

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, AUGUST 6, 1975
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION-BUILDING
CHARLES C. DAIL CONCOURSE

Present--Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet,
Ellis, and Mayor Wilson.

Absent--Councilmen Morrow and Haro.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 2:12 p.m.

(Item 1)

Roll call was taken.

(Item 2)

Minutes of the Adjourned Regular Meeting of May 22, 1975 held May 27, 1975 and Special Meeting of June 4, 1975, were presented by the City Clerk.

On motion of Councilman Johnson, said Minutes were approved without reading, after which they were signed.

(Item 3)

A communication from Robert L. Reisor, representing Roy and Jewel Reisor, requesting permission to address the Council regarding the rezoning of property at 6111 and 6115 Federal Boulevard back to the original R-2 Zoning, was presented.

Robert L. Reisor appeared to speak regarding said communication.

On motion of Councilman Hubbard, the communication was referred to the Planning Department and City Manager for investigation and report back to Council regarding notification of earlier hearing and on current status of Zoning.

Councilman Haro entered the Chambers.

There were no requests for continuances.

The Council considered the portion of the Consent Agenda, having to do with Ordinances introduced at a previous meeting, ready for dispensing with the reading and adoption, which consisted of Item 20.

The following Ordinance was introduced at the Meeting of July 24, 1975.

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.

The following Ordinance was adopted on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilman Morrow.

(Item 20 - CASE 41-74-1)

ORDINANCE 11658 (New Series), incorporating portions of Lots 58, 59, 60 and 70, Rancho Mission of San Diego, portions of Lots C, D, and E, Referée's Partition Map of a Partition of portion of Lot 70, Rancho Mission of San Diego, SCC No. 15191, and portions of Lots 27 and 28, Rosedale Tract, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code and repealing Ordinance No. 10864 (New Series), adopted June 29, 1972, of the Ordinances of The City of San Diego insofar as the same conflicts herewith.

(Item 51-d)

A proposed Resolution, awarding a contract to Select Electric, Inc., for construction of safety lighting systems and traffic signal service modifications for West Point Loma Boulevard Underground Utility District (Loma Riviera to Midway Drive), for Euclid Avenue Underground Utility District (Castana Street to Federal Boulevard), and College Avenue Underground Utility District (El Cajon Boulevard to Montezuma Road), for the sum of \$24,940; authorizing the expenditure of \$33,800 out of Capital Outlay Fund No. 245 for said purpose and related costs, was presented.

City Attorney Witt answered questions directed by the Council.

On motion of Councilman Martinet, the item was continued to August 13, 1975, for determination of possible conflict of interest.

(Item 52-a)

A proposed Resolution, awarding a contract to Select Electric, Inc., for construction of traffic signal and safety lighting systems at Lake Murray Boulevard and Lake Arrowhead Lake - San Carlos Drive, for the sum of \$28,366; authorizing the expenditure of \$38,600 out of Gas Tax Fund No. 220, and the expenditure of \$2,000 out of Capital Outlay Fund No. 245 for said purpose and related costs, was presented.

(Item 52-a - Continued)

City Attorney Witt answered questions directed by the Council.
On motion of Councilman Martinet, the item was continued to August 13, 1975, for determination of possible conflict of interest.

(Item 73)

A proposed Resolution, excusing Councilman Leon L. Williams from the afternoon session of the City Council meeting of July 31, 1975, for the purpose of attending the UCLA/Joint Center for Community Studies Conference in Los Angeles, was presented.

On motion of Councilman Williams, the proposed Resolution was filed.

The Council considered the remainder of the Consent Agenda consisting of Items 50, 51-a, b, & c, 52-b, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 74, 75, and 111. There was discussion on Item No. 60.

(Item 50)

RESOLUTION 213934, awarding a contract to Haas Butler Haas, Gen. Contr, for construction of Fire Station No. 13, for the sum of \$79,587; authorizing the expenditure of \$95,000 out of Capital Outlay Fund No. 245 for said purpose and related costs, was adopted on motion of Councilman Martinet.

