

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - THURSDAY, OCTOBER 11, 1973
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING
COMMUNITY CONCOURSE

Present--Councilmen Johnson, O'Connor, Landt, Hitch, Bates, and Acting
Mayor Morrow.

Absent--Councilmen Williams, Martinet, and Mayor Wilson.
Clerk---Edward Nielsen.

Acting Mayor Morrow called the Regular Meeting to order at
9:35 a.m.

(Item 1)

Acting Mayor Morrow welcomed thirty-five students from Kearny
High School, accompanied by Miss Elizabeth Dunipace.

(Item 2)

The Purchasing Agent reported on bids opened Wednesday, October 10,
1973, for the following:

a - (Continued from the Meeting of October 4, 1973.) Paving and
otherwise improving Camino de la Reina, between Camino del Este and a
point approximately 550 feet westerly of Mission Center Road; Mission
Center Road between Camino del Rio North and a point approximately
950 feet northerly of Camino de la Reina; and certain drainage ease-
ments thereto.

On motion of Councilman Landt, the bid opening date was continued
one week and date for report to Council was continued one week to
October 18, 1973, at City Manager's request.

b - Paving and otherwise improving alley, Block 26, Loma Alta No.2.
Five bids received.

Finding was made on motion of Councilman Johnson that bids had
been opened and declared as reported. By the same motion, report was
referred to the City Manager and City Attorney for recommendation.

Councilman Williams entered the Chamber.

(Item 3)

A communication from R. R. Richardson, representing the Ad Hoc
Committee for Rational Growth, requesting permission to address the
Council relative to the proposed Slow Growth Ordinance and study
presented by the Sierra Club.

R. R. Richardson appeared to speak regarding said communication.

On motion of Councilman Hitch, the communication was referred to
the City Manager, City Attorney, and Planning Department for study, and
with the request that input be solicited from the Ad Hoc Committee for
Rational Growth for further study.

(Item 4)

A communication from Nick Stamon, representing San Diego Chapter, Amnesty International, requesting permission to address the Council relative to "Prisoner of Conscience Week, October 14 - 20," was presented.

Councilman Johnson left the Chamber.

Nick Stamon appeared to speak regarding said communication.

On motion of Councilman Williams, the communication was referred to the Legislative Committee.

There were no requests for continuances.

The Council considered the Consent Agenda, which consisted of Items 8, 9, 14, 15a, 15b, 16c, 100, 101, 102, 107, and 110.

The following Ordinances were introduced at the Meeting of September 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 their passage, written or printed copies of said Ordinances.

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

(Item 8 - CASE NO. 33-73-2)

Ordinance 11138 (New Series), incorporating Lots 10 and B, Alvarado Plaza Unit 3, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code and repealing Ordinance No. 7085 (New Series), adopted August 2, 1956, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 9 - CASE NO. 12-73-2)

Ordinance 11139 (New Series), incorporating Lot K, Block 391, Horton's Addition, into CO Zone, as defined by Section 101.0423 of the San Diego Municipal Code and repealing Ordinance No. 8765 (New Series), adopted December 6, 1962, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 14)

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

RESOLUTION 208985, Ajax Maint. Service for furnishing janitorial services for Libraries North, for a period of one year ending September 30, 1974, for an actual estimated cost of \$21,671.16, with option to renew contract for an additional one year period;

RESOLUTION 208986, Ajax Maint. Service for furnishing janitorial services for Libraries South, for a period of one year ending September 30, 1974, for an actual estimated cost of \$22,674.12, with option to renew contract for an additional one year period;

RESOLUTION 208987, Ajax Maint. Service for furnishing janitorial services for Aquatics and Montgomery Field, for a period of one year ending September 30, 1974, for an actual estimated cost of \$7,343.16, with option to renew contract for an additional one year period; and

RESOLUTION 208988, T. H. Creears Corporation for miscellaneous sump pump repair parts for an actual cost of \$1,362.37, including terms, tax, and freight.

