

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, AUGUST 28, 1973  
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING  
COMMUNITY CONCOURSE

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

Absent--Councilwoman O'Connor.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 9:38 a.m.

(Item 1)

Mayor Wilson introduced Reverend Edward F. Brockhaus, Associate Pastor at St. Brigid Church, who gave the Invocation.

(Item 2)

Councilman Martinet led the Pledge of Allegiance.

Councilwoman O'Connor entered the Chamber.

(Item 3)

Mayor Wilson welcomed thirteen Guatemalan Mayors, who attended the Meeting accompanied by Mr. Leonard Torres, City Staff member.

Mayor Wilson accepted souvenirs of the occasion, presented by the various Mayors and expressed his appreciation on behalf of The City.

(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 Thursday, May 17, Tuesday, June 26, and Tuesday, August 14, 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, representing the La Jolla Town Council, Inc., requesting permission to address the Council regarding the proposed installation of a traffic signal at the intersection of Torrey Pines Road and Herschel Avenue, in La Jolla, was presented.

Clarence Burdette appeared to speak regarding said communication.

On motion of Councilman Johnson, the communication was referred to the City Manager for a report back to the City Council and the La Jolla Town Council within one week.

(Item 7)

A communication from Joe Carpenter, representing the San Diego County and Municipal Employees Union, requesting permission to address the Council regarding filing for an impasse meeting regarding the negotiability of class specifications, was presented.

Joe Carpenter appeared to speak regarding said communication.

On motion of Councilman Hitch, the communication was referred to the City Manager, City Attorney, and Personnel Director for a report back to City Council and Mr. Carpenter by Thursday, August 30, 1973.

By common consent the Council agreed to hear a communication from Joseph Cannizzaro, requesting permission to address the Council regarding confirmation of the Sign Code Board of Appeals.

Mr. Joseph Cannizzaro appeared to speak regarding said communication.

On motion of Councilman Morrow, said communication was filed.

There were no requests for continuances.

(Item 14)

The following Ordinance was passed on the day of its introduction, to-wit, on August 28, 1973, said Ordinance being of the kind and character authorized for passage on introduction by Section 16 of the Charter.

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 a written or printed copy of said Ordinance.

A proposed Ordinance, ordering, calling, providing for and giving notice of a Special Election to be held in The City on November 6, 1973, for the purpose of submitting to the qualified voters of The City of San Diego propositions to amend the Charter of The City of San Diego; and consolidating said Special Municipal Election with the General Municipal Election to be held in said City on November 6, 1973, was presented.

(Item 14 - Continued)

Ed Butler, Chairman of the Charter Revision Committee, presented the report on the proposed Charter revisions.

Assistant City Attorney Teaze answered questions directed by the Council.

Mayor Wilson recessed the Meeting at 11:20 a.m. Upon reconvening at 11:33 a.m., the roll call showed all present.

(Item 14 - Continued)

Committee Member Harvey and Attorney Brian Newman-Crawford, Counsel for the Committee, answered questions directed by the Council. The item was discussed at length, by the Council.

On motion of Councilman Bates, Proposition A was amended to read, "Shall the form and structure of City Government be changed to require..."

A motion of Councilman Williams to combine Propositions A, B, D, and H failed for lack of five affirmative votes, by the following vote: Yeas-Councilmen Williams and Morrow. Nays-Councilmen Johnson, O'Connor, Landt, Martinet, Hitch, Bates, and Mayor Wilson. Absent-None.

Councilman Morrow asked the City Attorney whether he could introduce an Ordinance to put a proposition on the ballot requiring that the Retirement Board be increased by one member elected by the Retired Employees Group.

After discussion, the Council agreed to confine its considerations to the propositions presented by the Charter Revision Committee.

ORDINANCE 11107 (New Series), ordering, calling, providing for and giving notice of a Special Election to be held in The City on November 6, 1973, for the purpose of submitting to the qualified voters of The City of San Diego propositions to amend the Charter of The City of San Diego; and consolidating said Special Municipal Election with the General Municipal Election to be held in said City on November 6, 1973, was adopted 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.

Councilwoman O'Connor left the Chamber.

(Item 11)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearings on Mission Boulevard South Assessment District - Municipal Improvement Act of 1913 - under Resolution of Intention No. 208252; and establishing an underground utility district to be known and denominated as the Mission Boulevard South Underground Utility District.

Mayor Wilson pointed out that it was probable that most of the afternoon portion of the Meeting would be devoted to consideration of two other lengthy matters and that it was unlikely that any considerable time would be available for the above hearings. In view of the importance of the project to the community and The City, Mayor Wilson indicated that he would entertain a motion to continue the hearings to a later date when adequate time would be available.

