

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA - WEDNESDAY, DECEMBER 17, 1975
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
2:00 P.M.

Present-Councilmen O'Connor, Hubbard, Williams, Ellis, Haro and Deputy
Mayor Johnson.

Absent--Councilmen Morrow, Gade and Mayor Wilson.

Clerk---Edward Nielsen.

Deputy Mayor Johnson called the Regular Meeting to order at 2:01 p.m.

(Item 1)

Roll call was taken.

(Item 2)

Minutes of the Regular Council Meetings of September 10, 1975,
September 11, 1975 (p.m.) and September 17, 1975, were presented by the City
Clerk.

On motion of Councilwoman O'Connor, said Minutes were approved without
reading, after which they were signed.

The Council considered requests for continuances: Item 103.

(Item 103)

RESOLUTIONS: Two Resolutions relative to Recreation Specialists, Inc.
Option Agreement covering property in Quivira Basin, Mission Bay Park for a
Marina Complex: a) Authorizing an Assignment, Assumption, and Consent to
Assignment of Option with Recreation Specialists Inc., and High Fliers, Ltd.,
covering said Option Agreement; b) Authorizing a Seventh Amendment to Option
Agreement with High Fliers, Ltd., amending said Option Agreement, by revising
the Control By Lessee clause and adding the Affirmative Action requirement.

City Manager McKinley spoke on the continuance.

On motion of Councilwoman O'Connor, the proposed Resolutions were
continued to December 24, 1975 at City Manager's request.

The Council considered the portion of the Consent Agenda dealing
with Ordinances to be Introduced, which consisted of Items 20, 21, and 100.

(Item 20)

A proposed Ordinance, amending Ordinance No. 11650 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1975-76 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year" by amending Document No. 750397, as adopted and amended therein, relating to transfer of Revenue Sharing Funds to the General Fund for the purchase of scales, computer equipment and software for use at Sanitary Fills, and directing the Auditor and Comptroller to effect the necessary monetary transfers and adjustments, was introduced on motion of Councilman Ellis, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Ellis, Haro and Deputy Mayor Johnson. Nays-None. Absent-Councilmen Morrow, Gade and Mayor Wilson.

(Item 21)

A proposed Ordinance, amending Ordinance No. 11650 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1975-76 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year," by amending Document No. 750396, as adopted and amended therein, relating to Capital Improvements Program, Water Utilities (Fund 502), by adding Project No. 73-199, construction of Arroyo Sorrento Road Water Mains; authorizing and directing the Auditor and Comptroller to transfer within the 502 Fund the sum of \$42,185 from Unallocated Reserve (67.91) to CIP-City Force and Contract (66.92) to provide funds for the above purpose, was introduced on motion of Councilman Ellis, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Ellis, Haro and Deputy Mayor Johnson. Nays-None. Absent-Councilmen Morrow, Gade and Mayor Wilson.

(Item 100)

A proposed Ordinance, amending Chapter III, Article 1, Division 3 of the San Diego Municipal Code by amending Section 31.0302 relating to Licensing Two or More Businesses at Same Location, was introduced on motion of Councilman Ellis, by the following vote: Yeas-Councilmen O'Connor, Hubbard, Williams, Ellis, Haro and Deputy Mayor Johnson. Nays-None. Absent-Councilmen Morrow, Gade and Mayor Wilson.

The Council considered that portion of the Consent Agenda concerning Resolutions, which consisted of Items 50, 51, 52, 53, 54, 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 73, 74, and 75.

There was Council discussion on Item 58.

(Item 50)

The following Resolutions relative to Carved Redwood Street Name Signs - Old Town area, were adopted on motion of Councilman Ellis:

RESOLUTION 214861, awarding a contract to Spector Design, Inc., for an actual estimated cost of \$4,539.75, including tax and terms; authorizing the expenditure of \$5,400 from Capital Outlay Fund No. 245 Reserve, supplementing C.I.P. Project 64-001, for said purpose and related costs; and

RESOLUTION 214862, authorizing the use of City Forces to do all the work for installation of redwood posts and the carved redwood street name signs as required in connection with the above purchase; the cost of said work shall not exceed \$768.93.

