

RESOLUTION NO. 217931

R. 77-1576

MAR 16 1977

WHEREAS, by Resolution No. 217594 adopted on February 1, 1977, the City Council granted Certificates of Public Convenience and Necessity to operate taxicabs to the following individuals:

1. Gene Anderson
2. Daniel M. Summers
3. Jeovanni F. A. Camacho
4. Robert Gonzales
5. Henry Hockstadter
6. Leonard Yanez
7. Raul Torres
8. James Kenneth Goff
9. Ray Fred Burk
10. Lanny Hugh Springstun
11. Preston E. Snook, Jr.
12. Gary Thomas Phillips, Sr.
13. Edward J. Keating
14. Robert J. Smith
15. Marvin Haskell Chandler
16. Rick Roland Bessa

; and

WHEREAS, the above sixteen (16) individuals failed to comply with the provisions of Resolution No. 217594 which

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required them to pay their business license fees called for under Municipal Code Section 31.0344 and in the manner provided in Section 31.0140 within twenty (20) days of the adoption of said resolution; and

WHEREAS, said resolution provided that in the event any certificate holder failed to pay the required business license fees within the twenty-day period the City Manager was directed to recommend the revocation of the certificate and to present to this City Council the next prospective individual owner/operator applicant as determined by the date of filing an application; and

WHEREAS, certain individuals listed on the City Manager's Report, a copy of which is attached hereto as Enclosure (1), have applied to the City Council for Certificates of Public Convenience and Necessity to operate taxicabs within the limits of the City of San Diego; and

WHEREAS, pursuant to Section 72.0101(d) of the San Diego Municipal Code, the City Manager has caused an investigation to be made and has filed his written report with this Council as Enclosure (1); and

WHEREAS, the Council this date, after a public hearing, has found the contents of the City Manager's report to be correct and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

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<u>That:</u>	<u>Name</u>	<u>Number</u>
1.	Manuel De Jesus	1
2.	James P. Simmons	1
3.	Robin P. Roberts	1
4.	William J. Evans	1
5.	William Arthur Wadsworth	1
6.	Miguel F. Lopez	1
7.	Daniel H. Fox	1
8.	David Brisker	1
9.	Charles E. Phillips	1
10.	Hector M. Vargas	1
11.	George Cummings Gardner	1
12.	Andres W. Oliverio	1
13.	Robert H. Campbell	1
14.	John T. Carson	1
15.	Brian T Kelly	1
16.	Edward L. Pratt	1

having filed an application for Certificates of Public Convenience and Necessity to operate taxicabs pursuant to the provisions of Section 72.0101(b) of the San Diego Municipal Code, and the City Manager having conducted the required investigation, the City Council hereby grants Certificates of Public Convenience and Necessity to said individuals to operate taxicabs in the number set forth next to their names, subject to compliance with all provisions of the San Diego Municipal Code.

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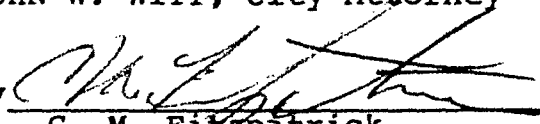
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BE IT FURTHER RESOLVED, that pursuant to this resolution, in the event any certificate holder named herein fails to pay the business license fees called for under Municipal Code Section 31.0344 and in the manner provided in Section 31.0140 within twenty (20) days of the adoption of this resolution and commence operation of his taxicab for which the certificate is now issued within ninety (90) days of the adoption of this resolution, the City Manager be and he is hereby directed to recommend the revocation of the certificate and to present to this City Council the next prospective individual owner/operator applicant as determined by the date of filing an application.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby directed to revoke the certificates issued as outlined in the first paragraph of this resolution.

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby directed to hold any pending or further applications for Certificates of Public Convenience and Necessity to operate taxicabs until such time said certificate(s) become available for issuance.

