

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - TUESDAY, MARCH 27, 1973
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present-Councilmen Johnson, O'Connor, Landt, Williams, Morrow,
Martinet, Hitch, and Mayor Wilson.

Absent--Councilman Bates.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 9:40 a.m.

(Item 1)

In the absence of a Clergyman, City Attorney Witt gave the
Invocation.

(Item 2)

Councilman Landt led the Pledge of Allegiance.

(Item 3)

Mayor Wilson welcomed representatives of Japan's High School
wrestling team, hosted by Mt. Miguel High School , accompanied
by Ned Blass and John Shindle.

Mayor Wilson welcomed Mr. and Mrs. Lazare Schulmann, who are
visiting in San Diego. Mr. Schulmann is a Councilman from Paris,
France.

Mayor Wilson welcomed students from O'Farrell Junior High
School, accompanied by Roger Stransner.

(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, February 20,
Tuesday, March 6, and Thursday, March 13, 1973, were presented by
the City Clerk. On motion of Councilman Landt, said Minutes were
approved without reading, after which they were signed.

(Item 6)

A communication from Clarence Burdette, La Jolla Town Council, Inc., requesting permission to address the Council regarding a public hearing for the purpose of rezoning areas in La Jolla for the extension of the CS Zone area for sign control, was presented.

Councilman Bates entered the Chamber.

(Item 6 Continued)

Clarence Burdette appeared to speak regarding said communication. On motion of Councilman Johnson, said communication was referred to the Planning Department and the Planning Commission to initiate rezoning hearings as requested in Mr. Burdette's memo.

The Council at this time considered requests for continuances:
Item 7.

(Item 7)

HEARINGS - Paving and otherwise improving Genesee Avenue and Marlesta Drive; and paving and otherwise improving Linda Vista Road and improving Mount Alifan Drive - on Assessment Roll 3839.

On motion of Councilman Morrow, the matter was continued to Tuesday, April 3, 1973, to accomplish proper publication.

RESOLUTION 207592, continuing the hearing on the Street Superintendent's Assessment No. 3839, made to cover the costs and expenses of paving and otherwise improving Genesee Avenue, Marlesta Drive, Linda Vista Road and Mount Alifan Drive, under Resolution of Intention No. 203414, adopted August 12, 1971, amended by Resolution No. 203994, adopted October 19, 1971 and Resolution No. 207508, adopted March 13, 1973, to 9:30 a.m., Tuesday, April 3, 1973.

The Council considered the Consent Agenda, which consisted of Items 10, 12, 13, 100, 101, 102, 103, 104, 105, 107, and 108.

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

(Item 10)

ORDINANCE 11030 (New Series), amending Chapter II, Article 3, Division 11 of the San Diego Municipal Code by amending Sections 23.1101 and 23.1104 (Rule X, Sections 1 and 4 of the Rules of the Civil Service Commission) relating to Leaves of Absence.

(Item 12)

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

RESOLUTION 207593, furnishing envelopes, in accordance with Specifications Document No. 742959;

RESOLUTION 207594, furnishing ferric chloride for a period of one year ending April 30, 1974, in accordance with Specifications Document No. 742960; and

RESOLUTION 207595, construction of San Carlos Library, in accordance with Specifications Document No. 742961.

(Item 13)

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

RESOLUTION 207596, improvement of sidewalks, curbs and gutters in the area bounded by Beardsley Street, Irving Avenue, Dewey Street and Kearny Avenue (E.D.A. Project No. 07-11-01227 - Contract 28), in accordance with Specifications Document No. 742962;

RESOLUTION 207597, improvement of sidewalks, curbs and gutters in the area bounded by Crosby Street, Irving Avenue, Dewey Street, Kearney Avenue, Sampson Street, and Harrison Avenue (E.D.A. Project No. 07-11-01227 - Contract 29), in accordance with Specifications Document No. 742963;

