REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, JULY 3, 1973
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present-Councilmen Johnson, O'Connor, Landt, Martinet, Hitch, and Mayor Wilson.
Absent--Councilmen Williams, Morrow, and Bates.
Clerk---Edward Nielsen.

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

Councilman Morrow entered the Chamber.

Councilman Williams entered the Chamber.

(Item 1)
Mayor Wilson introduced Reverend Atwell Stewart, St. Mary's Episcopal Church, who gave the Invocation.

(Item 2)
Councilman Johnson led the Pledge of Allegiance.

Mayor Wilson proclaimed Tuesday, July 3, 1973, as Sandefjord Girls Choir Day in San Diego.

Councilman Bates entered the Meeting.

Councilman Hitch left the Meeting.

Councilman Hitch entered the Meeting.

(Item 3)
The following Resolution, authorizing Suggestion Awards and making presentations to the following employees, was adopted on motion of Councilman Hitch:
RESOLUTION 208286, William R. Mc Cullagh - Building Inspection - $875; Nancy J. Acevedo and Catherine J. Rizzo - Personnel Department - $540; Rodman C. T. Burpeau - Water Utilities - $255; and Nancy J. Lovell and Carmelinda A. Wood - Public Works, Sanitation Division - $240.

(Item 4)
Mayor Wilson welcomed sixty students from Taft Junior High School. Councilman Morrow addressed the group.

Mayor Wilson welcomed Dr. McCalla and students from U.S.I.U.

(Item 5)
Minutes of the Regular Council Meetings of Thursday, March 22, Thursday, May 31, Tuesday, June 5, and Tuesday, June 12, 1973, 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 Lorna Banister, continued from the Meeting of June 19, 1973, at her request, requesting permission to address the Council and present further evidence relating to solicitation of bids for the renewal of the Amusement Park now located at Belmont Park, was presented.
Lorna Banister appeared to speak regarding said communication.
On motion of Councilman Martinet, said communication was referred to the City Manager for report back to Council and Mrs. Banister.

(Item 7)
A communication from Mrs. B. R. Swarts, requesting permission to address the Council regarding applications for five piers for five separate condominiums in Crescent Bay, adjacent to Mission Bay Park, was presented.
Mrs. B. R. Swarts appeared to speak regarding said communication.

Councilman Bates left the Chamber.

(Item 7 Continued)
On motion of Councilman Johnson, said communication was referred to the City Manager for report back to Council and Mrs. Swarts.

There were no requests for continuances.

Councilman Bates entered the Chamber.

The Council considered the Consent Agenda, which consisted of Items 14, 15, 16, 101, 102, 103, 105, 107, 109, 110, and 111.

(Item 14)
The following Resolutions, relative to awarding contracts, were adopted on motion of Councilman Martinet:
RESOLUTION 208287, San Diego Gas & Electric Company to relocate a 30" gas transmission line under Miramar Road, for an actual cost of

(Item 14 Continued)
$64,870; authorizing the expenditure of $64, 870 out of Gas Tax Fund 220 for said purpose and related costs; and

RESOLUTION 208288, Western Metal Supply Co., Reliance Steel & Aluminum Co., San Diego Pipe & Supply Co., Inc., and Hansson Motor Supply Inc. for the purchase of small tools as may be required, for a period of one year ending June 30, 1974, for an actual estimated cost of $22,428.46, including tax and terms.

(Item 15)
RESOLUTION 208289, inviting bids for Casa del Prado Central Plant improvements, in accordance with Specifications Document No. 743860, was adopted on motion of Councilman Martinet.

(Item 16)
The following Resolutions, relative to inviting bids, were adopted on motion of Councilman Martinet:

RESOLUTION 208290, installation of 4th pump at Metro Pump Station No. 1, in accordance with Specifications Document No. 743861; and

RESOLUTION 208291, improvements to Copper Room, Community Concourse, in accordance with Specifications Document No. 743862.

(Item 101)
The following Resolutions, relative to the final subdivision map of Montgomery Park Estates, were adopted on motion of Councilman Martinet:

RESOLUTION 208292, authorizing an agreement with J. R. and Deborah Shattuck for completion of improvements in Montgomery Park Estates, a 44-lot subdivision located southerly of Coronado Avenue, easterly of Paxton Drive in the South San Diego area; and

RESOLUTION 208293, approving the final map of Montgomery Park Estates.

