

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, AUGUST 7, 1973  
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING  
COMMUNITY CONCOURSE

Present--Councilmen Johnson, Landt, Morrow, Hitch, Bates,  
and Deputy Mayor Martinet.

Absent--Councilmen O'Connor and Williams, and Mayor Wilson.

Clerk---Edward Nielsen.

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

(Item 1)

Deputy Mayor Martinet introduced Reverend O. T. McWilliams,  
Pastor of Mount Sinai American Baptist Church, who gave the  
Invocation.

(Item 2)

Councilman Johnson led the Pledge of Allegiance.

(Item 3)

Deputy Mayor Martinet welcomed thirty students from Yokohama/San  
Diego Summer Seminar, accompanied by Masayuki Suzuki, Director of the  
group and son of Councilmember of Yokohama, and Tomoaki Kato,  
Conductor of the group.

Councilmen Morrow and Hitch addressed the students.

Ann Johns appeared to answer questions directed by the Council  
regarding the group.

(Item 4)

Minutes of the Regular Council Meeting of July 12, 1973 were  
presented by the City Clerk. On motion of Councilman Landt, said  
Minutes were approved without reading, after which they were signed.

(Item 5)

A communication from James W. Barnett, representing the Mission  
Beach Town Council, requesting permission to address the Council to  
present for their consideration additional information relevant to  
Belmont Park lease resolution, was presented.

James W. Barnett appeared to speak regarding said communication.

(Item 5 - Continued)

Assistant City Manager Graham answered questions directed by the Council.

A motion by Councilman Hitch to note and file said communication failed for lack of five affirmative votes, by the following vote: Yeas-Councilmen Landt, Hitch, and Deputy Mayor Martinet. Nays-Councilmen Johnson, Morrow, and Bates. Absent-Councilmen O'Connor and Williams, and Mayor Wilson.

A motion by Councilman Bates to refer said communication to the City Manager for a report back to Council in conjunction with park proposals when they come before the Council, failed for lack of five affirmative votes, by the following vote: Yeas-Councilmen Johnson, Morrow, Bates, and Deputy Mayor Martinet. Nays-Councilmen Landt and Hitch. Absent-Councilmen O'Connor and Williams, and Mayor Wilson.

The Chair ruled the item to be unfinished business.

The Council at this time considered requests for continuances: Items 114 and 6.

(Item 114)

RESOLUTIONS-MISCELLANEOUS: A proposed Resolution authorizing the Water Utilities Department, when issuing any portable water meters of any type, to collect a refundable deposit in the amount of the replacement cost of the meter issued and collect non-refundable service charges in addition to all other usual and regular charges of the Department including any charges for water use and meter damage, was continued for two weeks to August 21, 1973, at the request of the City Manager, on motion of Councilman Johnson.

(Item 6 - CASE NO. 33-72-2)

CONTINUED HEARINGS: (Continued from the Meetings of November 16, 1972 and February 20, 1973 for E.I.R.) Appeal of John C. Mabee, by Donald R. Worley, attorney, from the decision of the Planning Commission in denying his application to rezone a portion of Lot 58, Allied Gardens Addition and a portion of Lot 67, Rancho Mission, located on the west side of Waring Road, opposite Adobe Falls Road, from Interim Zone R-1-40 and Zone R-1-5 to Zones R-3 and CA.

Attorney Donald Worley appeared to request a continuance of the matter.

On motion of Councilman Hitch, the matter was continued to October 30, 1973, at applicant's request.

The Council considered the Consent Agenda, which consisted of Items 11, 12, 13, 100, 101, 102, 103, 105, 106, 110, and 113.

(Item 11)

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

RESOLUTION 208547, R. E. Hazard Contracting Co. for improvement of Scott Street between Addison Street and North Harbor Drive in the vicinity of Loma Portal, including Alternate "A", for the sum of \$128,101.20; authorizing the expenditure of \$143,400 out of Gas Tax Fund (Fund 220) for said purpose and related costs; and

RESOLUTION 208548, authorizing the use of City Forces to do all the work of relocating water meters, fire hydrants and appurtenances as required in connection with the improvement of Scott Street, cost of work not to exceed \$1,400.

(Item 12)

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

RESOLUTION 208549, Perry Electric for construction of safety lighting systems on West Mission Bay Drive between Ingraham Street and Mission Boulevard and Ingraham Street between West Mission Bay Drive and northerly end of Vacation Isle for the sum of \$34,545; authorizing the expenditure of \$43,000 out of Bond Fund (Fund 725) for said purpose and related costs;

RESOLUTION 208550, W. W. Rouse, Mechanical, for Casa del Prado central plant improvements for the sum of \$23,857; authorizing the expenditure of \$16,125 out of Casa del Prado Bond Fund (Fund 729) and \$8,875 out of San Diego Planetarium Bond Fund (Fund 920) for said purpose and related costs; and

RESOLUTION 208551, San Diego Pipeline Company to relocate a 10" petroleum pipeline under Miramar Road for a total cost not to exceed \$40,000; authorizing the expenditure of \$40,000 out of Gas Tax Fund (Fund 220) for said purpose and related costs.

