

REGULAR MEETING OF THE COUNCIL OF THE CITY OF  
SAN DIEGO, CALIFORNIA - TUESDAY, FEBRUARY 17, 1976  
IN THE CHAMBERS OF THE COUNCIL - ADMINISTRATION BUILDING  
CHARLES C. DAIL CONCOURSE

Present--Councilmen Johnson, O'Connor, Hubbard, Gade, Ellis, Haro, and  
Mayor Wilson.  
Absent--Councilmen Williams and 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 communication from Anderson Borthwick, representing San Diego Crew Classic, requesting permission to address the Council regarding additional funding for 1976 San Diego Crew Classic Rowing Regatta to be held on Mission Bay from 8:00 A.M. to 1:30 P.M. on April 3, 1976.

Anderson Borthwick appeared to speak regarding said communication.

Councilman Williams entered the Chambers.

On motion of Councilwoman O'Connor, the matter was referred to the Public Services and Safety Committee and the City Manager for a report to said Committee; and directing that said matter be placed on the February 24, 1976 Council Docket under Special Order of Business, seconded by Councilman Gade, passed unanimously.

The Council considered requests for continuances: Item 203.

(Item 203)

REFERRAL AGENDA: Seven Resolutions relative to Sixth Avenue Widening:

- a - Certifying that the information contained in Environmental Negative Declaration No. 73-7-007C 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;

(Item 203 - Continued)

- b - Authorizing the expenditure of \$358,478 out of Gas Tax Fund 220 for relocation assistance and acquisitions of right-of-way for the widening of Sixth Avenue;
- c - Approving the acceptance by the City Manager of Deed of Rosalie T. Maxwell, conveying portions of Lots 9, 10 and 11 in Block 2 of Crittenden Addition (street purposes) - Sixth Avenue;
- d - Approving the acceptance by the City Manager of Deed of Title Insurance and Trust Company, conveying portions of Lots 8, 9, and 10 in Block 2 of Crittenden's Addition (street purposes) - Sixth Avenue;
- e - Approving the acceptance by the City Manager of Deed of Thos. L. Crist and George A. La Pointe, conveying portions of Lots 11, 12 and 13 in Block 2 of Crittenden's Addition (street purposes) - Sixth Avenue;
- f - Approving the acceptance by the City Manager of Deed of The Rector, Wardens and Vestrymen of All Saints Parish, conveying portion of Lots 17, 18, 19, 23 and 24 in Block 3 of Crittenden's Addition (street purposes) - Sixth Avenue; and
- g - Approving the acceptance by the City Manager of Deed of Lenwood M. Alexander and Pauline Alexander, conveying a portion of Lot 9 in Block 6 of Brooks' Addition (street purposes) - Sixth Avenue, was

presented.

Councilman Morrow entered the Chambers.

City Manager McKinley addressed the Council on the matter.

On motion of Councilman Johnson, the item was removed from the Referral Agenda and placed on the Consent portion of the Council Docket of February 24, 1976, at the request of the City Manager, which passed unanimously.

The Council considered the portion of the Consent Agenda dealing 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 February 4, 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 considera-

tion of each member of the Council and the public prior to the day of their passage, a written or printed copy of said Ordinances.

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

(Item 20 - CASE NO. 43-73-7/EOT)

ORDINANCE 11769 (New Series), amending Ordinance No. 11201 (New Series), adopted January 8, 1974, incorporating a portion of Lot 51, The Highlands, into M-1B Zone, located on the south side of Engineer Road, between Ruffner Street and I-805 - extension of time to February 7, 1977.

(Item 21 - CASE NO. 60-71-15/EOT)

ORDINANCE 11770 (New Series), amending Ordinance No. 11204 (New Series), adopted January 8, 1974, incorporating a portion of the West 1/2 Section 30, Township 14 South, Range 2 West, SBBM, into R-1-5 Zone, located between Bootes Street and Black Mountain Road, north of Libra Drive - extension of time to February 7, 1977.

The Council considered that portion of the Consent Agenda dealing with Resolutions which consisted of Items 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 100, 101, 102, and 151.

There was discussion on Items 57 and 58.

By Common Consent, the City Manager was requested to provide a report on the subject of reviewing the process of collecting a 10¢ charge - possibility of paying that out of Utilities revenue.

