

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, APRIL 10, 1973  
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING  
COMMUNITY CONCOURSE

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

Absent--Councilman Hitch.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 9:42 a.m.

(Item 1)

Mayor Wilson introduced Reverend Dr. William MacInnes, Stated  
Clerk of the San Diego Presbytery, who gave the Invocation.

(Item 2)

Councilman Morrow led the Pledge of Allegiance.

(Item 3)

Mayor Wilson welcomed thirty students from Madison High School,  
accompanied by Mr. Francis Kilcoyne.

Councilman Morrow addressed the group.

By unanimous consent granted to Councilwoman O'Connor, a com-  
munication from Ms. Joyce Beers regarding the advertisement in Smart  
Shopper on zoning policies, was presented.

Ms. Joyce Beers appeared to speak regarding said communication.

On motion of Councilwoman O'Connor, said communication was noted  
and filed.

The Council considered requests for continuances: Items 5,  
10b, and 112.

(Item 5)

HEARINGS - Appeal of Saratoga Development Corporation, by Donald R.  
Worley, attorney, from the decision of the City's Subdivision Engineer  
in denying its application for a land development permit on a portion  
of Section 32, Township 14 South, Range 2 West (proposed Scripps  
Mesa Center Unit 4), located at the northwest corner of Scripps Ranch  
Boulevard and Erma Road, in the A-1-10 Zone.

On motion of Councilman Martinet, said hearing was continued  
indefinitely for EIR.

(Item 10b)

RESOLUTIONS-PURCHASING - Resolution relative to awarding contract as follows: Bayly Martin & Fay, Inc. for Community Concourse liability insurance for a period of three years commencing April 1, 1973, for a deposit premium of \$4,200 per year.

On motion of Councilman Martinet the matter was continued for two weeks to April 24, 1973, at the request of the City Manager.

(Item 112)

STAFF REPORTS - Model Cities Staff Report.

On motion of Councilman Landt the matter was continued for one week to April 17, 1973, at the request of the City Manager.

Councilman Bates left the Chamber.

The Council considered the Consent Agenda, which consisted of Items 7, 8, 9, 10a, 10c, 11, 100, 101, 102, 103, 109, and 110.

The following Ordinance was introduced at the Meeting of March 27, 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 Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Morrow, Martinet, and Mayor Wilson. Nays-None. Absent-Councilmen Hitch and Bates.

(Item 7)

ORDINANCE 11034 (New Series), amending Chapter II, Article 7 of the San Diego Municipal Code by adding Division 29, Sections 27.2901 through 27.2903, 27.2911 through 27.2913, 27.2921 through 27.2929, 27.2931 through 27.2933, 27.2941 through 27.2944, 27.2951 through 27.2954, 27.2961 through 27.2963, and 27.2971 through 27.2975 establishing a San Diego Municipal Election Campaign Contribution and Expenditure Control Ordinance.

(Item 8)

RESOLUTION 207687, awarding a contract to Patrick J. Timmins for the rehabilitation of Montgomery Field Operations Center for the sum of \$28,380; authorizing the expenditure of \$29,500 from Capital Outlay Fund (245) and \$3,500 from previously approved Resolution 205373 "Montgomery Field Improvements" for said purpose and related costs, was adopted on motion of Councilman Johnson.

(Item 9)

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

RESOLUTION 207688, James McDowell Corporation for grading for Mountain View Community Center, for the sum of \$14,970; authorizing the expenditure of \$17,000 from Capital Outlay Fund (245) for said purpose and related costs;

RESOLUTION 207689, Brooks Products, Inc. for concrete utility boxes as may be required for the period of one year ending April 30, 1974 for an actual estimated cost of \$55,608, including tax and terms;

RESOLUTION 207690, Auto Parts West, Inc. for internal automotive engine parts as may be required for a period of one year ending May 31, 1974, for an actual estimated cost of \$28,800, including tax and terms;

RESOLUTION 207691, Certain-Teed Products Corporation for asbestos cement pipe and fittings as may be required for the period of one year ending April 30, 1974 for an actual estimated cost of \$22,598.22, including tax and terms;

RESOLUTION 207692, Tri-Way Contractors, Inc. for carpet materials for the Science Center in the San Diego Planetarium for an actual estimated cost of \$8,081.43, including tax and terms; and

RESOLUTION 207693, San Diego Blue Print Company for blue line paper as may be required for the period of one year ending May 14, 1974, with option to renew for an additional one year period, for an actual estimated cost of \$8,028.29, including tax and terms.