(Items 15a and 15b)

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

RESOLUTION 208989, construction of traffic signal and safety lighting systems at Front Street and Washington Street, in accordance with Specifications Document No. 745062; and

RESOLUTION 208990, construction of traffic signal and safety lighting systems at Genesee Avenue and Mt. Etna Drive, in accordance with Specifications Document No. 745063.

(Item 16c)

RESOLUTION 208991, inviting bids for construction of Oak Park, in accordance with Specifications Document No. 745067, was adopted on motion of Councilman Bates.

(Item 100)

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

RESOLUTION 208992, authorizing an agreement with J. T. Hawthorne for completion of improvements in Sacher Miramar Industrial Tract Unit 1, a 1-lot subdivision located westerly of Black Mountain Road, southerly of Miramar Road; and

RESOLUTION 208993, approving the final map of Sacher Miramar Industrial Tract Unit 1.

(Item 101)

RESOLUTION 208994, authorizing an agreement with The Christiana Companies, Inc., for the construction of improvements on Clairemont Mesa Boulevard, within the limits of Villa Martinique North Unit 2 subdivision; and providing for reimbursement by the City out of Gas Tax Fund 220, in an amount not to exceed \$27,456.84, was adopted on motion of Councilman Bates.

(Item 102)

The following Resolutions, accepting the work done and authorizing a Notice of Completion in the following subdivisions, were adopted on motion of Councilman Bates:

- RESOLUTION 208995, Metropolitan Industrial Park Unit 1;
- RESOLUTION 208996, Olvera Estates; and
- RESOLUTION 208997, Sequoia Pacific Industrial Park.

(Item 107)

RESOLUTION 208998, authorizing an agreement with Central City Association of San Diego, Inc., San Diego Transit Corporation, and San Diego Convention and Visitors' Bureau, providing for the continued operation of the Horton Plaza Information Center; authorizing the expenditure of \$10,473 out of Transient Occupancy Tax Fund 223 for said services, was adopted on motion of Councilman Bates.

(Item 110)

The following Resolutions, relative to the installation of traffic signals and safety lighting, were adopted on motion of Councilman Bates:

- RESOLUTION 208999, authorizing Supplement No. 12 to Master TOPICS Agreement No. 7 with the State of California, Division of Highways, Department of Public Works, at the intersection of Genesee Avenue and Mt. Etna Drive; and
- RESOLUTION 209000, authorizing Supplement No. 14 to Master TOPICS Agreement No. 7 with the State of California, Division of Highways, Department of Public Works, at the intersection of Garnet Avenue and Jewell Street.

(Item 7)

The hour of 9:30 a.m. having arrived, Acting Mayor Morrow announced this was the time and place fixed for the hearing in the matter of the proposed Camino de la Reina Assessment District, of protests and objections to the proposed work and improvement as referred to in Resolution of Intention No. 208841, adopted September 18, 1973. Acting Mayor Morrow asked any and all persons having any protest or objection to the proposed work and improvement or the extent of the assessment district to appear before the Council and show cause why the same should not be carried out and ordered in accordance with the Resolution of Intention.

The City Clerk reported that notice of this hearing was duly published, posted and mailed as required by law. That the affidavit of publication of the Resolution of Intention and certificates of posting and mailing the Notice of Improvement are on file in the office of the City Clerk.

The Clerk further reported that the Environmental Impact Report, File No. 72-11-1064p, covering this project, among other things, is available in the Council Chambers for consideration.

The Clerk further stated that no written protests had been received.

Special Counsel Richard Burt gave the Council and the audience a brief explanation of the nature, purpose and procedure for the hearing.

Jim McLaughlin, Community Development Department, testified concerning the issuance of addenda to the plans and specifications, and their nature and extent, that executed easements for necessary rights of way for the improvements have been duly executed, delivered and approved, and are ready for acceptance, that in his opinion all lands within the proposed district will be benefited by the proposed improvements, and said that he was available to answer any questions regarding his report.

Chief Deputy City Attorney Conrad answered questions directed by the Council.

Acting Mayor Morrow asked if any person present desired to make an oral protest. No one appeared to be heard.

