

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, JANUARY 23, 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 9:44 a.m.

(Item 1)

Mayor Wilson introduced Reverend Dr. Frank Lowe, Retired Minister of the Christian Church, who gave the Invocation.

(Item 2)

Councilman Landt led the Pledge of Allegiance.

(Item 3)

Winston Yetta, Police Department, received a Suggestion Award for \$100, presented by Councilman Landt.

RESOLUTION 207229, approving suggestion awards to Winston Yetta, Police Department, \$100, and Ellen O. Duff, Building Inspection, \$10, was adopted on motion of Councilman Landt.

(Item 4)

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

(Item 5)

Minutes of the Regular Council Meetings of Tuesday, December 5, 1972, Thursday, January 11, and Tuesday, January 16, 1973, were presented by the City Clerk. On motion of Councilman Bates, said Minutes were approved without reading, after which they were signed.

(Item 6)

A communication from La Jolla High School American Government/World Affairs Classes requesting permission to address the Council to express their appreciation to the Council and staff for their policy of youth involvement, was presented.

Chris Nagy appeared to speak regarding said communication.

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

(Item 7)

A committee from Taft and O'Farrell Junior High Schools, representing the Urban Studies Exchange Program, requesting permission to address the Council regarding studies they have conducted relative to urban problems, did not appear.

(Item 8)

A communication from Clara Jo Brown, Balanced Community Coalition, requesting permission to address the Council regarding alternate means of implementing the Balanced Community Policy in light of the recent freeze on federal funds for low income housing, was presented.

Clara Jo Brown appeared to speak regarding said communication.

On motion of Councilman Hitch, said communication was referred to the Mayor for a report back to Council.

The Council at this time considered requests for continuances:
Item 9.

(Item 9)

CONTINUED HEARINGS - (Continued from the Meeting of January 9, 1973.)
Vacating Lee, Boundary, Louret, and Anita Avenues, and portions of Marian, Charles, and Alamitos Avenues, in South San Diego - Resolution of Intention 207049.

On motion of Councilman Williams, said hearing was continued indefinitely for E.I.R.

RESOLUTION 207230, continuing the hearing on the proposed vacation of Lee, Boundary, Louret, and Anita Avenues, and portions of Marian, Charles, and Alamitos Avenues, in South San Diego, under Resolution of Intention 207049, adopted December 12, 1972, indefinitely until an Environmental Impact Report has been filed.

(Item 102)

A proposed Resolution, calling a public hearing to determine whether the public health, safety, or general welfare require the formation of an Underground Utility District to be known and denominated as the Imperial Avenue (46th Street to 61st Street) Underground Utility District, was returned to the City Manager, at his request.

The Council considered the Consent Agenda, which consisted of Items 13, 14, 15, 16, 17, 100, 101, 104, 105, 106, 107, 108, 110, and 111.

(Item 13)

The following Resolutions, relative to awarding contracts, (E.D.A. Project No. 07-11-01227), were adopted on motion of Councilman Martinet:

RESOLUTION 207231, T. B. Penick & Sons, Inc., for improvement of sidewalks, curbs and gutters in the area bounded by 43rd Street, Franklin Avenue, 49th Street and Logan Avenue, Contract 12, for the sum of \$25,433.25; authorizing the expenditure of \$33,000 from Special Fund 2714 for said purpose and related costs; and

RESOLUTION 207232, R. H. Werden Contracting Company for the construction of sidewalks in the area bounded by Ash Street, 34th Street, "C" Street and 32nd Street, Contract 13, for the sum of \$13,953.50; authorizing the expenditure of \$18,500 out of Special Fund 2714 for said purpose and related costs.