RESOLUTION 207598, improvement of sidewalks, curbs and gutters in the area bounded by Wabash Boulevard, Gillette Street, Imperial Avenue, 40th Street, Franklin Avenue, 38th Street and Ocean View Boulevard (E.D.A. Project No. 07-11-01227 - Contract 30), in accordance with Specifications Document No. 742964;

RESOLUTION 207599, improvement of sidewalks, curbs and gutters in the area bounded by Smythe Avenue, San Ysidro Boulevard, East Park Avenue, Seaward Avenue, West Park Avenue, North Vista Avenue and Sunset Boulevard (E.D.A. Project No. 07-11-01227 - Contract 31), in accordance with Specifications Document No. 742965; and

RESOLUTION 207600, improvement of sidewalks, curbs and gutters in the area bounded by 24th Street, Commercial Street, Franklin Avenue, Evans Street, Imperial Avenue, 25th Street and "L" Street (E.D.A. Project No. 07-11-01227 - Contract 32), in accordance with Specifications Document No. 742966.

(Item 100)

The following Resolutions, granting the petitions for improvements under the Improvement Act of 1911; directing the City Manager to furnish descriptions and plats of the following districts, were adopted on motion of Councilman Hitch:

RESOLUTION 207601, paving and otherwise improving the Alley in Block 1, Corella Tract;

RESOLUTION 207602, paving and otherwise improving Donax Avenue between 18th and 19th Streets; and

RESOLUTION 207603, paving and otherwise improving the Alley in Block 3, Las Alturas No. 2.

(Item 101)

RESOLUTION 207604, authorizing the sale by negotiation of a portion of Lot 2 of North Clairemont Plaza for the sum of \$35 to the Owner in Fee Simple of Lot 2; authorizing the execution of a Quitclaim Deed to the Owner in Fee Simple of Record of Lot 2, was adopted on motion of Councilman Hitch.

(Item 102)

RESOLUTION 207605, approving the acceptance by the City Manager of a deed of The United States of America conveying portions of Lots 259, 260, 274, 275, 279, 280, 281, 304, 305, 306 of the Pueblo Lands of San Diego and Blocks 347, 348, 349, 360, 361, 362, 382, 383, 391, 392 of Old San Diego for San Diego River Dyke Lands; authorizing the expenditure of \$1,500 from Capital Outlay Fund 245 for said purpose, was adopted on motion of Councilman Hitch.

(Item 103)

The following Resolutions, approving the acceptance by the City Manager of deeds, were adopted on motion of Councilman Hitch:

RESOLUTION 207606, William J. Wallace (street purposes) - NAUTILUS STREET; and

RESOLUTION 207607, Fannie G. Wallace (street purposes) - NAUTILUS STREET.

(Item 104)

The following Resolutions, authorizing Lease Agreements for construction, operation and maintenance of Little League and Youth League ball parks, each for a period of one year, terminating December 15, 1973, except for the Oak Park Little League Agreement (104i), which will be for a period of seven months and will terminate on July 31, 1973; with a 30 day cancellation clause, for a rental of \$1.00, were adopted on motion of Councilman Hitch:

RESOLUTION 207608, Black Mountain Pony League;

RESOLUTION 207609, Cowles Mountain Little League;

RESOLUTION 207610, Del Cerro Little League;

RESOLUTION 207611, La Jolla Youth, Inc.;

(Item 104 Continued)

RESOLUTION 207612, Loma Portal Little League;
RESOLUTION 207613, Luckie Waller Little League;
RESOLUTION 207614, Mission Village Little League;
RESOLUTION 207615, North Clairemont Little League;
RESOLUTION 207616, Oak Park Little League;
RESOLUTION 207617, Ocean Beach Little League;
RESOLUTION 207618, Peninsula Bobby Sox League;
RESOLUTION 207619, Point Loma Little League;
RESOLUTION 207620, Presidio Little League;
RESOLUTION 207621, Redwood Village Little League;
RESOLUTION 207622, San Diego Youth Baseball Council, Inc.; and
RESOLUTION 207623, Sunshine Little League.