APPROVED: JOHN W. WITT, City Attorney

By   
C. M. Fitzpatrick  
Senior Chief Deputy

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CMF:vl:504.1  
3/4/77  
Or. Dept.: Transp.

# REPORT

THE CITY OF SAN DIEGO



## To the Honorable Mayor and City Council From the City Manager

DATE ISSUED: January 12, 1977

FOR DOCKET OF: January 19, 1977  
R. 77-1114

SUBJECT: Issuance of Taxicab Certificates of Public Convenience  
and Necessity

### BACKGROUND

#### Amended Taxicab Policy

On December 16, 1976, the City Council amended Council Policy 500-2 "Taxicabs - Certificates of Convenience and Necessity." Briefly summarized, the amended policy establishes a two-year ceiling of 410 taxicab certificates, of which a minimum of 15 percent or 61 certificates are to be available to individual owner/operators. The amended policy also requires that individual owner/operators actually operate their taxicab at least one-third of the time, and further requires that within one year of the policy's adoption date, all certificate holders are to acquire radio dispatch-response capabilities.

#### Currently Authorized Certificates

Following the City Council's December 29th, 1976 authorization of the transfer of the 280 Yellow Cab certificates to Western States Transportation, Incorporated, a total of 339 taxicab certificates had been issued. The distribution of these certificates is shown in Table 1 below.

<u>Currently Issued Taxicab Certificates</u>	
<u>Operator</u>	<u>Taxicab Certificates</u>
1. Brown & White Cab Co.	3
2. Checker Cab Co.	13
3. City Cab Co.	2
4. La Jolla Cab Co.	11
5. Martin Cab Co.	5
6. Radio Cab Co.	7
7. Red Cab of San Diego	9
8. Yellow Cab Co.	280
9. U.S.A. Cab Co.	9
TOTAL	339

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Table 1

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CERTIFICATES NOW AVAILABLE FOR ISSUANCE

Subtracting the 339 taxicab certificates currently issued from the authorized ceiling of 410, leaves 71 outstanding taxicab certificates available for issuance.

As noted earlier, a minimum of 61 of these outstanding 71 certificates are to be made available to individual owner/operator applicants.<sup>1</sup> At the discretion of the Council, the ten remaining certificates may be issued to: a) existing taxicab firms requesting additional certificates; b) newly proposed taxicab firms or cooperatives; c) additional individual owner/operator applicants; or d) any combination thereof.

Certificate Requests: Existing Operators

There are presently six applications from existing taxicab firms for 24 additional certificates of public convenience and necessity. These requests are shown in Table 2 below.

<u>Requests From Existing Taxicab Operators for Additional Certificates</u>	
<u>Operator</u>	<u>No. of Certificates Requested</u>
1. Brown & White Cab Co.	3
2. Checker Cab Co.	3
3. City Cab Co.	4
4. Martin Cab Co.	4
5. Radio Cab Co.	5
6. Red Cab of San Diego	5
TOTAL	24

Table 2

Certificate Requests: Prospective Operators

Additionally, 123 requests for 512 certificates have been received, to date, from prospective (new) taxicab operators, including 108 individual owner/operator applications. These applications are summarized in Table 3 on page 3.

<sup>1</sup>"Individual owner/operator" is interpreted as one owner/operator operating one taxicab; those operators or applicants possessing or requesting more than one taxicab certificate are defined as an "other entity" and not as an individual owner/operator.

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<u>Requests From Prospective Taxicab Operators for Certificates</u>		
<u>(A)</u> <u>No. of Applicants</u>	<u>(B)</u> <u>No. of Certificates Requested</u>	<u>(A x B)</u> <u>Total No. of Certificates Requested</u>
108	1	108
3	2	6
1	3	3
1	5	5
1	9	9
3	10	30
2	20	40
2	50	100
1	61	61
1	150	150
<u>TOTALS</u>	<u>123</u>	<u>512</u>

Table 3

Therefore, by adding the data presented in Tables 2 and 3, the combined current demand from both existing and prospective operators for additional taxicab certificates totals 129 separate requests for 536 additional certificates. These applicants are serially listed by the date their application was filed with the City Clerk. (See Appendix I attached to this report.)