(Item 51)

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

RESOLUTION 213935, R. J. and S.W. Shacklett General Engineering Contractors, Inc., for repair of the Carmel Valley interceptor sewer, Alternate B; for the sum of \$29,369.50; authorizing the expenditure of \$37,000 out of Sewer Revenue Fund Unallocated Reserve Fund No. 506, for said purpose and related costs;

RESOLUTION 213936, Nestor Enterprises, for installation of Sound Absorption System - Building 263 - Chollas Operations Station, for the sum of \$4,096; authorizing the expenditure of \$7,000 out of Capital Outlay Fund No. 245 for said purpose and related costs; and

RESOLUTION 213937, Austin Construction Co. for construction of Point Loma Avenue Storm Drain, for the sum of \$38,795; authorizing the expenditure of \$49,940 out of Flood Control and Storm Drain Bond Fund No. 727 and Bond Fund Reserve No. 727 - Reserve for said purpose and related costs.

(Item 52)

RESOLUTION 213938, General Electric Company, Apparatus Service Division, for the repair of an electric motor at City Sewage Pump Station Number 2 on North Harbor Drive, for a total estimated cost including tax of \$9,711.91, was adopted on motion of Councilman Martinet.

(Item 53)

RESOLUTION 213939, awarding a contract to Barney and Barney Insurance for furnishing Stadium Property and Earthquake Insurance in the amount of \$23,100,000 for a period of three years commencing August 1, 1975, for an annual premium of \$49,895, was adopted on motion of Councilman Martinet.

(Item 54)

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

RESOLUTION 213940, furnishing approximately one hundred thousand (100,000) pounds of Potassium Permanganate Free Flowing Cairox in accordance with Specifications Document No. 752136; and

RESOLUTION 213941, furnishing bond, mimeograph and duplicator paper as may be required for a period of one year ending September 30, 1976 in accordance with Specifications Document No. 752137.

(Item 55)

The following Resolutions, relative to construction of Point Loma Park and Recreation Center, were adopted on motion of Councilman Martinet:

RESOLUTION 213942, certifying that the information contained in the Environmental Negative Declaration No. 73-11-003C has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council; and

RESOLUTION 213943, inviting bids in accordance with Specifications Document No. 752138.

(Item 56)

RESOLUTION 213944, granting an extension of time to July 1, 1976, to Kaiser Aetna for completion of improvements in Villa Pacifica Unit 1 Subdivision, was adopted on motion of Councilman Martinet.

(Item 57)

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

RESOLUTION 213945, San Diego Trust & Savings Bank (street purposes) - BRITAIN STREET;

RESOLUTION 213946, Edgar Leroy Huxley and Sara Jane Huxley (street purposes) - GARDENA AVENUE; and

RESOLUTION 213947, Reedbro Associates (street purposes) - VICKERS STREET.

(Item 58)

RESOLUTION 213948, authorizing an agreement with Richard John Lareau & Associates, Inc., for architectural services required for the design of the Cabrillo Playground Comfort Station; authorizing the expenditure of \$3,000 out of Federal Revenue Sharing Fund No. 2384 for the design, construction and related expenses of the above project, was adopted on motion of Councilman Martinet.

(Item 59)

RESOLUTION 213949, authorizing an agreement with Fred Rodrick Blecksmith, Jr., A.I.A., Architect, for architectural services required for the design of the Harbor Senior Citizens Center; authorizing the expenditure of \$9,000 out of Senior Citizens Building Project Fund No. 2550 for the design, construction and related expenses for the above project, was adopted on motion of Councilman Martinet.

(Item 60)

RESOLUTION 213950, authorizing an agreement with the County of San Diego for the Master Plan development of the Fortuna Mountain--Mission Gorge Park Complex; authorizing the expenditure of \$20,000 out of Capital Outlay Fund No. 245 for the above purpose, was adopted on motion of Councilman Martinet.

(Item 61)

RESOLUTION 213951, authorizing an agreement with Harry A. MacDonald, Electrical Engineer, for consulting services required for the design of miscellaneous lighting improvements in Balboa Park; authorizing the expenditure of \$7,500 out of Park and Recreation Bond Fund No. 725, for design, construction and related expenses of the above project, was adopted on motion of Councilman Martinet.

(Item 62)

RESOLUTION 213952, authorizing an agreement with Radio Station KPBS-FM for the purpose of broadcasting live, regular weekly meetings of the City Council and City Council Committee hearings for the period ending June 30, 1976, was adopted on motion of Councilman Martinet.

(Item 63)

RESOLUTION 213953, authorizing an agreement with the San Diego County Safety Council to conduct programs in the City of San Diego designed to educate and inform the public with regard to accident prevention on the streets and highways, in the home, and in recreational and leisure activities, was adopted on motion of Councilman Martinet.