(Item 51)

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

RESOLUTION 214863, Toro Pacific Dist. and B. Hayman Co., Inc., for the purchase of mowers, for an actual cost, including tax, terms, less trade-in, of \$11,799.94;

RESOLUTION 214864, Barnes and Delaney, for the purchase of 2,160 ft. of chain and 20 sprockets, for an actual estimated cost, including tax and terms, of \$13,422.14;

RESOLUTION 214865, Atlas Equipment Co., for the purchase of lockers, for an actual cost, including tax and terms, of \$3,480.06;

RESOLUTION 214866, Arrow Police Equipment, for the purchase of one Night Vision Scope, for a total cost, including tax and terms, of \$2,562.38;

RESOLUTION 214867, Sight Optical Sales, for the purchase of three Laboratory Microscopes, for an actual cost, including tax and terms, of \$5,095.84; and

RESOLUTION 214868, Mission Chemical, for the purchase of one each Gasoline-Powered Wide Box Hauler, for an actual cost, including tax and terms, of \$3,551.00.

(Item 52)

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

RESOLUTION 214869, furnishing pens and pencils as may be required for a period of one year ending January 31, 1976 in accordance with Specifications Document No. 753541;

RESOLUTION 214870, furnishing miscellaneous office supplies in accordance with Specifications Document No. 753542; and

RESOLUTION 214871, furnishing miscellaneous stationery supplies as may be required for a period of one year ending January 31, 1977 in accordance with Specifications Document No. 753543.

(Item 53)

RESOLUTION 214872, inviting bids for furnishing Microfilming Service for a period of one year ending February 28, 1977 in accordance with Specifications Document No. 753559, was adopted on motion of Councilman Ellis.

(Item 54)

RESOLUTION 214873, inviting bids for furnishing thirty-six Traffic Signal Controllers and Test Equipment in accordance with Specifications Document No. 753560, was adopted on motion of Councilman Ellis.

(Item 55)

RESOLUTION 214874, inviting bids for reconstruction of Tennis Court No. 5 at La Jolla Park and Recreation Center in accordance with Specifications Document No. 753544, was adopted on motion of Councilman Ellis.

(Item 57)

RESOLUTION 214875, inviting bids for construction of Memorial Park - Senior Citizens Center in accordance with Specifications Document No. 753546, was adopted on motion of Councilman Ellis.

(Item 58)

RESOLUTION 214876, inviting bids for Fire Station No. 28 - Repair Facility Office in accordance with Specifications Document No. 753561, was adopted on motion of Councilman Ellis.

(Item 59)

RESOLUTION 214877, inviting bids for Tennis Court Resurfacing in accordance with Specifications Document No. 753562, was adopted on motion of Councilman Ellis.

(Item 60)

RESOLUTION 214878, electing to proceed under the provisions of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate Miramar Road (R.S. 304) in Sections 10 and 11, Township 15 South, Range 3 West, San Bernardino Meridian, and fixing a time and place for hearing thereof, was adopted on motion of Councilman Ellis.

(Item 61)

The following Resolutions relative to Vacation of Unneeded Water and General Utility Easement, affecting Parcel 1 of Parcel Map No. 3926, being a portion of Mission Ridge Subdivision, were adopted on motion of Councilman Ellis:

RESOLUTION 214879, certifying that the information contained in the Environmental Impact Report No. 72-12-1013P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report has been reviewed and considered by the Council; and

RESOLUTION 214880, vacating the easements, being unnecessary for present or prospective public use by the City.

(Item 62)

RESOLUTION 214881, authorizing the divestment of City's easement interest by negotiated sale of a portion of Lots 22, 23 and 24, Block 5, Ocean Beach for the sum of \$65 to William F. Chambers and Cheryl A. Chambers; authorizing the execution of a Quitclaim Deed, quitclaiming to William F. and Cheryl A. Chambers, said interest in unneeded sewer easement, was adopted on motion of Councilman Ellis.

(Item 63)

RESOLUTION 214882, authorizing the acceptance by the City Manager of a Deed of University Town Center Associates, (street purposes) - LA JOLLA VILLAGE DRIVE, was adopted on motion of Councilman Ellis.

(Item 64)

The following Resolutions relative to Right-of-way for Black Mountain Road, were adopted on motion of Councilman Ellis:

RESOLUTION 214883, certifying that the information contained in the Second Amendment to Environmental Impact Report No. 74-1-014P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Second Amendment to Environmental Impact Report has been reviewed and considered by the Council; and

RESOLUTION 214884, approving the acceptance by the City Manager of Deed of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter Day Saints, (street purposes) - BLACK MOUNTAIN ROAD.

(Item 65)

RESOLUTION 214885, authorizing an agreement with the County of San Diego to provide for the operation of an Automated Regional Justice Information System, was adopted on motion of Councilman Ellis.