(Item 50)

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

RESOLUTION 215321, Roczey Grading & Demolition General Engineering Contractor, Inc., for reconstruction of Tennis Court No. 5 at La Jolla Park and Recreation Center, for the sum of \$14,139; authorizing the expenditure of \$24,000 from Capital Outlay Fund No. 245 for said purpose and related costs; authorizing the City Auditor and Comptroller to transfer \$8,000 from CIP NO. 23-518(6) to Capital Outlay Reserve, CIP NO. 90-245; and

RESOLUTION 215322, J. J. Wermers Construction for Central Police Station - laboratory reconstruction - Phase II, for the sum of \$26,307; authorizing the expenditure of \$44,000 from Capital Outlay Fund No. 245 for said purpose and related costs; authorizing the City Auditor and Comptroller to transfer \$9,000 from CIP NO. 36-020(6) to Capital Outlay Reserve, CIP NO. 90-245.

(Item 51)

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

RESOLUTION 215323, Nixon-Egli Equipment Co. for the purchase of five street sweepers for a total cost, including tax and terms, less trade-in, of \$168,811.40 with an option to purchase up to seven additional street sweepers at the same price, terms and conditions until July 3, 1976, including trade-in's with single speed axle at \$1,000 each and sweepers with 2 speed axles at \$2,000 each; and

RESOLUTION 215324, B. Hayman Co., Inc., for the purchase of two each self-propelled turf sweepers for an actual cost, including tax and terms, of \$7,203.76; and

RESOLUTION 215325, Martek Instruments, Inc., for the purchase of one each transmissometer and cable for an actual cost, including tax and terms, of \$3,710; and

RESOLUTION 215326, Cart Mart, Inc., for the purchase of one electrical light utility vehicle and two 1500 lb. capacity trailers for an actual cost, including tax and terms, of \$2,794.69.

(Item 52)

RESOLUTION 215327, setting a public hearing on the Intention to Vacate Frankfort Street (formerly 5th Avenue) between Gesner Street and Field Street; Galveston Street (formerly 6th Avenue) between Gesner Street and Edison Street; Field Street (formerly F Street) between Frankfort Street and Galveston Street; Gesner Street (formerly G Street) between Frankfort Street and Galveston Street; a portion of Edison Street (formerly E Street) between Frankfort Street and Hartford Street; together with the alleys in Blocks 81 and 82; and the alley in Block 105 northerly of the north line of Lots 14 and 15; all the above being in Morena, was adopted on motion of Councilman Williams.

(Item 53)

The following Resolutions, approving the acceptance by the City Manager of a deed of San Diego Unified School District of San Diego County, California; certifying that the information contained in the Environmental Impact Report on file in the office of the City Clerk as E.Q.D. No. 73-5-1024-P, as amended, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines pursuant thereto, were adopted on motion of Councilman Williams:

RESOLUTION 215328, approving the acceptance by the City Manager of a deed of San Diego Unified School District of San Diego County, California (street purposes) - Kesling Street; and

RESOLUTION 215356, certifying that the information contained in the Environmental Impact Report on file in the office of the City Clerk as E.Q.D. No. 73-5-1024-P, as amended, has been completed in compliance with the California Environmental Quality Act of 1970 and the State guidelines pursuant thereto.

(Item 54)

RESOLUTION 215329, approving the acceptance by the City Manager of a deed of Jessie Collins (street purposes) - 47th Street, was adopted on motion of Councilman Williams.

(Item 55)

RESOLUTION 215330, calling a public hearing to determine whether the public health, safety or general welfare requires the formation of an underground utility district to be known and denominated as the Sixth Avenue (Upas Street to Robinson Avenue) Underground Utility District, was adopted on motion of Councilman Williams.

(Item 56)

RESOLUTION 215331, designating April 16, 1976, 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 May 31, 1976, as the date for the removal of all overhead utility facilities, was adopted on motion of Councilman Williams.

(Item 57)

RESOLUTION 215332, authorizing an agreement with Gibraltar Savings and Loan Association to act as collector for the City in collecting water and sewer service bills, was adopted on motion of Councilman Williams.

(Item 58)

RESOLUTION 215333, awarding contracts to Motorola, Inc., General Electric Company, R.C.A., Inc., F. Morton Pitt, Telewave, Inc., and Com Sales, a Division of Reno Mfg. Sales, Agent for Com Center Corp., for the purchase of communications equipment, for a total cost, including tax and terms, of \$172,495.42, was adopted on motion of Councilman Williams.

(Item 59)

RESOLUTION 215334, awarding contracts to Sorrento Business Center Inc., Stationers Corp., San Diego Office Supply, and Zellerbach Paper Company, for the purchase of miscellaneous office supplies, for a total cost, including tax and terms, of \$5,944.58, was adopted on motion of Councilman Williams.