(Item 64)

RESOLUTION 213954, authorizing an agreement with Gary L. Cain, to serve as a full-time coordinator of activities for the City's participation with the San Diego American Bicentennial Committee in the American Bicentennial Celebration program for the period July 1, 1975, through June 30, 1976, was adopted on motion of Councilman Martinet.

(Item 65)

RESOLUTION 213955, approving Change Order No. 1, issued in connection with the contract with Spitz Laboratories, Inc., for the projection screen/dome structure for the San Diego Hall of Science and Planetarium, amounting to a decrease in the contract price of \$41,160 and an extension of time, extending the completion date to November 21, 1975, was adopted on motion of Councilman Martinet.

(Item 66)

RESOLUTION 213956, authorizing the City Auditor and Comptroller to transfer the sum of \$5,000 within Fund 100 from the Unallocated Reserve (53.30) to the Allocated Reserve (53.20) for the sole and exclusive purpose of providing funds to augment Resolution No. 207396 for expenses incurred in connection with participation on behalf of the City in those certain hearings to be held before the California Public Utilities Commission in the matter of rate increase applications by the Pacific Telephone and Telegraph Company in Application No. 53587, was adopted on motion of Councilman Martinet.

(Item 67)

RESOLUTION 213957, 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 the north side of Cave Street, between Ivanhoe Avenue and Exchange Place; authorizing the installation of the necessary signs and markings, was adopted on motion of Councilman Martinet.

(Item 68)

RESOLUTION 213958, authorizing Hugh McKinley, City Manager, and Larry Haden, Financial Management Director/Budget Officer, to execute applications and documents for the purpose of obtaining financial assistance under the Federal Civil Defense Act of 1950, as amended (50 App. U.S.C., Secs. 2251-2297); rescinding Resolution No. 209714, was adopted on motion of Councilman Martinet.

(Item 69)

RESOLUTION 213959, deleting Standard Condition No. 6a from Council Resolution No. 209487, adopted December 18, 1973, and accepting Conditional Use Permit No. 392 PC, was adopted on motion of Councilman Martinet.

(Item 70)

RESOLUTION 213960, supplementing in an amount not to exceed \$7,000, Resolution No. 211445, adopted August 29, 1974, which employed and appointed as Special Legal Counsel the firm of Gray, Cary, Ames & Frye in connection with Superior Court Case No. 357078, Wesley, Bliler, et al. v. City of San Diego, wherein the legality of the proceedings of the Tecolote Canyon Open Space Park Assessment District No. 12F is being contested; retaining, in the event the matter of Wesley Bliler, et al. v. City of San Diego is appealed, the firm of Gray, Cary, Ames & Frye on said terms and conditions as set forth in Resolution No. 211445 and accompanying letter of employment in an amount not to exceed \$4,500, was adopted on motion of Councilman Martinet.

(Item 71)

RESOLUTION 213961, cosponsoring, with Club America S.C.E. (Social, Cultural, Educational), a Mexican Independent Day Celebration and dance at the Balboa Park Club on Tuesday, September 16, 1975; waiving the rental fee for the use of the Balboa Park Club for the above purpose, was adopted on motion of Councilman Martinet.

(Item 72)

RESOLUTION 213962, cosponsoring, with Congress of History of San Diego County the annual convention and exhibit at the Casa del Prado Auditorium in Balboa Park on March 5 and 6, 1976; waiving the rental fee for the use of the Casa del Prado Auditorium for the above purpose, was adopted on motion of Councilman Martinet.

(Item 74)

RESOLUTION 213963, excusing Councilman Bob Martinet from the Council and committee meetings from September 2, 1975, through September 12, 1975, was adopted on motion of Councilman Martinet.

(Item 75)

RESOLUTION 213964, authorizing a contract with the County of San Diego providing for the relocation of the County Fire Mutual Aid Radio Network from the La Mesa Fire Department to the San Diego Fire Department Dispatch Center, was adopted on motion of Councilman Martinet.

(Item 111)

RESOLUTION 213965, awarding a contract to Industrial Parts Depot, Inc., for furnishing various undercarriage repair parts for an actual cost, including tax and terms, of \$3,597.39, was adopted on motion of Councilman Martinet.