Special Counsel Franklin T. Hamilton answered questions directed by the Council and spoke relative to the proposed continuance. Mr. Hamilton indicated the hearings could be continued, suggested Tuesday, September 18 at 9:30 a.m. as a suitable time, and recommended that, in addition to adoption of a resolution continuing the hearings, the Council adopt a resolution inviting bids for the purchase of bonds.

Mr. Jim Barnett and Mr. Albright spoke relative to the proposed continuance.

RESOLUTION 208685, directing the City Clerk to give notice inviting sealed bids for the purchase of improvement bonds, was adopted on motion of Councilman Landt.

RESOLUTION 208686, continuing the hearings to the Regular Meeting of Tuesday, September 18, 1973 at 9:30 a.m., was adopted on motion of Councilman Johnson.

(Item 15)

A proposed Ordinance, continued from the Meeting of July 26, 1973 for further review, amending Chapter II, Article 2, of the San Diego Municipal Code by adding Division 23, Sections 22.2301 through 22.2303 establishing a Financial Disclosure by City Officials Ordinance, was presented.

Admiral Karaberis spoke regarding the proposed Ordinance.

On motion of Councilman Morrow, the matter was continued to Tuesday, September 4, 1973 at 11:00 a.m., time certain.

Mayor Wilson recessed the Meeting at 12:20 a.m., to reconvene at 2:00 p.m.

Upon reconvening at 2:11 p.m., the roll call showed Councilmen O'Connor and Bates absent.

(Item 10)

The hour of 9:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing on vacating a street reservation in Lots 36, 37, 38 and 41 through 46, Collwood Unit 1 - Resolution of Intention 208492. It was reported that no written protests had been received.

Councilman Bates entered the Chamber.

Councilwoman O'Connor entered the Chamber.

(Item 10 - Continued)

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

Councilman Morrow left the Chamber.

(Item 10 - Continued)

Paul Ecklund appeared to speak in favor of the proposed vacation. The hearing was closed and the following Resolution adopted on motion of Councilman Hitch:

RESOLUTION 208687, vacating a street reservation in Lots 36, 37, 38 and 41 through 46, Collwood Unit No. 1.

(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 paving and otherwise improving Alley, Block 10, Haffenden and High's Addition and in Block 153, Choates Addition - on Assessment Roll No. 3859.

No written appeals were received and no one appeared to be heard.

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

RESOLUTION 208688, confirming and approving the Street Superintendent's Assessment No. 3859, covering the cost of paving and otherwise improving Alley, Block 10, Haffenden and High's Addition and in Block 153, Choates Addition; 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 vacating Liberty Street, between Ollie Street and State Highway Route 8 - Resolution of Intention 208491. 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 adopted on motion of Councilwoman O'Connor:

RESOLUTION 208689, vacating Liberty Street between Ollie Street and State Highway Route 8.

The following Ordinances were introduced at the Meeting of August 14, 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 were available for the consideration of each member of the Council and the public prior to the day of their passage, written or printed copies of said Ordinances.

The following Ordinances were adopted on motion of Councilman Martinet, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilman Morrow.

(Item 12)

ORDINANCE 11108 (New Series), amending Ordinance No. 11097 (New Series) entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1973-74 and Appropriating the Necessary Money to Operate The City of San Diego for said Fiscal Year."

(Item 13)

ORDINANCE 11109 (New Series), fixing the Tax Rates and Levying Taxes for the Fiscal Year 1973-74.

The Council considered the Consent Agenda, which consisted of Items 16, 17, 18, 100, 101, 102, 104, and 105.

(Item 16)

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

RESOLUTION 208690, Perry Electric for construction of traffic signal and safety lighting systems at Clairemont Mesa Boulevard and Ruffin Road, and Clairemont Mesa Boulevard and Genesee Avenue, for the sum of \$68,863, authorizing the expenditure of \$80,000 out of Gas Tax Fund (220) for said purpose and related costs;

RESOLUTION 208691, Balboa Motors for the purchase of 1 compact pickup for an actual cost of \$2,329.88, including tax and terms;

RESOLUTION 208692, Contractors Supply for the purchase of 100 2" curb stops for an actual cost of \$2,294.90, including tax and terms; and

RESOLUTION 208693, Pitney-Bowes Company for the purchase of 1 Tickometer for an actual cost of \$2,082.79, including tax and terms.

(Item 17)

RESOLUTION 208694, inviting bids for Montgomery Field Improvements in accordance with Specifications Document No. 744616, was adopted on motion of Councilman Landt.