(Item 10a and 10b)

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

RESOLUTION 207694, San Diego Wiping Materials for cotton wiping rags, Class 1, mixed colors, as may be required for a period of one year ending April 30, 1974, with an option to renew for an additional year, price escalation not to exceed 5% for additional year, for an actual estimated cost of \$5,512.50, including tax and terms; and

RESOLUTION 207695, Industries Supply Co. for miscellaneous 16" valve repair parts for an actual cost of \$1,422.75, including tax and terms.

(Item 11)

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

RESOLUTION 207696, furnishing electrical maintenance and repair materials as may be required for the period of one year ending June 30, 1974 in accordance with Specifications Document No. 743085; and

RESOLUTION 207697, furnishing hardware and fasteners as may be required for the period of one year ending June 30, 1974 in accordance with Specifications Document No. 743086.

(Item 100)

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

RESOLUTION 207698, authorizing an agreement with Avco Community Developers, Inc. for completion of improvements in Bernardo Town Center Unit 5, a seven-lot subdivision located easterly of Highway 163;

RESOLUTION 207699, authorizing an agreement with Avco Community Developers, Inc. providing for a surety bond in lieu of cash payment for park fees in Bernardo Town Center Unit 5;

RESOLUTION 207700, approving the final map of Bernardo Town Center Unit 5;

RESOLUTION 207701, authorizing an agreement with The Christiana Companies, Inc. for completion of improvements in Villa Martinique North Unit 1, a 16+ lot located southerly of Clairemont Mesa Boulevard, easterly of Escondido Freeway; and

RESOLUTION 207702, approving the final map of Villa Martinique North Unit 1.

(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 Johnson:

RESOLUTION 207703, Azure Coast Unit 4;

RESOLUTION 207704, Del Mar Hills Unit 10;

RESOLUTION 207705, Gaestelle Subdivision;

RESOLUTION 207706, Grantville Industrial Tract Unit 1;

RESOLUTION 207707, Kearny Industrial Park Unit 4;

RESOLUTION 207708, Padre Glen Subdivision; and

RESOLUTION 207709, Penasquitos Villas Unit 2.

(Item 102)

RESOLUTION 207710, accepting the work done and authorizing a Notice of Completion in Pueblo Vista Unit 4 subdivision; rescinding Resolution No. 199763, declaring Pueblo Vista Unit No. 4 Subdivision in default, was adopted on motion of Councilman Johnson.

(Item 103)

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

RESOLUTION 207711, The Christiana Companies, Inc. (street purposes) - TIERRASANTA BOULEVARD; and

RESOLUTION 207712, Keith B. and Janice S. Lansing (street purposes) - VIA BORGIA.

(Item 109)

RESOLUTION 207713, authorizing the City Auditor to transfer the sum of \$38,000 from the Torrey Pines Golf Course Improvement Fund 248 to the Capital Outlay Fund 245 to provide funds for improvements at said Courses; authorizing the expenditure of \$63,000 from Capital Outlay Fund 245 for said purpose; authorizing the use of City forces to do miscellaneous work in connection with said improvements, was adopted on motion of Councilman Johnson.

(Item 110)

RESOLUTION 207714, renaming Complex Street, between its two intersections with Complex Drive and Clairemont Mesa Boulevard, Complex Drive, was adopted on motion of Councilman Johnson.

Councilman Bates entered the Chamber.