Acting Mayor Morrow asked if there was any other person present desiring to be heard at this time in connection with the improvements or the extent of the assessment district, or the proceedings, or any other matter relating thereto.

Attorney Karl Zobell and Paul Leyton appeared to speak in favor of the proposed improvements.

Jim McLaughlin, Community Development Department, reported that no written protests had been filed with the City Clerk.

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

(Item 7 - Continued)

RESOLUTION 209001, setting aside and dedicating for the purpose of a public street those portions of Lot 3, Mission Valley Shopping Center, shown as "Reserved for Future Street, "and naming the same CAMINO DE LA REINA;

RESOLUTION 209002, setting aside and dedicating for the purpose of a public street portion of Lot 5, Sentinel Center, and naming the same CAMINO DE LA REINA;

RESOLUTION 209003, setting aside and dedicating for the purpose of a public street that portion of Lot 5, Mission Valley Shopping Center, shown as "Reserved for Future Street", and naming the same CAMINO DE LA REINA;

RESOLUTION 209004, approving the acceptance by the City Manager of a deed of Title Insurance and Trust Company conveying an easement and right of way for street purposes of portion of Lot 1, Mission Valley Shopping Center, dedicating and naming the same CAMINO DE LA REINA;

RESOLUTION 209005, approving the acceptance by the City Manager of a deed of Title Insurance and Trust Company conveying an easement and right of way for street purposes of portion of Lot 2 of Mission Valley Shopping Center, dedicating and naming the same CAMINO DE LA REINA;

RESOLUTION 209006, vacating a street reservation in Lot 3, Mission Valley Shopping Center (Camino de la Reina), in exchange for a new alignment;

RESOLUTION 209007, amending plans and specifications showing the contemplated changes and modifications in the work described in Resolution of Intention No. 208841 for the improvement of Camino de la Reina between Camino del Este and a point approximately 550 feet westerly of Mission Center Road; and Mission Center Road between Camino del Rio North and a point approximately 950 feet northerly of Camino de la Reina, and approving the plans and specifications so amended; and

RESOLUTION 209008, ordering work to improve and establish the grade on Camino de la Reina between Camino del Este and a point approximately 550 feet westerly of Mission Center Road; and Mission Center Road between Camino del Rio North and a point approximately 950 feet northerly of Camino de la Reina.

(Item 5 - CASE NO. 10-73-1)

The hour of 9:30 a.m. having arrived, Acting Mayor Morrow announced this was the time and place set for the hearing, continued from the Meeting of September 27, 1973 at applicant's request, on the appeal of Sarfan Foods, Inc. by Gerald M. Dawson, attorney, from the decision of the Planning Commission in denying its application to rezone Lots 41 through 44, Block 38, resubdivision of Blocks H and I, Teralta, located on the west side of Swift Avenue, between El Cajon Boulevard and Orange Avenue, from Zone R-4 to Zone C. It was reported that no written protests had been received.

Attorney Gerald Dawson appeared to request a continuance of the matter.

On motion of Councilman Landt, the matter was continued to Thursday, November 1, 1973, at applicant's request.

(Item 6 - CASE NO. 27-73-1)

The hour of 9:30 a.m. having arrived, Acting Mayor Morrow announced this was the time and place set for the hearing on the appeal of Irwin L. Schroeder, from the decision of the Planning Commission in denying his application to rezone Lots 1 and 2, Delta No. 1, located on the north side of Federal Boulevard, between 50th Street and Euclid Avenue, from Zone R-4 to Zone C. It was reported that no written protests had been received.

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

Bob Petrich and Richard Ragsdale appeared to speak in favor of the proposed rezoning.

The Council discussed the item at length.

On motion of Councilman Landt, the matter was continued for one week to Thursday, October 18, 1973, for further review.

Acting Mayor Morrow recessed the Meeting at 10:45 a.m. Upon reconvening at 11:03 a.m., the roll call showed Councilman Martinet and Mayor Wilson absent.