(Item 60)

The following Resolutions, relative to the Final Subdivision Map of Valley Park Estates, a 64-lot subdivision located at Euclid Avenue and Laurel Street, were adopted on motion of Councilman Williams:

RESOLUTION 215335, authorizing an agreement with John L. Kies Company for completion of improvements; and

RESOLUTION 215336, authorizing an agreement with John L. Kies Company, subdivider of Valley Park Estates subdivision, for participation in the construction of storm drain improvements in Euclid Avenue, and to provide for reimbursement by the City in an amount not to exceed \$7,048 out of Capital

(Item 60 - Continued)

Outlay Funds from the Annual Allocation, New Developments (CIP 58-011), for the improvement of Euclid Avenue; and

RESOLUTION 215337, approving the Final Map and acknowledging receipt of subdivider's assurance of compliance with the Affirmative Marketing Program; and

RESOLUTION 215338, vacating Laurel Street and Chollas Road under the Summary Vacation Procedure.

(Item 61)

RESOLUTION 215339, granting an extension of time to January 1, 1977, to Avco Community Developers, Inc., for completion of improvements in Bernardo Trails Unit No. 3 subdivision; amending the agreement by substituting a new construction cost estimate; and accepting Bond No. 514 09 66, the penal amount which has been increased to \$579,000, was adopted on motion of Councilman Williams.

(Item 62)

The following Resolutions, relative to easements in connection with Encore Mira Mesa Unit 2 subdivision, were adopted on motion of Councilman Williams:

RESOLUTION 215340, authorizing the divestment of the City's easement interest by negotiated sale for the sum of \$130 affecting a portion of Section 25, Township 14 South, Range 3 West; authorizing the execution of a quitclaim deed, quitclaiming to Larwin-Southern California, Inc., said interest in easements for sewer, slope and drainage purposes; and

RESOLUTION 215341, authorizing a supplementary agreement with Larwin-Southern California, Inc., conveying certain easements for sewer, slope, and drainage purposes, affecting the property named in the foregoing resolution, back to the City in the event Larwin-Southern California fails to construct the sewer line as called for in the Subdivision Improvement Agreement for proposed Encore Mira Mesa Unit No. 2.

(Item 63)

RESOLUTION 215342, excusing Councilman Leon L. Williams from the Public Facilities and Recreation Committee meeting of January 19, 1976, for the purpose of attending a League of California Cities Task Force meeting in Sacramento, California, was adopted on motion of Councilman Williams.

(Item 100)

RESOLUTION 215343, inviting bids for Mira Mesa High School - tennis court lights in accordance with Document No. 754268, was adopted on motion of Councilman Williams.

(Item 101)

RESOLUTION 215344, authorizing a Lease Agreement with Olson Development Company for a 6,000 square foot building for offices of the City's Housing Rehabilitation/Code Enforcement Program, located at 1501 National Avenue, at a monthly rental of \$1,320, for a term of two years, was adopted on motion of Councilman Williams.

(Item 102)

RESOLUTION 215345, authorizing an agreement with Towers, Perrin, Forster and Crosby, actuaries for the City Retirement System, for the purpose of conducting an in-depth study at a cost not to exceed \$5,000 in order to provide the Council with an analysis of the feasibility of withdrawing from the Social Security System; authorizing the Auditor and Comptroller to transfer within the 100 Fund the sum of \$5,000 from the Unallocated Reserve (53.30) to the Allocated Reserve (53.20) to be used solely and exclusively for the above purpose, was adopted on motion of Councilman Williams.

(Item 151)

The following Resolutions, continued from the Meetings of January 28, and February 4, 1976, at the City Manager's request, relative to the Final Subdivision Map of Encore Mira Mesa Unit No. 2, a 55-lot subdivision, located north of New Salem Street and west of Camino Ruiz, were adopted on motion of Councilman Williams:

RESOLUTION 215346, authorizing an agreement with Larwin-Southern California, Inc., for the completion of improvements in the subdivision to be known as Encore Mira Mesa Unit No. 2; and

RESOLUTION 215347, approving the Final Map of Encore Mira Mesa Unit No. 2 subdivision and acknowledging the receipt of subdivider's assurance of compliance with the Affirmative Marketing Program.

(Item 103)

A proposed Resolution, authorizing the election procedure for an implementation committee for the Ocean Beach Precise Plan outlined in the Planning Department Report dated February 9, 1976 and entitled "Ocean Beach Election Proposal", as amended, was presented.