CITY MANAGER'S FINDINGS AND RECOMMENDATIONS

Section 72.0101, paragraph (d) of the Municipal Code requires that "Before any application is acted upon the City Manager shall cause an investigation to be made and shall report his findings, in writing, to the Council on the following:

- (1) The demand of the public for additional taxicab service;
- (2) The adequacy of existing mass transportation and taxicab service;
- (3) The financial responsibility and experience of the applicant;
- (4) The number, kind, and type of equipment and color scheme to be used;
- (5) The effect which such additional taxicab service may have upon traffic congestion and parking;
- (6) Whether the additional taxicab service will result in a greater hazard to the public;
- (7) Such other relevant facts as the Council may deem advisable or necessary."

Because item 4 above is necessarily related to each specific application, information concerning the number and type of vehicles is on file with the Department of Transportation, while data regarding proposed vehicle color schemes is on file with the San Diego Police Department.

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Findings relative to the other items, however, can be discussed collectively.

(1) Public demand for additional taxicab service: Presently, the apparent declining trend in total paid taxicab trips does not seem to substantiate the need for additional taxicab service in the City. However, it should be noted that individual owner/operators who provide a high level of professional service may be able to generate additional public demand for taxicab service.

(2) Adequacy of existing mass transportation and taxicab service: Existing mass public transportation does not appear to adequately meet the total transportation needs of the community. It must be stressed that local transportation needs are extremely varied, and require a multi-modal approach, including fixed bus routes, dial-a-ride service, and automobiles-for-hire, as well as taxicab service.

(3) Applicants' financial responsibility and experience: The applicants' financial responsibility and experience have been checked satisfactorily. Information regarding the financial responsibility and experience of specific applicants is on file with the Department of Transportation.

(5) Impact of additional taxicab service upon traffic congestion and parking: It is not felt that the issuance of up to an additional 71 taxicab certificates, as allowed under the amended policy, will worsen, in any measurable way, local traffic congestion and parking problems.

(6) Additional taxicab service generating a greater hazard to the public: If the provisions of the Municipal Code regarding the operation of taxicabs are faithfully adhered to by all certificate holders, and if the present level of enforcement is maintained, no greater hazard to the public is anticipated.

In accordance with the provision of Council Policy 500-2 (Taxicabs - Certificates of Convenience and Necessity) that at least 15 percent of the authorized certificates shall be held by individual owner/operators, it is recommended that 61 of the 71 outstanding taxicab certificates be issued to individual owner/operator applicants on the basis of the date their application was filed with the City Clerk.

In order to increase the level of parity among existing taxicab operators, it is recommended that the ten remaining certificates be issued in sets of two each, to the five smallest taxicab operators requesting additional taxicab certificates. Approval of this recommendation would result in the issuance of two additional taxicab certificates to each of the following operators: Brown & White Cab Co., City Cab Co., Martin Cab Co., Radio Cab Co., and Red Cab of San Diego.

It is recommended that all pending and future applications for taxicab certificates be held until such certificates become available for issuance.

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At the conclusion of the hearing, the City Council shall determine: a) whether the public convenience and necessity require the issuance of these certificates and, b) the basis for distribution of any issued certificates to the various applicants.

Respectfully submitted,



R. E. Graham  
Assistant City Manager

SIMPSON/JD

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APPENDIX I.

A.