(Item 113)

A proposed Resolution, continued from the Meeting of July 30, 1975, for City Attorney to prepare proper signing and language for a loading zone to permit special accommodations for any handicapped persons using that stretch of Torrey Pines Road, prohibiting parking of vehicles between the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. daily on the ocean side of Torrey Pines Road between Prospect Street and Princess Street; authorizing the installation of the necessary signs and markings, was presented.

City Manager McKinley and Deputy City Attorney Reiss answered questions directed by the Council.

Councilman Ellis moved to reopen the hearing, which passed unanimously.

Mrs. Carl Montgomery appeared to speak in opposition to the proposed Resolution.

By mutual agreement, the Council trailed discussion of the matter upon consideration of Item 76.

(Item 76)

A proposed Resolution, authorizing the City Manager to negotiate directly with Edward J. McCrink an Option to Lease Agreement "Proposal" encompassing approximately 3,000 acres of City-owned land in Pamo Valley under terms and conditions which shall be in general conformance with Council Policy 700-10 and in specific accord with the special conditions approved by the Public Facilities and Recreation Committee on July 28, 1975, was presented.

A motion by Councilwoman O'Connor to adopt the proposed Resolution, received no vote at this time.

Carmelita Swarts appeared to speak on the matter.

Ben Hagar, Property Department, answered questions directed by the Council.

Andrew Wagner appeared to speak on the proposed Resolution.

A motion by Councilman Haro to continue the proposed Resolution to August 13, 1975, for the presence of Councilman Morrow, and later amended to refer the proposed Resolution back to Committee, was withdrawn.

On motion of Councilman Martinet, the proposed Resolution was continued to August 20, 1975, for full Council.

(Items 77 and 78 were considered simultaneously)

A proposed Resolution, authorizing a First Amendment to Sewage Disposal Agreement of 1974 with the Santee County Water District to allow the Santee County Water District to increase its capacity from 2.7 million gallons per day to 2.8 million gallons per day, and a proposed Resolution, authorizing a First Amendment to Sewage Disposal Agreement of 1974 with Alpine Sanitation District and the Lakeside Sanitation District to allow the Districts to increase their capacity from 1.66 million gallons per day to 2.16 million gallons per day, were presented.

City Manager McKinley answered questions directed by the Council.

Norman Magneson and Evelyn Provaznik appeared to speak on the proposed Resolutions.

The following Resolutions were adopted on motion of Councilman Williams:

RESOLUTION 213966, authorizing a First Amendment to Sewage Disposal Agreement of 1974 with the Santee County Water District to allow the Santee County Water District to increase its capacity from 2.7 million gallons per day to 2.8 million gallons per day; and

RESOLUTION 213967, authorizing a First Amendment to Sewage Disposal Agreement of 1974 with Alpine Sanitation District and the Lakeside Sanitation District to allow the Districts to increase their capacity from 1.66 million gallons per day to 2.16 million gallons per day.

Mayor Wilson recessed the Meeting at 3:55 p.m. Upon reconvening at 4:14 p.m., the roll call showed Councilmen Morrow and Haro absent.

(Item 113 - Second Time)

City Manager McKinley answered questions directed by the Council.

Councilman Haro entered the Chambers.

Mrs. Dahlberg appeared to speak on the proposed Resolution.

The hearing was closed and the following Resolution adopted on motion of Councilman Johnson, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Martinet, Ellis, Haro, and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilman Morrow.

RESOLUTION 213968, prohibiting parking of vehicles between the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. daily on the ocean side of Torrey Pines Road, between Prospect Street and Princess Street; authorizing the installation of the necessary signs and markings.

(Item 79)

A proposed Resolution, authorizing the City Manager to charge and collect fees for police operated emergency ambulance service, rescinding Resolution No. 195628, adopted December 26, 1968, effective February 1, 1969, to be effective September 1, 1975, was presented.

Assistant City Attorney Teaze answered questions directed by the Council.

RESOLUTION 213969, authorizing the City Manager to charge and collect fees for police operated emergency ambulance service according to the following schedule to be effective September 1, 1975.

a - For the transporting of any emergency patient when that patient requires the use of an ambulance, there shall be a charge of \$30.00;

b - There shall be a \$15.00 penalty assessed for the failure to pay any ambulance charge made pursuant to this schedule within 60 days after the emergency service is rendered, except that such penalty may be waived by the City Treasurer or his representative where good cause for delay is shown; and

c - All ambulance service charges shall be due and payable on the day the emergency service is rendered; rescinding Resolution No. 195628, adopted December 26, 1968, effective February 1, 1969, to be effective September 1, 1975, was adopted on motion of Councilwoman O'Connor.

