

REGULAR MEETING OF THE COUNCIL OF THE CITY OF
SAN DIEGO, CALIFORNIA; - WEDNESDAY, FEBRUARY 11, 1976
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING
CHARLES C. DAIL CONCOURSE
2:00 P.M.

Present-Councilmen Johnson, O'Connor, Hubbard, Williams, Gade, Ellis, Haro
and Mayor Wilson.
Absent-Councilman Morrow.
Clerk--Edward Nielsen.

Mayor Wilson called the Regular Meeting to order at 2:09 p.m.

(Item 1)

Roll call was taken.

(Item 2)

A report on the obligations and contracts in excess of \$10,000 approved by the RETC Policy Board on February 2, 1976 and submitted to the City Council for confirmation: County of San Diego - PWEDA Title X - \$315,800, was presented.

RESOLUTION 215282, assenting to the following obligations and contracts in excess of \$10,000 of the Regional Employment and Training Consortium, approved by its Policy Board on February 2, 1976, and submitted to the Council for confirmation pursuant to the Joint Powers Agreement.

County of San Diego - PWEDA Title X - \$315,800,
was adopted on motion of Councilman Hubbard.

(Item 3)

A communication from Don Bernardini, representing Clairemont Mesa Little League/Colt League, requesting permission to address the Council regarding waiving of Sewer Connection Fee, was presented.

Roy Vincent appeared to speak for Don Bernardini regarding said communication.

On motion of Councilman Gade, the communication was referred to the City Manager and City Attorney for a report back to Mr. Vincent and the Council.

(Supplemental 4)

The matter of recommendation of the Salary Setting Commission of the City of San Diego, was presented.

James Harley, Evan Jones and Mac Strobl appeared to speak in favor of the matter.

Abe Kulatsky appeared to speak in opposition to the matter.

(Supplemental 4 - Continued)

Susan Pierce appeared to speak in favor of the matter.

Shirley Oliver appeared to speak in opposition to the matter.

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

Mrs. Crispeels appeared to speak in favor of the matter.

Deputy City Attorney Katz answered questions directed by the Council.

A motion by Councilman Williams to refer the matter to the City Attorney, to prepare an Ordinance as recommended by the Salary Setting Commission (the annual salary for the Mayor should be from \$20,000 to \$25,000 and for Council members, from \$12,000 to \$17,000), received no vote at this time.

Arlene Van de Wetering appeared to speak.

A vote was then taken on the previous motion by Councilman Williams to refer the matter to the City Attorney, to prepare an Ordinance as recommended by the Salary Setting Commission (the annual salary for the Mayor should be from \$20,000 to \$25,000 and for Council members, from \$12,000 to \$17,000), which passed by the following vote: Yeas-Councilmen O'Connor, Williams, Gade, Haro and Mayor Wilson. Nays-Councilmen Johnson, Hubbard and Ellis. Absent-Councilman Morrow.

Mayor Wilson recessed the meeting at 3:19 p.m. Upon reconvening at 3:32 p.m., the roll call showed Councilmen Williams, Morrow, Haro and Mayor Wilson absent. Deputy Mayor O'Connor assumed the Chair.

The Council considered requests for continuances: Item 64.
(Item 64 - First Time)

RESOLUTIONS: Confirming the reappointment of Ron Del Principe and Oscar Padilla to the Planning Commission for four-year terms ending January 29, 1980.

Arlene Van de Wetering appeared to speak on continuance.
The item was trailed.

Councilman Haro entered the Chambers.

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 Items 20 and 21.

The following Ordinances were introduced at the Meeting of January 28, 1976.

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 by the public prior to the day of their passage, a written or printed copy of each Ordinance.

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

(Item 20 - CASE NO. 60-73-8/EOT)

ORDINANCE 11766 (New Series), amending Ordinance No. 11203 (New Series), adopted January 8, 1974, incorporating a portion of Section 25, Township 14 South, Range 3 West, SBBM, into R-1-5 Zone, as defined by Section 101.0407 of the San Diego Municipal Code.

(Item 21)

ORDINANCE 11767 (New Series), 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 transferring surplus prior-year funds encumbered therein to and within the Human Resources Department for the purpose of augmenting 05.61, Human Care Services Program, Southeast Involvement Project.

The Council considered the Consent Agenda on Resolution consisting of Items 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, and 100.

(Item 50)

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

RESOLUTION 215283, Sorrento Business Center, Inc., Zellerbach Paper Company, Willard Stationers, Stationers Corp., for the purchase of pens and pencils as may be required for the period of one year ending January 31, 1977, for a total estimated cost, including tax and terms, of \$8,282.59;

RESOLUTION 215284, Parron-Hall Corporation for the purchase of 100 each stacking chairs, for a total cost, including tax and terms, of \$1,088.20;

RESOLUTION 215285, Arts and Crafts Press, for the printing of 1913 Act Improvement Bonds for Navajo Canyon Park, for a total cost, including tax and terms, of \$1,636.64; and

RESOLUTION 215286, Voice and Video, Inc., for the purchase of fifteen each megaphones, for a total cost, including tax and terms, of \$1,480.29.