(Item 4)

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 January 25 and February 6, 1973, for reports, on the proposed amendment to the Mira Mesa Community Plan to provide for a phased development plan and financing program, and also a more clear identification of plan goals and objectives, exclusion of land use proposals for areas of the community lying within Sound Zone 3 of the Miramar Naval Air Station flight pattern, expansion of areas in the plan designated for open space particularly within the western portion, and inclusion of a more balanced transportation system which recommends consideration of transit and a bikeway circulation system. The Community Plan encompasses approximately 10,700 acres lying easterly of I-5 and southerly of Los Penasquitos Canyon; the study area is bounded on the east by I-15, and on the south by Miramar Road and University City.

Councilman Williams left the Chamber.

Item 4 - Continued

City Manager Moore, Assistant Community Development Director Fowler, and Planning Director Goff answered questions directed by the Council.

Councilman Williams entered the Chamber.

Mayor Williams recessed the Meeting at 10:30 a.m. Upon reconvening at 10:50 a.m., the roll call showed Councilman Hitch absent.

Item 4 - Continued

Mr. Pardee appeared to speak in favor of the proposed Resolution. Mrs. Lainey Jenkins appeared regarding school districts in relation to the Mira Mesa area.

On motion of Councilman Morrow the hearing was continued for three weeks to May 1, 1973 to allow for a report by the City Manager on an economic analysis and the possibility of an assessment district.

Councilwoman O'Connor left the Chamber.

Councilman Morrow left the Chamber.

Councilman Bates left the Chamber.

Item 4 - Continued

On motion of Councilman Williams, the Planning Department was instructed not to process any rezoning applications during the period of the continuance.

On motion of Councilman Johnson, the Planning Department was instructed to implement the formation of a Citizens Planning Group for Mira Mesa.

Mayor Wilson recessed the Meeting at 12:05, to reconvene at 2:00 p.m.

Upon reconvening at 2:07 p.m., the roll call showed Councilmen Williams, Morrow, and Hitch absent.

(Item 6)

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 Amendment of Rule II of the Rules of the Civil Service Commission by amending Section 1, and by amending Chapter II, Article 3, Division 3 of the San Diego Municipal Code by amending Section 23.0301 relating to general requirements for applicants, specifically citizenship.

Councilman Morrow entered the Chamber.

Item 6 - Continued

The hearing was closed on motion of Councilman Morrow.

The following Ordinance amending Chapter II, Article 3, Division 3 of the San Diego Municipal Code by amending Section 23.0301 (Rule II, Section 1 of the Rules of the Civil Service Commission) relating to general requirements for applicants, was introduced on motion of Councilman Morrow, by the following vote: Yeas-Councilmen Johnson, O'Connor, Morrow, Martinet, Bates, and Mayor Wilson. Nays-Councilman Landt. Absent-Councilmen Williams and Hitch.

Councilman Williams entered the Chamber.

(Item 104)

A proposed Resolution, continued from the Meetings of March 27 and April 3, 1973, for further review, confirming the following appointments by the Mayor to the Environmental Appeals Board for terms as indicated, was presented.

	<u>Area Represented</u>	<u>Term Expires</u>
G. Wesley Harker (Chairman)		3-1-75
Mrs. Janet E. Britt	Citizens Groups	3-1-75
Glenn Flittner	Physical and Env'mtl. Sciences	3-1-75
William John Siembieda	Social Sciences	3-1-74
Harrison Waite III	Private Dvlprs.	3-1-74

The following revised Resolution was adopted on motion of Councilman Morrow:

RESOLUTION 207715, confirming the following appointments by the Mayor to the Environmental Appeals Board for terms expiring as indicated:

	<u>Area Represented</u>	<u>Term Expires</u>
Gerald Fox (Acting Chairman)	Environmental Sciences	3-1-75
Mrs. Janet E. Britt	Citizens Groups	3-1-75
Glenn Flittner	Physical Sciences	3-1-75
William John Siembieda	Social Sciences	3-1-74
Harrison Waite III	Private Developers	3-1-74

(Item 105)

RESOLUTION 207716, authorizing the first Amendment to Agreement with Touche Ross & Co. for Model Cities First Action Year audits; and authorizing the expenditure of \$5,000 from Model Cities First Action Year Fund 2901 for said purpose, was adopted on motion of Councilman Landt.