(Item 14)

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

RESOLUTION 207233, R. H. Werden Contracting Company for improvement of sidewalks, curbs and gutters (E.D.A. Project No. 07-11-01227) in the area bounded by Boundary Street, Highway 94, 43rd Street and "J" Street, Contract 14, for the sum of \$25,828; authorizing the expenditure of \$33,000 out of Special Fund 2714 for said purpose and related costs;

RESOLUTION 207234, G. Spikes and W. Love Masonry & Cement Contractors for improvement of sidewalks, curbs and gutters (E.D.A. Project No. 07-11-01227) in the area bounded by Interstate 5, Beta Street, 43rd Street and Division Street, Contract 15, for the sum of \$23,590; authorizing the expenditure of \$30,000 out of Special Fund 2714 for said purpose and related costs; and

RESOLUTION 207235, T. B. Penick & Sons, Inc. for the construction of "J" Street Mini-Park, for the sum of \$13,777, including base bid and Additive Alternate "A"; authorizing the expenditure of \$19,000 out of Capital Outlay Fund (245) for said purpose and related costs.

(Item 15)

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

RESOLUTION 207236, V. E. Posey for the construction of storm drain in Lots 2 and 4 Pfahlers Subdivision (Morena Boulevard Drain), for the sum of \$6,836.50; authorizing the expenditure of \$10,000 out of Capital Outlay Fund (245) for said purpose and related costs;

RESOLUTION 207237, Arrow Electric for the construction of street lighting systems on Sunset Cliffs Boulevard, between Del Mar Avenue and Bermuda Avenue, for the sum of \$3,289; authorizing the expenditure of \$5,500 out of Capital Outlay Fund (245) for said purpose and related costs; and

RESOLUTION 207238, Metro Equipment for the purchase of three earth boring drills, for an actual cost of \$2,087.41, including tax and terms.

(Item 16)

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

RESOLUTION 207239, furnishing one sterilizer autoclave, in accordance with Specifications Document No. 742402; and

RESOLUTION 207240, site development and remodeling of San Diego Transit Central Operating Facility parking area improvements, in accordance with Specifications Document No. 742403.

(Item 17)

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

RESOLUTION 207241, paving and otherwise improving Averil Road, between San Ysidro Boulevard and South Vista Avenue, and Sunset Avenue, between Averil Road and Vista Avenue, in accordance with Specifications Document No. 742404;

RESOLUTION 207242, improvement of sidewalks, curbs and gutters in the area bounded by 30th Street, Imperial Avenue, 31st Street, "L" Street, 32nd Street, "K" Street, Bancroft Street, and Commercial Street (E.D.A. Project No. 07-11-01227), Contract 21, in accordance with Specifications Document No. 742405;

RESOLUTION 207243, improvement of sidewalks, curbs and gutters in the area bounded by 19th Street, "K" Street, 24th Street, "L" Street, 22nd Street, Commercial Street, Crosby Street, Irving Avenue, Beardsley Street, Kearny Avenue, and 21st Street (E.D.A. Project No. 07-11-01227), Contract 20, in accordance with Specifications Document No. 742406;

RESOLUTION 207244, improvement of sidewalks, curbs and gutters in the area bounded by Wabash Boulevard, Ocean View Boulevard, 40th Street and "Z" Street, 43rd Street, Logan Avenue, 45th Street, and Boston Avenue (E.D.A. Project No. 07-11-01227), Contract 19, in accordance with Specifications Document No. 742407;

RESOLUTION 207245, improvement of sidewalks, curbs and gutters in the area bounded by Boundary Street, Franklin Avenue, San Miguel Avenue, Los Pinos Avenue, San Pasqual Street and Ocean Boulevard (E.D.A. Project No. 07-11-01227), Contract 18, in accordance with Specifications Document No. 742408; and

RESOLUTION 207246, improvement of sidewalks, curbs and gutters in the area bounded by 31st Street, Highway 94, 34th Street, "K" Street, 32nd Street, and "G" Street (E.D.A. Project No. 07-11-01227), Contract 22, in accordance with Specifications Document No. 742409.

(Item 100)

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 207247, Koopman Subdivision;

RESOLUTION 207248, Picard Estates Unit 4; and

RESOLUTION 207249, Vista de Miguel Unit 2.