REQUESTS FOR TAXICAB CERTIFICATES

<u>Date &amp; Time Application Filed With City Clerk</u>			<u>Applicant</u>	<u>Company</u>	<u>No. Certificates Requested</u>
1.	June 30, 1976	9:13 am	O. D. Hedrick*	Red Cab Co.	5
2.	Aug. 20, 1976	2:16 pm	Antonio Balestreri*	Martin Cab Co.	4
3.	AUG. 23, 1976		William L. Sale*	Radio Cab Co.	5
4.	Aug. 26, 1976	1:17 pm	C. G. Selleck*	Checker Cab Co.	3
5.	Aug. 27, 1976	1:25 pm	Norris L. Lipsey*	Brown & White Cab Co.	3
6.	Sept. 4, 1976	12:04 pm	Ruben Madrigal*	City Cab Co.	4
7.	Sept. 14, 1976	2:00 pm	Robert H. Segall		9
8.	Oct. 6, 1976	12:17 pm	Jerry Leroy Morris		2
9.	Oct. 6, 1976	2:25 pm	Robert I. Pratt, Sr.		10
10.	Oct. 14, 1976	11:34 am	Alexander M. Irwin		150
11.	Oct. 15, 1976	4:14 pm	Ronald E. Moore		2
12.	Oct. 27, 1976	2:30 pm	Paul W. Roeder		10
13.	Dec. 7, 1976	9:12 am	Larry B. Johnson		2
14.	Dec. 7, 1976	10:19 am	John C. Kleven		5
15.	Dec. 7, 1976	3:32 pm	Cesar M. Johnson		20
16.	Dec. 8, 1976	2:28 pm	Willy Scherrer		10
17.	Dec. 10, 1976	2:51 pm	Deloris Harris		3
18.	Dec. 10, 1976		Jessie Enriquez Moore		50
19.	Dec. 13, 1976	8:01 am	John Harper		20
20.	Dec. 15, 1976	9:59 am	John T. Carson		50
21.	(Dec. 20, 1976	11:41 am	Richard Thompson		61
	(Dec. 20, 1976	11:41 am	John Harper		
	(Dec. 20, 1976	11:41 am	Tom Grela		
Total					428

\*Denotes existing taxicab operators

B.

INDIVIDUAL OWNER/OPERATOR TAXICAB CERTIFICATE APPLICANTS

<u>Date &amp; Time Application Filed With City Clerk</u>			<u>Applicant</u>	<u>No. Certificates Requested</u>
1.	Feb. 24, 1976	4:54 pm	Mack Allen Hamilton	1
2.	June 23, 1976	4:20 pm	Dave Scrimger	1
3.	Sept. 8, 1976	1:04 pm	Laurence J. Victory	1
4.	Sept. 9, 1976	1:07 pm	Lennox Birckhead	1
5.	Sept. 10, 1976	11:00 am	Victor G. Burnett	1
6.	Sept. 10, 1976	3:01 pm	David L. Wells	1
7.	Sept. 14, 1976	2:00 pm	Robert H. Segall	1
8.	Oct. 5, 1976	12:29 pm	Gene Anderson	1
9.	Oct. 5, 1976	4:30 pm	Mary Lou Schaeffer	1
10.	Oct. 6, 1976	12:09 pm	Daniel M. Summers	1
11.	Oct. 6, 1976	12:52 pm	George H. Forrester	1
12.	Oct. 6, 1976	2:10 pm	Robert L. Levesque	1
13.	Oct. 6, 1976	2:10 pm	John R. Higdon	1
14.	Oct. 6, 1976	2:23 pm	Thomas Lawrence Grela	1
15.	Oct. 6, 1976	2:23 pm	Gerald David Newport	1