(Item 18)

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

RESOLUTION 208695, construction of Southcrest Park footbridge, in accordance with Specifications Document No. 744617;

RESOLUTION 208696, construction of Southcrest Park safety lighting, in accordance with Specifications Document No. 744618; and

RESOLUTION 208697, construction of traffic signal and safety lighting systems at the intersection of 19th Street and Coronado Avenue, in accordance with Specifications Document No. 744619.

(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 Landt:

RESOLUTION 208698, Crossroads/Mission Valley Subdivision; and  
RESOLUTION 208699, Mesa Village Unit 2.

(Item 101)

The following Resolutions, relative to Pardee Construction Company, were adopted on motion of Councilman Landt:

RESOLUTION 208700, authorizing an agreement providing for an exchange of a 5 acre parcel of City-owned land lacking street frontage to said Company for a 5 acre parcel which has street frontage for park purposes; providing for an offer by said Company to sell to the San Diego Unified School District the parcel acquired from the City; providing for the construction of improvements on Westonhill Drive by said Company and for reimbursement by City to said Company out of Gas Tax Funds for the actual cost of installation of street improvements in an amount not to exceed \$5,300; providing for reimbursement for water and sewer service to said City acquired parcel out of Capital Outlay Fund 245 in an amount not to exceed \$440; authorizing the expenditure of \$5,300 out of Gas Tax Fund 220 for the purpose of said improvements and authorizing the expenditure of \$700 out of Capital Outlay Fund 245 for water and sewer service to property and miscellaneous escrow costs, located at Mira Mesa, northerly of Mira Mesa Boulevard near Westonhill Drive; and

RESOLUTION 208701, authorizing the execution of a grant deed conveying to Pardee Construction Company Parcel A of Larwin Mesa View Unit 7; approving the acceptance of a deed of Pardee Construction Company conveying to City a portion of the Southeast Quarter of Section 25, Township 14 South, Range 3 West, for park and recreation purposes.

(Item 102)

RESOLUTION 208702, approving the acceptance by the City Manager of a deed of Mabel J. McFadden conveying to City the northeasterly 75 feet of Lots 22, 23, and 24 in Block 37 of Middletown Addition for park purposes, was adopted on motion of Councilman Landt.

(Item 104)

RESOLUTION 208703, authorizing a lease agreement with Wosk Investment Company leasing a portion of Lot A consisting of the second floor of the building located at 659 Kettner Boulevard, and that portion of Lot C for appurtenant parking, of Block 21 of New San Diego, for a five-year term with an option to extend for two additional one-year periods, at a rental of \$1000 per month plus property taxes assessed against the parking area, for the purpose of maintaining offices of the San Diego Police Department, was adopted on motion of Councilman Landt.

City Manager Moore answered questions directed by the Council.

(Item 105)

RESOLUTION 208704, authorizing the City Manager to apply for a UMTA Technical Assistance Grant in the amount of \$104,000 for the purpose of studying the feasibility of a Centre City (MAC) Transit System; authorizing the expenditure of up to \$52,000 from the Public Transportation Reserve Fund (2571) as the City's guarantee of one-third support of the project cost, was adopted on motion of Councilman Landt.

(Item 103)

A proposed Resolution, continued from the Meeting of July 31, 1973 to coordinate with School Districts, authorizing an agreement with the San Diego Community College District for the Third Action Year Model Cities Comprehensive Demonstration Program, was presented. City Manager Moore answered questions directed by the Council. On motion of Councilman Landt the matter was returned to the City Manager, at his request, for further review.

(Item 19)

A proposed Resolution, determining the prevailing rate of pay and establishing a minimum wage scale to be paid by contractors doing work for The City, was presented.

Councilman Morrow entered the Chamber.

(Item 19 - Continued)

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

RESOLUTION 208705, determining the prevailing rate of pay and establishing a minimum wage scale to be paid by contractors doing work for The City, was adopted on motion of Councilman Martinet.

At the request of several persons present in the Chamber, the Council returned to Item 105.

(Item 105)

Mr. Stern and Marguerite Schwartzman appeared to speak in opposition to the Resolution which had been adopted by the Council. No further action regarding this item was taken by the Council.

The Mayor announced there would be a Council Conference immediately following the Regular Meeting, and an Executive Session for the purpose of considering pending litigation at the conclusion of the Council Conference.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Hitch, at 2:45 p.m.

*Pete Wilson*

Mayor of The City of San Diego, California

ATTEST:

*Edward Wilson*  
City Clerk of The City of San Diego, California