(Item 80)

RESOLUTION 213970, directing the City Attorney to prepare language for an informational statement, to be provided at the time that single, or multiple-family dwelling units change ownership, relative to whether or not the structure is equipped with detector(s) of products of combustion; directing the City Manager to pursue a public information program on the benefits of these detectors, including, if possible, mail-outs with the utility bills, was adopted on motion of Councilman Ellis.

(Item 81)

RESOLUTION 213971, directing the City Manager to develop a Consumer Affairs Program Proposal and seek sources of funds for such proposal; to investigate alternatives to include establishing a Joint City-County Consumer Affairs Program; and report back to the Council with recommendations on the above in 30 days, was adopted on motion of Councilman Williams.

(Item 82)

RESOLUTION 213972, directing the Legislative Representative to support Senate Bill No. 886 which defines "Obscene Matter" so as to bring it within the United States Supreme Court's definition rendered in Miller v. California; that the bill also provides a civil injunctive remedy against the exhibition, distribution, etc. of obscene matter; thus making it far easier to prosecute such materials, was adopted on motion of Councilman Ellis.

(Items 100 and 101 were considered simultaneously)

The hour of 8:30 a.m. having arrived, the Mayor announced this was the time and place set for the hearing, on vacating Pittsburgh Avenue between the westerly line of Lot 29, Encanto, and Lot 23, W.A. Shaules Company Subdivision; and Leonard Street adjacent to Lot 62, W. A. Shaules Company Subdivision - under Resolution of Intention 213693, and the following Resolutions, relative to the Final Subdivision Map of Division Highlands Unit No. 6, a 46-lot subdivision located southerly of Pittsburgh Avenue, northerly of Division Street and easterly of 61st Street: (a) Authorizing an Agreement with Chilcote, Inc., for completion of improvements; and (b) Approving the Final Map and acknowledging receipt of subdivider's assurance of compliance with the Affirmative Marketing Program, were presented.

C.R. Lochhead, Engineering and Development Department, answered questions directed by the Council.

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

RESOLUTION 213973, vacating Pittsburgh Avenue between the westerly line of Lot 29, Encanto, and Lot 23, W.A. Shaules Co. Subdivision; and Leonard Street adjacent to Lot 62, W.A. Shaules Co. Subdivision;

(Items 100 and 101 were considered simultaneously - Continued)

RESOLUTION 213974, authorizing an agreement with Chilcote, Inc., for the completion of improvements in Division Highlands Unit No. 6, a 46-lot subdivision located southerly of Pittsburgh Avenue, northerly of Division Street and easterly of 61st Street; and

RESOLUTION 213975, approving the final map of Division Highlands Unit No. 6 and acknowledging receipt of subdivider's assurance of compliance with the Affirmative Marketing Program.

(Item 102)

A proposed Resolution, authorizing an agreement with the Girls Club of San Diego, Inc., to implement a 1975 Recreational Support Program entitled Alkebulan Sidewalk Theater; authorizing the expenditure of not more than \$4,332 for said program, was presented.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 213976, authorizing an agreement with the Girls Club of San Diego, Inc., to implement a 1975 Recreational Support Program entitled Alkebulan Sidewalk Theatre; authorizing the expenditure of not more than \$4,332 for said program, was adopted on motion of Councilwoman O'Connor.

(Item 103)

A proposed Resolution, authorizing the expenditure of \$2,000 from Capital Outlay Fund No. 245 for the payment of City's share of the estimated appraisal costs for the University City Library Site Exchange, was presented.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 213977, authorizing the expenditure of \$2,000 from Capital Outlay Fund No. 245 for the payment of City's share of the estimated appraisal costs for the University City Library Site Exchange, was adopted on motion of Councilman Johnson.

(Item 104)

A proposed Resolution, authorizing the City Manager to submit, for and on behalf of the San Diego Police Department, to the California Office of Criminal Justice Planning, a Grant Award Modification for the "ARJIS - City of San Diego" grant, for the purpose of adding staff to design improved management information reporting systems for the Police Department; authorizing the City Manager to execute the necessary documents to accept the grant modification award, upon award of said grant modification; appropriating \$1,111 in the Fiscal Year 1976 Appropriation Ordinance for use in carrying out the grant modification program and to be used as the local matching funds which are required under the grant, was presented.