(Item 66)

RESOLUTION 214886, authorizing an agreement with E. F. Cook and Associates, Ltd., to provide professional engineering services for design of Camino Del Rio South improvements between Texas Street and Interstate 805, was adopted on motion of Councilman Ellis.

(Item 67)

The following Resolutions relative to excavation of a pilot channel for drainage purposes in the San Diego River, between Fashion Valley Road and Avenida del Rio, were adopted on motion of Councilman Ellis:

RESOLUTION 214887, certifying that the information contained in the Environmental Impact Report No. 75-04-05P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Report has been reviewed and considered by the Council;

RESOLUTION 214888, authorizing an agreement with Fashion Valley Associates, for the excavation of a pilot channel for drainage purposes in the San Diego River, between Fashion Valley Road and Avenida del Rio; and

RESOLUTION 214889, authorizing the use of City Forces to do all the necessary work in conjunction with said excavation, at an estimated cost of \$5,386.

(Item 68)

RESOLUTION 214890, approving Change Order No. 1, issued in connection with the contract with Wal-Con Construction Corporation for the construction of Sewer Group 30, Arizona Street Basin, Phase III; said changes amounting to a net decrease in the contract price of \$237,133.47, was adopted on motion of Councilman Ellis.

(Item 69)

RESOLUTION 214891, approving Change Order No. 1, issued in connection with the contract with M. Arrieta & Sons, Inc., for the construction of Sewer Main Replacement Group 40; said changes amounting to a net decrease in the contract price of \$1,010, was adopted on motion of Councilman Ellis.

(Item 70)

RESOLUTION 214892, declaring Menlo Avenue, between Wightman Street and University Avenue, for one-way northbound traffic, to be a one-way street; authorizing the installation of the necessary signs and markings, was adopted on motion of Councilman Ellis.

(Item 71)

RESOLUTION 214893, awarding a contract to Motorola Communication and Electronics, Inc., for the purchase of nine pieces of Module Equipment; for an actual cost, including tax and terms, of \$2,200.56; authorizing the expenditure of \$2,200.56 out of Capital Outlay Fund No. 245 for said purchase and related costs, was adopted on motion of Councilman Ellis.

(Item 72)

The following Resolutions relative to the improvement of Mira Mesa Boulevard between Parkdale Avenue and I-805, were adopted on motion of Councilman Ellis:

RESOLUTION 214894, declaring intention to order certain acquisitions and improvements pursuant to the Municipal Improvement Act of 1913; describing the district to be benefited by the acquisitions and improvements and to be assessed to pay the cost and expense thereof; omitting public property from assessment; determining and declaring that bonds shall be issued under the Improvement Act of 1911 to represent unpaid assessments; providing for the use of any surplus amount remaining in the improvement fund after completion of the improvement; and referring the proposed improvement to the Superintendent of Streets to make and file a written report; and

RESOLUTION 214895, approving a report prepared pursuant to the Municipal Improvement Act of 1913; and fixing the time and place for hearing protests and objections to the improvements, diagram and assessment described and contained in said report and whether public convenience and necessity requires such improvements and giving notice thereof.

(Item 73)

The following Resolutions relative to the Final Subdivision Map of Willow Street Property Unit No. 1, were adopted on motion of Councilman Ellis:

RESOLUTION 214896, authorizing an agreement with Oscar Padilla and Margarete K. Padilla for completion of improvements in Willow Street Property Unit No. 1, a subdivision of a portion of the Northeast Quarter of the Northwest Quarter of Section 1, Township 19 South, Range 2 West, San Bernardino Meridian; and

RESOLUTION 214897, approving the final map of Willow Street Property Unit No. 1.

(Item 74)

The following Resolutions relative to the Final Subdivision Map of La Jolla Village Tennis Club, were adopted on motion of Councilman Ellis:

RESOLUTION 214898, authorizing an agreement with McKellar and Associates for completion of improvements in La Jolla Village Tennis Club, a 1-lot subdivision, located north of La Jolla Village Drive and west of Regents Road; and

RESOLUTION 214899, approving the final map of La Jolla Village Drive Tennis Club.