(Item 13)

RESOLUTION 208552, inviting bids for improvement of Central Police Station (Wosk Building remodeling), in accordance with Specifications Document No. 744346, was adopted on motion of Councilman Johnson.

(Item 100)

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

RESOLUTION 208553, authorizing an agreement with CC&F Miramar Properties, Inc. for completion of improvements in Miramar Mesa Industrial Park Unit 1, a nine-lot subdivision located on the north side of Miramar Road; and

RESOLUTION 208554, approving the final map of Miramar Mesa Industrial Park Unit 1.

(Item 101)

RESOLUTION 208555, accepting the work done and authorizing a Notice of Completion in Cedarbrae Resubdivision 1, was adopted on motion of Councilman Johnson.

(Item 102)

RESOLUTION 208556, designating October 1, 1973 as the date upon which all property in the Rosecrans Street (Rogers Street to Canon Street) Underground Utility District must be ready to receive underground service and April 1, 1974 as the date for the removal of all overhead utility facilities, was adopted on motion of Councilman Johnson.

(Item 103)

RESOLUTION OF INTENTION 208557, electing to proceed under the provisions of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate portions of Revere Avenue between Glendora Street and Bunker Hill Street and fixing a time and place for hearing thereof.

(Item 105)

RESOLUTION 208558, authorizing the execution of a quitclaim deed, quitclaiming to the State of California an easement in exchange for other easement (sewer purposes) affecting a portion of Lot 5, Valle Granado, was adopted on motion of Councilman Johnson.

(Item 106)

The following Resolutions approving the acceptance by the City Manager of deeds relative to San Diego Park District No. 3, were adopted on motion of Councilman Johnson:

RESOLUTION 208559, Walter D. Anderson, Joseph Anderson, and Helen Anderson, affecting Lots 3, 4 and 5 in Block 37 of Middletown Addition;

RESOLUTION 208560, Fred M. Bollinger, affecting Lots 22, 23 and 24 in Block 37 of Middletown Addition; and

RESOLUTION 208561, Eldon E. and Muriel A. A'Bell, affecting Lots 6 and 7 in Block 37 of Middletown Addition.

(Item 110)

RESOLUTION 208562, authorizing an agreement with the Toltecas En Aztlan, Inc. to implement the Chicano Cultural Program, was adopted on motion of Councilman Johnson.

(Item 113)

RESOLUTION 208563, authorizing a representative from the Public Works Department, Eddie Simon, Communications Engineer, to attend the 39th National Conference of the Associated Public-Safety Communications Officers, Inc. (APCO) at Kansas City, Missouri, August 13 through 16, 1973, was adopted on motion of Councilman Johnson.

(Item 7)

The hour of 9:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on vacating portion of Pearson Drive adjacent to Lot 27, Metropolitan Center - Resolution of Intention 208361. It was reported that no written protests had been received.

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

No one appeared to be heard.

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

RESOLUTION 208564, vacating a portion of Pearson Drive adjacent to Lot 27, Metropolitan Center.

(Item 8)

The hour of 9:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on establishing an underground utility district to be known and denominated as the Linda Vista Road (Kramer Street to Via Las Cumbres) Underground Utility District. It was reported that no written protests had been received.

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

Rev. Jim Farrell appeared to ask questions regarding the underground utility district.

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

RESOLUTION 208565, establishing an underground utility district to be known and denominated as the Linda Vista Road (Kramer Street to Via Las Cumbres) Underground Utility District.

(Item 9)

The hour of 9:30 a.m. having arrived, the Deputy Mayor announced this was the time and place set for the hearing on establishing an underground utility district to be known and denominated as the Ulric Street, Friars Road to Tait Street, Underground Utility District. It was reported that no written protests had been received.

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

No one appeared to be heard.

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

RESOLUTION 208566, establishing an underground utility district to be known and denominated as the Ulric Street, Friars Road to Tait Street, Underground Utility District.

Deputy Mayor Martinet recessed the Meeting at 10:33 a.m. Upon reconvening at 10:46 a.m., the roll call showed Councilmen O'Connor, Williams, Bates, and Mayor Wilson absent.

(Item 10 - CASE NO. 43-70-2/EoT)

A proposed Ordinance, amending Sections 1 and 2 of Ordinance No. 10561 (New Series), adopted April 29, 1971, incorporating portions of Lots 2 and 5, Block 4, and a portion of Lot 10, Block 3, Rosedale, into M-IP and A-1-10 Zones, located on both sides of Ruffin Road, approximately 200 feet southerly of Aero Drive - extension of time to May 29, 1974, was presented.

Ken Klein, Planning Department, answered questions directed by the Council.

A proposed Ordinance amending Sections 1 and 2 of Ordinance No. 10561 (New Series), adopted April 29, 1971, incorporating portions of Lots 2 and 5, Block 4, and a portion of Lot 10, Block 3, Rosedale, into M-IP and A-1-10 Zones, as defined by Sections 101.0435.1 and 101.0404, respectively, of the San Diego Municipal Code, was introduced on motion of Councilman Landt, by the following vote: Yeas-Councilmen Johnson, Landt, Morrow, Hitch, and Deputy Mayor Martinet. Nays-None. Absent-Councilmen O'Connor, Williams, Bates, and Mayor Wilson.