(Item 104 - Continued)

City Manager McKinley and Capt. C. Ecklund, Jr., answered questions directed by the Council.

On motion of Councilwoman O'Connor, the proposed Resolution was referred to Public Services and Safety Committee, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, and Mayor Wilson. Nays-Councilmen Ellis and Haro. Absent-Councilman Morrow.

(Item 105)

RESOLUTION 213978, directing the City Manager to urge the California Department of Transportation (CALTRANS) Staff to expedite the installation of the Tierrasanta/I-15 Intersection, was adopted on motion of Councilman Haro.

(Item 106)

A proposed Resolution, approving a City Plan for the acquisition of certain Community Concourse properties consisting of the City Administration Building, Civic Theatre, Convention Center and the Exhibit Hall and Parking Garage, presently being leased to the City by the City Employees Retirement System; determining that the group of municipal improvements may be submitted to the electorate as a Single Bond Proposition, was presented.

Deputy City Manager Blair answered questions directed by the Council.

A motion by Councilwoman O'Connor to continue the proposed Resolution to August 8, 1975 to discuss with other ballot items, was withdrawn.

RESOLUTION 213979, approving a City Plan for the acquisition of certain Community Concourse Properties consisting of the City Administration Building, Civic Theatre, Convention Center and the Exhibit Hall and Parking Garage, presently being leased to the City by the City Employees Retirement System; determining that the group of municipal improvements may be submitted to the electorate as a Single Bond Proposition, was adopted on motion of Councilwoman O'Connor.

(Item 107)

A proposed Resolution, adopting in principle, those recommendations on the funding of Recreational Facilities and Programs to which the Ad Hoc Committee on Joint Recreational Facilities agreed at their meeting on June 13, 1975, as follows: 1) construction of swimming pools, where the school district will finance the construction of the swimming pools and the City will finance the construction of any needed dressing facilities and finance the operating and maintenance costs of the pools; 2) endorsing the Mesa College Auditorium as a project, with construction costs to be provided exclusively by the San Diego Community College District on land provided by the City; 3) endorsing the use of City-owned

(Item 107 - Continued)

land at Morley Field for a regulation baseball diamond, with the provision that at this time the San Diego Unified School District provides no money for this project; 4) approving future cooperation in developing turf recreational areas on school grounds to be used by the community, with the school district or the colleges putting in the turf and the City maintaining the grounds and putting in lighting, which is to include the Educational Cultural Complex, was presented.

City Manager McKinley answered questions directed by the Council.

A motion by Councilman Martinet to adopt the proposed Resolution, died for lack of a second.

Assistant City Attorney Teaze answered questions directed by the Council.

Councilman Ellis moved to continue the proposed Resolution to August 7, 1975 under Unfinished Business.

(Item 108)

A proposed Resolution, in the matter of City Council determination of conducting and sponsorship of the Unlimited Hydroplane Races proposed to be conducted in September, 1975, on Mission Bay, was presented.

Chief Deputy City Attorney Katz answered questions directed by the Council. A substitute Resolution was presented.

RESOLUTION 213980, authorizing an agreement with William E. Muncey, for the conduct of Unlimited Hydroplane Races on Mission Bay during the period from September 18 through September 21, 1975; terminating the agreement between City and Mission Bay Boat & Ski Club executed pursuant to Resolution No. 213457, was adopted on motion of Councilman Martinet.

(Item 109)

A proposed Ordinance, amending Chapter III, Article 4 of the San Diego Municipal Code by amending Sections 34.01, 34.02, 34.03, 34.05, 34.06 and 34.07 and by adding Sections 34.08, 34.09, 34.10, 34.11 and 34.12 relating to Bicycles, was introduced on motion of Councilman Williams by the following vote: Yeas - Councilmen Johnson, O'Connor, Hubbard, Williams, Martinet, Ellis, Haro, and Mayor Wilson. Nays-None. Absent-Councilman Morrow.

(Item 110)

A proposed Ordinance, amending Chapter X, Article 1, of the San Diego Municipal Code, by adding Section 101.0210 relating to Limitation on Time for Action Attacking Administrative Determination, was presented.

(Item 110 - Continued)

Assistant City Attorney Teaze answered questions directed by the Council.

Councilwoman O'Connor moved to continue the proposed Ordinance to August 13, 1975, at the City Attorney's request.