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<u>Date &amp; Time Application</u> <u>Filed With City Clerk</u>				<u>Applicant</u>	<u>No. Certificates</u> <u>Requested</u>
16.	Oct.	6, 1976	2:23 pm	Thomas D. Arnett	1
17.	Oct.	6, 1976	2:23 pm	Joe Anaya	1
18.	Oct.	6, 1976	2:23 pm	Hoyle P. Higdon	1
19.	Oct.	6, 1976	2:23 pm	John H. Steveson	1
20.	Oct.	6, 1976	2:23 pm	Michael Spadacini	1
21.	Oct.	6, 1976	2:23 pm	Jeovanni F. A. Camacho	1
22.	Oct.	6, 1976	2:23 pm	Arnold W. Phillips	1
23.	Oct.	6, 1976	2:24 pm	Douglas S. Phillips	1
24.	Oct.	6, 1976	2:24 pm	Eugene R. Thornton	1
25.	Oct.	6, 1976	2:24 pm	Michael L. Car	1
26.	Oct.	6, 1976	2:24 pm	Lester Auerbach	1
27.	Oct.	6, 1976	2:26 pm	Elias Barajas	1
28.	Oct.	6, 1976	2:26 pm	Melvin M. Cromley	1
29.	Oct.	6, 1976	2:26 pm	Daniel J. De Marcus	1
30.	Oct.	6, 1976	2:26 pm	Steven Francis Ferguson	1
31.	Oct.	6, 1976	2:26 pm	Robert Gonzales	1
32.	Oct.	6, 1976	2:26 pm	Henry Hockstadter	1
33.	Oct.	6, 1976	2:26 pm	Theodore F. Martin	1
34.	Oct.	6, 1976	2:32 pm	Leonard Yanez	1
35.	Oct.	6, 1976	2:32 pm	Raymond E. Hill	1
36.	Oct.	6, 1976	2:32 pm	Raul Torres	1
37.	Oct.	6, 1976	2:37 pm	James Kenneth Goff	1
38.	Oct.	6, 1976	2:44 pm	Thomas Walter Wood	1
39.	Oct.	6, 1976	4:34 pm	George Albert Weitzel, Jr.	1
40.	Oct.	6, 1976	4:34 pm	Victor James Weitzel	1
41.	Oct.	6, 1976	4:40 pm	James W. Friedland, Jr.	1
42.	Oct.	7, 1976	8:32 am	Elias V. Flores	1
43.	Oct.	7, 1976	11:22 am	John Jerome Smith	1
44.	Oct.	7, 1976	12:11 pm	James E. Cardani	1
45.	Oct.	7, 1976	12:11 pm	Ray Fred Burk	1
46.	Oct.	7, 1976	12:11 pm	Lanny Hugh Springstun	1
47.	Oct.	8, 1976	10:13 am	Gerald A. Pruett	1
48.	Oct.	8, 1976	2:55 pm	Philip Yoon	1
49.	Oct.	8, 1976	3:15 pm	Preston E. Snook, Jr.	1
50.	Oct.	12, 1976	4:14 pm	Aubrey L. McCullough	1
51.	Oct.	13, 1976	10:18 am	Richard H. Thompson	1
52.	Oct.	13, 1976	2:42 pm	Gary Thomas Phillips, Sr.	1
53.	Oct.	13, 1976	4:19 pm	Robert H. Brown	1
54.	Oct.	13, 1976	4:19 pm	Gerald C. Holden	1
55.	Oct.	14, 1976	4:07 pm	Michael L. Marguet	1
56.	Oct.	18, 1976	8:30 am	Orlaf Merrit Size	1
57.	Oct.	18, 1976	11:54 am	Richard Earl Harrington	1
58.	Oct.	18, 1976	2:30 pm	Marlyn L. Reed	1
59.	Oct.	18, 1976	2:30 pm	Edward J. Keating	1
60.	Oct.	22, 1976	9:22 am	Vernon I. Cox	1
61.	Oct.	22, 1976	9:49 am	Leo G. Razez	1
62.	Oct.	22, 1976	3:49 pm	Millard Hammond	1
63.	Oct.	26, 1976	12:00 pm	Larry B. Johnson	1
64.	Oct.	26, 1976	1:19 pm	Robert J. Smith	1
65.	Oct.	26, 1976	2:32 pm	J. Angel A. Leonel	1
66.	Oct.	26, 1976	2:32 pm	Ronald Westover	1
67.	Nov.	10, 1976	1:57 pm	Robert Louis Vivian	1