(Item 51)

RESOLUTION 215287, inviting bids for furnishing one Asphalt Paver in accordance with Specifications Document No. 754146, was adopted on motion of Councilman Gade.

(Item 52)

RESOLUTION 215288, inviting bids for Water Main Replacement - Group 402 in accordance with Specifications Document No. 754147, was adopted on motion of Councilman Gade.

(Item 53)

RESOLUTION 215289, electing to proceed under the provisions of the Street Vacation Act of 1941, declaring the intention of the City Council to vacate the Alley in Block 369 of Corrected Plat of Subdivision of Blocks 368, 369, 374, 375, and 376, Old San Diego Map No. 420, and fixing a time and place for hearing thereof, was adopted on motion of Councilman Gade.

(Item 54)

RESOLUTION 215290, authorizing the divestment of the City's Easement Interest by Negotiated Sale for the sum of \$65 for portions of Pueblo Lots 1780 and 1781; authorizing the execution of a Quitclaim Deed quitclaiming to Title Insurance and Trust Company, said interest in unneeded water easement, was adopted on motion of Councilman Gade.

(Item 55)

RESOLUTION 215291, authorizing a First Amendment to Agreement with Kawasaki, Theilacker & Associates, for landscape architectural services required for the design of improvement to Palm Canyon in Balboa Park; authorizing the expenditure of \$2,400 out of Park and Recreation Bond Fund 725, for said purpose and related expenses, was adopted on motion of Councilman Gade.

(Item 56)

RESOLUTION 215292, authorizing an agreement with Marshall Brown, Interior Designer, Inc., for design services required for the Balboa Park Signs and Information System; authorizing the expenditure of \$10,000 out of Park and Recreation Bond Fund 725, for design and related expenses of the above-referenced project, was adopted on motion of Councilman Gade.

(Item 57)

RESOLUTION 215293, authorizing an agreement with Walter Lewis, Landscape Architect, for landscape architectural services required for the Park and Recreation Department, was adopted on motion of Councilman Gade.

(Item 58)

RESOLUTION-215294, approving Change Order No. 2 issued in connection with the contract with T.B. Penick & Sons, Inc., for construction of additional improvements - Central Area Balboa Park; said changes amounting to a net increase of \$1,122.50, was adopted on motion of Councilman Gade.

(Item 59)

RESOLUTION 215295, approving Change Order No. 1 issued in connection with the contract with M & T Rental for the construction of filling open cut section of Carroll Canyon Trunk Sewer, said changes amounting to a net decrease of \$8,011.43, was adopted on motion of Councilman Gade.

(Item 60)

RESOLUTION 215296, approving Change Order No. 1 issued in connection with the contract with R. L. Thibodo Construction Company, Inc., for the construction of Montezuma Pump Station, said changes amounting to a net increase of \$2,635, was adopted on motion of Councilman Gade.

(Item 61)

RESOLUTION 215297, approving Change Order No. 1 issued in connection with the contract with D-B-R & 8 for the construction of the second Point Loma Force Main, said changes amounting to an increase of \$18,000, was adopted on motion of Councilman Gade.

(Item 62)

RESOLUTION 215298, authorizing the expenditure of \$19,000 out of Capital Outlay Fund 245 for grading drainage and miscellaneous improvements at Paradise Hills Park and Recreation Center; authorizing the use of City Forces to undertake the grading, drainage and miscellaneous improvements in conjunction with the above-said project, was adopted on motion of Councilman Gade.

(Item 100)

The following Resolutions relative to Miramar Filtration Plant Expansion, were adopted on motion of Councilman Gade:

RESOLUTION 215299, certifying that the information contained in the Environmental Impact Report-74-11-28-X, prepared by the San Diego County Water Authority, has been reviewed and considered by this Council; and

RESOLUTION 215300, authorizing an agreement with Boyle Engineering Corporation for engineering services for Miramar Filtration Plant Expansion for a sum not to exceed \$300,000; authorizing the expenditure of \$300,000 out of Water Revenue Fund 502 for the purpose of providing funds for said services; authorizing the City Auditor and Comptroller to transfer the sum of \$160,000 within the Water Revenue Fund 502 from the Unallocated Reserve (Activity 69.79 - Object Account 3495) to Engineering Water CIP (Activity 69.47 - Object Account 3293) for engineering services for the Miramar Filtration Plant Expansion.