(Item 102)
The following Resolutions, accepting the work done and authorizing a notice of completion in the following subdivisions, were adopted on motion of Councilman Martinet:

RESOLUTION 208294, Hillside Hospital;
RESOLUTION 208295, North Miramar Ranch Unit 1; and
RESOLUTION 208296, Oaks North Unit 1.

(Item 103)
RESOLUTION OF INTENTION 208297, setting a public hearing on the intention to vacate the westerly half of that portion of Bay View Court between Lots 83 and 84, Mission Hills, and fixing a time and place for hearing thereof, was adopted on motion of Councilman Martinet.

(Item 105)
RESOLUTION 208298, authorizing the execution of a deed conveying to the San Diego Gas & Electric Company an easement for underground

(Item 105 Continued)
electrical facilities affecting a portion of Lot 1, Lake Shore Unit No. 5, was adopted on motion of Councilman Martinet.

(Item 107)
RESOLUTION 208299, authorizing a Lease Agreement, negotiated pursuant to Council authorization of March 24, 1973, for construction of the proposed East Wing to the Fine Arts Gallery, said Wing to become City property upon termination of the Lease Agreement, was adopted on motion of Councilman Martinet.

(Item 109)
RESOLUTION 208300, authorizing an agreement with the State of California, Department of Parks and Recreation, for use of a City-owned parking lot adjacent to the Old Town San Diego State Historic Park, was adopted on motion of Councilman Martinet.

(Item 110)
RESOLUTION 208301, authorizing an agreement with Delawie, Macy & Henderson, for architectural services required for the remodeling and rehabilitation of the La Jolla Recreation Center; authorizing the expenditure of $32,000 out of Park and Recreation Bond Fund 725 for said purpose, was adopted on motion of Councilman Martinet.

(Item 111)
RESOLUTION 208302, approving Change Order No. 1, issued in connection with the contract with R. E. Hazard Contracting Company for the improvement of Averil Road and Sunset Avenue, Model Cities Area VI-2; said change amounting to an increase in the contract price of $3,931, was adopted on motion of Councilman Martinet.

(Item 8)
The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearings on paving and otherwise improving Bonita Drive, between Cervantes Avenue and Olvera Avenue - on Resolution of Intention 208046. It was reported that no written protests had been received.

James Mc Laughlin, Community Development Department, and City Attorney Witt answered questions directed by the Council.

Charles Wynn, Mr. Ponder, Sarah Thomas, W. T. Williams, and Mrs. Blythe appeared to speak in opposition to the proposed improvement.

On motion of Councilman Williams, said hearings were continued for one week, to Tuesday, July 10, 1973, and the Engineer was directed to prepare a study of the cost over a ten, fifteen and twenty year period, and whether or not there is a need for a sidewalk.

RESOLUTION 208303, continuing the hearings on the proposal to pave Bonita Drive, between Cervantes Avenue and Olvera Avenue, under Resolution of Intention 208046, adopted May 29, 1973, to 9:30 a.m., Tuesday, July 10, 1973.

Mayor Wilson recessed the Meeting at 10:58 a.m. Upon reconvening at 11:15 a.m., the roll call showed Councilmen O'Connor, Morrow, Martinet, and Bates absent.

(Item 108)
A proposed Resolution, authorizing a five-year permit to Sea World, Inc. for aquatic performances in Mission Bay Park, was presented.

Councilwoman O'Connor entered the Chamber.

Councilman Morrow entered the Chamber.

Councilman Martinet entered the Chamber.

Councilman Bates entered the Chamber.

(Item 108 Continued)
Assistant City Manager Graham, City Attorney Witt, Ben Hagar, Property Department, and Recreation Director des Granges answered questions directed by the Council.
The Council discussed the matter and, by common consent, continued this item to later in the Meeting.

Mayor Wilson recessed the Meeting at 12:11 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:13 p.m., the roll call showed Councilman Williams absent.

(Item 9)
The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearings on paving and otherwise improving Blueridge Street and Chattanooga Street easterly of Rachael Avenue, and construction of a sewer main in Rachael Avenue between Blueridge Street and Hopkins Street, and in a portion of Block 39, Paradise Hills Unit No. 2 - on Resolution of Intention 208048. It was reported that no written protests had been received.
James Mc Laughlin, Community Development Department, answered questions directed by the Council.
Theodore Sterns appeared to speak in favor of the proposed improvement.
The hearings were closed and the following Resolutions adopted on motion of Councilman Johnson:
RESOLUTION 208304, overruling and denying all oral and written protests against said improvement; determining that the proposed improvement within the limits mentioned in Resolution of Intention 208048 is feasible, and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and that the public convenience and necessity require the proposed improvement, and that the

(Item 9 Continued)
Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply; and

RESOLUTION 208305, ordering work to improve Blueridge Street and Chattanooga Street easterly of Rachael Avenue, and construction of a sewer main in Rachael Avenue between Blueridge Street and Hopkins Street, and in a portion of Block 39, Paradise Hills Unit No. 2.