(Item 106)

RESOLUTION 207717, authorizing an agreement with Palomar Pictures, Inc. for photogrametric services (aerial photography) for a period ending December 31, 1973; authorizing the expenditure of \$10,000 from Environmental Growth Fund 2505 for said purpose, was adopted on motion of Councilman Martinet.

(Item 107)

A proposed Resolution, authorizing an agreement with the United States of America, acting by and through the Federal Aviation Administration, whereby the City, as a condition of the release of Lots 6 and 7 at Montgomery Field for other than airport use, agrees to devote the net proceeds derived from the rental of said land, so long as the land is leased or occupied for other than airport uses, on the operation, maintenance, development or improvement of Montgomery Field; authorizing the City Auditor to establish a fund for said purpose, was presented.

Deputy City Attorney Bulens, City Manager Moore, and Airports Director Day answered questions directed by the Council.

Councilman Landt moved to adopt the proposed Resolution and direct the City Attorney to prepare a letter challenging and questioning the authority of the Federal Aviation Administration to determine the use of these parcels and to request an exemption. No vote was taken at this time.

A motion of Councilman Bates to continue the matter failed due to lack of five affirmative votes, by the following vote: Yeas-Councilmen Williams, Morrow, and Bates. Nays-Councilmen Johnson, O'Connor, Landt, Martinet, and Mayor Wilson. Absent-Councilman Hitch.

The vote was then taken on the motion of Councilman Landt to adopt the following Resolution and direct the City Attorney to prepare a letter challenging and questioning the authority of the Federal Aviation Administration to determine the use of these parcels and to request an exemption, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Martinet and Mayor Wilson. Nays-Councilmen Williams, Morrow, and Bates. Absent-Councilman Hitch.

RESOLUTION 207718, authorizing an agreement with the United States of America, acting by and through the Federal Aviation Administration, whereby the City, as a condition of the release of Lots 6 and 7 at Montgomery Field for other than airport use, agrees to devote the net proceeds derived from the rental of said land, so long as the land is leased or occupied for other than airport uses, on the operation, maintenance, development or improvement of Montgomery Field, authorizing the City Auditor to establish a fund for said purpose.

On motion of Councilman Bates, the City Manager was directed to prepare a report covering the cost/benefit ratio regarding Montgomery Field, public purpose served by subsidizing airports, and cost and revenue analysis, including capital improvements, to be returned to Council prior to final consideration of lease.



Mayor Wilson recessed the Meeting at 3:15 p.m. Upon reconvening at 3:28 p.m., the roll call showed Councilmen O'Connor and Hitch absent.

Councilwoman O'Connor entered the Chamber.

(Item 108)

RESOLUTION 207719, authorizing the expenditure of \$62,091 from Capital Outlay Fund 245 for the purpose of providing funds to improve radio communications capability for Police, Fire, Public Works and Water Utilities Departments, and upgrading communications operating facilities at Police Headquarters and Mission Beach Lifeguard Station; authorizing the use of City forces to do the necessary work in conjunction with the above referenced project, was adopted on motion of Councilwoman O'Connor.

(Item 111)

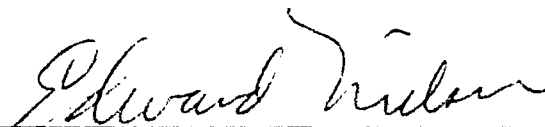
RESOLUTION 207720, appointing Mrs. Roberta Heyer as the City's representative on the Human Relations Commission of San Diego County for a term ending April 9, 1976, was adopted on motion of Councilman Martinet.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Bates, at 3:32 p.m.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California