Betty Jean Bish, Doug Card, Mariann Garnish, Norm Lamsis and Dr. Gene Gane appeared to address the Council in favor of the proposed Resolution.

Dick Ridenhorn, Joe Richardson, Lois Rhodes, Vernon Fonty and Strady Paris appeared to address the Council in opposition to the proposed Resolution.

Delores Frank appeared to address the Council in favor of the proposed Resolution.

The motion of Councilman Hubbard to continue the matter to February 24, 1976 so the Community Planners Committee can report on it's thoughts and advise on the subject, died for lack of a second.

The Council discussed the matter.

Director Jim Goff, Planning, answered questions directed by the Council regarding the election districts.

The Council discussed the matter.

Director Jim Goff, Planning, answered questions directed by the Council.

The motion of Councilman Hubbard to continue the matter to February 24, 1976 so the Community Planners Committee can report on it's thoughts and advise on the subject, received no vote at this time.

The Council discussed the matter.

Director Jim Goff, Planning, answered questions directed by the Council.

The Council discussed the matter.

City Clerk Nielsen answered questions directed by the Council regarding the number of written requests for continuances.

The vote was then taken on the motion of Councilman Hubbard to continue the matter to February 24, 1976 so the Community Planners Committee could

(Item 103 - Continued)

report on it's thoughts and advise on the subject, which failed due to the lack of five affirmative votes, by the following vote: Yeas-Councilmen Hubbard and Ellis. Nays-Councilmen Johnson, O'Connor, Williams, Morrow, Gade, Haro and Mayor Wilson.

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

The Council discussed the matter at length.

The motion of Councilman Gade to amend the proposed Resolution to eliminate Districts and have 14 members at large - the top vote getters in the Ocean Beach Precise Plan area, in Item 4 of the election procedure - strike out the seven districts approximately equal in population and change the wording to "at large election", died for lack of a second.

Director Jim Goff, Planning answered questions directed by the Council.

The previous motion of Councilman Gade to amend the proposed Resolution to eliminate Districts and have 14 members at large - the top vote getters in the Ocean Beach Precise Plan area, in Item 4 of the election procedure - strike out the seven districts approximately equal in population and change the wording to "at large election", failed due to the lack of five affirmative votes by the following vote: Yeas-Councilmen Hubbard, Gade and Ellis. Nays-Councilmen Johnson, O'Connor, Williams, Morrow, Haro and Mayor Wilson.

The motion of Councilman Hubbard to amend the proposed Resolution, paragraph five, to reduce the term of office to two years with the initial term to be one year, received no vote at this time.

The Council discussed the matter.

The vote was then taken on the previous motion of Councilman Hubbard to amend the proposed Resolution, paragraph five, to reduce the term of office to two years with the initial term to be one year, failed due to the lack of five affirmative votes, by the following vote: Yeas-Councilmen Johnson and Hubbard. Nays-Councilmen O'Connor, Williams, Morrow, Gade, Ellis, Haro and Mayor Wilson.

The Council discussed the matter.

RESOLUTION 215348, authorizing the election procedure for an implementation committee for the Ocean Beach Precise Plan outlined in the Planning Department Report dated February 9, 1976 and entitled "Ocean Beach Election Proposal", as amended, was adopted on motion of Councilman Gade by the following vote: Yeas-Councilmen Johnson, O'Connor, Williams, Morrow, Gade, Haro and Mayor Wilson. Nays-Councilmen Hubbard and Ellis. Absent-None.

The Mayor recessed the Regular Meeting at 3:42 p.m. Upon reconvening at 3:56 p.m., the Roll Call showed Councilmen Johnson and Gade absent.

Mayor Wilson recognized seven members of Cub Scout Den #2, Pack 978, accompanied by Mrs. Virginia Bowers.

Councilmen Johnson and Gade entered the Chambers.

(Item 104)

The following Resolutions relative to Christmas Puppet Shows in Balboa Park, were adopted on motion of Councilwoman O'Connor.



(Item 104 - Continued)

RESOLUTION 215349, according Marie Hitchcock the status of being co-sponsored by the City for her Christmas puppet shows in Balboa Park, and to refund all rents collected from her for her productions contributed to the "America's Finest City Week" celebrations in the past (cost of said reimbursement will be seventy-five dollars (\$75) and in the future; and

RESOLUTION 215350, commending Marie Hitchcock for her contributions to the citizens of The City of San Diego through her puppet shows at Balboa Park.

