

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, OCTOBER 30, 1973  
IN THE CHAMBER OF THE COUNCIL - ADMINISTRATION BUILDING  
COMMUNITY CONCOURSE

Present--Councilmen Johnson, O'Connor, Williams, Martinet, Hitch,  
Bates, and Mayor Wilson.  
Absent--Councilmen Landt and Morrow.  
Assistant City Clerk--LaVerne Miller.

Mayor Wilson called the Regular Meeting to order at 9:37 a.m.

(Item 1)  
Roll call was taken.

(Item 2)  
Mayor Wilson introduced Reverend John C. Wright, Associate  
Pastor of Our Lady of Guadalupe Catholic Church, who gave the  
Invocation.

Councilman Landt entered the Chamber.

(Item 3)  
Councilman Martinet led the Pledge of Allegiance.

Councilman Morrow entered the Chamber.

(Item 4)  
RESOLUTION 209095, authorizing a Suggestion Award and making a  
presentation to Donna J. Evans, Police Department, \$430, was adopted  
on motion of Councilman Landt.

(Item 5)  
Mayor Wilson introduced sixty students from Marston Junior High  
School, accompanied by Mrs. Jenny Doran.  
Councilman Martinet addressed the group.

(Item 6)  
A communication from John W. Bishop, representing San Diego  
Card Room Owners Association, requesting permission to address the  
Council relative to Municipal Code Sections 33.1625.5, 33.1625.6, and  
33.1625.7 regarding card room regulations, was presented.  
John Bishop appeared to speak regarding said communication.

(Item 6 - Continued)

On motion of Councilman Hitch, the communication was referred to the City Manager and City Attorney for a report back to Mr. Bishop and Council as soon as possible.

The Council considered requests for continuances: Items 7, 103, and 8.

(Item 7 - CASE NO. 33-72-2)

CONTINUED HEARINGS: (Continued from the Meetings of November 16, 1972, February 20 and August 7, 1973, at applicant's request.) 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.

Mr. Raymond Theep appeared on behalf of the applicant to request a continuance of the matter.

Vicki Greensmith appeared to speak on the proposed continuance.

On motion of Councilman Hitch, the matter was continued for one week to November 6, 1973, at applicant's request.

(Item 103)

RESOLUTIONS - MISCELLANEOUS: (Continued from the Meeting of October 9, 1973, for full Council.) Declaring Parker Place, between Fanuel Street and Everts Street to be a one-way street, authorizing the installation of the necessary signs and markings.

Ruth Peyton appeared to request a continuance of the matter.

On motion of Councilman Martinet, the proposed Resolution was continued for one week to November 6, 1973, to be heard after the Pacific Beach rezoning hearings on November 1, 1973.

(Item 8 - ZONING ADMINISTRATOR CASE NO. 11733)

CONTINUED HEARINGS: (Continued from the Meeting of October 9, 1973, at applicant's request.) Appeal of Avco Community Developers, Inc., by Curtis M. Fitzpatrick, from the decision of the Board of Zoning Appeals which denied its request for an amendment to Zoning Administrator Case No. 11733 wherein two parking spaces were to be provided for each of four additional units to be added to a parcel developed with 84 condominium units. Subject property is located on Lot 1, Westwood Townhouses #1, at 11405, 11409, 11413, and 11417 Florendo Road, at the northeast corner of the intersection with Poblado Road, in the R-2A Zone.

Mr. Fitzpatrick appeared to request a continuance of the matter.

On motion of Councilman Johnson, the matter was continued for two weeks to November 13, 1973, at applicant's request.

(Item 13)

It was announced at this time that this item will be continued at 2:00 p.m. to a later date.

(Item 111)

It was announced at this time that this item will be heard at 2:00 p.m.

The Council considered the Consent Agenda, which consisted of Items 15, 16, 17, 18, 19, 102, 104, 105, 106, and 107.

(Item 15)

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

RESOLUTION 209096, Arrow Electric for construction of traffic signal and safety lighting systems at Fifth Avenue and Upas Street, and Quince Street and Sixth Avenue for the sum of \$41,765; authorizing the expenditure of \$47,600 out of Gas Tax Fund (220) and authorizing the expenditure of \$2,400 out of Capital Outlay Fund (245) for said purpose.

RESOLUTION 209097, GFA Electric for construction of traffic signal and safety lighting systems at Felspar and Ingraham Streets, and 65th Street and Imperial Avenue for the sum of \$55,642; authorizing the expenditure of \$65,500 out of Gas Tax Fund (220), and authorizing the expenditure of \$1,500 out of Capital Outlay Fund (245) for said purpose.

(Item 16)

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

RESOLUTION 209098, R. E. Anderson, Inc., for construction of Riverview Well Fields Phase III-A for the sum of \$48,176.50; authorizing the expenditure of \$56,000 out of Water Revenue Fund (502) for said purpose and related costs.