(Item 75)

The following Resolutions relative to the Final Subdivision Map of Scripps Ranch Unit No. 11, were adopted on motion of Councilman Ellis:

RESOLUTION 214900, authorizing an agreement with Leadership Housing Systems, Inc., for completion of improvements in Scripps Ranch Unit No. 11, a 96-lot subdivision, located north of Pomerado Road, east of I-15;

RESOLUTION 214901, approving the final map of Scripps Ranch Unit No. 11 and acknowledging receipt of Subdivider's assurance of compliance with the Affirmative Marketing Program; and

RESOLUTION 214902, approving the acceptance by the City Manager of a Grant Deed from Leadership Housing Systems, Inc. for a reservoir site.

(Item 56)

A proposed Resolution, inviting bids for construction of San Ysidro Senior Citizens Center - Specifications Document No. 753545, was presented. City Manager McKinley answered questions directed by the Council.

Councilman Gade entered the Chambers.

A motion by Councilman Haro to adopt the proposed Resolution, received no vote at this time.

Mayor Wilson entered the Chambers.

Dr. Tapia appeared to speak.

RESOLUTION 214903, inviting bids for construction of San Ysidro Senior Citizens Center in accordance with Specifications Document No. 753545, was adopted on motion of Councilman Haro.

(Item 76)

A proposed Resolution, declaring Friday, November 26, 1976, and Friday, December 24, 1976, Legal Holidays for The City of San Diego in lieu of Saturday, December 25, 1976, and Saturday, January 1, 1977, respectively, was presented.

City Manager McKinley answered questions directed by the Council.

Personnel Director Williams answered questions directed by the Council.

RESOLUTION 214904, declaring Friday, November 26, 1976, and Friday, December 24, 1976, Legal Holidays for The City of San Diego in lieu of Saturday, December 25, 1976, and Saturday, January 1, 1977, was adopted on motion of Councilman Hubbard.

(Item 101)

A proposed Resolution, authorizing the expenditure of \$17,000 from the 100 General Fund Unallocated Reserve to be used by the Data Processing Department in the computerization and basic programming of a comprehensive data base for all City-owned properties, was presented.

By mutual agreement, Council trailed discussion of the matter upon consideration of Item 102.

(Item 102)

A proposed Resolution, continued from the Meeting of November 26, 1975, at applicant's request, authorizing and directing the Property Director to advertise in a newspaper of general circulation in San Diego in accordance with Council Policy 700-10, the availability for lease for a term of 55 years, the City owned property being a portion of Oaks Tract of Rancho Bernardo, located in the City of Escondido, was presented.

A motion by Councilman Williams to adopt the proposed Resolution, received no vote at this time.

William P. Young appeared to speak.

Property Director MacFarlane and Committee Consultant Wilken answered questions directed by the Council.

Councilman Morrow entered the Chambers.

Property Director MacFarlane and Assistant City Attorney Teaze answered questions directed by the Council.

Councilwoman O'Connor left the Chambers.

A motion by Councilman Ellis to amend the resolution to provide that staff be instructed to advertise for sale or lease, received no vote at this time.

Discussion followed.

Councilwoman O'Connor entered the Chambers.

A vote was then taken on the previous motion by Councilman Ellis to amend the resolution to provide that staff be instructed to advertise for sale or lease, which passed by the following vote: Yeas-Councilmen Johnson, Hubbard, Gade, Ellis and Mayor Wilson. Nays-Councilmen O'Connor, Williams, Morrow, and Haro. Absent-None.

(Item 101 - Continued)

A motion by Councilman Morrow to amend the resolution to direct the Property Department to comply with Council Policy 700-10 in the sale or lease of land, received no second at this time.

Assistant City Attorney Teaze answered questions directed by the Council.

A motion by Councilman Ellis to adopt as amended, received no vote at this time.

City Manager McKinley, Property Director MacFarlane, and Assistant City Attorney Teaze answered questions directed by the Council.

Councilman Morrow withdrew his previous motion to amend the resolution and direct the Property Department to comply with Council Policy 700-10 in the sale or lease of land.

Committee Consultant Wilken answered questions directed by the Council.

Mr. Teaze and Mr. MacFarlane further answered questions directed by the Council.

RESOLUTION 214905, authorizing and directing the Property Director to advertise, in a newspaper of general circulation, in accordance with Council Policies 700-10 and 700-30 and Municipal Code Sections 22.0901, 22.0902 and 22.0902.1, the availability for lease for a 55-year term or sale of the real property, was adopted as amended, on motion of Councilman Ellis by the following vote: Yeas-Councilmen Johnson, Hubbard, Gade, Ellis, and Mayor Wilson. Nays-Councilmen O'Connor, Williams, Morrow, and Haro. Absent-None.

