

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, AUGUST 20, 1975
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE

Present--Johnson, O'Connor, Hubbard, Morrow, Martinet, Ellis, Haro and
Mayor Wilson.

Absent--Councilman Williams.

Clerk---Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 2:06 p.m.

(Item 1)

Roll Call was taken.

(Item 2)

A communication from R. F. Ridenour, requesting permission to address
the Council, regarding the Ocean Beach Precise Plan, was presented.

Richard F. Ridenour appeared to speak regarding said communication.

Councilman Williams entered the Chambers.

The motion of Councilman Martinet to refer said communication to the
City Attorney, City Manager and Planning Director for a report back to the
Council and Mr. Ridenour, as to whether or not a fair hearing was held, if
the legal requirements were met for a fair hearing, and, in the event it is
opined that the hearing should not have been closed, renote to hear addi-
tional testimony received no vote at this time.

Planning Director Goff answered questions directed by the Council.

The vote was then taken on the motion of Councilman Martinet, which
passed unanimously.

There were no requests for continuances.

The Council considered that portion of the Consent Agenda consisting of
Ordinances Introduced at a Previous Meeting, Ready for Dispensing with the
Reading and Adoption: Item 20.

The following Ordinance was introduced at the Meeting of August 6, 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 Martinet, by the following vote: Councilman Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Haro and Mayor Wilson. Nays-None. Absent-None.

(Item 20)

ORDINANCE 11661 (New Series), 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.

The Council considered that portion of the Consent Agenda consisting of Ordinances to be Introduced: Items 21 and 100.

(Item 21)

- A proposed Ordinance, amending Chapter IX of the San Diego Municipal Code be repealing Article 9, Sections 99.0101 through 99.0106, relating to Fees for Park and Recreational Facilities, and by adding Article 6, Division 4, Sections 96.0401 through 96.0406, relating to Miscellaneous Fees and Fees for Park and Recreational Facilities, was introduced on motion of Councilman Haro, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Haro and Mayor Wilson. Nays-None. Absent-None.

(Item 100)

A proposed Ordinance, amending Chapter VI, Article 3, of the San Diego Municipal Code by amending Section 63.25.6 and by adding Section 63.25.72, both relating to Mission Bay Park, was introduced on motion of Councilman Haro, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Ellis, Haro and Mayor Wilson. Nays-None. Absent-None.

The Council considered that portion of the Consent Agenda consisting of Resolutions: Items 50c, 50d, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, ~~64~~, 65, 101, 102, and 103.

City Manager McKinley answered questions directed by the Council regarding Item 50c.

On motion of Councilman Hubbard, the Consent Agenda, consisting of Items 50c, 50d, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 64, 65, 101, 102 and 103, was adopted.

City Manager McKinley requested that Item 57 be removed from the Consent Agenda, and Councilman Hubbard moved to rescind the previous motion to adopt the Consent Agenda.

The Council considered that portion of the Consent Agenda consisting of Resolutions: Items 50c 50d, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 64, 65, 101, 102 and 103.

(Item 50 c & d)

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

RESOLUTION 214027, Bekins Building Maintenance Co., for furnishing janitorial services for the San Diego Stadium, as may be required for a period of sixteen months ending December 31, 1976, for a contract estimate of \$126,206.80 with an option to renew the contract for three additional one year periods; and

RESOLUTION 214028, Sim J. Harris Company, for the purchase of Asphaltic Products, as may be required for a period of one year ending July 31, 1976, for an actual estimated cost of \$63,932.84, including tax and terms.

(Item 51)

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

RESOLUTION 214029, Ekstrom Industries, for the purchase of miscellaneous partitioning materials, as may be required for the period ending June 30, 1976, for an actual estimated cost of \$30,000;

RESOLUTION 214030, RCA Corporation, Mobile Communications, for the purchase of three reconditioned mobile radios, for a cost of \$495 each, for a total cost of \$1,558.36, including tax and terms; and

RESOLUTION 214031, Loftin Business Forms, for the purchase of 200,000 Traffic Warnings PD 519, for a total cost of \$2,105.16, including tax and terms.