(Item 101)

The following Resolutions, relative to granting the petitions for paving and otherwise improving the following; directing the City Manager to furnish description and plat of the following districts, were adopted on motion of Councilman Martinet:

RESOLUTION 207250, Gaines Street from Colusa Street to Eureka Street; and

RESOLUTION 207251, Alley in Block 23, Kensington Park.

(Item 104)

RESOLUTION 207252, authorizing an agreement with the State of California, Division of Highways, for removal of debris, fire and safety hazards on state-owned right of way properties, for period ending September 4, 1973, cost of said removal to be borne by the state, was adopted on motion of Councilman Martinet.

(Item 105)

RESOLUTION 207253, authorizing the use of City Forces to modify the traffic signals at Mission Boulevard and Grand Avenue, Front and Ash, State and Ash, Columbia and Ash, India and Ash, Kettner and Ash, Pacific Highway and Ash; and to remove the traffic signal at Kettner and Market; and authorizing the expenditure of \$10,575 from Gas Tax Fund 220 for this purpose and related costs, was adopted on motion of Councilman Martinet.

(Item 106)

RESOLUTION 207254, approving Change Order No. 1 issued in connection with the contract with L. R. Hubbard Construction Co. for improvement of Boundary Street between Hilltop Drive and Market Street; Boston Avenue between Acacia Street and 36th Street; Franklin Avenue between Milbrae and 38th Street; 36th Street from Ocean View Boulevard South to improved area North of Florence Street extended; said changes amounting to an increase of \$1,196, was adopted on motion of Councilman Martinet.

(Item 107)

RESOLUTION 207255, approving Change Order No. 1, issued in connection with the contract with Long, Marker & Howley Construction Co. for construction of water and sewer main replacements - Group 192 - La Jolla/Bird Rock areas; said changes amounting to an increase of \$8,400, was adopted on motion of Councilman Martinet.

(Item 108)

RESOLUTION 207256, approving Change Order No. 2, issued in connection with the contract with T. B. Penick & Sons for improvements in Model Cities Area V-1 (F Street between 41st Street and I-805, Denby Street between Market and J Streets, 47th Street between Market and J Streets, J Street between 42nd and Toyne Streets); said

(Item 108 Continued)

changes amounting to an increase of \$934.76, was adopted on motion of Councilman Martinet.

(Item 110)

RESOLUTION 207257, authorizing the City Manager to solicit proposals from qualified firms to study and report on (1) the true economic and environmental impact of tourism on the City of San Diego, and (2) the cost/effectiveness of the City of San Diego's current promotional and advertising programs, was adopted on motion of Councilman Martinet.

(Item 111)

RESOLUTION 207258, authorizing a representative of the Data Processing Department to travel to San Francisco, California, to attend a System Implementation Training Course for the period January 29-31, 1973, and to incur all necessary expense, was adopted on motion of Councilman Martinet.

(Item 109)

A proposed Resolution, accepting the generous contribution of a Deodar Cedar Tree from Mrs. Willie Mae Henry for Mountain View Park; authorizing the expenditure of \$750 from Capital Outlay Fund 245 for the purpose of providing funds for removal of the tree and replanting in Mountain View Park; commending Mrs. Willie Mae Henry for this act of civic generosity and publicly expressing on behalf of the citizens of this City a debt of gratitude to Mrs. Willie Mae Henry, was presented.

City Manager Moore answered questions directed by the Council.

Mrs. Willie Mae Henry appeared to speak regarding said proposed Resolution.

RESOLUTION 207259, accepting the generous contribution of a Deodar Cedar Tree from Mrs. Willie Mae Henry for Mountain View Park; authorizing the expenditure of \$750 from Capital Outlay Fund 245 for the purpose of providing funds for removal of the tree and replanting in Mountain View Park; commending Mrs. Willie Mae Henry for this act of civic generosity and publicly expressing on behalf of the citizens of this City a debt of gratitude to Mrs. Willie Mae Henry, was adopted on motion of Councilman Bates.

(Item 11)

A proposed Ordinance, amending Chapter VIII, Article 4 of the San Diego Municipal Code by amending Section 84.09 relating to Restrictions on the Use of Bicycles on Sidewalks and Other Public Rights of Way, was presented.