RESOLUTION 209099, Heffler Landscape for trimming of approximately 13,960 Broadleaf street trees for an estimated cost of \$41,740.40.

RESOLUTION 209100, R & R Sealcoating for seal coat and striping of parking areas at the San Diego Transit Central Operating Facility for the sum of \$7,872; authorizing the expenditure of \$9,000 out of San Diego Transit Central Operating Facility Fund (2572) for said purpose and related costs.

RESOLUTION 209101, Electric Supplies Distributor for purchase of one 500 KVA transformer for an actual cost of \$2,718.45, including tax and terms.

RESOLUTION 209102, Barney and Barney for fire and extended coverage insurance for a period of 3 years commencing November 1, 1973 for an estimated cost of \$18,096 per year; authorizing the transfer of \$2,750 from the Unallocated Reserve (100 Fund) to supplement the budgeted 100 Fund, Department 4404.

(Item 17)

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

RESOLUTION 209103, construction of Silverwing Park in accordance with Specifications Document No. 745231.

RESOLUTION 209104, modification of pedestrian traffic signals at various locations - City-wide - in accordance with Specifications Document No. 745232.

RESOLUTION 209105, construction of water main replacement group 193 in accordance with Specifications Document No. 745233.

(Item 18)

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

RESOLUTION 209106, construction of improvements at Arvinels Park and Mt. Etna Park in accordance with Specifications Document No. 745234.

RESOLUTION 209107, construction of safety lighting systems on Rosecrans Street between Rodgers Street and Canon Street in accordance with specifications Document No. 745235.

(Item 19)

RESOLUTION 209108, approving plans and specifications and authorizing the Purchasing Agent to advertise for bids for Hillside Drive stabilization in accordance with Specifications Document No. 745236, was adopted on motion of Councilman Williams.

(Item 102)

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

RESOLUTION 209109, Friars Village Unit 2;

RESOLUTION 209110, Industrial Park Unit 1; and

RESOLUTION 209111, Miramar Ranch Unit 1.

(Item 104)

RESOLUTION 209112, authorizing Supplement No. 13 to Master TOPICS Agreement No. 7 with the State of California, Division of Highways, Department of Public Works, relating to the modification of existing pedestrian signal indications throughout the City, was adopted on motion of Councilman Williams.

(Item 105)

RESOLUTION 209113, authorizing District Agreement Nos. 11-0129, 11-0130 and 11-0131 with the State of California, Department of Public Works, Division of Highways, relating to the construction of separate lighting conduits in conjunction with State's installation of traffic signals at various ramps and streets affected by the construction of Interstate Route 805 and the Balboa Avenue/Route 163 interchange complex; authorizing the expenditure of \$8,975 out of Gas Tax Fund 220 for City's estimated share of costs, was adopted on motion of Councilman Williams.

(Item 106)

RESOLUTION 209114, cosponsoring with the Congress of History of San Diego County their Tenth Annual Convention to be held in the main auditorium in the Casa Del Prado, Balboa Park, on March 1, and 2, 1974, waiving rental fees for the aforementioned facilities, was adopted on motion of Councilman Williams.

(Item 107)

RESOLUTION 209115, establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on both sides of the following streets: Prospect Street, between Cuvier Street and Draper Street; Draper Street, between Silverado Street and Kline Street; and Silverado Street, between Draper Street and Eads Avenue, was adopted on motion of Councilman Williams.

(Item 9)

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 Meeting of October 9, 1973, for Planning Department report, on the matter of vacating Home Place between Home Avenue and Euclid Avenue - Resolution of Intention 208780. It was reported that no written protests had been received.

Councilman Williams left the Chamber.

City Attorney Witt, Ken Klein, Planning Department, and James McLaughlin, Community Development Department, answered questions directed by the Council.

Councilman Williams entered the Chamber.

Ross Provence appeared to speak in favor of the proposed Resolution.

(Item 9 - Continued)

The hearing was closed and the following Resolution adopted on motion of Councilman Bates, subject to the condition recommended by the Planning Department that building permits be obtained prior to rezoning:

RESOLUTION 209116, vacating Home Place between Home Avenue and Euclid Avenue - Resolution of Intention 208780.

(Item 10)

The following Resolutions, continued from the Meeting of October 9, 1973, for Planning Department report, relative to the final subdivision map of Roy-Al Unit 1, a 1-lot subdivision, located east of Home Avenue and south of Euclid Avenue: (a) authorizing an agreement with Lee E. Mattei and Ruth S. Mattei, for completion of improvements; and (b) approving the final map, were presented.

City Attorney Witt, Ken Klein, Planning Department, and James McLaughlin, Community Development Department, answered questions directed by the Council.