(Item 105)

RESOLUTION 207624, authorizing Chief Deputy City Attorney Stuart H. Swett to travel to Laguna Beach, California to attend a Prosecutors Management Seminar to be conducted by the Southern California Counties District Attorneys Association during the period April 1 through April 6, 1973, at no expense to the City, was adopted on motion of Councilman Hitch.

(Item 107)

RESOLUTION 207625, authorizing the City Manager to submit a grant application under HUD's Comprehensive Planning Assistance Program for first implementation year of May 15, 1973 through May 14, 1974, was adopted on motion of Councilman Hitch.

(Item 108)

RESOLUTION 207626, authorizing the City Manager to execute Program Supplement No. 6 to City-State TOPICS Agreement No. 7 for installation of traffic signals at the intersection of Morley Field Drive and Park Boulevard, was adopted on motion of Councilman Hitch.

(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 installation of safety lighting in College Canyon Park Unit 1 on Mill Peak Road, Adobe Falls Road and Adobe Falls Place - on Assessment Roll 3852. It was reported that no written appeals 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 motion of Councilman Hitch:

RESOLUTION 207627, confirming and approving the Street Superintendent's Assessment No. 3852, covering the cost of installation of safety lighting in College Canyon Park Unit 1 on Mill Peak Road,

(Item 8 Continued)

Adobe Falls Road and Adobe Falls Place; authorizing said Superintendent to attach his warrant thereto and issue the same in the manner and 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 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 application of AMBOCAR, by Lloyd D. Heiydt, for a Certificate of Public Convenience and Necessity to operate one automobile for hire for a wheelchair transportation service for handicapped and paraplegics within the limits of the City of San Diego. It was reported that no written protests had been received.

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

No one appeared to be heard.

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

RESOLUTION 207628, granting a Certificate of Public Convenience and Necessity to operate one vehicle for hire pursuant to the provisions of Section 72.11 of the San Diego Municipal Code to Lloyd D. Heiydt, dba AMBOCAR.

(Item 106)

A proposed Resolution, authorizing the City Manager to execute an agreement with the City of La Mesa for the improvement of Lake Murray Boulevard, Mary Fellows Avenue to Kiowa Drive; authorizing the expenditure of \$69,000 out of Gas Tax Fund 220 for said purpose, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 207629, authorizing the City Manager to execute an agreement with the City of La Mesa for the improvement of Lake Murray Boulevard, Mary Fellows Avenue to Kiowa Drive; authorizing the expenditure of \$69,000 out of Gas Tax Fund 220 for said purpose, was adopted on motion of Councilman Hitch.

(Item 110)

A proposed Resolution, cosponsoring with the United Nations Association of San Diego "Convergence-'73 Day," to be held in the Recital Hall, Conference Building, Balboa Park Bowl, and Organ Pavilion to be held May 5, 1973; waiving the rental fees for said event, was presented.

City Manager Moore answered questions directed by the Council.

Robert Reyburn and Ellen Del Adams appeared to speak in opposition to the proposed Resolution.

A motion made by Councilwoman O'Connor to amend the Resolution by changing the date of the event to May 12, 1973 passed unanimously.

(Item 110 Continued)

RESOLUTION 207630, cosponsoring with the United Nations Association of San Diego "Convergence-'73 Day," to be held in the Recital Hall, Conference Building, Balboa Park Bowl, and Organ Pavilion to be held May 12, 1973; waiving the rental fees for said event was adopted, as amended, on motion of Councilwoman O'Connor.

(Item 111)

A proposed Resolution, confirming the appointment by the Mayor of Steve Gilbert Moreno to the Park and Recreation Board for a term ending March 1, 1974, to fill the vacancy caused by the resignation of Father Juan Hurtado, was presented.

Marian Bear appeared to speak regarding said proposed Resolution.