(Item 13)

A proposed Ordinance, continued from the Meetings of April 24, May 8, and June 5, 1973, at request of Lobby Ordinance Task Force, amending Chapter II of the San Diego Municipal Code by adding Article 9, Division 1, Sections 29.0101 through 29.0116 relating to the Registration of Municipal Advocates (Lobbying Registration Ordinance), was presented.

The Council discussed the matter.

Councilman Williams entered the Chamber.

Mayor Wilson recessed the Meeting at 3:16 p.m. Upon reconvening at 3:30 p.m., the roll call showed Councilmen O'Connor, Williams, and Martinet absent.

Councilwoman O'Connor entered the Chamber.

Councilman Martinet entered the Chamber.

(Item 13 Continued)

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

The Council continued discussion of the item.

Councilman Williams entered the Chamber.

(Item 13 Continued)

By common consent, this item was continued to later in the Meeting.

(Item 108 Continued)

George Millay and Ron Harper appeared to speak in favor of the proposed Resolution.

Charles White, Philip Shafer, Barbara Shafer, Roscoe Poland, and Helen Scantlon appeared to speak in opposition to the proposed Resolution.

The Council continued discussion of the matter at length.

A motion made by Councilman Martinet to adopt the proposed Resolution received no vote at this time.

A motion made by Councilman Morrow to direct the Property Department to come back with a new percentage proposal for Sea World died for lack of a second.

A motion made by Councilman Williams to continue the item for one week, to Tuesday, July 10, 1973, for Council to review E.I.R. failed, due to the lack of five affirmative votes, by the following vote:

(Item 108 Continued)
Yeas-Councilmen Williams, Morrow, and Bates. Nays-Councilmen Johnson, O'Connor, Landt, Martinet, Hitch, and Mayor Wilson. Absent-None.

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

RESOLUTION 208306, authorizing a five-year permit to Sea World, Inc. for aquatic performances in Mission Bay Park.

(Item 13 Continued)

The Council resumed discussion of the item.

Attorneys Allan Perry and Dick Burt, Clara Jo Brown, William McKenzie, Joseph Cannizarro, Joyce Beers, Mac Strobl, Charles Porter, Angie Avilla, Richard Ridenour, Jim Grogan, Beatrice Camp, Eugene Haigwood, Mary Ellen Shupp, and Marian Bear appeared to speak regarding said proposed Ordinance.

On motion of Councilman Morrow, said proposed Ordinance was continued to Thursday, August 16, 1973, Time Certain 2:00 p.m., for further review.

(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 proposed amendments to Chapter X, Article 1, Division 2, of the San Diego Municipal Code, by amending a - Section 101.0206 Procedure for Zoning - Hearing before the Planning Commission; and b - Section 101.0208 Procedure for Zoning - Action by the City Council.

The proposed revisions would delete references in Sections 101.0206 and 101.0208 relating to a more restrictive zone and replace them with more specific references, permitting the Planning Commission to recommend the placing of property into any land use zone between the existing land use zone and the proposed land use zone; and also permitting the City Council to place property into any land use zone between the existing land use zone and the proposed land use zone as classified by Section 101.0209.

It was reported that no written protests had been received.

Councilmen Martinet and Bates left the Chamber.

(Item 11 Continued)

The Council discussed the item.

Ken Klein, Planning Department, Chief Deputy City Attorney Conrad, and City Attorney Witt answered questions directed by the Council.

Councilman Martinet entered the Chamber.

(Item 11 Continued)

Philip Shafer appeared to speak in opposition to the proposed amendments.

(Item 11 Continued)

A motion made by Councilman Landt to close the hearing and introduce the Ordinance died for lack of a second.

A motion made by Councilman Williams to file the item received no vote.

On motion of Councilman Morrow, the hearing was continued for one week, to Tuesday, July 10, 1973, for further review, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Martinet, Hitch, and Mayor Wilson. Nays-Councilman Landt. Absent-Councilman Bates.

