

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, JANUARY 29, 1974  
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING  
COMMUNITY CONCOURSE

Present--Councilmen Johnson, O'Connor, Hubbard, Martinet, Ellis, Bates,  
and Deputy Mayor Williams.  
Absent--Councilman Morrow and Mayor Wilson.  
Clerk---Edward Nielsen.

Deputy Mayor Williams called the Regular Meeting to order at  
9:35 a.m.

(Item 1)  
Roll Call was taken.

(Item 2)  
Deputy Mayor Williams introduced Reverend Giles Conwill, Associate  
Pastor at St. Rita Catholic Church, who gave the Invocation.

(Item 3)  
Councilman Ellis led the Pledge of Allegiance.

Councilman Morrow entered the Chamber.

(Item 4)  
Deputy Mayor Williams welcomed thirty-six students from Sunset  
View Elementary School, accompanied by Mrs. Gordon, Principal.  
Councilwoman O'Connor addressed the group.

(Item 5)  
A communication from the Purchasing Agent reporting on the sale  
of 3290 pounds scrap brass at \$.30 per pound, and 7730 pounds at \$.50  
per pound; the \$4,852 received from this sale has been credited and  
deposited with the City Treasurer in Fund 500 (Water Utilities  
Operating Fund), was presented.

On motion of Councilman Johnson, said communication was noted and  
filed.

The Council considered requests for continuances: Items 106, 10  
and 11.

(Item 106)

RESOLUTIONS - MISCELLANEOUS: (Continued from the Meeting of January 8, 1974, for City Manager reports.) Directing the City Attorney to prepare and bring to the Council a ballot proposition to be included on the June 4, 1974 ballot, amending Section 141 of the Charter of The City of San Diego, to change the age of compulsory retirement from 65 years of age to 70 years of age.

On motion of Councilwoman O'Connor the proposed Resolution was continued to Thursday, February 14, 1974 and also referred to a Council Conference of Wednesday, February 13, 1974, at 9:30 a.m.

(Item 10)

ORDINANCES TO BE INTRODUCED: Establishing a new parking meter zone, on the west side of California Street, between Bean Street and Vine Street; a parking time limit of 1 hour shall be in effect at said location between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted.

On motion of Councilman Hubbard the proposed Ordinance was continued for one week to Tuesday, February 5, 1974, for City Manager report.

(Item 11)

ORDINANCES TO BE INTRODUCED: Establishing a new parking meter zone, on the east side of Hawk Street, between Washington Street and Fort Stockton Drive; a parking time limit of 1 hour shall be in effect at said location between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted.

On motion of Councilman Hubbard the proposed Ordinance was continued for one week to Tuesday, February 5, 1974, for City Manager report.

The motion of Councilman Martinet to direct the City Attorney to bring to docket an ordinance amending Items 10 and 11, above, died for lack of a second.

The Council considered the Consent Agenda, which consisted of Items 12, 13, 14, 15, 100, 101, 102, 103, 104, 105, 107, 108, 109, 110, 111, 112, and 113.

(Item 12)

RESOLUTION 209742, awarding a contract to Eugene R. Johnson for the initial development of Montezuma Park, for the sum of \$41,335; authorizing the expenditure of \$55,000 out of Park and Recreation Bond Fund (725) for said purpose and related costs, was adopted on motion of Councilman Martinet.

(Item 13)

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

RESOLUTION 209743, Futura Enterprises for additional improvements to Presidio Park and Recreation Center for the sum of \$26,524; authorizing the expenditure of \$28,000 out of Park and Recreation Bond Fund (725) and \$8,000 out of Capital Outlay Fund (245), for said purpose and related costs;

RESOLUTION 209744, Four Star Stage Lighting for the purchase of 20 spotlights for an actual cost of \$7,676.27, including tax and terms;

RESOLUTION 209745, San Diego Pipe & Supply Co. for the purchase of 3 each rectangular valves, for an actual cost of \$17,258.85, including tax and terms;

RESOLUTION 209746, San Diego Terminix for the fumigation of 6 golf course greens at Torrey Pines Golf Course, for an actual estimated cost of \$1,800;

RESOLUTION 209747, San Diego Overhead Door Co. for the purchase of 4 overhead doors and automatic opening equipment, for an actual cost of \$4,934.16, including terms; and

RESOLUTION 209748, California Electric Works for the purchase of 1 each pump shaft for an actual estimated cost of \$1,520.10, including tax, terms, and freight.