RESOLUTION 207631, confirming the appointment by the Mayor of Steve Gilbert Moreno to the Park and Recreation Board for a term ending March 1, 1974, to fill the vacancy caused by the resignation of Father Juan Hurtado, was adopted on motion of Councilman Martinet.

(Item 112)

RESOLUTION 207632, confirming the following appointments by the Mayor to the Model Cities Citizen Advisory Board for terms ending December 31, 1973: Model Cities Neighborhood - Resident Representatives-- John De Castro, Area 1, Jesus Hueso (Reappointment), Area 2, Mrs. Octavia Draper, Area 3, Albert Willis McCain, Area 4, Mrs. Jacquelyn Meshack (Reappointment), Area 5, Wallace Van Buren, Area 6; At-Large Resident Representatives--Carlos Gonzalez (Reappointment), Area 2, Ernie Bueno (Reappointment), Area 5, Al Johnson, Area 2; Electors of City--Thomas Lee Calimee, Jr., Jim Estrada, Rev. Raymond E. Lynn (Reappointment), Brister O. Murdock (Reappointment), Charles E. Reid (Reappointment), Chairman, Miss Sylvia Smith (Reappointment), was adopted on motion of Councilman Martinet.

(Item 113)

A proposed Resolution, confirming various appointments by the Mayor to the Environmental Appeals Board, was presented.

Vickie Greensmith appeared to speak regarding said proposed Resolution.

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

On motion of Councilwoman O'Connor, said proposed Resolution was continued for one week, to Tuesday, April 3, 1973, for further review.

(Item 114)

A proposed Resolution, creating a Southeast Involvement Project Advisory Committee; confirming the Mayor's appointment of various persons, was presented.

Esther Walker and Glenn McNary appeared to speak regarding said proposed Resolution.

(Item 114 Continued)

A revised Resolution was presented, changing the name of the Chairman to Mark M. Miranda.

RESOLUTION 207633, creating a Southeast Involvement Project Advisory Committee; confirming the Mayor's appointment of the following named persons: Mark M. Miranda, Chairman, Kenneth R. Cilch, Arthur W. Curry, Gaspar Oliveira, Jr., Mrs. Mercedes B. Ritchey, John B. Robbins, and Mrs. Martha O. Williams, was adopted on motion of Councilman Bates.

Councilman Williams did not vote on this item.

(Item 115)

A proposed Resolution, approving Change Order No. 2 issued in connection with the contract with Fluor Ocean Services for construction of West Mission Bay Drive Bridge, amounting to an increase in contract price of \$39,044, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 207634, approving Change Order No. 2 issued in connection with the contract with Fluor Ocean Services for construction of West Mission Bay Drive Bridge, amounting to an increase in contract price of \$39,044, was adopted on motion of Councilman Hitch.

Mayor Wilson recessed the Meeting at 11:06 a.m. Upon reconvening at 11:27 a.m., the roll call showed Councilman Williams absent.

(Item 109)

A proposed Resolution, authorizing the City Manager to submit to the Department of Housing and Urban Development the revised San Diego Model Cities Comprehensive Demonstration Plan for the third action year, was presented.

Councilman Williams entered the Chamber.

(Item 109 Continued)

A revised Resolution was presented.

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

Councilman Bates left the Chamber.

Councilman Bates entered the Chamber.

(Item 109 Continued)

Victor Gonzalez, Brister Murdock, Esther Walker, and Albert McCain appeared to speak regarding said proposed Resolution.

(Item 109 Continued)

RESOLUTION 207635, approving the Comprehensive City Demonstration Program; authorizing the City Manager to submit to the United States Department of Housing and Urban Development said Program; authorizing the execution of a grant agreement with the United States of America to carry out the Program, was adopted on motion of Councilwoman O'Connor.