Ross Provence appeared to speak in favor of the proposed Resolutions.

The following Resolutions, relative to the final subdivision map of Roy-Al Unit 1, were adopted on motion of Councilman Bates:

RESOLUTION 209117, authorizing an agreement with Lee E. Mattei and Ruth S. Mattei, for completion of improvements in Roy-Al Unit 1, a 1-lot subdivision, located east of Home Avenue and south of Euclid Avenue.

RESOLUTION 209118, approving the final map of Roy-Al Unit 1.

(Item 11)

A proposed Resolution, continued from the Meeting of October 9, 1973, for Planning Department report, authorizing the divestment of City's fee easement interest by negotiated sale for the sum of \$5,235, of portions of Lots 5 through 10 inclusive and Lots 46 and 47 in Block 8 of Swan's Addition, together with any alley and street closings; authorizing the execution of a grant deed conveying to Lee E. and Ruth S. Mattei said interest, was presented.

City Attorney Witt, Ken Klein, Planning Department, and James McLaughlin, Community Development Department answered questions directed by the Council.

Ross Provence appeared to speak in favor of the proposed Resolution.

RESOLUTION 209119, authorizing the divestment of City's fee easement interest by negotiated sale for the sum of \$5,235, of portions of Lots 5 through 10 inclusive and Lots 46 and 47 in Block 8 of Swan's Addition, together with any alley and street closings; authorizing the execution of a grant deed conveying to Lee E. and Ruth S. Mattei said interest, was adopted on motion of Councilman Bates.

(Item 12)

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 August 28 and September 18, 1973, to notice property owners of change in assessments, on the matter of 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. It was reported that approximately 70 written protests had been received.

Staff testimony was taken.

Public testimony was taken.

Bill Riley, Arthur Osborne, Ralph Hodges, Scotty McLeod and All Harris spoke in opposition.

(Item 13 - Continued)

The following proposed Ordinances, continued from the Meetings of July 26, August 28, and September 4, 1973, for further review and report from task force, (a) amending Chapter II, Article 2, of the San Diego Municipal Code by adding Division 23, Sections 22.2301 through 22.2306 establishing a Financial Disclosure by City officials Ordinance, were continued for three weeks to November 20, 1973, 2:00 p.m., time certain, at the request of Common Cause, on motion of Councilman Morrow.

(Item 12 - Continued)

Bill Riley Spoke again.

Hazel Hayes, Jack Sole, Jim Barnett, Barbara Lee, Roberta Frank, Douglas Reshfeld, Mary Welmont, Ruth Cray, Rea Close, Nancy Reese, and Allen Brown spoke in opposition.

Dick Hughes and Jerry Carnahan spoke in favor of the proposed resolution.

Councilman Bates and Williams left the Chambers.

Mayor Wilson recessed the Meeting at 10:32 a.m. Upon reconvening at 10:48 a.m., the roll call showed Councilmen Williams and Bates absent.

Councilman Bates entered the Chambers.

Public testimony was taken.

Mayor Wilson recessed the meeting at 11:55 a.m. for lunch. Upon reconvening at 2:15 p.m., the roll call showed Councilmen Landt and Williams absent.

Public testimony was taken.

A motion by Councilman Martinet to continue the item to November 6, 1973 at 2:00 p.m., Time Certain, to wait for the resolutions, passed by the following vote: Yeas-Councilmen Johnson, Martinet, Hitch, O'Connor, Williams, Morrow and Bates. Nays-None. Absent-Councilman Landt.

(Item 100)

The following Resolutions, relative to the final subdivision map of resubdivision of Lots 491 and 494, Bay Terraces Unit 1, were adopted on motion of Councilman Bates:

RESOLUTION 209121, authorizing an agreement with Southern California Terraces, Inc., and Penasquitos, Inc., for completion of improvements in resubdivision of Lots 491 and 494, Bay Terraces Unit 1, a 152-lot subdivision located northwesterly of the intersection of Woodman Street and Alta View Drive.

RESOLUTION 209122, authorizing an agreement with Southern California Terraces, Inc., providing for a surety bond in lieu of cash payment for park fees in resubdivision of Lots 491 and 494, Bay Terraces Unit 1.

RESOLUTION 209123, authorizing an agreement with Southern California Terraces, Inc., providing for an extension of time to October 13, 1975, within which the City may purchase the park site identified as Lot 718, Bay Terraces Unit 5.

RESOLUTION 209124, approving the final map of resubdivision of Lots 491 and 494, Bay Terraces Unit 1.

(Item 111 - Continued)

A proposed Resolution declaring opposition to Proposition 1 was presented.

Councilman Williams entered the Chamber.

Councilman Morrow left the Chamber.

Councilwoman O'Connor left the Chamber.

Harris Wagensill, Bill Landry, Joyce Beers and Floyd Wilson appeared to speak in favor of the proposed Resolution.