City Manager Moore answered questions directed by the Council.

A revised Ordinance was presented.

A proposed Ordinance, amending Chapter VIII, Article 4 of the San Diego Municipal Code by amending Section 84.09 relating to Restrictions on the Use of Bicycles on Sidewalks and Other Public

(Item 11 Continued)

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

(Item 12)

A proposed Ordinance, amending Ordinance No. 10873 (New Series), as amended, was presented.

City Manager Moore, Planning Director Goff, and Legislative Analyst Babunakis answered questions directed by the Council.

Councilman Williams left the Chamber.

Councilman Williams entered the Chamber.

(Item 12 Continued)

A motion made by Councilman Landt to close the debate, passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Martinet, and Mayor Wilson. Nays-Councilmen Williams, Morrow, Hitch, and Bates. Absent-None.

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 Personnel Positions and Funding Within General Fund 100, Departments 11.00 (Community Development) and 12.00 (Planning); authorizing and directing the City Auditor and Comptroller to transfer from Community Development Department (11.00) to the Planning Department (12.00) the sum of \$68,364 for the above purpose; and authorizing and directing the City Auditor and Comptroller to transfer from the Unallocated Reserve (53.30) to the Planning Department (12.00) the sum of \$11,694 for the purpose of providing funds for an additional position of Supervising Planner, was introduced on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Martinet, Hitch, and Mayor Wilson. Nays-Councilmen Morrow and Bates. Absent-None.

Mayor Wilson recessed the Meeting at 10:48 a.m. Upon reconvening at 11:03 a.m., the roll call showed all present.

(Item 103)

A proposed Resolution, approving the report under the Special Assessment Investigation, Limitation and Majority Protest Act of

(Item 103 Continued)

1931 and fixing a date of hearing thereon (Amalfi Street Assessment District), was presented.

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

RESOLUTION 207260, approving the report under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 and fixing a date of hearing thereon (Amalfi Street Assessment District), was adopted on motion of Councilman Landt.

At this time, Councilman Morrow requested that the estimated cost be included in parenthesis on invitations to bid on all future dockets.

Mayor Wilson recessed the Meeting at 11:13 a.m. into Executive Session to discuss pending litigation, to reconvene at 2:00 p.m.

Upon reconvening at 2:39 p.m., the roll call showed all present.

(Item 10)

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 December 19, 26, January 4 and 9, 1973, for further review, on the matter of considering various plans for redistricting the City Council Districts on the basis of population; such redistricting plans to be in compliance with the order of the Superior Court in the Case of D'Adamo v. Cobb, Superior Court No. 314629. It was reported that no written protests had been received.

Deputy City Attorney Wiegand answered questions directed by the Council.

Ella Graham, Roland Reed, and Rudy Stephens appeared to speak regarding said redistricting.

The hearing was closed on motion of Councilman Williams.

A proposed Ordinance, changing and reestablishing the boundary lines of the Districts within The City of San Diego for the purpose of nominating members of the City Council, and repealing Ordinance No. 9984 (New Series) adopted February 27, 1969, was introduced, using Plan 5-A Modified, 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.

At this time, Mayor Wilson announced that in view of the 25th of January, 1973 being declared a national day of mourning for former President Lyndon Baines Johnson, the Regular Meeting scheduled for Thursday, January 25, 1973 will be adjourned to Tuesday, January 30, 1973.

At this time, a proposed Resolution, declaring the 25th of January, 1973, to be a day of public fast and mourning in honor of Lyndon Baines Johnson, was presented.

RESOLUTION 207261, declaring the 25th of January, 1973, to be a day of public fast and mourning in honor of Lyndon Baines Johnson, thirty-sixth President of the United States, 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 Mayor Wilson, the Regular Meeting was adjourned in memory of former President Lyndon Baines Johnson, into Executive Session to discuss pending litigation, at 3:19 p.m.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

Edward Walker

City Clerk of The City of San Diego, California