(Item 10)

A proposed Ordinance, continued from the Meeting of October 4, 1973, at City Attorney's request, amending the Municipal Code to conform to changes in State law in regard to Sales Tax, was presented.

Chief Deputy City Attorney Katz and City Manager Moore answered questions directed by the Council.

A proposed Ordinance, amending Chapter III, Article 2, of the San Diego Municipal Code by amending Section 32.52.4, and by adding Sections 32.52.6, 32.53.4 and 32.60, relating to Uniform Local Sales Tax and Use Tax, was introduced on motion of Councilman Landt, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Hitch, Bates, and Acting Mayor Morrow. Nays-None. Absent-Councilman Martinet and Mayor Wilson.

(Item 11)

A proposed Resolution, continued from the Meeting of October 4, 1973 at City Attorney's request, authorizing an agreement with the State Board of Equalization for administration of the local sales tax, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 209009, authorizing an agreement with the State Board of Equalization for State administration of local sales and use taxes, was adopted on motion of Councilman Johnson.

(Item 12)

A proposed Ordinance, amending Chapter II, Article 4, Division 4 of the San Diego Municipal Code by adding paragraph (6) relating to disability retirement for members and safety members, was presented.

City Manager Moore answered questions directed by the Council.

Robert Logan appeared to speak regarding the proposed Ordinance.

A proposed Ordinance, amending Chapter II, Article 4, Division 4, of the San Diego Municipal Code by adding paragraph (6) relating to Disability Retirement for Members and Safety Members to Section 24.0405, was introduced on motion of Councilman Hitch, by the following vote: Yeas-Councilmen Johnson, O'Connor, Landt, Williams, Hitch, Bates, and Acting Mayor Morrow. Nays-None. Absent-Councilman Martinet and Mayor Wilson.

(Item 13)

A proposed Ordinance, amending Chapter IX, Article 5, Division 1 of the San Diego Municipal Code, by amending Section 95.0103 and Section 95.0107, relating to Signs - Permits and Permit Fees, was presented.

City Manager Moore and Building Inspection Director G. W. Curtis answered questions directed by the Council.

Don Erwin and Frank Curran appeared to speak in opposition to the proposed Ordinance.

Councilman Williams left the Chamber.

Barbara Hutchison and J. Suitts appeared to speak in opposition to the proposed Ordinance.

Councilman Williams entered the Chamber.

Earl Waterbury and Joe Cannizzaro appeared to speak in opposition to the proposed Ordinance.

The Council discussed the item at length.

The motion of Councilman Landt to introduce the Ordinance received no vote at this time.

(Item 13 - Continued)

Councilman Bates moved to declare a moratorium on the enforcement provisions of the Sign Ordinance until January 1, 1974 and was advised by Chief Deputy City Attorney Conrad that such motion was illegal and that said provisions were not effective until January 1, 1974, anyway.

The vote was then taken on Councilman Landt's motion to introduce and the proposed Ordinance, amending Chapter IX, Article 5, Division 1 of the San Diego Municipal Code, and amending Section 95.0103 and Section 95.0107, relating to Signs - Permits and Permit Fees, was introduced by the following vote: Yeas-Councilmen O'Connor, Landt, Williams, Bates, and Acting Mayor Morrow. Nays-Councilmen Johnson and Hitch. Absent-Councilman Martinet and Mayor Wilson.

Councilwoman O'Connor left the Chamber.

RESOLUTION 209010, directing the City Manager to meet with the task force of the United Business Commission for the purpose of reviewing Ordinance No. 11000 (New Series) and to prepare and submit to the City Council a report on said review prior to January 1, 1974 (Sign Ordinance), was adopted on motion of Councilman Bates, by the following vote: Yeas-Councilmen Johnson, Landt, Williams, Hitch, and Bates. Nays-Acting Mayor Morrow. Absent-Councilmen O'Connor, Martinet, and Mayor Wilson.

Acting Mayor Morrow recessed the Meeting at 12:06 p.m., to reconvene at 2:00 p.m.

Upon reconvening at 2:12 p.m., the roll call showed Councilmen Landt, Martinet, and Hitch absent.