Councilwoman O'Connor entered the Chamber.

Councilman Morrow entered the Chamber.

Councilman Bates left the Chamber.

Mike Bolman, Mac Strobl, and Dan McKinnon appeared to speak in opposition to the proposed Resolution.

(Item 111 - Continued)

Councilman Bates entered the Chamber.

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

Councilman Johnson left the Chamber.

(Item 14)

A proposed Ordinance, setting aside and dedicating certain portions of Pueblo Lands in the City for a public park and naming said park "Pottery Canyon Park", was introduced on motion of Councilman Martinet, by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Martinet, Hitch, Bates, and Mayor Wilson. Nays-None. Absent-Councilmen Johnson and Landt.

(Item 101)

RESOLUTION 209125, granting a one-year extension of time to Pardee Construction Company for completion of improvements in Mesa Commercial Tract, said time to commence upon adoption of the Resolution, was adopted on motion of Councilman Martinet.

(Item 108)

A proposed Resolution, determining that the Golden Hall, Plaza Hall, and Civic Theatre, formerly known as the "Community Concourse," shall hereinafter be known as the "Convention and Performing Arts Center", was presented.

A motion by Councilman Hitch to amend the Resolution to name the "Community Concourse" as the "Charles C. Dail Convention and Performing Arts Center" received no vote.

City Manager Moore answered questions directed by the Council.

Helen Cobb appeared to speak in favor of the amendment to the proposed Resolution.

Councilman Hitch amended his original motion to amend the Resolution to state that the entire complex be known as the "Charles C. Dail Center" and the specific facilities - Golden Hall, Plaza Hall, and Civic Theatre - within that broad center be known as the "Convention and Performing Arts Center".

RESOLUTION 209126, determining that the Golden Hall, Plaza Hall and Civic Theatre, formerly known as the "Community Concourse," shall hereafter be known as the "Convention and Performing Arts Center"; and that the entire complex, consisting of the City Administration Building, Convention and Performing Arts Center, Municipal Parking Garage and City Operations Building, shall hereafter be known as "The Charles C. Dail Concourse", was adopted on motion of Councilman Hitch.

(Item 109)

The following proposed Resolutions, relative to the Tia Juana River Flood Control Project and Valley, (a) informing the International Boundary and Water Commission that the City supports the flood control facility described and identified in the report entitled "Tia Juana River Valley Land Use and Flood Control Alternatives," May, 1973, as Alternative III-A and, in particular the southerly alignment of this facility as proposed in the Commission's letter of February 5, 1972; requesting the aforesaid Commission to provide at an early date the necessary construction drawings, environmental impact statement, and right-of-way acquisition plats necessary to proceed with said project; and (b) directing the Planning Department to prepare a comprehensive plan according to Alternative III-A; amendments to the Border Area Plan; amendments to the Progress Guide and General Plan for the City; and directing the Planning Commission to conduct public hearings on the application of the FW and FPF Zones to the appropriate areas within the Tia Juana River Valley, were presented.

City Manager Moore answered questions directed by the Council.

Al Wolco appeared to speak in opposition to the proposed Resolutions.

On motion of Councilman Bates, the following Resolutions, relative to the Tia Juana River Flood Control Project and Valley, were adopted and the City Manager was requested to report on the progress being made by community planning groups and consider steps to be taken to move as quickly as possible to provide adequate flood management in this area, by the following vote: Yeas-Councilmen O'Connor, Williams, Morrow, Bates, and Mayor Wilson. Nays-Councilmen Martinet and Hitch. Absent-Councilmen Johnson and Landt.

RESOLUTION 209127, informing the International Boundary and Water Commission that the City supports the flood control facility described and identified in the report entitled "Tia Juana River Valley Land Use and Flood Control Alternatives," May, 1973, as Alternative III-A and, in particular, the southerly alignment of this facility as proposed in the Commission's letter of February 5, 1972; requesting the aforesaid Commission to provide at an early date the necessary construction drawings, environmental impact statement, and right-of-way acquisition plats necessary to proceed with said project.

RESOLUTION 209128, directing the Planning Department to prepare a comprehensive plan according to Alternative III-A; amendments to the Border Area Plan; amendments to the Progress Guide and General Plan for the City; and directing the Planning Commission to conduct public hearings on the application of the FW and FPF Zones to the appropriate areas within the Tia Juana River Valley.

Councilman Hitch left the Chamber.

(Item 110)

RESOLUTION 209129, authorizing Suggestion Awards to John W. Maples, Public Works Department, \$70 and John H. Vaughn, Fire Department, \$20., was adopted on motion of Councilman Bates.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Bates at 5:26 p.m.

Mayor of The City of San Diego, California

ATTEST:

Emilia J. O'Connell

City Clerk of The City of San Diego, California