(Item 10)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearings on paving and otherwise improving the Alleys in Block 15, Normal Heights; Block 14, North Shore Highlands, and Block 58, Pacific Beach - on Resolution of Intention 208050.

It was reported that no written protests had been received.

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

No one appeared to be heard.

The hearings were closed and the following Resolutions adopted on motion of Councilman Landt:

RESOLUTION 208307, overruling anddenying all oral and written protests against said improvement; determining that the proposed improvement within the limits mentioned in Resolution of Intention 208050 is feasible, and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, and that the public convenience and necessity require the proposed improvement, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply; and

RESOLUTION 208308, ordering work to improve the Alleys in Block 15, Normal Heights; Block 14, North Shore Highlands, and Block 58, Pacific Beach.

Councilwoman O'Connor left the Chamber.

(Item 12)

The following Ordinance was passed on the day of its introduction, to wit, July 3, 1973, 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 11090 (New Series), Calling a Municipal Primary Election in the City, in the San Diego Unified School District, and in the San Diego Community College District, on Tuesday, September 18, 1973, was adopted on motion of Councilman Martinet, by the following vote: Yeas-Councilmen Johnson, Landt, Williams, Morrow, Martinet, Hitch, and Mayor Wilson. Nays-None. Absent-Councilmen O'Connor and Bates.

By Unanimous Consent granted to Assistant Attorney Teaze, the following Ordinance was passed on the day of its introduction, to wit, on July 3, 1973, 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 11091 (New Series), amending Chapter II, Article 7 of the San Diego Municipal Code regarding Statement of Candidates' Qualifications, was adopted on motion of Councilman Martinet, by the following vote: Yeas-Councilmen Johnson, Landt, Williams, Morrow, Martinet, Hitch, and Mayor Wilson. Nays-None. Absent-Councilmen O'Connor and Bates.

(Item 100)

A proposed Resolution, continued from the Meeting of June 26, 1973, for City Manager report, was presented.

RESOLUTION 208309, accepting the work done and authorizing a Notice of Completion in Barrio San Martin Subdivision, was adopted on motion of Councilman Hitch.

(Item 104)

A proposed Resolution, declaring certain portions of Lots in Las Alturas Villa Sites to be legal lots and legal building sites, was continued for one week, to Tuesday, July 10, 1973, to be considered with Item 8, which was also continued to that date, on motion of Councilman Hitch.

(Item 106)

A proposed Resolution, continued from the Meetings of June 5 and 19, 1973, at City Manager's request, authorizing an agreement with Economic Development Corporation wherein City grants to said corporation certain options to purchase or act as leasing agent for City-owned industrial lands, was presented.

A motion made by Councilman Morrow to continue the item for one week, To Tuesday, July 10, 1973, for further review, received no second at this time.

A motion made by Councilman Hitch to adopt the proposed Resolution received no vote.

A motion previously made by Councilman Morrow to continue the item for one week, to Tuesday, July 10, 1973, for further review, passed by the following vote: Yeas-Councilmen Johnson, Williams, Morrow, Martinet and Mayor Wilson. Nays-Councilmen Landt and Hitch. Absent-Councilmen O'Connor and Bates.

(Item 112)

RESOLUTION 208310, authorizing Suggestion Awards to the following employees: Ellen O. Duff - Building Inspection Department - $95; James L. Kennedy - Police Department - $85; Mary Lou Contreras -

(Item 112 Continued)
Public Works Department, Sanitation Division - $30, and Nancy J. Lovell, Public Works Department, Sanitation Division - $20, was adopted on motion of Councilman Morrow.

(Item 113)
RESOLUTION 208311, confirming the appointment by the Mayor of Mrs. Barbara D. Anderson to the Board of Library Commissioners to fill the unexpired term ending March 1, 1974, of Mrs. Thomas H. Hamilton, who has resigned, was adopted on motion of Councilman Morrow.

(Item 114)
RESOLUTION 208312, requesting the County Board of Supervisors to permit County departments to perform certain services, under the direction of the City Clerk, in connection with the Municipal Primary and General Municipal Elections to be held September 18 and November 6, 1973, was adopted on motion of Councilman Morrow.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Morrow, at 5:56 p.m.

Pete Wilson
Mayor of The City of San Diego, California

ATTEST:

Edward C. Wilson
City Clerk of The City of San Diego, California