(Item 104)

A proposed Resolution, initiating the formation of Park District No. 8 was presented.

Assistant City Manager Graham and Jim McLaughlin, Community Development Department, answered questions directed by the Council.

Councilman Bates entered the Chamber.

(Item 104 - Continued)

R. E. Schock appeared to speak in favor of the proposed assessment district.

Councilman Morrow asked Mr. McLaughlin to research the question of whether there has been an implied dedication of this property for park purposes. The question was also raised whether this property can be rezoned for open space.

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

RESOLUTION 208567, initiating the formation of Park District No. 8 of The City of San Diego (Del Mar Heights Park Assessment District) pursuant to the San Diego Park District Procedural Ordinance of 1969.

(Item 107)

A proposed Resolution, authorizing a first amendment to lease agreement with Thelma Zivolich affecting the Morley Field Tennis Center Snack Bar, by providing for: 1) the sale of beer on the premises, 2) updating the following provisions: Assignment, Remedies of City, Insurance, and Hold Harmless, and 3) adding a Records provision, was presented.

Assistant City Manager Graham answered questions directed by the Council.

Bob Reyburn appeared to speak in opposition to the proposed Resolution.

The following Resolution was adopted on motion of Councilman Hitch by the following vote: Yeas-Councilmen Johnson, Landt, Morrow, Hitch, and Deputy Mayor Martinet. Nays-Councilman Bates. Absent-Councilmen O'Connor, Williams, and Mayor Wilson.

RESOLUTION 208568, authorizing a first amendment to lease agreement with Thelma Zivolich affecting the Morley Field Tennis Center Snack Bar, by providing for: 1) the sale of beer on the premises, 2) updating the following provisions: Assignment Remedies of City, Insurance, and Hold Harmless, and 3) adding a Records provision.

(Item 108)

A proposed Resolution, authorizing two agreements for engineering design and construction of automatic crossing gates at Cedar Street and Beech Street, was presented.

Assistant City Manager Graham and Assistant Public Works Director Casey answered questions directed by the Council.

RESOLUTION 208569, authorizing two agreements for engineering design and construction of automatic crossing gates at Cedar Street and Beech Street, was adopted on motion of Councilman Morrow.

(Item 109)

A proposed Resolution, authorizing a grant agreement with the Urban Mass Transportation Administration (UMTA) in the amount of \$3,047,130 for the purchase of thirty-three 25-passenger buses; twenty-five 53-passenger buses; and thirty-eight new radios, and numerous supporting equipment to be used in conjunction with City transit services; authorizing the City Auditor and Comptroller to transfer the sum of \$27,690 from Public Transportation Reserve Fund 2571 to Transit System Purchase 58 Buses Fund 2574 to cover one percent City sales tax requirement, was presented.

Joe Kordte, San Diego Transit Authority, appeared to speak in favor of the proposed Resolution.

RESOLUTION 208570, authorizing a grant agreement with the Urban Mass Transportation Administration (UMTA) in the amount of \$3,047,130 for the purchase of thirty-three 25-passenger buses; twenty-five 53-passenger buses; and thirty-eight new radios, and numerous supporting equipment to be used in conjunction with City transit services; authorizing the City Auditor and Comptroller to transfer the sum of \$27,690 from Public Transportation Reserve Fund 2571 to Transit System Purchase 58 Buses Fund 2574 to cover one percent City sales tax requirement, was adopted on motion of Councilman Hitch.

(Item 111)

RESOLUTION 208571, authorizing a first amendment to agreement with the State of California, Department of Water Resources, extending the completion date from June 30, 1973 to December 31, 1973 for the Study of Water Resources of the San Dieguito River, was adopted on motion of Councilman Bates.

Councilman Bates left the Chamber.

(Item 112)

RESOLUTION 208572, approving Change Order No. 1, issued in connection with the contract with Valley Crest Landscaping, Inc. for the improvement of the Mission Valley Multi-Sports Field, amounting to an increase in contract price of \$1,964; accepting the generous contribution of \$982 from the Mission Valley Babe Ruth League for said purpose; commending said League for this act of civic generosity and publicly expressing a debt of gratitude, was adopted on motion of Councilman Hitch.

On the docket there appeared a General Notice of the Mayor's intention to place on the Council docket of August 21, 1973, for Council confirmation the following appointments to the Sign Code Board of Appeals for terms expiring as indicated: Fred W. Jacobs, Jr. - Chairman - March 1, 1975, Marian Reed Bear - March 1, 1974, Robert La Rosa - March 1, 1974, Ted P. Odmark - March 1, 1975, and Thomas G. Van Dyke - March 1, 1975.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Martinet, the Regular Meeting was adjourned in memory of Donald B. Vynne, former Superintendent of the Aquatics Division, at 11:32 a.m.

  
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Mayor of The City of San Diego, California

ATTEST:

  
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City Clerk of The City of San Diego, California