(Item 63)

A proposed Resolution, authorizing a representative of the City Attorney's Office, C.M. Fitzpatrick, Senior Chief Deputy, to travel to St. Petersburg, Florida, to attend the Legal Affairs Committee of the American Public Transit Association Meeting to be held on February 19 and 20, 1976, and to incur all necessary expenses; authorizing the expenditure of \$700 out of Transient Occupancy Tax Fund 224 for the sole and exclusive purpose of providing funds for lodging, travel and miscellaneous expenses, was presented.

City Attorney Witt answered questions directed by the Council.

A motion by Councilman Hubbard to adopt the proposed Resolution, with amendment for funding out of Unallocated Reserve General Fund, received no vote at this time.

Councilman Williams entered the Chambers.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 215301, authorizing a representative of the City Attorney's Office, C.M. Fitzpatrick, Senior Chief Deputy, to travel to St. Petersburg, Florida, to attend the Legal Affairs Committee of the American Public Transit Association meeting to be held on February 19 and 20, 1976, and to incur all necessary expenses; authorizing the expenditure of \$700 from Unallocated Reserve General Fund 100 (53.31) for the above purpose and miscellaneous expenses, was adopted, as amended on motion of Councilman Hubbard.

(Item 64 - Second Time)

Arlene Van de Wetering appeared to speak.

Ron Del Principe appeared to speak.

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

City Attorney Witt answered questions directed by the Council.

RESOLUTION 215302, confirming the reappointment of Ron Del Principe and Oscar Padilla to the Planning Commission for four-year terms ending January 28, 1980, was adopted on motion of Councilman Ellis.

(Item 101)

A proposed Resolution, continued from the Meeting of January 28, 1976, at Grantee's request, authorizing Sale By Negotiation for the sum of \$4,500 to H.G. Fenton Material Company of portions of Lots 67 and 68, El Cajon Valley Company's Lands; authorizing the execution of a Grant Deed to H.G. Fenton Material Company for said property, was presented.

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

Henry Fenton appeared to speak.

(Item 101 - Continued)

RESOLUTION 215303, authorizing Sale by Negotiation for the sum of \$4,500 to H.G. Fenton Material Company of portions of Lots 67 and 68, El Cajon Valley Company's Lands; authorizing the execution of a Grant Deed to H.G. Fenton Material Company for said property, was adopted on motion of Councilman Williams.

(Item 102)

A proposed Resolution, authorizing the City Manager to solicit for proposals leading to seven lease developments consisting of approximately 66 acres of land at Montgomery Field Airport for an air hotel and commercial aviation operations according to The City of San Diego Prospectus Hotel/Commercial Aviation Operation Montgomery Field, was presented.

City Manager McKinley answered questions directed by the Council.

Assistant Property Director Hagar answered questions directed by the Council.

RESOLUTION 215304, authorizing the City Manager to solicit for proposals leading to seven lease developments consisting of approximately 66 acres of land at Montgomery Field Airport for an air hotel and commercial aviation operations according to The City of San Diego Prospectus Hotel/Commercial Aviation Operation Montgomery Field, was adopted on motion of Councilman Ellis.

(Item 103)

A proposed Resolution, authorizing the City Manager to solicit proposals for the operation of the Balboa Park Municipal Golf Course Pro Shop according to "The City of San Diego Prospectus Balboa Park Municipal Golf Course Pro-Shop," leading to a lease agreement of the existing Pro-Shop facility; waiving requirements of Council Policy 700-10 as to appraising the property by a fee appraiser, was presented.

City Manager McKinley and Assistant Property Director Hagar answered questions directed by the Council.

RESOLUTION 215305, authorizing the City Manager to solicit proposals for the operation of the Balboa Park Municipal Golf Course Pro Shop according to "The City of San Diego Prospectus Balboa Park Municipal Golf Course Pro-Shop," leading to a lease agreement of the existing Pro-Shop facility; waiving requirements of Council Policy 700-10 as to appraising the property by a fee appraiser, was adopted on motion of Councilman Ellis.

Item Nos. 104, 105, 106, and 107 were taken simultaneously.

(Item 104)

RESOLUTION 215306, authorizing a First Amendment to Thoroughfare Agreement with the County of San Diego for the improvement of Imperial Avenue (East), from 47th Street to 61st Street; the construction costs for said improvements to be shared by both City and County, was adopted on motion of Councilman Haro.

(Item 105)

RESOLUTION 215307, authorizing a Thoroughfare Agreement with the County of San Diego for the improvement of Palm Avenue, from Interstate 5 to 1,400 feet east of Beyer Boulevard; the construction costs for said improvements to be shared by both City and County, was adopted on motion of Councilman Haro.

(Item 106)

RESOLUTION 215308, authorizing a Thoroughfare Agreement with the County of San Diego for the improvement of Linda Vista Road, from Morena Boulevard to Via las Cumbres; the construction costs for said improvements to be shared by both City and County, was adopted on motion of Councilman Haro.