(Item 52)

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

RESOLUTION 214032, furnishing one 250 CFM air compressor with diesel engine in accordance with Specifications Document No. 752274;

RESOLUTION 214033, lease or purchase of up to five heavy duty diesel dump trucks and not more than two pup trailers, for a period of one year beginning January 1, 1976, with options to renew for four additional one year periods in accordance with Specifications Document No. 752275; and

RESOLUTION 214034, furnishing two vibrator rollers in accordance with Specifications Document No. 752276.

(Item 53)

RESOLUTION 214035, inviting bids for construction of water and sewer main Replacement Group 401 in accordance with Specifications Document No. 752277.

(Item 54)

RESOLUTION 214036, inviting bids for Ocean Beach Athletic Area Additional Tennis Courts in accordance with Specifications Document No. 752278.

(Item 55)

RESOLUTION 214037, designating November 14, 1975, as the date upon which all property within the Euclid Avenue Underground Utility District between Lise Avenue and Castana Street must be ready to receive Underground Service and February 16, 1976, as the date for the removal of all overhead utility facilities, was adopted on motion of Councilman Haro.

(Item 56)

RESOLUTION 214038, designating November 14, 1975, as the date upon which all property within the Euclid Avenue Underground Utility District between Lise Avenue and Federal Boulevard must be ready to receive underground service and February 15, 1976, as the date for the removal of all overhead utility facilities, was adopted on motion of Councilman Haro.

(Item 58)

RESOLUTION OF INTENTION 214039, electing to proceed under the provisions of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate any portion of a public road, known as Road Survey 294, that lies within the boundaries of the proposed subdivision "Beyer Boulevard Subdivision, T.M. 74-84" and fixing a time and place for hereing thereof, was adopted on motion of Councilman Haro.

(Item 59)

RESOLUTION 214040, accepting delivery of the Offer to Dedicate executed by Rancho Bernardo, Inc., offering to dedicate to public use for street purposes a portion of Rancho San Bernardo; City will not dedicate this for public use at this time but reserves the right to accept said offer to so dedicate at a future time, was adopted on motion of Councilman Haro.

(Item 60)

RESOLUTION 214041, authorizing a First Amendment to Agreement with Salerno, Livingston & Co. and William H. Howell, A.I.A., for professional services under agreement authorized by Council Resolution No. 212061; authorizing the expenditure of \$5,000 out of Capital Outlay Fund No. 245 for new 43rd and Logan Library architectural services, was adopted on motion of Councilman Haro.

(Item 61)

RESOLUTION 214042, authorizing an agreement with Combined Arts of San Diego (COMBO), to provide an enriched environment for the cultural and performing arts in order to sustain San Diego's citizens and to attract new residents and businesses, was adopted on motion of Councilman Haro.

(Item 64)

RESOLUTION 214043, authorizing an agreement with San Diego County Junior Golf Association for the purpose of conducting the annual San Diego Junior World Golf Championship to be held in the summer of 1976, was adopted on motion of Councilman Haro.

(Item 65)

RESOLUTION 214044, waiving paragraph A.1. of Council Policy 100-3 regarding funding of private organizations for operation or sponsorship of community events; authorizing an agreement with The San Diego Mini-Concert Committee, Inc., for the purpose of conducting concerts which will contribute to the cultural, recreational, economic and promotional well-being of the community, was adopted on motion of Councilman Haro.

(Item 101)

RESOLUTION 214045, directing the Planning Commission to hold public hearings on the matter of the proposed ordinance to permit home occupations in the R-1 Zone, and also to consider the factors involved in permitting home occupations in other residential zones, and to make recommendations to Council, was adopted on motion of Councilman Haro.

(Item 102)

RESOLUTION 214046, prohibiting the use of the following-described streets at all times to commercial vehicles of the rated capacity of one ton or more, not originating or terminating on said streets: 54th Street, between Collwood Boulevard and Montezuma Road; Baja Drive, between 54th Street and Campanille Drive; and Campanille Drive, between Baja Drive and Montezuma Road; authorizing the installation of the necessary signs and markings; directing the City Manager to take appropriate action to ensure that vehicular speed controls are observed in the areas previously designated, was adopted on motion of Councilman Haro.