(Item 150)

A proposed Resolution, authorizing the South San Diego Community Council Planning Group to represent the South San Diego Community, consisting of that area bounded by Interstate 5 on the east, Imperial Beach city limits on the west, Main Street on the north, and Sunset Avenue on the south, and work with the City Manager's office and Planning Department in the development of a long-range community plan, consistent with community goals and objectives, and be responsible for its presentation as well as the coordination of community support for its adoption and effectuation, was presented.

A substitute proposed Resolution was presented by Councilman Haro.

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

The Council discussed the matter.

~~RESOLUTION~~ 215351, expanding the area of planning responsibility of the Otay Mesa Planning Group to include those portions of the City of San Diego bounded on the east by Interstate 5, the San Diego City limits on the west, Sunset Avenue on the south, and Main Street on the north, was adopted on motion of Councilman Haro.

(Item 153)

A proposed Resolution, in the matter of development of restroom facilities in Pioneer Park, was presented.

Councilwoman O'Connor addressed the Council regarding the location of said restroom facilities.

The Council discussed the matter.

City Manager McKinley presented his report.

Vince Marchetti, Park and Recreation Department, presented his report.

Attorney John Green and Kent Cassidy appeared to speak in opposition to the development of restroom facilities in Pioneer Park.

The Council discussed the matter.

City Manager McKinley answered questions directed by the Council.

The motion of Councilwoman O'Connor to direct the City Manager to relocate the facility closer to Grant School, received no vote at this time.

The Council discussed the matter.

Councilwoman O'Connor withdrew her previous motion.

The motion of Councilwoman O'Connor to cancel the facility in the Capital Improvement Program, received no vote at this time.

The Council discussed the matter.

City Manager McKinley addressed the Council.

Vince Marchetti, Park and Recreation Department, answered questions directed by the Council regarding the said restroom facilities.

The Council discussed the matter.

(Item 153 - Continued)

RESOLUTION 215352, directing the City Attorney to prepare necessary documents to delete from the Capital Improvements Program, Fund 245, Project No. 23-441.1, entitled "Mission Hills Park", was adopted on motion of Councilwoman O'Connor by the following vote: Yeas-Councilmen Johnson, O'Connor, Hubbard, Williams, Morrow, Gade, Ellis and Mayor Wilson. Nays-Councilman Haro. Absent-None.

(Item 152)

A proposed Resolution, terminating the agreement of April 17, 1974, with The Portofino and Southeastern California Association of Seventh-Day Adventists, documented as No. 746991; releasing Performance Bond No. 220B834-4, issued by the Travelers Indemnity Company, guaranteeing the improvements in the subdivision known as Rollins Subdivision, was presented.

City Manager McKinley presented his report.

Attorney E. Ludlow Keeney, Jr., representing The Portofino and Southeastern California Association of Seventh-Day Adventists, appeared to address the Council in support of the termination of the agreement.

City Attorney Witt answered questions directed by the Council.

On motion of Councilwoman O'Connor, the proposed Resolution was filed.

(Unanimous Consent-#1)

By Unanimous Consent granted to Councilman Williams, the following Resolution was adopted on motion of Councilman Gade:

RESOLUTION 215353, excusing Councilman Leon Williams from the Council Meeting of February 18, 1976, from 8:30 a.m. to 10:00 a.m. to participate in a flag ceremony at Toler Elementary School.

(Unanimous Consent #2)

By Unanimous Consent granted to Councilman Morrow, the following Resolution was adopted on motion of Councilman Morrow:

RESOLUTION 215354, approving the nomination of portions of the El Prado Complex in Balboa Park for listing in the National Register of Historic Places.

(Unanimous Consent #3)

By Unanimous Consent granted to Mayor Wilson, the following Resolution was adopted on motion of Councilman Morrow:

RESOLUTION 215355, amending Resolution 215233, adopted on January 29, 1976, to provide that the Council shall meet as Committee of the Whole on Wednesday, March 10, 1976, 3:00 p.m.; and Wednesday, April 14, 1976, 2:00 p.m.; and at such further meetings to be directed by the Council for the purpose of conducting inquiries into the intelligence operations of the San Diego Police Department.

There being no further business to come before the Council at this time, by Unanimous Consent granted to Councilman Hubbard, the Regular Meeting was adjourned in memory of Murdock T. Kidder, Division Manager of Pepsi-Cola Bottling Company, at 5:02 p.m., on motion of Councilman Hubbard.

Mayor of The City of San Diego, California

ATTEST:

Charles J. Robinson  
City Clerk of The City of San Diego, California