(Item 112)

A proposed Resolution, continued from the Meeting of July 30, 1975, for a report from Planning Department, awarding a contract to General Electric Company, for furnishing computer services, as may be required for the period of one year ending June 30, 1976, for an estimated cost of \$5,000, was presented.

Keith Gallistel, Planning Department, answered questions directed by the Council.

RESOLUTION 213981, awarding a contract to General Electric Company, for furnishing computer services, as may be required for the period of one year ending June 30, 1976, for an estimated cost of \$5,000, was adopted on motion of Councilwoman O'Connor, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Martinet, Ellis, Haro, and Mayor Wilson. Nays-Councilman Hubbard. Absent-Councilman Morrow.

(Item 114)

A proposed Resolution, continued from the Meeting of July 30, 1975, for further review, employing and appointing Franklin T. Hamilton as Special Bond Counsel for giving an opinion on any bonds that may be issued to pay for the financing and acquisition of approximately 150 acres of undeveloped canyon land in the Del Cerro area for the proposed Navajo Canyon Open Space Park Assessment District (San Diego Park District No. 11) under the Municipal Improvement Act of 1913 and the San Diego Park District Procedural Ordinance of 1969, pursuant to terms and conditions set forth in the letter dated March 28, 1975; City will not be liable for payment of any costs incurred in said employment in the event the proposed proceedings fail to materialize or are abandoned before an assessment has been levied and collected, was presented.

Assistant City Attorney Teaze answered questions directed by the Council.

RESOLUTION 213982, employing and appointing Franklin T. Hamilton as Special Bond Counsel for giving an opinion on any bonds that may be issued to pay for the financing and acquisition of approximately 150 acres of undeveloped canyon land in the Del Cerro area for the proposed Navajo Canyon Open Space Park Assessment District (San Diego Park District No. 11) under the Municipal Improvement Act of 1913 and the San Diego Park District Procedural Ordinance of 1969, pursuant to terms and conditions set forth in

(Item 114 - Continued)

the letter dated March 28, 1975; City shall not be liable for payment of any costs incurred in said employment in the event the proposed proceedings fail to materialize or are abandoned before an assessment has been levied and collected, was adopted on motion of Councilwoman O'Connor.

(Item 205)

By common consent, Committee Hearing for this referral item was changed from the Committee on Transportation and Land Use to the Committee on Public Facilities and Recreation on August 18, 1975.

(Item 210)

City Manager McKinley appeared to speak on this referral item authorizing an agreement with Frank L. Hope & Associates, for professional services in connection with the police facility study.

(Item 1 Supplemental)

The matter of directing the City Manager to give a full report to Council regarding confiscation of files from the Police Psychologist's Office by the Police Chief, was presented.

Deputy City Manager Blair presented the City Manager's Report and answered questions directed by the Council.

Councilwoman O'Connor moved to suspend the rules for Council Meeting to proceed past 5:30 p.m., which carried unanimously.

Chief of Police Hoobler answered questions directed by the Council.

City Attorney Witt, Assistant City Attorney Teaze and City Manager McKinley answered questions directed by the Council.

Pat Thistle appeared to speak on the matter.

A motion by Councilman Hubbard to accept the City Manager's report, refer to City Attorney for possible legal action, and pursue suggested recommendations and set up a more formal psychological counseling outside of the Police Department as recommended by the Public Services and Safety Committee, received no vote at this time.

Councilwoman O'Connor moved to continue the matter to August 8, 1975, 2:00 p.m., Time Certain, to allow City Attorney to rule on legality of the Executive Session, which passed unanimously.

Councilman Hubbard left the Chambers.

(Unanimous Consent No. 1)

By Unanimous Consent granted to Mayor Wilson, the following proposed Resolution, expressing congratulations and best wishes for success to the Kearny Mesa Little League Baseball Team, Greater San Diego Champions, who will play at Buena Park on August 6, 1975 - p.m., was presented.


RESOLUTION 213983, extending expressions of congratulations and admiration for the outstanding successes already achieved to the 1975 Kearny Mesa Little League Baseball Team and the very best wishes for victory this evening, was adopted on motion of Councilman Williams.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned at 6:42 p.m. on motion of Councilman Ellis, and the Mayor announced there would be a Special Meeting at 2:00 p.m. on Friday, August 8, 1975, regarding Item No. 1 on the Supplemental Docket. This will trail the other items on the Special Meeting previously called.



Mayor of The City of San Diego, California

ATTEST:



City Clerk of The City of San Diego, California