(Item 103)

RESOLUTION 214047, authorizing an agreement with Booz, Allen & Hamilton, Inc., for the purpose of implementing Phase II of a Productivity Improvement Project, was adopted on motion of Councilman Haro.

(Item 50 a & b)

Two proposed Resolutions, relative to awarding contracts, were presented. Noel Nudeck, Architectural Barrier Removal Consultant, appeared to speak regarding the matter.

City Manager McKinley answered questions directed by the Council.

The motion of Councilman Martinet to adopt the two proposed Resolutions received no vote at this time.

James Meehan, Department of Transportation, answered questions directed by the Council.

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

RESOLUTION 214048, Arrow Electric, for construction of traffic signal and safety lighting systems at the intersection of Beryl and Ingraham Streets, Schedule I, for the sum of \$18,460; authorizing the expenditure of \$23,550 from Gas Tax Fund No. 220 and \$3,755 from Capital Outlay Fund No. 245 for said purpose and related costs; and

RESOLUTION 214049, Select Electric, Inc., for construction of traffic signal and safety lighting systems at the intersection of Ingraham Street and Pacific Beach Drive, Schedule II, for the sum of \$18,459; authorizing the expenditure of \$23,654 from Gas Tax Fund No. 220 and authorizing the expenditure of \$3,750 from Capital Outlay Fund No. 245 for said purpose and related costs.

(Item 57)

A proposed Resolution, designating November 14, 1975, as the date upon which all property within the West Point Loma Boulevard Underground Utility District between Loma Riviera Drive and Midway Drive must be ready to receive underground service and January 16, 1976, as the date for the removal of all overhead utility facilities, was presented.

City Manager McKinley answered questions directed by the Council.

On motion of Councilman Haro, the matter was returned to the City Manager at his request.

(Item 62)

RESOLUTION 214050, authorizing an agreement with the '76 Crew Classic Steering Committee to sponsor, manage and supervise the 1976 Crew Classic at Mission Bay, was adopted on motion of Councilman Martinet.

(Item 63)

A proposed Resolution, authorizing an agreement with Mission Bay Associates for the purpose of advertising and promoting events in Mission Bay Park which are most likely to gain national recognition for the Park as an aquatic recreation area and promoting the City of San Diego, was presented.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 214051, authorizing an agreement with Mission Bay Associates for the purpose of advertising and promoting events in Mission Bay Park which are most likely to gain national recognition for the Park as an aquatic recreation area and promoting the City of San Diego, was adopted on motion of Councilman Johnson.

(Item 66)

A proposed Resolution, authorizing an agreement with Tudor Engineering Company for the purpose of refining the guideways and station locations for the Horton Plaza Redevelopment Project; authorizing the expenditure of \$25,000 out of Fund No. 100 (Planning Department) for said purpose, was presented.

City Manager McKinley and Planning Director Goff answered questions directed by the Council.

RESOLUTION 214052, authorizing an agreement with Tudor Engineering Company for the purpose of refining the guideways and station locations for the Horton Plaza Redevelopment Project; authorizing the expenditure of \$25,000 out of Fund No. 100 (Planning Department) for said purpose, was adopted on motion of Councilman Haro.

The Council, by Common Consent, decided to consider Items 104 and 105 simultaneously.

(Item 104)

A proposed Resolution, authorizing an agreement with Otay Municipal Water District for temporary water delivery to the Otay Water System for domestic and fire protection use, was presented.

(Item 105)

A proposed Resolution, authorizing sale by negotiation for the sum of \$17,000 to Shattuck Construction Company of a portion of Sections 69 and 70, Rancho de la Nacion; authorizing the execution of a grant deed to Shattuck Construction Company for said property but reserving an easement to the City for water purposes, was presented.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

The motion of Councilman Johnson to adopt Items 104 and 105 received no vote at this time.

