Public Works, State of California, for the proposed development of State Highway Routes 8, 15 and 163; amending Resolutions Nos. 134597, 140271, 177418, 182635 and 189201 to reflect the adoption of this Resolution and Resolution No. 207332.

Mayor Wilson recessed the Meeting at 3:18 p.m. Upon reconvening at 3:32 p.m., the roll call showed Councilman Williams absent.

(Item 10)

A proposed Ordinance, continued from the Meetings of February 13 and 20, 1973, for all Councilmen to be present, 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

(Item 10 Continued)

adopted and amended therein, relating to the Position and Salary Schedule for Fund 100, Department 09.00, was presented.

City Manager Moore answered questions directed by the Council.

A motion made by Councilwoman O'Connor to dispense with the reading and adopt the Ordinance received no vote.

Councilman Bates made a motion to continue Item 10 to Thursday, March 8, 1973, for Councilman Williams to be present.

Councilman Williams entered the Chamber.

(Item 10 Continued)

Councilman Bates withdrew his motion to continue the item.

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

(Item 10)

ORDINANCE 10998 (New Series), 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.

(Item 102)

A proposed Resolution, continued from the Meetings of February 6 and 20, 1973, at City Manager's request, amending the Affirmative Action Program for Contractors doing Business with the City, was presented.

RESOLUTION 207437, amending the Affirmative Action Program for Contractors doing Business with the City, as approved by Resolution 204843, to conform with Federal and State regulations - for application on Federal and State financially assisted contracts, was adopted on motion of Councilman Landt.

(Item 103)

RESOLUTION 207438, authorizing the City Manager to solicit for proposals leading to a lease development of approximately 18 acres of vacant land at Montgomery Field Airport for an Air Hotel Complex consisting of an aircraft fixed base operation and hotel, was adopted on motion of Councilman Hitch.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned into Executive Session to discuss Government Code 54957.6, on motion of Councilman Martinet, at 3:43 p.m.

City Clerk of The City of San Diego, California

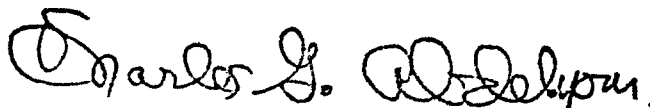
(Item 103)

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Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California