(Item 15c)

RESOLUTION 209011, inviting bids for the construction of traffic signal and safety lighting systems at Garnet Avenue and Jewell Street, in accordance with Specifications Document No. 745064, was adopted on motion of Councilwoman O'Connor.

(Item 16a)

A proposed Resolution, inviting bids for the construction of improvements in the Morley Field and Gold Gulch areas of Balboa Park, in accordance with Specifications Document No. 745065, was presented.

Deputy City Manager Lockwood answered questions directed by the Council.

(Item 16a - Continued)

Jerry Rimoldi and Mrs. Jessop appeared to speak in favor of the proposed Resolution.

Councilman Bates requested a report from the City Manager on how a minimal bike facility could be constructed in this area.

RESOLUTION 209012, inviting bids for the construction of improvements in the Morley Field and Gold Gulch areas of Balboa Park, in accordance with Specifications Document No. 745065, was adopted on motion of Councilman Bates.

(Item 16b)

A proposed Resolution, inviting bids for the construction of Beech Street and "G" Street interceptor sewers, in accordance with Specifications Document No. 745066, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 209013, inviting bids for the construction of Beech Street and "G" Street interceptor sewers, in accordance with Specifications Document No. 745066, was adopted on motion of Councilman Bates.

(Item 103)

A proposed Resolution, continued from the Meetings of September 20, and 27, 1973, for full Council, denying the transfer of 16 Certificates of Public Convenience and Necessity to operate taxicabs from Bell, Jackson and Lyons, Inc., dba San Diego Cab Company, to Pleasureline Products, Inc., dba ABC Cab Company, was presented.

City Manager Moore answered questions directed by the Council.

Councilman Morrow left the Chamber.

Martin Breslauer, Assistant to City Manager, answered questions directed by the Council.

Councilman Morrow entered the Chamber.

Chief Deputy City Attorney Katz answered questions directed by the Council.

Ed Allensworth and Bill Hilton, President of Yellow Cab Company, appeared to speak in favor of the proposed Resolution.

Mayor Wilson recessed the Meeting at 3:00 p.m. Upon reconvening at 3:18 p.m., the roll call showed Councilmen Landt, Martinet, and Hitch absent.

Councilman Landt entered the Chamber.

(Item 103 - Continued)

Henry E. Jackson, Mr. Bullard, Vernell Perry, and Brad de Souza appeared to speak in opposing to the proposed Resolution.

Julius Campbell appeared to speak regarding Certificates of Public Convenience and Necessity.

On motion of Councilman Morrow, the City Manager and City Attorney were directed to work out the criteria for a reasonable level of cab service in the Southeast San Diego area.

On motion of Councilman Morrow, the City Manager and City Attorney were directed to bring to docket a Resolution approving the transfer of the 16 Certificates of Public Convenience and Necessity, subject to the condition that a reasonable level of service be maintained in the southeast San Diego area or the certificates may be revoked by the City, by the following vote: Yeas-Councilmen Johnson, Landt, Williams, Morrow, Bates, and Mayor Wilson. Nays-Councilwoman O'Connor. Absent-Councilmen Martinet and Hitch.

(Item 104)

A proposed Resolution, authorizing a second amendment to agreement with Pedro S. Aqui, for services of a Manpower Coordinator for the Neighborhood Youth Corps Program to modify the biweekly amount authorized for said services, was presented.

City Manager Moore and Deputy City Manager Dominguez answered questions directed by the Council.

RESOLUTION 209014, authorizing a second amendment to agreement with Pedro S. Aqui, for services of a Manpower Coordinator for the Neighborhood Youth Corps Program to modify the biweekly amount authorized for said services, was adopted on motion of Councilman Bates.

(Item 105)

A proposed Resolution, authorizing an agreement with Blaylock-Willis and Associates for engineering services in connection with the design of the widening of Beyer Way, between Palm Avenue and the north City limits; authorizing the expenditure of \$65,000 out of Gas Tax Fund 220 for said services, was presented.