J. R. Shattuck, Shattuck Construction Company, appeared to speak regarding the matter.

RESOLUTION 214053, authorizing an agreement with Otay Municipal Water District for temporary water delivery to the Otay Water System for domestic and fire protection use, was adopted on motion of Councilman Johnson.

RESOLUTION 214054, authorizing sale by negotiation for the sum of \$17,000 to Shattuck Construction Company of a portion of Sections 69 and 70, Rancho de la Nacion; authorizing the execution of a grant deed to Shattuck Construction Company for said property but reserving an easement to the City for water purposes, was adopted on motion of Councilman Johnson.

(Item 106)

A proposed Resolution, continued from the Meeting of August 6, 1975, for full Council, 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.

On motion of Councilman Morrow, Rule No. 9, Prodecure for Debate, was suspended to allow 22 minutes per side for testimony.

Andrew G. Wagner, attorney representing Edward J. McCrink, appeared to speak regarding the proposed Resolution.

Property Director McLaughlin answered questions directed by the Council.

William J. O'Connell, attorney representing Mr. Foster, present lessee of above mentioned 3,000 acres of City-owned land in Pamo Valley, appeared to speak regarding the proposed Resolution.

Dana Blytts and Delmar Sandberg appeared to speak regarding the significant archeological aspects of the property.

Carmelita Swartz appeared to speak regarding the proposed Resolution.

Councilman Williams left the Chambers.

The Councilman discussed the item at length.

Councilman Williams entered the Chambers.

(Item 106 - Continued)

The motion of Councilman Martinet to amend the proposed Resolution to delete Edward J. McCrink as the designated lessee received no vote at this time.

The Council continued discussion of the proposed Resolution.

Planning Director Goff answered questions directed by the Council.

After considerable discussion, the following Resolution was adopted, as amended, on motion of Councilman Martinet:

RESOLUTION 214055, authorizing the City Manager, with regard to approximately 3,000 acres of City-owned land in Pamo Valley, to (1) determine the archeological significance of said 3,000 acres, (2) create a prospectus including a draft lease agreement for such property which lease agreement will protect any significant archeological aspects of the property, (3) solicit proposals leading to lease negotiations for agricultural development of all or portions of said 3,000 acres, (4) evaluate proposals to lease and (5) file with the City Council a progress report with regard to the above four items within 90 days.

Mayor Wilson recessed the Meeting at 4:47 p.m. Upon reconvening at 5:00 p.m., the Roll Call showed all present.

(Item 108)

A proposed Resolution, authorizing the City Manager to proceed with acquisition of the property at the southeast corner of Jewell and Hornblend Streets as the location for the Pacific Beach Fire Station, was presented.

Phil Shafer appeared to speak regarding a continuance.

On motion of Councilman Martinet, the proposed Resolution was continued to Wednesday, August 27, 1975, 2:00 p.m., Time Certain, due to lack of time.

(Item 112)

A proposed Resolution, accepting the offer of the North City West Property Owners Association to reimburse this city in an amount not to exceed \$5,000 for the contract cost of retaining the necessary municipal financial consultant for implementing the financing provisions of the North City West Community Plan; directing the City Manager to follow Council Policy 300-7 for the selection of said municipal financial consultant and report back to the Council with a proposed contract; directing the City Manager, the Planning Director, and the City Attorney to cooperate with the North City West Community Planning Group, residents, property owners or their representatives in the precise plan area, and the municipal financial consultant retained pursuant to this resolution, in the preparation of a Draft-Precise Plan, a Financial Plan Element, and a Master Environmental Impact Report covering the precise plan area; directing the Planning Director to analyze and report to the Planning Commission on the Precise Plan, and the Master Environmental Impact Report for the Precise Plan, including his recommendations; directing the Planning Commission to notice a public hearing on said Precise Plan within a reasonable time period after receipt of the Planning Director's report; directing the City Manager to present for approval, in conjunction with hearings called on the Precise Plan, the Financial Plan Element; directing the City Manager, the Planning Director, and the City Attorney if they feel it necessary, to offer suggestions and recommendations on any possibly needed enabling legislation to facilitate the implementation of the North City West Plan, was presented.