Mayor Wilson recessed the Meeting at 3:43 p.m. Upon reconvening at 4:02 p.m., the roll call showed Councilmen O'Connor and Morrow absent.

(Item 104)

A proposed Resolution, establishing Council Policy No. 300-8 regarding procedure for confirmation of the Chief of Police, was presented.

Councilman Morrow entered the Chambers.

Councilwoman O'Connor entered the Chambers.

Committee Consultant Conrad and City Manager McKinley answered questions directed by the Council.

A motion by Councilman Hubbard to amend the policy to have ~~one meeting~~ under the Committee of the Whole and strike the Public Services and Safety Committee, received no second at this time.

Mr. McKinley further answered questions directed by the Council.

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

Councilman Ellis offered a second to the previous motion by Councilman Hubbard to amend the policy to have one meeting under the Committee of the Whole and strike the Public Services and Safety Committee, which received no vote at this time.

Discussion followed.

(Item 104 - Continued)

A vote was then taken on the previous motion by Councilman Hubbard to amend the policy to have one meeting under Committee of the Whole and strike the Public Services and Safety Committee, which was defeated by the following vote: Yeas-Councilmen Johnson, Hubbard, Gade and Ellis. Nays-Councilmen O'Connor, Williams, Morrow, Haro and Mayor Wilson. Absent-None.

A motion by Councilwoman O'Connor to adopt the amendment as recommended by the Committee Consultant and the Mayor, received no vote at this time.

Discussion followed.

A vote was then taken on the previous motion by Councilwoman O'Connor to adopt the amendment as recommended by the Committee Consultant and the Mayor, which passed by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Gade, Haro and Mayor Wilson. Nays-Councilmen Hubbard and Ellis. Absent-None.

RESOLUTION 214906, establishing Council Policy No. 300-8 regarding procedure for confirmation of the Chief of Police, was adopted as amended, on motion of Councilwoman O'Connor, by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Gade, Haro and Mayor Wilson. Nays-Councilmen Hubbard and Ellis. Absent-None.

(Item 156)

The hour of 5:00 p.m. having arrived, the Mayor announced this was the time and place set for the hearing on consideration of the Preliminary San Diego Regional Solid Waste Management Plan, 1976-2000, as presented to the 13 area cities and the County Board of Supervisors for public review and comment on November 10, 1975. It was reported that no written protests had been received.

City Manager McKinley and Clarence Kaufman, General Services, answered questions directed by the Council.

Councilwoman O'Connor left the Chambers.

A motion by Councilman Williams to suspend the rules to continue the meeting past 5:30 p.m., passed unanimously.

Councilwoman O'Connor entered the Chambers.

Councilman Williams left the Chambers.

General Services Director Flynn and City Manager McKinley answered questions directed by the Council.

(Item 156 - Continued)

Councilman Williams entered the Chambers.

Janet Crispeels, Ann Payne, and M. Schneider appeared to speak in favor of the Plan.

Councilwoman O'Connor left the Chambers.

M. Abrahamson appeared to speak in favor of the Plan.

Councilwoman O'Connor entered the Chambers.

Margaret Williams appeared to speak in favor of the Plan.

Bud Porter appeared to speak.

Clarence Kaufman, General Services, answered questions directed by the Council.

A motion by Councilman Ellis to amend that local jurisdictions retain land use controls over the sites within their local jurisdictions, passed unanimously.

A motion by Councilman Morrow that the governing body of the Plan be made up of elected officials within the service area, received no vote at this time.

General Services Director Flynn and City Manager McKinley answered questions directed by the Council.

A motion by Councilman Morrow to continue the matter for one or two weeks, received no vote at this time.

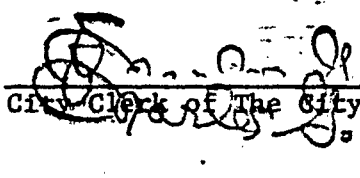
Discussion followed.

Councilman Johnson moved to continue the matter to December 31, 1975, for further review, which passed unanimously.

At 7:28 p.m., on motion of Councilman Ellis, the balance of the items on December 17, 1975 agenda, consisting of Items 105, 150 and 151, were continued due to lack of time and this Meeting was adjourned until the hour of 8:00 a.m., Thursday, December 18, 1975, in the Council Chambers, City Administration Building.

Mayor of The City of San Diego, California

ATTEST:


City Clerk of The City of San Diego, California