By Unanimous Consent granted to Councilman Bates, the City Manager and Planning Department were requested to prepare a report to be back to the Council by Thursday, March 29, 1973, on whether or not an emergency exists in that area west of Cochabamba Street, south of Satellite and north of the Imperial Beach City Limits because of high density development, and to determine the extent of the emergency, if any, in this and adjoining areas.

J. R. Shattuck appeared to speak in opposition to said direction.

Councilman Johnson left the Chamber.

Councilman Martinet left the Chamber.

Councilman Martinet entered the Chamber.

Councilwoman O'Connor left the Chamber.

The Council resumed discussion of said direction.
City Attorney Witt answered questions directed by the Council.

Councilman Morrow left the Chamber.

On motion of Councilman Bates, said direction passed unanimously.

Mayor Wilson recessed the Meeting at 12:33 p.m. to reconvene at 2:00 p.m.

Upon reconvening at 2:14 p.m., the roll call showed Councilman Martinet absent.

(Item 11)

A proposed Ordinance, continued from the Meeting of March 15, 1973, for further testimony, San Diego Municipal Election Campaign Contribution and Expenditure Control Ordinance, was presented.

The Council discussed said proposed Ordinance.

Councilman Martinet entered the Chamber.

(Item 11 Continued)

A revised Ordinance was presented.

City Attorney Witt answered questions directed by the Council.

Councilwoman O'Connor made a motion to amend the Ordinance by changing the amount of an individual contribution from \$500 to \$250, and by changing the candidate's personal contribution to \$2500.

William McKenzie, Abe Kalatsky, Jim Ellis, and Ray Lussa appeared to speak in opposition to the motion.

The above motion passed, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, and Bates. Nays-Councilmen Landt, Martinet, Hitch, and Mayor Wilson. Absent-None.

A motion made by Councilman Morrow to limit contributions to individuals by adding a four paragraph amendment to the Ordinance, in the Contribution section, changing the first paragraph to read, "No corporation, partnership, labor union, or other business or labor organization shall make a contribution to any candidate or committee," passed unanimously.

Richard Riderour appeared to speak in opposition to this motion.

A motion made by Councilman Hitch to instruct the City Attorney to amend the Ordinance by exempting measures from the provisions limiting individual contributions and prohibiting corporate gifts, passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, and Mayor Wilson. Nays-Councilman Bates. Absent-None.

Mayor Wilson recessed the Meeting at 3:51 p.m. Upon reconvening at 4:12 p.m., the roll call showed Councilman Williams absent.

Councilman Williams entered the Chamber.

(Item 11 Continued)

The Council resumed discussion of the proposed Ordinance.

A motion made by Councilman Martinet to amend the Ordinance on page 6 and page 9 by adding the phrase "any peace officer at the direction of the enforcement authority or of the Attorney General," passed unanimously.

A motion made by Councilman Martinet to amend the Ordinance on page 14, Section 27. 2937, to read "statements will be open for public inspection during regular City business hours at the office of the City Clerk and from 9:00 a.m. to 5:00 p.m. on the Saturday preceding an

(Item 11 Continued)

election at the main branch of the City Library," passed unanimously.

A motion made by Councilman Martinet to amend the Ordinance by eliminating the forfeiture provision died for lack of a second.

A motion made by Councilman Morrow to amend the Ordinance by providing for an automatic jail term, minimum of 10 days, for violation of the Ordinance, died for lack of a second.

A motion made by Councilman Morrow to amend the Ordinance on page 11 by requiring contributors to be listed in alphabetical order died for lack of a second.

Marian Bear appeared to speak regarding the proposed Ordinance.

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

Mary Ellen Shute, Evonne Schultze, and Ted Garrett appeared to speak regarding the proposed Ordinance.

The proposed San Diego Municipal Election Campaign Contribution and Expenditure Control Ordinance was introduced, as amended, on motion of Councilman Landt, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-None.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned into Executive Session to be held on Wednesday, March 28, 1973, to meet and confer with Negotiation Team sometime during that day, at 4:15 p.m., on motion of Councilman Bates.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California