(Item 112 - Continued)

Bill Kronberger, attorney representing the North City West Property Owners Association, appeared to speak regarding a continuance.

The item was trailed and no action taken at this time.

(Item 154)

A proposed Resolution, electing to pay out of Municipal Funds 100% of an amount in lieu of taxes which would otherwise be levied upon property within The City by the Metropolitan Water District of Southern California for the Fiscal Year ending June 30, 1976, and appropriating such in-lieu amount, was presented.

The motion of Councilman Hubbard to adopt the proposed Resolution received no vote at this time.

Phil Shafer appeared to speak in opposition to the proposed Resolution.

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

Mac Strobl, San Diego Taxpayers Association, appeared to speak in favor of the proposed Resolution.

RESOLUTION 214056, electing to pay out of municipal funds 100% of an amount in lieu of taxes which would otherwise be levied upon property within The City by the Metropolitan Water District of Southern California for the Fiscal Year ending June 30, 1976, and appropriating such in-lieu amount, was adopted on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Martinet, Ellis and Mayor Wilson. Nays-Councilmen Williams, Morrow and Haro. Absent-None.

(Item 155)

RESOLUTION 214057, electing to pay out of Municipal Funds 100% of an amount in lieu of taxes which would otherwise be levied upon property within The City by the San Diego County Water Authority for the Fiscal Year ending June 30, 1976, was adopted on motion of Councilman Hubbard, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Martinet, Ellis and Mayor Wilson. Nays-Councilmen Williams, Morrow and Haro. Absent-None.

(Item 153)

A proposed Resolution, concerning the purchase of certain Community Concourse properties from the City Retirement System, determining that the public interest and necessity demand the acquisition of these municipal improvements and making findings relating thereto, was presented.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 214058, concerning the purchase of certain Community Concourse properties from the City Retirement System, determining that the public interest and necessity demand the acquisition of these municipal improvements and making findings relating thereto, was adopted on motion of Councilwoman O'Connor.

(Item 112 - Second Time)

Senior Chief Deputy City Attorney Fitzpatrick answered questions directed by the Council.

(Item 112 - Continued)

The motion of Councilman Hubbard to adopt the proposed Resolution died for lack of a second.

On motion of Councilwoman O'Connor, the proposed Resolution was continued to Thursday, August 21, 1975, 2:00 p.m., Time Certain, due to lack of time, by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Martinet, Haro and Mayor Wilson. Nays-Councilman Ellis. Absent-None.

(Item 109)

A proposed Resolution, declaring and reaffirming support and approval of the present Transient Occupancy Tax Ordinance contained in the Municipal Code as Sections 35.0101 through 35.0119, was presented.

On motion of Councilwoman O'Connor, the proposed Resolution was continued to Wednesday, August 27, 1975, 2:00 p.m., Time Certain, due to lack of time.

(Item 107)

Two proposed Resolutions, relative to Preferential, Non-Exclusive Use and Occupancy Permits and Special Use Permits, were presented.

On motion of Councilwoman O'Connor, the proposed Resolutions were continued to Thursday, August 21, 1975, 2:00 p.m., to follow Item 112, due to lack of time.

(Item 113)

A proposed Resolution, determining that should the Paramedic Program Tax Override Proposition be passed by the voters of The City of San Diego at the municipal election in November, 1975, it is the intention of the Council that such program be located in and operated by the San Diego Fire Department, was presented.

On motion of Councilwoman O'Connor, the proposed Resolution was continued to Thursday, August 21, 1975, 2:00 p.m., to follow Item 107, due to lack of time.

On motion of Councilman Haro, the remaining items, consisting of 110, 111, 150, 151 and 152, were continued to the Council Meeting of August 21, 1975, at 8:30 a.m., as unfinished business, and the Meeting was adjourned at 5:35 p.m.

Pete Wilson

Mayor of The City of San Diego, California

ATTEST:

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