(Item 14)

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

RESOLUTION 209749, furnishing camera equipment, in accordance with Specifications Document No. 746140; and

RESOLUTION 209750, improvements to Community Concourse, Plaza Hall and South Lobby, in accordance with Specifications Document No. 746141.

(Item 15)

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

RESOLUTION 209751, installation of fume exhaust at Chollas and Rose Canyon Operations Stations, in accordance with Specifications Document No. 746142;

RESOLUTION 209752, construction of storm drain in Lots 10 & 11, Block G, Redland Gardens Extension, in accordance with Specifications Document No. 746143;

RESOLUTION 209753, adopting the Negative Declaration No. 73-6-019C, dated October 2, 1973; and

RESOLUTION 209754, modification of traffic signal and safety lighting systems at the intersections of 32nd Street and Harbor Drive; and at 32nd Street and Norman Scott Road/Wabash Boulevard, in accordance with Specifications Document No. 746144.

(Item 100)

RESOLUTION 209755, granting a one-year extension of time to Tee Development Corp. for completion of improvements in La Jolla Scenic Knolls Unit 3, said time to commence upon adoption of this resolution, was adopted on motion of Councilman Martinet.

(Item 101)

RESOLUTION 209756, granting a six-month extension of time to Pardee Construction Company for completion of improvements in Mira Mesa Verde Unit 13-B, said time to commence upon adoption of this resolution, was adopted on motion of Councilman Martinet.

(Item 102)

RESOLUTION 209757, granting a one-year extension of time to Pardee Construction Company for completion of improvements in Mira Mesa Verde Unit 18, said time to commence upon adoption of this resolution, was adopted on motion of Councilman Martinet.

(Item 103)

RESOLUTION 209758, granting a one-year extension of time to Dixieline Financial, Inc.; Art Leitch Investors; J. Andrew and Hazel L. Kitzman for completion of improvements in San Diego Mission Apartments, said time to commence upon adoption of this resolution, was adopted on motion of Councilman Martinet.

(Item 104)

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

RESOLUTION 209759, Del Mar Hills Unit 13; and  
RESOLUTION 209760, Mesa Villa.

(Item 105)

RESOLUTION 209761, calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an underground utility district to be known and denominated as the Washington Street, (Third Avenue to Ninth Avenue), Underground Utility District, was adopted on motion of Councilman Martinet.

(Item 107)

RESOLUTION 209762, authorizing an amended lease with the State of California, Department of Transportation, Toll Bridge Administration, providing for an increase in land area from 1.6 acres to approximately 2.96 acres in the Bay Bridge Park, was adopted on motion of Councilman Martinet.

(Item 108)

The following Resolutions, relative to the improvement of Baltimore Drive, were adopted on motion of Councilman Martinet:

RESOLUTION 209763, authorizing an agreement with the City of La Mesa for the improvement of Baltimore Drive; authorizing the expenditure of \$38,895 out of Gas Tax Fund 220 for said purpose and related costs; and

RESOLUTION 209764, certifying that the Negative Declaration of Environmental Significance of the City of La Mesa has been reviewed and considered.

(Item 109)

RESOLUTION 209765, authorizing a first amendment to agreement with Hura Doc (H.D.) Murphy, Project Director for the Southeast Involvement Project, to extend Project Director's services from February 1, 1974 to June 30, 1974 and allow him to employ staff on a reimbursable contract basis upon written approval of the Human Resources Department, was adopted on motion of Councilman Martinet.