(Item 107)

RESOLUTION 215309, authorizing a Thoroughfare Agreement with the County of San Diego for the improvement of a portion of Imperial Avenue (West), from 32nd Street to Wabash Boulevard; the construction costs for said improvements to be shared by both City and County, was adopted on motion of Councilman Haro.

(Item 108)

A proposed Resolution, indicating intent to join with other general and special purpose units of local government in a Planning Process for a coordinated Waste Treatment Management System for the San Diego Region, was presented.

City Manager McKinley answered questions directed by the Council.

Mr. Johnson appeared to speak.

A motion by Councilman Williams to continue the proposed Resolution for one week, died for lack of a second.

City Manager McKinley answered questions directed by the Council.

Councilman Ellis moved to refer the proposed Resolution to the Transportation and Land Use Committee, which passed unanimously.

(Item 109)

A proposed Resolution, referring the request for Council sponsorship of a Ballot Proposition as submitted by Mrs. Van de Wetering to the Public Facilities and Recreation Committee on January 12, 1976, for consideration to the Master Plan Review Subcommittee of the Balboa Park Committee of the Park and Recreation Board, was presented.

A motion by Councilman Haro to adopt the proposed Resolution, to refer to the Public Facilities and Recreation Committee on January 12, 1976, for consideration to the Master Plan Review Subcommittee of the Balboa Park Committee of the Park and Recreation Board, received no vote at this time.

Arlene Van de Wetering appeared to speak.

(Item 109 - Continued)

RESOLUTION 215310, referring the request for Council sponsorship of a Ballot Proposition as submitted by Mrs. Van de Wetering to the Public Facilities and Recreation Committee on January 12, 1976, for consideration to the Master Plan Review Subcommittee of the Balboa Park Committee of the Park and Recreation Board, was adopted on motion of Councilman Haro.

The Council considered the portion dealing with Ordinances introduced at a previous meeting, ready for dispensing with the reading and adoption, which consisted of Item 150.

The following Ordinance was introduced at the Meeting of January 29, 1976.

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 Ellis by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Gade, and Ellis. Nays-Councilmen Williams and Haro. Absent-Councilman Morrow and Mayor Wilson.

(Item 150)

ORDINANCE 11768 (New Series), incorporating that property in Lots 5-8, Block 5, Del Mar Terrace, located north of Carmel Valley Road on the corner of Via Donada, into CN Zone as defined by Section 101.0426 of the San Diego Municipal Code, and repealing certain Ordinances of The City of San Diego insofar as the same conflict herewith.

The Council considered that portion dealing with Ordinances to be introduced, which consisted of Items 151 and 152.

(Item 151)

A proposed Ordinance, continued from the Meeting of January 29, 1976, for Rules Committee report on proposal, changing the title of Chapter II, Article 9 of the San Diego Municipal Code to "Governmental Review," and adding Division 2 under Chapter II, Chapter 9 relating to Conflict of Interest and Financial Disclosure for City Officials, and Creating a Good Government Review Commission, was presented.

On motion of Councilman Haro, the proposed Ordinance was referred to the Rules Committee.

(Item 152)

A proposed Ordinance, amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code, by amending Section 101.0412 relating to the R-3A-Zone, was presented.

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

A proposed Ordinance, amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code, by amending Section 101.0412 relating to the R-3A-Zone, was introduced on motion of Councilman Hubbard by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Gade, Ellis, and Haro. Nays-None. Absent-Councilman Morrow and Mayor Wilson.

(Item 153)

A proposed Resolution, inviting bids for the improvement of Miramar Road - Old Miramar Road to Carroll Road - Specifications Document No. 754152, was presented.

City Manager McKinley answered questions directed by the Council.

RESOLUTION 215311, inviting bids for the improvement of Miramar Road - Old Miramar Road to Carroll Road in accordance with Specifications Document No. 754152, was adopted on motion of Councilman Johnson.

(Item 154)

A proposed Resolution, authorizing the expenditure of \$35,000 out of Capital Outlay Fund 245 for the purpose of acquiring fee title to Lot 1 of Minute Manor, for Fire Station Site No. 10, supplementing Resolution No. 213159 in said amount, was presented.


City Manager McKinley and Assistant Property Director Hagar answered questions directed by the Council.

RESOLUTION 215312, authorizing the expenditure of \$35,000 out of Capital Outlay Fund 245 for the purpose of acquiring fee title to Lot 1 of Minute Manor, for Fire Station Site No. 10, supplementing Resolution No. 213159 in said amount, was adopted on motion of Councilman Ellis.

There being no further business to come before the Council at this time, the Regular Meeting was adjourned on motion of Councilman Gade at 4:37 p.m.

Mayor of The City of San Diego, California

ATTEST:


City Clerk of The City of San Diego, California