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

RESOLUTION 209015, authorizing an agreement with Blaylock-Willis and Associates for engineering services in connection with the design of the widening of Beyer Way, between Palm Avenue and the north City limits; authorizing the expenditure of \$65,000 out of Gas Tax Fund 220 for said services, was adopted on motion of Councilman Bates.

(Item 106)

RESOLUTION 209016, authorizing an agreement with Benton Engineering, Inc., for soils engineering services in connection with the design of the Beyer Way Bridge over the Otay River; authorizing the expenditure of \$8,300 out of Gas Tax Fund 220 for said services, was adopted on motion of Councilman Bates.

(Item 108)

A proposed Resolution, authorizing an agreement with the County of San Diego for conduction of a joint solid waste management study; authorizing the City Auditor and Comptroller to transfer \$68,300 within General Purpose Revolving Fund 534 to Solid Waste Management Task Force Fund 2661; authorizing the expenditure of said funds for said purpose, was presented.

City Manager Moore answered questions directed by the Council. Councilman Bates asked for a report from the City Manager to Council regarding the procedures developed for meaningful citizen input.

RESOLUTION 209017, authorizing an agreement with the County of San Diego for conduction of a joint solid waste management study; authorizing the City Auditor and Comptroller to transfer \$68,300 within General Purpose Revolving Fund 534 to Solid Waste Management Task Force Fund 2661; authorizing the expenditure of said funds for said purpose, was adopted on motion of Councilman Bates.

(Item 109)

The following Resolutions, relative to the City-County program of using Revenue Sharing Funds for the operation of human care services, were adopted on motion of Councilman Morrow:

RESOLUTION 209018, authorizing an agreement with Americans for Indian Future & Tradition, Inc., for the purpose of providing a multi-service agency for Indians;

RESOLUTION 209019, authorizing an agreement with San Diego Young Women's Christian Association for the purpose of providing community involvement and crime prevention by making available activities which will stimulate ethnic pride and culture, and aid communication through the interaction of people of different ages, ethnic backgrounds and sexes; and

RESOLUTION 209020, authorizing an agreement with the County of San Diego and Indian Center for the purpose of establishing a center for Indian people in order to deal with their problems such as alcoholism, unemployment and disease.

(Item 111)

A proposed Resolution, authorizing a joint cooperative effort with Penasquitos, Inc., San Diego County, and the City to determine the size, configuration, and use of the proposed Penasquitos Regional Park; a Master Plan for properties adjacent to the proposed park; and methods of acquisition; and further providing for contribution of approximately 30 man-days in the aforementioned planning effort, was presented.

City Manager Moore answered questions directed by the Council.

RESOLUTION 209021, authorizing a joint cooperative effort with Penasquitos, Inc., San Diego County, and the City to determine size, configuration, and use of the proposed Penasquitos Regional Park; a Master Plan for properties adjacent to the proposed park; and methods of acquisition; and further providing for contribution of approximately 30 man-days in the aforementioned planning effort, was adopted on motion of Councilwoman O'Connor.

(Item 112)

The Council considered the matter of establishing a training incentive program for San Diego Police Officers of classified rank whereby all holders of valid P.O.S.T. Certificates shall be eligible to receive additional compensation.

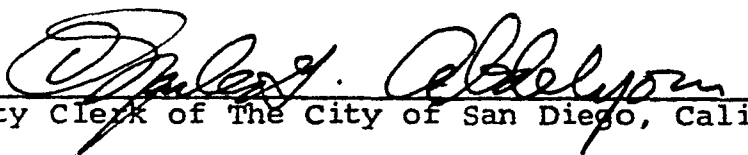
Chief Deputy City Attorney Katz and Sgt. Lewis of the Police Department answered questions directed by the Council.

On motion of Councilman Bates, said matter was continued indefinitely, by the following vote: Yeas-Councilmen Johnson, Landt, Williams, Morrow, and Bates. Nays-Councilwoman O'Connor and Mayor Wilson. Absent-Councilmen Martinet and Hitch.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilwoman O'Connor, at 4:17 p.m.

Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California