(Item 110)

RESOLUTION 209766, authorizing a first amendment to agreement with the County of San Diego for the administration of Revenue Sharing Funds to community agencies for the purpose of carrying out Human Care Services Programs; changing the County contribution from \$2,494,000 to \$2,797,400, was adopted on motion of Councilman Martinet.

(Item 111)

RESOLUTION 209767, authorizing the City Manager to submit a grant application to the California Council on Criminal Justice (CCCJ) for the purpose of undertaking a project designated as Women's Detoxification Services; providing matching funds as may be required for said project, was adopted on motion of Councilman Martinet.

(Item 112)

RESOLUTION 209768, authorizing the use of City Forces for all necessary work in conjunction with the installation of safety lighting systems related to private utility undergrounding of overhead facilities on Washington Street from Ibis Street to Third Avenue; authorizing the expenditure of \$3,000 from Capital Outlay Fund 245 for said purpose, was adopted on motion of Councilman Martinet.

(Item 113)

RESOLUTION 209769, authorizing the expenditure of \$370,000 from the Gas Tax Fund 220 for acquisition of right of way and relocation assistance costs for widening and realignment of Palm Avenue in the South Bay area; adopting Environmental Impact Report No. 73-7-020C, entitled "Palm Avenue Widening," dated September 17, 1973, was adopted on motion of Councilman Martinet.

(Item 6)

The hour of 9:30 a.m. having arrived, Deputy Mayor Williams announced this was the time and place set for the hearing on the matter of proposed Soledad Mountain Park District - Park District No. 4, and for the hearing of protests and objections on the Report of the City Manager, prepared pursuant to Resolution of Intention No. 209037 of October 16, 1973, continued from November 27, 1973, and from December 27, 1973. He said that any and all persons having any protest or objection to the proposed acquisition, the extent of the assessment district or the proposed assessment might appear before the Council and show cause why the same should not be carried out and ordered in accordance with the Report and Resolution of Intention. Deputy Mayor Williams said this was also the time and place fixed for the hearing of protests and objections to the proposed changes and modifications in the boundary of the assessment district and in the assessment as referred to in Resolution No. 209542 of December 27, 1973. He said this was also the time and place fixed for the continued public hearing on whether the public convenience and necessity require the acquisition and whether it should be ordered without application of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

The City Clerk reported that the Report of the City Manager and the proposed changes in the boundaries of the assessment district and the assessment were available in the Council Chambers and that the affidavit of publication of the resolution of the Council declaring its intention to order changes and modifications and the certificate of mailing notices thereof were also on file in his office. A letter from R. J. Weiler Co., extending its bid on the purchase of the bonds, which was the low bid at a net interest cost of 5.496%, through January 29, 1974, was reported by the City Clerk to be on file in his office.

Jim McLaughlin, Community Development Department, reported that written protests to the proposed changes and modifications, filed with the City Clerk and not withdrawn, represent 28.4% of the area of the property to be assessed for the proposed acquisition.

Special Bond Counsel Burt gave the Council and the audience a brief explanation of the nature, purpose and procedure for the hearings, including a recitation of events in the proceedings that have heretofore transpired.

Jim McLaughlin, Community Development Department, testified concerning the following matters: (a) The nature and extent of the proposed amendments and modifications to the district boundaries, the assessment and the spread of assessment; (b) That in his opinion all lands within the proposed district, as modified, will be benefited by the proposed acquisition and that the proposed amended assessment has been apportioned upon the several parcels and subdivisions of land in the district in proportion to the estimated benefits to be received from the proposed acquisition; and (c) He stated that he was available to answer questions concerning the Report.

City Clerk Nielsen summarized the written protests received.

(Item 6 - Continued)

Deputy Mayor Williams asked whether any person who had filed a written protest to the proposed changes and modifications or to the Report or to any other matter in this proceeding, desired to be heard.

Nat Cordova, Robert Hoe and Hugh Norton appeared to speak in opposition to the proposed improvement of Soledad Mountain Park.

Deputy Mayor Williams asked whether any person present desired to make an oral protest.

No one appeared to be heard.