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Date & Time Application Filed With City Clerk			Applicant	No. Certificates Requested
68.	Nov. 11, 1976	1:18 pm	Nicholas W. Anochi	1
69.	Nov. 12, 1976	4:24 pm	Robbie M. Davis	1
70.	Nov. 12, 1976	4:29 pm	Malvin Haskell Chandler	1
71.	Nov. 15, 1976	1:35 pm	Rick Roland Bessh	1
72.	Nov. 15, 1976	4:21 pm	Joseph P. Maurice, Sr.	1
73.	Nov. 16, 1976	10:26 am	Manuel De Jesus	1
74.	Nov. 19, 1976	10:10 am	James P. Simmons	1
75.	Nov. 23, 1976	2:29 pm	<del>Robert Roberts</del> Robin Roberts	1
76.	Nov. 29, 1976	2:16 pm	William J. Evans	1
77.	Dec. 1, 1976	10:50 am	William Arthur Wadsworth	1
78.	Dec. 1, 1976	3:57 pm	Miguel F. Lopez	1
79.	Dec. 3, 1976	3:58 pm	Daniel H. Fox	1
80.	Dec. 3, 1976	No time	David Brisker	1
81.	Dec. 3, 1976	No time	Charles E. Phillips	1
82.	Dec. 7, 1976	9:11 am	Hector M. Vargas	1
83.	Dec. 7, 1976	10:31 am	George Cummings Gardner	1
84.	Dec. 7, 1976	10:49 am	Andres W. Oliverio	1
85.	Dec. 7, 1976	12:15 pm	Robert H. Campbell	1
86.	Dec. 8, 1976	1:46 pm	John T. Carson	1
87.	Dec. 9, 1976	1:32 pm	Francisco G. Santoyo	1
88.	Dec. 10, 1976	10:48 am	Brian T. Kelly	1
89.	Dec. 10, 1976	10:57 am	Robert Ewing Ballard	1
90.	Dec. 10, 1976	11:40 am	Edward L. Pratt	1
91.	Dec. 10, 1976	3:22 pm	Ann Campbell Clevenger	1
92.	Dec. 10, 1976	3:48 pm	Manuel J. Savin	1
93.	Dec. 10, 1976	4:52 pm	Raymond Keller	1
94.	Dec. 13, 1976	8:01 am	John Harper	1
95.	Dec. 13, 1976	9:18 am	Francisco Vargas	1
96.	Dec. 13, 1976	9:34 am	Charles A. McMillan	1
97.	Dec. 13, 1976	12:00 pm	Thomas Claybrook Hood	1
98.	Dec. 13, 1976	2:51 pm	Jing - Shiang Lee	1
99.	Dec. 13, 1976	2:51 pm	Ching Chynan Lee	1
100.	Dec. 13, 1976	3:40 pm	Steven Ronald Rader	1
101.	Dec. 14, 1976	No time	Dunbar Lee McLoughlin	1
102.	Dec. 15, 1976	2:48 pm	Charles H. Peters	1
103.	Dec. 16, 1976	11:01 am	William E. Coco	1
104.	Dec. 17, 1976	12:34 pm	Walter James Halliburton	1
105.	Dec. 17, 1976	3:52 pm	George David Dravk	1
106.	Dec. 20, 1976	3:17 pm	Lawrence W. Middleton	1
107.	Dec. 20, 1976	No time	Swan Nahavandi	1
108.	Dec. 21, 1976	2:56 pm	Joseph Salvatore Torricelli	1
				Total 108

*J.G. DeLuna*  
9/11/77

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JUN 1 1978

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Passed and adopted by the Council of The City of San Diego on MAR 16 1977  
 by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Gade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joel M. Strobl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jess D. Haro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON  
 Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN  
 City Clerk of The City of San Diego, California.

By *Kathleen Martinez* Deputy.

RECEIVED  
 CITY CLERK'S OFFICE  
 1977 MAR -9 AM 8:17  
 SAN DIEGO, CALIF.

Office of the City Clerk, San Diego, California	
Resolution Number <b>217931</b>	Adopted <b>MAR 16 1977</b>

CC-1276 (REV. 12-76)

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