Deputy Mayor Williams asked whether there was any other person present who desired to be heard at this time in connection with the Report, the acquisition, the assessment, the diagram, the proposed changes and modifications, or any other aspect of this proceeding.

Mrs. John Spizazin, Lottie Rich-Metzoba and Mr. Nathan Naylor appeared to speak in favor of the proposed improvement of Soledad Mountain Park.

H. H. Fisher appeared to answer questions directed by the Council.

Jim McLaughlin, Community Development Department, and Deputy City Attorney Valderhaug answered questions directed by the Council.

The Council discussed the item at length.

On motion of Councilman Johnson, the hearings were closed and the following Resolutions were adopted:

RESOLUTION 209770, ordering changes and modifications in the boundaries of the assessment district and in the assessment;

RESOLUTION 209771, overruling and denying all oral and written protests against said improvement; determining that the proposed improvement within the limits mentioned in Resolution of Intention 209037, as modified by Resolution No. 209770, is feasible, and that the lands to be assessed therefor will be able to carry the burden of such proposed assessment, that the public convenience and necessity require the proposed acquisition, and that the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply; and ordering such acquisition; and

RESOLUTION 209772, awarding the sale of bonds.

The motion of Councilman Johnson that the City contribute 5% toward the acquisition was withdrawn by the maker upon advice by Deputy City Attorney Valderhaug that the motion was out of order.

(Item 9)

A proposed Ordinance, amending Chapter II, Article 7 of the San Diego Municipal Code by adding Section 27.2204.1 relating to the order of listing of candidates on ballots, was presented.

Charles Sexton, Registrar of Voters for San Diego County, answered questions directed by the Council.

On motion of Councilman Ellis, the proposed Ordinance was continued to Thursday, February 14, 1974, and referred to a Council Conference of February 13, 1974 at 9:30 a.m.

(Item 7)

A proposed Ordinance, continued from the Meetings of December 11, 1973 and January 15, 1974 at Retirement Board's request, amending Chapter II, Article 4 of the San Diego Municipal Code by repealing Section 24.0509 relating to disability retirement, was presented.

Retirement Officer Logan and Deputy City Attorney Valderhaug answered questions directed by the Council.

On motion of Councilman Ellis, the proposed Ordinance was amended to include Alternative #1 as specified in the Retirement Board letter to the City Council dated January 24, 1974 and signed by Retirement Officer Logan, and the following proposed Ordinance was introduced as amended, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis, Bates, and Deputy Mayor Williams. Nays-None. Absent-Mayor Wilson.

Amending Chapter II, Article 4 of the San Diego Municipal Code by amending Section 24.0509 relating to disability retirement.

(Item 8)

A proposed Ordinance, continued from the Meeting of January 22, 1974 for City Manager Report, amending Chapter IX, Article 7, of the San Diego Municipal Code by adding Sections 92.0726 and 92.0727, relating to the City's electrical regulations, was introduced on motion of Councilman Martinet, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis, Bates, and Deputy Mayor Williams. Nays-None. Absent-Mayor Wilson.

(Item 114)

RESOLUTION 209773, adopting Council Policy 600-15, entitled "Street Vacations and Easement Abandonments," was adopted on motion of Councilwoman O'Connor.

(Item 115)

RESOLUTION 209774, confirming the appointment of Mrs. Janet Erickson as the City's representative to the San Diego County Water Authority Board for a 6-year term ending January 28, 1980, to fill the vacancy of Mrs. Edith Kamm, who has resigned, was adopted on motion of Councilwoman O'Connor.

Councilman Bates moved to set February 13, 1974 at 11:00 a.m. as the date and time for the meeting with the Port Authority.



There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Johnson, the Regular Meeting was adjourned at 12:04 p.m. in memory of Sgt. Jule Lee Robinson, 14 year veteran of the San Diego Police Department, who passed away on January 28, 1974.

Mayor of The City of San Diego, California

ATTEST:

Charles J. [Signature]  
City Clerk of The City of San Diego, California